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# PENNSYLVANIA BULLETIN

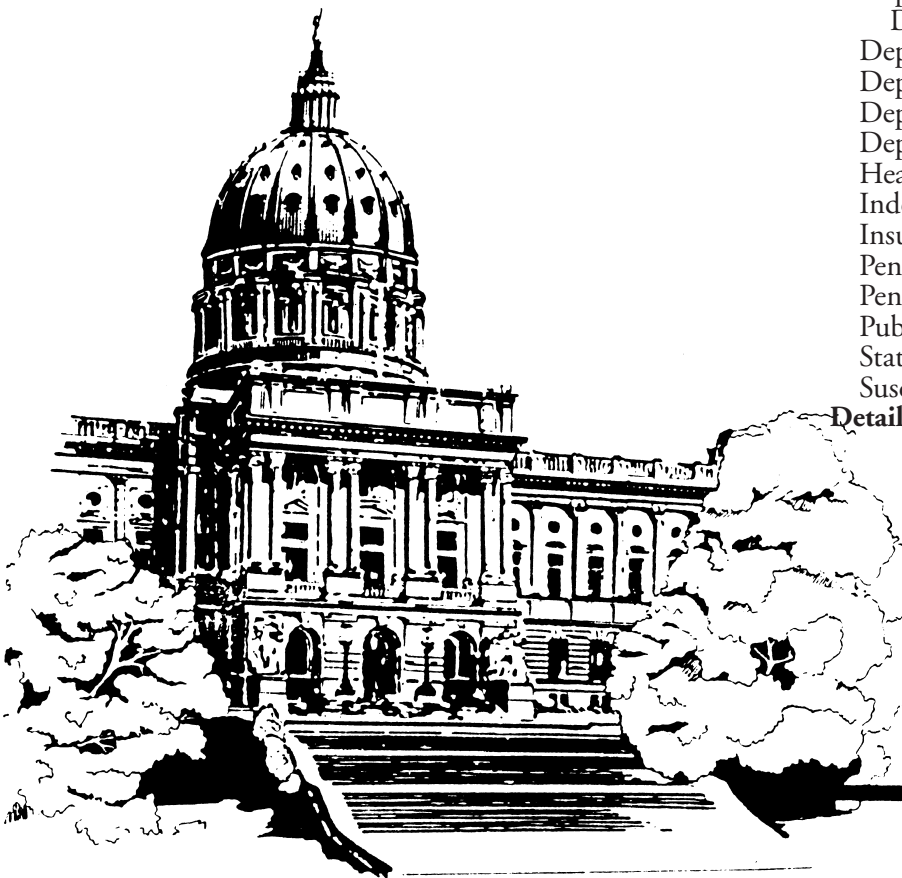
Volume 40  
Saturday, January 2, 2010 • Harrisburg, PA  
Number 1  
Pages 1—204

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January—December 2009

## Part I

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**No. 422, January 2010**

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# READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND PENNSYLVANIA CODE

## *Pennsylvania Bulletin*

The *Pennsylvania Bulletin* is the official gazette of the Commonwealth of Pennsylvania. It is published every week and includes a table of contents. A cumulative subject matter index is published quarterly.

The *Pennsylvania Bulletin* serves several purposes. First, it is the temporary supplement to the *Pennsylvania Code*, which is the official codification of agency rules and regulations and other statutorily authorized documents. Changes in the codified text, whether by adoption, amendment, repeal or emergency action must be published in the *Pennsylvania Bulletin*. Further, agencies proposing changes to the codified text do so in the *Pennsylvania Bulletin*.

Second, the *Pennsylvania Bulletin* also publishes: Governor's Executive Orders; State Contract Notices; Summaries of Enacted Statutes; Statewide and Local Court Rules; Attorney General Opinions; Motor Carrier Applications before the Public Utility Commission; Applications and Actions before the Department of Environmental Protection; Orders of the Independent Regulatory Review Commission; and other documents authorized by law.

The text of certain documents published in the *Pennsylvania Bulletin* is the only valid and enforceable text. Courts are required to take judicial notice of the *Pennsylvania Bulletin*.

### **Adoption, Amendment or Repeal of Regulations**

Generally an agency wishing to adopt, amend or repeal regulations must first publish in the *Pennsylvania Bulletin* a Notice of Proposed Rulemaking. There are limited instances where the agency may omit the proposal step; they still must publish the adopted version.

The Notice of Proposed Rulemaking contains the full text of the change, the agency contact person, a fiscal note required by law and background for the action.

The agency then allows sufficient time for public comment before taking final action. An adopted proposal must be published in the *Pennsylvania*

*Bulletin* before it can take effect. If the agency wishes to adopt changes to the Notice of Proposed Rulemaking to enlarge the scope, they must re-propose.

### **Citation to the *Pennsylvania Bulletin***

Cite material in the *Pennsylvania Bulletin* by volume number and page number. Example: Volume 1, *Pennsylvania Bulletin*, page 801 (short form: 1 Pa.B. 801).

### ***Pennsylvania Code***

The *Pennsylvania Code* is the official codification of rules and regulations issued by Commonwealth agencies and other statutorily authorized documents. The *Pennsylvania Bulletin* is the temporary supplement to the *Pennsylvania Code*, printing changes as soon as they occur. These changes are then permanently codified by the *Pennsylvania Code Reporter*, a monthly, loose-leaf supplement.

The *Pennsylvania Code* is cited by title number and section number. Example: Title 10 *Pennsylvania Code*, § 1.1 (short form: 10 Pa.Code § 1.1).

Under the *Pennsylvania Code* codification system, each regulation is assigned a unique number by title and section. Titles roughly parallel the organization of Commonwealth government. Title 1 *Pennsylvania Code* lists every agency and its corresponding *Code* title location.

### **How to Find Documents**

Search for your area of interest in the *Pennsylvania Code*.

The *Pennsylvania Code* contains, as Finding Aids, subject indexes for the complete *Code* and for each individual title, a list of Statutes Used As Authority for Adopting Rules and a list of annotated cases. Source Notes give you the history of the documents. To see if there have been recent changes, not yet codified, check the List of *Pennsylvania Code* Chapters Affected in the most recent issue of the *Pennsylvania Bulletin*.

The *Pennsylvania Bulletin* also publishes a quarterly List of Pennsylvania Code Sections Affected which lists the regulations in numerical order, followed by the citation to the *Pennsylvania Bulletin* in which the change occurred.

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Material proposed to be added to an existing rule or regulation is printed in **bold face** and material proposed to be deleted from such a rule or regulation is enclosed in brackets [ ] and printed in **bold face**. Asterisks indicate ellipsis of *Pennsylvania Code* text retained without change. Proposed new or additional regulations are printed in ordinary style face.

### Fiscal Notes

Section 612 of The Administrative Code of 1929 (71 P. S. § 232) requires that the Office of Budget prepare a fiscal note for regulatory actions and administrative procedures of the administrative departments, boards, commissions or authorities receiving money from the State Treasury stating whether the proposed action or procedure causes a loss of revenue or an increase in the cost of programs for the Commonwealth or its political subdivisions; that the fiscal note be published in the *Pennsylvania Bulletin* at the same time as the proposed change is advertised; and that the fiscal note shall provide the following information: (1) the designation of the fund out of which the appropriation providing for expenditures under the action or procedure shall be made; (2) the probable cost for the fiscal year the program is implemented; (3) projected cost estimate of the program for each of the five succeeding fiscal years; (4) fiscal history of the program for which expenditures are to be made; (5) probable loss of revenue for the fiscal year of its implementation; (6) projected loss of revenue from the program for each of the five succeeding fiscal years; (7) line item, if any, of the General Appropriation Act or other appropriation act out of which expenditures or losses of Commonwealth funds shall occur as a result of the action or procedures; (8) recommendation, if any, of the Secretary of the Budget and the reasons therefor.

The required information is published in the foregoing order immediately following the proposed change to which it relates; the omission of an item indicates that the agency text of the fiscal note states that there is no information available with respect thereto. In items (3) and (6) information is set forth for the first through fifth fiscal years; in that order, following the year the program is implemented, which is stated. In item (4) information is set forth for the current and two immediately preceding years, in that order. In item (8) the recommendation, if any, made by the Secretary of Budget is published with the fiscal note. See 4 Pa. Code § 7.231 *et seq.* Where “no fiscal impact” is published, the statement means no additional cost or revenue loss to the Commonwealth or its local political subdivision is intended.

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## List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2010.

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# THE GOVERNOR

## Title 4—ADMINISTRATION

### PART I. GOVERNOR'S OFFICE

[ 4 PA. CODE CH. 1 ]

[ EXECUTIVE ORDER NO. 2004-9 ]

### Economic Development Committee of the Cabinet

June 15, 2004

*Whereas*, Pennsylvania has lagged behind the nation in job creation and population growth and ranks at or near the bottom nationally in terms of average educational attainment of our workforce; and

*Whereas*, Pennsylvania continues to experience a net outward migration of young, educated workers, and Pennsylvania has not been successful in attracting sufficient investment in emerging businesses and industries; and

*Whereas*, the manufacturing and agriculture sectors of the state's economy, historically the cornerstones of the state's economy, continue to erode gradually; and

*Whereas*, successful economic development must be sustainable, contributing lasting economic benefits, increased social well-being, a healthy environment, and an improved quality of life for Pennsylvania's people and communities; and

*Whereas*, the Commonwealth's economic development goals include attracting and retaining a young, diverse, well-educated workforce and improving the quality of life offered in Pennsylvania's varied communities; reusing previously developed sites and developing new sites in order to create jobs; and implementing a preference for development that uses and improves existing infrastructure over development in undeveloped agricultural, forested, or watershed lands; and

*Whereas*, recent changes in state policy and improvements in economic development assistance programs require interagency cooperation in order to create a comprehensive economic development strategy; and

*Whereas*, a coordinated policy development and planning effort will result in improved management and productivity of State government economic development programs, more efficient use of scarce resources, and greater evaluation of program performance; and

*Whereas*, a successful economic development strategy will result in stronger economic growth, revitalization of neighborhoods and communities, and an improved quality of life for all Pennsylvanians.

*Now, Therefore*, I, Edward G. Rendell, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws, do formally establish the Economic Development Committee of the Cabinet (hereinafter referred to as the "Committee"), and do order and direct as follows:



Governor

**Fiscal Note:** 2009-7. No fiscal impact; (8) recommends adoption.

## Annex A

## TITLE 4. ADMINISTRATION

## PART I. GOVERNOR'S OFFICE

## CHAPTER 1. AGENCY OPERATION AND ORGANIZATION

Subchapter TT. ECONOMIC DEVELOPMENT  
COMMITTEE OF THE CABINET**§ 1.551. Mission.**

The mission of the Economic Development Committee of the Cabinet is to:

- (1) Coordinate programs and policies affecting economic growth, job creation and retention, and workforce development across State agencies.
- (2) Develop policies and programs to foster business development and job creation.
- (3) Evaluate and redirect, as necessary, the objectives of State economic development and tax policy.
- (4) Establish the criteria for measuring the effectiveness of State policies and programs related to economic development, job creation and community revitalization.
- (5) Monitor market conditions that could affect economic development in this Commonwealth.
- (6) Promote policies that encourage the wise stewardship and conservation of the natural resources of this Commonwealth.

**§ 1.552. Composition.**

The Economic Development Committee of the Cabinet will consist of the following members, each of whom will be appointed by and serve at the pleasure of the Governor:

- (1) The Secretary of Community and Economic Development, who will chair the Committee.
- (2) The Secretary of Agriculture.
- (3) The Secretary of Banking.
- (4) The Secretary of the Budget.
- (5) The Secretary of Conservation and Natural Resources.
- (6) The Secretary of Education.
- (7) The Secretary of Environmental Protection.
- (8) The Secretary of Health.
- (9) The Secretary of Labor and Industry.
- (10) The Secretary of Revenue.
- (11) The Secretary of Transportation.
- (12) The Director of the Governor's Policy Office or a designee.
- (13) The Governor's Chief of Staff or a designee.
- (14) *Ex officio* members as appointed by the Governor.

**§ 1.553. Powers and duties.**

The Economic Development Committee of the Cabinet (Committee) will have the power and duty to:

- (1) Review and coordinate all economic development and community revitalization programs managed by State agencies.
- (2) Coordinate the review of economic development projects and investments to ensure that they are supported by the programs, actions and decisions of other agencies.

(3) Make recommendations on policies and programs that will more effectively and efficiently foster economic growth and community renewal.

(4) Make recommendations on strategies and policies fostering development that conserves land and open space and attracts businesses near existing housing, social services, and public infrastructure; rehabilitates infrastructure and previously developed land; encourages transportation options; and promotes strategic investment in transportation that encourages the revitalization of older communities.

(5) Monitor energy markets and public infrastructure that have the potential to affect economic development and make recommendations on strategies to promote diversification of energy resources and increasing the reliability of energy supplies.

(6) Evaluate and make recommendations for the coordination of workforce development programs managed by State agencies, including adult education, job training, job retraining, job search and employer-operated training programs.

(7) Recommend policies and program enhancements that encourage the conservation and wise stewardship of natural resources and encourage community preservation and revitalization.

(8) Evaluate the public policy objectives underlying State business tax policy and make recommendations to the Governor for appropriate changes.

(9) Develop performance measures for economic development and community revitalization programs managed by State agencies.

(10) Identify economic, environmental and social trends of concern that require coordinated responses from Committee members.

(11) Exercise all other powers and duties that the Governor may delegate to the Committee.

**§ 1.554. Working groups.**

(a) The Economic Development Committee (Committee) of the Cabinet will establish the following working groups to assist in its efforts:

- (1) Workforce Development.
- (2) Infrastructure, Energy, and Technology.
- (3) Tourism and Recreation.
- (4) Manufacturing.
- (5) Small Business.
- (6) Health Care and Life Sciences.
- (7) Agricultural and Agribusiness.

(b) The Governor will establish other working groups as deemed necessary.

(c) The existing Interagency Land Use Team will serve as a working group to assist the Committee by identifying:

(1) Agency programs and policies that impede sound land use management, conservation of natural resources, responsible development and economic growth.

(2) The causes of negative environmental, economic and social trends caused by existing land use practices that require coordinated responses of Cabinet members.

(3) Policies and strategies for conserving land and open space, reusing previously developed sites, and rehabilitating existing infrastructure.

**§ 1.555. Staff.**

Members of the Economic Development Committee of the Cabinet (Committee) will assign staff from their agencies, as necessary, to assist the Committee and its working groups to carry out their responsibilities.

**§ 1.556. Advisory groups.**

The Governor will appoint advisory groups, as deemed necessary, to assist the Economic Development Committee of the Cabinet or its working groups.

**§ 1.557. Compensation.**

Members of the Economic Development Committee of the Cabinet will serve without compensation for their services except that the members may be reimbursed the necessary and actual expenses incurred in attending meetings for actual travel and related expenses in accordance with Commonwealth policy. See 4 Pa. Code Chapter 40 (relating to travel and subsistence).

**§ 1.558. Responsibilities of Commonwealth agencies.**

Commonwealth agencies, under the jurisdiction of the Governor, shall cooperate with the Economic Development Committee of the Cabinet (Committee) and shall, at a minimum:

(1) Provide information, assistance, data, records and materials, as necessary, for the Committee and its working groups to properly carry out their responsibilities.

(2) Provide resources, including staff, equipment and supplies, as necessary, for the Committee and its working groups to properly carry out their responsibilities.

(3) Recommend to the Committee and its working groups areas of investigation that might result in improvements to State government operations, promote more efficient use of scarce resources and improve the general business climate.

[Pa.B. Doc. No. 10-1. Filed for public inspection December 31, 2009, 9:00 a.m.]

**PART I. GOVERNOR'S OFFICE****[ 4 PA. CODE CH. 5 ]****[ EXECUTIVE ORDER NO. 2003-9 AS AMENDED ]****Governor's Advisory Commission on Latino Affairs**

September 15, 2005

*Whereas*, the character of Pennsylvania has been shaped by the various religious, ethnic, and national groups which have settled within its boundaries and this diversity is the very fiber that has allowed us to grow, prosper, and succeed as a Commonwealth; and

*Whereas*, as one of the fastest growing communities in the Commonwealth, the Latino community has had a positive impact upon business and industry and has enhanced Pennsylvania through culture, creativity, and innovation; and

*Whereas*, the Latino community must be given the opportunity to continue to grow and prosper within our boundaries. Concomitantly, the Commonwealth must protect this important community against discrimination, provide Latino children with the opportunity to receive the best education possible, and increase economic development and employment possibilities in order to help enhance the social and economic status of the Latino community in Pennsylvania.

*Now Therefore*, I, Edward G. Rendell, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of

the Commonwealth of Pennsylvania and other laws, do hereby reestablish the Governor's Advisory Commission on Latino Affairs (hereinafter referred to as the "Commission") as the Commonwealth's advocate agency for its Latino citizens as hereinafter set forth.



Governor

**Fiscal Note:** 2009-08. No fiscal impact; (8) recommends adoption.

**Annex A**

**TITLE 4. ADMINISTRATION  
PART I. GOVERNOR'S OFFICE  
CHAPTER 5. COUNCILS AND COMMITTEES  
Subchapter T. GOVERNOR'S ADVISORY  
COMMISSION ON LATINO AFFAIRS**

**§ 5.213. Composition.**

(a) The Governor's Advisory Commission on Latino Affairs (Commission) consists of 18 members to be appointed by the Governor who are representatives of this Commonwealth's Latino community.

(b) The Governor will appoint an Executive Director of the Commission.

(c) The Governor will designate two Commission members to serve as co-chairpersons of the Commission.

[Pa.B. Doc. No. 10-2. Filed for public inspection December 31, 2009, 9:00 a.m.]

**PART I. GOVERNOR'S OFFICE  
[ 4 PA. CODE CH. 6 ]  
[ EXECUTIVE ORDER NO. 2008-09 AS AMENDED ]  
Governor's Food Safety Council**

August 26, 2009

*Whereas*, the safety and security of the food supply produced and consumed in the Commonwealth is a critical concern for the well-being of Pennsylvania's 12.5 million citizens and their uninterrupted access to a safe, abundant and affordable food supply; and

*Whereas*, the stability of the Commonwealth's number one economic enterprise is at stake when threats are made to the food, fuel, and fiber system, as it accounts for \$46.4 billion and supplies more than one million jobs in Pennsylvania; and

*Whereas*, recognizing that the food supply continuum is comprised of many components and stages from farm-based production to ultimate consumption; and

*Whereas*, there is an increased need for collaboration, planning, prevention, and response from numerous governmental agencies, including the Department of Agriculture, Department of Health and agencies directly linked to the public health and emergency response initiatives; and

*Whereas*, threats to the food system are comprised of both naturally occurring pathogens and intentionally introduced agents and establishing food safety is a critical security issue; and

*Whereas*, it has been determined that the Governor and the Commonwealth would benefit from the advice and counsel of an official representative body of food and health safety managers, emergency response community members, policy makers, food producers, food processors, food retailers, and agribusiness organizations focused on food safety, and defense protocols and processes across all points of the food production spectrum.

*Now, Therefore*, I, Edward G. Rendell, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws, do hereby establish the Governor's Food Safety Council (hereinafter referred to as the "Council") as hereinafter set forth.



*Governor*

**Fiscal Note:** 2009-06. No fiscal impact; (8) recommends adoption.

**Annex A**

**TITLE 4. ADMINISTRATION**

**PART I. GOVERNOR'S OFFICE**

**CHAPTER 6. ADDITIONAL COUNCILS AND COMMITTEES**

**Subchapter EE. GOVERNOR'S FOOD SAFETY COUNCIL**

**§ 6.385. Composition.**

The Governor's Food Safety Council (Council) shall consist of the following members:

(1) The following agency heads of the commonwealth, or their designees who serve in positions related to the safety and security of the food supply:

- (i) The Secretary of Agriculture, who will serve as Co-Chairperson of the Council.
- (ii) The Secretary of Health, who will serve as Co-Chairperson of the Council.
- (iii) The Director of the Pennsylvania Emergency Management Agency.
- (iv) The Commissioner of the Pennsylvania State Police.

(2) The Majority and Minority Chairpersons of the Senate of Pennsylvania and the Pennsylvania House of Representatives' Agriculture and Rural Affairs Committees, or their designees.

(3) Additional members of the public representing the agriculture and food production sectors as well as the public health and emergency management communities. The members of the public will be appointed by and serve at the pleasure of the Governor. A member of the public appointed to the Council under this subsection may have a designee act on the member's behalf, if the member first provides the Chairperson a copy of the member's written designation authorizing the designee to so act. These members will include:

- (i) Two members representing Local/Act 315 Health Departments.
- (ii) Three academic members, one of whom shall represent the Agricultural Law Resource and Reference Center.
- (iii) Two retail sector members, represented by the Pennsylvania Food Merchants Association and the Pennsylvania Restaurant Association.

- (iv) Two processing sector members.
  - (v) Four agricultural producers representing organic, animal, vegetable and fruit production.
  - (vi) One food animal veterinarian.
  - (vii) Two members representing general agricultural organizations in Pennsylvania.
  - (viii) Two members representing the ports and transportation sector in Pennsylvania, one of whom shall serve as the liaison to the Port of Philadelphia.
  - (ix) Two at-large members.
- (4) Serving as liaisons to the Council will be representatives of the Federal Bureau of Investigation; United States Department of Agriculture; Center for Disease Control; and the Food and Drug Administration.

**§ 6.384. Terms of membership.**

The 20 members of the public representing the agriculture and food industry and the public health and emergency response communities will be appointed for terms of 2 years and will continue to serve thereafter until their successors have been appointed. The Governor will fill vacancies that may occur and may remove any member from the Governor's Food Safety Council at his discretion.

[Pa.B. Doc. No. 10-3. Filed for public inspection December 31, 2009, 9:00 a.m.]

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**PART I. GOVERNOR'S OFFICE**

**[ 4 PA. CODE CH. 7a ]**

**[ EXECUTIVE ORDER NO. 2007-07 ]**

**Subsidized Child Care Providers**

June 14, 2007

*Whereas*, quality early childhood education and care is essential to the quality of life in the Commonwealth and is a vital contributor to the development of children. Numerous studies have demonstrated that high quality early childhood education and care during the first five years of a child's life is crucial to brain development and increases the likelihood of a child's success in school and later in life; and

*Whereas*, affordable, quality early childhood education and care is necessary for families to obtain work, achieve self sufficiency and contribute to Pennsylvania's economy; and

*Whereas*, the Commonwealth is committed to ensuring that all of Pennsylvania's children are ready to succeed in kindergarten; and

*Whereas*, subsidized child care providers exempt from certification or regulation provide services to children and their families; and

*Whereas*, the Commonwealth is committed to developing a strategy to support these child care providers so that they can receive information to assist them in becoming registered and provide better quality early care and education to children they serve; and

*Whereas*, the Commonwealth is interested in receiving input from these providers in order to meet its goals for early childhood education and care.

Now, Therefore, I, Edward G. Rendell, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws, do hereby direct the following:



Governor

**Fiscal Note:** 2009-03. No fiscal impact; (8) recommends adoption.

**Annex A**

**TITLE 4. ADMINISTRATION**

**PART I. GOVERNOR'S OFFICE**

**CHAPTER 7a. ADDITIONAL MISCELLANEOUS PROVISIONS**

**Subchapter A. SUBSIDIZED CHILD CARE PROVIDERS**

Sec.	Definitions.
7a.1.	Election of exclusive representative.
7a.2.	Meeting with exclusive representative.
7a.3.	Memorialization of agreement.
7a.4.	State action exemption.
7a.5.	Report to the Governor.
7a.6.	Miscellaneous provisions.
7a.7.	Term.
7a.8.	

**§ 7a.1. Definitions.**

For purposes of this subchapter, the following words and terms, have the following meanings, unless the context clearly indicates otherwise:

*Exclusive representative*—The exclusive representative of subsidized child care providers exempt from certification or registration elected under § 7a.2 (relating to election of exclusive representative).

*Exempt providers*—Subsidized child care providers exempt from certification or registration. Child care providers who participate in the subsidized child care program and are not subject to Article IX or X of the Public Welfare Code (62 P.S. §§ 901—921 and 1001—1088) and not governed by 55 Pa. Code Chapters 3270, 3280 and 3290 (relating to child day care centers; group child day care homes; and family child day care homes).

*Secretary*—The Secretary of the Department of Public Welfare or a designee.

**§ 7a.2. Election of exclusive representative.**

The Secretary will select a reputable organization with experience in conducting representation elections to conduct a mail ballot election for the exclusive representative of exempt providers. For an election to occur, a representative or representative organization must have collected signed cards from at least 30% of all exempt providers indicating their desire for representation. The exclusive representative will be named upon successful completion of an election in which the representative receives at least a majority of the votes cast.

**§ 7a.3. Meeting with exclusive representative.**

The Secretary will meet, confer and discuss with the exclusive representative issues of mutual concern regarding quality early care and education that prepares children for schools.

**§ 7a.4. Memorialization of agreement.**

When an agreement is reached, it will be memorialized in writing. The agreement will be subject to any agency rulemaking, statutory or budgetary changes that may be required. Any agreement which requires rulemaking, statutory or budgetary changes will be contingent upon the successful



completion of the rulemaking, legislative or budgetary process. The parties will jointly seek the enactment of the regulatory or legislative action.

**§ 7a.5. State action exemption.**

In affording exempt providers the right to select the exclusive representative, engage in collective action, and jointly engage in negotiations with the Commonwealth pursuant to the terms of this subchapter, the Commonwealth intends that the "State Action" exemption to Federal antitrust laws be fully available to the Commonwealth, exempt providers and the exclusive representative. The exempt conduct will be actively supervised by the Department of Public Welfare.

**§ 7a.6. Report to the Governor.**

The Secretary will issue a report to the Governor regarding the progress of the Secretary and the exclusive representative under the terms of this subchapter by October 12, 2007, and annually thereafter on or before September 1st until an agreement under § 7a.4 (relating to memorialization of agreement) has been reached.

**§ 7a.7. Miscellaneous provisions.**

(a) Nothing in this subchapter is intended to give exempt providers, or imply that these exempt providers, have any right to engage in a strike or work stoppage.

(b) Nothing in this subchapter is intended to grant exempt providers Commonwealth employee status or in any way imply an employer-employee relationship.

**§ 7a.8. Term.**

This subchapter shall be effective immediately and remain in effect until rescinded by the Governor.

[Pa.B. Doc. No. 10-4. Filed for public inspection December 31, 2009, 9:00 a.m.]

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**PART I. GOVERNOR'S OFFICE**  
**[ 4 PA. CODE CH. 7a ]**  
**[ EXECUTIVE ORDER NO. 2007-06 ]**  
**Registered Family Child Care Providers**

June 14, 2007

*Whereas*, quality early childhood education and care is essential to the quality of life in the Commonwealth and is a vital contributor to the development of children. Numerous studies have demonstrated that high quality early childhood education and care during the first five years of a child's life is crucial to brain development and increases the likelihood of a child's success in school and later in life; and

*Whereas*, affordable, quality early childhood education and care is necessary for families to obtain work, achieve self-sufficiency and contribute to Pennsylvania's economy; and

*Whereas*, the Commonwealth is committed to ensuring that all of Pennsylvania's children are ready to succeed in kindergarten; and

*Whereas*, the quality of early childhood education and care depends on multiple factors, including practitioner education, preparation and ongoing professional development, making the preparation and development of regulated practitioners a concern for the Commonwealth; and

*Whereas*, the Commonwealth is committed to ensuring access to high quality early childhood education for Pennsylvania's children through

quality initiatives, such as Keystone STARS/Keys to Quality, and T.E.A.C.H., and the development of career lattices for practitioners and administrators; and

*Whereas*, registered family child care providers are an essential part of the Commonwealth's early childhood system and have the capacity to serve nearly 25,000 of Pennsylvania's children and families; and

*Whereas*, the Commonwealth of Pennsylvania's Department of Public Welfare establishes and maintains standards for the delivery of quality child care services and supports low-income families with access to subsidized child care through the Child Care Works Program; and

*Whereas*, the Commonwealth is interested in receiving input from registered family home based providers to meet its goals for early childhood education and care.

*Now, Therefore*, I, Edward G. Rendell, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws, do hereby direct the following:

*Edward G. Rendell*

Governor

**Fiscal Note:** 2009-05. No fiscal impact; (8) recommends adoption.

**Annex A**

**TITLE 4. ADMINISTRATION**

**PART I. GOVERNOR'S OFFICE**

**CHAPTER 7a. ADDITIONAL MISCELLANEOUS PROVISIONS**

**Subchapter B. REGISTERED FAMILY CHILD CARE PROVIDERS**

Sec.	
7a.11.	Definitions.
7a.12.	Election of exclusive representative.
7a.13.	Meeting with exclusive representative.
7a.14.	Memorialization of agreement.
7a.15.	State action exemption.
7a.16.	Report to Governor.
7a.17.	Miscellaneous provisions.
7a.18.	Term.

**§ 7a.11. Definitions.**

For purposes of this subchapter, the following words and terms, have the following meanings, unless the context clearly indicates otherwise:

*Exclusive representative*—The exclusive representative of registered family child care providers elected under § 7a.12 (relating to election of exclusive representative).

*Registered family child care provider*—A person who operates a family child day care home granted a certificate of registration under Article X(c) of the Public Welfare Code (62 P. S. §§ 1070—1080) and governed by 55 Pa. Code Chapter 3290 (relating to family child day care homes).

*Secretary*—The Secretary of the Department of Public Welfare or a designee.

**§ 7a.12. Election of exclusive representative.**

The Secretary will select a reputable organization with experience in conducting representation elections to conduct a mail ballot election for the exclusive representative of registered family child care providers. For an election to occur, a representative or representative organization must have collected signed cards from at least 30% of registered family child care providers indicating their desire for representation. The exclusive represent-

ative will be named upon successful completion of an election in which the representative receives at least a majority of the votes cast.

**§ 7a.13. Meeting with exclusive representative.**

The Secretary will meet, confer and discuss with the exclusive representative issues of mutual concern on common goals such as a quality early childhood education and care program that includes availability to low-income families, professional preparation and development, health and safety regulations, reimbursement rates, payment procedures, the monitoring and evaluating of registered family child care as well as other issues that are of mutual interest for quality early education and care.

**§ 7a.14. Memorialization of agreement.**

When an agreement is reached, it will be memorialized in writing. The agreement will be subject to any agency rulemaking, statutory, or budgetary changes that may be required. Any agreement which requires rulemaking, statutory or budgetary changes will be contingent upon the successful completion of the rulemaking, legislative or budgetary process, or both. The parties will jointly seek the enactment of the regulatory or legislative action.

**§ 7a.15. State action exemption.**

In affording registered family child care providers the right to select the exclusive representative, engage in collective action, and jointly engage in negotiations with the Commonwealth pursuant to this subchapter, the Commonwealth intends that the "State Action" exemption to Federal antitrust laws be fully available to the Commonwealth, family child care providers and the exclusive representative. The exempt conduct will be actively supervised by the Department of Public Welfare.

**§ 7a.16. Report to Governor.**

The Secretary will issue a report to the Governor regarding the progress of the Secretary and the exclusive representative under the terms of this subchapter by October 12, 2007, and annually thereafter on or before September 1st until an agreement under § 7a.14 (relating to memorialization of agreement) has been reached.

**§ 7a.17. Miscellaneous provisions.**

(a) Nothing in this subchapter is intended to give registered family child care providers, or imply that registered family child care providers, have any right to engage in a strike or work stoppage.

(b) Nothing in this subchapter is intended to grant registered family child care providers Commonwealth employee status or in any way imply an employer-employee relationship with the Commonwealth.

**§ 7a.18. Term.**

This subchapter shall be effective immediately and remain in effect until rescinded by the Governor.

[Pa.B. Doc. No. 10-5. Filed for public inspection December 31, 2009, 9:00 a.m.]

# THE COURTS

## Title 201—RULES OF JUDICIAL ADMINISTRATION

[ 201 PA. CODE CH. 7 ]

Order Amending Rule 701(A)(1) of the Rules of Judicial Administration; Judicial Administration; No. 338

### Order

*Per Curiam:*

And Now, this 17th day of December, 2009, *It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 701(A)(1) of the Pennsylvania Rules of Judicial Administration is amended as follows.

To the extent that notice of proposed rulemaking would be required by Pa.R.J.A. No. 103 or otherwise, the amendment of Pa.R.J.A. No. 701(A)(1) is hereby found to be required in the interests of justice and efficient administration.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective January 4, 2010.

### Annex A

#### TITLE 201. RULES OF JUDICIAL ADMINISTRATION

#### CHAPTER 7. ASSIGNMENT OF JUDGES

#### ASSIGNMENT AND TRANSFER OF JUDGES

#### Rule 701. Assignment of judges to courts.

(A) *Conditions Applicable for the Certification of Senior Magisterial District Judges, Judges or Justices.*

(1) To be eligible for senior certification, a [ **district justice** ] **magisterial district judge**, judge or justice:

(a) shall have served as a [ **district justice** ] **magisterial district judge**, judge or justice, whether or not continuously or on the same court, by election or appointment for an aggregate period equaling a full term of office; [ **and** ]

(b) shall not have been defeated for reelection or retention; **and**

(c) **shall be at least sixty-five years of age on the date on which he or she begins senior service, or have a combination of years of judicial service plus age that totals at least eighty. However, this subsection (c) shall not apply to those serving in senior status as of the effective date of this rule.**

\* \* \* \* \*

PATRICIA NICOLA,  
*Chief Clerk*

[Pa.B. Doc. No. 10-6. Filed for public inspection December 31, 2009, 9:00 a.m.]

## Title 231—RULES OF CIVIL PROCEDURE

### PART I. GENERAL

[ 231 PA. CODE CHS. 200 AND 3000 ]

Order Amending Rules 237.1, 3281, 3283 and 3284 of the Rules of Civil Procedure; Civil Procedural Rules; No. 516

### Amended Order

*Per Curiam:*

And Now, this 2nd day of December, 2009, upon the recommendation of the Civil Procedural Rules Committee; the proposal having been published at 38 Pa.B. 3650 (July 5, 2008), and in the *Atlantic Reporter* (Second Series Advance Sheets, Vol. 948 No. 2):

*It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rules 237.1, 3281, 3283 and 3284 of the Pennsylvania Rules of Civil Procedure are amended as follows.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective January 4, 2010.

### Annex A

#### TITLE 231. RULES OF CIVIL PROCEDURE

#### PART I. GENERAL

#### CHAPTER 200. BUSINESS OF COURTS

#### Rule 237.1. Notice of Praecipe for Entry of Judgment of Non Pros for Failure to File Complaint or by Default for Failure to Plead.

(a)(1) As used in this rule,

“judgment of non pros” means a judgment entered by praecipe pursuant to Rule 1037(a) and 1659;

**Official Note:** When a defendant appeals from a judgment entered in a magisterial district [ **judge** ] court, Pa.R.C.P.M.D.J. 1004(b) authorizes the appellant to file a praecipe for a rule as of course upon the appellee to file a complaint or suffer entry of a judgment of non pros. The entry of the judgment of non pros is governed by Pa.R.C.P. No. 1037(a) and is subject to this rule.

“judgment by default” means a judgment entered by praecipe pursuant to Rules 1037(b), 1511(a), 3031(a) and 3146(a).

(2) No judgment of non pros for failure to file a complaint or by default for failure to plead shall be entered by the prothonotary unless the praecipe for entry includes a certification that a written notice of intention to file the praecipe was mailed or delivered

(i) in the case of a judgment of non pros, after the failure to file a complaint and at least ten days prior to the date of the filing of the praecipe to the party’s attorney of record or to the party if unrepresented, or

(ii) in the case of a judgment by default, after the failure to plead to a complaint and at least ten days prior to the date of the filing of the praecipe to the party against whom judgment is to be entered and to the party’s attorney of record, if any.

The ten-day notice period in subdivision (a)(2)(i) and (ii) shall be calculated forward from the date of the mailing or delivery, in accordance with Rule 106.

**Official Note:** The final sentence of Rule 237.1(a)(2) alters the practice described in the decision of *Williams v. Wade*, 704 A.2d 132 (Pa. Super. 1997).

(3) A copy of the notice shall be attached to the praecipe.

(4) The notice and certification required by this rule may not be waived.

**Official Note:** A certification of notice is a prerequisite in all cases to the entry by praecipe of a judgment of non pros for failure to file a complaint or by default for failure to plead to a complaint. Once the ten-day notice has been given, no further notice is required by the rule even if the time to file the complaint or to plead to the complaint has been extended by agreement.

See Rule 237.4 for the form of the notice of intention to enter a judgment of non pros and Rule 237.5 for the form of the notice of intention to enter a judgment by default.

(b) This rule does not apply to a judgment entered

(1) by an order of court,

(2) upon praecipe pursuant to an order of court, or

(3) pursuant to a rule to show cause.

**Official Note:** See Rule 3284 which requires that in proceedings to fix fair market value of real property sold, notice must be given pursuant to the requirements of Rule 237.1 et seq.

(c) [Rescinded].

## CHAPTER 3000. JUDGMENTS

### Subchapter E. ENFORCEMENT OF JUDGEMENTS IN SPECIAL ACTIONS

#### PROCEEDINGS UNDER SECTION 8103(A) TO FIX FAIR MARKET VALUE OF REAL PROPERTY SOLD

##### Rule 3281. Parties.

(a) The petition shall name the judgment creditor as petitioner.

(b) The petition [ shall ] may name as respondent any debtor, obligor, guarantor, mortgagor, and any other person directly or indirectly liable to the judgment creditor for the payment of the debt, and any owner of the property affected thereby.

**Official Note:** Section 8103(b) of the Judicial Code, 42 Pa.C.S. § 8103(b), governing deficiency judgments provides that “[a]ny debtor and any owner of the property affected thereby, who is neither named in the petition nor served with a copy thereof or notice of the filing thereof as prescribed by general rule, shall be deemed to be discharged from all personal liability to the judgment creditor on the debt, interest, and costs. . . .”

##### Rule 3283. Service.

[ (a) The petition shall be served

(1) upon a respondent who is a defendant in the judgment who has entered an appearance, by the petitioner in the manner provided by Rule 440, and

(2) upon any other respondent ]

(a)(1) If there is an attorney of record, service shall be made upon the respondent’s attorney of record pursuant to Rule 440(a)(1)(i) or (ii).

##### (2) If there is no attorney of record, service shall be made

(i) by the sheriff or a competent adult in the manner prescribed by Rule 402(a) for service of original process, or

**Official Note:** See Rule 76 for the definition of “competent adult.”

(ii) by the petitioner mailing a copy in the manner prescribed by Rule 403, or

(iii) if service cannot be made as provided in subparagraphs (i) or (ii), pursuant to special order of court as prescribed by Rule 430.

(b) The person serving the petition shall file a return of service as provided by Rule 405.

##### Rule 3284. Order Upon Default or Admission.

The [ court ] prothonotary, on praecipe of the petitioner, shall, without further notice or hearing, enter an order determining the fair market value of the real property to be the value alleged in the petition, determining the prior lien amounts to be in the amounts alleged in the petition and making any special allocation requested by the petition if

(1) no answer is filed within the required time to a petition which was served pursuant to the requirements of Rule 3283 and contains a notice to defend required by Rule 3282(b), and notice has been given as provided by Rule 237.1 et seq., or

(2) an answer is filed which does not deny the allegations in the petition as to the fair market value, the prior lien amounts or any special allocation.

##### Explanatory Comment

Rule 3281 et seq. governing proceedings to fix fair market value of real property sold has been amended in two respects. First, current Rule 3283(a)(1) provides for a petition to fix fair market value to be served upon a respondent, who is a defendant in the judgment and who entered an appearance, pursuant to Rule 440 governing service of legal papers other than original process. Under Rule 440, service may be made by regular mail at the last known address of the defendant.

A problem arises in that the petition to fix fair market value is only filed after a sheriff’s sale, and frequently the property that has been sold is the address at which the defendant resided prior to the sheriff’s sale and is no longer a current address. Under these circumstances, service by regular mail at the last known address is not likely to furnish notice to the defendant. The amendment to Rule 3283 permits service pursuant to Rule 440 only if there is an attorney of record.

Second, current Rule 3284 provides that the court shall without further notice or hearing enter an order determining the fair market value of the property to be the value alleged in the petition if: (1) no answer has been filed within the required time to a petition which includes a notice to defend and notice has been given pursuant to Rule 237.1; or (2) an answer is filed which does not deny the allegations in the petition as to the fair market value, the prior lien amounts, or any special allocation.

The amendment to Rule 3284 shifts to the prothonotary the responsibility for entering judgment upon a praecipe of the petitioner. The prothonotary will ensure that the record shows that: (1) service was made pursuant to the requirements of Rule 3283; (2) an important notice was given pursuant to the requirements of Rule 237.1; (3) no

answer contesting the allegations in the petition was filed; and (4) the allegations in the petition justify the amount of the judgment that the petitioner seeks.

*By the Civil Procedural Rules Committee*

STEWART L. KURTZ,  
*Chair*

[Pa.B. Doc. No. 10-7. Filed for public inspection December 31, 2009, 9:00 a.m.]

## Title 234—RULES OF CRIMINAL PROCEDURE

[ 234 PA. CODE CH. 5 ]

### Proposed Amendments to Pa.Rs.Crim.P. 550 (Pleas of Guilty Before Magisterial District Judge in Court Cases) and 590 (Pleas and Plea Agreements); Correction

The Criminal Procedural Rules Committee has submitted a correction to the introduction to proposed amendments which appeared at 39 Pa.B. 7097—7103 (December 19, 2009). The remainder of the proposal remains as published. The correct version of the introduction is as follows:

The Criminal Procedural Rules Committee is planning to recommend that the Supreme Court of Pennsylvania amend Rules 550 and 590 to provide for more detailed standards regarding the areas of inquiry that are required to be part of all guilty plea colloquies in court cases before the courts of common pleas and magisterial district judges. This Supplemental Report resulted from the Committee's review of the correspondence received after publication of our original explanatory Report that explained the Committee's proposal for guilty plea colloquy procedures in the courts of common pleas only. This proposal has not been submitted for review by the Supreme Court of Pennsylvania.

The following explanatory Supplemental Report highlights the Committee's considerations in formulating this proposal. Please note that the Committee's Reports should not be confused with the official Committee Comments to the rules. Also note that the Supreme Court does not adopt the Committee's Comments or the contents of the explanatory Reports.

The text of the proposed amendments to the rules precedes the Supplemental Report. Additions are shown in bold and are underlined; deletions are in bold and brackets.

We request that interested persons submit suggestions, comments or objections concerning this proposal in writing to the Committee through counsel,

Anne T. Panfil, Chief Staff Counsel  
Supreme Court of Pennsylvania  
Criminal Procedural Rules Committee  
Pennsylvania Judicial Center  
601 Commonwealth Avenue, Suite 6200  
P. O. Box 62635  
Harrisburg, PA 17106-2635

fax: (717) 795-2106

e-mail: criminal.rules@pacourts.us

no later than Friday, January 22, 2010.

*By the Criminal Procedural Rules Committee*

D. PETER JOHNSON,  
*Chair*

[Pa.B. Doc. No. 10-8. Filed for public inspection December 31, 2009, 9:00 a.m.]

## Title 237—JUVENILE RULES

### PART I. RULES

[ 237 PA. CODE CH. 16 ]

In Re: Order Adopting New Rule 1604 and Amending Rule 1608 of the Rules of Juvenile Court Procedure; Supreme Court Rules; No. 487

### Order

*Per Curiam:*

*And Now*, this 18th day of December, 2009, upon the recommendation of the Juvenile Court Procedural Rules Committee; the proposal having been published for public comment before adoption at 39 Pa.B. 1854 (April 11, 2009), in the *Atlantic Reporter* (Second Series Advance Sheets, Vol. 966, No. 2, April 10, 2009), and on the Supreme Court's web page, and an Explanatory Report to be published with this *Order*:

*It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that the adoption of new Rule 1604 and the modifications to Rule 1608 of the Pennsylvania Rules of Juvenile Court Procedure are approved as follows.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective immediately.

PATRICIA NICOLA,  
*Chief Clerk*

### Annex A

#### TITLE 237. JUVENILE RULES

#### PART I. RULES

#### Subpart B. DEPENDENCY MATTERS

#### CHAPTER 16. POST-DISPOSITIONAL PROCEDURES

#### PART A. SUMMONS, [ AND ] NOTICE, AND REPORTS

*(Editor's Note: The following Rule 1604 is new and has been printed in regular print to enhance readability.)*

#### Rule 1604. Submission of Reports.

##### A. Generally.

1) A foster parent, preadoptive parent, or relative providing care for a child may submit a report regarding the child's adjustment, progress, and condition for review by the court.

2) The report shall be submitted to the court designee at least seven days prior to the permanency hearing.

B. *Designation by President Judge.* The President Judge of each judicial district shall appoint a designee, other than the county agency, to receive these reports.

C. *Duties of the County Agency.* Upon placement of the child with a foster parent, preadoptive parent, or relative providing care for a child, the county agency shall inform such person of:

- 1) the right to submit a report;
- 2) the name and address of the court designee who shall receive the reports; and
- 3) the requirement to submit the report at least 7 days prior to the permanency hearing.

D. *Duties of Designee.* Within one business day of receiving the report, the court designee shall:

- 1) file a copy of the report with the clerk of courts; and
- 2) distribute copies to the judge, attorneys, parties, and if appointed, the court-appointed special advocate.

E. *Examination of Report.* Pursuant to Rule 1608(D), the court shall examine this report and consider its contents as it would consider any other evidence in the case.

#### Comment

The county agency is to provide the form designed by the Department of Public Welfare to the foster parent, preadoptive parent, or relative providing care for the child. See 42 Pa.C.S. § 6336.1(b).

See also 42 Pa.C.S. § 6341(d).

**Official Note:** Rule 1604 adopted \_\_\_\_\_, 2009, effective \_\_\_\_\_.

*Committee Explanatory Reports:*

Final Report explaining the provisions of Rule 1604 published with the Court's Order at 39 Pa.B. 21, 23 (January 2, 2010).

### PART B. PERMANENCY HEARING

#### Rule 1608. Permanency Hearing.

A. *Purpose of hearing.* For every case, the court shall conduct a permanency hearing for purposes of determining or reviewing:

- 1) the permanency plan of the child;
- 2) the date by which the goal of permanency for the child might be achieved; and
- 3) whether the placement continues to be best suited to the safety, protection, and physical, mental, and moral welfare of the child.

B. *Court's findings.* At the permanency hearing, the court shall making findings consistent with 42 Pa.C.S. § 6351(f).

C. *Recording.* The permanency hearing shall be recorded. The recording shall be transcribed:

- 1) pursuant to a court order; or
- 2) when there is an appeal.

D. *Evidence.*

1) Any evidence helpful in determining the appropriate course of action, including evidence that was not admissible at the adjudicatory hearing, shall be presented to the court.

2) **If a report was submitted pursuant to Rule 1604, the court shall review and consider the report as it would consider all other evidence.**

E. *Family Service Plan or Permanency Plan.* The county agency shall review the family service plan or permanency plan at least every six months. If the plan is

modified, the county agency shall provide all parties and when requested, the court, with the modified plan at least fifteen days prior to the permanency hearing.

#### Comment

See 42 Pa.C.S. §§ 6341, 6351.

Permanency planning is a concept whereby children are not relegated to the limbo of spending their childhood in foster homes, but instead, dedicated effort is made by the court and the county agency to rehabilitate and reunite the family in a reasonable time, and failing in this, to free the child for adoption. *In re M.B.*, 449 Pa. Super. 507, 674 A.2d 702 (1996), quoting *In re Quick*, 384 Pa. Super. 412, 559 A.2d 42 (1989).

To the extent practicable, the judge or master that presided over the adjudicatory and original dispositional hearing for a child should preside over the permanency hearing for the same child.

Under paragraph (B), the court is to make a finding consistent with 42 Pa.C.S. § 6351(f), in that the court is to determine all of the following: 1) the continuing necessity for and appropriateness of the placement; 2) the appropriateness, feasibility, and extent of compliance with the permanency plan developed for the child; 3) the extent of progress made toward alleviating the circumstances which necessitated the original placement; 4) the appropriateness and feasibility of the current placement goal for the child; 5) the likely date by which the placement goal for the child might be achieved; 6) whether reasonable efforts were made to finalize the permanency plan in effect; 7) whether the child is safe; 8) if the child has been placed outside the Commonwealth, whether the placement continues to be best suited to the safety, protection, and physical, mental, and moral welfare of the child; 9) the services needed to assist a child who is sixteen years of age or older to make the transition to independent living; and 10) if the child has been in placement for at least fifteen of the last twenty-two months or the court has determined that aggravated circumstances exist and that reasonable efforts to prevent or eliminate the need to remove the child from the child's guardian or to preserve and reunify the family need not be made or continue to be made, whether the county agency has filed or sought to join a motion to terminate parental rights and to identify, recruit, process, and approve a qualified family to adopt the child unless: a) the child is being cared for by a relative best suited to the physical, mental, and moral welfare of the child; b) the county agency has documented a compelling reason for determining that filing a motion to terminate parental rights would not serve the needs and welfare of the child; or c) the child's family has not been provided with necessary services to achieve the safe return to the child's guardian within the time frames set forth in the permanency plan.

For family service plan requirements, see 55 Pa. Code §§ 3130.61 and 3130.63.

**Official Note:** Rule 1608 adopted August 21, 2006, effective February 1, 2007. **Amended** \_\_\_\_\_, \_\_\_\_\_, 2009, effective \_\_\_\_\_, \_\_\_\_\_.

*Committee Explanatory Reports:*

Final Report explaining the provisions of Rule 1608 published with the Court's Order at 36 Pa.B. 5571, 5599 (September 2, 2006).

**Final Report explaining the amendments to Rule 1608 published with the Court's Order at 39 Pa.B. 21, 23 (January 2, 2010).**

*Introduction*

The Supreme Court of Pennsylvania has adopted the proposed changes to Rules 1604 and 1608 with this Recommendation. The changes are effective immediately.

**EXPLANATORY REPORT****OCTOBER 2009****Rule 1604—Submission of Reports**

The new Rule 1604 provides for the procedures when submitting a report pursuant to 42 Pa.C.S. § 6336.1(b).

Act 109 of 2008 amended § 6336.1(b) of the Juvenile Act by creating a right for a foster parent, preadoptive parent, or relative providing care for a child to submit a report concerning the child's adjustment, progress, and condition to the court. Paragraph (A) provides for this right and sets time limits for submitting the report to the court.

It is imperative that the court, attorneys, parties, and court-appointed special advocates have time to review this report prior to the proceeding. Therefore, pursuant to paragraph (A)(1), this report must be submitted to the court designee at least seven days prior to the hearing. In addition, pursuant to paragraph (D), the court designee has one business day to file the report with the clerk of courts and distribute copies to the court, attorneys, parties, and court-appointed special advocates.

Paragraph (B) provides that the President Judge must designate a person to receive these reports on behalf of the court. The rule also provides that this designee may not be a party to the proceeding. The Committee anticipated that a court may designate the county agency to perform this function.

The Committee concluded that there is an inherent conflict of interest for the county agency to receive these reports. Furthermore, the Committee felt that a party should not be the recipient of any document on the court's behalf. The legislature went even further by suggesting retaliatory action by the county agency could be a concern. See 42 Pa.C.S. § 6336.1.

Pursuant to paragraph (C), the county agency must inform the foster parent, preadoptive parent, or relative providing care for the child of: 1) the right to submit the report; 2) the name and address of the court designee who must receive the report; and 3) the requirement to submit the report at least seven days prior to the permanency hearing.

The Department of Public Welfare has designed a form to be used by the foster parent, preadoptive parent, or relative providing care for the child in submitting the report. The county agency must provide the form to the foster parent, preadoptive parent, or relative providing care for the child.

Pursuant to paragraph (E), the court must examine this report and consider its contents as it considers any other evidence for the permanency hearing. The Committee recognized that the court uses hearsay evidence at dispositional, review, and permanency hearings but weighs the evidence according to its source and reliability. The Rules of Evidence frequently do not apply in many types of hearings. See *Comment* to Pa.R.E. Rule 101.

**Rule 1608—Permanency Hearing**

Pursuant to paragraph (D), the court must consider the evidence presented pursuant to the new proposed Rule 1604 as it would consider any other evidence. As previ-

ously stated, the court uses hearsay evidence but must weigh the evidence according to its source and reliability.

[Pa.B. Doc. No. 10-9. Filed for public inspection December 31, 2009, 9:00 a.m.]

**Title 25—LOCAL  
COURT RULES****BEAVER COUNTY****In Re: Intermediate Punishment Sentencing by  
Magisterial District Judges; Administrative Doc.  
No. 83 of 2009****Administrative Order**

*And Now*, this 11th day of December, 2009, pursuant to the authority provided by the County Intermediate Punishment Act (42 Pa.C.S. §§ 9801, *et seq.*), Beaver County Magisterial District Judges are hereby permitted to sentence appropriate and eligible offenders to intermediate punishment after conviction for violation of 75 Pa.C.S. § 1543(b)(1) and (b)(1.1)(i).

This Order shall be effective thirty (30) days after publication in the *Pennsylvania Bulletin* and publication on the Pennsylvania Judiciary's web application portal, whichever shall occur later.

In accordance with Pa.R.C.P. No. 105, the Court Administrator of Beaver County shall file or distribute copies of this Administrative Order as follows:

1. Seven (7) certified copies shall be filed with the Administrative Office of Pennsylvania Courts for publication on the Unified Judicial System's web site;
2. Two (2) certified copies and a computer diskette that complies with the requirements of 1 Pa. Code § 13.11(b) shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;
3. One (1) certified copy shall be filed with the Criminal Procedural Rules Committee of the Supreme Court of Pennsylvania;
4. One (1) certified copy shall be kept continuously available for public inspection and copying in the Office of the Clerk of Courts of Beaver County. Upon request and payment of reasonable costs of reproduction and mailing, the Clerk of Courts shall furnish to any person a copy of the Administrative Order;
5. One (1) copy shall be kept in the Law Library of Beaver County. In addition, the Court Administrator of Beaver County shall cause the foregoing Administrative Order to be published on the web site of the Administrative Office of Pennsylvania Courts and on the Beaver County web site.

*By the Court*

HONORABLE JOHN D. McBRIDE,  
*President Judge*

[Pa.B. Doc. No. 10-10. Filed for public inspection December 31, 2009, 9:00 a.m.]



**BUTLER COUNTY****Register of Wills and Clerk of Orphans' Court;  
Schedule of Fees and Costs; O.C. No. 1000/2009****Administrative Order**

*And Now*, this November 24, 2009, pursuant to the provisions of 42 P.S. § 21022.1 and 42 P.S. § 21032.1, the fee bill of the Register of Wills and the Clerk of Orphans' Court of Butler County, Pennsylvania is amended as indicated on the proposed fee bill as follows to the foregoing Petition.

The JCS/ATJ fee has a mandatory effective date of December 08, 2009. All other provisions of the fee schedule will become effective January 02, 2010, upon due advertisement as required by the PA Rules of Court.

*It Is Further Ordered* that the Court direct the Court Administrator to:

(a) File seven (7) certified copies of this Administrative Order with the AOPC;

(b) File two (2) certified copies of this Administrative Order and one (1) diskette with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;

(c) File one (1) certified copy of this Administrative Order with the PA Supreme Court Orphans' Court Rules Committee;

(d) Forward one (1) copy of this Administrative Order to be published in the *Butler County Legal Journal*;

(e) Forward one (1) copy of this Administrative Order to the Butler County Law Library; and

(f) Keep continuously available for public inspection copies of this Administrative Order in the Butler County Register of Wills and Clerk of Orphans' Court offices and the office of the Court Administrator.

*By the Court*

THOMAS J. DOERR,  
*President Judge*

**FEE SCHEDULE****REGISTER OF WILLS**

AFFIDAVIT (miscellaneous)	\$5
AFFIDAVIT OF DEATH	\$10
AMEND PROBATE RECORD	
Within 3 months of probate (Petition to the Register of Wills)	\$30
After 3 months from date of probate (Petition Orphans' Court)	
O.C. Petition	\$25
Certified Order to Register of Wills	\$5
Open and Amend Record/Reissue Letters	\$30
ANCILLARY LETTERS	
(Follow regular estate fee schedule based on <u>PA assets only</u> )	
APPEAL FROM REGISTER	\$75
(Filed in Orphans' Court)	
(Includes certification of record to Orphans' Court)	
AUTOMATION FEE	\$15.50

\*\* To be charged on all first filings requiring JCS fee and on all marriage license applications.

