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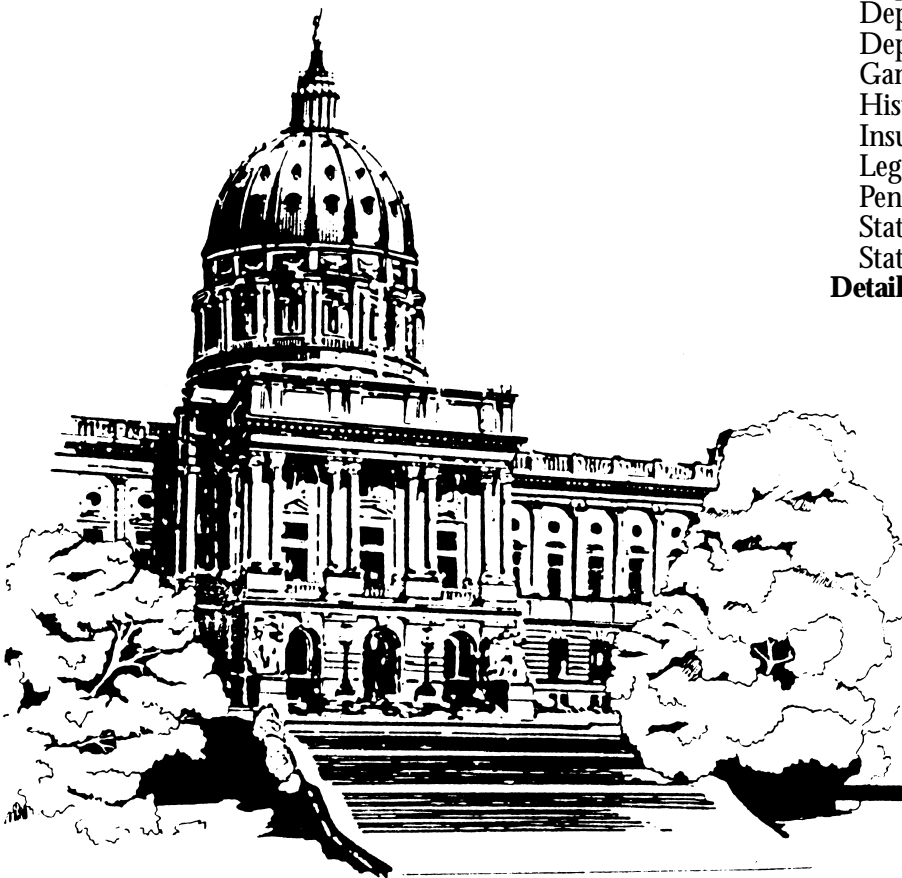
PENNSYLVANIA BULLETIN

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Agencies in this issue

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Department of Banking
Department of Environmental Protection
Department of Health
Department of Labor and Industry
Department of Public Welfare
Department of Revenue
Department of Transportation
Game Commission
Historical and Museum Commission
Insurance Department
Legislative Reference Bureau
Pennsylvania Public Utility Commission
State Board of Nursing
State Police

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**Latest Pennsylvania Code Reporter
(Master Transmittal Sheet):**

No. 412, March 2009

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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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Printing Format

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 2009.

| | | | |
|--|-----------------|---|------------------|
| 4 Pa. Code (Administration) | | 52 Pa. Code (Public Utilities) | |
| Adopted Rules | | Proposed Rules | |
| 6 | 406 | 56 | 925 |
| Statements of Policy | | 55 Pa. Code (Public Welfare) | |
| 9 | 427, 1008, 1212 | Proposed Rules | |
| 7 Pa. Code (Agriculture) | | 501 | 1114 |
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| 143 | 308 | 2600 | 26 |
| Statements of Policy | | 3270 | 1011 |
| 28 | 310 | 3280 | 1011 |
| 12 Pa. Code (Commerce Trade and Local Government) | | 3290 | 1011 |
| Statements of Policy | | 58 Pa. Code (Recreation) | |
| 31 | 1306 | Adopted Rules | |
| 22 Pa. Code (Education) | | 29 | 523 |
| Adopted Rules | | 61 | 1201 |
| 14 | 17 | 75 | 1202 |
| 25 Pa. Code (Environmental Protection) | | 141 | 1110 |
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| 261a | 201 | 443a | 21 |
| 262a | 201 | Proposed Rules | |
| 263a | 201 | 141 | 1391, 1392, 1393 |
| 264a | 201 | 403a | 418 |
| 265a | 201 | 435a | 418 |
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| 31 Pa. Code (Insurance) | | Proposed Rules | |
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| 139 | 996 | 151 | 1207 |
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| 147 | 841 | 67 Pa. Code (Transportation) | |
| 40 Pa. Code (Liquor) | | Proposed Rules | |
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| 13 | 682 | 231 | 999 |
| 49 Pa. Code (Professional and Vocational Standards) | | 201 Pa. Code (Judicial Administration) | |
| Adopted Rules | | Proposed Rules | |
| 7 | 219 | 40 | 1293 |
| 13 (correction) | 414, 523 | 50 | 1293 |
| 47 | 417 | 207 Pa. Code (Judicial Conduct) | |
| Proposed Rules | | Adopted Rules | |
| 5 | 1004 | 51 | 675 |
| 39 | 1005 | 210 Pa. Code (Appellate Procedure) | |
| | | Adopted Rules | |
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| | | 9 | 508, 1094 |
| | | 11 | 508, 1094 |
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225 Pa. Code (Rules of Evidence)

Adopted Rules

ART. I 410

231 Pa. Code (Rules of Civil Procedure)

Adopted Rules

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Adopted Rules

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237 Pa. Code (Juvenile Rules)

Adopted Rules

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 3 676

Proposed Rules

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Unclassified 189, 192, 830, 1199

252 Pa. Code (Allegheny County Rules)

Unclassified 994

255 Pa. Code (Local Court Rules)

Unclassified . . . 10, 16, 306, 306, 513, 514, 517, 520, 679,
 680, 832, 833, 835, 994, 995, 1107, 1199, 1200, 1386

THE COURTS

Title 255—LOCAL COURT RULES

LEHIGH COUNTY

Establishing Costs for Issuance of a Partial Payment Plan for Summary Cases in the Magisterial Courts of the 31st Judicial District; No. AD-3-2009

Administrative Order

And Now, this 4th day of March, 2009, *It Is Ordered*, pursuant to the provisions of 42 Pa.C.S. § 1725.1(c)(5), relating to unclassified costs, that a fee of fifteen dollars and fifty cents (\$15.50) for issuance of an installment payment plan shall be imposed in each summary case where a defendant requests and is permitted to make installment payments as provided in Pa.Rs.Crim.P. 409(C)(5), 414(C)(5), 424(C)(5), 454(F)(1), and 456(C)(3)(a).

This Administrative Order replaces an earlier Administrative Order issued on October 5, 2007, and published in 37 Pa.B. 5743 on October 27, 2007; it increases the installment payment plan issuance fee from ten (\$10.00) dollars to fifteen dollars and fifty cents (\$15.50), clarifies the intent of the prior Order that the fee is for the issuance of the payment plan itself, and further clarifies the intent of the previous Order that the fee be applicable to all forms of disposition of summary cases before an issuing authority.

This Order shall take effect thirty (30) days after its publication in the *Pennsylvania Bulletin* and shall apply to all such plans issued on or after the effective date. The previous fee of ten (\$10.00) dollars shall apply until this Order becomes effective.