BOND	\$35
CAVEAT	\$35
CERTIFICATION OF RECORD (issue)	\$5+
+ per page for each page certified	\$2
CERTIFIED/EXEMPLIFIED RECORD FILING	
Filing from another County	\$40+
+ pages @	\$2
CERTIFICATION OF INH TAX PAYMENTS	
Issuing Certificate to another county	\$25
Filing and Recording from another county	\$15
CERTIFIED MAILING	\$10
(Subject to Change without further Court Order)	
CODICILS	\$25
COMMISSION TO ADMINISTER OATH	\$25
COMMISSION ON COURT-ORDERED ESCROW	
5% on first \$1,000	
1% on each additional \$1,000 or any part thereof*	
*To be deducted prior to investment	
DEATH CERTIFICATE	\$10
DISCLAIMER (of beneficial interest) (Filed in Orphans' Court)	\$10
DISTRIBUTION RECEIPT (Independent of Settlement Agreement)	\$5*
*(Per Legatee)	
ELECTION TO TAKE (Filed in Orphans' Court)	\$25
EXEMPLIFICATION OF RECORD	
Issuing/Record Filing	\$40+
+ pages @	\$2
INVENTORY *	
*NOTE: We accept Inventory forms from legal software packages and from other Counties.	
We will also accept a copy (with original signatures) of the PA Inheritance Tax Return marked "INVENTORY" in lieu of a separate Inventory form.	
SOLVENT ESTATES	\$30
INSOLVENT ESTATES	\$10
SUPPLEMENTAL	\$30/\$10
(Same as original filing according to solvent/insolvent)	
LETTERS (Testamentary/Administration/Administration C.T.A.)	
AUTOMATION FEE	\$15.50
To be charged on all first filings requiring a JCS fee and on all marriage license applications.	
JCS/ATJ fee (On Grant of Letters Only)	\$23.50*
*fixed by Legislature	
FOR ESTATE VALUES:	
Not Exceeding \$5,000	\$40
From \$ 5,001 to \$10,000	\$60
From \$10,001 to \$20,000	\$75
From \$20,001 to \$30,000	\$90
From \$30,001 to \$40,000	\$105
From \$40,001 to \$50,000	\$120

**THE COURTS**

From \$50,001 to \$75,000	\$150
From \$75,001 to \$100,000	\$200
From \$100,001 to \$200,000	\$250
**Each Additional \$100,000 or any fraction thereof	\$100
First \$1 Million	\$1,050
**Each Additional \$100,000 or any fraction thereof	\$100
Each Additional \$1 Million	\$1,000

**\*\*NOTE:**

- Where the gross value of an estate has been underestimated on the Petition for Letters, Probate fees will be adjusted and an invoice rendered for the balance.
- Additional probate fees will be due and payable within thirty (30) days from the date of the invoice. Any balances more than thirty (30) days in arrears will be charged interest at the rate of 1% per month.
- All fees must be paid in full before any finalization/estate settlement will be accepted for filing.

LETTERS (Administration D.B.N.)	\$50
LETTERS (Administration D.B.N.C.T.A.)	\$50
LITIGATION ONLY (Estate Opened for Litigation Purposes)	\$40

**NOTICE TO HEIRS**

(When Renunciation Can't be Obtained) *(Includes Certified Mail)	\$20*
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PA JUDICIAL COMPUTER SYSTEM/ACCESS TO JUSTICE (JCS/ATJ fee)	\$23.50*
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\* Imposed by the PA Supreme Court, on all Petitions for Letters and on all first filings for adoptions, small estates, trusts, guardianships, and minors' estates.

PROBATE OF WILL (without Letters) (Lodge Will Only)	\$50
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PROBATE OF CODICIL	\$25
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PROOFS OF PUBLICATION	\$10
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REQUESTS FOR INFORMATION (Per name Per record searched) + per page copied * Requires SASE	\$5+* \$1
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No Personal Checks  
(U.S. money orders/cashier's checks only)

**REGISTER'S HEARINGS**

Petition (for example, to Compel Admn) Order	\$25
Citation(s) (each)	\$5
Certified Mail (subject to change)	\$20
Hearing	\$10
	\$50

NOTE: If Court Reporter requested/required, it's at Atty's Expense

RECEIPT and RELEASE/DISTRIBUTION RECEIPT	\$5
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RENUNCIATION + Per signature * Renunciations must be notarized	\$5+
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RESEARCH FEE (Per name x number of records searched) + per page copied	\$5+ \$1
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\* Requires SASE

No personal checks  
(U.S. money orders/cashier's checks only)

Screen shots and docket entries	\$1 page
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**RETURNED CHECKS**

Reprocessing fee + original amount (cashier's checks only on replacements)	\$35+
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SETTLEMENT AGREEMENT	\$60
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SHORT CERTIFICATE	\$5
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SMALL ESTATES AFFIDAVIT (Includes Certification fee)	\$25
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**TAX CERTIFICATION**

Issuing Certificate to another County	\$25
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Filing and Recording Certificate from another County	\$5
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WAIVER	\$10
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NOTE: In cases not specifically provided for in this fee schedule, the Register of Wills shall make the same charge as that imposed for other services of a substantially similar nature.

**ORPHANS' COURT DIVISION**

NOTE: Orphans' Court captions must be correct. Incorrect captions will require a Motion to Correct Caption. A per correction fee will be charged in addition to the filing fees.

**ADOPTIONS: (Listed in filing order)**

JCS/ATJ (12/08/09)	\$23.50
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On first filings—Adoptions, Small Estates, Guardianships, Minors and Trusts

AUTOMATION FEE	\$15.50
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To be charged on all first filings requiring a JCS fee and all marriage license applications.

REPORT OF INTENT TO ADOPT* TOTAL	\$130
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(non-relative adoptions only)  
\* Must be filed within 30 days of custody of child

**(Breakdown of INTENT FEES)**

INTENT	\$25
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CRIMINAL BACKGROUND CHECK	\$5
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CHILD ABUSE CLEARANCE	\$5
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REPORT OF INTERMEDIARY	\$10
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* HOME STUDY	\$10
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\* Must be filed within 6 months of filing Report of Intent

ACT 34 surcharge (On all intents)	\$75*
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\* (Not Charged On Special Needs Child)

**VOLUNTARY RELINQUISHMENT ADULT/AGENCY**

PETITION	\$25
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Certified Court Final Order	\$5
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INVOLUNTARY TERMINATION		COPIES	
PETITION	\$25	Self-made copies	\$.25 page
Certified Court Final Order	\$5	Copies made by office staff	\$1 page
PETITIONS FOR TRANSPORT		CORRECTIONS	
3 CERTIFIED ORDERS (Required By Sheriff)	\$15	Motion to Correct Caption	\$25+
CERTIFIED MAIL COSTS	\$10	+ Per correction charge	\$1
Subject to change w/o further Court Order		COURT ACCOUNTING	
Based on postal rate changes		+ Per each additional page of accounting	\$2
CONFIRM CONSENT*		FIRST/FINAL ACCOUNT	
PETITION	\$25	+ Per additional page of accounting	\$2
Certified Court Order	\$5	AMENDED ACCOUNTS (Same as original)	
* No Less Than 30 Days After Consent Is Executed		+ Per additional page of accounting	\$2
ADOPTION PETITION		DECREE OF REAL ESTATE	
Certified Final Order	\$5	\$10	
ADOPTION CERTIFICATE		EXCEPTIONS/OBJECTIONS TO ACCOUNT	
(Replacement)	\$5	\$25	
NOTE: No cases will be forwarded to court for finalization unless all fees are paid in full		CERTIFIED COURT ORDER	
ADOPTION INQUIRIES		DEATH RECORD CERTIFICATION	
Petition for Non-Identifying Information	\$50	(1893-1905 ONLY)	\$10+
APPEALS *(Must be 2 separate checks)		Research & Retrieval fee	
Butler County Court	\$75*	\$5	
* Includes filing, certifying, and transmitting record to court		SASE	
Appellate Court (Payable to appropriate Court)	\$73.50	No personal checks	
* Effective 12/08/09		(U.S. money orders/cashier's checks only)	
AUTOMATION FEE		DEED EXECUTION	
To be charged on all first filings requiring a JCS fee and all marriage license applications.	\$15.50	By OC Clerk/Court ordered	
BIRTH RECORD CERTIFICATION (1893-1905 ONLY)		\$25	
Per name research fee	\$5+	DELAYED BIRTH RECORD CERTIFICATION	
SASE for mail requests		1893-1905 only	
No personal checks		+ Per name research fee	
(U.S. money orders/cashier's checks only)		\$5	
CERTIFICATIONS (issue)		SASE for mail requests	
Court Order	\$5	No personal checks	
Documents	\$5+	(U.S. money orders/cashier's checks only)	
+ Per page	\$2	DISCHARGE OF PERSONAL REPRESENTATIVE	
CERTIFIED MAILING		Petition	
(Subject to change without further Court Order)	\$10	Certified court order	
CITATION		\$25	
CLAIM AGAINST ESTATE	\$25	DISCHARGE OF TRUSTEE/GUARDIAN	
SATISFACTION/WITHDRAWAL OF CLAIM	\$10	Petition	
COMMISSION ON COURT-ORDERED ESCROWS (poundage)		Certified court order	
5% on first	\$1,000	\$5	
1% on each additional \$1,000 or any part thereof		DISCLAIMER OF INTEREST	
*NOTE: To be deducted from original court-ordered amount prior to investment		\$10	
		DISTRIBUTION RECEIPT/RELEASE	
		* Independent of Settlement Agreement	
		\$5*	
		ELECTION	
		\$25	
		EXCEPTIONS/OBJECTIONS	
		Certified Court Order	
		\$5	
		EXEMPLIFICATION OF RECORD	
		\$40+	
		+ Each additional page	
		\$2	
		FOREIGN ADOPTION REGISTRATION PETITION	
		\$75+	
		* Includes copies, certification, forms preparation and transmittal to Vital Records	
		+ JCS/ATJ FEE	
		\$23.50	
		+ AUTOMATION FEE	
		\$15.50	

THE COURTS

GUARDIANSHIP AUTOMATION FEE	\$15.50	SASE	
To be charged on all first filings requiring JCS fee and on all marriage license applications.		No personal checks (U.S. money orders/cashier's checks only)	
JCS/ATJ SURCHARGE	\$23.50	OUT OF STATE MARRIAGE APPLICATION COMPLETION	\$20
PETITION FOR APPOINTMENT (Emergency or Permanent)	\$25	CERTIFICATION OF non-PA ML APPLICATION (seal only)	\$5
COMBINED PETITION FOR Emg/Plenary	\$50	MINORS' CLAIM**	
CERTIFIED COURT ORDER (Each)	\$5	PETITION FOR SETTLEMENT	\$25+
GUARDIAN CITATION (Emergency or Permanent)	\$20	+ AUTOMATION FEE	\$15.50
GUARDIAN BOND (if Court required)	\$25	* To be charged on all first filings requiring a JCS fee and on all marriage license applications.	
GUARDIAN INVENTORY	\$15	JCS/ATJ SURCHARGE	\$23.50
GUARDIAN CERTIFICATE	\$5	CERTIFIED COURT ORDER	\$5
GUARDIAN ANNUAL REPORT	\$15	PROOF OF DEPOSIT	\$5
GUARDIAN COURT ACCOUNT	\$125+	** NOTE:	
+ Per additional page of accounting	\$2	INJURIES TO CHILD: parent(s) and atty must appear	
PETITION FOR DISCHARGE OF GUARDIAN	\$25	INHERITANCE TO CHILD: No Appearance Required	
Certified Court Order	\$5	MISCELLANEOUS PETITION	\$25
PETITION FOR SUCCESSOR GUARDIAN	\$25	CERTIFIED COURT ORDER	\$5
Certified Court Order	\$5	MOTIONS	\$25
INHERITANCE TAX CITATION	\$80	CERTIFIED COURT ORDER	\$5
(Includes) Petition	\$25	PARENTAL CONSENT (CUSTODIAL)	\$20
Inh Tax Citation	\$50	PETITION TO SELL REAL ESTATE	\$25
Certified Order	\$5	CERTIFIED COURT ORDER	\$5
MAIL REQUESTS		PETITION TO DISCHARGE PERSONAL REP	\$25
Per name Per kind of record searched	\$5+	CERTIFIED COURT ORDER	\$5
+ COST of photocopies @	\$1 page	PHOTOCOPIES	
No personal checks (U.S. money orders/cashier's checks only)		Self-made copies	\$.25 page
MARRIAGE LICENSE TOTAL	\$60.00*	Copies made by office staff	\$1 page
(Includes one \$5 certification)		POUNDAGE (commission on court-ordered escrows)	
(Breakdown of fees)		5% on first \$1,000	
APPLICATION	\$39.50+	1% on each additional \$1,000 or any part thereof	
* AUTOMATION FEE	\$15.50*	*NOTE: To be deducted from original court-ordered amount prior to investment.	
CERTIFICATION	\$5	PROOFS OF PUBLICATION	\$10 each
* To be charged on all first filings requiring a JCS fee and on all marriage license applications		(if filed independently of accounting)	
CUSTODIAL PARENTAL CONSENT	\$20	RESEARCH & RETRIEVAL FEE	\$5+
JUDICIAL WAIVER OF WAITING PERIOD	\$20	+ Each name per kind of record searched	
MILITARY WAIVER	N/C	+ COST OF COPIES	\$1 page
CERTIFICATION (marriage record or application)	\$5+	No personal checks (U.S. money orders/cashier's checks only)	
+ Research & Retrieval fee	\$5	RESEARCH FORMS TO COMPLETE	\$10
Self addressed, stamped envelope		COMPUTER SCREEN SHOTS and DOCKET ENTRIES—PER PAGE	\$1
No personal checks (U.S. money orders/cashier's checks only)		RULE TO SHOW CAUSE	\$20
PHOTOCOPY OF APPLICATION	\$1+	SATISFACTION OF CLAIM	\$10
Research and Retrieval fee	\$5	SETTLEMENT AGREEMENT	\$60

SMALL ESTATE PETITION	\$25+
(Must include original Death Certificate, Inh Tax Return, and Original Will, if applicable)	
AUTOMATION FEE	\$15.50
* To be charged on all first filings requiring a JCS fee and on all marriage license applications.	
JCS/ATJ surcharge	\$23.50
CERTIFIED COURT ORDER	\$5
STIPULATION	\$ 25
SUBPOENA	\$10
TRUST (AGREEMENT/RESTATEMENTS)	\$25
JCS/ATJ FEE	\$23.50
AUTOMATION FEE	\$15.50
* To be charged on all first filings requiring a JCS fee and on all marriage license applications.	
TRUSTEE BOND	\$25
TRUSTEE ACCOUNT	\$125+
+ Per additional page of accounting	\$2
WRONGFUL DEATH ACTIONS*	
PETITION	\$25
CERTIFIED ORDER	\$5

\* (filed in Orphans' Court Division if no litigation involved)

NOTE: In cases not specifically provided for, the Clerk of Orphans' Court shall make the same charge as that imposed for services of a substantially similar nature.

[Pa.B. Doc. No. 10-11. Filed for public inspection December 31, 2009, 9:00 a.m.]

# DISCIPLINARY BOARD OF THE SUPREME COURT

## Notice of Suspension

Notice is hereby given that Marc Michael Orlow having been suspended from the practice of law in the State of New Jersey for a period of 3 months by the Amended Order of the Supreme Court of New Jersey dated September 22, 2009, the Supreme Court of Pennsylvania issued an Order dated December 16, 2009, suspending Marc Michael Orlow from the practice of law in this Commonwealth for a period of 3 months, effective January 15, 2010. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,  
*Secretary*  
*The Disciplinary Board of the*  
*Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 10-12. Filed for public inspection December 31, 2009, 9:00 a.m.]

# RULES AND REGULATIONS

## Title 55—PUBLIC WELFARE

### DEPARTMENT OF PUBLIC WELFARE

[ 55 PA. CODE CH. 501 ]

#### Food Stamp Discretionary Provisions

##### *Statutory Authority*

The Department of Public Welfare (Department), by this order, adopts the amendments set forth at 39 Pa.B. 1114 (February 28, 2009) under the authority of sections 201(2) and 403(b) of the Public Welfare Code (62 P.S. §§ 201(2) and 403(b)) and the Federal Food Stamp regulation in 7 CFR 273.16(h)(1)(ii)(C) (relating to disqualification for intentional Program violation).

##### *Purpose of Regulation*

The purpose of this final-form rulemaking is to amend § 501.13(b)(2)(i)(C) (relating to intentional Program violation disqualification) to conform to Federal requirements in 7 CFR 273.16(h)(1)(ii)(C). The Department also is amending § 501.13(a)(1) by deleting the term "Office" and inserting "Bureau" when referencing the bureau that handles administrative disqualification hearings.

This final-form rulemaking is needed to codify Federal requirements to provide written notification to food stamp households of the consequences of consenting to disqualification as part of a deferred adjudication process. Rulemaking is needed to ensure that these requirements are codified as a State regulation completely and accurately.

##### *Summary*

A complete description of the amendment was published at 39 Pa.B. 1114.

##### *Affected Individuals and Organizations*

This final-form rulemaking affects food stamp households in which a household member is accused of committing an intentional Program violation and consents to disqualification under a deferred adjudication process. The individual who is subject to disqualification must receive appropriate advance written notice of the consequences of consenting to disqualification. Approximately 925 individuals were disqualified from participation in the Food Stamp Program for Fiscal Year (FY) 2004-2005 because they or the head of household signed a disqualification consent agreement; 671 for FY 2005-2006 and 645 for FY 2006-2007.

##### *Accomplishments and Benefits*

This rulemaking codifies notice requirements that comply with the Federal regulation. Individuals who are not accurately or completely informed of the consequences of consenting to disqualification could challenge the disqualification on the grounds that the written notice was defective.

##### *Fiscal Impact*

No cost to the Commonwealth, local government, service providers or food stamp households is anticipated as a result of this rulemaking.

##### *Paperwork Requirements*

There are no additional reports, paperwork or new forms needed to comply with the final-form rulemaking.

##### *Public Comment*

Written comments, suggestions and objections regarding the proposed rulemaking were requested within a

30-day period following publication of the proposed rulemaking. No public comments were received within the 30-day time frame. The Independent Regulatory Review Commission (IRRC) did not comment on the proposed amendments.

##### *Regulatory Review Act*

Under section 5.1(a) of the Regulatory Review Act (71 P.S. § 745.5a(a)), on October 19, 2009, the Department submitted a copy of this final-form rulemaking to IRRC and to the House Committee on Health and Human Services and the Senate Committee on Public Health and Welfare (Committees). No comments were received on the proposed amendments.

In accordance with section 5.1(j.1) and (j.2) of the Regulatory Review Act, this final-form regulation was deemed approved by the Committees on November 9, 2009. IRRC met and the amendment was deemed approved under section 5(g) of the Regulatory Review Act, effective, on November 19, 2009.

In addition to submitting the final-form rulemaking, the Department provided IRRC and the Committees with a copy of a Regulatory Analysis Form prepared by the Department. A copy of this form is available to the public upon request.

##### *Findings*

The Department finds that:

(1) Public notice of intention to amend the administrative regulation by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201 and 1202) and the regulations promulgated thereunder, 1 Pa. Code §§ 7.1 and 7.2 (relating to notice of proposed rulemaking required; and adoption of regulations).

(2) The adoption of this final-form rulemaking in the manner provided by this order is necessary and appropriate for the administration and enforcement of the Public Welfare Code.

##### *Order*

The Department acting under sections 201(2) and 403(b) of the Public Welfare Code, orders that:

(a) The regulations of the Department, 55 Pa. Code Chapter 501, are amended by amending § 501.13 to read as set forth at 39 Pa.B. 1114.

(b) The Secretary of the Department shall submit this order and 39 Pa.B. 1114 to the Offices of General Counsel and Attorney General for approval as to legality and form as required by law.

(c) The Secretary of the Department shall certify and deposit this order and 39 Pa.B. 1114 with the Legislative Reference Bureau as required by law.

(d) This order shall take effect upon final publication in the *Pennsylvania Bulletin*.

ESTELLE B. RICHMAN,  
*Secretary*

*(Editor's Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 39 Pa.B. 6915 (December 5, 2009).)*

**Fiscal Note:** 14-515. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 10-13. Filed for public inspection December 31, 2009, 9:00 a.m.]

# NOTICES

## CANINE HEALTH BOARD

### Public Meeting

The Canine Health Board gives notice of its public hearing on Tuesday, January 12, 2010, at 11 a.m., for the purpose of hearing several requests from commercial kennels for alternative access to exercise, under Section 207(i)(5) of the Dog Law, and other matters as they may arise. The hearing will be held in Room 309 of the Department of Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

JENNIFER MULLER,  
*Chairperson*

[Pa.B. Doc. No. 10-14. Filed for public inspection December 31, 2009, 9:00 a.m.]

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## DEPARTMENT OF AGRICULTURE

### Interstate Quarantine Order; Equine Piroplasmiasis

#### *Recitals.*

A. Equine Piroplasmiasis (Babesiosis) is a tick-borne disease that affects equine animals, including horses, donkeys, mules and zebras. The etiologic agents of equine piroplasmiasis are *Babesia caballi* and *Theileria equi* (also known as *Babesia equi*), protozoan parasites which can be transmitted to equine animals by certain tick species. The parasites can also be transmitted by the transfer of blood from infected equine animals through transfusions and shared needles. There is also evidence of vertical transmission. Infected equine animals can remain carriers of the disease agent for extended periods and can act as the source of disease for other equine animals.

B. Infected horses cannot be effectively treated for piroplasmiasis to remove the carrier status.

C. Equine Piroplasmiasis (Babesiosis) is designated a "dangerous transmissible disease" of animals under 3 Pa.C.S. § 2321(a)(7) (relating to dangerous transmissible diseases).

D. The Department of Agriculture (Department) has broad authority under 3 Pa.C.S. §§ 2301—2389 (relating to the Domestic Animal Law) to regulate the keeping and

handling of domestic animals to exclude, contain or eliminate dangerous transmissible diseases. This includes the authority in 3 Pa.C.S. § 2329 (relating to quarantine) to issue the interstate quarantine order as follows.

E. Equine Piroplasmiasis has been shown to exist in Texas, and appears to be spreading through natural transmission. The transporting of infected animals from Texas could spread the disease among susceptible domestic animals in this Commonwealth.

F. There are reasonable and relatively nonintrusive quarantine restrictions the Department can impose to prevent Equine Piroplasmiasis from entering this Commonwealth.

#### *Order.*

The Department enters an interstate quarantine order with respect to Equine Piroplasmiasis, incorporating the foregoing recitals into this order. This order is entered under authority of 3 Pa.C.S. § 2329 and establishes the following restrictions and conditions:

1. If an equine animal has resided in Texas for a cumulative total of 30 days or more within the 6 months preceding the date of entry into this Commonwealth, that animal must be test-negative for Piroplasmiasis on a competitive enzyme-linked immunosorbent assay (c-ELISA) test, or a Department-approved equivalent test, with the test occurring within the 30 days preceding entry into this Commonwealth. This requirement shall not be applicable to an equine animal that is being transported through this Commonwealth to another state, and that is not offloaded or commingled with other equine animals while within this Commonwealth.

2. The written laboratory test report, confirming compliance with the requirement described in the preceding paragraph, shall accompany the equine animal in transit to a destination within this Commonwealth; and the date of test and the test results shall be written on the Certificate of Veterinary Inspection.

3. The test requirement described in this Order is in addition to all other Commonwealth import requirements applicable to equine animals.

4. This order shall take effect as of December 20, 2009; and shall remain in effect until rescinded or modified by subsequent Order.

RUSSELL C. REDDING,  
*Secretary*

[Pa.B. Doc. No. 10-15. Filed for public inspection December 31, 2009, 9:00 a.m.]

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## DEPARTMENT OF BANKING

### Actions on Applications

The Department of Banking (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending December 22, 2009.

Under section 503.E of the Department of Banking Code (71 P. S. § 733-503.E), any person wishing to comment on the following applications, with the exception of branch applications, may file their comments in writing with the Department

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

### BANKING INSTITUTIONS

#### Section 112 Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
12-15-2009	Macquarie Bank Limited Sydney, Australia	Approved
	Application for approval to indirectly acquire 100% of the common stock of Delaware Management Trust Company, Philadelphia.	

#### Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
12-18-2009	Metro Bancorp, Inc. Harrisburg Dauphin County	Filed
	Application for approval to acquire 100% of Republic First Bancorp, Inc., Philadelphia, and thereby indirectly acquire Republic First Bank, Philadelphia.	

#### Consolidations, Mergers, and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
12-18-2009	Northwest Savings Bank Warren Warren County	Effective
	Merger of Northwest Interim Bank I, Northwest Interim Bank II, and Northwest Interim Bank III with and into Northwest Savings Bank, Warren. As a result of this transaction, Northwest Savings Bank has reorganized from a mutual holding company structure to a stock holding company structure.	

#### Branch Applications

##### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
12-16-2009	Somerset Trust Company Somerset Somerset County	2690 William Penn Avenue Suite 5 Johnstown Cambria County	Filed

##### Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
11-30-2009	Centric Bank Harrisburg Dauphin County	10 North Progress Avenue Harrisburg Dauphin County	Closed

#### Articles of Amendment

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
12-17-2009	First CornerStone Bank King of Prussia Montgomery County	Approved and Effective
	Amendment to the Fifth Article of the institution's Articles of Incorporation increases the number of authorized shares of common stock and authorizes the issuance of debt instruments, including, but not limited to, subordinated notes.	

### SAVINGS INSTITUTIONS

No activity.



## CREDIT UNIONS

## Consolidations, Mergers, and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
12-15-2009	First Choice Federal Credit Union New Castle Lawrence County	Approved
	Application for approval to merge New Castle Postal Employees Credit Union, New Castle, with and into First Choice Federal Credit Union, New Castle.	

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. 10-16. Filed for public inspection December 31, 2009, 9:00 a.m.]

## DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

### Emergency Shelter Grant Program

The Department of Community and Economic Development (Department), Center for Community Financing, is anticipating applying for funding through the United States Department of Housing and Urban Development.

The Emergency Shelter Grant Program (Program) is established within subtitle B of title IV of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C.A. §§ 11371—11378). The Program authorizes grants for the rehabilitation or conversion of buildings for use as emergency shelters for the homeless, for the payment of certain operating expenses and essential services in connection with emergency shelters for the homeless, and for homeless prevention activities. The Program is designed to be the first step in a continuum of assistance to enable homeless individuals and families to move toward independent living, as well as to prevent homelessness.

One copy of the application may be submitted by local governments to the Department's Customer Service Center, 4th Floor, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120 in accordance with the Department's single application requirements. A hard copy of the fully executed application must be sent to the Department Customer Service Center at the address listed previously and a copy also must be sent to the appropriate regional office. The application window will open on January 2, 2010, and close at 5 p.m. on February 26, 2010. Applications received prior to or after these dates may not be considered for funding.

Application forms and instructions may be obtained by contacting the Department's Center for Community Financing, in Harrisburg at (717) 787-5327, or the Department's Regional Offices. A copy may also be downloaded from the Department's web site at [www.newPA.com](http://www.newPA.com). Persons with a disability who wish to submit an application in accordance with the provisions stated herein and require assistance with that application, and persons requiring copies of this notice in an alternate format

(large type, Braille, and the like) should contact Ed Geiger, 4th Floor, Commonwealth Keystone Building, Harrisburg, PA 17120, (717) 787-5327, to discuss how the Department may best accommodate their needs. The following is the listing of the Department's Regional Offices and the Counties they serve:

### REGIONAL OFFICES

#### Southeast

Bucks, Chester, Delaware, Montgomery and Philadelphia Counties

Department of Community and Economic Development  
801 Market Street, Suite 6106  
Philadelphia, PA 19107  
(215) 560-2083

#### Northeast

Berks, Bradford, Carbon, Lackawanna, Lehigh, Luzerne, Monroe, Northampton, Pike, Schuylkill, Sullivan, Susquehanna, Tioga, Wayne and Wyoming Counties

Department of Community and Economic Development  
409 Lackawanna Avenue  
3rd Floor, Oppenheim Building  
Scranton, PA 18503  
(570) 963-4571

#### Central

Adams, Cumberland, Dauphin, Franklin, Lancaster, Lebanon Perry, York, Bedford, Blair, Cambria, Centre, Clinton, Columbia, Fulton, Huntingdon, Juniata, Lycoming, Mifflin, Montour, Northumberland, Snyder, Somerset and Union Counties.

Department of Community and Economic Development  
Commonwealth Keystone Building  
400 North Street, 4th Floor  
Harrisburg, PA 17120  
(717) 787-7347

#### Southwest

Allegheny, Armstrong, Beaver, Butler, Fayette, Greene, Indiana, Washington and Westmoreland Counties

Department of Community and Economic Development  
1405 State Office Building  
300 Liberty Avenue  
Pittsburgh, PA 15222  
(412) 565-5002

**Northwest**

Cameron, Clarion, Clearfield, Crawford, Elk, Erie, Forest, Jefferson, Lawrence, McKean, Mercer, Potter, Venango and Warren Counties

Department of Community and Economic Development  
100 State Street, Suite 205  
Erie, PA 16507  
(814) 871-4241

**Main Office**

Center for Community Development  
400 North Street, 4th Floor  
Commonwealth Keystone Building  
Harrisburg, PA 17120  
(717) 787-5327

GEORGE E. CORNELIUS,  
*Secretary*

[Pa.B. Doc. No. 10-17. Filed for public inspection December 31, 2009, 9:00 a.m.]

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## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

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#### APPLICATIONS

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#### THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

#### APPLICATIONS FOR NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS AND WATER QUALITY MANAGEMENT (WQM) PERMITS

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

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

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

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

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

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

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

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

### I. NPDES Renewal Applications

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N ?
PA0088072 (IW)	Stericycle, Inc. 1525 Chestnut Hill Road R. R. 1 Box 364 Morgantown, PA 19543	Berks County Robeson Township	Hay Creek 3-C	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N ?
PA0209261	Mooreburg WWTP 197 Mooreburg Road Danville, PA 17821	Liberty Township Montour County	Mausers Creek 5E	Y

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

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

**PA0011266**, Industrial Waste, SIC Codes 2819 and 3339, **Cabot Supermetals**, County Line Road, Boyertown, PA 19512. This existing facility is located in Douglass Township, **Montgomery County**.

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

The receiving stream, Swamp Creek, is located in State Water Plan watershed 3-E and is classified for trout stocking, migratory fishes, aquatic life, water supply, and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001, based on a design flow of 0.1763 MGD, are as follows:

Parameter	Mass Loading (lbs/day)			Concentration (mg/l)		
	Average Monthly	Maximum Daily	Instantaneous Minimum	Average Monthly	Maximum Daily	Instantaneous Maximum
Total Suspended Solids	29.5	59.0		20	40	50
Total Dissolved Solids	14,144	22,055		9,620	15,000	24,050
Ammonia as N	11.76	23.52		8.0	16.0	20.0
Oil and Grease	22.0	44.0		15	30	30
NO <sub>2</sub> -N and NO <sub>3</sub> -N	147	184		100	125	150
Fluoride	45.58	81.02		31.0	55.1	77.5
Sulfate (as SO <sub>4</sub> )	5,881	9,175		4,000	6,240	10,000
Chloride	11,106	17,326		7,553	11,783	18,880
Nickel, Total	0.147	0.230		0.100	0.156	0.250
Zinc, Total	1.03	1.607		0.701	1.093	1.75
Copper, Total	0.122	0.191		0.083	0.130	0.208
Molybdenum, Total	0.270	0.610		0.183	0.415	0.458
Lead, Total	0.05	0.078		0.035	0.054	0.088
Osmotic Pressure (MO <sub>5</sub> /KG)				330	515	825
Dissolved Oxygen			5.0			
pH (STD)			6.0			9.0
Total Residual Chlorine				0.5	1.0	1.2
Selenium, Total	0.063	0.100		0.043	0.068	0.108
Thallium, Total	0.003	0.005		0.0021	0.0033	0.005
BOD <sub>5</sub>				Monitor	Monitor	
Phosphorus as P				Monitor	Monitor	

The proposed effluent limits for Outfall 002, based on a design flow of 0.0712 MGD, are as follows:

<i>Parameter</i>	<i>Mass Loading (lbs/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Minimum</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Total Suspended Solids	Monitor	Monitor		20	40	50
Total Dissolved Solids	Monitor	Monitor		750	1,170	2,000
Ammonia as N	Monitor	Monitor		4.0	8.0	10.0
Oil and Grease	Monitor	Monitor		15	30	30
NO <sub>2</sub> -N and NO <sub>3</sub> -N	Monitor	Monitor		Monitor	Monitor	
Fluoride	Monitor	Monitor		20.0	31.0	50.0
Sulfate (as SO <sub>4</sub> )	Monitor	Monitor		100	156	250
Chloride	Monitor	Monitor		400	624	1,000
Osmotic Pressure (MO <sub>s</sub> /KG)		Monitor			Monitor	
Dissolved Oxygen			5.0			
pH (STD)			6.0			9.0
Total Residual Chlorine				0.5	1.0	1.2
Temperature (° F)						110
CBOD <sub>5</sub> *					Monitor	
COD*					Monitor	
Total Kjeldahl Nitrogen*					Monitor	
Iron (Dissolved)*					Monitor	
Molybdenum, Total*					Monitor	
Lead, Total*					Monitor	
Nickel, Total*					Monitor	
Zinc, Total*					Monitor	
Copper, Total*					Monitor	
Manganese, Total*					Monitor	
Phosphorus as P*					Monitor	

\* These are stormwater parameters and shall be taken during storm event.

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

1. Approved Chemical Additives.
2. Applicable BAT/BCT.
3. Approved Test Methods.
4. Stormwater Requirements.
5. Operation and Maintenance Plan.
6. PPC Plan Requirements.
7. Sampling of Stormwater and Nonstormwater at Outfall 002.
8. Compliance of Future Water Quality Criteria Requirements (TDS, Chlorides, Sulfites, and the like).
9. Stormwater Discharge at Pump Station.

You may make an appointment to review the Department of Environmental Protection's files on this case by calling the File Review Coordinator at 484-250-5910.

The EPA Waiver is in effect.

**PA0040576**, Sewage, SIC 4952, **Valleybrook Homeowners Association, Inc.**, P. O. Box 394, Chester Heights, PA 19017. This proposed facility is located in Chester Heights Borough, **Delaware County**.

Description of Proposed Activity: Renewal of an NPDES permit to discharge treated sewage from Valleybrook Homeowners Association STP.

The receiving stream, West Branch Chester Creek, is in the State Water Plan watershed 3G and is classified for: trout stocking fishery, aquatic life, water supply, and recreation. The nearest downstream public water supply intake for Media Borough (auxiliary intake) is located on Chester Creek and is 3.2 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.072 mgd:

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>
	<i>Average Monthly</i>	<i>Average Monthly</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	15.0	25.0	50.0
Total Suspended Solids	18.0	30.0	60.0
Ammonia as N			
(05-01 to 10-31)	9.0	15.0	30.0
(11-01 to 04-30)	12.0	20.0	40.0

## NOTICES

<i>Parameter</i>	<i>Mass (lb/day)</i>	<i>Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Average Monthly</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Phosphorus (Years 1 and 2 ) (Years 3—5) (05-01 to 10-31)	0.6	Monitor/Report 1.0	Monitor/Report 2.0
(Years 3—5) (11-01 to 04-30)	1.2	2.0	4.0
Fecal Coliform		# 200/100 ml Geometric Mean Monitor/Report	# 1,000/100 ml 2.0 (Inst. Min.)
Dissolved Oxygen		6.0 to 9.0 std. units at all times	
pH		0.5	1.2
Total Residual Chlorine			

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

1. Operator Notification.
2. Abandon STP when Municipal Sewers Available.
3. Remedial Measures if Unsatisfactory Effluent.
4. No Stormwater.
5. Acquire Necessary Property Rights.
6. Change of Ownership.
7. Minimize Use of Chlorine.
8. Proper Sludge Disposal.
9. Operator Education.
10. Twice-a-Month Monitoring Requirement.
11. Laboratory Certification.
12. Fecal Coliform Reporting.

**Application No. PAI120503, Philadelphia Park, Philadelphia Park Casino and Racetrack**, 3001 Street Road, Bensalem, PA 19020.

Philadelphia Park has submitted an application for an Individual National Pollution Discharge Elimination System (NPDES) permit for an existing CAFO known as Philadelphia Park Casino and Racetrack, located at 3001 Street Road, Bensalem, PA 19020 in Bensalem Township, **Bucks County**.

The CAFO is situated near Mill Creek in Watershed 2F, which is classified as WWF. The CAFO is designed to maintain an animal population of approximately 1,500 animal equivalent units consisting of 1,500 horses. The animals are housed in stables. Under current operating practices, manure is collected from the stables and placed in open air storage bins. A compliance schedule is proposed in the NPDES permit which requires Philadelphia Park to replace the open air storage bins with enclosed roll-off bins. Current and proposed total capacity of the manure storage facilities is 3,900 and 31,000 tons, respectively. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

The Department of Environmental Protection (Department) has conducted administrative and technical reviews of the application. Based on the preliminary review and application of lawful standards and regulations, the Department has made a tentative determination to issue an NPDES permit for the operation subject to the terms and conditions and monitoring and reporting requirements specified in the permit.

The permit application and draft permit are on file at the Southeast Regional Office of the Department. You may make an appointment to review the files by calling the File Review Coordinator at 484-250-5010.

Persons wishing to comment on the proposed permit are invited to submit written comments to the above address within 30 days from the date of this public notice. Comments received within this 30-day period will be considered in formulating the Department's final determination regarding the application. All comments should include the name, address, and telephone number of the writer and a concise statement to inform the Department of the basis of the comment and the relevant facts upon which it is based.

Following the 30-day comment period, the Water Management Program Manager will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time the determination may be appealed to the Environmental Hearing Board.

The Environmental Protection Agency permit waiver provision under 40 CFR 123.24(e) does not apply to this NPDES permit.

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

**Application No. PA 0082953**, Industrial Waste, SIC Code 4953, **Boyd E. Diller, Inc.**, 6820 Wertzville Road, Enola, PA 17025-1032. This facility is located in Hampden Township, **Cumberland County**.

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

The receiving stream, Sears Run, is in Watershed 7-B, and classified for warm water fishes, water supply, recreation, and fish consumption. The nearest downstream public water supply intake is Steelton Municipal Waterworks located on the Susquehanna River, approximately 17.9 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 based on a design flow of 0.010 MGD are:

Parameter	Mass (lbs/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	2.1	4.1	25	50	60
Total Suspended Solids	2.2	4.5	27	54	68
Total Phosphorus	0.17	0.33	2.0	4.0	5.0
NH <sub>3</sub> -N	0.4	0.8	4.9	10	12
Total Arsenic			0.05	0.10	0.125
Total Copper			0.05	0.10	0.125
Total Silver			0.01	0.02	0.025
Total Aluminum			0.275	0.50	0.67
Iron, Dissolved	0.23	0.46	2.8	5.6	7.0
Total Manganese					
(issue date to 1/30/11)			2.0	4.0	5.0
(2/1/11 to expiration)			1.0	2.0	2.5
Total Zinc			0.11	0.20	0.275
a-Terpinol			0.016	0.033	0.04
Benzoic Acid			0.071	0.12	0.178
Phenol			0.015	0.026	0.0375
p-Cresol			0.014	0.025	0.035
Fecal Coliform					
(5/1 to 9/30)			200		
(10/1 to 4/30)			2,000		
Total Residual Chlorine			0.5		1.6
Dissolved Oxygen			5.0 Minimum		
pH (S.U.)			6.0 Minimum		9.0

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.

**Application No. PA 0082589**, Sewage, **Fairview Township Authority (South Plant)**, 599 Lewisberry Road, New Cumberland, PA 17070-2399. This facility is located in Fairview Township, **York County**.

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

The receiving stream, unnamed tributary of Fishing Creek, 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 Wrightsville Water Supply Company is located on the Susquehanna River, approximately 21.7 miles downstream. The discharge is not expected to affect the water supply.

The proposed interim effluent limits for Outfall 001 for a design flow of 0.50 MGD are:

Parameter	Average	Average	Instantaneous
	Monthly (mg/l)	Monthly (mg/l)	Maximum (mg/l)
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
NH <sub>3</sub> -N			
(5-1 to 10-31)	1.5		3.0
(11-1 to 4-30)	4.5		9.0
Total Residual Chlorine	0.19		0.63

## NOTICES

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Phosphorus	2.0		4.0
Total Copper	0.016		0.04
Total Zinc	0.13		0.32
Bis (2-Ethylhexyl) Phthalate	0.0049		0.012
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)			
Acrolein	Report		
Acrylonitrile	Report		
Dichlorobromomethane	Report		
Pentachlorophenol	Report		
2,4,6-Trichlorophenol	Report		
Benzidine	Report		
Bis (2-Chloroethyl) Ether	Report		
Chrysene	Report		
Dibenzo (a,h) Anthracene	Report		
3,3-Dichlorobenzidine	Report		
Hexachlorobenzene	Report		
Hexachlorocyclopentadiene	Report		
N-Nitrosodi-N-Propylamine	Report		
Penanthrene	Report		

The proposed final effluent limits for Outfall 001 for a design flow of 0.50 MGD are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
NH <sub>3</sub> -N			
(5-1 to 10-31)	1.5		3.0
(11-1 to 4-30)	4.5		9.0
Total Residual Chlorine	0.19		0.63
Total Phosphorus	2.0		4.0
Total Copper	0.016		0.04
Total Zinc	0.13		0.32
Bis (2-Ethylhexyl) Phthalate	0.0049		0.012
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)			
Acrolein	0.001		0.0025
Acrylonitrile	0.00021		0.0005
Dichlorobromomethane	0.0022		0.0055
Pentachlorophenol	0.0011		0.0028
2,4,6-Trichlorophenol	0.0057		0.014
Benzidine	$3.5 \times 10^{-7}$		$8.7 \times 10^{-7}$
Bis (2-Chloroethyl) Ether	0.00012		0.0003
Chrysene	$1.6 \times 10^{-5}$		$4.0 \times 10^{-5}$
Dibenzo (a,h) Anthracene	$1.6 \times 10^{-5}$		$4.0 \times 10^{-5}$
3,3-Dichlorobenzidine	$8.7 \times 10^{-5}$		$2.0 \times 10^{-4}$
Hexachlorobenzene	$1.0 \times 10^{-6}$		$2.5 \times 10^{-6}$
Hexachlorocyclopentadiene	0.001		0.0025
N-Nitrosodi-N-Propylamine	$2.1 \times 10^{-5}$		$5.0 \times 10^{-5}$
Penanthrene	0.0013		0.0033

## 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

Chesapeake Bay Requirements

	<i>Concentration (mg/L)</i>		<i>Mass (lbs)</i>	
	<i>Monthly Average</i>	<i>Monthly</i>	<i>Monthly</i>	<i>Annual</i>
Total Nitrogen	Report	Report	Report	Report
Total Phosphorus	Report	Report	Report	Report
Net Total Nitrogen	XXX	Report	Report	9,132*
Net Total Phosphorus	XXX	Report	Report	1,218*

\* 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 DMRs—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, 2011.

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

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

- Complete a Toxic Reduction Evaluation.

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

The EPA waiver is not in effect.

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

**PA0233871**, SIC 4952, **Scott Davies**, 112 Whites Church Road, Bloomsburg, PA 17815. This proposed facility is located in Mount Pleasant Township, **Columbia County**.

Description of Proposed Activity: The existing on-lot system is malfunctioning and in need of replacement. A new SFTF with a proposed flow of 500 GPD will be constructed so the existing facility can be decommissioned.

The receiving stream, Unnamed Tributary to Fishing Creek, is in the State Water Plan watershed 5C and is classified for: Cold Water Fishes (CWF). The nearest downstream public water supply intake for United Water Pennsylvania Bloomsburg is located on Fishing Creek and is 4.5 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0005 mgd.

<i>Parameter</i>	<i>Mass (lbs/day)</i>		<i>Concentration (mg/l)</i>		<i>Instantaneous Maximum mg/l</i>
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	
Flow (GPD)			Monitor Only		Monitor Only
BOD <sub>5</sub>			25		50
Total Suspended Solids			30		60
Total Residual Chlorine			Monitor and Report		
pH (Standard Units)			Not < 6.0 nor > than 9.0		
Fecal Coliform			200/100 mL		

**PA0233625**, Industrial Waste, SIC 5083, **Warner Tractor and Equipment, Inc.**, R. R. 3, Box 460, Troy, PA 16947. This proposed facility is located in Troy Township, **Bradford County**.

Description of Proposed Activity: New NPDES permit for an existing agricultural and construction equipment washing operation.

The receiving stream, Unnamed Tributary to Sugar Creek, is in the State Water Plan watershed 4C and is classified for: Trout Stocking Fishes. The nearest downstream public water supply intake for Danville Municipal Water Authority is located on the Susquehanna River and is approximately 157.7 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.00015 MGD.

<i>Parameter</i>	<i>Mass (lbs/day)</i>		<i>Concentration (mg/l)</i>		<i>Instantaneous Maximum mg/l</i>
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	
C-BOD <sub>5</sub>			Monitor		
Dissolved Iron					7
Oil and Grease			15		30



Parameter	Mass (lbs/day)		Concentration (mg/l)		Instantaneous Maximum mg/l
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	
Total Suspended Solids			30		75
pH			6.0 to 9.0 standard units at all times		

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

**PA0253723-A1**, Industrial Waste, SIC 4953, **Shallenberger Construction, Inc.**, 2611 Memorial Boulevard, Conellsville, PA 15425. This application is for amendment of an NPDES permit to discharge treated process water from the Ronco Treatment Facility in Masontown Borough, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, the Monongahela River, classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply, and recreation. The first existing/proposed downstream potable water supply is Carmichaels Municipal Water Authority, located at Carmichaels, 4.5 miles below the discharge point.

*Outfall 001*: new discharge, design flow of 0.5 mgd.

Parameter	Mass (lbs/day)		Concentration (mg/l)		Instantaneous Maximum
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	
Flow (MGD)				0.5	
Iron			3.5		7.0
Oil and Grease			15		30
Total Suspended Solids			30		60
Acidity			Monitor Only		
Alkalinity			Greater than Acidity		
Barium			14.4	28.0	
Chlorides			Monitor and Report		
Total Dissolved Solids			500	750	
Osmotic Pressure (mOs/kg)			1,632	2,546	
Sulfates				250	
BOD <sub>5</sub>			53		163
Copper			0.757	0.865	
Zinc			0.420	0.497	
Acetone			7.97	30.2	
Acetophenone			0.0562	0.114	
2-Butanone			1.85	4.81	
o-Cresol			0.561	1.92	
p-Cresol			0.205	0.698	
Phenol			1.08	3.65	
Pyridine			0.182	0.370	
2,4,6-Trichlorophenol			0.106	0.155	
Strontium			Monitor and Report		
pH	not less than 6.0 nor greater than 9.0 S.U.				

*Other Conditions*: Special conditions concerning priority pollutant sampling, residual/hazardous waste disposal, storm water, oil-bearing wastewaters, chemical additives, and residual waste receipt monitoring.

The EPA waiver is not in effect.

**PA0254185**, Industrial Waste, SIC 1389, **Reserved Environmental Services, LLC**, 424 Ironwood Drive, Canonsburg, PA 15317. This application is for issuance of an NPDES permit to discharge treated process water and storm water from the Reserved Environmental Services Industrial Wastewater Treatment Plant in Hempfield Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, Sewickley Creek and Belson Run, classified as a warm water fisheries with existing and/or potential uses for aquatic life, water supply, and recreation. The first existing/proposed downstream potable water supply (PWS) is the Municipal Authority of Westmoreland County - McKeesport Plant, located at McKeesport, 33 miles below the discharge point.

*Outfall 001*: new discharge, design flow of 1.0 mgd.

Parameter	Mass (lbs/day)		Concentration (mg/l)		Instantaneous Maximum
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	
Flow (MGD)	Monitor and Report				
BOD <sub>5</sub>	442	1360	53.0	163	

Parameter	Mass (lbs/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Total Suspended Solids	250	500	30	60	
Oil and Grease	125	250	15	30	
Aluminum	6.26	12.52	0.75	1.50	
Antimony	0.15	0.30	0.018	0.036	
Barium	66.2	132	7.93	15.86	
Boron	44.1	88.3	5.29	10.58	
Copper	0.242	0.484	0.029	0.058	
Iron, Total	12.5	25.0	1.5	3.0	
Iron, Dissolved	8.35	16.7	1.00	2.00	
Manganese	8.35	16.7	1.00	2.00	
Strontium	83.5	167	10	20	
Zinc	2.11	4.22	0.253	0.506	
Benzene	0.008	0.017	0.001	0.002	
Ethylbenzene	Monitor and Report		Monitor and Report		
Toluene	Monitor and Report		Monitor and Report		
Xylenes	Monitor and Report		Monitor and Report		
Total BTEX	0.835	1.67	0.1	0.2	
Phenols	Not Detectable		Not Detectable		
Acetone	66.5	252	7.97	30.2	
Acetophenone	0.469	0.951	0.0562	0.114	
2-Butanone	15.4	40.1	1.85	4.81	
o-Cresol	4.68	16.0	0.561	1.92	
p-Cresol	1.71	5.83	0.205	0.698	
Phenanthrene	0.025	0.050	0.003	0.006	
Pyridine	1.52	3.09	0.182	0.370	
2, 4, 6-Trichlorophenol	0.885	1.29	0.106	0.155	
Osmotic Pressure (mOs/kg)			165	330	
Total Dissolved Solids	4173	6259	500	750	
Sulfate		2086		250	
Chloride		2086		250	
Bromide	Monitor and Report		Monitor and Report		
Acidity	Monitor and Report		Less than Alkalinity		
Alkalinity	Monitor and Report		Monitor and Report		
Gross Alpha (pCi/L)			Monitor and Report		
Radium 226/228 (pCi/L)	Monitor and Report		Monitor and Report		
pH	not less than 6.0 nor greater than 9.0 S.U.				

*Other Conditions:* Special conditions concerning priority pollutant sampling, residual/hazardous waste disposal, storm water, oil-bearing wastewaters, chemical additives, and residual waste receipt reporting.

The EPA waiver is not in effect.

*Outfall 002:* new discharge of storm water.

Parameter	Mass (lbs/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Discharge from this outfall shall consist solely of uncontaminated storm water runoff.					

*Outfall 003:* new discharge of storm water.

Parameter	Mass (lbs/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Discharge from this outfall shall consist solely of uncontaminated storm water runoff.					

**PA0254053**, Sewage, **St. Paul's Highfield Lutheran Church**, R. D. 1, Box 134A, Vandergrift, PA 15690. This application is for issuance of an NPDES permit to discharge treated sewage from St. Paul's Church STP in Parks Township, **Armstrong County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Carnahan 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 Buffalo Township Municipal Authority.

Outfall 001: new discharge, design flow of 0.0009 mgd.

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

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

**PA0104370**, Industrial Waste, **CMSJLP, LLC**, 103 Bridge Street, Ridgway, PA 15853. This proposed facility is located in Ridgway Township, **Elk County**.

Description of Proposed Activity: a new NPDES permit replacing an expired permit for a minor discharge of treated groundwater and untreated industrial waste.

The receiving water is Elk Creek. The receiving stream is in State Water Plan 17-A and is classified for the following uses: cold water fishes, aquatic life, water supply and recreation. This discharge is not expected to impact the request downstream PWS intake.

The proposed effluent limits for Outfall 001 based on a design flow of 0.00370 MGD.

Parameter	Concentrations		
	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
Flow (MGD)	XX		
Temperature	XX		
pH	Within limits of 6.0 to 9.0 standard units at all times.		

The proposed effluent limits for Outfall 002 based on a design flow of 0.0040 MGD.

Parameter	Concentrations		
	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
Flow (MGD)	XX		
Temperature	XX		
pH	Within limits of 6.0 to 9.0 standard units at all times.		

The proposed effluent limits for Outfall 003 based on a design flow of 0.00045 MGD.

Parameter	Concentrations		
	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
Flow	XX		
1,1,1 Trichloroethane	XX		
Trichloroethylene	0.004		0.01
1,1-Dichloroethane	XX		
1,2-Dichloroethylene	XX		
pH	Within limits of 6.0 to 9.0 standard units at all times.		

The EPA Waiver is in effect.

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

**PA0002135**, Industrial Waste, **Calumet Penreco, LLC**, 138 Petrolia Street, Karns City, PA 16041. The existing facility is located in Karns City Borough, **Butler County**.

Description of Proposed Activity: an NPDES Permit for an existing discharge of treated industrial waste, treated stormwater and untreated stormwater.

The receiving water is South Branch Bear Creek (SBBC) for Outfall Nos. 001, 002, 005, 006, 007, 008, 009, 013, 014, 020, 022, 023, 031, 033 and 034; and unnamed tributaries to SBBC for Outfall Nos. 004, 010, 011, 012 and 032. The receiving stream is in State Water Plan 17-C and is classified for the following uses: warm water fishes, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 based on a design flow of 0.356 MGD.

Parameter	Loadings		Concentration		
	Average Monthly (lb/day)	Maximum Daily (lb/day)	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
Flow (MGD)	XX	XX			
CBOD <sub>5</sub>					
(05/01—10/31)	47.5	95	16	32	40
(11/01—04/30)	95	190	32	64	80
Total Suspended Solids	XX	XX	45	135	135
Oil and Grease	XX		15		30
NH <sub>3</sub> -N					
(05/01—10/31)	4	8	1.3	2.6	3.25
(11/01—04/30)	11.5	23	3.9	7.8	9.75
Dissolved Oxygen			Greater than 5.0 mg/l at all times		
Aluminum	1.43	2.86	0.48	0.96	1.2
Total Iron #	4.61+	9.22+	1.56	3.12	3.9
Manganese	2.3	4.6	0.77	1.54	1.93
Copper	0.065	0.13	0.022	0.044	0.055
Lead	0.032	0.065	0.011	0.022	0.027
Zinc	XX	XX	0.058	0.15	0.15
Temperature (Interim)*			Daily Average (MBTU/day)		
January 1—31			63		
February 1—29			38		
March 1—31			77		
April 1—15			115		
April 16—30			207		
May 1—15			131		
May 16—30			196		
June 1—15			102		
June 16—30			66		
July 1—31			42		
Temperature (Interim)*			Daily Average (MBTU/day)		
August 1—31			37		
September 1—15			49		
September 16—30			30		
October 1—15			77		
October 16—31			58		
November 1—15			81		
November 16—30			77		
December 1—31			66		
Temperature (Final)*			Daily Average (MBTU/day)		
January 1—31			6		
February 1—29			6		
March 1—31			30		
April 1—15			56		
April 16—30			85		
May 1—15			77		
May 16—30			142		
June 1—15			88		
June 16—30			107		
July 1—31			64		
August 1—15			39		
August 16—31			43		
September 1—15			65		
September 16—30			55		
October 1—15			40		
October 16—31			37		
November 1—15			33		
November 16—30			15		
December 1—31			6		
Fecal Coliform			200/100ml as a geometric average		
(05/01—09/30)			6.0 to 9.0 standard units at all times		
pH					

XX—Monitor and report on monthly DMRs.

+—Total loading for Outfall 001 and 004.

#—See Special Condition No. 6.

\*—See Special Condition Nos. 9, 10 and 11.

The proposed effluent limits for Outfall 002 based on a design flow of varies MGD.

<i>Parameter</i>	<i>Loadings</i>			<i>Concentration</i>	
	<i>Average Monthly (lb/day)</i>	<i>Maximum Daily (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (MGD)	XX				
TSS			XX		
TOC			XX		
Ammonia as Nitrogen			XX		
Nitrate-Nitrite Nitrogen			XX		
Oil and Grease			15		30
Aluminum			XX		
Total Iron			XX		
Manganese			XX		
Zinc			XX		
pH			XX		

XX—Monitor and report on monthly DMRs.