It Is Further Ordered That one (1) certified copy of this Order shall be filed by the Court Administrator of Lehigh County with the Administrative Office of Pennsylvania Courts; that two (2) certified copies and a computer diskette or CD-ROM copy that complies with the requirement of 1 Pa. Code § 13.11(b) shall be filed with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*; that one (1) certified copy shall be filed with the Criminal Procedural Rules Committee, which Committee has certified to this court that this Administrative Order is not inconsistent with any general rule of the Supreme Court. Finally, it is ordered that Court Administrator of Lehigh County publish a copy of this Order on the Unified Judicial System's web site at ujportal.pacourts.us/localrules/ruleselection.aspx.

By the Court

WILLIAM H. PLATT,
President Judge

[Pa.B. Doc. No. 09-510. Filed for public inspection March 20, 2009, 9:00 a.m.]

SUPREME COURT

Amended Duty Assignment Schedule for Emergency Petitions in the Year 2009; No. 325; Judicial Administration; Doc. No. 1

Order

Per Curiam:

And Now, this 4th day of March, 2009, the orders of December 29, 2008, and December 31, 2008, establishing the emergency duty schedule for the year 2009 are vacated; the following duty assignment schedule is hereby adopted for the handling of emergency petitions in the year 2009.

| | | |
|-----------|---|--|
| January | Justice J. Michael Eakin Justice Seamus P. McCaffery | (Eastern District) (Western District) |
| February | Justice Max Baer Justice Jane C. Greenspan | (Eastern District) (Western District) |
| March | Justice Thomas G. Saylor Justice Debra Todd | (Eastern District) (Western District) |
| April | Justice J. Michael Eakin Justice Seamus P. McCaffery | (Eastern District) (Western District) |
| May | Justice Debra Todd Justice Jane C. Greenspan | (Eastern District) (Western District) |
| June | Justice Thomas G. Saylor Justice Max Baer | (Eastern District) (Western District) |
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| September | Justice Thomas G. Saylor Justice Debra Todd | (Eastern District) (Western District) |
| October | Justice J. Michael Eakin Justice Seamus P. McCaffery | (Eastern District) (Western District) |
| November | Justice Max Baer Justice Jane C. Greenspan | (Eastern District) (Western District) |
| December | Justice Thomas G. Saylor Justice Debra Todd | (Eastern District) (Western District) |

PATRICIA NICOLA,
Chief Clerk
Supreme Court of Pennsylvania

[Pa.B. Doc. No. 09-511. Filed for public inspection March 20, 2009, 9:00 a.m.]

Schedule of Holidays for Year 2010 for Staffs of the Appellate Courts and the Administrative Office of Pennsylvania Courts; No. 330 Judicial Administration; Doc. No. 1

Sessions of the Supreme Court of Pennsylvania for the Year 2010; No. 198; Appellate Court Rules; Doc. No. 1

Order

Per Curiam:

And Now, this 5th day of March, 2009 it is hereby ordered that the following paid holidays for calendar year 2010 will be observed on the dates specified below by all employees of the appellate courts and the Administrative Office of Pennsylvania Courts:

| | |
|-------------------|-----------------------------|
| January 1, 2010 | New Year's Day |
| January 18, 2010 | Martin Luther King, Jr. Day |
| February 15, 2010 | Presidents' Day |
| April 2, 2010 | Good Friday |
| May 31, 2010 | Memorial Day (Observed) |
| July 5, 2010 | Independence Day (Observed) |
| September 6, 2010 | Labor Day |
| October 11, 2010 | Columbus Day (Observed) |
| November 2, 2010 | Election Day |
| November 11, 2010 | Veterans Day |
| November 25, 2010 | Thanksgiving Day |
| November 26, 2010 | Day After Thanksgiving |
| December 24, 2010 | Christmas Day (Observed) |

PATRICIA NICOLA,
Chief Clerk
Supreme Court of Pennsylvania

[Pa.B. Doc. No. 09-512. Filed for public inspection March 20, 2009, 9:00 a.m.]

Order

Per Curiam:

And Now, this 3rd day of March, 2009 it is ordered that the argument/administrative sessions of the Supreme Court of Pennsylvania shall be held in the year 2010 as follows:

| | |
|--|---------------------------|
| Philadelphia (Administrative Session) | February 4 |
| Philadelphia | March 8—March 12 |
| Harrisburg (Administrative Session) | March 25 |
| Pittsburgh | April 12—April 16 |
| Harrisburg | May 10—May 14 |
| Pittsburgh (Administrative Session) | June 4 |
| Philadelphia | September 13—September 17 |
| Pittsburgh | October 18—October 22 |
| Harrisburg | November 30—December 3 |

Additional argument/administrative sessions may be scheduled as the Court deems necessary.

PATRICIA NICOLA,
Chief Clerk
Supreme Court of Pennsylvania

[Pa.B. Doc. No. 09-513. Filed for public inspection March 20, 2009, 9:00 a.m.]

RULES AND REGULATIONS

Title 58—RECREATION

GAME COMMISSION

[58 PA. CODE CHS. 143 AND 147]

Hunting and Furtaker Licenses and Special Permits

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its January 27, 2009, meeting, adopted the following rulemaking:

Amend Chapter 143, Subchapters A, B, D, E, J and K, and Chapter 147, Subchapters R and S (relating to deer control; and bobcat hunting-trapping permit) to accommodate the implementation of the Commission's new Pennsylvania Automated License System (PALS) within this Commonwealth.

The final-form rulemaking will have no adverse impact on the wildlife resources of this Commonwealth.

The authority for the final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 38 Pa.B. 1477 (March 29, 2008).

1. Purpose and Authority

The Commission has been working in partnership with the Pennsylvania Fish and Boat Commission (PFBC) to create and implement the Commonwealth's first PALS for recreational licenses. The PALS has allowed the Commission and PFBC to replace their respective paper-based licensing systems with a common computer-based automated licensing system. Implementing this computerized PALS within this Commonwealth will significantly streamline the application and purchase process for customers, virtually eliminate manual auditing and reporting for agents, and provide tremendous new electronic functionality to assist the Commission and PFBC support staff in monitoring license administration. In addition, the data from the PALS will enable the Commission and PFBC to monitor license sales, create strategic business plans based on trend analysis and, most importantly, create marketing plans based on more accurate customer demographics. Therefore, in an effort to accommodate the implementation of the Commission's new PALS within this Commonwealth, the Commission has amended Chapter 143, Subchapters A, B, C, D, E, J and K, and Chapter 147, Subchapters R and S.

It is important to note that this rulemaking was tabled subsequent to its proposal due to the recurrent unavailability of an operational PALS during this time frame. In light of the progress made to the system during the past year, the Commission anticipates a full hard roll out of the system on June 15, 2009. As a consequence, the Commission has reactivated this proposal to make the necessary regulatory changes to effectuate use of the system.

Section 2722(g)(2) of the code (relating to authorized license-issuing agents) provides that the commission shall adopt regulations for "The administration, control and performance of activities conducted pursuant to the provisions of this chapter." Section 2901(b) of the code (relating to authority to issue permits) provides "the commission may, as deemed necessary to properly manage the game

or wildlife resources, promulgate regulations for the issuance of any permit and promulgate regulations to control the activities which may be performed under authority of any permit issued." Section 2102(a) of the code (relating to regulations) provides that "The commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth." The amendments to Chapter 143, Subchapters A, B, C, D, E, J and K, and Chapter 147, Subchapters R and S were adopted under this authority.

2. Regulatory Requirements

The final-form rulemaking will amend Chapter 143, Subchapters A, B, C, D, E, J and K, and Chapter 147, Subchapters R and S to accommodate the implementation of the Commission's new PALS within this Commonwealth.

3. Persons Affected

Persons wishing to hunt or trap game or wildlife within this Commonwealth will be affected by the final-form rulemaking.

4. Comment and Response Summary

The Commission received a total of three official written comments concerning this final-form rulemaking. The comments were generally in opposition of the implementation of the PALS within this Commonwealth.

5. Cost and Paperwork Requirements

The final-form rulemaking may result in some additional cost and paperwork associated with the implementation of the Commission's new PALS within this Commonwealth. However, the Commission has determined that if there is any additional expense associated with this effort, it will not be substantial and would be absorbed by the current budget. The final-form rulemaking should not result in any other additional cost or paperwork.

6. Effective Date

The final-form rulemaking will be effective upon final publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

7. Contact Person

For further information regarding the final-form rulemaking, contact Richard R. Palmer, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

Findings

The Commission finds that:

(1) Public notice of intention to adopt the administrative amendments adopted 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 thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) The adoption of these amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

Order

The Commission, acting under authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapters 143 and 147, are amended by amending §§ 143.1, 143.11, 143.26, 143.41, 143.43—143.45, 143.48—143.50, 143.52, 143.53, 143.68, 143.181—143.184, 143.186, 143.187, 147.672, 147.673, 147.675 and 147.676 and by deleting §§ 143.81—143.87 to read as set forth at 38 Pa.B. 1477 and by amending §§ 143.42, 143.51 and 147.674 to read as set forth in Annex A.

(b) The Executive Director of the Commission shall certify this order, 38 Pa.B. 1477 and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(c) This order shall become effective upon final-form publication in the *Pennsylvania Bulletin*.

CARL G. ROE,
Executive Director

Fiscal Note: Fiscal Note 48-268 remains valid for the final adoption of the subject regulations.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 143. HUNTING AND FURTAKER LICENSES

Subchapter C. ANTLERLESS DEER LICENSES

§ 143.42. Definitions.

The following words and terms, when used in this subchapter, have the following meanings, unless the context clearly indicates otherwise:

Application—The original PALS form issued with a regular hunting license or the original or reasonable facsimile of the universal form contained in the *“Hunting and Trapping Digest”* that is used in applying for an antlerless license or an unsold tag.

County allocation—The number of licenses allocated by the Commission to an individual county.

County treasurer—A county treasurer in this Commonwealth or a person carrying out the duties and responsibilities of a county treasurer in counties functioning under a home rule charter.

Date issued—The date printed on the license at the time of issuance indicating when the license was mailed or given to the person named on the license.

Envelope—The official envelope issued with a regular hunting license which shall be used by the applicant to mail completed applications to a county treasurer.

Home address—The location where a person is legally domiciled; a true, fixed and permanent home and principal residence; and the place to which, whenever the applicant is temporarily absent, he intends to return.

License—The numbered license which is issued by the county treasurer or the Commission authorizing the holder thereof to hunt antlerless deer in a specific wildlife management unit.

Management unit allocation—The number of licenses allocated by the Commission to an individual wildlife management unit.

PALS—Pennsylvania Automated License System.

Unsold tag—An antlerless deer license permitting properly licensed persons to take an antlerless deer during any firearms antlerless deer season, archery or flintlock muzzleloader and muzzleloader deer seasons in the wildlife management unit of issue.

Unsold tag application—The form contained in the *“Hunting and Trapping Digest”* used in applying for an unsold tag.

Void—A voided license which remains nonissuable.

§ 143.51. Application and issuance of unsold tags.

(a) Except as provided in § 143.52 (relating to procedures for unlimited antlerless licenses), beginning on the first Monday in August, residents and nonresidents of this Commonwealth are eligible to receive an unsold tag.

(b) The original PALS form issued with a regular hunting license or the original or reasonable facsimile of the universal form contained in the *“Hunting and Trapping Digest”* that is used in applying for an antlerless license or an unsold tag.

(c) The applicant shall use the official antlerless deer license application envelope.

(d) Unless otherwise ordered by the Director, remittance in the form of a negotiable check or money order for the total amount due as specified in the act, payable to “County Treasurer,” shall accompany the application.

(e) Unsold tags shall be issued through the Commission’s PALS. The county treasurer shall write in ink the applicant’s customer ID numbers on the face of the check or money order. If there are no licenses available in the applicant’s first unit of preference, the county treasurer shall issue a license for the applicant’s next unit of preference in the order given. If all three units have no licenses available, the county treasurer shall return the application to the applicant indicating that the selected units were sold out.

(f) Beginning on the third Monday in August, residents and nonresidents of this Commonwealth are eligible to apply for one additional unsold tag by mailing to a county treasurer.

CHAPTER 147. SPECIAL PERMITS

Subchapter R. DEER CONTROL

DEER MANAGEMENT ASSISTANCE PROGRAM PERMITS

§ 147.674. Issuance of DMAP harvest permits.

(a) DMAP harvest permits will be made available without regard to quota limitations and will be issued through the Commission’s PALS.

(b) Two harvest permits for the DMAP area may be issued each license year to persons who possess a valid Pennsylvania hunting license.

(c) Coupon holders shall submit the completed coupons and remittance as determined by the Director. The fee for the harvest permit is \$10 for residents and \$35 for nonresidents. A fee of \$6 will be assessed for the replacement of any DMAP harvest permit.

(d) While hunting deer, the DMAP harvest permit shall be possessed by the hunter at all times.

(e) In DMAP areas designated by the Director, applicants may apply for DMAP harvest permits without possessing a coupon as long as harvest permits remain available for that area.

[Pa.B. Doc. No. 09-514. Filed for public inspection March 20, 2009, 9:00 a.m.]

PROPOSED RULEMAKING

GAME COMMISSION

[58 PA. CODE CH. 141]
Hunting and Trapping

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its January 27, 2009, meeting, proposed to add § 141.28 (relating to wild pheasant recovery areas) to define the geographic locations of the wild pheasant recovery areas and prohibit the release of propagated pheasants and certain dog training activities within same.

The proposed rulemaking will have no adverse impact on the wildlife resources of this Commonwealth.

The authority for the proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

The proposed rulemaking was made public at the January 27, 2009, meeting of the Commission. Comments can be sent to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, until April 17, 2009.

1. Purpose and Authority

The Ring-necked Pheasant Management Plan calls for restoring self-sustaining and huntable ring-necked pheasant populations in suitable habitats by establishing Wild Pheasant Recovery Areas (WPRAs). Wild-trapped pheasants will be released in WPRAs in an effort to establish populations of at least 10 hens per mi² in the spring, while WPRAs remain closed to game farm pheasant stocking and pheasant hunting, and dog training is restricted during the population establishment period. The moratorium on game farm pheasant releases is aimed at minimizing the possibility of reducing genetic diversity and improving survivorship of wild pheasants. Pheasant hunting curtailment is important to eliminating the incidental taking of hen pheasants thus limiting population viability. Dog training restrictions are essential to maximizing survivorship and direct taking of hens, especially during the spring nesting and summer brood rearing periods. The Commission is proposing to add § 141.28 to define the geographic locations of the wild pheasant recovery areas and prohibit the release of propagated pheasants and certain dog training activities within same.