The proposed effluent limits for Outfall 004 based on a design flow of varies MGD.

<i>Parameter</i>	<i>Loadings</i>			<i>Concentration</i>	
	<i>Average Monthly (lb/day)</i>	<i>Maximum Daily (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (MGD)	XX				
TSS			30		50
Oil and Grease			15		30
Total Iron #	4.61+	9.22+	2	4	5
Manganese			1.0	2.0	2.5
pH	Within limits of 6.0 to 9.0 standard units at all times.				

XX—Monitor and report on monthly DMRs.

+—Total Loading for Outfall 001 and 004.

#—See Special Condition No. 6.

The proposed effluent limits for Outfall 005 based on a design flow of varies MGD.

<i>Parameter</i>	<i>Loadings</i>			<i>Concentration</i>	
	<i>Average Monthly (lb/day)</i>	<i>Maximum Daily (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (MGD)	XX				
5 Day CBOD			XX		
TSS			XX		
TOC			XX		
Ammonia as Nitrogen			XX		
Nitrate-Nitrite Nitrogen			XX		
Aluminum			XX		
Total Iron			XX		
Manganese			XX		
Copper			XX		
Zinc			XX		
pH			XX		

XX—Monitor and report on monthly DMRs.

The proposed effluent limits for Outfall 006 based on a design flow of varies MGD.

The proposed effluent limits for Outfall 007 based on a design flow of varies MGD.

The proposed effluent limits for Outfall 008 based on a design flow of varies MGD.

The proposed effluent limits for Outfall 009 based on a design flow of varies MGD.

The proposed effluent limits for Outfall 010 based on a design flow of varies MGD.

The proposed effluent limits for Outfall 011 based on a design flow of varies MGD.

The proposed effluent limits for Outfall 012 based on a design flow of varies MGD.

The proposed effluent limits for Outfall 013 based on a design flow of varies MGD.

The proposed effluent limits for Outfall 014 based on a design flow of varies MGD.

The proposed effluent limits for Outfall 031 based on a design flow of varies MGD.

The proposed effluent limits for Outfall 032 based on a design flow of varies MGD.

The proposed effluent limits for Outfall 033 based on a design flow of varies MGD.

The proposed effluent limits for Outfall 034 based on a design flow of varies MGD.

Parameter	Loadings			Concentration	
	Average Monthly (lb/day)	Maximum Daily (lb/day)	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
Flow (MGD)	XX				
TSS			XX		
TOC			XX		
Ammonia as Nitrogen			XX		
Nitrate-Nitrite Nitrogen			XX		

Parameter	Loadings			Concentration	
	Average Monthly (lb/day)	Maximum Daily (lb/day)	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
Oil and Grease			XX		
Aluminum			XX		
Total Iron			XX		
Manganese			XX		
Zinc			XX		
pH			XX		

XX—Monitor and report on monthly DMRs.

The proposed effluent limits for Outfall 020 based on a design flow of varies MGD.

The proposed effluent limits for Outfall 022 based on a design flow of varies MGD.

Parameter	Loadings			Concentration	
	Average Monthly (lb/day)	Maximum Daily (lb/day)	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
Flow (MGD)	XX				
TSS			XX		
TOC			XX		
Ammonia as Nitrogen			XX		
Nitrate-Nitrite Nitrogen			XX		
Oil and Grease			XX		
Aluminum			XX		
Total Iron			XX		
Manganese			XX		
Copper			XX		
Zinc			XX		
pH			XX		

XX—Monitor and report on monthly DMRs.

The proposed effluent limits for Outfall 023 based on a design flow of varies MGD.

Parameter	Loadings			Concentration	
	Average Monthly (lb/day)	Maximum Daily (lb/day)	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
Flow (MGD)	XX				
TSS			XX		
TOC			XX		
Ammonia as Nitrogen			XX		
Nitrate-Nitrite Nitrogen			XX		
Oil and Grease			15		30
Aluminum			XX		
Total Iron			XX		
Manganese			XX		
Copper			XX		
Zinc			XX		
pH			XX		

XX—Monitor and report on monthly DMRs.

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

The EPA Waiver is not 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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*Southeast Region: Water Management Program Manager, 2 East Main Street, Norristown, PA 19401.*

**WQM Permit No. WQG02090912**, Sewerage, **Bucks County Water & Sewer Authority**, 1275 Almshouse Road, Warrington, PA 18976. This proposed facility is located in Plumstead Township, **Bucks County**.

Description of Action/Activity: Construction and operation of a proposed sewer collection system, pump station and associated force main.

**WQM Permit No. WQG02460913**, Sewerage, **Franconia Sewer Authority**, 671 Allentown Road, P. O. Box 128, Franconia, PA 18924. This proposed facility is located in Franconia Township, **Montgomery County**.

Description of Action/Activity: Upgrade of an existing sanitary pump station with new sewage pumps.

**WQM Permit No. 4609409**, Sewerage, **Montgomery County Correctional Facility**, 60 Eagleville Road, Eagleville, PA 19403. This proposed facility is located in Lower Providence Township, **Montgomery County**.

Description of Action/Activity: Construction and operation of a sewage pump station to serve prison expansion.

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

**WQM Permit No. 0109405**, Sewerage, **Department of Defense, Raven Rock Mountain Complex**, 201 Beasley Drive, Suite 100, Fort Detrick, MD 21702-5029. This proposed facility is located in Liberty Township, **Adams County**.

Description of Proposed Action/Activity: Seeking approval for the replacement of tertiary treatment aqua cloth media filter at their existing treatment plant.

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

**WQM Permit No. 1009405**, Sewerage, **Heron Ridge Development Company, LLC**, 108 Deer Lane, Harmony, PA, 16037. This proposed facility is located in Muddy Creek Township, **Butler County**.

Description of Proposed Action/Activity: This is a proposed sewage treatment plant and disposal facilities to serve the planned Heron Ridge Development. It will be designed to ultimately discharge up to 14,000 gallons per day of treated effluent.

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01 1509041	DL Charlestown, LP 435 Devon Park Drive Suite 613 Wayne, PA 19087	Chester	Charlestown Township	Pickering Creek HQ-TSF Valley Creek EV

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023907006(1)	S/K Cetronia Associates, LP Attn.: Thomas Gough 520 US Hwy. 22 Bridgewater, NJ 08807	Lehigh	Upper Macungie Township	Schaefer Run HQ-CWF, MF Iron Run HQ-CWF, MF

*Northampton County Conservation District: 14 Gracedale Ave., Greystone Bldg., Nazareth, PA 18064-9211, 610-746-1971.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024809010	Lehigh Northampton Airport Auth. Attn.: Brian J. Sinnwell 3311 Airport Rd. Allentown, PA 18109-3040	Northampton	Forks Township	Bushkill Creek HQ-CWF, MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI032805005-R	Spring Valley, LLC John Hoover 2000 Powell Drive Chambersburg, PA 17201	Franklin	Guilford Township	Falling Spring Creek HQ-CWF
PAI033609007	Nancy Evans PPL Holtwod 2 North 9th Street (GENPL6) Allentown, PA 18101-1179	Lancaster	Martic Township	Susquehanna River WWF

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

*Westmoreland County Conservation District, 218 Donohoe Road, Greensburg, PA 15601, (724-837-5271).*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI056509008	John F. Tierney Resort Homes P. O. Box 234 Stahlstown, PA 15687	Westmoreland	Donegal Township	UNT to Camp Run EV

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

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

**STATE CONSERVATION COMMISSION**

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

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

Based upon preliminary reviews, the State Conservation Commission (SCC), or County Conservation Districts (CCD) working under a delegation agreement with the SCC, have completed an administrative review of NMPs described. These NMPs are published as proposed plans for comment prior to taking final actions. The NMPs are available for review at the CCD office for the county where the agricultural operation is located. A list of CCD office locations is available at [www.pacd.org/districts/directory.htm](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>
Royce Heckman 10345 Etter Avenue Mercersburg, PA 17236	Franklin	2	288.41	swine	NA	Renewal



## PUBLIC WATER SUPPLY (PWS) PERMIT

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

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

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

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

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

### SAFE DRINKING WATER

#### **Applications Received under the Pennsylvania Safe Drinking Water Act**

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

#### **Application No. 5209503, Public Water Supply.**

Applicant	<b>Aqua Pennsylvania, Inc.</b>
Township or Borough	Palmyra Township <b>Pike County</b>
Responsible Official	Roswell S. McMullen, P. E. Manager Projects & Development Aqua PA, Inc. 1775 North Main Street Honesdale, PA 18431
Type of Facility	Community Water Supply
Consulting Engineer	Douglas E. Berg, P. E. Entech Engineering, Inc. 4 South 4th Street P. O. Box 32 Reading, PA 19603 610-373-6667
Application Received Date	November 12, 2009

Description of Action	Application for a new well and associated chemical treatment facilities to serve the Tanglewood Lakes development.
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### WATER ALLOCATIONS

#### **Applications received under the Act of June 24, 1939 (P. L. 842, No. 365) (35 P. S. §§ 631—641) relating to the Acquisition of Rights to Divert Waters of the Commonwealth**

*Southcentral Region: Watershed Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17101.*

**WA 36-1034, Water Allocations. Northwest Lancaster County Authority, Lancaster County.** The applicant is requesting the right to purchase up to 25,000 gallons per day from Lancaster City Water Authority through an interconnection to be constructed in Penn Township, Lancaster County, Consulting Engineer: Mark Homan, Date Application Received: 10/27/2009.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995

#### PREAMBLE 1

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

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

Under sections 304(n)(1)(ii) and 305(c)(2) of the act, there is a 30-day public and municipal comment period for sites proposed for remediation using a Site-Specific Standard, in whole or in part, and for sites remediated as a special industrial area. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area of the site. For the sites identified, proposed for remediation to a Site-Specific Standard or as a special industrial area, the municipality within which the site is located may

request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30 days of the date specified. During this comment period, the municipality may request that the person identified as the remediator of the site develop and implement a public involvement plan. Requests to be involved and comments should be directed to the remediator of the site.

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

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

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

**Packerton Yards**, Packerton Hollow Road & Route 209, Mahoning Township, **Carbon County**. Vincent Carbone and James Koval, HDR Engineering, Inc., 1720 Spillman Drive, Bethlehem, PA 18015 have submitted a Notice of Intent to Remediate (on behalf of their client, Carbon County Office of Economic Development, P. O. Box 291, Jim Thorpe, PA 18229), concerning the remediation of soil found to have been impacted by lead, arsenic, selenium, and benzo (a) pyrene. The applicant proposes to remediate the site to meet the Statewide Health and the Site-Specific Standards. The intended future use of the northern portion of the property is commercial, and the intended future use of the southern portion of the property is greenspace and commercial. A summary of the Notice of Intent to Remediate is expected to be published in a local newspaper serving the general area sometime in the near future.

**Wenner Property**, 824—826 Washington Street, Freeland Borough, **Luzerne County**. Donald A. Coleman, P.G., Marshall Miller & Associates, Inc., 3913 Hartzdale Drive, Suite 1306, Camp Hill, PA 17011 has submitted a Notice of Intent to Remediate (on behalf of his client, Ken Wenner, 588 Pond Creek Road, White Haven, PA 18224), concerning the remediation of soil found to have been impacted by No. 2 fuel oil as a result of a release from a 275-gallon aboveground storage tank. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate is expected to be published in a local newspaper serving the general area sometime in the near future.

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

**Worley & Obetz, Inc. / Kathleen Klawitter Residence**, Lower Swatara Township, **Dauphin County**. Patriot Environmental Management, LLC, P. O. Box 629, Douglassville, PA 19518, on behalf of Preferred Realty Management, 26 South Market Street, Elizabethtown, PA 17022-2307 and Worley & Obetz, Inc., P. O. Box 429, Manheim, PA 17545, submitted a Notice of Intent to Remediate site soils 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 a residence.

**Defense National Stockpile Center Marietta Depot**, East Donegal Township, **Lancaster County**. Gannett Fleming, Inc., 207 Senate Avenue, Camp Hill, PA 17011, on behalf of US Army Corps of Engineers, 600 Dr. Martin Luther King Place, Louisville, KY 40202; PARS Environmental, Inc., 6A South Gold Drive, Robbinsville, NJ 08691; and the Defense National Stockpile Center, 8725 John J. Kingman Road, Suite 3229, Fort Belvoir, VA 22060-6223, submitted a Notice of Intent to Remediate site soils, groundwater, and surface water contaminated with metals. The site will be remediated to a Nonresidential Statewide Health Standard, and the future use of the site will be commercial/industrial.

**Ridgewood Manor**, Lot 39 Kerosene Release, Rapho Township, **Lancaster County**. GemChem, Inc., 53 North Cedar Street, P. O. Box 384, Lititz, PA 17543, on behalf of Ridgewood Manor, Inc., 95 Breneman Road, Manheim, PA 17545, submitted a Notice of Intent to Remediate site soils contaminated with kerosene released from an aboveground storage tank. The site will be remediated to a Residential Statewide Health Standard and will remain residential.

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

**Pittsburgh Flatroll, Former**, 77 31st Street, City of Pittsburgh, **Allegheny County**. KU Resources, 22 South Linden Avenue, Duquesne, PA 15110 on behalf of Industrial Business Brokers, 102 Lakeland Drive, Mars, PA 16046 has submitted a Notice of Intent to Remediate. Groundwater exceeded nonresidential, used aquifer MSCs for poly aromatic hydrocarbons. Concentrations of inorganics in groundwater exceeded the secondary maximum contaminant levels for aluminum, iron and manganese. The consultant will prepare a risk assessment to evaluate potential risks in regards to the property being used for nonresidential purposes. The NIR was published in the *Tribune-Review* on November 11, 2009.

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

**Penn Cambria Elementary School**, 400 Main Street, Borough of Lilly, **Cambria County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601 on behalf of Penn Cambria School District, Dave Beck, 201 Sixth Street, Cresson, PA 16630 has submitted a Notice of Intent to Remediate. During removal of a hydraulic elevator shaft, hydraulic oil was present on top of the groundwater. Potential contaminants of concern include benzene, naphthalene and other poly-aromatic hydrocarbons. The intended future use of the Site will continue to be utilized as an elementary school. The applicant intends to remediate the groundwater to a Residential Statewide Health Standard.

#### DETERMINATION FOR APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

**Application(s) for Determination of Applicability Received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/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 Application No. WMGR081D018. E-Waste Experts, Inc.**, 416 Green Lane, Bristol, PA 19007-4001.

The Department of Environmental Protection (Department), Bureau of Waste Management has received an application for a determination of applicability under the Residual Waste General Permit numbered WMGR081. The general permit WMGR081D018 is for the processing (that is, sizing, shaping, separating, and volume reduction only) of e-waste (that is, damaged, obsolete, and/or reusable electronic devices) for either reuse or recycling generated at the Green Lane facility, located in Bristol Borough, **Bucks County**. The Department determined the application to be administratively complete on December 15, 2009.

Persons interested in obtaining more information about the general permit application may contact Ronald C. Hassinger, Chief, General Permits and Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Land Recycling and Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472 at (717) 787-7381. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

#### **OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE**

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

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

**Permit Application No. 101243. Northern Tier Solid Waste Authority**, P. O. Box 10, Burlington, PA 1884, West Burlington Township, **Bradford County**. An application for the construction of a leachate collection impoundment and an increase in daily and monthly volume was submitted to the Northcentral Regional Office. A Local Municipal Involvement Process meeting was held on December 10, 2009.

Comments concerning the application should be directed to Lisa Houser, P. E., Facilities Manager, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Persons interested in obtaining more information about the permit application may contact the Williamsport Regional Office, Telephone 570-327-3740. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, 800-654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

**Permit Application No. 101649. Phoenix Resources, Inc.**, 782 Antrim Road, Wellsboro, PA 16901, Duncan Township, **Tioga County**. A minor modification application for an extension of leachate transportation was submitted to the Northcentral Regional Office on November 30, 2009.

## **AIR QUALITY**

### **PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS**

#### **NEW SOURCES AND MODIFICATIONS**

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

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

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

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

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

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

#### **PLAN APPROVALS**

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

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

**66-315-056: Procter & Gamble Paper Products Co.** (P. O. Box 32, Mehoopany, PA 18629-0032) for replacement of the 7M headbox at their facility in Washington Township, **Wyoming County**.

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

**37-121A: Flowline Division of Markovitz Enterprises, Inc.** (1400 New Butler Road, P. O. Box 7027, New Castle, PA 16107-7027) for a plan approval to replace existing vapor degreaser unit at their facility in Shenango Township, **Lawrence County**.

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

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

**35-328-003: PEI Power Corp.** (P. O. Box 157, Archbald, PA 18403-0157) for installation of two (2) landfill gas fired simple cycle turbines. NOx emissions will be no greater than 22ppm for each turbine in Archbald Borough, **Lackawanna County**. Combined NOx emissions from both turbines will be less than 38.8 TPY. PEI Power Corp. is a major facility subject to Title V permitting requirements. The company currently has a Title V Permit 35-00002. The plan approval will include all appropriate monitoring, recordkeeping, and reporting requirements designed to keep the furnaces operating within all applicable air quality requirements. The Plan Approval will, in accordance with 25 Pa. Code § 27.450, be incorporated into the Title V Operating Permit through an administrative amendment at a later date. For further details, contact Ray Kempa at (570) 826-2511 within 30 days after publication date.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701. Contact: David Aldenderfer, Program Manager—Telephone: 570-327-3637.*

**47-00014A: United States Gypsum Co.** (60 PPL Road, Danville, PA 17821) for a plan approval application for a change in method of operation which constitutes a modification on the kiln associated with source ID P114 in **Montour County**. The respective facility is a major (Title V) facility for carbon monoxide and PM-10 and will be required to obtain a Title V operating permit.

The Department of Environmental Protection's (Department) review of the information contained in the application indicates that the change in method of operation to allow use of a mold-resistant additive in the manufacturing process should comply with all applicable air quality regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12. Based on these findings, the Department intends to issue a plan approval for the modification to the kiln.

All applicable regulatory requirements relating to fugitive, visible, and malodorous emissions standards and additional requirements regarding malfunctions, testing, monitoring, recordkeeping, and reporting have been included in the proposed plan approval. In addition to the

above requirements, the following is a list of conditions that the Department proposes to place in the plan approval to ensure compliance with all applicable regulatory requirements:

1. Pursuant to best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, the total particulate matter emissions (filterable and condensable) from the kiln associated with source ID P114 shall not exceed the following limitations: 0.022 pound per million Btu of heat input at any time the kiln is drying any type of wallboard, except a type of mold-resistant wallboard, 0.113 pound per million Btu of heat input at any time the kiln is drying a type of mold-resistant wallboard, 8.45 tons in any 12 consecutive month period drying a type of mold-resistant wallboard and 28.44 tons in any 12 consecutive month period drying any type of wallboard. The Department may revise the limit based upon stack test results.

2. Pursuant to best available technology requirements of 25 Pa. Code § 127.1 and 127.12, the volatile organic compound emissions from the kiln associated with source ID P114 shall not exceed the following limitations: 0.0276 pound per million Btu of heat input at any time the kiln is drying any type of wallboard, except a type of mold-resistant wallboard, 0.0954 pound per million Btu of heat input at any time the kiln is drying a type of mold-resistant wallboard, 7.15 tons in any 12 consecutive month period drying a type of mold-resistant wallboard and 32.25 tons in any 12 consecutive month period drying any type of wallboard. The Department may revise the limit based upon stack test results.

3. Pursuant to best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, the formaldehyde emissions from the kiln associated with source ID P114 shall not exceed the following limitations: 0.0071 pound per million Btu of heat input at any time the kiln is drying any type of wallboard, except a type of mold-resistant wallboard, 0.0173 pound per million Btu of heat input at any time the kiln is drying a type of mold-resistant wallboard, 1.30 tons in any 12 consecutive month period drying a type of mold-resistant wallboard and 7.73 tons in any 12 consecutive month period drying any type of wallboard. The Department may revise the limit based upon stack test results.

4. Pursuant to best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, the hazardous air pollutant emissions from the kiln associated with source ID P114 shall not exceed 9.39 tons in any 12 consecutive month period. The Department may revise the limit based upon stack test results.

5. Pursuant to 25 Pa. Code § 127.12b, not later than 180 days from the issuance date of plan approval 47-00014A, stack testing shall be performed to determine the particulate matter (including PM-10) emissions rate (in grains per dry standard cubic foot and pound per million Btu of heat input) in the exhaust of the kiln associated with source ID P114 while the kiln is drying a type of mold-resistant wallboard, and operating at its normal maximum process rate. Stack testing shall also be performed to determine the nitrogen oxides, carbon monoxide, volatile organic compound, and formaldehyde emissions (in units of pound per hour and pounds per million Btu of heat input) at the same conditions specified above. All testing shall be performed using test procedures acceptable to the Department and in accordance with the provisions of 25 Pa. Code Chapter 139.

6. Pursuant to 25 Pa. Code § 127.12b, the permittee shall maintain accurate and comprehensive records of the

following information: the identity, quantity (pounds), volatile organic compound content (pounds per gallon) and hazardous air pollutant content (pounds per gallon) of the chain lube oil used in the kiln associated with source ID P114 each month, the identity, quantity (pounds), volatile organic compound content (percent by weight) and hazardous air pollutant content (percent by weight) of the soap used in the kiln associated with source ID P114 each month, the identity, quantity (pounds), volatile organic compound content (percent by weight) and hazardous air pollutant content (percent by weight) of the waste water used in the kiln associated with source ID P114 each month, the identity of the wallboard including thickness, and its duration of time processed through the kiln associated with source ID P114 (including initial date of production run and end date of production run), the amount of natural gas used in the kiln associated with source ID P114 for each duration that is recorded pursuant to item 4 of this condition. (b) All records generated pursuant to this condition shall be retained for at least 5 years and shall be made available to the Department upon request.

7. Pursuant to 25 Pa. Code § 127.12b, the permittee shall submit semi-annual reports to the Department listing the following for the kiln associated with source ID P114: the identity, quantity (pounds), volatile organic compound content (pounds per gallon) and hazardous air pollutant content (pounds per gallon) of the chain lube oil used in the kiln associated with source ID P114 each month, the identity, quantity (pounds), volatile organic compound content (percent by weight) and hazardous air pollutant content (percent by weight) of the soap used in the kiln associated with source ID P114 each month, the identity, quantity (pounds), volatile organic compound content (percent by weight) and hazardous air pollutant content (percent by weight) of the waste water used in the kiln associated with source ID P114 each month, the identity of the wallboard including thickness, and its duration of time processed through the kiln associated with source ID P114 (including initial date of production run and end date of production run), the amount of natural gas used in the kiln associated with source ID P114 for each duration that is reported pursuant to item 4 of this condition. (b) The semi-annual reports shall be submitted to the Department no later than March 1 (for January 1 through December 31 of the previous year) and September 1 (for July 1 of the previous year through June 30 of the concurrent year).

8. Pursuant to 25 Pa. Code § 127.12b, the kiln associated with source ID P114 shall not simultaneously process a type of mold-resistant wallboard and a type of non-mold-resistant wallboard at the same time.

9. Pursuant to best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, the quantity of the mold-resistant raw material, as identified in plan approval 47-00014A application, used in the manufacturing process at the facility shall not exceed 1,300,000 pounds in any 12 consecutive month period and 1,800 pounds in any 60 consecutive minute period.

10. Pursuant to 25 Pa. Code § 127.12b, at least 60 days prior to the performance of any testing required herein, the permittee shall submit two (2) copies of a pretest protocol to the Department for review in accordance with the provisions of 25 Pa. Code Chapter 139. The protocol shall describe the test methods and procedure to be used in the performance of testing, and shall include dimensioned sketches of the exhaust system showing the locations of all proposed sampling ports. The protocol

shall also describe how the process rate and heat input will be determined during each test run and also identify all other process data which will be monitored and recorded during testing.

11. Pursuant to 25 Pa. Code § 127.12b, the Department shall be given at least 15 days advance notice of the scheduled dates for the performance of any testing required herein. The Department is under no obligation to accept the results of any testing performed without receipt of proper notification.

12. Pursuant to 25 Pa. Code § 127.12b, within 60 days of the completion of any stack testing required herein, two copies of a test report shall be submitted to the Department in accordance with the provision of 25 Pa. Code Chapter 139. This test report shall contain the results of the testing, a description of the test methods and procedures actually used in the performance of the tests, copies of all process data collected during the testing, copies of all raw test data and copies of all calculations generated during data analysis. The results of the testing shall be expressed in units which allow for a direct comparison and determination of compliance, with the air contaminant emissions limitations contained herein.

13. Pursuant to 25 Pa. Code § 127.12b, the permittee shall continuously monitor the usage of mold-resistant additive in accordance with, and by the equipment described in plan approval application 47-00014A and supplementary information.

14. Pursuant to 25 Pa. Code § 127.12b, the permittee shall monitor any change in raw material used in the manufacturing process by the material assessment program described in plan approval application 47-00014A and supplementary information. A change would constitute as, but may not be limited to, any change in the amount of existing raw materials used in the manufacturing process, replacement of a raw material, and addition of any new raw material used in manufacturing process.

15. Pursuant to 25 Pa. Code § 127.12b, (a) the permittee shall maintain accurate and comprehensive records that justify any change, as identified herein, in the raw materials used to manufacture any type of wallboard were monitored through the material assessment program, as described in plan approval 47-00014A application and supplementary information. (b) All records generated pursuant to this condition shall be retained for at least 5 years and shall be made available to the Department upon request.

16. Pursuant to 25 Pa. Code § 127.12b, the recordkeeping requirement listed in item 17 does not preclude any applicable requirement to the permittee including 25 Pa. Code § 127.11.

17. Pursuant to 25 Pa. Code § 127.12b, (a) the permittee shall maintain accurate and comprehensive records of the identity, quantity (pounds), volatile organic compound content (pounds per gallon) and hazardous air pollutant content (pounds per gallon) of the mold-resistant raw material used in the manufacturing process each minute, each month, rolling 60-consecutive minute totals, and rolling 12-consecutive month totals. (b) All records generated pursuant to this condition shall be retained for at least 5 years and shall be made available to the Department upon request.

18. Pursuant to 25 Pa. Code § 127.12b, (a) the permittee shall maintain accurate and comprehensive records of the monthly calibrations on the equipment to monitor the usage of mold-resistant raw material. The record shall

include the name of the company representative performing the calibration, the date and time of calibration, the measurements and calculations generated from the calibration, the associated manufacturer's specifications and parameters, and the name of the manager informed and description of corrective action(s) if calibration measurements warrant any. The permittee shall also record all error messages displayed on the monitoring equipment and description of the corrective action(s) taken to abate each recorded error message. (b) All records generated pursuant to this condition shall be retained for at least 5 years and shall be made available to the Department upon request.

19. Pursuant to 25 Pa. Code § 127.12b, (a) the permittee shall submit semi-annual reports to the Department listing the identity, quantity (pounds), volatile organic compound content (pounds per gallon) and hazardous air pollutant content (pounds per gallon) of the mold-resistant raw material used in the manufacturing process each minute, each month, rolling 60-consecutive minute totals, and rolling 12-consecutive month totals. (b) The semi-annual reports shall be submitted to the Department no later than March 1 (for January 1 through December 31 of the previous year) and September 1 (for July 1 of the previous year through June 30 of the concurrent year).

20. Pursuant to 25 Pa. Code § 127.12b, the permittee shall conduct monthly calibrations on the equipment to monitor the usage of mold-resistant additive in accordance with the manufacturer's specifications, and plan approval application 47-00014A and supplementary information.

21. Pursuant to 25 Pa. Code § 127.12b, all conditions of Plan Approvals 47-309-001 and 47-309-001A remain unchanged and in effect unless superseded or amended by a condition contained herein. If there is a conflict between a condition contained in Plan Approvals 47-309-001 or 47-309-001A and a condition contained herein, the permittee shall comply with the condition contained herein rather than with the conflicting condition contained in Plan Approvals 47-309-001 or 47-309-001A.

A copy of the plan approval application is available for public review between 8 a.m. and 4 p.m. at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review may be made by calling the Department at 570-327-3693. Written comments or requests for a public hearing should be directed to Muhammad Q. Zaman, Manager, Facilities Permitting Section, Department of Environmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, 570-327-0512.

**18-00007B: Brodart Co.** (500 Arch Street, Williamsport, PA 17701) for construction and operation of a new paint booth at the Brodart McElhattan Furniture facility in Wayne Township, **Clinton County**. This facility, following the construction of the proposed paint booth, will remain as a major facility for volatile organic compound (VOC) emissions. The proposed paint booth is subject to the Best Available Technology (BAT) requirements of 25 Pa. Code §§ 127.1 and 127.12. The proposed paint booth is also subject to the requirements of 25 Pa. Code § 129.52, 25 Pa. Code §§ 129.101—129.107, and 40 CFR Part 63, Subpart JJ (National Emission Standards for Wood Furniture Manufacturing Operations). The proposed paint booth is subject to the requirements of 40 CFR Part 63, Subpart JJ (National Emission Standards for Wood Furniture Manufacturing Operations), sections

63.800—63.808. The proposed paint booth will emit up to 30 tons of VOCs and four (4) tons of particulate matter in any 12 consecutive month period. The particulate matter emissions from the proposed paint booth shall be controlled by booth filters.

The Department of Environmental Protection's (Department) review of the information provided by Brodart indicates that the sources at the facility will comply with all air quality requirements, including the best available technology (BAT) requirements of 25 Pa. Code §§ 127.1 and 127.12, pertaining to air contamination sources and the emission of air contaminants. Based on this finding, the Department intends to issue a plan approval for the proposed construction and operation of the sources and control devices. Additionally, if the Department determines that the proposed sources and the air cleaning devices are operating in compliance with the plan approval conditions, the conditions established in the plan approval will be incorporated into the Title V operating permit via an administrative amendment under 25 Pa. Code § 127.450.

The following is a summary of the conditions that the Department proposes to place in the plan approval to ensure compliance with all applicable regulatory requirements.

1. Pursuant to the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, the emission of volatile organic compounds (VOCs) from Booth #10A shall not exceed 30 tons in any 12 consecutive month period.

2. Pursuant to the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, no person may permit the emission of particulate matter from Booth #10A into the outdoor atmosphere in a manner that the concentration in the effluent gas exceeds 0.01 grain per dry standard cubic foot. Compliance with the requirement specified in this streamlined permit condition assures compliance with the provision in 25 Pa. Code § 123.13.

3. Pursuant to the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, Booth #10A shall be equipped with instrumentation to monitor the differential pressure across the filters and the actual differential pressure shall be displayed on a continuous basis.

4. The permittee shall keep records of the supporting calculations on a monthly basis for VOC emissions from Booth #10A and shall verify compliance with the VOC emission limitation in any 12 consecutive month period. The records shall be retained for a minimum of 5 years and shall be made available to the Department upon request.

5. The permittee shall keep comprehensive and accurate records of the following for Booth #10A: a record of each batch of coating mixed for application in Source ID P210A, specifying the identity and amount of each coating and coating additive used for each batch, as well as material content calculations; the identity and amount of each individual coating and coating additive used each month in Booth #10A; and product composition sheets for all coatings and coating additives used in Booth #10A, showing, at a minimum, the amount of volatile organic compounds and the amount of each individual hazardous air pollutant contained in each of the coatings and coating additives. These records shall be retained for a minimum of 5 years and shall be made available to the Department upon request.

6. The permittee shall submit reports to the Department on a semi-annual basis that include the supporting calculations to verify compliance with VOC emission limitation for Booth #10A in any 12 consecutive month period. The semi-annual reports shall be submitted to the Department no later than March 1 (for January 1 through December 31 of the previous year) and September 1 (for July 1 of the previous year through June 30 of the current year).

7. The permittee shall submit reports to the Department on a semi-annual basis which include the identity and amount of each individual coating and coating additive used each month in Booth #10A. The semi-annual reports shall be submitted to the Department no later than March 1 (for January 1 through December 31 of the previous year) and September 1 (for July 1 of the previous year through June 30 of the current year).

8. Pursuant to the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall not operate Booth #10A without a full set of booth filters. The particulate matter emissions from Booth #10A shall be controlled by the booth filters.

9. Pursuant to the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall apply all coating or finishing material in Booth #10A via hand application with a rag or brush, high volume low pressure (HVLP) spray technology, AIRMIX® spray guns, or UV coating technology, unless prior approval has been granted by the Department to utilize an alternate technology.

10. Pursuant to the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, Booth #10A is a Makor model K-ONE 1300 booth (or equivalent, as determined by the Department). The booth filters consists of Chemico dry filters associated with Booth #10A (or equivalent, as determined by the Department).

11. Pursuant to the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, Booth #10A is subject to 25 Pa. Code § 129.52. The permittee shall comply with all applicable requirements specified in 25 Pa. Code § 129.52.

12. Pursuant to the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, Booth #10A is subject to 25 Pa. Code §§ 129.101—129.107. The permittee shall comply with all applicable requirements specified in 25 Pa. Code §§ 129.101—129.107.

13. Pursuant to the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, Booth #10A is subject to 40 CFR Part 63, Subpart JJ (National Emission Standards for Wood Furniture Manufacturing Operations). The permittee shall comply with all applicable requirements specified in 40 CFR 63.800 through 63.808.

14. All conditions contained in Title V operating permit TVOP 18-00007 remain in effect unless superseded or amended by conditions contained in this plan approval. If there is a conflict between a condition contained in this plan approval and a condition contained in Title V operating permit TVOP 18-00007, the permittee shall comply with the condition contained in this plan approval.

A copy of the plan approval application and the Department's review is available for public review between 8 a.m. and 4 p.m. at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review may be made by calling the Department at 570-327-3693.

Written comments or requests for a public hearing should be directed to Muhammad Q. Zaman, Manager, Facilities Permitting Section, Department of Environmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, 570-327-0512.

**14-00005B: Department of Corrections** (Box A, Bellefonte, PA 16823) has submitted an application (#14-00005B) to the Department of Environmental Protection (Department) for plan approval to install a fabric collector to control the air contaminant emissions from the (3) existing coal-fired boilers (Source IDs 031, 032 and 033) at their Rockview State Correctional Institution located in Benner Township, **Centre County**. The respective facility is a major facility for which a Title V operating permit 14-00005 has been issued.

The Department's review of the information submitted by the Department of Corrections indicates that the installation of the fabric collector will meet all applicable air quality regulatory requirements pertaining to air contamination sources and the emission of air contaminants. Based on these findings, the Department intends to approve the application and issue plan approval for the installation of the fabric collector. Additionally, if the Department determines that the fabric collector associated with Source IDs 031, 032 and 033 are operating in compliance with all plan approval conditions, the conditions established in the plan approval will be incorporated into Title V operating permit #14-00005 via an administrative amendment pursuant to 25 Pa. Code § 127.450.

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

1. All conditions as specified in Title V operating permit #14-00005 shall remain in effect unless superseded or amend by a condition contained herein. If there is a conflict between a condition contained in the Title V operating permit #14-00005 and a condition contained herein, the permittee shall comply with the condition contained herein rather than the conflicting condition contained in the Title V operating permit #14-00005.

2. Pursuant to the requirements of 25 Pa. Code § 123.11, ID C001 associated with Source IDs 031, 032 and 033 shall not emit particulate matter in excess of the rate of 0.40 pound per million Btu of heat input.

3. The permittee shall keep on hand a sufficient quantity of spare fabric collector bags for ID C001, in order to be able to immediately replace any bags requiring replacement due to deterioration.

4. ID C001 shall be equipped with instrumentation to monitor the pressure drop and inlet temperature for each module of the fabric collector on a continuous basis.

5. ID C001 shall be equipped with broken bags detectors in the exhaust for each module of the fabric collector.

6. The permittee shall not operate Source IDs 031, 032 and 033 without the simultaneous operation of C001. The particulate matter emissions from Source IDs 031, 032 and 033 shall be controlled by ID C001.

7. The handling and storage of the material collected in C001 associated with Source IDs 031, 032 and 033 shall not at any time result in the emission of fugitive air contaminants in excess of the limitations specified in 25 Pa. Code § 123.1.

8. The compressed air supplied to ID C001 shall be equipped with an air dryer and oil trap.

9. The permittee shall perform EPA reference method particulate matter stack tests from the exhaust of ID C001 associated with Source IDs 031, 032 and 033 within 90 days from the installation of C001 to demonstrate compliance with the particulate matter emission limitation. The permittee shall perform opacity readings at the exhaust of ID C001 during the stack tests in accordance with EPA Method 9 to demonstrate compliance with the opacity limitation. All testing is to be done while Source IDs 031, 032 and 033 are operating at their maximum rate and using reference method test procedures acceptable to the Department.

10. At least sixty (60) days prior to the performance of any stack testing required by this permit, the permittee shall submit two (2) copies of a pretest protocol to the Department for review. This protocol shall contain a description of the proposed test methods and procedures and shall include dimensioned drawings or sketches showing the sampling port locations. This protocol shall also identify all air contaminant source and air cleaning device operating parameters to be monitored and recorded during the testing. The Department shall be given at least fourteen (14) days advance notice of the actual date(s) and time(s) on which testing will occur so that Department personnel can arrange to be present during testing. The Department is under no obligation to accept the results of any testing performed without proper prior notification having been given. Within sixty (60) days of the completion of any stack testing required by this permit, the permittee shall submit two (2) copies of a test report to the Department. This report shall contain the results of the testing, a description of the test methods and procedures actually used for the performance of the testing, copies of all raw data, copies of all process data and control device operating data collected during the testing and a copy of all calculations generated during data analysis.

A copy of the plan approval application is available for public review between 8 a.m. and 4 p.m. at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review may be made by calling the Department at 570-327-3693. Written comments or requests for a public hearing should be directed to Muhammad Q. Zaman, Chief, Facilities Permitting Section, Department of Environmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, 570-327-0512.

**18-00028A: Truck-Lite Co., Inc.** (P. O. Box 329, 786 McElhattan Road, McElhattan, PA 17748) for construction of a surface coating operation and a burn off oven in Wayne Township, **Clinton County**.

The Department of Environmental Protection's (Department) review of the information submitted by Truck-Lite Co., Inc. indicates that the air contamination sources to be constructed will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the particulate matter emission limitation of 25 Pa. Code § 123.13, the sulfur oxides limitation of 25 Pa. Code § 121.21, the visible emission limitation of 25 Pa. Code § 123.41 and the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue a plan approval for the proposed construction.

The emissions from the surface coating operation and burn off oven will not exceed 3.88 tons of PM10, 6.86 tons of volatile organic compounds and 1.88 tons of acetone per year. The total combined emission from all sources at this facility will not exceed the following limits in any 12 consecutive month period: NO<sub>x</sub>-0.63 tons; CO-0.27 tons; VOCs-6.86 tons; PM10-3.88 ton.

In addition to the emission limitations, the following is a summary of the types of conditions the Department intends place in the plan approval to ensure compliance with all applicable regulatory requirements including the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12.

Emission and material usage restrictions to limit the emission of PM10, volatile organic compounds and acetone.

Work practice requirements to install and operate the source and control device with good air pollution control practices.

Recordkeeping conditions to verify compliance with the emission limitations and all applicable requirements.

A copy of the plan approval application and the Department's review is available for public review between 8 a.m. and 4 p.m. at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review may be made by calling the Department at 570-327-3693. Written comments or requests for a public hearing should be directed to Muhammad Q. Zaman, Manager, Facilities Permitting Section, Department of Environmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, 570-327-0512.

## OPERATING PERMITS

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

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

**21-05005: Department of Corrections—Camp Hill State Correctional Institute** (P. O. Box 598, Camp Hill, PA 17001-0598) for coal and oil fired boilers and oil fired engine generators in Lower Allen Township, **Cumberland County**. This is a renewal of Title V operating permit issued in May 2005.

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

**16-00128: County Environmental Services, Inc.—County Landfill, Inc.** (P. O. Box 237, Leeper, PA 16233-0237) to re-issue a Title V Permit to operate the landfill gas collection and control system at this now closed municipal waste landfill in Farmington Borough, **Clarion County**. This is a major facility due to its potential to emit VOC emissions from the landfill gas.



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

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

**09-00102: Clean Earth of Southeast PA, Inc.** (7 East Steel Road, Morrisville, PA 19067) for operation of their facility in Falls Township, **Bucks County**. This action is a renewal of the permit for a non-Title V (Synthetic Minor) facility. The facility operates a soil remediation process. There are no proposed changes to equipment or operating conditions. The permit will continue to include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

**35-00044: Steamtown National Historic Site** (150 S Washington Ave, Scranton, PA 18503-2018) for operation of two boilers at the facility located in the City of Scranton, **Lackawanna County**. This is a renewal of a State-Only Operating Permit.

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

**25-01022: Troyer, Inc.** (817 Route 97 South, Waterford, PA 16441), for an initial Natural Minor Permit to operate a fried snack manufacturing facility in Waterford Township, **Erie County**. The facility's major emission sources include boiler, Heat & Control Inc., boiler, Weil Mclain, boiler, Bryan, continuous chip fryer, two kettle cookers and hot air popper. The facility is natural minor because the emissions of the pollutants from the facility are less than Title V emission threshold limits.

**37-00322: Joseph A. Tomon Jr. Funeral Home and Crematory** (97 Grin Avenue, P. O. Box 188, Ellwood City, PA 16117-2303), the Department intends to re-issue the Natural Minor Operating Permit for the crematory operations facility located in Ellport Borough, **Lawrence County**.

**42-00196: Catalyst Energy Swamp Angel Compressor Station** (800 Cranberry Woods Dr., Suite 290, Cranberry Township, PA 16066-5211), to issue a renewal State Only Operating Permit for the natural gas stripping plant located in Lafayette Township, **McKean County**. The facility is a Natural Minor. The primary sources at the facility include an inlet compressor (1265 HP), an electrically driven industrial refrigeration plant, and ethylene glycol dehydration unit. The facility is subject to 40 CFR Part 60, Subparts KKK and VV pertaining to Onshore Natural Gas Processing Plants and Leak Detection and Repair. The facility processes less than 10 mmcf/day of natural gas.

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

**S09-009: Presbyterian Medical Center** (51 North 39th Street, Philadelphia, PA 19104) for operation of a hospital in the City of Philadelphia, **Philadelphia**

**County**. The facility's air emission sources include two (2) 400 HP boilers, a 250 HP boiler, and six (6) emergency generators.

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

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

### PLAN APPROVALS

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

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

**PA 48-309-133: Greenstar, LLC** (799 Smith Lane, Northampton, PA 18067-1500) for installation of two (2) new dust collectors at their facility in Northampton Borough, **Northampton County**. This Plan Approval No. 48-309-133 will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (Department) has received and intends to issue a Plan Approval to Greenstar LLC (799 Smith Lane, Northampton, PA 18067-1500) for their facility located in Northampton Borough, Northampton County. This Plan Approval No. 48-309-133 will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 48-309-133 is for the installation of two new dust collectors. Particulate emissions will not exceed 0.02 grains/dscf. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions. The company shall be subject to and comply with 25 Pa. Code § 123.41 for Visible emissions. Emissions will be controlled by the use of baghouses. These limits will meet BAT requirements for this source. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, the Department analysis and other documents used in the evaluation of the application

are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711.

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

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

Identification of the proposed permit No. 48-309-133.

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

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

## COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

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

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

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

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.*

**03813704 and NPDES Permit # PA0002283, Keystone Coal Mining Corporation**, (P. O. Box 219, 400 Overview Drive, Shelocta, PA 15774), to renew the permit or the Keystone No. 1 Coal Refuse Disposal Area in Plumcreek Township, **Armstrong County** and related NPDES permit for reclamation only. No additional discharges. Application received: December 8, 2009.

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

**56090113 and NPDES No. PA0262935. PBS Coals, Inc.**, P. O. Box 260, 1576 Stoystown Road, Friedens, PA 15541, commencement, operation and restoration of a bituminous surface and auger mine in Stonycreek Township, **Somerset County**, affecting 133.8 acres. Receiving stream(s): Schrock Run classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: December 3, 2009.

**56663135 and NPDES No. PA0605921. Zubek, Inc.**, 173 House Coal Road, Berlin, PA 15530, permit renewal for the continued operation and restoration of a bituminous surface mine in Stonycreek Township, **Somerset County**, affecting 128.2 acres. Receiving stream(s): Schrock Run classified for the following use(s): cold water fishery. The first downstream potable water supply intake from the point of discharge is Hooversville Borough Municipal Authority Stonycreek SWI. Application received: December 8, 2009.

**32030108. P & N Coal Company, Inc.**, P. O. Box 332, Punxsutawney, PA 15767, permit renewal for reclamation only of a bituminous surface mine in Grant Township, **Indiana County**, affecting 69.7 acres. Receiving stream(s): unnamed tributaries to/and Rairigh Run classified for the following use(s): high quality cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: December 10, 2009.

**11040101 and NPDES No. PA0249661. E. P. Bender Coal Company, Inc.**, P. O. Box 594, Carrolltown, PA 15722, permit renewal for the continued operation and restoration of a bituminous surface mine in Reade Township, **Cambria County**, affecting 69.0 acres. Receiving stream(s): unnamed tributaries to/and Powell Run classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: December 11, 2009.

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

**37820108 and NPDES Permit No. PA0604658. The Ambrosia Coal & Construction Co.** (P. O. Box 422, Edinburg, PA 16116-9601) Renewal of an existing bituminous surface strip operation in North Beaver Township, **Lawrence County** affecting 225.0 acres. Receiving streams: Unnamed tributaries to Sugar Creek, classified for the following: WWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: December 9, 2009.

**16050106 and NPDES Permit No. PA0242675. Timothy A. Keck** (93 Carrier Street, Summerville, PA 15864) Revision to an existing bituminous strip and auger operation to add mining on the Lower Kittanning coal seam in Redbank Township, **Clarion County** affecting 224.0 acres. Receiving streams: Unnamed tributaries to Pine Creek, classified for the following: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: December 9, 2009.

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

**17090107 and NPDES Permit No. PA0257257. RES Coal, LLC**, (224 Grange Hall Road, P. O. Box 228, Armagh, PA 15920), commencement, operation and restoration of a bituminous surface mine operation located in Goshen Township, **Clearfield County** for 575.9 acres. Receiving stream(s): Little Trout Run—High Quality Cold Water Fishery, Chubb Run—Cold Water Fishery, Surveyor Run—Cold Water Fishery, unnamed tributaries to the West Branch of the Susquehanna River—Cold Water Fishery. The first downstream potable water supply source within 10 miles: Croft Water Association. Application received: November 23, 2009.

**17070116 and NPDES No. PA0256668. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001), revision of an existing bituminous surface mine to add a

coal seam on 30.7 acres in Sandy Township, **Clearfield County** and Winslow Township, **Jefferson County** affecting 552.0 acres. Receiving stream(s): Sandy Lick Creek classified for the following: Cold Water Fishery. There are no potable water supply intakes within 10 miles downstream. Application received: November 16, 2009.

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

**54783205R5. RJBB Coal Company**, (144 Trenton Street, Mahanoy City, PA 17948), renewal of an existing anthracite coal refuse reprocessing operation in Delano

Township, **Schuylkill County** affecting 4.0 acres, receiving stream: none. Application received: December 2, 2009.

**54830103T and NPDES Permit No. PA0613398. KK Coal, LLC**, (P. O. Box 8, Cumbola, PA 17930), transfer of an existing anthracite surface mine operation from K & K Coal Company in Blythe Township, **Schuylkill County** affecting 160.0 acres, receiving stream: unnamed tributaries to East Branch Schuylkill River. Application received: December 14, 2009.

*Noncoal Applications Received*

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

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

\* The parameter is applicable at all times.

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

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

**32090301 and NPDES No. PA0262820. Penn Run Quarry**, 456 Weston Run Road, Penn Run, PA 15765, commencement, operation and restoration of a large noncoal surface mine in Cherryhill Township, **Indiana County**, affecting 51.1 acres. Receiving stream(s): two UNTS to Penn Run and an UNT to Rose Run classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: June 22, 2009.

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

**54090301C. Pottsville Materials, LLC**, (P. O. Box 196, Skippack, PA 19474), correction to an existing quarry operation to add a wet processing plant in New Castle Township, **Schuylkill County** affecting 179.0 acres, receiving stream: none. Application received: December 4, 2009.

**09870301C15 and NPDES Permit No. PA0593796. Warner Company**, (1000 New Ford Mill Road, Morrisville, PA 19067), correction to an existing quarry operation to revise the post-mining land use to commercial/industrial in Falls Township, **Buck County** affecting 501.0 acres, receiving stream: Van Sciver Lake. Application received: December 16, 2009.

**09960301C7. Warner Company**, (1000 New Ford Mill Road, Morrisville, PA 19067), correction to an existing quarry operation to revise the post-mining land use to commercial/industrial in Falls Township, **Buck County** affecting 46.0 acres, receiving stream: Van Sciver Lake. Application received: December 16, 2009.

## FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

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

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

#### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E64-283. Fish and Boat Commission, Bureau of Engineering & Property Services**, 450 Robinson Lane, Bellefonte, PA 16823-7437, in Paupack Township, **Wayne County**, U.S. Army Corps of Engineers, Philadelphia District.

To remove an existing 42-foot wide, partially-submerged asphalt boat launch approach ramp to Lake Wallenpaupack (HQ-CWF), and to construct and maintain five (5) sections of 42-foot wide x 90-foot long x 8-inch high reinforced concrete slab ramping placed on a crushed stone base and lined with R-4 rip-rap.

Also, to remove an existing 30 square foot wooden floating dock with aluminum gangway within Lake Wallenpaupack (HQ-CWF) and to construct and maintain a 6-foot wide x 31-foot long x 6-inch high concrete walkway lined with gabion stone and attached to a 6-foot wide x 14-foot long x 4-foot high concrete bulkhead to be lined with R-4 rip-rap.

The bulkhead will be attached to a 4-foot wide x 40-foot long aluminum gangway accessing a proposed 384 square foot floating wooden dock within Lake Wallenpaupack (HQ-CWF) for the purpose of creating handicap accessibility, increased safety, and a more permanent dock structure.

The project is located on the northern tip of Lake Wallenpaupack, approximately 0.4 miles south west of the intersection of SR 590 and US Route 6 (Hawley, PA Quadrangle Latitude: 41° 27' 34.8"; Longitude: -75° 11' 23").

**E13-161. East Penn Township**, 167 Municipal Road, Lehigh, PA 18235-3916, in East Penn Township, **Carbon County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a 0.7-acre athletic sports field and two (2) pole building pavilions within the 100-year floodway of Lehigh River (TSF) for the purpose of creating a recreational area.

The project is located on the south side of the SR 248, approximately 0.4 mile east of the intersection of T-337 and I-476 (Lehigh, PA Quadrangle Latitude: 40° 47' 30"; Longitude: -75° 39' 23").

**E45-550. Suburban Realty, LP**, P. O. Box 67, 1 River Road, Shawnee, PA 18356, in Smithfield Township, **Monroe County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a 24-inch diameter stormwater outfall pipe to be installed perpendicular to an existing concrete wingwall and culvert structure, which currently passes Wigwam Run (HQ-CWF, MF) beneath Wigwam Park Road. The purpose of the project is to discharge stormwater associated with the Plaza 611 development.

The project is located along the south side of T-469 (Wigwam Pond Road), approximately 0.2 mile north east

of the intersection of SR 611 and T-469 (Saylorsburg, PA Quadrangle Latitude: 40° 59' 59"; Longitude: -75° 15' 41").

**E13-162. Green Energy Capital Partners, LLC**, 319 Barren Hill Road, Suite 400, Conshohocken, PA, in Nesquehoning Borough, **Carbon County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain: (1) a stormwater outfall structure consisting of an existing R-4 rip-rap apron within the 100-year floodway of Broad Run (HQ-CWF, MF); (2) a stormwater outfall structure consisting of an existing R-3 rip-rap apron within the 100-year floodway of Broad Run (HQ-CWF, MF); (3) an underground utility line stream crossing of Deep Run (EV, MF); and (4) and a temporary sediment basin discharge within the 100-year floodway of Nesquehoning Creek (HQ-WWF, MF) for the purpose of constructing an electricity generation solar park with visitors center.

The project is located on the north side of the SR 54, approximately 5.9 miles west of the intersection of SR 93 and U.S. Route 209 (Nesquehoning, PA Quadrangle Latitude: 40° 51' 24"; Longitude: -75° 51' 21").

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

**E01-290. SEL-WIL, Inc.**, 7075 Carlisle Pike, Carlisle, PA 17013, Berwick Township, **Adams County**, ACOE Baltimore District

The applicant proposes to construct and maintain a 220-foot length of a 10-foot wide pedestrian walkway across two unnamed tributaries of Pine Run (WWF) and its associated wetlands. The walkway will be constructed at grade and the stream crossings will be made using wooden bridges. The total area of wetland impact is 0.05 acre (Hanover, PA Quadrangle N: 21.6 inches; W: 17.5 inches, Latitude: 39° 52' 12"; Longitude: 76° 59' 24") for the purpose of constructing a parking lot and pedestrian walkway located at 800 Racetrack Road, Abbottstown, PA, 17301, Berwick Township, Adams County.

**E36-830. Scott Sweigart, Forino Developers**, 555 Mountainhome Road, Sinking Spring, PA 19608, Mt. Joy Township, **Lancaster County**, ACOE Baltimore District.

To construct and maintain: (1) 51.0 feet of 48-inch by 76-inch HERCP stream crossing having a permanent wetland impact of 0.10 acre, and a permanent stream impact of 70.0 linear feet; (2) 97.0 feet of 60-inch diameter RCP having a permanent wetland impact of 0.10 acre, and a permanent stream impact of 97.0 feet; (3) 21.0 feet of 8-inch PVC sanitary sewer line utility crossing having a temporary stream impact of 21.0 feet; (4) 47.0 feet of 24-inch diameter RCP outfall; (5) a 10-foot wide, single span pedestrian bridge having a normal span of 14.5 feet and an underclearance of 32.0 inches, with a permanent stream impact of 15.0 feet; (6) 53.0 feet of an 18-inch diameter RCP stream crossing, having a permanent stream impact of 53 linear feet; (7) a 15-foot wide, single span footbridge having a normal span of 14.5 feet and an underclearance of 0.5 feet, with a permanent stream impact of 15.0 linear feet; (8) 39.0 feet of 15-inch SWCPP stream crossing, having a permanent stream impact of 39.0 linear feet; (9) 19.0 feet of 36-inch diameter SWCPP and 13.0 feet of 36-inch diameter SLCPP outfall structure; (10) an outfall structure consisting of 40.0 feet of 15-inch RCP discharging into wetlands; (11) 0.5 acre of permanent wetland disturbance for the construction of Lots 26 and 27; (12) a 5-foot wide walking path permanently impacting 0.04 acre of wetlands; (13) a 10-foot

wide bike path permanently impacting 0.2 acre of wetlands; (14) a 69-foot in length, 24-inch diameter RCP outfall structure; and (15) a wetland mitigation of 0.31 acres on site of the proposed project, all affecting an unnamed tributary to Donegal Creek (CWF), for the purpose of constructing an a 241 unit subdivision located off of Schwanger and Campus Roads (Elizabethtown, PA Quadrangle N: 3.5 inches; W: 9.1 inches, Latitude: 40° 8' 76" N; Longitude: 76° 33' 55" W) in Mt. Joy Township, Lancaster County.

**E36-866: West Earl Township, Patrick Barrett, Township Manager**, 157 West Metzler Road, Brownstown, PA 17508, West Earl Township, Lancaster County, ACOE Baltimore District.

To construct and maintain a 28-foot long by 16-foot wide restroom facility building, a 20-foot long by 5-foot wide concrete stairway/access and associated grading in the floodplain of the Conestoga River (WWF) for the purpose of improving the West Earl Township Park's facilities at a point just northeast of the intersection of Louise Avenue and Route 772 (Leola, PA Quadrangle 21.75-inches North; 5.13-inches West, Latitude: 40° 7' 8.00" N; Longitude: 76° 12' 44.71" W) in West Earl Township, Lancaster County.