Section 322(c)(4) of the code (relating to powers and duties of the commission) specifically authorizes the Commission to "Define geographic limitations or restrictions." Section 2102(c) of the code (relating to regulations) directs that "The commission shall promulgate regulations concerning the transportation, introduction into the wild, importation, exportation, sale, offering for sale or purchase of game or wildlife or the disturbing of game or wildlife in their natural habitat." Section 2102(a) of the code provides that "The commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or

may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth." The addition of § 141.28 was proposed under to this authority.

2. Regulatory Requirements

The proposed rulemaking will add § 141.28 to define the geographic locations of the wild pheasant recovery areas and prohibit the release of propagated pheasants and certain dog training activities within the defined locations.

3. Persons Affected

Persons wishing to hunt wild pheasants, release propagated pheasants or train dogs within this Commonwealth may be affected by the proposed rulemaking.

4. Cost and Paperwork Requirements

The proposed rulemaking should not result in any additional cost or paperwork.

5. Effective Date

The proposed rulemaking will be effective upon final publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

6. Contact Person

For further information regarding the proposed rulemaking, contact Richard A. Palmer, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

CARL G. ROE,
Executive Director

Fiscal Note: 48-279. No fiscal impact; (8) recommends adoption.

(Editor's Note: The following section is new. The text has been printed in regular print to enhance readability.)

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 141. HUNTING AND TRAPPING

Subchapter B. SMALL GAME

§ 141.28. Wild pheasant recovery areas.

(a) *Definition.* For the purpose of this section, the phrase "wild pheasant recovery area" (WPRAs) includes and is limited to the following geographic locations.

(1) *Pike Run WPRAs.* The portion of Washington County, WMU 2A, bounded on the east by the Monongahela River, on the north by I-70, on the west by PA Rt. 917 to Swagler Rd. to Spring Valley Rd. to PA Rt. 2015 to Lone Pine Rd. to the intersection with Tenmile Creek in West Zollarsville, and bounded on the south by Tenmile Creek.

(2) *Somerset WPRAs.* That portion of Somerset County, WMU 2C, bounded on the western side starting at the intersection of Coleman Station Rd. and to Stutzmantown Rd. proceeding south on Coleman Station Rd. to Brotherton Rd. continuing south to Shultz Rd./Round Hill Rd. then onto Wills Church Rd. then to Archery Rd. Boundary follows Berlin Plank Rd. (US Rt. 219) into the town of Berlin where it joins the Mason Dixon Highway (US Rt. 219) proceeding south to Pine Hill Rd. then onto Goodtown Rd. to Walker School Rd. to Sawmill Rd. Boundary crosses PA Rt. 160 to intersection with PA Rt.

31. Following Roxbury Rd. north to Shanksville Rd. connecting to the northern boundary of Stutzmantown Rd. again to the intersection of Coleman Station Rd.

(3) *Central Susquehanna WPR*A. Portions of Management Unit 4E in Northumberland, Montour, Columbia and Lycoming counties from the West Branch of the Susquehanna River to the south and east of the intersection of PA Rts. 54 and 405 south to the intersection with PA Rt. 642 and the West Branch of the Susquehanna River in Milton. The southern boundary is defined by PA Rt. 642 east from Milton to Maudsley, then PA Rt. 642 begins the east side of the WPR boundary north to Jerseytown and then continues to the northern boundary following Whitehall Rd. (PA Rt. 44) towards White Hall. The northern boundary consists of smaller state and township roads proceeding from the West Branch of the Susquehanna River south and east along PA Rt. 405 to PA Rt. 54 east in Northumberland County. Then proceeding north on Crawford Rd. (Rt. 507), continuing northeast on Hughes Rd. (Rt. 655), crossing under I-180, ending at Susquehanna Trail (PA Rt. 1007). Continuing south on Susquehanna Trail (PA Rt. 1007) to Schmidt Rd. (Rt. 564). Proceeding east and southeast on Schmidt Rd. (Rt. 564). Continuing northeast on Balliet Rd. (Rt. 664) and Miller Rd. (Rt. 653) to Hockley Hill Rd. (PA Rt. 1011). Proceeding south on Hockley Hill Rd. (PA Rt. 1011) and east and south on Pugmore Lane to Showers Rd. (PA Rt. 1010). Continuing east on Showers Rd. (PA Rt. 1010), crossing into Montour County, and proceeding south on Gearhart Hollow Rd. (Rt. 441), east on Hickory Rd. (PA Rt. 1008), northeast on Mingle Rd. (Rt. 433), east on Hickory Rd. (PA Rt. 1008), north on Muncy Exchange Rd. (PA Rt. 1003), northeast on Country Line Rd., crossing into Lycoming County, east and north on Ridge Rd., southeast on G Wagner Rd., crossing into Columbia County, south on Katy's Church Rd., to the border of State Game Lands 226. South along the State Game Lands 226 boundary and then east and southeast along the State Game Lands 226 boundary, then south on Ants Hill Rd. Proceeding east on Shultz Rd., south on Swartz Rd., west on Schoolhouse Rd. to Whitehall Rd. (PA Rt. 44) northwest of Jerseytown and southeast of Whitehall.

(b) *Prohibitions.* It is unlawful to:

(1) Release artificially propagated pheasants any time within any area designated as a wild pheasant recovery area.

(2) Train dogs in any manner from the end of small game season through July 31 within any area designated as a wild pheasant recovery area.

[Pa.B. Doc. No. 09-515. Filed for public inspection March 20, 2009, 9:00 a.m.]

[58 PA. CODE CH. 141]
Hunting and Trapping

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its January 27, 2009, meeting, proposed to amend § 141.66 (relating to cable restraints) to permit properly licensed trappers to take and utilize nontarget furbearing species captured in a cable restraint device during an open season for the same.

The proposed rulemaking will have no adverse impact on the wildlife resources of this Commonwealth.

The authority for the proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

The proposed rulemaking was made public at the January 27, 2009, meeting of the Commission. Comments can be sent to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, until April 17, 2009.

1. *Purpose and Authority*

In January 2005, the Commission first defined and authorized the limited use of cable restraint devices to harvest red fox, gray fox and coyote. Since the inception of its lawful use by this Commonwealth's trappers, the Commission has identified a low but recognizable incidence of nontarget furbearing species (including raccoons, opossum, skunk and bobcat) being captured in legal sets of these devices. Due to the limited authorization on the species that can be lawfully harvested through the use of the cable restraint devices, the Commission has historically treated the capture of all other nontarget furbearing species as mistake catches despite the fact that there are typically open seasons on these species at the time of capture. In an effort to avoid this result, the Commission is proposing to amend § 141.66 to permit properly licensed trappers to take and utilize nontarget furbearing species captured in a cable restraint device during an open season for the same. The amendment will also allow an incidentally captured bobcat to be harvested if the trapper possesses a valid bobcat harvest permit. This modification does not in any manner change the legal definition of a legal cable restraint or the manner or location where these devices may be set.

Section 2102(d) of the code (relating to regulations) authorizes the Commission to "promulgate regulations stipulating the size and type of traps, the type of firearms and ammunition and other devices which may be used, the manner in which and the location where the devices may be used, the species the devices may be used for and the season when the devices may be used." Section 2102(a) of the code (relating to regulations) provides that "The commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth." The amendments to § 141.66 were proposed under this authority.

2. *Regulatory Requirements*

The proposed rulemaking will amend § 141.66 to permit properly licensed trappers to take and utilize nontarget furbearing species captured in a cable restraint device during an open season for the same.

3. *Persons Affected*

Persons wishing to trap furbearing species with cable restraint devices within this Commonwealth may be affected by the proposed rulemaking.

4. *Cost and Paperwork Requirements*

The proposed rulemaking should not result in any additional cost or paperwork. Rather, the proposed rulemaking will likely reduce costs and paperwork associated with the disposition of furbearing species mistakenly captured in cable restraint devices.

5. *Effective Date*

The proposed rulemaking will be effective upon final publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

6. *Contact Person*

For further information regarding the proposed rulemaking, contact Richard A. Palmer, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

CARL G. ROE,
Executive Director

Fiscal Note: 48-280. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 141. HUNTING AND TRAPPING

Subchapter D. FURBEARERS

§ 141.66. Cable restraints.

(a) Cable restraint devices may be used from January 1 until the end of the established trapping season to harvest red fox, gray fox and coyote. **Nontarget furbearing species incidentally captured in a cable restraint device during an open season for that species may be taken and utilized, provided the trapper possesses an applicable licenses and permits.**

* * * * *

[Pa.B. Doc. No. 09-516. Filed for public inspection March 20, 2009, 9:00 a.m.]

**[58 PA. CODE CH. 141]
Hunting and Trapping**

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its January 27, 2009, meeting, proposed to amend § 141.4, Appendix G (relating to hunting hours) for the 2009-2010 hunting year.

The proposed rulemaking will have no adverse impact on the wildlife resources of this Commonwealth.

The authority for the proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

The proposed rulemaking was made public at the January 27, 2009, meeting of the Commission. Comments can be sent to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, until April 17, 2009.

1. *Purpose and Authority*

Each year there is a shift in calendar days for each month. As a result of this occurrence, the tables of hunting hours found in § 141.4 must be amended and updated each year to reflect the current year's hunting dates and corresponding legal hunting hours. The Commission is proposing to amend § 141.4 to update the tables of hunting hours for the 2009-2010 hunting year to

reflect the annual change in days and subsequent hunting times.

Section 322(c)(1) of the code (relating to powers and duties of the Commission) specifically empowers the Commission to "fix seasons, daily shooting or taking hours, and any modification thereof, and daily, season and possession limits for any species of game or wildlife." Section 2102(a) of the code (relating to regulations) provides that "The commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth." The amendments to § 141.4 were proposed under this authority.

2. *Regulatory Requirements*

The proposed rulemaking will amend § 141.4 to update the tables of hunting hours for the 2009-2010 hunting year to reflect the annual change in days and subsequent hunting times.

3. *Persons Affected*

Persons wishing to hunt or trap within this Commonwealth during the 2009-2010 hunting year will be affected by the proposed rulemaking.

4. *Cost and Paperwork Requirements*

The proposed rulemaking should not result in any additional cost or paperwork.

5. *Effective Date*

The effective dates of the proposed rulemaking are July 1, 2009, to June 30, 2010.

6. *Contact Person*

For further information regarding the proposed rulemaking, contact Richard A. Palmer, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

CARL G. ROE,
Executive Director

Fiscal Note: 48-282. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 141. HUNTING AND TRAPPING

APPENDIX G

(Editor's Note: The Commission is proposing to replace the tables in Appendix G which appears in 58 Pa. Code pages 141-26—141-28, serial pages (335718), (340221) and (340222)) and replace it with the following tables.)

**HUNTING HOURS TABLE FOR
JUNE 28, 2009 THROUGH JULY 3, 2010**

| <i>Dates</i> | <i>Begin A.M.</i> | <i>End P.M.</i> |
|------------------|-------------------|-----------------|
| June 28—July 4 | 5:07 | 9:03 |
| July 5—11 | 5:12 | 9:02 |
| July 12—18 | 5:17 | 8:56 |
| July 19—25 | 5:23 | 8:51 |
| July 26—Aug. 1 | 5:29 | 8:44 |
| Aug. 2—8 | 5:36 | 8:36 |
| Aug. 9—15 | 5:42 | 8:27 |
| Aug. 16—22 | 5:51 | 8:17 |
| Aug. 23—29 | 5:56 | 8:06 |
| Aug. 30—Sept. 5 | 6:02 | 7:55 |
| Sept. 6—12 | 6:09 | 7:44 |
| Sept. 13—19 | 6:16 | 7:32 |
| Sept. 20—26 | 6:22 | 7:21 |
| Sept. 27—Oct. 3 | 6:29 | 7:09 |
| Oct. 4—10 | 6:34 | 6:58 |
| Oct. 11—17 | 6:43 | 6:48 |
| Oct. 18—24 | 6:51 | 6:38 |
| Oct. 25—31 | 6:59 | 6:29 |
| Nov. 1—7*ends | 6:07 | 5:21 |
| Nov. 8—14 | 6:15 | 5:15 |
| Nov. 15—21 | 6:23 | 5:10 |
| Nov. 22—28 | 6:30 | 5:07 |
| Nov. 29—Dec. 5 | 6:37 | 5:05 |
| Dec. 6—12 | 6:43 | 5:05 |
| Dec. 13—19 | 6:48 | 5:06 |
| Dec. 20—26 | 6:49 | 5:08 |
| Dec. 27—Jan. 2 | 6:52 | 5:12 |
| Jan. 3—9 | 6:53 | 5:22 |
| Jan. 10—16 | 6:52 | 5:25 |
| Jan. 17—23 | 6:50 | 5:32 |
| Jan. 24—30 | 6:46 | 5:40 |
| Jan. 31—Feb. 6 | 6:40 | 5:49 |
| Feb. 7—13 | 6:30 | 5:57 |
| Feb. 14—20 | 6:25 | 6:05 |
| Feb. 21—27 | 6:15 | 6:14 |
| Feb. 28—Mar. 6 | 6:05 | 6:19 |
| Mar. 7—13*begins | 6:55 | 7:29 |
| Mar. 14—20 | 6:44 | 7:36 |
| Mar. 21—27 | 6:32 | 7:44 |
| Mar. 28—Apr. 3 | 6:21 | 7:51 |
| Apr. 4—10 | 6:10 | 7:58 |
| Apr. 11—17 | 5:59 | 8:05 |
| Apr. 18—24 | 5:48 | 8:12 |
| Apr. 25—May 1 | 5:40 | 8:21 |
| May 2—8 | 5:30 | 8:26 |
| May 9—15 | 5:25 | 8:33 |

| <i>Dates</i> | <i>Begin A.M.</i> | <i>End P.M.</i> |
|-----------------------|-------------------|-----------------|
| May 16—22 | 5:15 | 8:40 |
| May 23—29 | 5:10 | 8:46 |
| May 30—June 5 | 5:05 | 8:52 |
| June 6—12 | 5:02 | 8:57 |
| June 13—19 | 5:02 | 9:00 |
| June 20—26 | 5:03 | 9:03 |
| June 27—July 3 | 5:07 | 9:03 |
| *Daylight Saving Time | | |