**E22-554: Thea Drive Associates, LLC, Brent Stoltzfus**, 474 Mt. Sidney Road, Lancaster, PA 17602, Susquehanna Township, Dauphin County, Baltimore ACOE District.

To maintain the existing: (1) 55.0 linear feet of super silt fence impacting 78.0 square feet of PEM wetlands (Harrisburg East, PA Quadrangle N: 13.22 inches; W: 14.15 inches, Latitude: 40° 19' 22.04"; Longitude: 76° 51' 5.56"); (2) 25.0 linear feet of super silt fence impacting 18.0 square feet of PEM wetlands (Harrisburg East, PA Quadrangle N: 13.24 inches; W: 14.10 inches, Latitude: 40° 19' 22.41"; Longitude: 76° 51' 4.27"); (3) 15.0 linear feet of super silt fence impacting 6.0 square feet of PEM wetlands (Harrisburg East, PA Quadrangle N: 13.25 inches; W: 14.02 inches, Latitude: 40° 19' 22.66"; Longitude: 76° 51' 2.01"); (4) 4.6 linear feet of super silt fence impacting 2.0 square feet of PEM wetlands (Harrisburg East, PA Quadrangle N: 13.31 inches; W: 13.88 inches, Latitude: 40° 19' 23.78"; Longitude: 76° 50' 58.62"); (5) 30.0 linear feet of super silt fence impacting 17.0 square feet of PEM wetlands (Harrisburg East, PA Quadrangle N: 13.32 inches; W: 13.84 inches, Latitude: 40° 19' 24.03"; Longitude: 76° 50' 57.51"); (6) an 8-inch diameter DIP sanitary sewer line crossing of an unnamed tributary to Black Run (WWF) temporarily impacting 1,712.0 square feet of PEM wetlands (Harrisburg East, PA Quadrangle N: 13.14 inches; W: 14.46 inches, Latitude: 40° 19' 20.43"; Longitude: 76° 51' 13.49"); (7) a 27-inch diameter CPP outfall pipe to an unnamed tributary to Black Creek (WWF) (Harrisburg East, PA Quadrangle N: 13.19 inches; W: 14.37 inches, Latitude: 40° 19' 21.42"; Longitude: 76° 51' 15.92"); then to construct and maintain; (8) a 6-inch depressed, 70-foot long 3-foot high by 8-foot wide concrete box culvert in an unnamed tributary to Black Run (WWF) impacting 595 square feet of PEM wetlands for a proposed roadway crossing (Harrisburg East, PA Quadrangle N: 13.16 inches; W: 14.26 inches, Latitude: 40° 19' 20.92"; Longitude: 76° 51' 8.33"); (9) a 6-inch depressed, 50-foot long 42-inch diameter SLCP road crossing impacting 1,281.0 square feet of PEM wetlands (Harrisburg East, PA Quadrangle N: 13.31 inches; W: 13.88 inches, Latitude: 40° 19' 23.78"; Longitude: 76° 50' 58.62"); (10) a 6.0-inch depressed, 80.0-foot long 42.0-inch by 29.0-inch CMP arch

culvert in an unnamed tributary to Black Run (WWF) impacting 1,673 square feet of PEM wetlands for a proposed roadway crossing (Harrisburg East, PA Quadrangle N: 13.39 inches; W: 14.22 inches, Latitude: 40° 19' 25.39"; Longitude: 76° 51' 7.36"); (11) a 6-inch depressed, 31-foot long 30-inch diameter SLCP in an unnamed tributary to Black Creek (WWF); (12) a 6-inch depressed, 31-foot long 30-inch diameter SLCP in an unnamed tributary to Black Creek (WWF); (13) a 6-inch depressed, 34-foot long 36-inch diameter SLCP in an unnamed tributary to Black Creek (WWF) (Harrisburg East, PA Quadrangle N: 13.24 inches; W: 14.37 inches, Latitude: 40° 19' 22.54"; Longitude: 76° 51' 11.23"); (14) a 24-inch diameter RCP outfall structure to an unnamed tributary to Black Run (WWF) (Harrisburg East, PA Quadrangle N: 13.89 inches; W: 14.29 inches, Latitude: 40° 19' 35.34"; Longitude: 76° 51' 9.13"); (15) an 11.5-inch diameter orifice plate bolted to the existing 24-inch diameter RCP riser pipe in an online pond (Harrisburg East, PA Quadrangle N: 13.89 inches; W: 14.29 inches, Latitude: 40° 19' 21.43"; Longitude: 76° 51' 17.53"); and (16) to place 5,496.0 cubic yards of fill in the floodway of an unnamed tributary to Black run (WWF), all for the purpose of constructing a pedestrian path walkway and a residential subdivision in Susquehanna Township, Dauphin County. Wetland mitigation in the amount of 8,000 square feet will occur onsite.

**E07-430: Roaring Spring Municipal Authority**, 616 Spang Street, Roaring Spring, PA 16672-1350, Taylor Township, Blair County, ACOE Baltimore District.

To construct and maintain a 15-foot by 45-foot UV disinfection system and a 10-foot by 16-foot control shed in order to upgrade the existing wastewater treatment plant located within the 100-year floodplain of Halter Creek (WWF) at the Emeigh Lane and Papermill Road intersection (Roaring Spring, PA Quadrangle N: 16.44 inches; W: 4.12 inches, Latitude: 40° 20' 26"; Longitude: 78° 24' 16.36") in Taylor Township, Blair County.

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

**E17-454. Grampian Borough**, P. O. Box 291, Grampian, PA 16838. Grampian-Penn-Bloom Community Park Davis Run Stabilization Project. Grampian Borough, Clearfield County, ACOE Baltimore District (Curwensville, PA Quadrangle Latitude: 40° 58' 2"; Longitude: 78° 37' 3").

Grampian Borough is seeking authorize to stabilize 800-feet of Davis Run (Cold Water Fishery) within the Grampian-Penn-Bloom Community Park. To reduce maintenance and protect community park buildings that encroach upon Davis Run, the applicant seeks approval of the following stream and floodway encroachments:

<i>Activity Description</i>	<i>Activity Stationing</i>	<i>Impact Length</i>
Install Random Boulders	0+00 to 2+75	275-feet
Grade Stream Bank	0+00 to 2+40	240-feet
Remove Oak Trees	0+20 to 1+90	170-feet
Remove Evergreen Trees	1+80 to 2+90	110-feet
Install Rock Slope Protection	2+29 to 2+90	61-feet
Remove Trees and Shrubs	3+40 to 6+30	280-feet
Install Retaining Wall	3+40 to 3+80	40-feet
Install Retaining Wall	5+10 to 6+30	120-feet

<i>Activity Description</i>	<i>Activity Stationing</i>	<i>Impact Length</i>
Grade Stream Bank	3+50 to 5+20	170-feet
Install Concrete Runoff Guard	3+62 to 5+10	148-feet
Install Roof Runoff Channels	3+62 to 5+10	3-feet
Install Theater Rock Protection	5+82 to 6+30	48-feet
Remove Trees and Boulders	6+30 to 7+94	164-feet
Grade Stream Bank	6+30 to 7+94	164-feet
Install Planting Bed	6+30 to 7+94	164-feet
Install Education Signage	6+90	1-foot

All in-stream construction, operation and maintenance work shall be conducted in dry work conditions by dam and pumping, fluming or diverting stream flow around work areas. Since Davis Run is wild trout fishery, no construction or future repair work shall be done in or along the stream channel between October 1 and December 31 without prior written approval. The project is located along the western right-of-way of the SR 0219 approximately 720-feet north of Tenth Street and SR 0219 intersection.

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

**E03-451. Mahoning Creek Hydroelectric Company, LLC**, 150 North Miller Road, Suite 450C, Fairlawn, OH 44333. To construct a bridge and access road to maintain

a power house and tailrace in Redbank and Wayne Townships, **Armstrong County**, Pittsburgh ACOE District (Distant, PA Quadrangle N: 8.4 inches; W: 4.4 inches, Latitude: 40° 55' 17"; Longitude: 79° 16' 55"). To construct and maintain a powerhouse and tailrace on the left bank of Mahoning Creek (CWF) located 1,200 feet downstream of the existing US Army Corps of Engineers Mahoning Creek Dam to accommodate a turbine generating system. The 40-foot wide, 150-foot long, 10-foot deep tailrace will be constructed downstream of the powerhouse to return the water back to the Mahoning Creek. The project includes construction of a ford crossing or a bridge on an access road and 2.2-mile long overhead transmission line within the existing Allegheny Power right-of-way.

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

**E61-290, Aqua Pennsylvania, Inc.**, 665 South Dock Street, Sharon, PA 16146. Existing Water Treatment Plant Demo—New Water Pumping Station Construction, in Emlenton Borough, **Venango County**, ACOE Pittsburgh District (Emlenton, PA Quadrangle N: 41° 10' 36"; W: 79° 42' 46").

The applicant proposes to demolish an existing water treatment plant located partially in the 100-year flood plain of the Allegheny River and to construct and maintain a new raw water pump station located in the 100-year flood plain of the Allegheny River approximately 125 feet southwest of the intersection of River Avenue and Main Street in Emlenton Borough, Venango County (N: 41° 10' 36"; W: 79° 42' 46"). The Allegheny River is a perennial stream classified as a warm water fishery.

## ACTIONS

### THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

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

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

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

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

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

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

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

### I. NPDES Renewal Permit Actions

*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>
PA0228877 SNP	Santo Lazafame 15 Old Berwick Road Bloomsburg, PA 17815	Orange Township Columbia County	Stony Brook EV 5-C	Y
PA0112372 SNP	Mayfair Village Mobile Homes Park 612 North Shamokin Street Shamokin, PA 17872	Northumberland County Shamokin Township	UNT to Shamokin Creek SWP 6B	Y
PA0042722 SP	Dushore Sewer Authority P. O. Box 248 Dushore, PA 18614-0248	Sullivan County Dushore Borough	Little Loyalsock Creek 10B	Y
PA0114553 SP	Millheim Borough Council 225 East Main Street Millheim, PA 16854	Penn Township Centre County	Elk Creek SWP 6A	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>
PA0216267 Sewage	Nathaniel R. Morgan 6 Parklea Drive Monroeville, PA 15146	Westmoreland County Loyalhanna Township	Boatyard Run	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>
PA0038814	Ellport Borough Sewer Authority 313 Burns Avenue Ellwood City, PA 16117	Ellport Borough Lawrence County	Connoquenessing Creek 20-C	Y
PA0043826	United Erie Division of Interstate Chemical Company, Inc. 2797 Freedland Road Hermitage, PA 16148	City of Erie Erie County	City of Erie storm sewer to Presque Isle Bay 15	Y
PA0222712	Sykesville Borough 21 East Main Street Sykesville, PA 15865-1105	Sykesville Borough Jefferson County	Stump Creek 17-D	Y
PA0102181	Two Mile Run County Park Route 428 471 Beach Road Franklin, PA 16323	Oakland and Sugar creek Township Venango County	Unnamed tributary to Two Mile Run 16-E	Y



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


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

**NPDES Permit No. PA0057401**, Sewage, **S and S Styles**, 6801 Easton Road, Pipersville, PA 18947. This proposed facility is located in Bedminster Township, **Bucks County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge 600 gpd of treated sewage into an unnamed tributary to Cabin Run in Watershed 2D.

**NPDES Permit No. PA0020397**, Sewage, **Bridgeport Borough**, 4th and Mill Streets, Bridgeport, PA 19405. This proposed facility is located in Upper Merion Township, **Montgomery County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge treated effluent from the treatment plant into the Schuylkill River in Watershed 3F.

**NPDES Permit No. PA0056758**, Sewage, **Warrington Township**, 852 Easton Road, Warrington, PA 18976. This proposed facility is located in Warrington Township, **Bucks County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge 0.33 mgd of treated sewage into Mill Creek in Watershed 2F.

**NPDES Permit No. PA0050237**, Sewage, **Walnut Hill Utility Company**, 400 Ashley Court, Glen Mills, PA 19342. This proposed facility is located in Chester Heights Borough, **Delaware County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge 0.15 mgd of treated sewage into Chester Creek in Watershed 3G.

**NPDES Permit No. PA0056014, Amendment 1**, Industrial, **Ametek, Inc.**, 900 Clymer Avenue, Sellersville, PA 18960. This proposed facility is located in Sellersville Borough, **Bucks County**.

Description of Proposed Action/Activity: Approval for the amendment of permit by eliminating of stormwater NPDES sampling requirements (Outfall 001) for the site.

**NPDES Permit No. PA0057738**, Sewage, **Department of Conservation and Natural Resources, Bureau of State Park**, 11 Lodi Hill Road, Upper Black Eddy, PA 18972-9540. This proposed facility is located in Solebury Township, **Bucks County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge 800 gpd of treated sewage into the Delaware River from sewage treatment plant serving Delaware Canal State Park.

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

**NPDES Permit No. PA0253987**, Industrial Waste, **Somerset Regional Water Resources, LLC**, 888 Stoystown Road, Somerset, PA 15501. This proposed facility is located in Somerset Township, **Somerset County**.

Description of Proposed Action/Activity: Permit issuance for the treatment of spent fracturing development fluids and brine wastewater from oil and gas development activities for reuse and/or discharge.

**NPDES Permit No. PA0254142**, Industrial Waste, **North Shore Constructors II JV, Trumbull Corporation/Obayashi Corporation Joint Venture**, P. O. Box 98100, Pittsburgh, PA 15227-0500. This proposed facility is located in the City of Pittsburgh, **Allegheny County**.

Description of Proposed Action/Activity: Permit issuance authorizing groundwater discharge from a temporary construction dewatering system.

**NPDES Permit No. PA0254011**, Sewage, **James Gnagey, J.G. Food Marts**, R. D. #1, Box 620-G, Uniontown, PA 15401. This proposed facility is located in North Union Township, **Fayette County**.

Description of Proposed Action/Activity: Permit issuance authorizing discharge of domestic sewage from a gas station.

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

**NPDES Permit No. PA0023124**, Sewage, **Amendment No. 1, Albion Borough**, 26 Smock Avenue, Albion, PA 16401. This proposed facility is located in Conneaut Township, **Erie County**.

Description of Proposed Action/Activity: Description of Proposed Activity: Permit amendment for an existing discharge of treated sewage.

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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. 0678203, Amendment 01-1**, Industrial Waste, **Sensient Technologies Corporation**, 2515 North Jefferson Avenue, St. Louis, MO 63106. This facility is located in Robeson Township, **Berks County**.

Description of Proposed Action/Activity: Issuance of Final Closure Certification and Cancellation of WQM Permit.

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

**WQM Permit No. 0909407**, Sewerage, **Glen Nash**, 1845 Klines Mill Road, Quakertown, PA 18951. This proposed facility is located in Milford Township, **Bucks County**.

Description of Action/Activity: Construction and operation of a small flow sewage treatment facility.

**WQM Permit No. 2309409**, Sewerage, **Darby Creek Joint Authority**, P. O. Box 999, Chester, PA 19016. This proposed facility is located in Upper Darby Township, **Delaware County**.

Description of Action/Activity: Installation of a 36-inch PVC parallel relief line for the Darby Creek Interceptor between the Special Chamber manhole and MH 132.

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

**WQM Permit No. 1109403**, Sewerage, **Pegasus Sewer Authority**, 1296 Clapboard Road, Johnstown, PA 15904-7502. This proposed facility is located in Conemaugh Township, **Cambria County**.

Description of Proposed Action/Activity: Permit issuance for the construction and operation of approximately 15,000 linear feet of interceptor sewer.

**WQM Permit No. 3209401**, Sewerage, **Indiana County Municipal Services Authority**, 602 Kolter Drive, Indiana, PA 15701. This proposed facility is located in Center and Blacklick Townships, **Indiana County**.

Description of Proposed Action/Activity: Permit issuance for the construction and operation of a sanitary sewer extension to eliminate Aultman STP.

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

**WQM Permit No. WQG018730**, Sewerage, **Jeff L. and Lisa R. Rindfuss**, 13824 Old Route 19, Waterford, PA 16441. This proposed facility is located in LeBoeuf Township, **Erie County**.

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

**WQM Permit No. WQG018728**, Sewerage, **Jeffrey and Tina Dell**, 1824 Keller Road, Warren, PA 16365. This proposed facility is located in Conewango Township, **Warren County**.

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

**WQM Permit No. WQG018732**, Sewerage, **Mark A. Stewart**, 722 Stoney Lonesome Road, Clarion, PA 16214. This proposed facility is located in Monroe Township, **Clarion County**.

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

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

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

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

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI010907019	Turnpike Commission P. O. Box 67676 Harrisburg, PA 17106-7676	Bucks	Bensalem, Bristol and Middletown Townships	Unnamed Tributary Neshaminy Creek WWF-MF Unnamed Tributary Mill and Black Ditch Creek WWF and Delaware River WWF-MF

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI026609001	Wal-Mart Stores East, LP Sam Walton Development Complex 2001 SE 10th Street Bentonville, AR 72716-0550	Wyoming	Eaton Township	Bowman Creek HQ-CWF, MF Susquehanna River WWF, MF

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI033609003	David S. Stoltzfus 1027 Rock Springs Road Conowingo, MD 21918	Lancaster	Fulton Township	Little Conowingo Creek HQ-CWF

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

*Northumberland County Conservation District: R. R. 3, Box 238-C, Sunbury, PA 17801, (570) 286-7114, Ext. 4.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAR1094923R-1	MAIDA Belford Addition Expansion House's and Marsh Roads Montandon, PA	Northum- berland	Milton Borough	UNT to Montandon Marsh EV Wetland

## 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>
Tinicum Township Bucks County	PAG200 0909086	Real Pro Enterprises 2312 North Broad Street Colmar, PA 18915	Tohickon Creek CWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Bensalem Township Bucks County	PAG200 0909095	Bucks County Water and Sewer Authority 1275 Almshouse Road Warrington, PA 18976	Unnamed Tributary Delaware River WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
West Sadsbury Township Chester County	PAG200 1509045	Samuel Becker 393 Old Mill Road Gap, PA 17527	Unnamed Tributary Poquea Creek CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Caln Township Chester County	PAG200 15609048	Pennsylvania CVS/Pharmacy, LLC 1200 South Church Street Suite 4 Mt. Laurel, NJ 08054	Unnamed Tributary Beaver Creek CWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

<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>
Nanticoke City Luzerne County	PAG2004006043	Luzerne County Community College Phase 2 1333 South Prospect Street Nanticoke, PA 18634	Nanticoke Creek CWF, MF	Luzerne County Conservation District 570-674-7991
Upper Saucon Township Lehigh County	PAG2003909007	BR Associates, LLC Attn.: Robert Wurster P. O. Box 9 Center Valley, PA 18034	Tributary to Saucon Creek CWF, MF	Lehigh County Conservation District 610-391-9583
Tulpehocken Township Berks County	PAG2000609041	Eugene Sensenig 13 Little Swatara Church Road Richland, PA 17087	Little Swatara Creek CWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 610-372-4657, Ext. 201
Upper Allen Township Cumberland County	PAG2002109008	Upper Allen Township Lou Fazekas 100 Gettysburg Pike Mechanicsburg, PA 17055	UNT To Yellow Breeches Creek CWF	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 717-240-7812
Ferguson Township State College Borough Centre County	PAG2001409012	Amy Story State College Borough 243 S Allen Street State College, PA 16801	UNT to Spring Creek CWF	Centre County Conservation District 414 Holmes Avenue Suite 4 Bellefonte, PA 16823 (814) 355-6817
Lawrence Township Clearfield County	PAG2001709007	Patrick Burgum BASH Contracting 189 UFS Road Clearfield, PA 16830	Clearfield Creek WWF Roaring Run CWF	Clearfield County Conservation District 650 Leonard Street Clearfield, PA 16830 (814) 765-2629
South Centre and Mifflin Townships Columbia County	PAG2001909010	Department of Transportation P. O. Box 218 Montoursville, PA 17754-0218	Susquehanna River WWF	Columbia County Conservation District 702 Sawmill Road Suite 204 Bloomsburg, PA 17815 (570) 784-1310, Ext. 102
Clinton Township Lycoming County	PAG2004109010	Halliburton Energy Services, Inc. 10200 Bellaire Boulevard Houston, TX 77072-5206	Turkey Run WWF/MF	Lycoming County Conservation District 542 County Farm Road Suite 202 Montoursville, PA 17754 (570) 433-3003
Clinton Township Lycoming County	PAG2004109011	Department of Corrections 2520 Lisburn Road Camp Hill, PA 17001	Turkey Run WWF	Lycoming County Conservation District 542 County Farm Road Suite 202 Montoursville, PA 17754 (570) 433-3003
Lawrence County Neshannock Township	PAG2-0037-09-005	Lightner Greene, LLC Attn.: Jeffery Woda 229 Huber Village Boulevard Suite 100 Westerville, OH 430	UNT to Neshannock Creek TSF	Lawrence County Conservation District 724-652-4512

<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>
Lawrence County Union Township	PAG2 0037 07 006(1)	Leo Golba Enterprises and Lawrence Crossing, LLC Attn.: Mr. Leo Golba 149 Enclave Drive New Castle, PA 16105	UNTs Mahoning River WWF	Lawrence County Conservation District 724-652-4512
<i>General Permit Type—PAG-3</i>				
<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>
West Mahanoy Township Schuylkill County	PAR802243	Jack Rich, Inc. 617 Altamont Boulevard Frackville, PA 17931	Little Mahanoy Creek CWF	DEP—NERO Water Mgmt. Program 2 Public Square Wilkes-Barre, PA 18711-0790 570-826-2511
West Hazleton Borough Luzerne County	PAR142202	Bemis Co., Inc. 20 Jaycee Drive West Hazleton, PA 18202	Black Creek CWF	DEP—NERO Water Mgmt. Program 2 Public Square Wilkes-Barre, PA 18711-0790 570-826-2511
Lebanon County North Lebanon Township	PAR233544	The Valspar Corp. P. O. Box 1461 Minneapolis, MN 55440	Quittapahilla Creek TSF 7-D	DEP—SCRO—WQ 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
York County Hanover Borough	PAR603547	Staiman Recycling Corporation— Hanover Division P. O. Box 1235 Williamsport, PA 17703-1235	Plum Creek WWF 7F	DEP—SCRO—WQ 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Berks County Reading City	PAR493501	Evergreen Community Power 800 South Street Reading, PA 19602	Schuylkill River WWF 3C	DEP—SCRO—WQ 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Adams County Straban Township	PAR213501	Dal-Tile Corporation (Lincolnway East Plant) 211 North Fourth Gettysburg, PA 17325	UNT Swift Run WWF 7F	DEP—SCRO—WQ 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Berks County Exeter Township	PAR123564	Mehadrin Kosher Poultry 100 Lincoln Road Birdsboro, PA 19508-1804	UNT Schuylkill River WWF 3C	DEP—SCRO—WQ 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Mifflin County Lewistown Borough	PAR213520	Juniata Concrete Company (Lewistown Plant #1) 721 Smith Road Mifflintown, PA 17059-9608	Juniata River WWF 12A	DEP—SCRO—WQ 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Perry County Oliver Township	PAR213537	Juniata Concrete Company (Newport Plant #3) 721 Smith Road Mifflintown, PA 17059-9608	Little Buffalo Creek CWF 12B	DEP—SCRO—WQ 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Juniata County Walker Township	PAR213541	Juniata Concrete Company (Mifflintown Plant #2) 721 Smith Road Mifflintown, PA 17059	UNT Cedar Spring Run TSF 12B	DEP—SCRO—WQ 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

<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>
Adams County Bendersville Borough	PAR213502	Dal-Tile Corporation (Bendersville Plant) 211 North 4th Street Gettysburg, PA 17325	UNT Quaker Run TSF 7F	DEP—SCRO—WQ 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Franklin County Antrim Township	PAR113508	Grove U.S., LLC 1565 Buchanan Trail East Shady Grove, PA 17256	UNT Marsh Run WWF 13C	DEP—SCRO—WQ 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Adams County Gettysburg Borough	PAR213503	Dal-Tile Corporation (Gettysburg Plant) 211 N. Fourth Gettysburg, PA 17325	Rock Creek WWF 13D	DEP—SCRO—WQ 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Juniata County Walker Township	PAR213541	Juniata Concrete Company (Mifflintown Plant #2) 721 Smith Road Mifflintown, PA 17059-9608	UNT Cedar Spring Run TSF 12B	DEP—SCRO—WQ 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
State College Centre County	PAR804832	United Parcel Service, Inc. 1821 S 19th Street Harrisburg, PA 17104	Unnamed Tributary to Spring Creek CWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3664
Bald Eagle Township Clinton County	PAR234801	Croda, Inc. 8 Croda Way Mill Hall, PA 17751-8727	Unnamed Tributary to Bald Eagle Creek CWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3664
Rush Township Centre County	PAR604826	Jim Verost Used Cars & Trucks 846 North Ninth Street P. O. Box 392 Philipsburg, PA 16866	Moshannon Creek TSF and MF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3664
Hempfield Township Westmoreland County	PAR116138	Baker Hughes, Inc. 2929 Allen Parkway Suite 2100 Houston, TX 77019	Wilson Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000
East Franklin Township Armstrong County	PAR606131	Lucchetti Auto, Inc. 126 Main Street Kittanning, PA 16201	UNT of the Allegheny River	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000
City of Erie Erie County	PAR128306	Meadow Brook Dairy Company, Inc. 2365 Buffalo Road Erie, PA 16510	City of Erie storm water sewers to Lake Erie	DEP—NWRO Water Management 230 Chestnut Street Meadvile, PA 16335-3481 814/332-6942

*Facility Location:  
Municipality &  
County*

City of Meadville,  
Crawford County

*Permit No.*

PAR608305

*Applicant Name &  
Address*

Lincoln Metal Processing  
Company, Inc.  
1602 Selinger Avenue  
Erie, PA 16505

*Receiving  
Water/Use*

French Creek

*Contact Office &  
Phone No.*

DEP—NWRO  
Water Management  
230 Chestnut Street  
Meadville, PA 16335-3481  
814/332-6942

*General Permit Type—PAG-4*

*Facility Location:  
Municipality &  
County*

Dauphin County  
Elizabethville  
Borough

*Permit No.*

PAR123565

*Applicant Name &  
Address*

JBS Souderton, Inc.  
Elizabethville  
Blending Facility  
P. O. Box 64395  
Souderton, PA  
18964-0395

*Receiving  
Water/Use*

Wiconisco Creek  
WWF

*Contact Office &  
Phone No.*

DEP—SCRO  
909 Elmerton Avenue  
Harrisburg, PA 17110  
717-705-4707

Racoon Township  
Beaver County

PAG046256

Bradley J. Katcher  
1205 Pleasant Street  
Aliquippa, PA 15001

UNT to Fish Pot Run

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

LeBoeuf Township  
Eric County

PAG049554

Jeff L. and  
Lisa R. Rindfuss  
13824 Old Route 19  
Waterford, PA 16441

Unnamed tributary  
to French Creek  
16A

DEP—NWRO  
Water Management  
230 Chestnut Street  
Meadville, PA 16335-3481  
814/332-6942

Connewango  
Township  
Warren County

PAG049552

Jeffrey and Tina Dell  
1824 Keller Road  
Warren, PA 16365

Unnamed tributary  
to Scott Run  
16-B

DEP—NWRO  
Water Management  
230 Chestnut Street  
Meadville, PA 16335-3481  
814/332-6942

Monroe Township  
Clarion County

PAG049556

Mark A. Stewart  
722 Stoney  
Lonesome Road  
Clarion, PA 16214

Unnamed tributary  
to Piney Creek  
17-B

DEP—NWRO  
Water Management  
230 Chestnut Street  
Meadville, PA 16335-3481  
814/332-6942

## STATE CONSERVATION COMMISSION

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

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

Persons aggrieved by any action may appeal under section 517 of Act 38, section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701-704 (relating to Administrative Agency Law) to the Environmental Hearing Board, Second Floor, Rachael Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania 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>
Tuscarora Farms, LLC Jacob Wimmer 13938 Creek Road Willow Hill, PA 17271	Franklin	15	865.23	swine	NA	Approved

**PUBLIC WATER SUPPLY (PWS) PERMITS**

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

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

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

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

**SAFE DRINKING WATER**

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

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

**Permit No. 3390073**, Public Water Supply.

Applicant	<b>Lehigh County Authority</b>
Township or Borough	Lower Macungie Township <b>Lehigh</b>
Responsible Official	Aurel M. Arndt, Manager Lehigh County Authority 1052 Spruce Street P. O. Box 3348
Type of Facility	Community Water System

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Permit Issuance Date	December 10, 2009
Description of Action	Operation permit issued for LCA Well WL-12R
<i>Southcentral Region: Water Supply Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.</i>	

**Permit No. 0609511 MA, Minor Amendment**, Public Water Supply.

Applicant	<b>Morgan Corporation</b>
Municipality	Caernarvon Township
County	<b>Berks</b>
Type of Facility	This permit approves the replacement of existing iodine disinfection with sodium hypochlorite disinfection and addition of chlorine contact tanks.
Consulting Engineer	Christina Crawford MBA, P. E. Spotts, Stevens & McCoy, Inc. 1047 North Park Road Reading, PA 19610-0307
Permit to Construct Issued:	12/16/2009

**Permit No. 2209505**, Public Water Supply.

Applicant	<b>Pillow Borough Authority</b>
Municipality	Pillow Borough
County	<b>Dauphin</b>
Type of Facility	Installation of a new well (Well No. 5).
Consulting Engineer	Harry E. Bingaman, P. E. Glace Assoc., Inc. 3705 Trindle Road Camp Hill, PA 17011
Permit to Construct Issued:	12/14/2009

**Permit No. 6709509**, Public Water Supply.

Applicant	<b>The York Water Company</b>
Municipality	West Manheim Township
County	<b>York</b>
Type of Facility	Installation of a chlorine booster in the West Manheim Booster Station.



Consulting Engineer Mark S. Snyder, P. E.  
The York Water Company  
130 East Market Street  
P. O. Box 15089  
York, PA 17405-7089

Permit to Construct 12/15/2009  
Issued:

**Permit No. 3609510**, Public Water Supply.

Applicant **Groffdale Mobile Home Park**  
Municipality Upper Leacock Township  
County **Lancaster**  
Type of Facility Convert iodine disinfection to  
sodium hypochlorite disinfection  
system.

Consulting Engineer John G. Fuehrer II, P. E.  
Fuehrer Associates, Ltd.  
Box 541  
Ephrata, PA 17522

Permit to Construct 12/16/2009  
Issued:

**Operations Permit** issued to: **Krishna Ventures, LLC, 7280886**, Antrim Township, **Franklin County** on 12/15/2009 for the operation of facilities approved under Construction Permit No. 2806506.

**Operations Permit** issued to: **Landis Homes, 7360071**, Manheim Borough, **Lancaster County** on 12/18/2009 for the operation of facilities approved under Construction Permit No. 3609505.

**Operations Permit** issued to: **Pennsylvania American Water Company, 7220017**, Derry Township, **Dauphin County** on 12/16/2009 for the operation of facilities approved under Construction Permit No. 2209507 MA.

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

**Permit No. 1707503—Operation**, Public Water Supply.

Applicant **Clearfield Municipal Authority**  
Township or Borough Lawrence Township  
County **Clearfield**  
Responsible Official Jeffrey Williams, Manager  
Clearfield Municipal Authority  
107 East Market Street  
Clearfield, PA 16830

Type of Facility Public Water Supply—Operation

Consulting Engineer Jim Balliet  
Gwin, Dobson & Foreman  
3121 Fairway Drive  
Altoona, PA 16602

Permit Issued Date December 15, 2009

Description of Action Operation of a Pall Aria AP-6  
microfiltration plant, with  
disinfection, pH adjustment, iron  
and manganese removal,  
corrosion control and Moose  
Creek Reservoir, as a source of  
supply.

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

**Permit No. 3708503**, Public Water Supply.

Applicant **The Olde Carriage Inn, Inc.,  
d/b/a The Vintage House  
Personal Care Home**

Township or Borough Shenango Township

County **Lawrence**

Type of Facility Public Water Supply

Consulting Engineer William P. Deemer, P. E.

Permit to Construct 12/11/2009  
Issued

**Permit No. 2498502-MA4**, Public Water Supply.

Applicant **St. Marys Area Water  
Authority**

Township or Borough Fox Township

County **Elk**

Type of Facility Public Water Supply

Consulting Engineer James A. Nordquist, P. E.

Permit to Construct 12/15/2009  
Issued

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

**Permit No. 4009519MA, Minor Amendment**, Public Water Supply.

Applicant **Hazleton City Authority**

Borough or Township Black Creek Township

County **Luzerne**

Type of Facility Community Water System

Consulting Engineer Schumacher Engineering, Inc.

Permit to Construct November 18, 2009  
Issued

#### STORMWATER MANAGEMENT

**Action on plans submitted under the Stormwater Management Act of October 4, 1978 (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 **Swamp Creek Designated Watershed**, submitted by **Montgomery and Berks Counties**, were approved on January 24, 2007, and August 20, 2007, respectively. This approval applies to the entire watershed within both Montgomery and Berks Counties.

#### 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 submit-

ted 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, Regional Environmental Cleanup Program Manager; 2 Public Square, Wilkes-Barre, PA 18711-0790.*

**Former R & D Fuels/Nevin Kemmerling Trust Property**, 733 N. 17th Street, Allentown City, **Lehigh County**. Eric R. Strauss, Esquire, Worth, Magee & Fisher, PC, 2610 Walbert Avenue, Allentown, PA 18104 has submitted a Final Report (on behalf of his client, Gary L. Weiland, 4159 Wilson Avenue, Bethlehem, PA 18020), concerning the remediation of soil found to have been impacted by used motor oil and No. 2 heating oil as a result of surface spills due to leaking trucks that had been parked on the site and leakage from an aboveground storage tank. The report was submitted to document attainment of the Statewide Health Standard. A public notice regarding the submission of the Final Report was published in *The Morning Call* on October 30, 2009.

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

**Cleveland Brothers Equipment Company, Inc.**, Lower Allen Township, **Cumberland County**. Geo-Technology Associates, Inc., 3578 Concord Road, York, PA 17402, on behalf of Cleveland Brothers Equipment Company, Inc., 4565 William Penn Highway, Murrysville, PA 15668, and Smith Land & Improvement Corporation, 2010 State Road, Camp Hill, PA 17011 submitted a combined Remedial Investigation and Final Report concerning remediation of site soils contaminated with chromic acid. The report is intended to document remediation of the site to meet the Site-Specific Standard. Remediation of groundwater will be addressed in a separate report.

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

**Salem Tube**, Pymnatuning Township, **Mercer County**. Environmental Remediation & Recovery, Inc., 4250 Route 6N, Edinboro, PA 16412 on behalf of Salem Tube, Inc., 951 Fourth Street, Greenville, PA 16125 has submitted a Remedial Investigation Report concerning remediation of site soil and site groundwater contaminated with trichloroethylene (TCE) and its degradation products, including cis 1-2 dichloroethene and vinyl chloride. The report is intended to document remediation of the site to meet the Site-Specific Standard.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

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

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

**Stefko Boulevard Shopping Center**, 1802—1880 Stefko Boulevard, Bethlehem City, **Northampton County**. George H. Keil, URS Corporation, 335 Commerce Drive, Suite 300, Fort Washington, PA 19034 submitted a Remedial Investigation Report (on behalf of his client, Regency Centers, L.P., One Independent Drive, Suite 114, Jacksonville, FL 32202), concerning the remediation of soil and groundwater found to have been impacted by dry cleaning solvents as a result of historical dry cleaning operations at the site. The report met the requirements of the Site-Specific Standard and was approved on November 18, 2009.

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

**Armstrong World Industries/Lancaster's Northwest Gateway**, City of Lancaster and Manheim Township, **Lancaster County**. ARM Group, P. O. Box 797, Hershey, PA 17033, on behalf of EDC Finance Corporation, 100 South Queen Street, Lancaster, PA 17608-1558, submitted a Final Report concerning remediation of groundwater contaminated with VOCs, SVOCs and metals. The site has a non-use aquifer designation. The Final Report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department of Environmental Protection on December 11, 2009.

**Former Path Valley Service Plaza**, Metal Township, **Franklin County**. Skelly & Loy, Inc., 449 Eisenhower Boulevard, Harrisburg, PA 17111, on behalf of Turnpike Commission, P. O. Box 67676, Harrisburg, PA 17106, submitted a Final Report concerning site soils contaminated with leaded/unleaded gasoline and diesel fuel. The Final Report demonstrated attainment of the Nonresidential Statewide Health Standard, and was approved by the Department of Environmental Protection on December 16, 2009.

**John F. Lengel, Inc.**, Wernersville Facility, Lower Heidelberg Township, **Berks County**. Liberty Environmental, Inc., 50 North 5th Street, Reading, PA 19601, on behalf of John F. Lengel, Inc., 6841 Penn Avenue, Wernersville, PA 19565, submitted a final report concerning remediation of site soils contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Nonresidential Statewide Health Standard, and was approved by the Department of Environmental Protection on December 16, 2009.

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

**GFI Transport**, Union Township, **Union County**. Northridge Group, Inc., 1172 Ridge Road, Northumberland, PA 17857 on behalf of GFI Transport, 860 Milton Grove Road, Mt. Joy, PA 17752 has submitted a Final Report submitted within 90 days of the release concerning the remediation of site soil contaminated with diesel fuel. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on December 3, 2009.

## REGISTRATION FOR GENERAL PERMIT—RESIDUAL WASTE

**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. WMGR097R012. EME Homer City Generation, LP**, 1750 Power Plant Road, Homer City, PA 15748-9558.

General Permit Number WMGR097 authorizes research and development (R&D) activities. This general permit was issued in support of R&D activities to collect data and information that demonstrates the blending of synthetic gypsum with coal ash refuse will: (i) add structural strength to the fine coal refuse; and (ii) improve the quality of the leachate generated at the coal refuse disposal site. Central Office approved this registration for coverage under the general permit on December 15, 2009.

Persons interested in obtaining more information, or obtaining copies of the general permit may contact Ronald C. Hassinger, Chief, 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.

## OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

**Permit No. 301342. Planet Earth Recycling, Inc.**, 7353 State Road, Philadelphia, PA 19136, City and **County of Philadelphia**. Final closure certification, residual waste permit revocation and bond release requests were submitted by permittee for the clean closure of its used antifreeze and used oil filter processing facility. The final closure certification and corresponding permit revocation actions were taken by the Southeast Regional Office on December 18, 2009. Upon this permit revocation action becoming final, the bond release will be processed.

**Permit(s) issued under the Solid Waste Management Act, of July 7, 1980, P.L. 380, 35 P. S. §§ 6018.101— 6018.1003, the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and Regulations to Operate Solid Waste Processing or Disposal Area or Site.**

*Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Telephone 412-442-4000.*

**Permit ID #101571. Mostoller Landfill, Inc.**, 7095 Glades Pike, Somerset, PA 15501. Mostoller Landfill, 7095 Glades Pike, Somerset, PA 15501. Application for revision of grading plan in pads 6 and 7 of municipal waste landfill in Somerset and Brothersvalley Townships, **Somerset County** was issued in the Regional Office on December 17, 2009.

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**Final Closure Certification under the Solid Waste Management Act, the Act of July 7, 1980, P. L. 380, 35 P. S. §§ 6018.1003 and regulations to operate solid waste processing or disposal area or site.**

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

Notice is hereby given that the Department of Environmental Protection (Department) has certified Final Closure of the Residual Waste Incinerator (Permit No. 301258) located at the Ranbar Electrical Materials, Inc., facility in Manor Township, Westmoreland County. The Residual Waste Incinerator has been removed from the facility as described in the application received on October 19, 2009. In the association with this Final Closure, the Department also releases Ranbar Electrical Materials, Inc. from the associated letter of credit for \$25,650.

## 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.**

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

**35-320-011GP10: PA Hutchinson Co.** (400 Penn Avenue, Mayfield, PA 18433) on December 8, 2009, for construction and operation of an Offset Lithographic Printing Press at their site in Mayfield Borough, **Lackawanna County**.

**13-310-016GP3: Haines & Kibblehouse** (P. O. Box 196, 2052 Lucon Road, Skippack, PA 19474) on December 8, 2009, for construction and operation of a Portable Crushing Operation with watersprays at their site in Mahoning Township, **Carbon County**.

**13-329-003GP9: Haines & Kibblehouse** (P. O. Box 196, 2052 Lucon Road, Skippack, PA 19474) on December 8, 2009, for installation and operation of a Diesel I/C Engine at their site in Mahoning Township, **Carbon County**.

**48-320-016GP7: Cadmus Specialty Publications** (1991 Northampton Street, Easton, PA 18042) on December 8, 2009, for construction and operation of a Sheetfed Lithographic Printing Press at their site in Wilson Borough, **Northampton County**.

**58-310-023GP3: Haines & Kibblehouse** (P. O. Box 196, 2052 Lucon Road, Skippack, PA 19474) on December 16, 2009, for construction and operation of a Portable Crushing Operation with watersprays at their site at Bluerock Quarry in Middletown Township, **Susquehanna County**.

**58-329-012GP9: Haines & Kibblehouse** (P. O. Box 196, 2052 Lucon Road, Skippack, PA 19474) on December 16, 2009, for installation and operation of a Diesel I/C engine at their site at Bluerock Quarry in Middletown Township, **Susquehanna County**.

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

**GP7-06-3016: Kutztown Publishing Company** (15076 Kutztown Road, P. O. Box 346, Kutztown, PA 19530-0346) on December 10, 2009, for a Sheetfed Offset Lithographic Printing Press under GP7 in Maxatawny Township, **Berks County**. This is a renewal of the GP7 permit.

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

**GP5-32-00402: Dominion Exploration & Production, Inc.** (280 Indian Spring Road, Suite 333, Indiana, PA 15701) on December 11, 2009, to operate one natural gas compressor engine at the Marchand Compressor Station on Tulip Road, North Mahoning Township, **Indiana County**.

**GP5-26-00587A: Laurel Mountain Midstream Operating, LLC—Robin Hill Gas Plant** (1550 Coraopolis Heights Road, 2nd Floor, Moon Township, PA 15108) located in Springhill Township, **Fayette County**. The General Permit is being approved for use at this existing facility due to a change of ownership from the former Atlas Pipeline Pennsylvania, LLC. Additional changes at this facility include the installation of a new compressor engine which is identical to the existing compressor engine.

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

**GP3-10-363A: Quality Aggregates, Inc.—Hilliards Plant** (Nagy Road, Whiskerville, PA 16040) on December 15, 2009, for a portable nonmetallic mineral processing plant (BAQ-GPA/GP-3) in Washington Township, **Butler County**.

**GP9-10-363B: Quality Aggregates, Inc., Hilliards Plant** (Nagy Road, Whiskerville, PA 16040) on December 15, 2009, for a diesel or #2 fuel-fired internal combustion engine (BAQ-GPA/GP-9) in Washington Township, **Butler County**.

**GP5-42-210B: Seneca Resources Corporation—Halsey Pipe Yard Station** (State Route 219, Kane, PA 16735) on December 15, 2009, for operation of natural gas fired compressor engines (BAQ-GPA/GP-5) in Sergeant Township, **McKean County**.

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

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

**23-0003P: ConocoPhillips Company** (4101 Post Road, Trainer, PA 19061-3812) on December 17, 2009, for

replacement of a Peabody heater and components during 2010 turnaround at their Trainer facility in Trainer Borough, **Delaware County**. This facility is a Title V facility. This installation and modification will result in minor emission increases. The Plan Approval and Operating Permit will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

**40-309-041: Schott North America, Inc.** (400 York Avenue, Duryea, PA 18642-2026) on December 14, 2009, for installation of a baghouse at their facility in Duryea Borough, **Luzerne County**.

**54-302-079: The County of Schuylkill—Schuylkill County Court House** (401 North Street, Pottsville, PA 17901) on November 23, 2009, for installation and operation of a 4.612 MMBtu heat input anthracite coal fired boiler at their Schuylkill County Court House facility in the City of Pottsville, **Schuylkill County**.

**54-302-078: The County of Schuylkill—Schuylkill County Prison** (401 North Street, Pottsville, PA 17901) on November 23, 2009, for installation and operation of a 4.612 MMBtu heat input anthracite coal fired boiler at the Schuylkill County Prison's facility in the City of Pottsville, **Schuylkill County**.

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

**36-05147A: Wenger's Feed Mill, Inc.** (101 W. Harrisburg Avenue, Rheems, PA 17570) on December 14, 2009, for their animal feed facility in Mount Joy Borough, **Lancaster 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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*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401. Contact: Sachin Shankar, New Source Review Chief—Telephone: 484-250-5920.*

**46-0262A: Penn Color, Inc.** (2801 Richmond Road, Hatfield, PA 19440) on December 14, 2009, to operate the equipment for the pigment mixing operation in Hatfield Township, **Montgomery County**.

**15-0037D: Oberthur Technologies of America Corp.** (523 James Hance Court, Exton, PA 19341) on December 14, 2009, to operate a lithographic press in West Whiteland Township, **Chester County**.

**46-0025C: Lonza, Inc.** (900 River Road, Conshohocken, PA 19428) on December 11, 2009, to operate a two stage venture scrubber in Upper Merion Township, **Montgomery County**.

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

**36-03067A: Covance Research Products, Inc.** (310 Swamp Bridge Road, Denver, PA 17517) on December 16,

2009, for their new incinerator in West Cocalico Township, **Lancaster County**. This plan approval was extended.

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

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

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

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

**15-00022: Columbia Gas Transmission Corp.** (310 Fellowship Road, Chester Springs, PA 19425) on December 17, 2009, for renewal of the original Title V Operating Permit issued on September 28, 2004, and amended on November 27, 2007 in West Vincent Township, **Chester County**. There have been no other changes made to the permit since it was amended on November 27, 2007. The permit includes monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

**V08-002: The Children's Hospital of Philadelphia** (34th Steet and Civic Center Boulevard, Philadelphia, PA 19104) on December 11, 2009, to operate a hospital in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include seven (7) 800 HP boilers, three (3) 500 HP boilers, a 250 HP boiler, four (4) 1,085 HP peak-shaving generators, twelve (12) emergency generators, and two (2) ethylene oxide sterilizers which vent to an ethylene oxide abator.

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

**40-00109: Gruma Corp.** (15 Elmwood Road, Mountaintop, PA 18707) on December 4, 2009, to renew the State-Only Permit for operation of a food manufacturing facility in Wright Township, **Luzerne County**.

**48-00054: Praxair, Inc.** (145 Shimersville Road, Bethlehem, PA 18015) on December 4, 2009, to renew the State-Only Permit for the operation of an industrial, medical, and specialty gas processing facility in the City of Bethlehem, **Northampton County**.

**54-00061: Kaytee Products, Inc.** (55 North Sillyman Street, Cressona, PA 17929-1196) on December 7, 2009, to

renew the State-Only Permit for the operation of an animal food manufacturing facility in Cressona Borough, **Schuylkill County**.

**54-00063: Greater Pottsville Area Sewer Authority** (401 North Centre Street, P. O. Box 1163, Pottsville, PA 17901-7163) on December 3, 2009, for a new State Only Operating Permit for operation of a wastewater treatment plant located in the City of Pottsville, **Schuylkill County**.

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

**36-03137: Martin Limestone, Inc.** (P. O. Box 550, Blue Ball, PA 17506-0550) on December 18, 2009, this is a renewal of the State-only operating permit for their stone crushing operations in Earl Township, **Lancaster County**.

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

**04-00266: Hanson Aggregates BMC Incorporation,** (Hanson Aggregates BMC, Inc., 2200 Springfield Pike, Connellsville, PA 15425) on December 18, 2009, operating permit renewal for their Sewickley Creek Asphalt Plant in Economy Borough, **Beaver County**. Air contamination sources at this facility includes a hot mix asphalt plant, two asphalt cement tanks, waste derived liquid fuel tank, crushers, screens, conveyors, stockpiles and in-plant roadways. Annual emissions from the facility are estimated to be 13.75 tons NO<sub>x</sub>, 8.00 tons VOCs, 32.5 tons CO, 8.25 tons particulate matter and 14.5 tons SO<sub>x</sub>. The facility is subject to the applicable requirements of 25 Pa. Code §§ 121 through 145 and Federal standards found in 40 CFR 60, Subparts A, I, Kb, and OOO. The OP contains applicable emission limits, as well as testing, monitoring, recordkeeping, reporting, and work practice requirements. The Permit's date of issuance is 12/10/2009 and is effective for a period of 5 years.

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

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

**15-00037: Oberthur Technologies of America Corp.** (523 James Hance Court, Exton, PA 19341) on December 17, 2009, located in West Whiteland Township, **Chester County**, for an Administrative Amendment to Title V Operating Permit No. 15-00037. The Title V Operating Permit has been amended to incorporate Plan Approval Nos. 15-0037B, 15-0037C, 15-0037D, and 15-0037E, for the operation of various ink presses. The Title V Operating Permit contains monitoring and recordkeeping requirements designed to keep the ink presses operating within the allowable emissions and all applicable air quality requirements.

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

**36-03160: GSM Industrial, Inc.** (3249 Hempland Road, Lancaster, PA 17601-6913) on December 14, 2009, for their custom industrial metal fabrication facility located in East Hempfield Township, **Lancaster County**. This State-only operating permit was administratively amended to incorporate Plan Approval 36-03160B. This is Revision No. 1.

**Operating Permits Denied, Terminated, Suspended or Revoked under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code §§ 127.431 and 127.461.**

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

**33-00155: Trail King Ind., Inc.,** Brookville Plant (Trail King Ind., Inc., Michell, SD 57301), on December 17, 2009, for revocation of their State Only Operating Permit for the operation of the metal fabrication and surface coating facility in Pine Creek Township, **Jefferson County**. This operating permit was revoked because of a permanent shutdown of operations at the facility.

## ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

### Coal Applications Returned

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

**30841312 and NPDES Permit # PA0013790, Consolidation Coal Company,** (1800 Washington Road, Pittsburgh, PA 15241), to revise the permit for the Blacksville Mine No. 2 in Gilmore Township, **Greene County** and related NPDES permit to install the Roberts Run Airshaft. Surface Acres Proposed 15.4. Receiving Stream: Unnamed tributary to Roberts Run, classified for the following use: WWF. Application received: July 7, 2008. Application returned: December 9, 2009.

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

**56070105 and NPDES No. PA0262421. Amerikohl Mining, Inc.,** 1384 SR 711, Stahlstown, PA 15687, revision of an existing bituminous surface mine to conduct mining activities including coal removal, E & S controls and a stream crossing in Black Township, **Somerset County**, affecting 155.2 acres. Receiving stream(s): unnamed tributaries to/and Casselman River

classified for the following use(s): cold water fishery, warm water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: May 4, 2009. Application returned: December 11, 2009.

*Coal Permits Actions*

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

**32951301 and GP12-32951301-R17, Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201), to revise the permit for the Toms Run Mine in Burrell Township, **Indiana County** to establish an emission inventory for fugitive emissions in processing of coal based on calendar year increase of 250,000 tons. Total annual raw coal throughput increased from  $\leq 500,000$  to  $\leq 750,000$  tons per calendar year. Approval is authorized under General Permit BAQ-GPA/GP12 and is required to meet all applicable limitations, terms, and conditions of authorization GP12-32951301. No additional discharges. Application received: November 5, 2009. Permit issued: December 11, 2009.

**11040701 and NPDES Permit # PA0235717, AMFIRE Mining Company, LLC**, (One Energy Place, Latrobe, PA 15650), to revise the permit for the Refuse Area No. 1 in Portage Township, **Cambria County** for a stream variance to an unnamed tributary to Spring Run to install brush windrows. No additional discharges. Application received: May 7, 2009. Permit issued: December 16, 2009.

**30081601 and NPDES Permit # PA0235792, Coresco, LLC**, (308 Dents Run Road, Morgantown, WV 26501-2006), to operate the Overland Conveyor in Dunkard Township, **Greene County** and related NPDES permit for an overland coal conveyor belt system. Surface Acres Proposed 500.0. Receiving streams: Dunkard Creek and Unnamed Tributary Dunkard Creek, both classified for the following use: WWF. The first downstream potable water supply intake from the point of discharge is East Dunkard Township Water Association and intake Dunkard Creek. Application received: May 30, 2008. Permit issued: December 16, 2009.

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

**56890111 and NPDES No. PA0598577. Ritchie Trucking & Excavating, Inc.**, 19709 Winner View Terrace, Frostburg, MD 21532, permit renewal for the continued operation and restoration of a bituminous surface mine in Elk Lick Township, **Somerset County**, affecting 66.3 acres. Receiving stream(s): unnamed tributaries to/and Tub Run, unnamed tribs to/and Casselman River classified for the following use(s): cold water fishery and warm water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: October 13, 2009. Permit issued: December 14, 2009.

**56990102 and NPDES No. PA0235105. Ritchie Trucking & Excavating, Inc.**, 19709 Winner View Terrace, Frostburg, MD 21532, permit renewal for the continued operation and restoration of a bituminous surface mine in Elk Lick Township, **Somerset County**, affecting 87.8 acres. Receiving stream(s): unnamed tributaries to/and Tub Run, unnamed tribs to/and Casselman River classified for the following use(s): cold water fishery and warm water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: October 13, 2009. Permit issued: December 16, 2009.

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

**33990111 and NPDES No. PA0241571. P. and N. Coal Co., Inc.** (P. O. Box 332, Punxsutawney, PA 15767). Renewal of an existing bituminous strip operation in Young and McCalmont Townships, **Jefferson County** affecting 171.5 acres. Receiving streams: Unnamed tributary to Little Elk Run and an unnamed tributary to Elk Run. Application received: October 15, 2009. Permit issued: December 10, 2009.

*Noncoal Permits Actions*

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

**2966BSM50 and NPDES Permit No. PA0202851. Potato Ridge, LLC** (520 West Short Street, Lexington, KY 40507). Permit renewal issued for continued treatment of discharges at an existing large noncoal surface mining site located in Stewart Township, **Fayette County**, affecting 65 acres. Receiving streams: Laurel Run and an unnamed tributary to Laurel Run. Application received: February 9, 2009. Renewal issued: December 16, 2009.

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

**25090803. Martin & Beverly A. Duran** (4520 Nye Road, West Springfield, PA 16443-2018) Commencement, operation and restoration of a small noncoal sand & gravel operation in Venango Township, **Erie County** affecting 5.0 acres. Receiving streams: Unnamed tributary to Lake Pleasant. Application received: July 31, 2009. Permit Issued: December 7, 2009.

**ACTIONS ON BLASTING ACTIVITY APPLICATIONS**

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

*Blasting Permits Actions*

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

**26094012. Shallenberger Construction** (2611 Memorial Avenue, Connellsville, PA 15425). Blasting activity permit for construction of the Swiantek Well #1—Atlas Resources Well Site, located in Franklin Township, **Fayette County**. The duration of blasting is expected to be 1 year. Permit issued: December 17, 2009.

**30094004. Conquest Seismic Services** (504 1st Center, Horseheads, NY 14845). Blasting activity permit for seismic exploration to the RRC MSD SWPA 2D Greene, located in Richhill and Waynesburg Townships, **Greene County**. The duration of blasting is expected to be 9 months. Permit issued: December 17, 2009.

**63094004. Conquest Seismic Services** (504 1st Center, Horseheads, NY 14845). Blasting activity permit for seismic exploration to the RRC MSD SWPA 2D Washington, located in Amwell Township, Bentleyville and California Boroughs, **Washington County**. The duration of blasting is expected to be 9 months. Permit issued: December 17, 2009.

**650940112. Conquest Seismic Services** (504 1st Center, Horseheads, NY 14845). Blasting activity permit for seismic exploration to the RRC MSD SWPA 2D Westmoreland, located in Murrys ville & Upper Burrell Townships, **Westmoreland County**. The duration of blasting is expected to be 9 months. Permit issued: December 17, 2009.

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

**8094009. John Brainard** (3978 SR 2073, Kingsley, PA 18826), blasting for the Welles well sites 4 and 5 located in Wilmont Township, **Bradford County**. Permit issued: December 11, 2009. Permit expires: February 28, 2010.