**MIGRATORY GAME BIRD HUNTING
HOURS TABLE**

| <i>Dates</i> | <i>Begin A.M.</i> | <i>End P.M.</i> |
|-----------------------|-------------------|-----------------|
| Aug. 30—Sept. 5 | 6:02 | 7:25 |
| Sept. 6—12 | 6:09 | 7:14 |
| Sept. 13—19 | 6:16 | 7:02 |
| Sept. 20—26 | 6:22 | 6:49 |
| Sept. 27—Oct. 3 | 6:29 | 6:39 |
| Oct. 4—10 | 6:34 | 6:28 |
| Oct. 11—17 | 6:43 | 6:18 |
| Oct. 18—24 | 6:51 | 6:08 |
| Oct. 25—31 | 7:00 | 5:59 |
| Nov. 1—7*ends | 6:07 | 4:49 |
| Nov. 8—14 | 6:15 | 4:45 |
| Nov. 15—21 | 6:23 | 4:40 |
| Nov. 22—28 | 6:30 | 4:37 |
| Nov. 29—Dec. 5 | 6:37 | 4:35 |
| Dec. 6—12 | 6:43 | 4:35 |
| Dec. 13—19 | 6:48 | 4:36 |
| Dec. 20—26 | 6:49 | 4:38 |
| Dec. 27—Jan. 2 | 6:52 | 4:42 |
| Jan. 3—9 | 6:53 | 4:48 |
| Jan. 10—16 | 6:52 | 4:55 |
| Jan. 17—23 | 6:50 | 5:02 |
| Jan. 24—30 | 6:46 | 5:10 |
| Jan. 31—Feb. 6 | 6:40 | 5:19 |
| Feb. 7—13 | 6:30 | 5:27 |
| Feb. 14—20 | 6:25 | 5:35 |
| Feb. 21—27 | 6:15 | 5:44 |
| Feb. 28—Mar. 6 | 6:05 | 5:49 |
| Mar. 7—13*begins | 6:55 | 6:59 |
| Mar. 14—20 | 6:44 | 7:06 |
| Mar. 21—27 | 6:32 | 7:14 |
| Mar. 28—Apr. 3 | 6:21 | 7:21 |
| Apr. 4—10 | 6:10 | 7:28 |
| Apr. 11—17 | 5:59 | 7:35 |
| *Daylight Saving Time | | |

[Pa.B. Doc. No. 09-517. Filed for public inspection March 20, 2009, 9:00 a.m.]

NOTICES

DEPARTMENT OF BANKING

Actions on Applications

The Department of Banking (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 9, 2002 (P. L. 1572, No. 207), known as the Credit Union Code, has taken the following action on applications received for the week ending March 10, 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

Charter Applications

| <i>Date</i> | <i>Name of Bank</i> | <i>Location</i> | <i>Action</i> |
|-------------|-------------------------------------|-----------------|---------------|
| 3-9-2009 | e3bank Malvern Chester County | Malvern | Approved |

Interim Charter Applications

| <i>Date</i> | <i>Name of Bank</i> | <i>Location</i> | <i>Action</i> |
|-------------|---|-----------------|---------------|
| 3-6-2009 | Affinity Interim Bank Wyomissing Berks County | Wyomissing | Filed |

Application filed in conjunction with the proposed reorganization of Affinity Bank of Pennsylvania, Wyomissing, into a bank holding company structure whereby Affinity Bank of Pennsylvania will become the wholly-owned subsidiary of Affinity Bancorp, a new holding company in formation.

Conversions

| <i>Date</i> | <i>Name of Bank</i> | <i>Location</i> | <i>Action</i> |
|-------------|--|-----------------|---------------|
| 3-3-2009 | <i>From:</i> Centric Bank, National Association Harrisburg Dauphin County <i>To:</i> Centric Bank 4320 Linglestown Road Harrisburg, PA 17112 Dauphin County | Harrisburg | Effective |

Conversion from a National banking association to a Pennsylvania State-chartered bank. Centric Bank is a wholly-owned subsidiary of Centric Financial Corporation, Harrisburg, an existing bank holding company.

Branch offices operated by Centric Bank:

| | |
|--|--|
| 10 North Progress Avenue Harrisburg Dauphin County | 6480 Carlisle Pike Mechanicsburg Cumberland County |
|--|--|

Holding Company Acquisitions

| <i>Date</i> | <i>Name of Corporation</i> | <i>Location</i> | <i>Action</i> |
|-------------|--|-----------------|---------------|
| 3-5-2009 | Penseco Financial Services Corporation, Scranton, to acquire 100% of Old Forge Bank, Old Forge | Scranton | Approved |

| <i>Date</i> | <i>Name of Corporation</i> | <i>Location</i> | <i>Action</i> |
|-------------|--|-----------------|---------------|
| 3-6-2009 | Chemung Financial Corporation, Elmira, NY, to acquire 100% of Canton Bancorp, Inc., Canton, and thereby indirectly acquire Bank of Canton, Canton, which will subsequently merge with and into Chemung Canal Trust Company, Elmira, NY, a wholly-owned subsidiary of Chemung Financial Corporation | Elmira, NY | Filed |

Consolidations, Mergers and Absorptions

| <i>Date</i> | <i>Name of Bank</i> | <i>Location</i> | <i>Action</i> |
|-------------|--|-----------------|---------------|
| 3-5-2009 | Penn Security Bank and Trust Company, Scranton, and Old Forge Bank, Old Forge Surviving Institution: Penn Security Bank and Trust Company, Scranton | Scranton | Approved |

Branch Applications

De Novo Branches

| <i>Date</i> | <i>Name of Bank</i> | <i>Location</i> | <i>Action</i> |
|-------------|--|--|---------------|
| 3-2-2009 | First Commonwealth Bank Indiana Indiana County | 520 Butler Crossings Butler Butler County | Opened |
| 3-4-2009 | Northwest Savings Bank Warren Warren County | 2113 Chili Avenue Gates Monroe County, NY | Filed |
| 3-6-2009 | VIST Bank Wyomissing Berks County | The Heritage of Green Hills 200 Tranquility Lane Reading Berks County (Limited Service Facility) | Approved |

Branch Relocations

| <i>Date</i> | <i>Name of Bank</i> | <i>Location</i> | <i>Action</i> |
|-------------|--|--|---------------|
| 3-2-2009 | First Commonwealth Bank Indiana Indiana County | <i>To:</i> 8291 SR 22 New Alexandria Westmoreland County <i>From:</i> 412 West Main Street New Alexandria Westmoreland County | Effective |
| 3-2-2009 | Susquehanna Bank Lititz Lancaster County | <i>To:</i> 110 Kings Highway Haddonfield Camden County, NJ <i>From:</i> 30 Kings Highway East Haddonfield Camden County, NJ | Effective |

Branch Consolidations

| <i>Date</i> | <i>Name of Bank</i> | <i>Location</i> | <i>Action</i> |
|-------------|--|---|---------------|
| 2-26-2009 | Susquehanna Bank Lititz Lancaster County | <i>Into:</i> 1950 Old Philadelphia Pike Lancaster Lancaster County <i>From:</i> 2034 Lincoln Highway East Lancaster Lancaster County | Filed |
| 3-6-2009 | Jersey Shore State Bank Jersey Shore Lycoming County | <i>Into:</i> 2050 North Atherton Street State College Centre County <i>From:</i> 1665 North Atherton Place State College Centre County | Approved |

Branch Discontinuances

| <i>Date</i> | <i>Name of Bank</i> | <i>Location</i> | <i>Action</i> |
|-------------|--|--|---------------|
| 3-6-2009 | Firsttrust Savings Bank Conshohocken Montgomery County | 405 Oxford Valley Road Fairless Hills Bucks County | Approved |

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

No activity.

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

STEVEN KAPLAN,
Secretary

[Pa.B. Doc. No. 09-518. Filed for public inspection March 20, 2009, 9:00 a.m.]

DEPARTMENT OF BANKING

Maximum Lawful Rate of Interest for Residential Mortgages for the Month of April

The Department of Banking (Department), under the authority contained in section 301 of the act of January 30, 1974 (P. L. 13, No. 6) (41 P. S. § 301), determines that the maximum lawful rate of interest for residential mortgages for the month of April, 2009, is 5 3/4%.

The interest rate limitations under the State's usury statute were preempted to a great extent by Federal law, the Depository Institutions Deregulation and Monetary Control Act of 1980 (Pub. L. No. 96-221). Further preemption was instituted with the signing of Pub. L. No. 96-399, which overrode State interest rate limitations on any individual who finances the sale or exchange of residential real property which the individual owns and which the individual occupies or has occupied as his principal residence.

Each month the Department is required by State law to compute and announce the ceiling rate on residential mortgages in this Commonwealth. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board and/or the United States Treasury. The latest yield rate on long-term government securities is 3.35 to which was added 2.50 percentage points for a total of 5.85 that by law is rounded off to the nearest quarter at 5 3/4%.

STEVEN KAPLAN,
Secretary

[Pa.B. Doc. No. 09-519. Filed for public inspection March 20, 2009, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

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

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

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

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

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

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

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

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

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

I. NPDES Renewal Applications

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

| <i>NPDES No. (Type)</i> | <i>Facility Name & Address</i> | <i>County & Municipality</i> | <i>Stream Name (Watershed #)</i> | <i>EPA Waived Y/N ?</i> |
|--------------------------------|---|--------------------------------------|--------------------------------------|-----------------------------|
| PA0062294 Municipal Renewal | Coolbaugh Township Board of Supervisors 5550 Memorial Boulevard Tobyhanna, PA 18446 | Monroe County Coolbaugh Township | Tobyhanna Creek 02A | Y |

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

| <i>NPDES No. (Type)</i> | <i>Facility Name & Address</i> | <i>County & Municipality</i> | <i>Stream Name (Watershed #)</i> | <i>EPA Waived Y/N ?</i> |
|-----------------------------|---|--------------------------------------|--|-----------------------------|
| PA0091065 | Charles M. Truman 114 Cobham Lane Cabot, PA 16023 | Winfield Township Butler County | UNT to Little Buffalo Creek 18-F | 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.

PA0055212A1, Sewage, SIC 4952, **Concord Township Sewer Authority**, 664 Concord Road, Glen Mills, PA 19342. This proposed facility is located in Concord Township, **Delaware County**.

Description of Proposed Activity: amendment of an NPDES permit to discharge treated sewage from Concord Township Central STP.

The receiving streams, West Branch of Chester Creek and UNT to West Branch of Chester Creek are in the State Water Plan Watershed 3G and is classified for: TSF, 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 5.5 miles below the point of discharge.

The proposed change in the effluent limits for Outfall 001 is based on a design flow of 1.8 mgd.

(i) The limit for Copper, Total is changed from 0.015 mg/l to 0.026 mg/l as monthly average.

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

Application No. PA 0026441, Sewage, **Lemoyne Borough**, Three Lowther Street, Lemoyne, PA 17043. This facility is located in Lemoyne Borough, **Cumberland County**.

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

The receiving stream, Susquehanna River, is in Watershed 7-E, and classified for WWF, 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 27 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 2.088 mgd are:

| <i>Parameter</i> | <i>Average Monthly (mg/l)</i> | <i>Average Weekly (mg/l)</i> | <i>Instantaneous Maximum (mg/l)</i> |
|-------------------------|-------------------------------------|------------------------------|-------------------------------------|
| CBOD ₅ | 25 | 40 | 50 |
| Total Suspended Solids | 30 | 45 | 60 |
| Total Residual Chlorine | 0.5 | | 1.6 |
| Total Phosphorus | 2.0 | | 4.0 |
| Dissolved Oxygen | Minimum of 5.0 at all times | | |
| pH | From 6.0 to 9.0 inclusive | | |
| Fecal Coliform | 200/100 ml as a Geometric Average | | |
| (5-1 to 9-30) | 2,000/100 ml as a Geometric Average | | |
| (10-1 to 4-30) | | | |

Chesapeake Bay Requirements

| | <i>Concentration (mg/l)</i> | <i>Mass (lbs)</i> | |
|----------------------|-----------------------------|-------------------|---------------|
| | <i>Monthly Average</i> | <i>Monthly</i> | <i>Annual</i> |
| Ammonia-N | Report | Report | Report |
| Kjeldahl-N | Report | Report | XXX |
| Nitrate-Nitrite as N | Report | Report | XXX |
| Total Nitrogen | Report | Report | Report |
| Total Phosphorus | Report | Report | Report |
| Net Total Nitrogen | XXX | Report | 46,270* |
| Net Total Phosphorus | XXX | Report | 5,784* |

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

Persons 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.

Application No. PA 0260631, CAFO, **Peach Glen Farm, LLC**, 367 Georgetown Road, Gardners, PA 17324. Peach Glen Farm, LLC has submitted an application for an Individual NPDES permit for an existing CAFO known as the Peach Glen Farm, located in Dickinson Township, **Cumberland County**.

The CAFO is situated near a UNT of Tagg Run, which is classified as a HQ-CWF. The CAFO includes four animal housing units designed to maintain an animal population of approximately 552 animal equivalent units consisting of 2,200 finishing swine, 20,000 finishing turkeys and 20,000 brooder turkeys. Liquid manure is stored in a high-density polyethylene-lined earthen impoundment with a capacity of approximately 1.1 million gallons. Manure produced at the operation is exported to local farmers in accordance with an approved Nutrient Management Plan. 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 reissue the 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 Southcentral Regional Office of the Department. You may make an appointment to review the files by calling the File Review Coordinator at (717) 705-4732.

Persons wishing to comment on the proposed permit are invited to submit written comments to the previous 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. Following the 30-day comment period, the

Watershed 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.

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

PA0001228-A1, Industrial Waste, SIC, 3621 and 3561, **Curtiss-Wright Corporation**, 1000 Cheswick Avenue, Cheswick, PA 15024-1300. This application is for amendment of an NPDES permit to discharge untreated process water from the Curtiss-Wright Electro-Mechanical Corporation in Harmar Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, UNT to Allegheny River, classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is Oakmont, located at approximately, 2.0 miles below the discharge point.

Outfall 903 and 113: new discharge, design flow of 0.005 mgd.

| Parameter | Mass (lb/day) | | Concentration (mg/l) | | |
|------------------------|--------------------|---------------|----------------------|---------------|-----------------------|
| | Average Monthly | Maximum Daily | Average Monthly | Maximum Daily | Instantaneous Maximum |
| Flow (mgd) | Monitor and Report | | | | |
| Total Suspended Solids | | | 30 | | 60 |
| Oil and Grease | | | 15 | | 30 |
| Dissolved Oxygen | | | Minimum of 5.0 | | |
| Iron | | | Monitor and Report | | 7.0 |
| pH | | | Monitor and Report | | |

The EPA waiver is in effect.