**8094112. Orica USA, Inc.** (5101 Beekmantown Road, Whitehall, PA 18052-2240), blasting for a retention pond located in Wyalusing Township, **Bradford County**. Permit issued: December 15, 2009. Permit expires: June 30, 2010.

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

**36094188. TJ Angelozzi, Inc.** (7845 Kabik Court, Woodbine, MD 21797), construction blasting for the Hawthorne Ridge in Lancaster Township, **Lancaster County** with an expiration date of December 9, 2010. Permit issued: December 10, 2009.

**15094110. Warren's Excavating & Drilling, Inc.** (P. O. Box 214, Myerstown, PA 17067), construction blasting for Hopewell Manor in Elverson Borough, **Chester County** with an expiration date of December 4, 2010. Permit issued: December 11, 2009.

**36094189. Warren's Excavating & Drilling, Inc.** (P. O. Box 214, Myerstown, PA 17067), construction blasting for Farmersville Fire Company in West Earl Township, **Lancaster County** with an expiration date of December 10, 2010. Permit issued: December 11, 2009.

**15094111. American Infrastructure, Inc.** (P. O. Box 98, Worcester, PA 19490), construction blasting for Whiteland Sewer pipeline in East Whiteland Township, **Chester County** with an expiration date of December 1, 2010. Permit issued: December 17, 2009.

## FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

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

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

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

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

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**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).**

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

### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E45-520. Apiem, Inc.**, One Empire Plaza, Route 611, Stroudsburg, PA 18360. Smithfield Township, **Monroe County**, Army Corps of Engineers Philadelphia District.

To construct and maintain an 8-inch outfall pipe in the floodway of a tributary to Brodhead Creek (HQ-CWF) and to modify and maintain an existing 220-foot long 24-inch diameter RCP stream enclosure in a tributary to Brodhead Creek by increasing the length 135 feet on the downstream end. The extension consists of 10 feet of 24-inch diameter RCP and 125 feet of 38-inch x 24-inch elliptical RCP. The project is located on the south side of Independence Road (SR 0447), 0.7 mile west of the intersection with U.S. Route 209 (East Stroudsburg, PA Quadrangle Latitude: 41° 0' 32"; Longitude: -75° 9' 49") in Smithfield Township, Monroe County. Subbasin: 1E.

**E45-548. Cynthia Manero**, 1866 Rampart Lane, Tobyhanna Township, **Monroe County**, Army Corps of Engineers Philadelphia District.

To construct and maintain an approximately 4-foot wide elevated wooden boardwalk across approximately 30 feet of EV wetlands adjacent to Arrowhead Lake for the purpose of providing access to an existing dock. The project will impact approximately 120 square feet of wetlands. The project is located 4.41 miles north of the intersection of SR 0940 and SR 0115 (Thornhurst, PA Quadrangle Latitude: 41° 9' 21"; Longitude: -75° 34' 38") in Tobyhanna Township, Monroe County. Subbasin: 2A.

**E45-526. Shawnee Holding, Inc.**, P. O. Box 67, 1 River Road, Shawnee, PA 18356. Smithfield Township, **Monroe County**, Army Corps of Engineers, Philadelphia District.



To construct and maintain a timber truss suspension golf cart bridge having a span of approximately 250-feet and an underclearance of 26-feet across the Delaware River (WWF, MF) in place of an existing, 286-foot seasonal bridge, which will be removed. Also, the construction of an asphalt golf cart path within the 100-year floodway of the Delaware River (WWF, MF). The purpose of the project is to replace the existing, seasonal bridge, with a permanent structure for golf cart access at the "Shawnee on the Delaware" golf course. The project is located 1.57 miles north east of the intersection of SR 2028 and I-81 (Bushkill, PA-NJ Quadrangle Latitude: 41° 0' 20"; Longitude: -75° 7' 0"), in Smithfield Township, Monroe County. Subbasin: 1E.

**E45-549. Miggy Bros, LLC**, 601 North Newton Square Road, Newtown Square, PA 19073. Middle Smithfield Township, **Monroe County**, Army Corps of Engineers Philadelphia District.

To maintain a 3-inch diameter low pressure sanitary sewer force main crossing approximately 69-feet of EV (PSS/PEM) wetlands for the purpose of providing a sanitary sewage connection line servicing "Bennigan's Restaurant." The project is located 4.3 miles northeast of the intersection of SR 402 and U.S. Route 209 (Bushkill, PA-NJ Quadrangle Latitude: 41° 3' 57"; Longitude: -75° 3' 9"). Subbasin: 1E.

**E48-403. Lower Saucon Township**, 3700 Old Philadelphia Pike, Bethlehem, PA 18015. Lower Saucon Township, **Northampton County**, Army Corps of Engineers Philadelphia District.

To construct and maintain an 8-foot wide single span pedestrian bridge across Polk Valley Run (HQ-CWF) having a span of approximately 12 feet and an underclearance of approximately 4 feet. The project is located approximately 2.1 miles southeast from the intersection of Interstate 78 and SR 0412 on the south side of Polk Valley Road (Hellertown, PA Quadrangle Latitude: 40° 34' 04"; Longitude: -75° 19' 45") in Lower Saucon Township, Northampton County. Subbasin: 2C.

**E48-401. Jaindl Land Company**, 3150 Coffeetown Road, Orefield, PA 18069. Hanover and East Allen Townships, **Northampton County**, Army Corps of Engineers Philadelphia District.

To construct and maintain two stormwater outfall structures in the 100-year floodway along the south side of Monocacy Creek (HQ-CWF) for the purpose of conveying stormwater from the Hanover Cooperate Center II project site. The first consists of a 24-inch diameter RCP stormwater pipe, and concrete endwall with R-4 rip-rap apron. The second consists of a 29-inch x 45-inch diameter HERCP stormwater pipe, and concrete endwall with R-4 rip-rap apron. The outfalls are located on the north side of Steuben Road, approximately 2,800 feet and approximately 4,880 feet downstream of SR 512 (Catasauqua, PA Quadrangle Latitude: 40° 41' 35"; Longitude: -75° 22' 54") in Hanover and East Allen Townships, Northampton County. Subbasin: 2C.

**E39-490. City of Allentown**, 435 Hamilton Street, Allentown, PA 18101-1699. City of Allentown, **Lehigh County**, Army Corps of Engineers Philadelphia District.

To construct and maintain a 10-foot wide by 55-foot long at-grade access road in the floodway of the Little Lehigh Creek (HQ-CWF), consisting of a geo-block grass paving system, for the purpose of providing access to an existing sanitary sewer siphon. The project is located approximately 0.05 mile east of where the Ward Street

Bridge passes over Martin Luther King Jr. Drive (Allentown East Quadrangle Latitude: 40° 35' 28"; Longitude: -75° 28' 57"). Subbasin: 2C.

**E13-159. Borough of Jim Thorpe**, 421 North Street, Jim Thorpe, PA 18229. Borough of Jim Thorpe, **Carbon County**, Army Corps of Engineers Philadelphia District.

To construct and maintain a stream restoration project in 600 linear feet of Slaughterhouse Creek (HQ-CWF) with work consisting of riparian plantings, turf and boulder bank stabilization, 25 in-stream boulder structures creating a step-pool channel with thawegs. The project's purpose is to stabilize the channel.

The project begins approximately 0.60 mile west of the intersection of West Oak Street and State Route 0903 (Christmans, PA Quadrangle Latitude: 40° 52' 43"; Longitude: -75° 43' 51") and ends approximately 0.10 mile from the intersection of West 10th Street and State Route 0903 (Christmans, PA Quadrangle Latitude: 40° 52' 49"; Longitude: -75° 43' 47") in the Borough of Jim Thorpe, Carbon County. Subbasin: 2B.

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

**E05-352: Community Foundations for the Alleghenies**, 116 Market Street, Suite 4, Johnstown, PA 15901, Shobers' Run Channel Relocation and Restoration Project, Bedford Township, **Bedford County**, ACOE Baltimore District.

To relocate and maintain an approximately 2,210-foot channel of Shobers Run (HQ-CWF) for the purpose of restoring the eroding banks located at a point 0.50 mile downstream of the Bedford Spring Resort (Rainsburg, PA Quadrangle N: 22.56 inches; W: 0.55 inch, Latitude: 39° 59' 57"; Longitude: 78° 30' 14") and continuing downstream to point 300 feet upstream of the Elk Country Club (Everett West, PA Quadrangle N: 0.53 inch; W: 17.50 inches, Latitude: 40° 00' 11"; Longitude: 78° 29' 60") in Bedford Township, Bedford County.

**E01-287: New Oxford Municipal Authority**, New Oxford Municipal Authority Wastewater Treatment Plant, Oxford Borough and New Oxford Township, **Adams County**, ACOE Baltimore District.

The applicant proposes to: 1.) remove approximately 140.0 linear feet of an existing 48.0-inch RCP stream enclosure in an unnamed tributary to South Branch of Conewago Creek (WWF). 2.) install and maintain 490.0 linear feet of new 48.0-inch RCP stream enclosure in an unnamed tributary to South Branch Conewago Creek (WWF). 3.) construct and maintain a concrete vault within the 100-yr FEMA floodplain of the South Branch of Conewago Creek (WWF). The purpose of the project is to improve the existing New Oxford Municipal Authority Wastewater Treatment Plant.

The project is located at the existing New Oxford Municipal Authority Wastewater Treatment Plant, along Tracy Avenue (McSherrystown, PA Quadrangle N: 21.0 inches; W: 9.2 inches, Latitude: 39° 51' 55"; Longitude: 77° 03' 55") in New Oxford Township and Oxford Borough, Adams County.

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

**E08-457. Department of Transportation**, Engineering District 3-0, P. O. Box 218, Montoursville, PA 17754-0218. SR 1049 Section 001 Bridge Structure Replace-

ment over Pendleton Creek, Warren Township, Bradford County, ACOE Baltimore District (Little Meadows, PA Quadrangle N: 41° 55' 34"; W: 76° 14' 19").

Department of Transportation, Engineering District 3-0, proposes to replace the existing bridge structure located over Pendleton Creek, Warren Township, Bradford County. The existing structure is a single span steel I-beam bridge with a 59° skew, 8 ft. underclearance, and 24 ft. clear span. The structure will be replaced with a single span 11 ft. by 28 ft. concrete arch culvert. The proposed culvert will be placed on the existing horizontal and vertical alignment. The project proposes 0.12 acre of floodway fill associated with the required approach work. The bridge replacement will impact an additional 55 ft. of stream channel. Pendleton Creek is classified as a Cold Water Fishery by 25 Pa. Code § 93 Water Quality Standards. The bridge replacement will not result in any wetland impacts. This permit also includes 401 Water Quality Certification.

**E08-458. Department of Transportation, Engineering District 3-0**, P. O. 218 Montoursville, PA 17754-0218. SR 0220 Section 094 Bridge Structure Replacement and in-stream rock vane placement over Wolcott Creek, Athens Township, **Bradford County**, ACOE Baltimore District (Sayre, PA Quadrangle N: 41° 55' 26"; W: 76° 31' 32").

Department of Transportation Engineering District 3-0 proposes to replace the existing single span multi-stringer steel beam bridge with a single span spread box beam bridge over Wolcott Creek. The existing hydraulic opening is 195 ft<sup>2</sup> and the proposed hydraulic opening is 264.5 ft<sup>2</sup>. The proposed bridge will be placed approximately on the existing vertical and horizontal alignment. Additionally, the project will place one rock cross vane upstream and downstream of the proposed bridge structure. Wolcott Creek is classified as a Warm Water Fishery by 25 Pa. Code § 93 Water Quality Standards. The proposed project will not impact any jurisdictional wetlands. This permit also includes 401 Water Quality Certification.

**E17-452. City of DuBois**, P. O. Box 408, 16 West Scribner Avenue, DuBois, PA 15801. Pedestrian Bridge Across Beaver Run, DuBois City, **Clearfield County**, ACOE Pittsburgh District (Luthersburg, PA Quadrangle Latitude: 41° 07' 16.44"; Longitude: 78° 44' 32.64").

The applicant proposes to construct, operate and maintain a pedestrian bridge crossing Beaver Run for public access to recreational facilities. The bridge across Beaver Run shall be constructed as a single span structure having a minimum span of 50-feet, underclearance of 4.5-feet, and width of 4-feet. The project is located along the southern right-of-way of Beaver Drive approximately 3250-feet west of Shaffer Road and Beaver Drive intersection. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E41-602. Christopher J. Tobiasz**, 195 Jacks Hollow Road, South Williamsport, PA 17702-8748. Water Obstruction and Encroachment Joint Permit, in Armstrong Township, **Lycoming County**, ACOE Susquehanna River Basin District (Williamsport, PA Quadrangle N: 41° 12' 48.8"; W: 77° 1' 57").

To construct and maintain a pavilion for boat storage in the floodway of Mosquito Creek. The pavilion will have a width of 16-feet, a length of 20-feet and a height of approximately 12-feet. The pavilion will be constructed of lumber with a metal roof. All sides of the pavilion are open. Six 8-inch round pressure treated posts will support

the truss roof. The posts will be anchored in the ground below the frost line. No fill will be placed in the floodway. This project is located along Mosquito Creek, 500-feet east of the intersection of Jacks Hollow and Mosquito Valley Roads (Williamsport, PA Quadrangle N: 41° 12' 48.8"; W: 77° 1' 57") in Armstrong Township, Lycoming County. This project proposes to have a minimal impact to Mosquito Creek, which is designated a High Quality, Cold Water Fishery and does not propose to impact any jurisdictional wetlands. This permit was issued under Section 105.13(e) "Small Projects."

**E59-490. Department of Transportation, Engineering District 3-0**, P. O. Box 218, Montoursville, PA 17754-0218. SR 3014 Section 001 Bridge Structure Replacement over Zimmerman Creek, Liberty Township, **Tioga County**, ACOE Baltimore District (Nauvoo, PA Quadrangle N: 41° 33' 54"; W: 77° 12' 30").

Department of Transportation, Engineering District 3-0, proposes to replace the existing bridge structure located over Zimmerman Creek, Liberty Township, Tioga County. The existing structure is a two span steel I-beam bridge with a timber deck. The existing bridge has a span of 25 ft. on both spans and an underclearance of 10.8 ft. The project proposes to shift the horizontal alignment upstream approximately 10 ft. The proposed structure is a single span pre-stressed concrete spread box beam bridge. The proposed structure will have a span of 50 ft. and an underclearance of 9.7 ft. The project proposes to use R-6 Rip-Rap to protect the existing barn located adjacent to the existing bridge. The Rip-Rap will be placed on the right downstream bank. Zimmerman Creek is classified as a High-Quality Cold Water Fishery by 25 Pa. Code § 93 Water Quality Standards. The bridge replacement will not result in any wetland impacts. This permit also includes 401 Water Quality Certification.

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

**E56-353. Somerset County Commissioners**, 300 North Center Avenue, Suite 500, Somerset, PA 15501-1472. To construct a bridge and place fill in a wetland in Jefferson Township, **Somerset County**, Pittsburgh ACOE District (Bakersville, PA Quadrangle North 10.1"; West 9.0", Latitude: 40° 03' 23.5"; Longitude: 79° 11' 21.5"). To construct and maintain a concrete box beam bridge (prestressed concrete and steel are allowed as alternatives) with a span of 45', a total width of 18.54' and an underclearance of 9.34' above normal water surface elevation, to place and maintain fill in a deminimis wetland, 0.021 acre and to temporarily place fill in 0.013 acre of wetlands for the purpose of conveying T-538 (Duck Pond Road) over Laurel Hill Creek (HQ-CWF).

**E65-931. The Municipal Authority of Westmoreland County**, P. O. Box 730, Greensburg, PA 15672. To replace a water main under Sewickley Creek and construct three blow off valves in Hempfield Township and the Borough of Youngwood, **Westmoreland County**, Pittsburgh ACOE District. The project is located between Waycross and Stone Church Roads, (Starting point—Greensburg, PA Quadrangle N: 0.8 inch; W: 9.5 inches, Latitude: 40° 15' 13"; Longitude: 79° 33' 54"; Ending point—Mount Pleasant, PA Quadrangle N: 18.3 inches; W: 12.3 inches, Latitude: 40° 13' 31"; Longitude: 79° 35' 13"). To construct and maintain approxi-

mately 13,400 feet long, 48-inch water main, which replaces the existing 20-inch transmission main under the channel bottom of Sewickley Creek (WWF, 30 lf of impact), an unnamed tributary to Sewickley Creek (WWF, 20 lf of impact) and five unnamed tributaries to Jacks Run (WWF, 20-30 lf of impact at each crossing); and to construct and maintain three blow off valves—one on the bank of Sewickley Creek and two on the banks of unnamed tributaries to Jacks Run (approximately 15 lf of impact for each valve).

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

**E10-452, Gigliotti Holdings, LP**, 11279 Perry Highway, Suite 509, Wexford, PA 15090. Weatherburn Heights Subdivision, in Middlesex Township, **Butler County**, ACOE Pittsburgh District (Valencia, PA Quadrangle N: 40° 41' 57"; W: 79° 57' 25.6").

Construct a residential subdivision approximately 0.4 mile NW of the intersection of Denny and State Roads (Valencia, PA Quadrangle N: 40° 41' 57"; W: 79° 57' 25.6") in Middlesex Township, Butler County involving to construct and maintain:

1) An approximately 700-foot entrance road parallel to a UNT Glade Run (Watercourse WC-1) portions of which encroach in the floodway (50-foot TOB),

2) A sanitary sewer line crossing of UNT Glade Run (Watercourse WC-1) by open trenching,

3) A sanitary sewer line crossing of UNT Glade Run (Watercourse WC-4) by open trenching,

4) A sanitary sewer line crossing of UNT Glade Run (Watercourse WC-5) by open trenching,

5) A water line crossing of UNT Glade Run (Watercourse WC-3) by open trenching,

6) A water line crossing of UNT Glade Run (Watercourse WC-1) by open trenching,

7) A sanitary sewer lines and water lines running parallel and within 25 feet of UNTs Glade Run for a total length of approximately 656 feet, and

8) Associated stormwater outfalls to UNTs Glade Run and wetlands.

#### **EROSION AND SEDIMENT CONTROL**

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

If individuals want to challenge this action, their appeal must reach the Board within 30 days. Individuals

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

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

11/24/09

ESCGP-1 No.: ESX09-125-0050 Amendment

Applicant Name: Range Resources—Appalachia, LLC

Contact Person: Carla Suszkowski

Address: 380 Southpointe Blvd, Ste 300

City: Canonsburg State: PA Zip Code: 15317

County: Washington Township(s): Chartiers Receiving Stream(s) and Classifications: UNT to Plum Creek, Other

11/9/09

ESCGP-1 No.: ESX09-059-0050

Applicant Name: Chesapeake Appalachia, LLC

Contact Person: Tal Oden

Address: P. O. Box 18496

City: Oklahoma City State: OK Zip Code: 73154

County: Greene Township(s): Aleppo

Receiving Stream(s) and Classifications: Unnamed Tributary (TSF)—Long Run (WWF), North Fork (WWF), Ryerson Station Reservoir (WWF), Dunkard Fork (WWF), W. Virginia, Wheeling Creek, Ohio River, Other

11/30/09

ESCGP-1 No.: ESX09-059-0049

Applicant Name: Atlas Resources, LLC

Contact Person: Jeremy Hirtz

Address: 800 Mountain View Drive

City: Smithfield State: PA 15478

County: Greene Township(s): Cumberland

Receiving Stream(s) and Classifications: UNT to Pumpkin Run & Neel Run, Other

11/30/09

ESCGP-1 No.: ESX09-125-0058

Applicant Name: Atlas Resources, LLC

Contact Person: Jeremy Hirtz

Address: 800 Mountain View Drive

City: Smithfield State: PA 15478

County: Washington Township(s): West Bethlehem

Receiving Stream(s) and Classifications: UNT to Little Daniels Run, Other

11/30/09

ESCGP-1 No.: ESX09-051-0039

Applicant Name: Atlas Resources, LLC

Contact Person: Jeremy Hirtz

Address: 800 Mountain View Drive

City: Smithfield State: PA Zip Code: 15478

County: Fayette Township(s): Luzerne

Receiving Stream(s) and Classifications: UNT to Meadow Run, Other

11/30/09 REV

ESCGP-1 No.: ESX09-129-0024 Major Revision

Applicant Name: Atlas Resources, LLC

Contact Person: Jeremy Hirtz

Address: 800 Mountain View Drive

City: Smithfield State: PA 15478

County: Westmoreland Township(s): South Huntingdon

Receiving Stream(s) and Classifications: UNT to Sewickley Creek, Other

11/30/09 REV

ESCGP-1 No.: ESX09-125-0026 Major Revision  
 Applicant Name: Atlas Resources, LLC  
 Contact Person: Jeremy Hirtz  
 Address: 800 Mountain View Drive  
 City: Smithfield State: PA 15478  
 County: Washington Township(s): Deemston  
 Receiving Stream(s) and Classifications: UNT to Plum  
 Creek, Other

10/16/09

ESCGP-1 No.: ESX09-129-0030  
 Applicant Name: Atlas Resources, LLC  
 Contact Person: Jeremy Hirtz  
 Address: 800 Mountain View Drive  
 City: Smithfield State: PA 15478  
 County: Westmoreland Township(s): Rostraver  
 Receiving Stream(s) and Classifications: UNT to  
 Youghiogheny River, Other

11/2/09 REV

ESCGP-1 No.: ESX09-125-0006—Major Revision  
 Applicant Name: Atlas Resources, LLC  
 Contact Person: Jeremy Hirtz  
 Address: 800 Mountain View Drive  
 City: Smithfield State: PA 15478  
 County: Washington Township(s): W. Bethlehem &  
 Deemston  
 Receiving Stream(s) and Classifications: UNT's to  
 Tenmile & Plum Creeks, Other

12/9/09

ESCGP-1 No.: ESX09-125-0060  
 Applicant Name: Atlas Resources, LLC  
 Contact Person: Jeremy Hirtz  
 Address: 800 Mountain View Drive  
 City: Smithfield State: PA 15478  
 County: Washington Township(s): W. Bethlehem  
 Receiving Stream(s) and Classifications: Barr Run, Other

12/2/09 REV

ESCGP-1 No.: ESX09-129-0001  
 Applicant Name: Rex Energy Operating Corporation  
 Contact Person: Timothy Beattie  
 Address: 476 Rolling Ridge Drive, Ste 300  
 City: State College State: PA 16801  
 County: Westmoreland Township(s): Derry  
 Receiving Stream(s) and Classifications: UNT Tributaries  
 to Loyalhanna Creek and Mccune Run

12/3/09

ESCGP-1 No.: ESX09-125-0064  
 Applicant Name: Range Resources—Appalachia, LLC  
 Contact Person: Carla Suszkowski  
 Address: 380 Southpointe Blvd, Ste 300  
 City: Canonsburg State: PA 15317  
 County: Washington Township(s): Independence  
 Receiving Stream(s) and Classifications: UNT to  
 Sugarcamp Run, HQ

12/7/2009

ESCGP-1 No.: ESX09-129-0032  
 Applicant Name: Longfellow Energy, LP  
 Contact Person: James Jackson  
 Address: 4801 Gaillardia Parkway Suite  
 City: Oklahoma City State: OK 73142  
 County: Westmoreland Township(s): Donegal  
 Receiving Stream(s) and Classifications: Four Mile Run/  
 Ohio River Kiskiminetas River Basin, Other

12/7/2009

ESCGP-1 No.: ESX09-051-0040  
 Applicant Name: Atlas Resources, LLC  
 Contact Person: Jeremy Hirtz  
 Address: 800 Mountain View Drive  
 City: Smithfield State: PA 15478  
 County: Fayette Township(s): Redstone  
 Receiving Stream(s) and Classifications: UNT to Dunlap  
 Creek, Other

12/7/2009

ESCGP-1 No.: ESX09-059-0058  
 Applicant Name: Coal Gas Recovery, LLC  
 Contact Person: Joanne Reilly  
 Address: 158 Portal Road  
 City: Waynesburg State: PA 15370  
 County: Greene Township(s): Wayne  
 Receiving Stream(s) and Classifications: Roberts Run &  
 Calico Run, Other

12/3/2009

ESCGP-1 No.: ESX09-125-0063  
 Applicant Name: Range Resources—Appalachia, LLC  
 Contact Person: Carla Suszkowski  
 Address: 380 Southpointe Boulevard, Suite 300  
 City: Canonsburg State: PA 15317  
 County: Washington Township(s): Blaine  
 Receiving Stream(s) and Classifications: Buffalo Creek,  
 HQ

12/3/2009

ESCGP-1 No.: ESX09-005-0006  
 Applicant Name: EXCO—North Coast Energy  
 Contact Person: Joel Heiser  
 Address: 1 Gojo Plaza, Ste  
 City: AKRON State: OH 44311  
 County: Armstrong Township(s): Manor  
 Receiving Stream(s) and Classifications: Campbell Run  
 (WWF) Crooked Creek Watershed, Other

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

ESCGP-1 #: ESX09-015-0070

Applicant Name: Chesapeake Appalachia, LLC  
 Contact Person: Eric Haskins  
 Address: 100 1st Center  
 City, State, Zip: Horseheads, NY 14845  
 County: Bradford  
 Township(s): Monroe Township  
 Receiving Stream(s) and Classification(s): Tributary,  
 South Branch, Towanda Creek

ESCGP-1 #: ESX09-015-0040(01)—Major Revision

Applicant Name: Chesapeake Appalachia, LLC  
 Contact Person: Eric Haskins  
 Address: 100 1st Center  
 City, State, Zip: Horseheads, NY 14845  
 County: Bradford  
 Township(s): Tuscarora Township  
 Receiving Stream(s) and Classification(s): UNT to  
 Tuscarora Creek

ESCGP-1 #: ESX09-015-0031(01)—Major Revision

Applicant Name: Chesapeake Appalachia, LLC  
 Contact Person: Eric Haskins  
 Address: 100 1st Center  
 City, State, Zip: Horseheads, NY 14845  
 County: Bradford  
 Township(s): Wyalusing Township  
 Receiving Stream(s) and Classification(s): Brewer Creek

ESCGP-1 #: ESX09-015-0072  
 Applicant Name: Chesapeake Appalachia, LLC  
 Contact Person: Eric Haskins  
 Address: 100 1st Center  
 City, State, Zip: Horseheads, NY 14845  
 County: Bradford  
 Township(s): West Burlington Township  
 Receiving Stream(s) and Classification(s): Unnamed  
 Tributary

ESCGP-1 #: ESX09-015-0066  
 Applicant Name: Chesapeake Appalachia, LLC  
 Contact Person: Eric Haskins  
 Address: 100 1st Center  
 City, State, Zip: Horseheads, NY 14845  
 County: Bradford  
 Township(s): Burlington Township  
 Receiving Stream(s) and Classification(s): Wallace Run

ESCGP-1 #: ESX09-015-0068  
 Applicant Name: Chesapeake Appalachia, LLC  
 Contact Person: Eric Haskins  
 Address: 100 1st Center  
 City, State, Zip: Horseheads, NY 14845  
 County: Bradford  
 Township(s): Monroe Township  
 Receiving Stream(s) and Classification(s): Tributary to  
 South Branch Towanda Creek

ESCGP-1 #: ESX09-115-0017  
 Applicant Name: Chesapeake Appalachia, LLC  
 Contact Person: Eric Haskins  
 Address: 100 1st Center  
 City, State, Zip: Horseheads, NY 14845  
 County: Susquehanna  
 Township(s): Auburn Township  
 Receiving Stream(s) and Classification(s): UNT to  
 Tuscarora Creek

ESCGP-1 #: ESX09-115-0018  
 Applicant Name: ALTA Operating Company, LLC  
 Contact Person: Jennifer McCarthy  
 Address: 500 Dallas, Suite 2930  
 City, State, Zip: Houston, TX 77002  
 County: Susquehanna  
 Township(s): Liberty Township  
 Receiving Stream(s) and Classification(s): UNT to  
 Susquehanna River

ESCGP-1 #: ESX09-115-0019  
 Applicant Name: Chesapeake Appalachia, LLC  
 Contact Person: Eric Haskins  
 Address: 100 1st Center  
 City, State, Zip: Horseheads, NY 14845  
 County: Susquehanna  
 Township(s): Auburn Township  
 Receiving Stream(s) and Classification(s): UNT; second-  
 ary—Little Meshoppen Creek

ESCGP-1 #: ESX09-015-0067  
 Applicant Name: Chesapeake Appalachia, LLC  
 Contact Person: Eric Haskins  
 Address: 100 1st Center  
 City, State, Zip: Horseheads, NY 14845  
 County: Bradford  
 Township(s): West Burlington Township  
 Receiving Stream(s) and Classification(s): UNT to Sugar  
 Creek

ESCGP-1 #: ESX09-115-0021  
 Applicant Name: Chesapeake Appalachia, LLC  
 Contact Person: Eric Haskins  
 Address: 100 1st Center  
 City, State, Zip: Horseheads, NY 14845  
 County: Susquehanna  
 Township(s): Auburn Township  
 Receiving Stream(s) and Classification(s): UNT

ESCGP-1 #: ESX09-015-0052(01)  
 Applicant Name: Chesapeake Appalachia, LLC  
 Contact Person: Eric Haskins  
 Address: 100 1st Center  
 City, State, Zip: Horseheads, NY 14845  
 County: Bradford  
 Township(s): Towanda Township  
 Receiving Stream(s) and Classification(s): Susquehanna  
 River (north of site) Towanda Creek (south of site)

ESCGP-1 #: ESG09-105-0005  
 Applicant Name: Ultra Resources, Inc.  
 Contact Person: Belinda Salinas  
 Address: 304 Inverness Way South, Ste 295  
 City, State, Zip: Englewood, CO 80112-5828  
 County: Potter  
 Township(s): West Branch  
 Receiving Stream(s) and Classification(s): Sliders Branch

ESCGP-1 #: ESX09-117-0012 (Revision)  
 Applicant Name: Seneca Resources Corp.  
 Contact Person: Mr. Doug Kepler  
 Address: 51 Zents Blvd  
 City, State, Zip: Brookville, PA 15825  
 County: Tioga  
 Township(s): Bloss Township  
 Receiving Stream(s) and Classification(s): UNT to Boone  
 Run and UNT to Sand Run

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

ESCGP-1 #: ESG09-053-0004  
 Applicant: Sheffield Land & Timber  
 Contact: Richard Cochran  
 Address: P. O. Box 54, Sheffield, PA 16347  
 County: Forest Township(s): Howe  
 Receiving Stream(s) and Classification(s): West Branch  
 Blue Jay Creek (HQ); Blue Jay Creek (HQ)

[Pa.B. Doc. No. 10-18. Filed for public inspection December 31, 2009, 9:00 a.m.]

### Availability of Technical Guidance

Technical guidance documents are available on the Department of Environmental Protection's (Department) web site at <http://www.depweb.state.pa.us> (DEP Keywords: "eLibrary"). The "Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final technical guidance documents are posted. The "Draft Technical Guidance" heading is the link to the Department's draft technical guidance documents.

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

#### *Ordering Paper Copies of Department Technical Guidance*

The Department encourages the use of the Internet to view and download technical guidance documents. When

this option is not available, persons can order a paper copy of any of the Department's draft or final technical guidance documents by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

#### *Changes to Technical Guidance Documents*

Following is the current list of recent changes. Persons who have questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

#### *Final Technical Guidance*

DEP ID: 254-2212-504. Title: Guidelines for the Development and Implementation of County Municipal Waste Management Plan Revisions. Description: This technical guidance document provides the Department's regional staff and county recycling coordinators with updated information to aid in their development and review of county waste management plans. In response to recent court decisions, the guidance was updated to include revised instructions for the development of waste management plans that include waste flow control provisions, including supplemental considerations that must now be evaluated for flow control involving publicly-owned or publicly-controlled facilities. The procedures to classify revisions to county waste management plans as either substantial or non-substantial have also been modified in the guidance document to clarify the responsibilities of the county in each situation. The appendix to the guidance document was also updated to include the most current court decisions impacting county waste management. Contact: Larry Holley, Department of Environmental Protection, Bureau of Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472, (717) 787-7382; lholley@state.pa.us.

Final effective date: January 2, 2010.

JOHN HANGER,  
*Secretary*

[Pa.B. Doc. No. 10-19. Filed for public inspection December 31, 2009, 9:00 a.m.]

### **Establishment of Final "Baseline" of Existing Withdrawals of Great Lakes Basin Water Users**

The Department of Environmental Protection (Department) has established a "baseline" of existing withdrawals, consumptive uses and/or diversions of Great Lakes Basin water. The Department has prepared a list of baseline amounts of affected facilities or systems as of December 2008. This information reflects the data related to those facilities or systems that are currently on record with the Department.

The Department published the proposed list in the *Pennsylvania Bulletin* at 39 Pa.B. 5985 (October 10, 2009), announcing a 30-day public comment period requesting comment on the establishment of the baseline by November 9, 2009. One comment was received through the public comment period. In addition to the public comment period, the Department requested information from individual water users through a direct mailing.

Based on the responses received from the mailing, the list of water users and baseline values were adjusted.

The baseline amount assigned to each Great Lakes Basin water user will be used to determine what is a new or increased withdrawal, consumptive use, or diversion of Great Lakes Basin water in the future.

The final baseline list may be found at <http://www.dep.state.pa.us/river/news/docs/GLBaselineWeb121509.pdf>.

This information was collected under Act 43 of 2008, signed by Governor Rendell on July 4, 2008, known as the Great Lakes—St. Lawrence River Basin Water Resources Compact (Compact) (32 P. S. §§ 817.21—817.30). The Compact prohibits all new or increased diversions, with some exceptions for public water suppliers in communities or counties that straddle the boundary of the Great Lakes Basin. The Compact also provides for each Great Lakes state to establish a program no later than 2013 for the management and regulation of new or increased withdrawals and consumptive uses within the Great Lakes—St. Lawrence River Basin. With the passage of the Compact by each of the eight Great Lakes states and the consent of the United States Congress, the new Interstate Compact became effective on December 8, 2008.

More information may be obtained on the web: Act 43 of 2008: <http://www.legis.state.pa.us/cfdocs/billinfo/BillInfo.cfm?year=2007&sind=0&body=H&type=B&bn=1705>.

Great Lakes—St. Lawrence River Basin Water Resources Compact and Great Lakes—St. Lawrence River Basin Sustainable Water Resources Agreement: <http://cglg.org/projects/water/CompactImplementation.asp>.

Comments and questions concerning the final baseline should be directed to Lori Boughton, Office of Great Lakes, 230 Chestnut Street, Meadville, PA 16335 or [lboughton@state.pa.us](mailto:lboughton@state.pa.us) or (814) 217-9635.

JOHN HANGER,  
*Secretary*

[Pa.B. Doc. No. 10-20. Filed for public inspection December 31, 2009, 9:00 a.m.]

### **Nutrient and Sediment Reduction Credit Trading Program**

The Department of Environmental Protection (Department) hereby provides notice of the following actions regarding the Nutrient and Sediment Reduction Credit Trading Program (Trading Program). These actions were taken in relation to the Final Trading of Nutrient and Sediment Reduction Credits—Policy and Guidelines (Policy) (DEP ID# 392-0900-001) (see 36 Pa.B. 7999 (December 30, 2006)). The Policy called for a transparent system of credit reviews and approvals.

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

The actions described in this notice relate to: (1) submitted proposals; (2) approved proposals; and (3) registered credits, through December 15, 2009.

#### *Background*

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

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

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

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

The Department has received 79 proposals that have been submitted for review to generate nutrient reduction credits in the Chesapeake Bay Watershed. Of those, 55 have been approved, one has been withdrawn and the remaining need additional clarification prior to certification.

#### *Proposals under Review*

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

#### *Proposal Applicant*

1. Nittany Engineering & Associates, LLC on behalf of Bellefonte Borough.

#### *Proposal Description*

Nitrogen and Phosphorus credits generated by treatment, Centre County.

#### *Certifications:*

There are no new certifications.

#### *Verifications and Registrations:*

There are no new verifications and registrations.

For further information about the previous information or the Department's Nutrient Trading Program, contact Ann Smith, Water Planning Office, P.O. Box 2063, Harrisburg, PA 17105-2063, (717) 787-4726, annsmith@state.

pa.us or visit the Department's web site at <http://www.depweb.state.pa.us> (DEP Keywords: "Nutrient Trading").

JOHN HANGER,  
*Secretary*

[Pa.B. Doc. No. 10-21. Filed for public inspection December 31, 2009, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Approved Prearrest and Evidential Breath Testing Devices

The Department of Health (Department) has statutory authority to approve both prearrest and evidential breath testing devices for use by law enforcement officials to determine the alcohol content of blood by analysis of a person's breath. This notice contains the combined lists of prearrest breath testing devices and evidential breath testing devices.

The Department approves prearrest breath testing devices as required by 28 Pa. Code §§ 5.101—5.104 (relating to equipment to determine blood alcohol content under the Vehicle Code and the Fish and Boat Code). Authority to promulgate these regulations is contained in the Vehicle Code, 75 Pa.C.S. § 1547(k) (relating to chemical testing to determine amount of alcohol or controlled substance), the Fish and Boat Code, 30 Pa.C.S. § 5125(k) (relating to chemical testing to determine amount of alcohol or controlled substance), the Game and Wildlife Code, 34 Pa.C.S. § 2502(j) (relating to chemical test to determine amount of alcohol), and section 2102(g) of The Administrative Code of 1929 (71 P. S. § 532(g)).

Prearrest breath testing devices approved under this authority may be used by police officers, waterways patrolmen and officers enforcing the Vehicle Code, the Fish and Boat Code and the Game and Wildlife Code in conducting preliminary determinations of the alcohol content of blood of persons suspected of driving, boating, hunting or furtaking, while under the influence of alcohol. Officers and patrolmen use these devices to assist them in determining whether or not a person should be placed under arrest for violation of 75 Pa.C.S. § 3802 (relating to driving under influence of alcohol or controlled substance), for violation of 30 Pa.C.S. § 5502 (relating to operating watercraft under influence of alcohol or controlled substance), for violation of 34 Pa.C.S. § 2501 (relating to hunting or furtaking prohibited while under influence of alcohol or controlled substance), or for any other criminal offense under the Vehicle Code, the Fish and Boat Code, or the Game and Wildlife Code, which involves operating a vehicle or boat, hunting, or furtaking while under the influence of alcohol. This notice lists devices that were included in the previous publication of the list of prearrest breath testing devices, which appeared at 39 Pa.B. 5207 (August 29, 2009).

The National Highway Traffic Safety Administration (NHTSA) of the United States Department of Transportation published model specifications for Screening Devices to Measure Alcohol in Bodily Fluids at 59 FR 39382 (August 2, 1994). These specifications established performance criteria and methods for testing alcohol screening devices using either breath or bodily fluids, such as, saliva to measure blood alcohol content. NHTSA established these specifications to support state laws and the Federal Department of Transportation's workplace alcohol

testing program. The Department has elected to use the NHTSA criteria for approving devices for the prearrest testing of a person's breath to determine the alcohol content of the person's blood.

NHTSA published a conforming products list of alcohol screening devices at 72 FR 4559 (January 31, 2007). The breath testing devices included in this Federal approval list have been incorporated into the list in this notice. Since this notice lists only those devices which test breath, items on the NHTSA list that test saliva or other bodily fluids are not included in this notice.

Additionally, there are a number of breath testing devices on this list of approved equipment that may be used as both prearrest and evidential testing devices. Any device on this list that was evaluated using the 1993 Model Specifications for Evidential Breath Testers (58 FR 48705) also fully meets the requirements of the Model Specifications for prearrest screening devices. Both procedures evaluate the performance of instruments at the 0.020% alcohol level.

The Department approves evidential breath testing devices under the authority of 75 Pa.C.S. § 1547(c)(1), 30 Pa.C.S. § 5125(c)(1) and 34 Pa.C.S. § 2502(c).

Evidential breath testing devices approved under this notice may be used by law enforcement officials to obtain test results which will be admissible in evidence in any summary or criminal proceeding in which the defendant is charged with a violation of 75 Pa.C.S. § 3802, or any other violation of the Vehicle Code arising out of the same action; or 30 Pa.C.S. § 5502, or any other violation of the Fish and Boat Code arising out of the same action; or 34 Pa.C.S. § 2501, or any other violation of the Game and Wildlife Code arising out of the same action. Law enforcement agencies should determine that an approved training program in the use of the equipment is available in accordance with the previously referenced statutes before purchasing any of the devices contained on this list. This notice lists devices that were included in the previous publication of the list of evidential breath testing devices, which appeared at 39 Pa.B. 5207.

The approval of evidential equipment listed in this notice is based on the evaluation of the equipment by NHTSA. Equipment which met the Federal requirements was published at 74 FR 66398 (December 15, 2009) as a Conforming Products List. The list contained in this notice is based on that Conforming Products List.

Instruments marked with an asterisk (\*) meet the Model Specifications detailed in 49 FR 48854 (December 14, 1984) (that is, instruments tested at breath alcohol concentrations of 0.000, 0.050, 0.101, and 0.151 grams of alcohol per 210 liters of air). Instruments not marked with an asterisk meet the Model Specifications detailed in 58 FR 48705 (September 17, 1993), and were tested at breath alcohol concentrations of 0.000, 0.020, 0.040, 0.080, and 0.160 grams of alcohol per 210 liters of air. The amended specifications that were published on September 17, 1993, added a test for the presence of acetone and other low molecular weight alcohols including methyl and isopropyl. Instruments whose precision and accuracy have been evaluated in the latter concentration range (that is, devices not marked with an asterisk) should be used when reliable results are required at blood alcohol concentrations below 0.050%.

NHTSA also evaluates equipment to determine if it must be operated at fixed locations (that is, nonmobile equipment) or can be transported to nonfixed operational sites in the field (mobile equipment). Most equipment on

the list is approved for mobile and nonmobile operation. The listing at the end of this notice specifies nonmobile equipment only.

The instruments not marked with an asterisk meet the specifications for use as prearrest or evidentiary breath testing devices. The instruments marked with an asterisk may be used as evidentiary devices for law enforcement purposes that are concerned with blood alcohol concentrations at or above 0.050%. These instruments may also be used as prearrest breath testing devices if they are approved for mobile operations. However, these instruments may not be used for making arrests under the Vehicle Code, the Fish and Boat Code, or the Game and Wildlife Code where blood alcohol concentrations below 0.050% must be determined. Nonmobile devices can only be used as evidentiary testing instruments since they are not portable. Before purchasing breath testing devices, law enforcement officials should consult with the manufacturer of the equipment they intend to purchase to verify that the devices can be used for their intended purposes.

Law enforcement agencies that plan to utilize a device which does not appear on the following list should contact the manufacturer of the equipment to verify that it has been evaluated by NHTSA and found to meet NHTSA's performance requirements. If a device is approved by NHTSA after the date of this publication, the manufacturer of the device will need to forward documentation of NHTSA acceptability to Dr. M. Jeffery Shoemaker at the address given; so that the Department has information sufficient to enable it to include the device in the next revision of this notice in the *Pennsylvania Bulletin*.

Some of the devices included in this notice are listed under the name of more than one manufacturer. This is due to the fact that the name of the manufacturer has changed or the right to produce a device has been transferred to a different company. In such instances, the device is listed under the name of every company that was ever associated with the device to allow law enforcement agencies to continue using devices bearing the name of a previous manufacturer.

To facilitate accessibility to information concerning breath alcohol testing devices which are approved for law enforcement purposes in the Commonwealth, the Department will publish revisions of this list of equipment semiannually as notices in the *Pennsylvania Bulletin*. This practice was implemented in 2009 and will proceed even if an updated conforming products list has not appeared in the *Federal Register* since the Department's last annual publication of approved breath testing devices.

Questions regarding this list should be directed to Dr. M. Jeffery Shoemaker, Director, Division of Chemistry and Toxicology, Department of Health, Bureau of Laboratories, P. O. Box 500, Exton, PA 19341-0500, (610) 280-3464.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) should contact Dr. Shoemaker at V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

**AK Solutions, Inc., Palisades Park, NJ<sup>1</sup>**

Alcoscan AL-2500

AlcoChecker

AlcoKey

AlcoMate

AlcoMate<sup>3</sup> (aka: AlcoHAWK Pro by Q3 Inovations)



AlcoMate Accu Cell AL-9000  
 AlcoMate Core<sup>4</sup> (formerly known as Alcoscan AL-6000)  
 AlcoMate Premium AL-7000, with replaceable Premium  
 Sensor Modules (SM-7000)<sup>4 5</sup>  
 AlcoMate Prestige AL-6000, with replaceable Prestige  
 Sensor Modules (SM-6000)<sup>4 6</sup>  
 AlcoMate Pro  
 Alcoscan AL-5000  
 Alcoscan AL-6000  
 SafeMate<sup>2</sup> (formerly known as AlcoChecker)  
 SafeDrive (formerly known as AlcoKey)

**Akers Laboratories, Inc., Thorofare, NJ**  
 Alcohol  $\sqrt{\text{TM}}$

**Akers Biosciences, Inc., Thorofare, NJ**  
 Breath Alcohol  $\sqrt{\text{.02}}$  Detection System<sup>8</sup>

**Alco Check International, Hudsonville, MI**  
 Alco Check 3000 D.O.T.<sup>7</sup>  
 Alco Check 9000<sup>7</sup>  
 Alco Screen 3000

**Alcohol Countermeasures Systems, Inc., Port  
 Hurton, MI**  
 Alert J3AD\*  
 PBA 3000C

**Alcohol Countermeasure Systems Corp., Missis-  
 sauga, Ontario, Canada**  
 Alert J3AD\*  
 Alert J4X.ec  
 PBA3000C

**Alcohol Countermeasure Systems, Inc., Cincinnati,  
 OH**  
 Alert J4

**Approved Technology, Inc., Grand Rapids, MI**  
 Alco-Check I  
 Alco-Check II  
 Alco-Check 3000

**BAC Solutions, Inc., Birmingham, MI**  
 BACmaster\*

**BAC Systems, Inc., Ontario, Canada**  
 Breath Analysis Computer\*

**B.E.S.T. Labs., Boardman, OH**  
 PB 9000e

**BHP Diagnostix, West Chester, PA**  
 Prevent

**CAMEC Ltd., North Shields, Tyne and Ware, Eng-  
 land**  
 IR Breath Analyzer\*

**CMI-MPH, Owensboro, KY**  
 CMI S-D2  
 CMI S-L2

**CMI, Inc., Owensboro, KY**  
 AlcoBlow

**Intoxilyzer Model:**

200  
 200D  
 240 (aka Lion Alcolmeter 400 + outside the US)  
 300  
 400  
 400PA  
 500 (aka: Alcolmeter 500-Lion Laboratories)  
 1400  
 4011\*  
 4011A\*  
 4011AS\*  
 4011AS-A\*

4011AS-AQ\*  
 4011AW\*  
 4011A27-10100\*  
 4011A27-10100 with filter\*  
 5000  
 5000 (w/Cal. Vapor Re-Circ.)  
 5000 (w/3/8" ID hose option)  
 5000CD  
 5000CD/FG5  
 5000EN  
 5000 (CAL DOJ)  
 5000 (VA)  
 8000  
 PAC 1200\*  
 S-D2  
 S-D5

**Craig Technologies International Ltd., Aurora, CO**  
 BreathScan

**Decator Electronics, Decator, IL**  
 Alco-Tector model 500\*

**Draeger Safety, Inc., (aka: National Draeger)  
 Durango, CO**  
**Alcotest Model:**

6510  
 6810  
 7010\*  
 7110\*  
 7110 MKIII  
 7110 MKIII-C  
 7410  
 7410 Plus  
 9510

**Breathalyzer Model:**

900\*  
 900A\*  
 900BG\*  
 7410  
 7410-II

**EnviteC by Honeywell GmbH, Fond du Lac, WI**  
 AlcoQuant 6020

**First Innovative Technology Group, Ltd. Hong Kong**  
 AAT198-Pro

**Gall's Inc., Lexington, KY**  
 Alcohol Detection System-A.D.S. 500

**Guth Laboratories, Inc., Harrisburg, PA**  
 Alco-Tector  
 Alco-Tector Mark X  
 Alcotector BAC-100  
 Alcotector C<sub>2</sub>H<sub>5</sub>OH  
 Alcotector WAT89EC-1  
 Alcotector WAT90  
 Mark X Alcohol Checker

**Han International Co., Ltd., Seoul, Korea**  
 A.B.I. (Alcohol Breath Indicator) (aka: AlcoHAWK ABI  
 by Q3 Innovations).

**KHN Solutions, LLC, San Francisco, CA**  
 BACTRACK Select S50<sup>9</sup>  
 BACTRACK Select S80<sup>9</sup>

**Intoximeters, Inc., St. Louis, MO**  
 Indium Encapsulation System  
 Photo Electric Intoximeter\*  
 GC Intoximeter MK II\*  
 GC Intoximeter MK IV\*  
 Auto Intoximeter\*

Intox EC-IR  
Intox EC-IR 2  
Portable Intox EC-IR

**Intoximeter Model:**

3000\*  
3000 (rev B1)\*  
3000 (rev B2)\*  
3000 (rev B2A)\*  
3000 (rev B2A) w/FM option\*  
3000 (Fuel Cell)\*  
3000D\*  
3000DFC\*  
Alcomonitor  
Alcomonitor CC  
Alco-Sensor  
Alco-Sensor III  
Alco-Sensor III (Enhanced with Serial Numbers above  
1,200,000)  
Alco-Sensor IV  
Alco-Sensor IV-XL  
Alco-Sensor AZ  
Alco-Sensor FST  
Alco-Sensor Light Display  
EC/IR  
EC/IR II  
EC/IR II (enhanced with serial number 10,000 or  
higher)  
Portable EC/IR II  
RBT-AZ  
RBT III  
RBT III-A  
RBT-IV  
RBT-IV with CEM (cell enhancement module)

**Komyo Kitagawa, Kogyo, K.K.:**

Alcolyzer DPA-2\*  
Breath Alcohol Meter PAM 101B\*

**Lifeloc Technologies, Inc. (formerly Lifeloc, Inc.)****Wheat Ridge, CO:**

Life Loc PBA 3000  
PBA 3000-B  
PBA 3000-P\*  
PBA 3000-C  
Alcohol Data Sensor  
Phoenix  
Phoenix 6.0  
EV 30  
FC 10  
FC 20

**Lion Laboratories, Ltd., Cardiff, Wales, UK****Alcolmeter Model:**

Auto-Alcolmeter\*  
300  
400  
400+ (aka: Intoxilyzer 240 in the U.S.)  
500 (aka: Intoxilyzer 500-CMI, Inc.)  
SD-2\*  
SD-5 (aka: S-D5 in the U.S.)  
EBA\*

**Intoxilyzer Model:**

200  
200D  
1400  
5000 CD/FG5  
5000 EN

**Luckey Laboratories, San Bernardino, CA****Alco-Analyzer Model:**

Mobat Sober-Meter-SM II  
1000\*  
2000\*

**Medi-Scan, Inc., Denver, CO**

BreathScan

**National Draeger, Inc., Durango, CO****Alcotest Model:**

7010\*  
7110\*  
7110 MKIII  
7110 MKIII-C  
7410  
7410 Plus  
7410 Screener  
9510  
6510  
6810

**Breathalyzer Model:**

900\*  
900A\*  
900BG\*  
7410  
7410-II

**National Draeger, Inc., Pittsburgh, PA**

Alcotest

**National Patent Analytical Systems, Inc., Mansfield, OH**

BAC DataMaster (with or without the Delta-1 acces-  
sory)  
BAC Verifier DataMaster (with or without the Delta-1  
accessory)  
DataMaster cdm (with or without the Delta-1 acces-  
sory)  
DataMaster DMT

**Omicron Systems, Palo Alto, CA**

Intoxilyzer 4011\*  
Intoxilyzer 4011AW\*

**PAS Systems International, Inc., Fredericksburg, VA**

PAS IIIa  
PAS Vr

**Plus 4 Engineering, Minturn, CO**

5000 Plus 4\*

**Q3 Innovations, Inc., Independence, IA<sup>4</sup>**

AlcoHAWK Precision  
AlcoHAWK Slim  
AlcoHAWK Slim 2  
AlcoHAWK Elite  
AlcoHAWK ABI (aka: A.B.I. (Alcohol Breath indicator)  
by Han Intl.)  
AlcoHAWK Micro  
AlcoHAWK PRO (aka: AlcoMate by AK Solutions)  
AlcoHAWK PT500

**RepCo Marketing, Raleigh, NC**

Alco Tec III  
AlcoTec Breath-Alcohol Tester  
Breath Alcohol Tester Model BT-2  
Breath Alcohol Tester Model BT-3

**Seju Co. of Taejeon, Korea**

Safe-Slim

**Seres, Paris, France**

Alco Master  
Alcopro

**Siemens-Allis, Cherry Hill, NJ**

Alcomat\*  
Alcomat F\*

**Smit and Wesson Electronics, Springfield, MA****Breathalyzer Model:**

900\*  
900A\*  
1000\*  
2000\*  
2000 (Non-Humidity Sensor)\*

**SoundOff, Inc., Hudsonville, MI**

Alco-Check  
Alco-Check II  
AlcoData  
Alco Screen 1000  
Digitox D.O.T.  
Preliminary Breath Test II  
Seres Alco Master  
Seres Alcopro

**Stephenson Corp.**

Breathalyzer 900\*

**Takai-Denshi Inc., Tokyo, Japan:**

ALC-PRO II (US)

**Team Building Systems, Inc., Houston, TX**

BreathScan

**U.S. Alcohol Testing, Inc./Protection Devices, Inc., Rancho Cucamonga, CA**

Alco-Analyzer 1000  
Alco-Analyzer 2000  
Alco-Analyzer 2100

**Verax Systems, Inc., Fairport, NY**

BAC Verifier\*  
BAC Verifier Datamaster  
BAC Verifier Datamaster II\*

<sup>1</sup> The AlcoMate was manufactured by Han International of Seoul, Korea, but marketed and sold in the US by AK Solutions.

<sup>2</sup> Manufactured by Seju Engineering, Korea.

<sup>3</sup> Han International does not market or sell devices directly in the US market. Other devices manufactured by Han International are listed under AK Solutions, Inc. and Q-3 Innovations, Inc.

<sup>4</sup> Manufactured by Sentech Korea Corp.

<sup>5</sup> These devices utilize replaceable semiconductor detectors. Instead of recalibrating the device, a new calibrated detector can be installed. This device comes with four detectors including the one that was already installed.

<sup>6</sup> These devices utilize replaceable semiconductor detectors. Instead of recalibrating the device, a new calibrated detector can be installed. This device comes with five detectors including the one that was already installed.

<sup>7</sup> While these devices are still being sold, they are no longer manufactured or supported.

<sup>8</sup> The Breath Alcohol  $\sqrt{.02}$  Detection System consists of a single-use disposable breath tube used in conjunction with an electronic analyzer that determines the test result. The electronic analyzer and the disposable breath tubes are lot specific and manufactured to remain calibrated throughout the shelf-life of the device. This screening device cannot be used after the expiration date.

<sup>9</sup> Manufactured by DA Tech Co., Ltd., Korea.

**Nonmobile only****Decator Electronics**

Alco-Tector model 500\*

**Draeger Safety, Inc.**

Alcotest Model 9510

**Intoximeters, Inc.**

Photo Electric Intoximeter\*

Intoximeter Model—Alcomonitor

Intoximeter Model—EC/IR II (enhanced with serial number 10,000 or higher)

**Lion Laboratories, Ltd.**

Auto-Alcolmeter\*

**Luckey Laboratories**

Alco-Analyzer Model—1000\*

Alco-Analyzer Model—2000\*

**U.S. Alcohol Testing, Inc./Protection Devices, Inc., Rancho Cucamonga, CA**

Alco-Analyzer 1000

Alco-Analyzer 2000

EVERETTE JAMES,  
*Secretary*

[Pa.B. Doc. No. 10-22. Filed for public inspection December 31, 2009, 9:00 a.m.]

**Health Research Advisory Committee; Public Meeting**

The Health Research Advisory Committee (Committee) of the Department of Health (Department) will hold a public meeting on February 8, 2010, from 1 p.m. to 4 p.m. The meeting will be held at the Bureau of Health Statistics and Research, Forum Place Building, 555 Walnut Street, 6th Floor, Harrisburg, PA.