PA0098523, Sewage, **Calvin Cramer**, 305 Oberdick Drive, McKeesport, PA 15135. This application is for renewal of an NPDES permit to discharge treated sewage from Glen Meadow Mobile Home Park STP in Amwell Township, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Little Tenmile Creek, which are classified as a TSF 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 Marianna Municipal Water Works on Tenmile Creek.

Outfall 001: existing discharge, design flow of 0.0367 mgd.

| Parameter | Concentration (mg/l) | | | |
|------------------------------------|--|----------------|---------------|-----------------------|
| | Average Monthly | Average Weekly | Maximum Daily | Instantaneous Maximum |
| CBOD ₅ | 25 | | | 50 |
| Suspended Solids | 30 | | | 60 |
| Ammonia Nitrogen (5-1 to 10-31) | 2.0 | | | 4.0 |
| (11-1 to 4-30) | 3.0 | | | 6.0 |
| Fecal Coliform (5-1 to 9-30) | 200/100 ml as a Geometric Mean | | | |
| (10-1 to 4-30) | 2,000/100 ml as a Geometric Mean | | | |
| Dissolved Oxygen | not less than 5.0 mg/l | | | |
| pH | not less than 6.0 nor greater than 9.0 | | | |

The EPA waiver is in effect.

PA0218201, Sewage, **RoxCoal, Inc.**, P. O. Box 260, Friedens, PA 15541. This application is for renewal of an NPDES permit to discharge treated sewage from the Augustus Deep Mine Portal Sewage Treatment Plant in Shade Township, **Somerset County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Coal Run, which are classified as a CWF 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 Municipal Authority of Buffalo Township along the Allegheny River.

Outfall 003: existing discharge, design flow of 0.002 mgd.

| Parameter | Concentration (mg/l) | | | |
|-------------------|----------------------|----------------|---------------|-----------------------|
| | Average Monthly | Average Weekly | Maximum Daily | Instantaneous Maximum |
| CBOD ₅ | 25 | | | 50 |
| Suspended Solids | 30 | | | 60 |

| Parameter | Concentration (mg/l) | | | |
|---|--|----------------|---------------|-----------------------|
| | Average Monthly | Average Weekly | Maximum Daily | Instantaneous Maximum |
| Fecal Coliform (5-1 to 9-30) (10-1 to 4-30) | 200/100 ml as a Geometric Mean | | | |
| Total Residual Chlorine | 2,000/100 ml as a Geometric Mean | | | |
| pH | 1.4 | | | 3.3 |
| | not less than 6.0 nor greater than 9.0 | | | |

The EPA waiver is in effect.

PA0253740, Sewage, **Ingram Borough**, 40 West Prospect Street, Pittsburgh, PA 15205-2296. This application is for issuance of an NPDES permit to discharge combined sewage from combined sewer outfalls in the Borough of Ingram, **Allegheny County**.

Outfalls:

C-19 which discharge to the receiving waters known as Chartiers Creek and serve as combined sewer overflow necessitated by stormwater entering the sewer system and exceeding the hydraulic capacity of the sewers and/or the treatment plant and are permitted to discharge only for such reason. There are at this time no specific effluent limitations on the outfalls. Each discharge shall be monitored for cause, frequency, duration and quantity of flow and implementation of technology-based controls.

Other Conditions: The Borough of Ingram is required to implement the nine minimum technology based controls on a system-wide basis, and develop a long-term control plan.

The EPA waiver is in effect.

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

PA0025283, Sewage, **Knox Borough**, P. O. Box 366, Knox, PA 16232-0366. This existing facility is located in Beaver Township, **Clarion County**.

Description of Proposed Activity: New NPDES permit for an existing discharge of treated sewage.

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply, considered during the evaluation is the Parker Water System is located on the Allegheny River and is approximately 18 miles below point of discharge.

The receiving stream, the Canoe Creek, is in Watershed 17-B and classified for: HQ-CWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.26 mgd.

| | Loadings | | Concentrations | | |
|---|--------------------------|--|------------------------|-----------------------|------------------------------|
| | Average Monthly (lb/day) | Average Weekly (lb/day) | Average Monthly (mg/l) | Average Weekly (mg/l) | Instantaneous Maximum (mg/l) |
| Flow | | | | | |
| CBOD ₅ | 54 | 87 | 25 | 40 | 50 |
| Total Suspended Solids | 65 | 97 | 30 | 45 | 60 |
| NH ₃ -N (5-1 to 10-31) | 26 | | 12 | | 24 |
| Fecal Coliform (5-1 to 9-30) (10-1 to 4-30) | | 200/100 ml as a Geometric Average | | | |
| Total Residual Chlorine | | 2,000/100 ml as a Geometric Average | | | |
| Dissolved Oxygen | | minimum of 4 mg/l at all times | | | |
| pH | | 0.69 | | | 2.2 |
| | | 6.0 to 9.0 Standard Units at all times | | | |

The EPA waiver is in effect.

PA0102270, Sewage, **Skyline Development, Inc., Summit Estates Mobile Home Park**, P. O. Box 806, Indianola, PA 15051. This existing facility is located in West Salem Township, **Mercer County**.

Description of Proposed Activity: New NPDES permit replacing an expired permit for a treated minor sewage discharge.

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply, considered during the evaluation is the Sharpsville Municipal Water Authority located on the Shenango River and is approximately 12 miles below point of discharge.

The receiving stream, the UNT to Booth Run, is in Watershed 20-A and classified for: WWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.011 mgd.

| <i>Parameter</i> | <i>Concentrations</i> | | |
|-------------------------|-------------------------------|--|-------------------------------------|
| | <i>Average Monthly (mg/l)</i> | <i>Average Weekly (mg/l)</i> | <i>Instantaneous Maximum (mg/l)</i> |
| Flow | XX | | |
| CBOD ₅ | | | |
| (5-1 to 10-31) | 10 | | 20 |
| (11-1 to 4-30) | 20 | | 40 |
| Total Suspended Solids | 30 | | 60 |
| Ammonia-Nitrogen | | | |
| (5-1 to 10-31) | 8.5 | | 17 |
| Fecal Coliform | | | |
| (5-1 to 9-30) | | 200/100 ml as a Geometric Average | |
| (10-1 to 4-30) | | 2,000/100 ml as a Geometric Average | |
| Phosphorus | 1 | | 2 |
| Total Residual Chlorine | 1.5 | | 3.5 |
| pH | | 6.0 to 9.0 Standard Units at all times | |

The EPA waiver is in effect.

PA0104451, Industrial Waste, **Erie Forge & Steel, Inc.**, 1341 West 16th Street, Erie, PA 16502. This facility is located in the City of Erie, **Erie County**.

Description of Proposed Activity: renewal for discharge of noncontact cooling water boiler blowdown and stormwater from a steel melting, forge and machine/fabrication facility.

The receiving stream, Cascade Creek, is in Lake Erie Watershed and classified for: CWF and MF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 101, based on a design flow of 0.004 mgd from the forge press noncontact cooling water, are:

| <i>Parameter</i> | <i>Average Monthly (mg/l)</i> | <i>Daily Maximum</i> | <i>Instantaneous Maximum (mg/l)</i> |
|------------------|-------------------------------|--|-------------------------------------|
| Flow | Monitor and Report | | |
| pH | | 6.0 to 9.0 Standard Units at all times | |

The proposed effluent limits for Outfall 201, based on a design flow of 0.002 mgd from the electric arc furnace noncontact cooling water, are:

| <i>Parameter</i> | <i>Average Monthly (mg/l)</i> | <i>