The primary aim for the meeting is to discuss the scope of research activities the Committee can consider for future nonformula funding priorities and to discuss whether activities being conducted by life sciences companies could qualify for consideration.

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

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

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

This meeting is subject to cancellation without notice.

EVERETTE JAMES,  
*Secretary*

[Pa.B. Doc. No. 10-23. Filed for public inspection December 31, 2009, 9:00 a.m.]

**Laboratories Approved to Determine Analyses of Blood and/or Serum for Controlled Substances under the Clinical Laboratory Act, the Vehicle Code, the Fish and Boat Code, and the Game and Wildlife Code**

The following laboratories are licensed by the Department of Health (Department) under the Clinical Laboratory Act (act) (35 P. S. §§ 2151—2165) and/or the Federal Clinical Laboratories Improvement Act of 1967 (42 U.S.C.A. § 263a) and are currently approved by the Department under 28 Pa. Code § 5.50 (relating to approval to provide special analytical services) to perform analyses of blood and/or serum for the determination of controlled substances. This approval is based on demonstrated proficiency in periodic tests conducted by the Department's Bureau of Laboratories. These laboratories are also approved and designated for purposes of the Vehicle Code, 75 Pa.C.S. §§ 1547 and 3755 (relating to chemical testing to determine amount of alcohol or controlled substance; and reports by emergency room personnel), the Fish and Boat Code, 30 Pa.C.S. § 5125 (relating to chemical testing to determine amount of alcohol or controlled substance) and the Game and Wildlife Code, 34 Pa.C.S. § 2502 (relating to chemical test to determine amount of alcohol), as qualified to perform the types of services which will reflect the presence of controlled substances or their biotransformation products in blood and/or serum.

Depending upon their capability and performance in proficiency surveys, laboratories are approved to perform screening and/or confirmatory analyses on blood and/or serum. Laboratories approved to perform screening analyses are designated on the approval list by an "S" followed by the letters "B" for blood and/or "Se" for serum. Laboratories approved to screen both blood and serum would therefore have "SBSe" listed after their laboratory name. Laboratories approved to offer confirmatory analyses are designated on the approval list by a "C" followed by the letters "B" for blood and/or "Se" for serum. Laboratories approved to perform confirmatory analyses on both serum and blood would therefore have "CBSe" listed after their laboratory name.

Screening analyses provide a presumptive indication that a controlled substance is present. Confirmatory testing is used to substantiate screening results.

Persons seeking forensic blood and/or serum analysis services from any of the listed laboratories should determine that the laboratory employs techniques and procedures acceptable for medicolegal purposes. They should also determine that the director of the facility is agreeable to performing analyses for forensic purposes. Persons seeking the analyses are responsible for specifying the extent to which the presence of a controlled substance is to be verified. That specification should be predicated upon the purpose for which the analysis is being sought.

The Vehicle Code contains a provision 75 Pa.C.S. § 1547(c)(3)(ii) that permits test results on blood or urine for alcohol or controlled substances to be introduced into evidence at legal proceedings in Pennsylvania if the laboratory is located in another state and is not licensed and approved by the Department to provide these services. This section states that the test results may be admissible into evidence at summary or criminal proceedings in which the defendant is charged with a violation of section 3802 (driving under the influence of alcohol or controlled substance) or any other violation of that title arising out of the same action if the laboratory that

performed the test is licensed by the state in which the facility is located and licensed under the Federal Clinical Laboratory Improvement Amendments of 1988 (Pub. L. No. 100-578, 102 Stat. 2903). A similar provision appears in the Fish and Boat Code at 30 Pa.C.S. § 5125(c)(3)(ii).

The name or location of a laboratory is sometimes changed but the personnel and testing procedures of the facility remain unchanged. When changes of this type occur, the Clinical Laboratory Permit number does not change. If questions arise about the identity of a laboratory due to a name or location change, the Clinical Laboratory Permit number should be used as the primary identifier. To assist in identifying a laboratory that performed a test if the name or location of the facility changed, the Clinical Laboratory Permit number of the facility at the time the list was prepared is included in the list of approved laboratories above the name of the laboratory.

The list of approved laboratories will be revised approximately semiannually and published in the *Pennsylvania Bulletin*. Questions regarding this list should be directed to Dr. M. Jeffery Shoemaker, Ph.D., Director, Division of Chemistry and Toxicology, Department of Health, Bureau of Laboratories, P. O. Box 500, Exton, PA 19341-0500, (610) 280-3464.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) should contact Dr. Shoemaker at the previously referenced address or phone number. Persons who are speech or hearing impaired may use V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

30483  
AIT LABORATORIES—SBSe, CBSe  
2265 EXECUTIVE DRIVE  
INDIANAPOLIS, IN 46241  
(317) 243-3894

00671  
ALLEGHENY COUNTY MED EX DIV. OF LAB—SBSe,  
CBSe  
1520 PENN AVENUE  
PITTSBURGH, PA 15222  
(412) 350-4425

24997  
ATLANTIC DIAGNOSTIC LABORATORIES, LLC—SBSe,  
CBSe  
3520 PROGRESS DRIVE  
UNIT C  
BENSALEM, PA 19020  
(267) 525-2470

00266  
DEPT. OF PATHOLOGY & LAB MED-HUP—SSe, CSe  
3400 SPRCE STREET  
PHILADELPHIA, PA 19104  
(215) 662-3423

00977  
DRUGSCAN, INC.—SBSe, CBSe  
1119 MEARNS ROAD  
P. O. BOX 2969  
WARMINSTER, PA 18974  
(215) 674-9310

24655  
HEALTH NETWORK LABORATORIES—SBSe, CBSe  
2024 LEHIGH STREET  
ALLENTOWN, PA 18103-4798  
(610) 402-8150

20512  
LABCORP OCCUPATIONAL TESTING SER—SBS<sub>e</sub>,  
CBS<sub>e</sub>  
1904 ALEXANDER DRIVE  
P. O. BOX 12652  
RESEARCH TRIANGLE PARK, NC 27709  
(919) 572-7465

09003  
MAYO CLINIC DEPT LAB MED & PATH—SBS<sub>e</sub>, CS<sub>e</sub>  
200 FIRST STREET  
SW HILTON 530  
ROCHESTER, MN 55905  
(507) 284-3018

05574  
MEDTOX LABORATORIES, INC.—SBS<sub>e</sub>, CBS<sub>e</sub>  
402 WEST COUNTY ROAD D  
ST. PAUL, MN 55112  
(651) 286-6217

00504  
NATIONAL MED SVCS, INC., D/B/A NMS LABS—SBS<sub>e</sub>,  
CBS<sub>e</sub>  
3701 WELSH ROAD  
WILLOW GROVE, PA 19090  
(215) 657-4900

29741  
NORTHERN TIER RESEARCH—SBS<sub>e</sub>, CBS<sub>e</sub>  
1300 OLD PLANK ROAD  
MAYFIELD, PA 18433  
(570) 351-6153

00250  
PARKWAY CLINICAL LABORATORIES—SS<sub>e</sub>  
3494 D PROGRESS DRIVE  
BENSALEM, PA 19020  
(215) 245-5112

00520  
PC LAB, INC.—SBS<sub>e</sub>, CBS<sub>e</sub>  
1320 FIFTH AVENUE  
PITTSBURGH, PA 15219  
(412) 391-6118

01136  
QUEST DIAGNOSTICS NICHOLS INSTITUTE—SBS<sub>e</sub>,  
CBS<sub>e</sub>  
14225 NEWBROOK DRIVE  
P. O. BOX 10841  
CHANTILLY, VA 20153-0841  
(703) 802-6900

00482  
QUEST DIAGNOSTICS OF PA, INC.—SBS<sub>e</sub>, CBS<sub>e</sub>  
875 GREENTREE ROAD  
4 PARKWAY CENTER  
PITTSBURGH, PA 15220-3610  
(412) 920-7600

25461  
QUEST DIAGNOSTICS VENTURE, LLC—SBS<sub>e</sub>, CBS<sub>e</sub>  
875 GREENTREE ROAD  
4 PARKWAY CENTER  
PITTSBURGH, PA 15220-3610  
(412) 920-7631

00151  
ST. JOSEPH QUALITY MEDICAL LAB—SBS<sub>e</sub>, CBS<sub>e</sub>  
2500 BERNVILLE ROAD  
READING, PA 19605-9453  
(610) 378-2200

00018  
VWHCS HOSP., D/B/A PENNANT LABORATORY—SS<sub>e</sub>  
575 NORTH RIVER STREET  
WILKES-BARRE, PA 18764  
(570) 829-8111

00141  
YORK HOSPITAL—SS<sub>e</sub>  
1001 SOUTH GEORGE STREET  
YORK, PA 17405  
(717) 851-2345

EVERETTE JAMES,  
*Secretary*

[Pa.B. Doc. No. 10-24. Filed for public inspection December 31, 2009, 9:00 a.m.]

**Laboratories Approved to Determine Blood Alcohol Content under The Clinical Laboratory Act, the Vehicle Code, the Fish and Boat Code, and the Game and Wildlife Code**

The following laboratories are licensed by the Department of Health (Department) under the Clinical Laboratory Act (35 P.S. §§ 2151—2165) and are currently approved by the Department under 28 Pa. Code §§ 5.50 and 5.103 (relating to approval to provide special analytical services; and blood tests for blood alcohol content) to perform alcohol analyses of blood and/or serum and plasma. This approval is based on demonstrated proficiency in periodic tests conducted by the Department's Bureau of Laboratories.

Since procedures for determining the alcohol content of serum and plasma are identical and results obtained from serum or plasma derived from a blood sample are the same, laboratories that demonstrate reliability in the determination of alcohol in serum are approved to analyze both serum and plasma for alcohol content. These laboratories are also approved and designated under the provisions of the Vehicle Code, 75 Pa.C.S. §§ 1547 and 3755 (relating to chemical testing to determine amount of alcohol or controlled substance; and reports by emergency room personnel), the Fish and Boat Code, 30 Pa.C.S. § 5125 (relating to chemical testing to determine amount of alcohol or controlled substance) and the Game and Wildlife Code, 34 Pa.C.S. § 2501 (relating to hunting or furtaking prohibited while under influence of alcohol or controlled substance) as qualified to perform the types of specialized services which will reflect the presence of alcohol in blood and/or serum and plasma. Laboratories located outside this Commonwealth may not provide blood and/or serum and plasma alcohol testing services in this Commonwealth unless they are licensed by the Department and approved for that purpose.

Persons seeking forensic blood and/or serum and plasma analysis services from the following designated laboratories should determine that the laboratory employs techniques and procedures acceptable for forensic purposes, and that the director of the facility is agreeable to performing determinations for this purpose. The list of approved laboratories will be revised approximately semi-annually and published in the *Pennsylvania Bulletin*.

The name or location of a laboratory is sometimes changed but the personnel and testing procedures of the facility remain unchanged. When changes of this type occur, the Clinical Laboratory Permit number does not change. If questions arise about the identity of a labora-

tory due to a name or location change, the Clinical Laboratory Permit number should be used as the primary identifier. To assist in identifying a laboratory that performed a test, if the name or location of the facility changed, the Clinical Laboratory Permit number of the facility at the time the list was prepared is included in the list of approved laboratories above the name of the laboratory.

The Department's blood alcohol and serum/plasma alcohol proficiency testing programs are approved by the United States Department of Health and Human Services in accordance with the requirements contained in the Clinical Laboratory Improvement Amendments of 1988 (42 U.S.C. § 263a), and implementing regulations 42 CFR 493.901 and 493.937, which are administered by the Centers for Medicare and Medicaid Services. Participation in these programs may therefore be used to demonstrate acceptable performance for approval purposes under both Federal and Commonwealth statutes.

Questions regarding this list should be directed to Dr. M. Jeffery Shoemaker, Division of Chemistry and Toxicology, Department of Health, Bureau of Laboratories, P. O. Box 500, Exton, PA 19341-0500, (610) 280-3464.

The Commonwealth's Vehicle Code at 75 Pa.C.S. § 1547(c)(3)(ii) also permits test results on blood or urine for alcohol or controlled substances to be introduced into evidence in certain legal proceedings in the Commonwealth if the laboratory is located in another state and is not licensed and approved by the Department to provide forensic blood and/or serum and plasma analysis services. This section states that the test results will be admissible into evidence at summary or criminal proceedings in which the defendant is charged with a violation of 75 Pa.C.S. § 3802 (relating to driving under influence of alcohol or controlled substance) or any other violation of the Vehicle Code arising out of the same action if the laboratory that performed the test is licensed to conduct the test by the state in which the facility is located and licensed under the Clinical Laboratory Improvement Amendments of 1988 (Pub. L. No. 100-578, 102 Stat. 2903). A similar provision appears in the Fish and Boat Code at 30 Pa.C.S. § 5125(c)(3)(ii).

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) should contact Dr. Shoemaker at the previously referenced address or phone number. Persons who are speech or hearing impaired may use V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

The symbols S and B indicate the following:  
S = approved for serum and plasma analyses  
B = approved for blood analyses  
SB = approved for serum, plasma and blood analyses

00215  
ABINGTON HEALTH LANSDALE HOSP—S  
100 MEDICAL CAMPUS DRIVE  
LANSDALE, PA 19446  
(215) 368-2100

00212  
ABINGTON MEMORIAL HOSPITAL—S  
1200 OLD YORK ROAD  
ABINGTON, PA 19001  
(215) 576-2350

27180  
ADVANCED TOXICOLOGY NETWORK—B  
3560 AIR CENTER COVE  
SUITE 101  
MEMPHIS, TN 38118  
(901) 794-5770

00233  
ALBERT EINSTEIN MEDICAL CENTER—S  
5501 OLD YORK ROAD  
DEPT OF LABS  
TOWER BLDG  
GROUND FLOOR  
PHILADELPHIA, PA 19141-3001  
(215) 456-6157

00671  
ALLEGHENY COUNTY MED EX DIV OF LAB—SB  
1520 PENN AVENUE  
2ND FLOOR  
PITTSBURGH, PA 15222  
(412) 350-4425

28233  
ALLEGHENY GENERAL HOSP DEPT OF LAB MED—S  
320 E NORTH AVENUE  
PITTSBURGH, PA 15212  
(412) 359-6886

00077  
ALLEGHENY GENERAL HOSPITAL—S  
1307 FEDERAL STREET  
PITTSBURGH, PA 15212  
(412) 359-3521

00094  
ALLEGHENY GENERAL HOSPITAL SUBURBAN  
CAMPUS—S  
100 SOUTH JACKSON AVENUE  
BELLEVUE, PA 15202  
(412) 734-6020

00100  
ALLEGHENY VALLEY HOSPITAL LAB—S  
1301 CARLISLE STREET  
NATRONA HEIGHTS, PA 15065  
(724) 224-5100

00120  
ALTOONA REGIONAL HEALTH SYSM-BON SECOURS  
CAMPUS—SB  
2500 SEVENTH AVENUE  
ALTOONA, PA 16602-2099  
(814) 949-4495

00119  
ALTOONA REGIONAL HEALTH SYSTEM LAB—SB  
620 HOWARD AVENUE  
ALTOONA, PA 16601-4899  
(814) 946-2340

00192  
ARIA HEALTH—S  
380 NORTH OXFORD VALLEY ROAD  
LANGHORNE, PA 19047-8304  
(215) 934-5227

00236  
ARIA HEALTH—S  
FRANKFORD AVE & WAKELING STREET  
PHILADELPHIA, PA 19124  
(215) 831-2068

- 00341  
ARIA HEALTH—S  
RED LION & KNIGHTS ROADS  
ATTN P FARANO MD  
PHILADELPHIA, PA 19114  
(215) 612-4000
- 00041  
ARMSTRONG COUNTY MEMORIAL HOSP—S  
1 NOLTE DRIVE  
KITTINGING, PA 16201  
(724) 543-8500
- 00047  
ASSOCIATED CLINICAL LABORATORIES—SB  
1526 PEACH STREET  
ERIE, PA 16501  
(814) 461-2400
- 24997  
ATLANTIC DIAGNOSTIC LABORATORIES LLC—SB  
3520 PROGRESS DRIVE  
UNIT C  
BENSALEM, PA 19020  
(267) 525-2470
- 00251  
AYER CLINICAL LAB PENNSYLVANIA HOSPITAL—S  
800 SPRUCE STREETS  
PHILADELPHIA, PA 19107  
(215) 829-3541
- 00320  
BARNES KASSON HOSPITAL LAB—S  
400 TURNPIKE STREET  
SUSQUEHANNA, PA 18847  
(570) 853-5059
- 00001  
BERWICK HOSPITAL LABORATORY—S  
701 EAST 16TH STREET  
BERWICK, PA 18603  
(570) 759-5110
- 00002  
BLOOMSBURG HOSPITAL—S  
549 E FAIR STREET  
BLOOMSBURG, PA 17815  
(570) 387-2124
- 00033  
BRADFORD REGIONAL MEDICAL CENTER—B  
116—156 INTERSTATE PKWY  
BRADFORD, PA 16701-0218  
(814) 362-8247
- 00296  
BRANDYWINE HOSPITAL—S  
201 REECEVILLE ROAD  
COATESVILLE, PA 19320  
(610) 383-8000
- 00053  
BROOKVILLE HOSPITAL—S  
100 HOSPITAL ROAD  
BROOKVILLE, PA 15825  
(814) 849-2312
- 00301  
BUTLER MEMORIAL HOSPITAL—S  
911 EAST BRADY STREET  
BUTLER, PA 16001  
(724) 284-4510
- 00107  
CANONSBURG GENERAL HOSPITAL—S  
100 MEDICAL BOULEVARD  
CANONSBURG, PA 15317  
(724) 745-3916
- 00131  
CARLISLE REGIONAL MEDICAL CENTER—S  
361 ALEXANDER SPRING ROAD  
CARLISLE, PA 17015-9129  
(717) 249-1212
- 00132  
CHAMBERSBURG HOSPITAL DEPT OF  
PATHOLOGY—S  
112 NORTH SEVENTH STREET  
CHAMBERSBURG, PA 17201  
(717) 267-7153
- 00310  
CHARLES COLE MEMORIAL HOSPITAL—S  
1001 EAST SECOND STREET  
COUDERSPORT, PA 16915  
(814) 274-5510
- 00198  
CHESTER COUNTY HOSPITAL—S  
701 E MARSHALL ST  
WEST CHESTER, PA 19380  
(610) 431-5182
- 00227  
CHESTNUT HILL HOSPITAL—S  
8835 GERMANTOWN AVENUE  
DEPT OF PATHOLOGY  
PHILADELPHIA, PA 19118  
(215) 248-8630
- 00228  
CHILDRENS HOSP OF PHILADELPHIA—S  
ONE CHILDRENS CENTER  
34TH & CIVIC  
PHILADELPHIA, PA 19104  
(215) 590-4446
- 00329  
CLARION HOSPITAL—S  
1 HOSPITAL DRIVE  
CLARION, PA 16214  
(814) 226-9500
- 00026  
CLEARFIELD HOSPITAL—S  
809 TURNPIKE AVENUE  
PO BOX 992  
CLEARFIELD, PA 16830  
(814) 768-2280
- 00005  
COMMUNITY MEDICAL CENTER—S  
1800 MULBERRY STREET  
SCRANTON, PA 18510  
(570) 969-8000
- 00125  
CONEMAUGH VALLEY MEMORIAL HOSP—SB  
LABORATORY DEPT  
1086 FRANKLIN STREET  
JOHNSTOWN, PA 15905  
(814) 534-9000
- 00326  
CORY MEMORIAL HOSPITAL—S  
612 WEST SMITH STREET  
CORY, PA 16407  
(814) 664-4641

- 00201  
CROZER CHESTER MED CENTER—S  
1 MEDICAL CENTER BOULEVARD  
UPLAND, PA 19013  
(610) 447-2000
- 00209  
CROZER-CHESTER MED CTR-SPRINGFLD—S  
190 WEST SPROUL ROAD  
SPRINGFIELD, PA 19064  
(610) 447-2000
- 00204  
DELAWARE COUNTY MEMORIAL HOSP—S  
501 NORTH LANSDOWNE AVENUE  
DREXEL HILL, PA 19026-1186  
(610) 284-8100
- 00266  
DEPT OF PATHOLOGY & LAB MED-HUP—SB  
3400 SPRUCE STREET  
PHILADELPHIA, PA 19104  
(215) 662-3423
- 00194  
DOYLESTOWN HOSPITAL—S  
595 WEST STATE STREET  
DOYLESTOWN, PA 18901  
(215) 345-2250
- 00977  
DRUGSCAN INC—B  
1119 MEARN'S RD  
PO BOX 2969  
WARMINSTER, PA 18974  
(215) 674-9310
- 00027  
DUBOIS REG MED CTR-WEST UNIT—S  
100 HOSPITAL AVE  
DUBOIS, PA 15801  
(814) 371-2200
- 00175  
EASTON HOSPITAL—S  
250 SOUTH 21st ST  
EASTON, PA 18042-3892  
(610) 250-4140
- 00332  
ELLWOOD CITY HOSPITAL—S  
724 PERSHING ST  
ELLWOOD CITY, PA 16117  
(724) 752-0081
- 00164  
EPHRATA COMMUNITY HOSPITAL—S  
169 MARTIN AVE  
PO BOX 1002  
EPHRATA, PA 17522  
(717) 733-0311
- 00032  
ERHC ST MARYS LABORATORY—B  
763 JOHNSONBURG RD  
SAINT MARYS, PA 15857  
(814) 788-8525
- 00181  
EVANGELICAL COMMUNITY HOSPITAL—S  
1 HOSPITAL DRIVE  
LEWISBURG, PA 17837  
(570) 522-2510
- 00115  
FRICK HOSPITAL—S  
508 SOUTH CHURCH STREET  
MOUNT PLEASANT, PA 15666  
(724) 547-1500
- 00330  
FULTON COUNTY MEDICAL CENTER—S  
214 PEACH ORCHARD ROAD  
MCCONNELLSBURG, PA 17233  
(717) 485-6143
- 00173  
GEISINGER MEDICAL LABORATORIES—SB  
100 N ACADEMY AVENUE  
DANVILLE, PA 17822-0131  
(570) 271-6338
- 00019  
GEISINGER WYOMING VALLEY MED CTR—S  
1000 E MOUNTAIN DRIVE  
WILKES-BARRE, PA 18711  
(570) 826-7830
- 00122  
GETTYSBURG HOSPITAL—SB  
147 GETTYS STREET  
GETTYSBURG, PA 17325  
(717) 334-2121
- 00152  
GNADEN HUETTEN MEMORIAL HOSP—SB  
211 NORTH 12TH STREET  
LEHIGHTON, PA 18235  
(610) 377-7083
- 00299  
GOOD SAMARITAN HOSPITAL—B  
4TH & WALNUT STS  
PO BOX 1281  
LEBANON, PA 17042-1218  
(717) 270-7500
- 00196  
GRAND VIEW HOSPITAL—S  
700 LAWN AVE  
SELLERSVILLE, PA 18960  
(215) 453-4528
- 00061  
GROVE CITY MEDICAL CENTER—SB  
631 NORTH BROAD STREET EXT  
GROVE CITY, PA 16127  
(724) 450-7125
- 00654  
GUTHRIE CLINIC LABORATORIES—S  
ONE GUTHRIE SQUARE  
SAYRE, PA 18840  
(570) 882-4160
- 00239  
HAHNEMANN UNIVERSITY HOSPITAL—S  
BROAD & VINE STS  
MS 113  
PHILADELPHIA, PA 19102  
(215) 762-1783
- 00046  
HAMOT MEDICAL CENTER—S  
201 STATE STREET  
ERIE, PA 16550  
(814) 877-3131



00139  
HANOVER HOSPITAL LABORATORY—S  
300 HIGHLAND AVE  
HANOVER, PA 17331  
(717) 637-3711

00155  
HARRISBURG HOSPITAL LABORATORY—SB  
100 2ND STREET  
MEDICAL SCIENCES BUILDING  
HARRISBURG, PA 17105  
(570) 782-2832

00010  
HAZLETON GENERAL HOSPITAL—S  
700 EAST BROAD  
HAZLETON, PA 18201  
(570) 501-4152

00169  
HEALTH NETWORK LABORATORIES—S  
1627 WEST CHEW STREET  
ALLENTOWN, PA 18102  
(610) 402-8150

00549  
HEALTH NETWORK LABORATORIES—S  
1200 SOUTH CEDAR CREST BLVD  
ALLENTOWN, PA 18103  
(610) 402-8150

00600  
HEALTH NETWORK LABORATORIES—S  
2545 SCHOENERSVILLE ROAD  
BETHLEHEM, PA 18017-7384  
(610) 402-8150

24655  
HEALTH NETWORK LABORATORIES—SB  
2024 LEHIGH STREET  
ALLENTOWN, PA 18103-4798  
(610) 402-8150

00166  
HEART OF LANCASTER REGIONAL MEDICAL  
CENTER—S  
1500 HIGHLANDS DRIVE  
LITITZ, PA 17543  
(717) 625-5605

00205  
HERITAGE VALLEY BEAVER—SB  
1000 DUTCH RIDGE ROAD  
BEAVER, PA 15009-9700  
(724) 728-7000

00101  
HERITAGE VALLEY SEWICKLEY LAB—S  
BLACKBURN RD & FITCH DRIVE  
SEWICKLEY, PA 15143  
(412) 741-6600

00103  
HIGHLANDS HOSPITAL—S  
401 EAST MURPHY AVENUE  
CONNELLSVILLE, PA 15425  
(724) 628-1500

00130  
HOLY SPIRIT HOSPITAL—S  
503 N 21st STREET  
CAMP HILL, PA 17011-2288  
(717) 763-2206

00052  
INDIANA REGIONAL MEDICAL CENTER—S  
HOSPITAL ROAD  
PO BOX 788  
INDIANA, PA 15701-0788  
(724) 357-7167

00135  
J C BLAIR MEMORIAL HOSPITAL—S  
1225 WARM SPRINGS AVENUE  
HUNTINGDON, PA 16652  
(814) 643-8645

00054  
JAMESON MEMORIAL HOSPITAL—S  
1211 WILMINGTON AVENUE  
NEW CASTLE, PA 16105  
(724) 656-4080

00240  
JEANES HOSPITAL—S  
7600 CENTRAL AVE  
PHILADELPHIA, PA 19111  
(215) 728-2347

00038  
JEFFERSON REGIONAL MED CTR—S  
PO BOX 18119  
565 COAL VALLEY ROAD  
PITTSBURGH, PA 15236  
(412) 469-5723

00200  
JENNERSVILLE REGIONAL HOSPITAL—S  
1015 WEST BALTIMORE PIKE  
WEST GROVE, PA 19390  
(610) 869-1080

00034  
KANE COMMUNITY HOSPITAL—B  
NORTH FRALEY STREET  
KANE, PA 16735  
(814) 837-4575

00532  
KENSINGTON HOSPITAL—S  
136 WEST DIAMOND STREET  
PHILADELPHIA, PA 19122  
(215) 426-8100

01088  
LABCORP OF AMERICA HOLDINGS—SB  
69 FIRST AVENUE  
PO BOX 500  
RARITAN, NJ 08869  
(908) 526-2400

00165  
LANCASTER GENERAL HOSPITAL—S  
555 N DUKE STREET  
PO BOX 3555  
LANCASTER, PA 17604  
(717) 544-5989

00167  
LANCASTER REGIONAL MED CENTER—S  
250 COLLEGE AVENUE  
PO BOX 3434  
LANCASTER, PA 17604  
(717) 291-8022

00114  
LATROBE AREA HOSPITAL—S  
ONE MELLON WAY  
LATROBE, PA 15650  
(724) 537-1550

- 00138  
LEWISTOWN HOSPITAL—B  
400 HIGHLAND AVENUE  
LEWISTOWN, PA 17044  
(717) 248-5411
- 00030  
LOCK HAVEN HOSPITAL—B  
24 CREE DRIVE  
LOCK HAVEN, PA 17745  
(570) 893-5000
- 00193  
LOWER BUCKS HOSPITAL LABORATORY—S  
501 BATH ROAD  
BRISTOL, PA 19007  
(215) 785-9300
- 00242  
MAIN LINE CLIN LABS LANKENAU CP—S  
100 EAST LANCASTER AVENUE  
WYNNEWOOD, PA 19096  
(610) 645-2615
- 00213  
MAIN LINE HEALTH LAB-BRYN MAWR—S  
130 S BRYN MAWR AVENUE  
BRYN MAWR, PA 19010  
(610) 526-3554
- 00199  
MAIN LINE HEALTH LABS-PAOLI—S  
255 WEST LANCASTER AVENUE  
PAOLI, PA 19301  
(610) 648-1000
- 00004  
MARIAN COMMUNITY HOSPITAL—S  
100 LINCOLN AVENUE  
CARBONDALE, PA 18407  
(717) 281-1042
- 09003  
MAYO CLINIC DEPT LAB MED & PATH—SB  
200 FIRST STREET  
SW HILTON 530  
ROCHESTER, MN 55905  
(507) 284-3018
- 00049  
MEADVILLE MED CTR-LIBERTY ST—S  
751 LIBERTY STREET  
MEADVILLE, PA 16335  
(814) 336-5000
- 05574  
MEDTOX LABORATORIES INC—SB  
402 WEST COUNTY ROAD D  
ST PAUL, MN 55112  
(651) 286-6217
- 00140  
MEMORIAL HOSPITAL CLINICAL LAB—S  
325 S BELMONT STREET  
PO BOX 15118  
YORK, PA 17403  
(717) 843-8623
- 00023  
MEMORIAL HOSPITAL LAB—SB  
1 HOSPITAL DRIVE  
TOWANDA, PA 18848  
(570) 265-2191
- 00203  
MERCY FITZGERALD HOSPITAL—S  
1500 LANSDOWNE AVENUE  
DARBY, PA 19023  
(610) 237-4262
- 00247  
MERCY HEALTH LAB/MHOP—S  
501 S 54TH STREET  
PHILADELPHIA, PA 19143  
(215) 748-9181
- 00219  
MERCY HEALTH LAB/MSH—S  
2701 DEKALB PIKE  
NORRISTOWN, PA 19401  
(610) 278-2090
- 00336  
MERCY HEALTH PARTNERS—S  
746 JEFFERSON AVENUE  
SCRANTON, PA 18510  
(570) 348-7100
- 28436  
METHODIST DIV TJUH CLINICAL LAB—S  
2301 SOUTH BROAD STREET  
PHILADELPHIA, PA 19148  
(215) 952-9057
- 00231  
MEYERSDALE COMMUNITY HOSPITAL—S  
200 HOSPITAL DR  
MEYERSDALE, PA 15552  
(814) 634-5911
- 00269  
MIDVALLEY HOSPITAL—S  
1400 MAIN STREET  
PECKVILLE, PA 18452  
(570) 383-5520
- 00128  
MINERS MEDICAL CENTER—S  
290 HAIDA AVENUE  
PO BOX 689  
HASTINGS, PA 16646  
(814) 247-3100
- 00108  
MONONGAHELA VALLEY HOSPITAL INC—S  
1163 COUNTRY CLUB ROAD  
MONONGAHELA, PA 15063  
(724) 258-1021
- 00217  
MONTGOMERY HOSPITAL LAB—S  
POWELL & FORNANCE STS  
NORRISTOWN, PA 19401  
(610) 270-2173
- 00007  
MOSES TAYLOR HOSPITAL—S  
700 QUINCY AVENUE  
SCRANTON, PA 18510  
(570) 340-2100
- 00214  
MOSS REHAB EINSTEIN AT ELKINS PARK—S  
60 EAST TOWNSHIP LINE ROAD  
ATTN: LABORATORY  
ELKINS PARK, PA 19027  
(215) 456-6150

00025  
MOUNT NITTANY MEDICAL CENTER—B  
1800 EAST PARK AVENUE  
STATE COLLEGE, PA 16803  
(814) 234-6117

00035  
MUNCY VALLEY HOSPITAL—S  
215 EAST WATER ST  
MUNCY, PA 17756  
(570) 546-8282

00304  
NASON HOSPITAL—S  
105 NASON DRIVE  
ROARING SPRING, PA 16673  
(814) 224-2141

00504  
NATIONAL MED SVCS INC/DBA NMS LABS—SB  
3701 WELSH ROAD  
WILLOW GROVE, PA 19090  
(215) 657-4900

00248  
NAZARETH HOSPITAL—S  
2601 HOLME AVE  
PHILADELPHIA, PA 19152  
(215) 335-6245

29741  
NORTHERN TIER RESEARCH—SB  
1300 OLD PLANK ROAD  
MAYFIELD, PA 18433  
(570) 351-6153

30984  
OFFICE OF THE DISTRICT ATTORNEY—S  
37 E HIGH STREET  
FORENSIC LAB  
CARLISE, PA 17103  
(717) 240-6526

00099  
OHIO VALLEY GENERAL HOSPITAL—S  
25 HECKEL RD  
MCKEES ROCKS, PA 15136  
(412) 777-6161

00334  
PALMERTON HOSPITAL—SB  
135 LAFAYETTE AVENUE  
PALMERTON, PA 18071  
(610) 826-1100

00520  
PC LAB INC—SB  
1320 FIFTH AVENUE  
PITTSBURGH, PA 15219  
(412) 391-6118

00258  
PENN PRESBYTERIAN MEDICAL CENTER—S  
51 NORTH 39TH ST  
DEPT OF PATH & LAB  
WRIGHT SAUNDERS BLDG  
5TH FL  
RM 530  
PHILADELPHIA, PA 19104-2640  
(215) 662-3435

00316  
PENN STATE MILTON S HERSHEY MED CTR—S  
500 UNIVERSITY DRIVE  
DEPT OF PATHOLOGY & LAB MEDICINE  
HERSHEY, PA 17033  
(717) 531-8353

22533  
PENNSYLVANIA DEPT OF HEALTH—SB  
110 PICKERING WAY  
EXTON, PA 19341  
(610) 280-3464

00197  
PHOENIXVILLE HOSPITAL LABORATORY—S  
140 NUTT ROAD  
DEPT OF PATHOLOGY  
PHOENIXVILLE, PA 19460-0809  
(610) 983-1612

00157  
PINNACLE HEALTH/COMM GENERAL HOSP—S  
4300 LONDONDERRY RD  
PO BOX 3000  
HARRISBURG, PA 17109  
(717) 657-7214

00022  
POCONO MEDICAL CENTER LAB—SB  
206 EAST BROWN STREET  
EAST STROUDSBURG, PA 18301  
(570) 476-3544

00221  
POTTSTOWN HOSPITAL COMPANY, LLC—S  
1600 EAST HIGH STREET  
POTTSTOWN, PA 19464  
(610) 327-7000

00300  
PUNXSUTAWNEY AREA HOSPITAL—S  
81 HILLCREST DRIVE  
PUNXSUTAWNEY, PA 15767  
(814) 938-1800

22715  
QUEST DIAGNOSTICS—SB  
10101 RENNER BOULEVARD  
LENEXA, KS 66219-9752  
(913) 888-1770

27461  
QUEST DIAGNOSTICS INC—SB  
400 EGYPT ROAD  
NORRISTOWN, PA 19403  
(610) 631-4219

01136  
QUEST DIAGNOSTICS NICHOLS INSTITUTE—SB  
14225 NEWBROOK DRIVE  
PO BOX 10841  
CHANTILLY, VA 20153-0841  
(703) 802-6900

00482  
QUEST DIAGNOSTICS OF PA INC—SB  
875 GREENTREE ROAD  
4 PARKWAY CENTER  
PITTSBURGH, PA 15220-3610  
(412) 920-7600

25461  
QUEST DIAGNOSTICS VENTURE LLC—SB  
875 GREENTREE ROAD  
4 PARKWAY CENTER  
PITTSBURGH, PA 15220-3610  
(412) 920-7631

00150  
READING HOSPITAL & MED CTR—S  
6TH AND SPRUCE STREETS  
WEST READING, PA 19611  
(610) 988-8080

- 00206  
RIDDLE MEMORIAL HOSPITAL—S  
1068 W BALTIMORE PIKE  
MEDIA, PA 19063  
(610) 891-3339
- 00243  
ROXBOROUGH MEMORIAL HOSPITAL—S  
5800 RIDGE AVE  
PHILADELPHIA, PA 19128  
(215) 487-4394
- 00171  
SACRED HEART HOSPITAL—S  
4TH & CHEW STS  
ATTN LAB DEPARTMENT  
ALLENTOWN, PA 18102  
(610) 776-4727
- 00087  
SAINT CLAIR MEMORIAL HOSPITAL—S  
1000 BOWER HILL RD  
PITTSBURGH, PA 15243  
(412) 561-4900
- 00174  
SAINT LUKES HOSPITAL—S  
801 OSTRUM STREET  
BETHLEHEM, PA 18015  
(610) 954-4558
- 00328  
SAINT MARY MEDICAL CENTER—S  
LANGHORNE—NEWTOWN RD  
LANGHORNE, PA 19047  
(215) 710-2162
- 00048  
SAINT VINCENT HEALTH CENTER—S  
232 WEST 25TH STREET  
ERIE, PA 16544  
(814) 452-5383
- 00182  
SCHUYLKILL MC E NORWEGIAN ST—S  
700 EAST NORWEGIAN STREET  
POTTSVILLE, PA 17901  
(570) 621-4032
- 00183  
SCHUYLKILL MC S JACKSON ST—SB  
420 SOUTH JACKSON STREET  
POTTSVILLE, PA 17901  
(570) 621-5262
- 00064  
SHARON REGIONAL HEALTH SYSTEM—SB  
740 EAST STATE STREET  
SHARON, PA 16146  
(724) 983-3911
- 00039  
SOLDIERS & SAILORS MEM HOSP—S  
CENTRAL AVENUE  
WELLSBORO, PA 16901  
(570) 723-0133
- 00297  
SOMERSET HOSPITAL CENTER FOR HEALTH—B  
225 S CENTER AVENUE  
SOMERSET, PA 15501  
(814) 443-5000
- 00105  
SOUTHWEST REGIONAL MEDICAL CENTER—S  
350 BONAR AVENUE  
WAYNESBURG, PA 15370  
(724) 627-2608
- 22376  
SPECIALTY LABORATORIES INC—S  
27027 TOURNEY ROAD  
VALENCIA, CA 91355  
(661) 799-6543
- 00361  
ST CATHERINE MED CTR-FOUNTAIN SPRINGS—S  
101 BROAD STREET  
ASHLAND, PA 17921  
(570) 875-5988
- 00260  
ST CHRISTOPHERS HOSP FOR CHILDREN—S  
ERIE AVENUE AT FRONT STREET  
PHILADELPHIA, PA 19134  
(215) 427-4207
- 00151  
ST JOSEPH QUALITY MEDICAL LAB—SB  
2500 BERNVILLE ROAD  
READING, PA 19605-9453  
(610) 378-2200
- 00261  
ST JOSEPH'S HOSPITAL-DIV NPHS—S  
16TH ST & GIRARD AVENUE  
PHILADELPHIA, PA 19130  
(215) 787-9000
- 00318  
ST LUKES HOSP ALLENTOWN CAMPUS—S  
1736 HAMILTON STREET  
ALLENTOWN, PA 18104  
(610) 770-8300
- 00180  
ST LUKES MINERS MEMORIAL HOSPITAL—S  
360 WEST RUDDLE STREET  
PO BOX 67  
COALDALE, PA 18218  
(570) 645-2131
- 00195  
ST LUKES QUAKERTOWN HOSPITAL—S  
1021 PARK AVENUE  
QUAKERTOWN, PA 18951  
(215) 538-4681
- 00207  
TAYLOR HOSPITAL DIV OF CCMC—S  
175 EAST CHESTER PIKE  
RIDLEY PARK, PA 19078  
(610) 595-6450
- 00235  
TEMPLE UNIV HOSPITAL EPISCOPAL CAMPUS—S  
100 EAST LEHIGH AVENUE  
PHILADELPHIA, PA 19125-1098  
(215) 707-0977
- 00265  
TEMPLE UNIVERSITY HOSPITAL—S  
3401 N BROAD ST  
PHILADELPHIA, PA 19140  
(215) 707-4353
- 00104  
THE UNIONTOWN HOSPITAL LABORATORY—S  
500 WEST BERKELEY STREET  
UNIONTOWN, PA 15401  
(724) 430-5143

00085  
THE WESTERN PA HOSP-FORBES REGIONAL  
CAMPUS—S  
2570 HAYMAKER ROAD  
MONROEVILLE, PA 15146  
(412) 858-2560

00241  
THOMAS JEFFERSON UNIVERSITY HOSP—S  
125 SOUTH 11TH STREET  
204 PAVILLION  
PHILADELPHIA, PA 19107  
(215) 955-1644

00051  
TITUSVILLE AREA HOSPITAL—S  
406 WEST OAK STREET  
TITUSVILLE, PA 16354  
(814) 827-1851

00313  
TYLER MEMORIAL HOSPITAL—S  
880 SR 6 W  
TUNKHANNOCK, PA 18657-6149  
(570) 836-4705

00124  
TYRONE HOSPITAL—S  
187 HOSPITAL DRIVE  
TYRONE, PA 16686  
(717) 738-6695

00121  
UPMC BEDFORD MEMORIAL—SB  
10455 LINCOLN HIGHWAY  
EVERETT, PA 15537  
(814) 623-3506

00096  
UPMC BRADDOCK—S  
400 HOLLAND AVENUE  
BRADDOCK, PA 15104  
(412) 636-5291

00059  
UPMC HORIZON GREENVILLE—SB  
110 NORTH MAIN STREET  
GREENVILLE, PA 16125  
(724) 588-2100

00057  
UPMC HORIZON SHENANGO—SB  
2200 MEMORIAL DRIVE  
FARRELL, PA 16121  
(724) 981-3500

00098  
UPMC MCKEESPORT LABORATORY—S  
1500 FIFTH AVENUE  
MCKEESPORT, PA 15132  
(412) 664-2233

00082  
UPMC MERCY DEPT OF LAB MEDICINE—S  
1400 LOCUST STREET  
PITTSBURGH, PA 15219  
(412) 232-7831

00084  
UPMC PASSAVANT—S  
9100 BABCOCK BLVD  
PITTSBURGH, PA 15237  
(412) 367-6700

05784  
UPMC PASSAVANT LABORATORY CRANBERRY—S  
ONE ST FRANCIS WAY  
CRANBERRY TOWNSHIP, PA 16066  
(724) 772-5370

00083  
UPMC PRESBYTERIAN SHADYSIDE CP PUH—S  
ROOM 5929  
MAIN TOWER CHP  
200 LOTHROP STREET  
PITTSBURGH, PA 15213-2582  
(412) 648-6000

00091  
UPMC SAINT MARGARET HOSPITAL—S  
815 FREEPORT ROAD  
PITTSBURGH, PA 15215  
(412) 784-4000

00092  
UPMC SHADYSIDE—S  
5230 CENTRE AVENUE  
GROUND FLOOR WEST WING  
PITTSBURGH, PA 15232  
(412) 623-5950

00066  
WARREN GENERAL HOSPITAL—S  
2 W CRESCENT PARK  
WARREN, PA 16365  
(814) 723-3860

00111  
WASHINGTON HOSPITAL—S  
155 WILSON AVE  
WASHINGTON, PA 15301  
(724) 223-3136

00298  
WAYNE MEMORIAL HOSPITAL—S  
601 PARK STREET  
HONESDALE, PA 18431  
(570) 253-1300

00133  
WAYNESBORO HOSPITAL—S  
501 E MAIN STREET  
WAYNESBORO, PA 17268  
(717) 765-3403

00095  
WESTERN PENNSYLVANIA HOSPITAL—S  
4800 FRIENDSHIP AVE  
PITTSBURGH, PA 15224  
(412) 578-5779

30245  
WESTFIELD HOSPITAL LABORATORY—S  
4815 W TILGHMAN STREET  
ALLENTOWN, PA 18104  
(610) 776-1603

00113  
WESTMORELAND HOSP AT JEANNETTE—S  
600 JEFFERSON AVENUE  
JEANNETTE, PA 15644  
(724) 832-4371

00112  
WESTMORELAND REGIONAL HOSPITAL—S  
532 W PITTSBURGH STREET  
GREENSBURG, PA 15601  
(724) 832-4365

00037  
WILLIAMSPORT HOSP & MED CENTER—SB  
777 RURAL AVENUE  
WILLIAMSPORT, PA 17701-3198  
(570) 321-2300

00106  
WINDBER HOSPITAL—B  
600 SOMERSET AVE  
WINDBER, PA 15963  
(814) 467-6611

00018  
WVHCS HOSP D/B/A PENNANT LABORATORY—SB  
575 NORTH RIVER STREET  
WILKES-BARRE, PA 18764  
(570) 829-8111

25064  
WVU HOSPITAL CLINICAL LABS—S  
1 MEDICAL CENTER DR  
PO BOX 8009  
MORGANTOWN, WV 26506-8009  
(304) 598-4241

00141  
YORK HOSPITAL—S  
1001 SOUTH GEORGE STREET  
YORK, PA 17405  
(717) 851-2345

EVERETTE JAMES,  
*Secretary*

[Pa.B. Doc. No. 10-25. Filed for public inspection December 31, 2009, 9:00 a.m.]

**Laboratories Approved to Determine Urine Controlled Substance Content under the Clinical Laboratory Act, the Vehicle Code, the Fish and Boat Code, and the Game and Wildlife Code**

The following laboratories are licensed by the Department of Health (Department) under the Clinical Laboratory Act (35 P.S. §§ 2151—2165) and are currently approved by the Department under 28 Pa. Code § 5.50 (relating to approval to provide special analytical services) to perform analyses of urine for the determination of controlled substances or their biotransformation products.

This approval is based on demonstrated proficiency in periodic tests conducted by the Department's Bureau of Laboratories. These laboratories are also approved and designated for purposes of the Vehicle Code, 75 Pa.C.S. §§ 1547 and 3755 (relating to chemical testing to determine amount of alcohol or controlled substance; and reports by emergency room personnel), the Fish and Boat Code, 30 Pa.C.S. § 5125 (relating to chemical testing to determine amount of alcohol or controlled substance) and the Game and Wildlife Code, 34 Pa.C.S. § 2502 (relating to chemical test to determine amount of alcohol), as qualified to perform the types of services which will reflect the presence of controlled substances or their biotransformation products in urine.

Depending upon their capability and performance in proficiency surveys, laboratories are approved to perform screening and/or confirmatory urine drug analyses. Labo-

ratories approved to perform screening tests only are designated on the approval list by an "S" after the laboratory's name. Laboratories approved to perform confirmatory testing only are designated by a "C" following the laboratory's name. Those approved to perform both screening and confirmatory analyses are designated by the letters "SC". Screening analyses provide a presumptive indication that a controlled substance is present. Confirmatory testing is used to substantiate screening results.

Persons seeking forensic urine drug analysis services from any of the listed laboratories should determine that the laboratory employs techniques and procedures acceptable for the purpose. They should also determine that the director of the facility is agreeable to performing analyses for that purpose. Persons seeking the analyses are responsible for specifying the extent to which the presence of a controlled substance is to be verified. That specification should be predicated upon the purpose for which the analysis is being sought. The list of approved laboratories will be revised approximately semiannually and published in the *Pennsylvania Bulletin*.

The Commonwealth's Vehicle Code contains a provision (75 Pa.C.S. § 1547(c)(3)(ii)) that permits test results on blood or urine for alcohol or controlled substances to be introduced into evidence at legal proceedings in Pennsylvania if the laboratory is located in another state and is not licensed and approved by the Department to provide these services. This section states that the test results may be admissible into evidence at summary or criminal proceedings in which the defendant is charged with a violation of section 3802 (driving under the influence of alcohol or controlled substance) or any other violation of that title arising out of the same action if the laboratory that performed the test is licensed by the state in which the facility is located and licensed under the Federal Clinical Laboratory Improvement Amendments of 1988 (Pub. L. No. 100-5768, 102 Stat. 2903). A similar provision appears in the Fish and Boat Code at 30 Pa.C.S. § 5125(c)(3)(ii).

The name or location of a laboratory is sometimes changed but the personnel and testing procedures of the facility remain unchanged. When changes of this type occur, the Clinical Laboratory Permit number does not change. If questions arise about the identity of a laboratory due to a name or location change, the Clinical Laboratory Permit number should be used as the primary identifier. To assist in identifying a laboratory that performed a test if the name or location of the facility changed, the Clinical Laboratory Permit number of the facility at the time the list was prepared is included in the list of approved laboratories above the name of the laboratory.

Questions regarding this list should be directed to Dr. M. Jeffery Shoemaker, Ph.D., Director, Division of Chemistry and Toxicology, Department of Health, Bureau of Laboratories, P. O. Box 500, Exton, PA 19341-0500, (610) 280-3464.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) should contact Dr. Shoemaker at the previously referenced address or phone number. Persons who are speech or hearing impaired may use V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

- 00215  
ABINGTON HEALTH LANSDALE HOSP—S  
100 MEDICAL CAMPUS DRIVE  
LANSDALE, PA 19446  
(215) 368-2100
- 00212  
ABINGTON MEMORIAL HOSPITAL—S  
1200 OLD YORK ROAD  
ABINGTON, PA 19001  
(215) 576-2350
- 27908  
ACM MEDICAL LABORATORY—SC  
160 ELMGROVE PARK  
ROCHESTER, NY 14624  
(716) 429-2264
- 27180  
ADVANCED TOXICOLOGY NETWORK—SC  
3560 AIR CENTER COVE  
SUITE 101  
MEMPHIS, TN 38118  
(901) 794-5770
- 30483  
AIT LABORATORIES—SC  
2265 EXECUTIVE DRIVE  
INDIANAPOLIS, IN 46241  
(317) 243-3894
- 00233  
ALBERT EINSTEIN MEDICAL CENTER—S  
5501 OLD YORK ROAD  
DEPT OF LABS  
TOWER BLDG  
GROUND FLOOR  
PHILADELPHIA, PA 19141-3001  
(215) 456-6157
- 00116  
ALLE KISKI MED CNTR NEW KENSINGTON—S  
651 FOURTH AVENUE  
NEW KENSINGTON, PA 15068  
(724) 226-7089
- 00671  
ALLEGHENY COUNTY MED EX DIV OF LAB—SC  
1520 PENN AVENUE  
PITTSBURGH, PA 15222  
(412) 350-4425
- 28233  
ALLEGHENY GENERAL HOSP DEPT OF LAB MED—S  
320 E NORTH AVENUE  
PITTSBURGH, PA 15212  
(412) 359-6886
- 00077  
ALLEGHENY GENERAL HOSPITAL—S  
1307 FEDERAL STREET  
PITTSBURGH, PA 15212  
(412) 359-3521
- 00094  
ALLEGHENY GENERAL HOSPITAL SUBURBAN  
CAMPUS—S  
100 SOUTH JACKSON AVENUE  
BELLEVUE, PA 15202  
(412) 734-6020
- 00100  
ALLEGHENY VALLEY HOSPITAL LAB—S  
1301 CARLISLE STREET  
NATRONA HEIGHTS, PA 15065  
(724) 224-5100
- 00120  
ALTOONA REGIONAL HEALTH SYSM-BON SECOURS  
CAMPUS—S  
2500 SEVENTH AVENUE  
ALTOONA, PA 16602-2099  
(814) 949-4495
- 00119  
ALTOONA REGIONAL HEALTH SYSTEM LAB—S  
620 HOWARD AVENUE  
ALTOONA, PA 16601-4899  
(814) 946-2340
- 30223  
AMERITOX LTD—SC  
9930 WEST HWY 80  
MIDLAND, TX 79706  
(432) 561-5091
- 26620  
AMMON ANALYTICAL LABORATORY—SC  
1622 SOUTH WOOD AVENUE  
LINDEN, NJ 07036  
(908) 862-4404
- 31148  
ANALYTICAL DIAGNOSTIC LAB—S  
2115 AVENUE X  
BROOKLYN, NY 11235  
(718) 646-6000
- 00192  
ARIA HEALTH—S  
380 NORTH OXFORD VALLEY ROAD  
LANGHORNE, PA 19047-8304  
(215) 934-5227
- 00236  
ARIA HEALTH—S  
FRANKFORD AVE & WAKELING STREET  
PHILADELPHIA, PA 19124  
(215) 831-2068
- 00341  
ARIA HEALTH—S  
RED LION & KNIGHTS ROADS  
ATTN P FARANO MD  
PHILADELPHIA, PA 19114  
(215) 612-4000
- 00047  
ASSOCIATED CLINICAL LABORATORIES—S  
1526 PEACH STREET  
ERIE, PA 16501  
(814) 461-2400
- 00363  
ATLANTIC DIAGNOSTIC LABORATORIES INC—S  
1570 GARRETT ROAD  
UPPER DARBY, PA 19082  
(610) 626-2112
- 24997  
ATLANTIC DIAGNOSTIC LABORATORIES LLC—SC  
3520 PROGRESS DRIVE  
UNIT C  
BENSALEM, PA 19020  
(267) 525-2470
- 00251  
AYER CLINICAL LAB PENNSYLVANIA HOSPITAL—S  
800 SPRUCE STREET  
PHILADELPHIA, PA 19107  
(215) 829-3541

00320  
BARNES KASSON HOSPITAL LAB—S  
400 TURNPIKE STREET  
SUSQUEHANNA, PA 18847  
(570) 853-5059

21553  
BENDINER & SCHLESINGER INC—SC  
140 58TH STREET  
SUITE 8D  
BROOKLYN, NY 11220  
(212) 254-2300

00001  
BERWICK HOSPITAL LABORATORY—S  
701 EAST 16TH STREET  
BERWICK, PA 18603  
(570) 759-5110

27615  
BIOLOGICAL SPECIALTY CORPORATION—S  
2165 NORTH LINE STREET  
COLMAR, PA 18915  
(215) 997-8771

27616  
BIOLOGICAL SPECIALTY CORPORATION—S  
1236 NEW RODGERS RD  
#851  
BRISTOL, PA 19007  
(215) 826-9282

27617  
BIOLOGICAL SPECIALTY CORPORATION—S  
22 SOUTH 4TH STREET  
READING, PA 19602  
(610) 375-9862

22757  
BIOREFERENCE LABORATORIES INC—SC  
481B EDWARD H ROSS DRIVE  
ELMWOOD PARK, NJ 07407  
(201) 791-3600

00002  
BLOOMSBURG HOSPITAL—S  
549 E FAIR STREET  
BLOOMSBURG, PA 17815  
(570) 387-2124

00033  
BRADFORD REGIONAL MEDICAL CENTER—S  
116—156 INTERSTATE PKWY  
BRADFORD, PA 16701-0218  
(814) 362-8247

00296  
BRANDYWINE HOSPITAL—S  
201 REECEVILLE ROAD  
COATESVILLE, PA 19320  
(610) 383-8000

00472  
BROOKSIDE CLINICAL LAB INC—S  
4000 EDGMONT AVENUE  
BROOKHAVEN, PA 19015  
(610) 872-6466

00301  
BUTLER MEMORIAL HOSPITAL—S  
911 EAST BRADY STREET  
BUTLER, PA 16001  
(724) 284-4510

29116  
CALLOWAY LABORATORIES INC—SC  
34 COMMERCE WAY  
WOBURN, MA 01801  
(781) 224-9899

00107  
CANONSBURG GENERAL HOSPITAL—S  
100 MEDICAL BOULEVARD  
CANONSBURG, PA 15317  
(724) 745-3916

00131  
CARLISLE REGIONAL MEDICAL CENTER—S  
361 ALEXANDER SPRING ROAD  
CARLISLE, PA 17015-9129  
(717) 249-1212

00751  
CEDAR CREST EMERGICENTER—S  
1101 SOUTH CEDAR CREST BOULEVARD  
ALLENTOWN, PA 18103  
(610) 433-4260

22388  
CENTER FOR DISEASE DETECTION—SC  
3370 NACOGDOCHES ROAD  
SUITE 100  
SAN ANTONIO, TX 78217  
(210) 590-3033

00132  
CHAMBERSBURG HOSPITAL DEPT OF  
PATHOLOGY—S  
112 NORTH SEVENTH STREET  
CHAMBERSBURG, PA 17201  
(717) 267-7153

00310  
CHARLES COLE MEMORIAL HOSPITAL—S  
1001 EAST SECOND STREET  
COUDERSPORT, PA 16915  
(814) 274-5510

00198  
CHESTER COUNTY HOSPITAL—S  
701 E MARSHALL ST  
WEST CHESTER, PA 19380  
(610) 431-5182

00227  
CHESTNUT HILL HOSPITAL—S  
8835 GERMANTOWN AVENUE  
DEPT OF PATHOLOGY  
PHILADELPHIA, PA 19118  
(215) 248-8630

00228  
CHILDRENS HOSP OF PHILADELPHIA—S  
ONE CHILDRENS CENTER  
34TH & CIVIC  
PHILADELPHIA, PA 19104  
(215) 590-4446

00329  
CLARION HOSPITAL—S  
1 HOSPITAL DRIVE  
CLARION, PA 16214  
(814) 226-9500

27845  
CLINICAL REFERENCE LABORATORY—SC  
8433 QUIVIRA ROAD  
LENEXA, KS 66215  
(913) 492-3652



24916  
CLINICAL SCIENCE LABORATORY INC—SC  
51 FRANCIS AVENUE  
MANSFIELD, MA 02048  
(508) 339-6106

00005  
COMMUNITY MEDICAL CENTER—S  
1800 MULBERRY STREET  
SCRANTON, PA 18510  
(570) 969-8000

00125  
CONEMAUGH VALLEY MEMORIAL HOSP—S  
LABORATORY DEPT  
1086 FRANKLIN STREET  
JOHNSTOWN, PA 15905  
(814) 534-9000

00326  
CORRY MEMORIAL HOSPITAL—S  
612 WEST SMITH STREET  
CORRY, PA 16407  
(814) 664-4641

00201  
CROZER CHESTER MED CENTER—S  
1 MEDICAL CENTER BOULEVARD  
UPLAND, PA 19013  
(610) 447-2000

00209  
CROZER-CHESTER MED CTR-SPRINGFLD—S  
190 WEST SPROUL ROAD  
SPRINGFIELD, PA 19064  
(610) 447-2000

00204  
DELAWARE COUNTY MEMORIAL HOSP—S  
501 NORTH LANSDOWNE AVENUE  
DREXEL HILL, PA 19026-1186  
(610) 284-8100

00266  
DEPT OF PATHOLOGY & LAB MED-HUP—SC  
3400 SPRUCE STREET  
PHILADELPHIA, PA 19104  
(215) 662-3423

28893  
DOMINION DIAGNOSTICS LLC—SC  
211 CIRCUIT DRIVE  
NORTH KINGSTOWN, RI 02852  
(401) 667-0800

00194  
DOYLESTOWN HOSPITAL—S  
595 WEST STATE STREET  
DOYLESTOWN, PA 18901  
(215) 345-2250

00977  
DRUGSCAN INC—SC  
1119 MEARNES RD  
PO BOX 2969  
WARMINSTER, PA 18974  
(215) 674-9310

00175  
EASTON HOSPITAL—S  
250 SOUTH 21st ST  
EASTON, PA 18042-3892  
(610) 250-4140

00332  
ELLWOOD CITY HOSPITAL—S  
724 PERSHING ST  
ELLWOOD CITY, PA 16117  
(724) 752-0081

00612  
ENDLESS MOUNTAINS HEALTH SYSTEMS—S  
3 GROW AVENUE  
MONTROSE, PA 18801-1103  
(570) 278-3801

00164  
EPHRATA COMMUNITY HOSPITAL—S  
169 MARTIN AVE  
PO BOX 1002  
EPHRATA, PA 17522  
(717) 733-0311

00032  
ERHC ST MARYS LABORATORY—S  
763 JOHNSONBURG RD  
SAINT MARYS, PA 15857  
(814) 788-8525

00181  
EVANGELICAL COMMUNITY HOSPITAL—S  
1 HOSPITAL DRIVE  
LEWISBURG, PA 17837  
(570) 522-2510

00115  
FRICK HOSPITAL—S  
508 SOUTH CHURCH STREET  
MOUNT PLEASANT, PA 15666  
(724) 547-1500

20644  
FRIENDS HOSPITAL—S  
4641 ROOSEVELT BOULEVARD  
PHILADELPHIA, PA 19124-2399  
(215) 831-4600

09163  
FRIENDS MEDICAL LAB INC—SC  
5820 SOUTHWESTERN BLVD  
BALTIMORE, MD 21227  
(412) 247-4417

00330  
FULTON COUNTY MEDICAL CENTER—S  
214 PEACH ORCHARD ROAD  
MCCONNELLSBURG, PA 17233  
(717) 485-6143

30188  
GARCIA CLINICAL LABORATORY INC—S  
2195 SPRING ARBOR ROAD  
JACKSON, MI 49201  
(517) 787-9200

00173  
GEISINGER MEDICAL LABORATORIES—SC  
100 N ACADEMY AVENUE  
DANVILLE, PA 17822-0131  
(570) 271-6338

00019  
GEISINGER WYOMING VALLEY MED CTR—S  
1000 E MOUNTAIN DRIVE  
WILKES-BARRE, PA 18711  
(570) 826-7830

00237  
GERMANTOWN COMM HLTH WILLOW TERR—S  
ONE PENN BOULEVARD  
PHILADELPHIA, PA 19144  
(215) 456-6157

26799  
GHHA OCCUPATIONAL HEALTH CENTER LAB—S  
50 MOISEY DRIVE  
HAZLETON, PA 18202  
(570) 459-1028

00152  
GNADEN HUETTEN MEMORIAL HOSP—S  
211 NORTH 12TH STREET  
LEHIGHTON, PA 18235  
(610) 377-7083

00299  
GOOD SAMARITAN HOSPITAL—S  
4TH & WALNUT STS  
PO BOX 1281  
LEBANON, PA 17042-1218  
(717) 270-7500

00061  
GROVE CITY MEDICAL CENTER—S  
631 NORTH BROAD STREET EXT  
GROVE CITY, PA 16127  
(724) 450-7125

00654  
GUTHRIE CLINIC LABORATORIES—S  
ONE GUTHRIE SQUARE  
SAYRE, PA 18840  
(570) 882-4160

00239  
HAHNEMANN UNIVERSITY HOSPITAL—S  
BROAD & VINE STS  
MS 113  
PHILADELPHIA, PA 19102  
(215) 762-1783

00139  
HANOVER HOSPITAL LABORATORY—S  
300 HIGHLAND AVE  
HANOVER, PA 17331  
(717) 637-3711

00155  
HARRISBURG HOSPITAL LABORATORY—S  
100 2ND STREET  
MEDICAL SCIENCES BUILDING  
HARRISBURG, PA 17105  
(570) 782-2832

00010  
HAZLETON GENERAL HOSPITAL—S  
700 EAST BROAD  
HAZLETON, PA 18201  
(570) 501-4152

00169  
HEALTH NETWORK LABORATORIES—S  
1627 WEST CHEW STREET  
ALLENTOWN, PA 18102  
(610) 402-8150

00549  
HEALTH NETWORK LABORATORIES—S  
1200 SOUTH CEDAR CREST BLVD  
ALLENTOWN, PA 18103  
(610) 402-8150

00600  
HEALTH NETWORK LABORATORIES—S  
2545 SCHOENERSVILLE ROAD  
BETHLEHEM, PA 18017-7384  
(610) 402-8150

24655  
HEALTH NETWORK LABORATORIES—SC  
2024 LEHIGH STREET  
ALLENTOWN, PA 18103-4798  
(610) 402-8150

00166  
HEART OF LANCASTER REGIONAL MEDICAL  
CENTER—S  
1500 HIGHLANDS DRIVE  
LITITZ, PA 17543  
(717) 625-5605

00205  
HERITAGE VALLEY BEAVER—S  
1000 DUTCH RIDGE ROAD  
BEAVER, PA 15009-9700  
(724) 728-7000

00101  
HERITAGE VALLEY SEWICKLEY LAB—S  
BLACKBURN RD & FITCH DRIVE  
SEWICKLEY, PA 15143  
(412) 741-6600

00103  
HIGHLANDS HOSPITAL—S  
401 EAST MURPHY AVENUE  
CONNELLSVILLE, PA 15425  
(724) 628-1500

00216  
HOLY REDEEMER HOSPITAL—S  
1648 HUNTINGDON PIKE  
MEADOWBROOK, PA 19046  
(215) 947-3000

00130  
HOLY SPIRIT HOSPITAL—S  
503 N 21st STREET  
CAMP HILL, PA 17011-2288  
(717) 763-2206

00052  
INDIANA REGIONAL MEDICAL CENTER—S  
HOSPITAL ROAD  
PO BOX 788  
INDIANA, PA 15701-0788  
(724) 357-7167

00135  
J C BLAIR MEMORIAL HOSPITAL—S  
1225 WARM SPRINGS AVENUE  
HUNTINGDON, PA 16652  
(814) 643-8645

00054  
JAMESON MEMORIAL HOSPITAL—S  
1211 WILMINGTON AVENUE  
NEW CASTLE, PA 16105  
(724) 656-4080

00240  
JEANES HOSPITAL—S  
7600 CENTRAL AVE  
PHILADELPHIA, PA 19111  
(215) 728-2347

00038  
JEFFERSON REGIONAL MED CTR—S  
PO BOX 18119  
565 COAL VALLEY ROAD  
PITTSBURGH, PA 15236  
(412) 469-5723

00200  
JENNERSVILLE REGIONAL HOSPITAL—S  
1015 WEST BALTIMORE PIKE  
WEST GROVE, PA 19390  
(610) 869-1080

00312  
JERSEY SHORE HOSPITAL—S  
1020 THOMPSON STREET  
JERSEY SHORE, PA 17740  
(570) 398-0100

00532  
KENSINGTON HOSPITAL—S  
136 WEST DIAMOND STREET  
PHILADELPHIA, PA 19122  
(215) 426-8100

26008  
KROLL LABORATORY SPECIALISTS—SC  
1111 NEWTON STREET  
GRETNA, LA 70053  
(504) 361-8989

24496  
KROLL LABORATORY SPECIALISTS INC—SC  
450 SOUTHLAKE BOULEVARD  
RICHMOND, VA 23236  
(804) 378-9130

21306  
LAB CORP OCCUPATIONAL TEST SRVCS—SC  
1120 STATELINE ROAD WEST  
SOUTHAVEN, MS 38671  
(886) 827-8042

20512  
LABCORP OCCUPATIONAL TESTING SER—SC  
1904 ALEXANDER DRIVE  
PO BOX 12652  
RESEARCH TRIANGLE PARK, NC 27709  
(919) 572-7465

01088  
LABCORP OF AMERICA HOLDINGS—SC  
69 FIRST AVENUE  
PO BOX 500  
RARITAN, NJ 08869  
(908) 526-2400

00165  
LANCASTER GENERAL HOSPITAL—S  
555 N DUKE STREET  
PO BOX 3555  
LANCASTER, PA 17604  
(717) 544-5989

00167  
LANCASTER REGIONAL MED CENTER—S  
250 COLLEGE AVENUE  
PO BOX 3434  
LANCASTER, PA 17604  
(717) 291-8022

00114  
LATROBE AREA HOSPITAL—S  
ONE MELLON WAY  
LATROBE, PA 15650  
(724) 537-1550

00138  
LEWISTOWN HOSPITAL—S  
400 HIGHLAND AVENUE  
LEWISTOWN, PA 17044  
(717) 248-5411

00030  
LOCK HAVEN HOSPITAL—S  
24 CREE DRIVE  
LOCK HAVEN, PA 17745  
(570) 893-5000

00193  
LOWER BUCKS HOSPITAL LABORATORY—S  
501 BATH ROAD  
BRISTOL, PA 19007  
(215) 785-9300

00639  
MAGEE-WOMENS HOSPITAL OF UPMC HEALTH  
SYSTEM—S  
300 HALKET STREET  
PITTSBURGH, PA 15213  
(412) 647-4651

00242  
MAIN LINE CLIN LABS LANKENAU CP—S  
100 EAST LANCASTER AVENUE  
WYNNEWOOD, PA 19096  
(610) 645-2615

00213  
MAIN LINE HEALTH LAB-BRYN MAWR—S  
130 S BRYN MAWR AVENUE  
BRYN MAWR, PA 19010  
(610) 526-3554

00199  
MAIN LINE HEALTH LABS-PAOLI—S  
255 WEST LANCASTER AVENUE  
PAOLI, PA 19301  
(610) 648-1000

00004  
MARIAN COMMUNITY HOSPITAL—S  
100 LINCOLN AVENUE  
CARBONDALE, PA 18407  
(717) 281-1042

27684  
MARWORTH—S  
BOX 36  
LILLY LAKE ROAD  
WAVERLY, PA 18471  
(570) 563-1112

09003  
MAYO CLINIC DEPT LAB MED & PATH—SC  
200 FIRST STREET  
SW HILTON 530  
ROCHESTER, MN 55905  
(507) 284-3018

00049  
MEADVILLE MED CTR-LIBERTY ST—S  
751 LIBERTY STREET  
MEADVILLE, PA 16335  
(814) 336-5000

05574  
MEDTOX LABORATORIES INC—SC  
402 WEST COUNTY ROAD D  
ST PAUL, MN 55112  
(651) 286-6217

00140  
MEMORIAL HOSPITAL CLINICAL LAB—S  
325 S BELMONT STREET  
PO BOX 15118  
YORK, PA 17403  
(717) 843-8623

00023  
MEMORIAL HOSPITAL LAB—S  
1 HOSPITAL DRIVE  
TOWANDA, PA 18848  
(570) 265-2191

00203  
MERCY FITZGERALD HOSPITAL—S  
1500 LANSDOWNE AVENUE  
DARBY, PA 19023  
(610) 237-4262

00247  
MERCY HEALTH LAB/MHOP—S  
501 S 54TH STREET  
PHILADELPHIA, PA 19143  
(215) 748-9181

00219  
MERCY HEALTH LAB/MSH—S  
2701 DEKALB PIKE  
NORRISTOWN, PA 19401  
(610) 278-2090

00336  
MERCY HEALTH PARTNERS—S  
746 JEFFERSON AVENUE  
SCRANTON, PA 18510  
(570) 348-7100

28436  
METHODIST DIV TJUH CLINICAL LAB—S  
2301 SOUTH BROAD STREET  
PHILADELPHIA, PA 19148  
(215) 952-9057

31050  
MILLENIUM LABORATORIES—SC  
16981 VIA TAZON  
SUITE F  
SAN DIEGO, CA 92127  
(858) 451-3535

00128  
MINERS MEDICAL CENTER—S  
290 HAIDA AVENUE  
PO BOX 689  
HASTINGS, PA 16646  
(814) 247-3100

28907  
MIRMONT TREATMENT CENTER—S  
100 YEARSLEY MILL ROAD  
LIMA, PA 19063  
(610) 744-1400

00108  
MONONGAHELA VALLEY HOSPITAL INC—S  
1163 COUNTRY CLUB ROAD  
MONONGAHELA, PA 15063  
(724) 258-1021

00217  
MONTGOMERY HOSPITAL LAB—S  
POWELL & FORNANCE STS  
NORRISTOWN, PA 19401  
(610) 270-2173

00214  
MOSS REHAB EINSTEIN AT ELKINS PARK—S  
60 EAST TOWNSHIP LINE ROAD  
ATTN: LABORATORY  
ELKINS PARK, PA 19027  
(215) 456-6150

00025  
MOUNT NITTANY MEDICAL CENTER—S  
1800 EAST PARK AVENUE  
STATE COLLEGE, PA 16803  
(814) 234-6117

00035  
MUNCY VALLEY HOSPITAL—S  
215 EAST WATER ST  
MUNCY, PA 17756  
(570) 546-8282

00304  
NASON HOSPITAL—S  
105 NASON DRIVE  
ROARING SPRING, PA 16673  
(814) 224-2141

00504  
NATIONAL MED SVCS INC, D/B/A NMS LABS—SC  
3701 WELSH ROAD  
WILLOW GROVE, PA 19090  
(215) 657-4900

00248  
NAZARETH HOSPITAL—S  
2601 HOLME AVE  
PHILADELPHIA, PA 19152  
(215) 335-6245

27246  
NORCHEM DRUG TESTING LABORATORY—SC  
1760 EAST ROUTE 66  
SUITE 1  
FLAGSTAFF, AZ 86004  
(928) 526-1011

29741  
NORTHERN TIER RESEARCH—SC  
1300 OLD PLANK ROAD  
MAYFIELD, PA 18433  
(570) 351-6153

00099  
OHIO VALLEY GENERAL HOSPITAL—S  
25 HECKEL RD  
MCKEES ROCKS, PA 15136  
(412) 777-6161

00250  
PARKWAY CLINICAL LABORATORIES—S  
3494 D PROGRESS DRIVE  
BENSALEM, PA 19020  
(215) 245-5112

00520  
PC LAB INC—SC  
1320 FIFTH AVENUE  
PITTSBURGH, PA 15219  
(412) 391-6118

00258  
PENN PRESBYTERIAN MEDICAL CENTER—S  
51 NORTH 39TH ST  
DEPT OF PATH & LAB  
WRIGHT SAUNDERS BLDG  
5TH FL  
RM 530  
PHILADELPHIA, PA 19104-2640  
(215) 662-3435

00316  
PENN STATE MILTON S HERSHEY MED CTR—S  
500 UNIVERSITY DRIVE  
DEPT OF PATHOLOGY & LAB MEDICINE  
HERSHEY, PA 17033  
(717) 531-8353

22533

PENNSYLVANIA DEPT OF HEALTH—SC  
110 PICKERING WAY  
EXTON, PA 19341  
(610) 280-3464

31082

PHAMATECH INC—SC  
10151 BARNES CANYON ROAD  
SAN DIEGO, CA 92121  
(858) 643-5555

00197

PHOENIXVILLE HOSPITAL LABORATORY—S  
140 NUTT ROAD  
DEPT OF PATHOLOGY  
PHOENIXVILLE, PA 19460-0809  
(610) 983-1612

00157

PINNACLE HEALTH/COMM GENERAL HOSP—S  
4300 LONDONDERRY RD  
PO BOX 3000  
HARRISBURG, PA 17109  
(717) 657-7214

00022

POCONO MEDICAL CENTER LAB—S  
206 EAST BROWN STREET  
EAST STROUDSBURG, PA 18301  
(570) 476-3544

00221

POTTSTOWN HOSPITAL COMPANY, LLC—S  
1600 EAST HIGH STREET  
POTTSTOWN, PA 19464  
(610) 327-7000

21648

PSYCHEMEDICS CORPORATION—SC  
5832 UPLANDER WAY  
CULVER CITY, CA 90230  
(800) 522-7424

00300

PUNXSUTAWNEY AREA HOSPITAL—S  
81 HILLCREST DRIVE  
PUNXSUTAWNEY, PA 15767  
(814) 938-1800

22715

QUEST DIAGNOSTICS—SC  
10101 RENNER BOULEVARD  
LENEXA, KS 66219-9752  
(913) 888-1770

09620

QUEST DIAGNOSTICS CLIN LABS INC—SC  
8401 FALLBROOK AVENUE  
WEST HILLS, CA 91304  
(818) 737-6268

00315

QUEST DIAGNOSTICS CLINICAL LABS INC—SC  
900 BUSINESS CENTER DRIVE  
HORSHAM, PA 19044  
(215) 957-9300

27461

QUEST DIAGNOSTICS INC—SC  
400 EGYPT ROAD  
NORRISTOWN, PA 19403  
(610) 631-4219

01136

QUEST DIAGNOSTICS NICHOLS INSTITUTE—SC  
14225 NEWBROOK DRIVE  
PO BOX 10841  
CHANTILLY, VA 20153-0841  
(703) 802-6900

00482

QUEST DIAGNOSTICS OF PA INC—SC  
875 GREENTREE ROAD  
4 PARKWAY CENTER  
PITTSBURGH, PA 15220-3610  
(412) 920-7600

25461

QUEST DIAGNOSTICS VENTURE LLC—SC  
875 GREENTREE ROAD  
4 PARKWAY CENTER  
PITTSBURGH, PA 15220-3610  
(412) 920-7631

24249

QUINTILES LABORATORIES LTD—SC  
1600 TERRELL MILL ROAD  
SUITE 100  
MARIETTA, GA 30067  
(770) 373-3500

00150

READING HOSPITAL & MED CTR—S  
6TH AND SPRUCE STREETS  
WEST READING, PA 19611  
(610) 988-8080

25348

REDWOOD TOXICOLOGY LABORATORY—SC  
3650 WESTWIND BOULEVARD  
SANTA ROSA, CA 95403  
(707) 577-7958

0 0206

RIDDLE MEMORIAL HOSPITAL—S  
1068 W BALTIMORE PIKE  
MEDIA, PA 19063  
(610) 891-3339

00243

ROXBOROUGH MEMORIAL HOSPITAL—S  
5800 RIDGE AVE  
PHILADELPHIA, PA 19128  
(215) 487-4394

30821

RXTOX INC—SC  
51 PROF PLAZA  
850 CLAIRTON BLVD  
SUITE 1300  
PITTSBURGH, PA 15236  
(412) 460-1310

00171

SACRED HEART HOSPITAL—S  
4TH & CHEW STS  
ATIN LAB DEPARTMENT  
ALLENTOWN, PA 18102  
(610) 776-4727

00087

SAINT CLAIR MEMORIAL HOSPITAL—S  
1000 BOWER HILL RD  
PITTSBURGH, PA 15243  
(412) 561-4900

00174

SAINT LUKES HOSPITAL—S  
801 OSTRUM STREET  
BETHLEHEM, PA 18015  
(610) 954-4558

- 00328  
SAINT MARY MEDICAL CENTER—S  
LANGHORNE—NEWTOWN RD  
LANGHORNE, PA 19047  
(215) 710-2162
- 29838  
SAN DIEGO REFERENCE LABORATORY—SC  
6122 NANCY RIDGE DRIVE  
SAN DIEGO, CA 92121  
(800) 677-7995
- 00182  
SCHUYLKILL MC E NORWEGIAN ST—S  
700 EAST NORWEGIAN STREET  
POTTSVILLE, PA 17901  
(570) 621-4032
- 00183  
SCHUYLKILL MC S JACKSON ST—S  
420 SOUTH JACKSON STREET  
POTTSVILLE, PA 17901  
(570) 621-5262
- 28471  
SECON OF LOUISIANA—S  
825 KALISTE SALOOM ROAD  
BRANDYWINE 1  
SUITE 100  
LAFAYETTE, LA 70508  
(337) 235-3712
- 29038  
SECON OF NEW ENGLAND—SC  
415 MAIN STREET  
4TH FLOOR  
WORCESTER, MA 01608  
(508) 831-0703
- 00185  
SHAMOKIN AREA COMMUNITY HOSPITAL—S  
4200 HOSPITAL ROAD  
COAL TOWNSHIP, PA 17866-9697  
(570) 644-4200
- 00064  
SHARON REGIONAL HEALTH SYSTEM—S  
740 EAST STATE STREET  
SHARON, PA 16146  
(724) 983-3911
- 27649  
SMA MEDICAL LABORATORIES—S  
940 PENNSYLVANIA BOULEVARD  
UNIT E  
FEASTERVILLE, PA 19053  
(215) 322-6590
- 00039  
SOLDIERS & SAILORS MEM HOSP—S  
CENTRAL AVENUE  
WELLSBORO, PA 16901  
(570) 723-0133
- 00297  
SOMERSET HOSPITAL CENTER FOR HEALTH—S  
225 S CENTER AVENUE  
SOMERSET, PA 15501  
(814) 443-5000
- 22376  
SPECIALTY LABORATORIES INC—S  
27027 TOURNEY ROAD  
VALENCIA, CA 91355  
(661) 799-6543
- 00361  
ST CATHERINE MED CTR-FOUNTAIN SPRINGS—S  
101 BROAD STREET  
ASHLAND, PA 17921  
(570) 875-5988
- 00260  
ST CHRISTOPHERS HOSP FOR CHILDREN—S  
ERIE AVENUE AT FRONT STREET  
PHILADELPHIA, PA 19134  
(215) 427-4207
- 00151  
ST JOSEPH QUALITY MEDICAL LAB—SC  
2500 BERNVILLE ROAD  
READING, PA 19605-9453  
(610) 378-2200
- 00261  
ST JOSEPH'S HOSPITAL-DIV NPHS—S  
16TH ST & GIRARD AVENUE  
PHILADELPHIA, PA 19130  
(215) 787-9000
- 00318  
ST LUKES HOSP ALLENTOWN CAMPUS—S  
1736 HAMILTON STREET  
ALLENTOWN, PA 18104  
(610) 770-8300
- 00180  
ST LUKES MINERS MEMORIAL HOSPITAL—S  
360 WEST RUDDLE STREET  
PO BOX 67  
COALDALE, PA 18218  
(570) 645-2131
- 29015  
STERLING REFERENCE LABORATORIES—SC  
2617 EAST L STREET  
TACOMA, WA 98405  
(253) 552-1551
- 00187  
SUNBURY COMMUNITY HOSPITAL—S  
350 NORTH 11TH STREET  
SUNBURY, PA 17801  
(570) 286-3491
- 00207  
TAYLOR HOSPITAL DIV OF CCMC—S  
175 EAST CHESTER PIKE  
RIDLEY PARK, PA 19078  
(610) 595-6450
- 00235  
TEMPLE UNIV HOSPITAL EPISCOPAL CAMPUS—S  
100 EAST LEHIGH AVENUE  
PHILADELPHIA, PA 19125-1098  
(215) 707-0977
- 00265  
TEMPLE UNIVERSITY HOSPITAL—S  
3401 N BROAD ST  
PHILADELPHIA, PA 19140  
(215) 707-4353
- 00104  
THE UNIONTOWN HOSPITAL LABORATORY—S  
500 WEST BERKELEY STREET  
UNIONTOWN, PA 15401  
(724) 430-5143

00085  
THE WESTERN PA HOSP-FORBES REGIONAL  
CAMPUS—S  
2570 HAYMAKER ROAD  
MONROEVILLE, PA 15146  
(412) 858-2560

00241  
THOMAS JEFFERSON UNIVERSITY HOSP—S  
125 SOUTH 11TH STREET  
204 PAVILLION  
PHILADELPHIA, PA 19107  
(215) 955-1644

00051  
TITUSVILLE AREA HOSPITAL—S  
406 WEST OAK STREET  
TITUSVILLE, PA 16354  
(814) 827-1851

00313  
TYLER MEMORIAL HOSPITAL—S  
880 SR 6 W  
TUNKHANNOCK, PA 18657-6149  
(570) 836-4705

00124  
TYRONE HOSPITAL—S  
187 HOSPITAL DRIVE  
TYRONE, PA 16686  
(717) 738-6695

00121  
UPMC BEDFORD MEMORIAL—S  
10455 LINCOLN HIGHWAY  
EVERETT, PA 15537  
(814) 623-3506

00096  
UPMC BRADDOCK—S  
400 HOLLAND AVENUE  
BRADDOCK, PA 15104  
(412) 636-5291

00059  
UPMC HORIZON GREENVILLE—S  
110 NORTH MAIN STREET  
GREENVILLE, PA 16125  
(724) 588-2100

00057  
UPMC HORIZON SHENANGO—S  
2200 MEMORIAL DRIVE  
FARRELL, PA 16121  
(724) 981-3500

00098  
UPMC MCKEESPORT LABORATORY—S  
1500 FIFTH AVENUE  
MCKEESPORT, PA 15132  
(412) 664-2233

00082  
UPMC MERCY DEPT OF LAB MEDICINE—S  
1400 LOCUST STREET  
PITTSBURGH, PA 15219  
(412) 232-7831

00093  
UPMC MERCY SOUTH SIDE OUTPT FAC LAB—S  
2000 MARY STREET  
PITTSBURGH, PA 15203  
(412) 488-5726

00058  
UPMC NORTHWEST—S  
100 FAIRFIELD DRIVE  
SENECA, PA 16346  
(814) 676-7120

05784  
UPMC PASSAVANT LABORATORY CRANBERRY—S  
ONE ST FRANCIS WAY  
CRANBERRY TOWNSHIP, PA 16066  
(724) 772-5370

00083  
UPMC PRESBYTERIAN SHADYSIDE CP PUH—SC  
ROOM 5929  
MAIN TOWER CHP  
200 LOTHROP STREET  
PITTSBURGH, PA 15213-2582  
(412) 648-6000

00091  
UPMC SAINT MARGARET HOSPITAL—S  
815 FREEPORT ROAD  
PITTSBURGH, PA 15215  
(412) 784-4000

00092  
UPMC SHADYSIDE—S  
5230 CENTRE AVENUE  
GROUND FLOOR  
WEST WING  
PITTSBURGH, PA 15232  
(412) 623-5950

27225  
US DRUG TESTING LABORATORIES INC—SC  
1700 SOUTH MOUNT PROSPECT ROAD  
DES PLAINES, IL 60018  
(847) 375-0770

00335  
VALLEY FORGE MED CTR & HOSP—S  
1033 W GERMANTOWN PIKE  
NORRISTOWN, PA 19403  
(610) 539-8500

00066  
WARREN GENERAL HOSPITAL—S  
2 W CRESCENT PARK  
WARREN, PA 16365  
(814) 723-3860

00298  
WAYNE MEMORIAL HOSPITAL—S  
601 PARK STREET  
HONESDALE, PA 18431  
(570) 253-1300

00133  
WAYNESBORO HOSPITAL—S  
501 E MAIN STREET  
WAYNESBORO, PA 17268  
(717) 765-3403

00095  
WESTERN PENNSYLVANIA HOSPITAL—S  
4800 FRIENDSHIP AVE  
PITTSBURGH, PA 15224  
(412) 578-5779

30245  
WESTFIELD HOSPITAL LABORATORY—S  
4815 W TILGHMAN STREET  
ALLENTOWN, PA 18104  
(610) 776-1603

00113  
WESTMORELAND HOSP AT JEANNETTE—S  
600 JEFFERSON AVENUE  
JEANNETTE, PA 15644  
(724) 832-4371

00112  
WESTMORELAND REGIONAL HOSPITAL—S  
532 W PITTSBURGH STREET  
GREENSBURG, PA 15601  
(724) 832-4365

00037  
WILLIAMSPORT HOSP & MED CENTER—S  
777 RURAL AVENUE  
WILLIAMSPORT, PA 17701-3198  
(570) 321-2300

00018  
WVHCS HOSP, D/B/A PENNANT LABORATORY—SC  
575 NORTH RIVER STREET  
WILKES-BARRE, PA 18764  
(570) 829-8111

00141  
YORK HOSPITAL—S  
1001 SOUTH GEORGE STREET  
YORK, PA 17405  
(717) 851-2345

EVERETTE JAMES,  
*Secretary*

[Pa.B. Doc. No. 10-26. Filed for public inspection December 31, 2009, 9:00 a.m.]

### Laboratories Approved to Perform Blood Lead and/or Erythrocyte Protoporphyrin Determinations under the Clinical Laboratory Act

The following laboratories are licensed in accordance with the Clinical Laboratory Act (35 P. S. §§ 2151—2165), and are currently approved under 28 Pa. Code § 5.50 (relating to approval to provide special analytical services) to perform analyses of blood for lead or erythrocyte protoporphyrin content. This approval is based on demonstrated proficiency in periodic evaluations conducted by the Bureau of Laboratories of the Department of Health (Department).

Lead poisoning is a reportable noncommunicable disease. Approved laboratories which offer blood lead testing services are required to inform the Department of actual or possible incidents of this condition in accordance with 28 Pa. Code § 27.34 (relating to reporting cases of lead poisoning). These regulations specify the following requirements for reporting by clinical laboratories:

(1) A clinical laboratory shall report all blood lead test results on both venous and capillary specimens for persons under 16 years of age to the Department's Childhood Lead Poisoning Prevention Program, Division of Maternal and Child Health, Bureau of Family Health.

(2) A clinical laboratory shall report an elevated blood lead level in a person 16 years of age or older to the Department's Division of Environmental Health Epidemiology, Bureau of Epidemiology or to other locations as designated by the Department. An elevated blood lead level is defined by the National Institute for Occupational Safety and Health (NIOSH). As of January 26, 2002, NIOSH defines an elevated blood lead level as a venous blood lead level of 25 micrograms per deciliter ( $\mu\text{g}/\text{dL}$ ) or

higher. The Department will publish in the *Pennsylvania Bulletin* any NIOSH update of the definition within 30 days of NIOSH's notification to the Department.

(3) A clinical laboratory which conducts blood lead tests of 100 or more specimens per month shall submit results electronically in a format specified by the Department.

(4) A clinical laboratory which conducts blood lead tests of less than 100 blood lead specimens per month shall submit results either electronically or by hardcopy in the format specified by the Department.

(5) A laboratory which performs blood lead tests on blood specimens collected in this Commonwealth shall be licensed as a clinical laboratory and shall be specifically approved by the Department to conduct those tests.

(6) Blood lead analyses requested for occupational health purposes on blood specimens collected in this Commonwealth shall be performed only by laboratories which are licensed and approved as specified in paragraph (5), and which are also approved by the Occupational Safety and Health Administration of the United States (Department of Labor under 29 CFR 1910.1025(j)(2)(iii) (relating to lead).

(7) A clinical laboratory shall complete a blood lead test within 5 work days of the receipt of the blood specimen and shall submit the case report to the Department by the close of business of the next work day after the day on which the test was performed. The clinical laboratory shall submit a report of lead poisoning using either the hardcopy form or electronic transmission format specified by the Department.

(8) When a clinical laboratory receives a blood specimen without all of the information required for reporting purposes, the clinical laboratory shall test the specimen and shall submit the incomplete report to the Department.

Erythrocyte protoporphyrin determinations may be performed as an adjunct determination to substantiate blood lead levels of 25 micrograms per deciliter or higher. Since erythrocyte protoporphyrin concentrations may not increase as a result of low-level exposures to lead, direct blood lead analysis is the only reliable method for identifying individuals with blood lead concentrations below 25 micrograms per deciliter.

Persons seeking blood lead or erythrocyte protoporphyrin analyses should determine that the laboratory employs techniques and procedures acceptable for the purpose for which the analyses are sought. Laboratories offering blood lead analysis only are designated with the letter "L" following the name of the laboratory. Those offering erythrocyte protoporphyrin analysis only are designated with the letter "P." Laboratories offering both services are designated with the letters "LP."

The list of approved laboratories will be revised approximately semiannually and published in the *Pennsylvania Bulletin*.

The name or location of a laboratory is sometimes changed but the personnel and testing procedures of the facility remain unchanged. When changes of this type occur, the Clinical Laboratory Permit number does not change. If questions arise about the identity of a laboratory due to a name or location change, the Clinical Laboratory Permit number should be used as the primary identifier. To assist in identifying a laboratory that performed a test if the name or location of the facility changed, the Clinical Laboratory Permit number of the



facility at the time the list was prepared is included in the list of approved laboratories above the name of the laboratory.

The Department's blood lead proficiency testing program is approved by the United States Department of Health and Human Services (HHS) in accordance with the requirements contained in the Clinical Laboratory Improvement Amendments of 1988 (42 CFR 493.901 and 493.937) which are administered by the Centers for Medicare and Medicaid Services (CMS). Participation in these programs may therefore be used to demonstrate acceptable performance for approval purposes under both Federal and Commonwealth statutes.

Questions regarding this list should be directed to Dr. M. Jeffery Shoemaker, Director, Division of Chemistry and Toxicology, Department of Health, Bureau of Laboratories, P. O. Box 500, Exton, PA 19341-0500, (610) 280-3464.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) should contact Dr. Shoemaker at the previously referenced address or phone number. Persons who are speech or hearing impaired may use V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

22912  
ACL LABORATORIES—LP  
8901 WEST LINCOLN AVE  
WEST ALLIS, WI 53227  
(414) 328-7945

29169  
ADVANCED TOXICOLOGY NETWORK—LP  
3560 AIR CENTER COVE  
SUITE 101  
MEMPHIS, TN 38118  
(901) 794-5770

00016  
ANGELINE KIRBY MEM HEALTH CENTER—L  
71 NORTH FRANKLIN STREET  
WILKES-BARRE, PA 18701  
(570) 822-4278

24997  
ATLANTIC DIAGNOSTIC LABORATORIES LLC—LP  
3520 PROGRESS DRIVE  
UNIT C  
BENSALEM, PA 19020  
(267) 525-2470

20506  
CENTRAL PA ALLIANCE LABORATORY—L  
1803 MT ROSE AVENUE  
SUITE C3-C4  
YORK, PA 17403  
(717) 851-1426

00228  
CHILDRENS HOSP OF PHILADELPHIA—L  
ONE CHILDRENS CENTER  
34TH & CIVIC  
PHILADELPHIA, PA 19104  
(215) 590-4446

27845  
CLINICAL REFERENCE LABORATORY—LP  
8433 QUIVIRA ROAD  
LENEXA, KS 66215  
(913) 492-3652

00561  
EAST PENN MFG CO INC—LP  
DEKA RD KELLER TECH CENTER  
PO BOX 147  
LYONS STATION, PA 19536  
(610) 682-6361

00332  
ELLWOOD CITY HOSPITAL—LP  
724 PERSHING ST  
ELLWOOD CITY, PA 16117  
(724) 752-0081

00173  
GEISINGER MEDICAL LABORATORIES—L  
100 N ACADEMY AVENUE  
DANVILLE, PA 17822-0131  
(570) 271-6338

25914  
GENOVA DIAGNOSTICS—L  
63 ZILICOA STREET  
ASHEVILLE, NC 28801  
(828) 253-0621

30672  
GLAD PROGRAM—L  
4700 WISSACHICKON AVENUE  
BLDG C  
BOX 118  
SUITE 102  
PHILADELPHIA, PA 19144  
(215) 967-2126

20802  
HAGERSTOWN MEDICAL LABORATORY—L  
11110 MEDICAL CAMPUS RD  
STE 230  
HAGERSTOWN, MD 21742  
(301) 790-8670

24655  
HEALTH NETWORK LABORATORIES—LP  
2024 LEHIGH STREET  
ALLENTOWN, PA 18103-4798  
(610) 402-8150

29723  
IMPACT HEALTH BIOMETRIC TESTING INC—L  
1040 FIRST AVENUE  
SUITE 100  
KING OF PRUSSIA, PA 19406  
(610) 962-9333

05618  
LAB CORP OF AMERICA HOLDINGS—LP  
6370 WILCOX ROAD  
DUBLIN, OH 43016-1296  
(800) 282-7300

21885  
LAB CORP OF AMERICA HOLDINGS—LP  
1447 YORK COURT  
BURLINGTON, NC 27215  
(800) 334-5161

01088  
LABCORP OF AMERICA HOLDINGS—LP  
69 FIRST AVENUE  
PO BOX 500  
RARITAN, NJ 08869  
(908) 526-2400

00242  
MAIN LINE CLIN LABS LANKENAU CP—L  
100 EAST LANCASTER AVENUE  
WYNNEWOOD, PA 19096  
(610) 645-2615

- 29685  
MAYO CLINIC DEPARTMENT OF LAB MEDICINE &  
PATHOLOGY—L  
3050 SUPERIOR DRIVE NW  
ROCHESTER, MN 55901  
(507) 538-3458
- 09003  
MAYO CLINIC DEPT LAB MED & PATH—P  
200 FIRST STREET  
SW HILTON 530  
ROCHESTER, MN 55905  
(507) 284-3018
- 29251  
MAYO MEDICAL LABORATORIES NEW  
ENGLAND—LP  
160 DASCUMB ROAD  
ANDOVER, MA 01810  
(978) 658-3600
- 26302  
MEDICAL ASSOCIATES BDHG—P  
935 HIGHLAND BLVD  
SUITE 2200  
BOZEMAN, MT 59715  
(406) 587-5123
- 05574  
MEDTOX LABORATORIES INC—LP  
402 WEST COUNTY ROAD D  
ST PAUL, MN 55112  
(651) 286-6217
- 00203  
MERCY FITZGERALD HOSPITAL—L  
1500 LANSDOWNE AVENUE  
DARBY, PA 19023  
(610) 237-4262
- 00504  
NATIONAL MED SVCS INC D/B/A NMS LABS—LP  
3701 WELSH ROAD  
WILLOW GROVE, PA 19090  
(215) 657-4900
- 30553  
NATIONWIDE CHILDRENS HOSPITAL—L  
CORE LAB AND LAB INFORMATION SYSTEMS  
700 CHILDRENS DRIVE  
COLUMBUS, OH 43205  
(614) 722-5376
- 23801  
PACIFIC TOXICOLOGY LABORATORIES—LP  
9348 DE SOTO AVENUE  
CHATSWORTH, CA 91311  
(818) 598-3110
- 02125  
PED ALLIANCE ST CLAIR PED DIV—L  
1580 MCLAUGHLIN RUN ROAD  
PINERIDGE COMMONS  
SUITE 208  
UPPER ST CLAIR, PA 15241  
(412) 221-2121
- 22533  
PENNSYLVANIA DEPT OF HEALTH—LP  
110 PICKERING WAY  
EXTON, PA 19341  
(610) 280-3464
- 00022  
POCONO MEDICAL CENTER LAB—L  
206 EAST BROWN STREET  
EAST STROUDSBURG, PA 18301  
(570) 476-3544
- 00324  
PRIMARY CARE HLTH SERV INC LAB—L  
7227 HAMILTON AVE  
PITTSBURGH, PA 15208  
(412) 244-4728
- 00255  
PUBLIC HEALTH LAB CITY OF PHILA—L  
500 SOUTH BROAD STREET  
ROOM 359  
PHILADELPHIA, PA 19146  
(215) 685-6812
- 22715  
QUEST DIAGNOSTICS—LP  
10101 RENNER BOULEVARD  
LENEXA, KS 66219-9752  
(913) 888-1770
- 00315  
QUEST DIAGNOSTICS CLINICAL LABS INC—LP  
900 BUSINESS CENTER DRIVE  
HORSHAM, PA 19044  
(215) 957-9300
- 00669  
QUEST DIAGNOSTICS INCORPORATED—L  
ONE MALCOLM AVENUE  
TETERBORO, NJ 07608  
(201) 393-5895
- 01136  
QUEST DIAGNOSTICS NICHOLS INSTITUTE—LP  
14225 NEWBROOK DRIVE  
PO BOX 10841  
CHANTILLY, VA 20153-0841  
(703) 802-6900
- 00482  
QUEST DIAGNOSTICS OF PA INC—LP  
875 GREENTREE ROAD  
4 PARKWAY CENTER  
PITTSBURGH, PA 15220-3610  
(412) 920-7600
- 25461  
QUEST DIAGNOSTICS VENTURE LLC—LP  
875 GREENTREE ROAD  
4 PARKWAY CENTER  
PITTSBURGH, PA 15220-3610  
(412) 920-7631
- 00150  
READING HOSPITAL & MED CTR—L  
6TH AND SPRUCE STREETS  
WEST READING, PA 19611  
(610) 988-8080
- 22376  
SPECIALTY LABORATORIES INC—L  
27027 TOURNEY ROAD  
VALENCIA, CA 91355  
(661) 799-6543
- 00151  
ST JOSEPH QUALITY MEDICAL LAB—L  
2500 BERNVILLE ROAD  
READING, PA 19605-9453  
(610) 378-2200
- 00104  
THE UNIONTOWN HOSPITAL LABORATORY—L  
500 WEST BERKELEY STREET  
UNIONTOWN, PA 15401  
(724) 430-5143

00083  
 UPMC PRESBYTERIAN SHADYSIDE CP PUH—L  
 ROOM 5929  
 MAIN TOWER CHP  
 200 LOTHROP STREET  
 PITTSBURGH, PA 15213-2582  
 (412) 648-6000

00018  
 WVHCS HOSP D/B/A PENNANT LABORATORY—L  
 575 NORTH RIVER STREET  
 WILKES-BARRE, PA 18764  
 (570) 829-8111

EVERETTE JAMES,  
*Secretary*

[Pa.B. Doc. No. 10-27. Filed for public inspection December 31, 2009, 9:00 a.m.]

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

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

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

**Maximum Allowable Prices**

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

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz. . . . .	\$1.11
Beans/Peas—Dry—16 oz. . . . .	\$1.53
Canned Fish—Pink Salmon. . . . .	\$2.33
Canned Fish—Sardines . . . . .	\$1.41
Canned Fish—Tuna . . . . .	\$1.07
Cereal (per oz.) . . . . .	\$0.32
Cheese, 16 oz. . . . .	\$6.17
Eggs . . . . .	\$1.65
Gerber Infant Cereal—8 oz. . . . .	\$2.01
Infant Fruits, 100%—4 oz. . . . .	\$0.59
Infant Vegetables, 100%—4 oz. . . . .	\$0.59
Infant Meats, 100%—2.5 oz. . . . .	\$1.05
Juice—11.5/12 oz. . . . .	\$2.28
Juice—48 oz. . . . .	\$3.36
Juice—64 oz. . . . .	\$3.79
Kosher Cheese. . . . .	\$6.92
Kosher Low Fat Milk—quart . . . . .	\$1.43
Kosher Low Fat Milk—1/2 gallon . . . . .	\$1.84
Kosher Whole Milk—quart . . . . .	\$1.43
Kosher Whole Milk—1/2 gallon . . . . .	\$2.32

<i>Description</i>	<i>Maximum Allowable Price</i>
Milk, Dry—16 oz. . . . .	\$6.03
Milk, Evaporated—12 oz. . . . .	\$1.25
Milk, Low Fat—quart . . . . .	\$1.31
Milk, Low Fat—1/2 gallon . . . . .	\$2.25
Milk, Low Fat Lactose Free—quart . . . . .	\$2.12
Milk, Whole—quart . . . . .	\$1.35
Milk, Whole—1/2 gallon . . . . .	\$2.30
Milk, Whole Lactose Free—quart . . . . .	\$2.12
Milk, Whole Lactose Free—1/2 gallon . . . . .	\$3.71
Peanut Butter . . . . .	\$2.68
Soy Beverage—Pacific Natural Foods/8th Continent 32 oz. . . . .	\$3.45
Soy Beverage—Pacific Natural Foods/8th Continent 64 oz. . . . .	\$3.45
Tofu—Soy Boy/House Premium 12/16 oz. . . . .	\$2.51
Whole Grain—Bread, 16 oz. . . . .	\$3.59
Whole Grain—Bread, 24 oz. . . . .	\$3.72
Whole Grain—Brown Rice, 16 oz. . . . .	\$2.20
Whole Grain—Brown Rice, 24 oz. . . . .	\$2.70
Whole Grain—Oats, 16 oz. . . . .	\$2.21
Whole Grain—Oats, 24 oz. . . . .	\$5.89
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz. . . . .	\$2.24
Alimentum Advance Ready-to-Feed Formula—32 oz. . . . .	\$8.91
Alimentum Advance Powder Formula—16 oz. . . . .	\$25.41
Boost Ready-to-Feed Formula—8 oz. . . . .	\$2.00
EnfaCare LIPIL w/Iron Ready to Feed—32 oz. . . . .	\$7.01
EnfaCare LIPIL w/Iron Powder Formula—12.8 oz. . . . .	\$13.99
Enfamil LIPIL Concentrate Formula—13 oz. . . . .	\$4.48
Enfamil LIPIL Ready-to-Feed Formula—32 oz. . . . .	\$6.57
Enfamil LIPIL Powder Formula—12.9 oz. . . . .	\$13.48
Isomil DF Ready-to-Feed Formula—32 oz. . . . .	\$6.21
Nestle Good Start Gentle PLUS Concentrate—Orange Formula—13 oz. . . . .	\$ 4.21
Nestle Good Start Gentle PLUS Ready-To-Feed—Orange Formula—32 oz. . . . .	\$6.35
Nestle Good Start Gentle PLUS Powder—Orange Formula—12 oz. . . . .	\$13.73
Nestle Good Start Soy PLUS Concentrate—Blue Formula—13 oz. . . . .	\$4.46
Nestle Good Start Soy PLUS Ready-to-Feed—Blue Formula—32 oz. . . . .	\$6.56
Nestle Good Start Soy PLUS Powder—Blue Formula—12.9 oz. . . . .	\$13.73
Nestle Good Start Soy PLUS 2 Powder—Blue w/blue—24 oz. . . . .	\$20.82
Nestle Good Start Gentle Plus 2 Powder—Blue w/orange—24 oz. . . . .	\$20.56
Nestle Good Start Protect PLUS 2 Powder—Blue w/green—24 oz. . . . .	\$26.44

<i>Description</i>	<i>Maximum Allowable Price</i>	<i>Description</i>	<i>Competitive Prices</i>
Nestle Good Start Protect PLUS Powder—Green —12 oz. ....	\$14.45	Infant Vegetables, 100%—4 oz. ....	\$0.57
Nestle Good Start Nourish PLUS Powder—Purple—12 oz. ....	\$10.79	Infant Meats, 100%—2.5 oz. ....	\$1.02
Nutramigen Lipil Concentrate Formula—13 oz. ....	\$7.01	Juice—11.5/12 oz. ....	\$2.08
Nutramigen Lipil Ready-to-Feed Formula—32 oz. ....	\$8.98	Juice—48 oz. ....	\$3.34
Nutramigen Lipil Powder Formula—16 oz. ....	\$25.26	Juice—64 oz. ....	\$3.41
Nutramigen Lipil w/Enflora Powder Formula—12.6 oz. ....	\$22.16	Kosher Cheese. ....	\$6.89
Pediasure Ready-to-Feed Formula—8 oz. ....	\$1.80	Kosher Low Fat Milk—1/2 gallon ....	\$1.84
Pediasure w/Fiber Ready-to-Feed Formula—8 oz. ....	\$1.84	Kosher Whole Milk—1/2 gallon ....	\$2.20
Similac Advance Concentrate Formula—13 oz. ....	\$4.32	Milk, Low Fat—1/2 gallon ....	\$1.85
Similac Advance Ready-to-Feed Formula—32 oz. ....	\$6.34	Milk, Whole—1/2 gallon ....	\$2.16
Similac Advance Powder Formula—12.9 oz. ....	\$13.20	Peanut Butter ....	\$2.52
Similac Neosure Advance Ready-to-Feed Formula—32 oz. ....	\$7.40	Whole Grain—Bread, 16 oz. ....	\$3.49
Similac Neosure Advance Powder Formula—12.8 oz. ....	\$15.21	Whole Grain—Brown Rice, 16 oz. ....	\$2.18
Store Brand Milk Based Formula—13 oz. ....	\$2.84	Whole Grain—Oats, 16 oz. ....	\$2.19
Store Brand Milk Based Formula—Ready-to-Feed—32 oz. ....	\$3.79	Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz. ....	\$2.20
Store Brand Milk Based Formula—Powder—25.75 oz. ....	\$16.13	Nestle Good Start Gentle PLUS Concentrate—Orange Formula—13 oz. ....	\$4.21

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

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

**Maximum Allowable Prices**

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

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

**Competitive Prices**

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

<i>Description</i>	<i>Competitive Prices</i>	<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz. ....	\$1.04	Beans, Canned—15.5/16 oz. ....	\$1.25
Beans/Peas—Dry—16 oz. ....	\$1.42	Beans/Peas—Dry—16 oz. ....	\$1.53
Canned Fish—Pink Salmon. ....	\$2.33	Canned Fish—Pink Salmon. ....	\$2.33
Canned Fish—Sardines ....	\$1.41	Canned Fish—Sardines ....	\$1.41
Canned Fish—Tuna ....	\$1.04	Canned Fish—Tuna ....	\$1.11
Cereal (per oz.) ....	\$0.32	Cereal (per oz.) ....	\$0.33
Cheese, 16 oz. ....	\$5.12	Cheese, 16 oz. ....	\$6.17
Eggs ....	\$1.54	Eggs ....	\$1.77
Gerber Infant Cereal—8 oz. ....	\$2.01	Gerber Infant Cereal—8 oz. ....	\$2.13
Infant Fruits, 100%—4 oz. ....	\$0.57	Infant Fruits, 100%—4 oz. ....	\$0.64
		Infant Vegetables, 100%—4 oz. ....	\$0.64
		Infant Meats, 100%—2.5 oz. ....	\$1.05
		Juice—11.5/12 oz. ....	\$2.43
		Juice—48 oz. ....	\$3.39

<i>Description</i>	<i>Maximum Allowable Price</i>
Juice—64 oz. ....	\$3.89
Kosher Cheese. ....	\$7.07
Kosher Low Fat Milk—quart ....	\$1.43
Kosher Low Fat Milk—1/2 gallon ....	\$1.86
Kosher Whole Milk—quart ....	\$1.43
Kosher Whole Milk—1/2 gallon ....	\$2.32
Milk, Dry—16 oz. ....	\$6.45
Milk, Evaporated—12 oz. ....	\$1.35
Milk, Low Fat—quart ....	\$1.31
Milk, Low Fat—1/2 gallon ....	\$2.25
Milk, Low Fat Lactose Free—quart ....	\$2.12
Milk, Whole—quart ....	\$1.35
Milk, Whole—1/2 gallon ....	\$2.30
Milk, Whole Lactose Free—quart ....	\$2.15
Milk, Whole Lactose Free—1/2 gallon ....	\$3.97
Peanut Butter ....	\$2.78
Soy Beverage—Pacific Natural Foods/8th Continent 32 oz. ....	\$3.52
Soy Beverage—Pacific Natural Foods/8th Continent 64 oz. ....	\$3.52
Tofu—Soy Boy/House Premium 12/16 oz. ....	\$2.52
Whole Grain—Bread, 16 oz. ....	\$3.59
Whole Grain—Bread, 24 oz. ....	\$3.72
Whole Grain—Brown Rice, 16 oz. ....	\$2.20
Whole Grain—Brown Rice, 24 oz. ....	\$2.70
Whole Grain—Oats, 16 oz. ....	\$2.43
Whole Grain—Oats, 24 oz. ....	\$5.89
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz. ....	\$2.29
Alimentum Advance Ready-to-Feed Formula—32 oz. ....	\$9.43
Alimentum Advance Powder Formula—16 oz. ....	\$26.86
Boost Ready-to-Feed Formula—8 oz. ....	\$2.00
EnfaCare LIPIL w/Iron Ready to Feed—32 oz. ....	\$7.26
EnfaCare LIPIL w/Iron Powder Formula—12.8 oz. ....	\$14.44
Enfamil LIPIL Concentrate Formula—13 oz. ....	\$4.87
Enfamil LIPIL Ready-to-Feed Formula—32 oz. ....	\$6.70
Enfamil LIPIL Powder Formula—12.9 oz. ....	\$13.91
Isomil DF Ready-to-Feed Formula—32 oz. ....	\$6.34
Nestle Good Start Gentle PLUS Concentrate—Orange Formula—13 oz. ....	\$ 4.73
Nestle Good Start Gentle PLUS Ready-to-Feed—Orange Formula—32 oz. ....	\$6.57
Nestle Good Start Gentle PLUS Powder—Orange Formula—12 oz. ....	\$13.87
Nestle Good Start Soy PLUS Concentrate—Blue Formula—13 oz. ....	\$4.90
Nestle Good Start Soy PLUS Ready-to-Feed—Blue Formula—32 oz. ....	\$6.91
Nestle Good Start Soy PLUS Powder—Blue Formula—12.9 oz. ....	\$13.87

<i>Description</i>	<i>Maximum Allowable Price</i>
Nestle Good Start Soy PLUS 2 Powder—Blue w/blue—24 oz. ....	\$22.19
Nestle Good Start Gentle Plus 2 Powder—Blue w/orange—24 oz. ....	\$22.19
Nestle Good Start Protect PLUS 2 Powder—Blue w/green—24 oz. ....	\$26.44
Nestle Good Start Protect PLUS Powder—Green—12 oz. ....	\$14.76
Nestle Good Start Nourish PLUS Powder—Purple—12 oz. ....	\$10.79
Nutramigen Lipil Concentrate Formula—13 oz. ....	\$7.30
Nutramigen Lipil Ready-to-Feed Formula—32 oz. ....	\$9.20
Nutramigen Lipil Powder Formula—16 oz. ....	\$26.93
Nutramigen Lipil w/Enflora Powder Formula—12.6 oz. ....	\$23.56
Pediasure Ready-to-Feed Formula—8 oz. ....	\$2.13
Pediasure w/Fiber Ready-to-Feed Formula—8 oz. ....	\$2.09
Similac Advance Concentrate Formula—13 oz. ....	\$4.49
Similac Advance Ready-to-Feed Formula—32 oz. ....	\$6.38
Similac Advance Powder Formula—12.9 oz. ....	\$13.72
Similac Neosure Advance Ready-to-Feed Formula—32 oz. ....	\$7.65
Similac Neosure Advance Powder Formula—12.8 oz. ....	\$15.89
Store Brand Milk Based Formula Concentrate—13 oz. ....	\$2.89
Store Brand Milk Based Formula—Ready-to-Feed—32 oz. ....	\$3.86
Store Brand Milk Based Formula—Powder—25.75 oz. ....	\$16.99

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

**Competitive Prices**

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

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz. ....	\$1.16
Beans/Peas—Dry—16 oz. ....	\$1.42
Canned Fish—Pink Salmon. ....	\$2.33
Canned Fish—Sardines ....	\$1.41
Canned Fish—Tuna ....	\$1.04
Cereal (per oz.) ....	\$0.33
Cheese, 16 oz. ....	\$5.49

<i>Description</i>	<i>Competitive Prices</i>
Eggs .....	\$1.66
Gerber Infant Cereal—8 oz. ....	\$2.13
Infant Fruits, 100%—4 oz. ....	\$0.63
Infant Vegetables, 100%—4 oz. ....	\$0.63
Infant Meats, 100%—2.5 oz. ....	\$1.04
Juice—11.5/12 oz. ....	\$2.27
Juice—48 oz. ....	\$3.34
Juice—64 oz. ....	\$3.75
Kosher Cheese.....	\$7.01
Kosher Low Fat Milk—1/2 gallon .....	\$1.84
Kosher Whole Milk—1/2 gallon .....	\$2.20
Milk, Low Fat—1/2 gallon .....	\$1.85
Milk, Whole—1/2 gallon .....	\$2.16
Peanut Butter .....	\$2.78
Whole Grain—Bread, 16 oz. ....	\$3.49
Whole Grain—Brown Rice, 16 oz. ....	\$2.20
Whole Grain—Oats, 16 oz. ....	\$2.42
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz. ....	\$2.24
Nestle Good Start Gentle PLUS Concentrate—Orange Formula—13 oz. ...	\$4.73
Nestle Good Start Gentle PLUS Ready-to-Fed—Orange Formula—32 oz. .	\$6.57
Nestle Good Start Gentle PLUS Powder—Orange Formula—12 oz. ....	\$13.87
Nestle Good Start Soy PLUS Concentrate—Blue Formula—13 oz. ....	\$4.90
Nestle Good Start Soy PLUS Ready-to-Fed—Blue Formula—32 oz. ...	\$6.91
Nestle Good Start Soy PLUS Powder—Blue Formula—12.9 oz. ....	\$13.87

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

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

**Maximum Allowable Prices**

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

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz. ....	\$1.27
Beans/Peas—Dry—16 oz. ....	\$1.64
Canned Fish—Pink Salmon.....	\$2.33
Canned Fish—Sardines .....	\$1.41
Canned Fish—Tuna .....	\$1.18
Cereal (per oz.) .....	\$0.36
Cheese, 16 oz. ....	\$6.17
Eggs .....	\$1.89
Gerber Infant Cereal—8 oz. ....	\$2.28
Infant Fruits, 100%—4 oz. ....	\$0.78

<i>Description</i>	<i>Maximum Allowable Price</i>
Infant Vegetables, 100%—4 oz. ....	\$0.78
Infant Meats, 100%—2.5 oz. ....	\$1.18
Juice—11.5/12 oz.. ....	\$2.59
Juice—48 oz. ....	\$3.39
Juice—64 oz. ....	\$3.99
Kosher Cheese.....	\$7.27
Kosher Low Fat Milk—quart .....	\$1.44
Kosher Low Fat Milk—1/2 gallon .....	\$2.01
Kosher Whole Milk—quart .....	\$1.44
Kosher Whole Milk—1/2 gallon .....	\$2.95
Milk, Dry—16 oz. ....	\$7.44
Milk, Evaporated—12 oz. ....	\$1.39
Milk, Low Fat—quart .....	\$1.31
Milk, Low Fat—1/2 gallon .....	\$2.25
Milk, Low Fat Lactose Free—quart .....	\$2.12
Milk, Whole—quart .....	\$1.35
Milk, Whole—1/2 gallon .....	\$2.30
Milk, Whole Lactose Free—quart .....	\$2.15
Milk, Whole Lactose Free—1/2 gallon .....	\$3.99
Peanut Butter .....	\$2.87
Soy Beverage—Pacific Natural Foods/8th Continent 32 oz. ....	\$3.52
Soy Beverage—Pacific Natural Foods/8th Continent 64 oz. ....	\$3.52
Tofu—Soy Boy/House Premium 12/16 oz. ....	\$2.54
Whole Grain—Bread, 16 oz. ....	\$3.59
Whole Grain—Bread, 24 oz. ....	\$3.72
Whole Grain—Brown Rice, 16 oz. ....	\$2.26
Whole Grain—Brown Rice, 24 oz. ....	\$2.70
Whole Grain—Oats, 16 oz. ....	\$2.47
Whole Grain—Oats, 24 oz. ....	\$6.00
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz. ....	\$2.29
Alimentum Advance Ready-to-Fed Formula—32 oz. ....	\$9.48
Alimentum Advance Powder Formula—16 oz. ....	\$26.99
Boost Ready-to-Fed Formula—8 oz. ....	\$2.00
EnfaCare LIPIL w/Iron Ready to Feed—32 oz. ....	\$7.54
EnfaCare LIPIL w/Iron Powder Formula— 12.8 oz. ....	\$15.19
Enfamil LIPIL Concentrate Formula—13 oz. ....	\$5.24
Enfamil LIPIL Ready-to-Fed Formula—32 oz. ....	\$7.54
Enfamil LIPIL Powder Formula—12.9 oz. ....	\$15.19
Isomil DF Ready-to-Fed Formula—32 oz. ....	\$8.19
Nestle Good Start Gentle PLUS Concentrate—Orange Formula—13 oz. ....	\$ 4.85
Nestle Good Start Gentle PLUS Ready-to-Fed—Orange Formula—32 oz. ....	\$6.94
Nestle Good Start Gentle PLUS Powder—Orange Formula—12 oz. ....	\$14.49
Nestle Good Start Soy PLUS Concentrate—Blue Formula—13 oz. ....	\$5.12

<i>Description</i>	<i>Maximum Allowable Price</i>
Nestle Good Start Soy PLUS Ready-to-Feed—Blue Formula—32 oz. ....	\$7.28
Nestle Good Start Soy PLUS Powder—Blue Formula—12.9 oz. ....	\$14.49
Nestle Good Start Soy PLUS 2 Powder—Blue w/blue—24 oz. ....	\$22.19
Nestle Good Start Gentle Plus 2 Powder—Blue w/orange—24 oz. ....	\$22.76
Nestle Good Start Protect PLUS 2 Powder—Blue w/green—24 oz. ....	\$26.44
Nestle Good Start Protect PLUS Powder—Green—12 oz. ....	\$14.77
Nestle Good Start Nourish PLUS Powder—Purple—12 oz. ....	\$10.79
Nutramigen Lipil Concentrate Formula—13 oz. ....	\$7.82
Nutramigen Lipil Ready-to-Feed Formula—32 oz. ....	\$9.38
Nutramigen Lipil Powder Formula—16 oz. ....	\$28.36
Nutramigen Lipil w/Enflora Powder Formula—12.6 oz. ....	\$23.56
Pediasure Ready-to-Feed Formula—8 oz. ....	\$2.58
Pediasure w/Fiber Ready-to-Feed Formula—8 oz. ....	\$2.63
Similac Advance Concentrate Formula—13 oz. ....	\$5.17
Similac Advance Ready-to-Feed Formula—32 oz. ....	\$7.18
Similac Advance Powder Formula—12.9 oz. ....	\$15.02
Similac Neosure Advance Ready-to-Feed Formula—32 oz. ....	\$9.23
Similac Neosure Advance Powder Formula—12.8 oz. ....	\$15.89
Store Brand Milk Based Formula Concentrate—13 oz. ....	\$3.10
Store Brand Milk Based Formula—Ready-to-Feed—32 oz. ....	\$4.32
Store Brand Milk Based Formula—Powder—25.75 oz. ....	\$17.99

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

**Competitive Prices**

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

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz. ....	\$1.18
Beans/Peas—Dry—16 oz. ....	\$1.54

<i>Description</i>	<i>Competitive Prices</i>
Canned Fish—Pink Salmon. ....	\$2.33
Canned Fish—Sardines. ....	\$1.45
Canned Fish—Tuna. ....	\$1.14
Cereal (per oz.) ....	\$0.36
Cheese, 16 oz. ....	\$5.57
Eggs. ....	\$1.81
Gerber Infant Cereal—8 oz. ....	\$2.28
Infant Fruits, 100%—4 oz. ....	\$0.75
Infant Vegetables, 100%—4 oz. ....	\$0.76
Infant Meats, 100%—2.5 oz. ....	\$1.17
Juice—11.5/12 oz. ....	\$2.48
Juice—48 oz. ....	\$3.36
Juice—64 oz. ....	\$3.98
Kosher Cheese. ....	\$7.01
Kosher Low Fat Milk—1/2 gallon. ....	\$2.01
Kosher Whole Milk—1/2 gallon. ....	\$2.95
Milk, Low Fat—1/2 gallon. ....	\$1.91
Milk, Whole—1/2 gallon. ....	\$2.16
Peanut Butter. ....	\$2.82
Whole Grain—Bread, 16 oz. ....	\$3.49
Whole Grain—Brown Rice, 16 oz. ....	\$2.26
Whole Grain—Oats, 16 oz. ....	\$2.45
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz. ....	\$2.28
Nestle Good Start Gentle PLUS Concentrate—Orange Formula—13 oz. ....	\$4.85
Nestle Good Start Gentle PLUS Ready-to-Feed—Orange Formula—32 oz. ....	\$6.94
Nestle Good Start Gentle PLUS Powder—Orange Formula—12 oz. ....	\$14.49
Nestle Good Start Soy PLUS Concentrate—Blue Formula—13 oz. ....	\$5.12
Nestle Good Start Soy PLUS Ready-to-Feed—Blue Formula—32 oz. ....	\$7.28
Nestle Good Start Soy PLUS Powder—Blue Formula—12.9 oz. ....	\$14.49

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

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

**Maximum Allowable Prices**

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

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz. ....	\$1.16
Beans/Peas—Dry—16 oz. ....	\$1.75
Canned Fish—Pink Salmon. ....	\$2.45
Canned Fish—Sardines. ....	\$1.45
Canned Fish—Tuna. ....	\$1.12
Cereal (per oz.) ....	\$0.33

<i>Description</i>	<i>Maximum Allowable Price</i>	<i>Description</i>	<i>Maximum Allowable Price</i>
Cheese, 16 oz. ....	\$6.23	Nestle Good Start Gentle PLUS Powder—Orange Formula—12 oz. ....	\$13.89
Eggs ....	\$1.81	Nestle Good Start Soy PLUS Concentrate—Blue Formula—13 oz. ....	\$4.64
Gerber Infant Cereal—8 oz. ....	\$2.13	Nestle Good Start Soy PLUS Ready-to-Feed—Blue Formula—32 oz. ....	\$6.64
Infant Fruits, 100%—4 oz. ....	\$0.60	Nestle Good Start Soy PLUS Powder—Blue Formula—12.9 oz. ....	\$13.89
Infant Vegetables, 100%—4 oz. ....	\$0.60	Nestle Good Start Soy PLUS 2 Powder—Blue w/blue—24 oz. ....	\$21.65
Infant Meats, 100%—2.5 oz. ....	\$1.06	Nestle Good Start Gentle Plus 2 Powder—Blue w/orange—24 oz. ....	\$21.44
Juice—11.5/12 oz. ....	\$2.57	Nestle Good Start Protect PLUS 2 Powder—Blue w/green—24 oz. ....	\$26.44
Juice—48 oz. ....	\$3.36	Nestle Good Start Protect PLUS Powder—Green —12 oz. ....	\$14.52
Juice—64 oz. ....	\$4.00	Nestle Good Start Nourish PLUS Powder—Purple—12 oz. ....	\$10.79
Kosher Cheese. ....	\$7.48	Nutramigen Lipil Concentrate Formula—13 oz. ....	\$7.17
Kosher Low Fat Milk—quart ....	\$1.45	Nutramigen Lipil Ready-to-Feed Formula—32 oz. ....	\$9.02
Kosher Low Fat Milk—1/2 gallon ....	\$1.86	Nutramigen Lipil Powder Formula—16 oz. ....	\$26.02
Kosher Whole Milk—quart ....	\$1.45	Nutramigen Lipil w/Enflora Powder Formula—12.6 oz. ....	\$22.52
Kosher Whole Milk—1/2 gallon ....	\$2.32	Pediasure Ready-to-Feed Formula—8 oz. ....	\$1.85
Milk, Dry—16 oz. ....	\$6.03	Pediasure w/Fiber Ready-to-Feed Formula—8 oz. ....	\$1.92
Milk, Evaporated—12 oz. ....	\$1.33	Similac Advance Concentrate Formula—13 oz. ....	\$4.43
Milk, Low Fat—quart ....	\$1.42	Similac Advance Ready-to-Feed Formula—32 oz. ....	\$6.34
Milk, Low Fat—1/2 gallon ....	\$2.42	Similac Advance Powder Formula—12.9 oz. ....	\$13.60
Milk, Low Fat Lactose Free—quart ....	\$2.25	Similac Neosure Advance Ready-to-Feed Formula—32 oz. ....	\$7.62
Milk, Whole—quart ....	\$1.40	Similac Neosure Advance Powder Formula—12.8 oz. ....	\$15.60
Milk, Whole—1/2 gallon ....	\$2.47	Store Brand Milk Based Formula Concentrate—13 oz. ....	\$2.87
Milk, Whole Lactose Free—quart ....	\$2.25	Store Brand Milk Based Formula—Ready-to-Feed—32 oz. ....	\$3.85
Milk, Whole Lactose Free—1/2 gallon ....	\$3.87	Store Brand Milk Based Formula—Powder—25.75 oz. ....	\$16.19
Peanut Butter ....	\$2.80		
Soy Beverage—Pacific Natural Foods/8th Continent 32 oz. ....	\$3.52		
Soy Beverage—Pacific Natural Foods/8th Continent 64 oz. ....	\$3.52		
Tofu—Soy Boy/House Premium 12/16 oz. ....	\$2.65		
Whole Grain—Bread, 16 oz. ....	\$3.59		
Whole Grain—Bread, 24 oz. ....	\$3.72		
Whole Grain—Brown Rice, 16 oz. ....	\$2.26		
Whole Grain—Brown Rice, 24 oz. ....	\$2.70		
Whole Grain—Oats, 16 oz. ....	\$2.37		
Whole Grain—Oats, 24 oz. ....	\$6.19		
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz. ....	\$2.26		
Alimentum Advance Ready-to-Feed Formula—32 oz. ....	\$9.18		
Alimentum Advance Powder Formula—16 oz. ....	\$26.21		
Boost Ready-to-Feed Formula—8 oz. ....	\$2.00		
EnfaCare LIPIL w/Iron Ready to Feed—32 oz. ....	\$7.29		
EnfaCare LIPIL w/Iron Powder Formula—12.8 oz. ....	\$14.39		
Enfamil LIPIL Concentrate Formula—13 oz. ....	\$4.49		
Enfamil LIPIL Ready-to-Feed Formula—32 oz. ....	\$6.66		
Enfamil LIPIL Powder Formula—12.9 oz. ....	\$13.76		
Isomil DF Ready-to-Feed Formula—32 oz. ....	\$6.32		
Nestle Good Start Gentle PLUS Concentrate—Orange Formula—13 oz. ....	\$ 4.48		
Nestle Good Start Gentle PLUS Ready-to-Feed—Orange Formula—32 oz. ....	\$6.49		

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

### Competitive Prices

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



<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz. ....	\$1.08
Beans/Peas—Dry—16 oz. ....	\$1.61
Canned Fish—Pink Salmon. ....	\$2.37
Canned Fish—Sardines ....	\$1.44
Canned Fish—Tuna ....	\$1.05
Cereal (per oz.) ....	\$0.33
Cheese, 16 oz. ....	\$5.26
Eggs ....	\$1.71
Gerber Infant Cereal—8 oz. ....	\$2.13
Infant Fruits, 100%—4 oz. ....	\$0.57
Infant Vegetables, 100%—4 oz. ....	\$0.57
Infant Meats, 100%—2.5 oz. ....	\$1.02
Juice—11.5/12 oz. ....	\$2.31
Juice—48 oz. ....	\$3.34
Juice—64 oz. ....	\$3.82
Kosher Cheese. ....	\$7.38
Kosher Low Fat Milk—1/2 gallon ....	\$1.85
Kosher Whole Milk—1/2 gallon ....	\$2.20
Milk, Low Fat—1/2 gallon ....	\$1.90
Milk, Whole—1/2 gallon ....	\$2.31
Peanut Butter ....	\$2.66
Whole Grain—Bread, 16 oz. ....	\$3.49
Whole Grain—Brown Rice, 16 oz. ....	\$2.25
Whole Grain—Oats, 16 oz. ....	\$2.34
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz. ....	\$2.26
Nestle Good Start Gentle PLUS Concentrate—Orange Formula—13 oz. ....	\$4.48
Nestle Good Start Gentle PLUS Ready-to-Feed—Orange Formula—32 oz. ....	\$6.49
Nestle Good Start Gentle PLUS Powder—Orange Formula—12 oz. ....	\$13.89
Nestle Good Start Soy PLUS Concentrate—Blue Formula—13 oz. ....	\$4.64
Nestle Good Start Soy PLUS Ready-to-Feed—Blue Formula—32 oz. ....	\$6.64
Nestle Good Start Soy PLUS Powder— Blue Formula—12.9 oz. ....	\$13.89

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

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

**Maximum Allowable Prices**

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

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz. ....	\$1.28
Beans/Peas—Dry—16 oz. ....	\$1.75
Canned Fish—Pink Salmon. ....	\$2.45
Canned Fish—Sardines ....	\$1.45

<i>Description</i>	<i>Maximum Allowable Price</i>
Canned Fish—Tuna ....	\$1.21
Cereal (per oz.) ....	\$0.35
Cheese, 16 oz. ....	\$6.23
Eggs ....	\$1.82
Gerber Infant Cereal—8 oz. ....	\$2.21
Infant Fruits, 100%—4 oz. ....	\$0.64
Infant Vegetables, 100%—4 oz. ....	\$0.64
Infant Meats, 100%—2.5 oz. ....	\$1.11
Juice—11.5/12 oz. ....	\$2.63
Juice—48 oz. ....	\$3.41
Juice—64 oz. ....	\$4.07
Kosher Cheese. ....	\$7.48
Kosher Low Fat Milk—quart ....	\$1.46
Kosher Low Fat Milk—1/2 gallon ....	\$1.86
Kosher Whole Milk—quart ....	\$1.46
Kosher Whole Milk—1/2 gallon ....	\$2.32
Milk, Dry—16 oz. ....	\$6.45
Milk, Evaporated—12 oz. ....	\$1.40
Milk, Low Fat—quart ....	\$1.42
Milk, Low Fat—1/2 gallon ....	\$2.42
Milk, Low Fat Lactose Free—quart ....	\$2.25
Milk, Whole—quart ....	\$1.40
Milk, Whole—1/2 gallon ....	\$2.47
Milk, Whole Lactose Free—quart ....	\$2.25
Milk, Whole Lactose Free—1/2 gallon ....	\$3.97
Peanut Butter ....	\$2.81
Soy Beverage—Pacific Natural Foods/8th Continent 32 oz. ....	\$3.52
Soy Beverage—Pacific Natural Foods/8th Continent 64 oz. ....	\$3.52
Tofu—Soy Boy/House Premium 12/16 oz. ....	\$2.67
Whole Grain—Bread, 16 oz. ....	\$3.59
Whole Grain—Bread, 24 oz. ....	\$3.72
Whole Grain—Brown Rice, 16 oz. ....	\$2.33
Whole Grain—Brown Rice, 24 oz. ....	\$2.70
Whole Grain—Oats, 16 oz. ....	\$2.44
Whole Grain—Oats, 24 oz. ....	\$6.19
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz. ....	\$2.35
Alimentum Advance Ready-to-Feed Formula—32 oz. ....	\$9.74
Alimentum Advance Powder Formula—16 oz. ....	\$27.51
Boost Ready-to-Feed Formula—8 oz. ....	\$2.00
EnfaCare LIPIL w/Iron Ready-to-Feed—32 oz. ....	\$7.74
EnfaCare LIPIL w/Iron Powder Formula— 12.8 oz. ....	\$15.30
Enfamil LIPIL Concentrate Formula—13 oz. ....	\$4.87
Enfamil LIPIL Ready-to-Feed Formula—32 oz. ....	\$7.05
Enfamil LIPIL Powder Formula—12.9 oz. ....	\$14.61
Isomil DF Ready-to-Feed Formula—32 oz. ....	\$6.64
Nestle Good Start Gentle PLUS Concentrate—Orange Formula—13 oz. ....	\$ 4.78

<i>Description</i>	<i>Maximum Allowable Price</i>	<i>Description</i>	<i>Competitive Prices</i>
Nestle Good Start Gentle PLUS Ready-to-Feed—Orange Formula—32 oz. ....	\$6.86	Beans, Canned—15.5/16 oz. ....	\$1.19
Nestle Good Start Gentle PLUS Powder—Orange Formula—12 oz. ....	\$14.47	Beans/Peas—Dry—16 oz. ....	\$1.66
Nestle Good Start Soy PLUS Concentrate—Blue Formula—13 oz. ....	\$4.95	Canned Fish—Pink Salmon. ....	\$2.45
Nestle Good Start Soy PLUS Ready-to-Feed—Blue Formula—32 oz. ....	\$6.91	Canned Fish—Sardines ....	\$1.44
Nestle Good Start Soy PLUS Powder—Blue Formula—12.9 oz. ....	\$14.47	Canned Fish—Tuna ....	\$1.14
Nestle Good Start Soy PLUS 2 Powder—Blue w/blue—24 oz. ....	\$22.34	Cereal (per oz.) ....	\$0.35
Nestle Good Start Gentle Plus 2 Powder—Blue w/orange—24 oz. ....	\$22.19	Cheese, 16 oz. ....	\$5.60
Nestle Good Start Protect PLUS 2 Powder—Blue w/green—24 oz. ....	\$26.44	Eggs ....	\$1.71
Nestle Good Start Protect PLUS Powder—Green—12 oz. ....	\$14.85	Gerber Infant Cereal—8 oz. ....	\$2.21
Nestle Good Start Nourish PLUS Powder—Purple—12 oz. ....	\$10.79	Infant Fruits, 100%—4 oz. ....	\$0.63
Nutramigen Lipil Concentrate Formula—13 oz. ....	\$7.51	Infant Vegetables, 100%—4 oz. ....	\$0.63
Nutramigen Lipil Ready-to-Feed Formula—32 oz. ....	\$9.20	Infant Meats, 100%—2.5 oz. ....	\$1.09
Nutramigen Lipil Powder Formula—16 oz. ....	\$27.39	Juice—11.5/12 oz. ....	\$2.45
Nutramigen Lipil w/Enflora Powder Formula—12.6 oz. ....	\$23.82	Juice—48 oz. ....	\$3.34
Pediasure Ready-to-Feed Formula—8 oz. ....	\$2.29	Juice—64 oz. ....	\$4.01
Pediasure w/Fiber Ready-to-Feed Formula—8 oz. ....	\$2.22	Kosher Cheese. ....	\$7.38
Similac Advance Concentrate Formula—13 oz. ....	\$4.70	Kosher Low Fat Milk—1/2 gallon ....	\$1.85
Similac Advance Ready-to-Feed Formula—32 oz. ....	\$6.71	Kosher Whole Milk—1/2 gallon ....	\$2.20
Similac Advance Powder Formula—12.9 oz. ....	\$14.44	Milk, Low Fat—1/2 gallon ....	\$1.90
Similac Neosure Advance Ready-to-Feed Formula—32 oz. ....	\$7.93	Milk, Whole—1/2 gallon ....	\$2.31
Similac Neosure Advance Powder Formula—12.8 oz. ....	\$16.68	Peanut Butter ....	\$2.80
Store Brand Milk Based Formula Concentrate—13 oz. ....	\$2.95	Whole Grain—Bread, 16 oz. ....	\$3.49
Store Brand Milk Based Formula—Ready-to-Feed—32 oz. ....	\$4.05	Whole Grain—Brown Rice, 16 oz. ....	\$2.33
Store Brand Milk Based Formula—Powder—25.75 oz. ....	\$16.99	Whole Grain—Oats, 16 oz. ....	\$2.44
		Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz. ....	\$2.34
		Nestle Good Start Gentle PLUS Concentrate—Orange Formula—13 oz. ....	\$4.78
		Nestle Good Start Gentle PLUS Ready-To-Feed—Orange Formula—32 oz. ....	\$6.86
		Nestle Good Start Gentle PLUS Powder—Orange Formula—12 oz. ....	\$14.47
		Nestle Good Start Soy PLUS Concentrate—Blue Formula—13 oz. ....	\$4.95
		Nestle Good Start Soy PLUS Ready-to-Feed—Blue Formula—32 oz. ....	\$6.91
		Nestle Good Start Soy PLUS Powder—Blue Formula—12.9 oz. ....	\$14.47

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

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

**Maximum Allowable Prices**

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

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

**Competitive Prices**

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

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz. ....	\$1.29
Beans/Peas—Dry—16 oz. ....	\$1.75
Canned Fish—Pink Salmon. ....	\$2.45

<i>Description</i>	<i>Maximum Allowable Price</i>	<i>Description</i>	<i>Maximum Allowable Price</i>
Canned Fish—Sardines . . . . .	\$1.45	Isomil DF Ready-to-Feed Formula—32 oz. . . . .	\$8.22
Canned Fish—Tuna . . . . .	\$1.25	Nestle Good Start Gentle PLUS Concentrate—Orange Formula—13 oz. . . . .	\$5.74
Cereal (per oz.) . . . . .	\$0.37	Nestle Good Start Gentle PLUS Ready-To-Feed—Orange Formula—32 oz. . . . .	\$8.14
Cheese, 16 oz. . . . .	\$7.09	Nestle Good Start Gentle PLUS Powder—Orange Formula—12 oz. . . . .	\$16.36
Eggs . . . . .	\$2.09	Nestle Good Start Soy PLUS Concentrate—Blue Formula—13 oz. . . . .	\$5.53
Gerber Infant Cereal—8 oz. . . . .	\$2.42	Nestle Good Start Soy PLUS Ready-to-Feed—Blue Formula—32 oz. . . . .	\$7.47
Infant Fruits, 100%—4 oz. . . . .	\$0.81	Nestle Good Start Soy PLUS Powder— Blue Formula—12.9 oz. . . . .	\$16.36
Infant Vegetables, 100%—4 oz. . . . .	\$0.81	Nestle Good Start Soy PLUS 2 Powder—Blue w/blue—24 oz. . . . .	\$22.34
Infant Meats, 100%—2.5 oz. . . . .	\$1.18	Nestle Good Start Gentle Plus 2 Powder—Blue w/orange—24 oz. . . . .	\$22.76
Juice—11.5/12 oz. . . . .	\$2.83	Nestle Good Start Protect PLUS 2 Powder—Blue w/green—24 oz. . . . .	\$26.44
Juice—48 oz. . . . .	\$3.41	Nestle Good Start Protect PLUS Powder—Green —12 oz. . . . .	\$15.89
Juice—64 oz. . . . .	\$4.10	Nestle Good Start Nourish PLUS Powder—Purple—12 oz. . . . .	\$12.83
Kosher Cheese. . . . .	\$7.48	Nutramigen Lipil Concentrate Formula—13 oz. . . . .	\$8.63
Kosher Low Fat Milk—quart . . . . .	\$1.59	Nutramigen Lipil Ready-to-Feed Formula— 32 oz. . . . .	\$10.94
Kosher Low Fat Milk—1/2 gallon . . . . .	\$2.95	Nutramigen Lipil Powder Formula—16 oz. . . . .	\$30.29
Kosher Whole Milk—quart . . . . .	\$1.59	Nutramigen Lipil w/Enflora Powder Formula—12.6 oz. . . . .	\$23.89
Kosher Whole Milk—1/2 gallon . . . . .	\$2.95	Pediasure Ready-to-Feed Formula—8 oz. . . . .	\$2.64
Milk, Dry—16 oz. . . . .	\$7.44	Pediasure w/Fiber Ready-to-Feed Formula— 8 oz. . . . .	\$2.63
Milk, Evaporated—12 oz. . . . .	\$1.40	Similac Advance Concentrate Formula—13 oz. . . . .	\$5.59
Milk, Low Fat—quart . . . . .	\$1.52	Similac Advance Ready-to-Feed Formula— 32 oz. . . . .	\$8.04
Milk, Low Fat—1/2 gallon . . . . .	\$2.54	Similac Advance Powder Formula—12.9 oz. . . . .	\$16.51
Milk, Low Fat Lactose Free—quart . . . . .	\$2.36	Similac Neosure Advance Ready-to-Feed Formula—32 oz. . . . .	\$9.99
Milk, Whole—quart . . . . .	\$1.45	Similac Neosure Advance Powder Formula—12.8 oz. . . . .	\$19.19
Milk, Whole—1/2 gallon . . . . .	\$2.57	Store Brand Milk Based Formula Concentrate—13 oz. . . . .	\$3.24
Milk, Whole Lactose Free—quart . . . . .	\$2.36	Store Brand Milk Based Formula—Ready-to-Feed—32 oz. . . . .	\$4.82
Milk, Whole Lactose Free—1/2 gallon . . . . .	\$3.99	Store Brand Milk Based Formula—Powder—25.75 oz. . . . .	\$17.99
Peanut Butter . . . . .	\$3.05		
Soy Beverage—Pacific Natural Foods/8th Continent 32 oz. . . . .	\$3.52		
Soy Beverage—Pacific Natural Foods/8th Continent 64 oz. . . . .	\$3.52		
Tofu—Soy Boy/House Premium 12/16 oz. . . . .	\$2.77		
Whole Grain—Bread, 16 oz. . . . .	\$3.59		
Whole Grain—Bread, 24 oz. . . . .	\$3.72		
Whole Grain—Brown Rice, 16 oz. . . . .	\$2.34		
Whole Grain—Brown Rice, 24 oz. . . . .	\$2.70		
Whole Grain—Oats, 16 oz. . . . .	\$2.78		
Whole Grain—Oats, 24 oz. . . . .	\$6.25		
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz. . . . .	\$2.35		
Alimentum Advance Ready-to-Feed Formula—32 oz. . . . .	\$10.33		
Alimentum Advance Powder Formula—16 oz. . . . .	\$30.11		
Boost Ready-to-Feed Formula—8 oz. . . . .	\$2.00		
EnfaCare LIPIL w/Iron Ready-to-Feed—32 oz. . . . .	\$9.01		
EnfaCare LIPIL w/Iron Powder Formula— 12.8 oz. . . . .	\$17.26		
Enfamil LIPIL Concentrate Formula—13 oz. . . . .	\$5.66		
Enfamil LIPIL Ready-to-Feed Formula—32 oz. . . . .	\$8.45		
Enfamil LIPIL Powder Formula—12.9 oz. . . . .	\$16.70		

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

**Competitive Prices**

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

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz. ....	\$1.24
Beans/Peas—Dry—16 oz. ....	\$1.71
Canned Fish—Pink Salmon.....	\$2.45
Canned Fish—Sardines .....	\$1.45
Canned Fish—Tuna .....	\$1.23
Cereal (per oz.) .....	\$0.37
Cheese, 16 oz. ....	\$5.87
Eggs .....	\$2.06
Gerber Infant Cereal—8 oz. ....	\$2.42
Infant Fruits, 100%—4 oz. ....	\$0.75
Infant Vegetables, 100%—4 oz. ....	\$0.76
Infant Meats, 100%—2.5 oz. ....	\$1.17
Juice—11.5/12 oz. ....	\$2.78
Juice—48 oz. ....	\$3.36
Juice—64 oz. ....	\$4.09
Kosher Cheese. ....	\$7.38
Kosher Low Fat Milk—1/2 gallon .....	\$2.95
Kosher Whole Milk—1/2 gallon .....	\$2.95
Milk, Low Fat—1/2 gallon .....	\$2.51
Milk, Whole—1/2 gallon .....	\$2.55
Peanut Butter .....	\$2.99
Whole Grain—Bread, 16 oz. ....	\$3.49
Whole Grain—Brown Rice, 16 oz. ....	\$2.34
Whole Grain—Oats, 16 oz. ....	\$2.75
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz. ....	\$2.35
Nestle Good Start Gentle PLUS Concentrate—Orange Formula—13 oz. ....	\$5.74
Nestle Good Start Gentle PLUS Ready-to-Fed—Orange Formula—32 oz. ....	\$8.14
Nestle Good Start Gentle PLUS Powder—Orange Formula—12 oz. ....	\$16.36
Nestle Good Start Soy PLUS Concentrate—Blue Formula—13 oz. ....	\$5.53
Nestle Good Start Soy PLUS Ready-to-Fed—Blue Formula—32 oz. ....	\$7.47
Nestle Good Start Soy PLUS Powder— Blue Formula—12.9 oz. ....	\$16.36

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

EVERETTE JAMES,  
*Secretary*

[Pa.B. Doc. No. 10-28. Filed for public inspection December 31, 2009, 9:00 a.m.]

# DEPARTMENT OF TRANSPORTATION

## Sale of Land No Longer Needed for Transportation Purposes

The Department of Transportation (Department), under section 2003(e)(7) of The Administration Code of 1929 (71 P. S. § 513(e)(7)), intends to sell certain land owned by the Department.

The following property is available for sale by the Department.

Parcel No. 11—Located in the City of Erie, Erie County. This parcel contains approximately 1.484 acres of land situated adjacent to the East Side Connector bike trail between East 9th and East 10th Streets. The property will be sold in "as is condition." The estimated fair market value of the parcel is \$370,000. It has been determined that the land is no longer needed for present or future transportation purposes.

Interested public entities are invited to express their interest in purchasing the site and to obtain additional information, within 30 calendar days from the date of publication of this notice to: William G. Petit, P. E., District Executive, Department of Transportation, Engineering District 1-0, 255 Elm Street, P. O. Box 398, Oil City, PA 16301.

ALLEN D. BEIHLER,  
*Secretary*

[Pa.B. Doc. No. 10-29. Filed for public inspection December 31, 2009, 9:00 a.m.]

# HEALTH CARE COST CONTAINMENT COUNCIL

## Meetings Scheduled

The following meetings of the Health Care Cost Containment Council (Council) have been scheduled: Wednesday, January 6, 2010, Data Systems Committee—10 a.m.; Education Committee—1 p.m.; Executive Committee—3 p.m.; and Thursday, January 7, 2010, Council Meeting—10 a.m.; Health Care Cost Containment Act Review Committee meetings are scheduled for 10 a.m. on January 20 and February 23, 2010. The Technical Advisory Group will meet on February 25, 2010, at 10 a.m., additional council meetings are set for March 3 and 4, 2010. The meetings will be either held or accessible from the conference room at the Council Office, 225 Market Street, Suite 400, Harrisburg, PA 17101. The public is invited to attend. Persons who need accommodation due to a disability and want to attend the meetings, should contact Reneé Greenawalt at (717) 232-6787 at least 24 hours in advance so that arrangements can be made.

JOE MARTIN,  
*Executive Director*

[Pa.B. Doc. No. 10-30. Filed for public inspection December 31, 2009, 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>
16-50	Department of State Biennial Filing Fee 39 Pa.B. 6049 (October 17, 2009)	11/16/09	12/16/09
125-106	Pennsylvania Gaming Control Board Employee Credentials, Design Standards and Internal Controls 39 Pa.B. 6073 (October 17, 2009)	11/16/09	12/16/09

**Department of State**  
**Regulation #16-50 (IRRC #2799)**  
**Biennial Filing Fee**  
**December 16, 2009**

We submit for your consideration the following comments on the proposed rulemaking published in the October 17, 2009 *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 State (Department) to respond to all comments received from us or any other source.

**1. Publication date and effective date.—Consistency with statute; Clarity.**

The current \$100 biennial registration fee is the initial fee established by the enabling legislation, Act 134 of 2006 (65 Pa.C.S. § 13A10(a)). The Lobbying Disclosure Act (Act) provides an inflation adjustment at 65 Pa.C.S. § 13A08(j) (relating to inflation adjustment) which states, in part:

... On an annual basis commencing in January 2009, the department shall review the filing fee established under section 13A10 (relating to registration fees; fund established; system; regulations) and may by regulation adjust this amount if the department determines that a higher fee is needed to cover the

costs of carrying out the provisions of this chapter. The department shall publish adjusted amounts in the *Pennsylvania Bulletin* by June 1, 2009, and by June 1 every two years thereafter as necessary.

This proposed regulation was published on October 17, 2009, and proposes to adjust the fee from \$100 to \$200. Both the Preamble and the Regulatory Analysis Form (Response 9) state the increased registration fee will go into effect on January 1, 2011. There are two concerns.

First, the Pennsylvania Association for Government Relations commented that since the Department did not publish the fee prior to June 1, 2009, a new fee cannot be published until the next opportunity, which is by June 1, 2011. Effectively, the issue raised is whether the Act directs the Department to publish an adjusted fee 18 months prior to its effective date. The Department should explain its interpretation of how the October 17, 2009, publication of the adjusted fee to become effective January 1, 2011, is consistent with the Act.

Second, the wording of the regulation itself does not reflect the Department's intent for the new fee to become effective on January 1, 2011. As worded, the \$200 fee would apply as soon as the final regulation is published and would apply to new registrants. The wording of the regulation needs to be amended to implement the Department's intent.

**2. Fees to cover costs.—Consistency with statute.**

The Act directs the Department to make a determination that a higher fee is needed to cover the costs of carrying out the provisions of the Act. In the Preamble, the Department states that for fiscal years 2007-2008, the Department's costs totaled \$1,054,000 while registration fees for that same biennial totaled \$234,000. The Department states that "While the increase in the registration fee will not come close to covering the total costs of administering the act to the department, it will help defray some of the costs."

We recognize that two commentators believe the costs of the biennial registration are significant to their operations. However, even the \$200 fee will cover less than half of the Department's costs with the balance being paid from other resources. The Department should explain why \$200 is the appropriate fee amount and how the \$200 fee is consistent with the Act.

**Pennsylvania Gaming Control Board**  
**Regulation #125-106 (IRRC #2803)**

**Employee Credentials, Design Standards and Internal Controls**  
**December 16, 2009**

We submit for your consideration the following comments on the proposed rulemaking published in the October 17, 2009 *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 Pennsylvania Gaming Control Board (Board) to respond to all comments received from us or any other source.

**1. Section 435a.6. Board credentials.—Protection of the public health; safety and welfare; Implementation procedures; Fiscal impact; Need.**

Subsection (c) is being amended to revise the requirements for the display of Board credentials. Commentators have raised several concerns. First, they believe that the exemption provided for food and beverage employees

should be expanded to other customer service employees. How did the Board determine which employees would not be required to display their credentials? Has the Board considered expanding the exemption, as suggested by the commentator?

Second, a commentator believes that the requirement to display credentials by employees is problematic because it jeopardizes employee safety and could also lead to identity theft. Is the Board aware of any instances where the safety of slot machine licensee employees has been jeopardized by the requirement to display credentials? If so, how will the requirements of this section and the amendments being proposed help to protect the safety of those employees?

Third, Subsection (c)(2) will require access badges to contain a unique identification number. A commentator has stated that this requirement could be costly. What is the need for this requirement?

**2. Section 465a.33. Access to areas containing central compute control equipment.—Clarity.**

Subsection (a)(5) is being amended to allow individuals access to the area containing central computer control equipment for emergency situations that require “environmental adjustments.” A commentator believes that the term “environmental adjustments” is vague. We agree. This term should be further explained in the final-form regulation.

ARTHUR COCCODRILLI,  
Chairperson

[Pa.B. Doc. No. 10-31. Filed for public inspection December 31, 2009, 9:00 a.m.]

## INSURANCE DEPARTMENT

**Insurance Services Office, Inc.; Private Passenger Automobile; Alternative Rating Plan; Rate and Rule Filing**

On December 17, 2009, the Insurance Department (Department) received from Insurance Services Office, Inc. a filing for an alternative rating plan to the standard ISO Personal Vehicle Manual rating system.

The model underlying the proposed Risk Analyzer Personal Auto Rating Plan Manual is based on a wide variety of characteristics affecting the risk of loss, such as traffic density, driving patterns, topography and weather. This alternate rating plan is not being filed on behalf of insurers and will not be incorporated into ISO’s Personal Vehicle Manual or Personal Auto Program. It is filed for use by insurers who elect to adopt it. The filing is to be effective upon approval.

Unless formal administrative action is taken prior to February 15, 2010, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Department’s web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). To access the filing, under “At A Glance” click on “View Current Rate Filings.”

Interested parties are invited to submit written comments, suggestions or objections to Michael McKenney, Insurance Department, Office of Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120,

e-mail at [mmckenney@state.pa.us](mailto:mmckenney@state.pa.us) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,  
Insurance Commissioner

[Pa.B. Doc. No. 10-32. Filed for public inspection December 31, 2009, 9:00 a.m.]

**Insurance Services Office, Inc.; Private Passenger Automobile Loss Cost Revision; Rate Filing**

On December 15, 2009, the Insurance Department (Department) received from Insurance Services Office, Inc. a filing for a proposed loss cost level change for private passenger automobile insurance.

The advisory organization requests an overall 1.5% decrease in loss costs effective September 1, 2010.

Unless formal administrative action is taken prior to February 13, 2010, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Department’s web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). On the “At a Glance” tab, click on the link “Current Rate Filings.”

Interested parties are invited to submit written comments, suggestions or objections to Xiaofeng Lu, Insurance Department, Insurance Product Regulation and Administration, Room 1311, Strawberry Square, Harrisburg, PA 17120, e-mail at [xlu@state.pa.us](mailto:xlu@state.pa.us) within 15 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,  
Insurance Commissioner

[Pa.B. Doc. No. 10-33. Filed for public inspection December 31, 2009, 9:00 a.m.]

**Liberty Mutual Fire Insurance Company; The First Liberty Insurance Corporation; Homeowners; Rate Revision; Rate Filing**

On December 11, 2009, the Insurance Department (Department) received from Liberty Mutual Fire Insurance Company and The First Liberty Insurance Corporation a filing for a rate level change for homeowners insurance.

The companies request an overall 3.3% increase amounting to \$3,775,702 annually, to be effective February 12, 2010, for new business and March 19, 2010, for renewal business.

Unless formal administrative action is taken prior to January 10, 2010, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Department’s web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). To access the filing, under “At A Glance” click on “View Current Rate Filings.”

Interested parties are invited to submit written comments, suggestions or objections to Michael McKenney, Insurance Department, Office of Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, e-mail at [mmckenney@state.pa.us](mailto:mmckenney@state.pa.us) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,  
Insurance Commissioner

[Pa.B. Doc. No. 10-34. Filed for public inspection December 31, 2009, 9:00 a.m.]

## Notices of Cancellation or Refusal to Renew Requirements; Notice No. 2010-02

### Address for Appeals

The Insurance Department has consolidated the processing of all notices of cancellation and refusal to renew requests for review to the Harrisburg Regional office. Therefore, we are asking insurers to modify all notices of refusal to write, cancellations and/or refusals to renew, under 40 P.S. § 991.2008 and 40 P.S. § 1171.5(a)(9) to reflect the following address, Insurance Department, Bureau of Consumer Services, 1209 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8585, Harrisburg Regional Office at (717) 787-2317, Philadelphia Regional Office at (215) 560-2630, as soon as possible, but no later than June 30, 2010.

Questions or comments regarding this notice may be directed to Carolyn Morris, Director, Bureau of Consumer Services, 1209 Strawberry Square, Harrisburg, PA 17120, (717) 783-2153. Questions or comments may also be sent by e-mail to camorris@state.pa.us or by fax to (717) 787-8585.

JOEL SCOTT ARIO,  
*Insurance Commissioner*

[Pa.B. Doc. No. 10-35. Filed for public inspection December 31, 2009, 9:00 a.m.]

## Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insured has requested a hearing as authorized by the act of June 17, 1998 (P.L. 464, No. 68) (Act 68) in connection with the termination of the insured's automobile policy. The hearing will be held in accordance with the requirements of Act 68; 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearings will be held in the Insurance Department's regional offices in Harrisburg, PA. Failure by an appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Meredith Bee; file no. 09-130-78861; Encompass Indemnity Company; Doc. No. P09-12-017; January 27, 2010, 10 a.m.

Parties may appear with or without counsel and offer relevant testimony or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce docu-

mentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, contact Donna R. Fleischauer, Human Resources Director, at (717) 705-4194.

JOEL SCOTT ARIO,  
*Insurance Commissioner*

[Pa.B. Doc. No. 10-36. Filed for public inspection December 31, 2009, 9:00 a.m.]

## 2009 Workers' Compensation Security Fund Assessment

The Act of July 1, 1937, P.L. 2532, No. 470, as amended 2000, (77 P.S. §§ 1051—1066), referred to as the Pennsylvania Workers' Compensation Security Fund Act (Act) was amended revising, *inter alia*, the assessment procedures of the Workers' Compensation Security Fund (Fund).

Section 1059 of the Act states, "If due to the payment of liabilities or claims, the balance of the fund is reduced below \$500,000,000, the department shall require contributions to maintain the actuarial soundness of the fund and to restore, in a timely manner, the balance of the fund to a level at or above \$500,000,000." As of December 31, 2008, the Fund balance was \$469.7 million. Therefore, an assessment is required. The amount of the 2009 assessment will be 1% of your company's Pennsylvania 2008 net written workers' compensation premiums.

Section 165.7(b) of the regulations states, "Every carrier, doing the business of workers' compensation insurance in the Commonwealth, will be assessed, based on a prorata share of the total amount of net-written premiums of workers' compensation insurance reported as written in the previous calendar year's annual statement." Section 1054 of the Pennsylvania Workers' Compensation Security Fund Act defines net written premiums, "For the purposes of this act, 'net written premiums' shall mean gross written premiums, less return premiums on policies returned not taken and on policies cancelled."

An invoice of your company's pro rata share of the assessment is enclosed with a due date of March 31, 2010. If additional information is required, contact Laura S. Keller, Claims Manager, Workers' Compensation Security Fund, 901 North 7th Street, Harrisburg, PA 17102, (717) 783-8093.

JOEL SCOTT ARIO,  
*Insurance Commissioner*

[Pa.B. Doc. No. 10-37. Filed for public inspection December 31, 2009, 9:00 a.m.]

# PENNSYLVANIA PUBLIC UTILITY COMMISSION

## Petition of United Way of Pennsylvania for Information and Referral for the Assignment of 2-1-1 Abbreviated Dialing Code and the Designation of PA 2-1-1 as the Lead Implementing Agency for Pennsylvania 2-1-1 Service; Doc. No. P-2009-2136921

On October 19, 2009, under the provisions of 52 Pa. Code § 5.41, the United Way of Pennsylvania, the state association representing local United Way chapters that serve communities throughout this Commonwealth, filed a petition requesting the assignment of the 2-1-1 abbreviated dialing code to the not-for-profit organization, PA 2-1-1, so that it can be the leading implementing agency of the 2-1-1 abbreviated dialing code for the provision of Information and Referral Services for this Commonwealth.

Upon review of the Petition, the Pennsylvania Public Utility Commission (Commission) has determined that the solicitation of public comment is appropriate. Interested parties must submit comments within 10 days of publication in the *Pennsylvania Bulletin*.

Interested parties must file the original and 15 copies of any comment with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Copies of the petition may be obtained from the Commission's web site on the Telecommunications homepage at [http://www.puc.state.pa.us/telecom/telecom\\_index.aspx](http://www.puc.state.pa.us/telecom/telecom_index.aspx). The contact person at the Commission is David E. Screven, Assistant Counsel, Law Bureau (717) 787-2126.

JAMES J. McNULTY,  
*Secretary*

[Pa.B. Doc. No. 10-38. Filed for public inspection December 31, 2009, 9:00 a.m.]

persons in paratransit service, from points in the City of Greensburg, Westmoreland County, and within a 10 mile radius of said city, to either the Rivers Casino in Pittsburgh, Allegheny County, or to The Meadows Racetrack & Casino in the City of Washington, Washington County, and return.

**A-2009-2147542. 24-7 Limo, Inc.** (123 Blanch Street, Rices Landing, Greene County, PA 15317)—a corporation of the Commonwealth—in limousine service, from points in Greene County, and from within a 60 mile radius of said county, to points in Pennsylvania, and return; excluding areas under the jurisdiction of the Philadelphia Parking Authority.

**A-2009-2147630. Newberry Township Fire Department** (2145 York Haven Road, Etters, York County, PA 17319), a corporation of the Commonwealth—to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service from points in the Counties of York, Adams, Dauphin and Cumberland, to points in Pennsylvania, and return.

**Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under the application.**

**A-2009-2148204. Kennedy Transfer, Inc.** (63 Kennedy Lane, Dubois, Clearfield County, PA 15801)—a corporation of the Commonwealth—household goods in use, which is to be a transfer of all household goods in use rights authorized under the certificate issued at A-00089629 to Robert R. and Lois J. Kennedy, d/b/a Kennedy Transfer, subject to the same limitations and conditions. *Attorney:* William A. Gray, 310 Grant Street, Suite 2310, Grant Building, Pittsburgh, PA 15219.

JAMES J. McNULTY,  
*Secretary*

[Pa.B. Doc. No. 10-39. Filed for public inspection December 31, 2009, 9:00 a.m.]

## Telecommunications

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by January 19, 2010. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

**Applications of the following for approval to begin operating as common carriers for transportation of persons as described under each application.**

**A-2009-2145164. "Your Bets" Inc., "Let It Ride"** (425 Herminie Road, Madison, Westmoreland, PA 15663)—

**A-2009-2147957. Verizon North, Inc. and Time Warner Cable Information Services (Pennsylvania), LLC.** Joint petition of Verizon North, Inc. and Time Warner Cable Information Services (Pennsylvania), LLC for approval of an interconnection agreement and amendment No. 1 to the interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon North, Inc. and Time Warner Cable Information Services (Pennsylvania), LLC, by its counsel, filed on December 17, 2009, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement and amendment No. 1 to the 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 North, Inc. and Time Warner Cable Information Services (Pennsylvania), LLC 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.

JAMES J. McNULTY,  
*Secretary*

[Pa.B. Doc. No. 10-40. Filed for public inspection December 31, 2009, 9:00 a.m.]

### Telecommunications

**A-2009-2147967. Verizon Pennsylvania, Inc. and Time Warner Cable Information Services (Pennsylvania), LLC.** Joint petition of Verizon Pennsylvania, Inc. and Time Warner Cable Information Services (Pennsylvania), LLC for approval of an interconnection agreement and amendment No. 1 to the interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania, Inc. and Time Warner Cable Information Services (Pennsylvania), LLC, by its counsel, filed on December 17, 2009, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement and amendment No. 1 to the 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 Time Warner Cable Information Services (Pennsylvania), LLC 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.

JAMES J. McNULTY,  
*Secretary*

[Pa.B. Doc. No. 10-41. Filed for public inspection December 31, 2009, 9:00 a.m.]

### Telecommunications Services

**A-2009-2148185. NTELOS of West Virginia, Inc., t/a NTELOS.** Application of NTELOS of West Virginia, Inc., t/a NTELOS for approval to offer, render, furnish or supply telecommunications services to the public as a Competitive Local Exchange Carrier in the service territory of The United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink.

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 January 19, 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:* NTELOS of West Virginia, Inc., t/a NTELOS

*Through and By Counsel:* Mary McDermott, Sr. VP—Legal & Regulatory Affairs, NTELOS, Inc., 401 Spring Lane, Waynesboro, VA 22980, (540) 946-8677, fax (540) 946-3595, mcdermottm@ntelos.com.

JAMES J. McNULTY,  
*Secretary*

[Pa.B. Doc. No. 10-42. Filed for public inspection December 31, 2009, 9:00 a.m.]

### Transfer by Sale

**A-2009-2148533. Metropolitan Edison Company and Giorgio Foods, Inc.** Application of Metropolitan Edison Company for approval of a transfer by sale to Giorgio Foods, Inc., facilities located in Maiden Creek Township, Berks County, PA.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before January 19, 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:* Metropolitan Edison Company

*Through and By Counsel:* Bradley A. Bingaman, Esquire, 2800 Pottsville Pike, P. O. Box 16001, Reading, PA 19612.

JAMES J. McNULTY,  
*Secretary*

[Pa.B. Doc. No. 10-43. Filed for public inspection December 31, 2009, 9:00 a.m.]

## PENNSYLVANIA STIMULUS OVERSIGHT COMMISSION

### Public Meeting

The next public meeting of the Pennsylvania Stimulus Oversight Commission is scheduled for Thursday, January 14, 2010, at 11 a.m. in Conference Room 1, 6th Floor, Forum Place Building, 555 Walnut Street in Harrisburg, PA.

RONALD NAPLES,  
*Chairperson*

[Pa.B. Doc. No. 10-44. Filed for public inspection December 31, 2009, 9:00 a.m.]

## PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

### Hearings Scheduled

Hearings have been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's (System) denial of Claimants' requests concerning the indicated accounts.

The hearings will be held before a hearing examiner at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

February 3, 2010	Linda L. Butcher (Purchase of Service)	1 p.m.
February 17, 2010	Terrance Gileo Faye (Membership Eligibility)	1 p.m.
February 24, 2010	Lyn Segal (HOP)	1 p.m.
March 3, 2010	John C. Nedwill (Effective Date of Retirement)	1 p.m.
April 28, 2010	Angela Y. Brooks (Multiple Service Membership)	1 p.m.

Persons with a disability, wishing to attend the previously-listed hearings, and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Barb Fluire, Assistant to the Executive Director, at (717) 720-4921 to discuss how the System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 22 Pa. Code § 201.1, (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure), unless specific exemption is granted.

JEFFREY B. CLAY,  
*Executive Director*

[Pa.B. Doc. No. 10-45. Filed for public inspection December 31, 2009, 9:00 a.m.]

## STATE ATHLETIC COMMISSION

### Public Meetings for 2010

The State Athletic Commission (Commission) of the Department of State announces its schedule for regular meetings to be held at least once every 2 months in 2010, under 5 Pa.C.S. § 103 (relating to duties of commission). Meetings will be held in Room 303, North Office Building, Harrisburg, PA 17120, at 11 a.m. These meetings are open to the public and are scheduled as follows:

February 22, 2010  
April 26, 2010  
June 28, 2010  
August 23, 2010  
October 25, 2010  
December 20, 2010

Individuals having questions regarding these meetings should contact the Commission at (717) 787-5720.

GREGORY P. SIRB,  
*Executive Director*

[Pa.B. Doc. No. 10-46. Filed for public inspection December 31, 2009, 9:00 a.m.]

## SUSQUEHANNA RIVER BASIN COMMISSION

### Request for Qualifications

The Susquehanna River Basin Commission (Commission) is seeking qualified contractors to perform Aquatic Resource Surveys on selected stream reaches within the boundaries of the Susquehanna River Basin. The Request for Qualifications (RFQ) is now available for download at no charge in PDF format from the Commission's web site ([www.srbcc.net](http://www.srbcc.net)) under link "Request For Qualifications (ARS)." Sealed qualifications are due at Commission Headquarters, 1721 North Front Street, Harrisburg, PA, by 4 p.m., February 12, 2010. Questions regarding the RFQ can be directed to Erin Lynam at (717) 238-0423, Ext. 226, or [elynam@srbcc.net](mailto:elynam@srbcc.net).

THOMAS W. BEAUDUY,  
*Deputy Director*

[Pa.B. Doc. No. 10-47. Filed for public inspection December 31, 2009, 9:00 a.m.]





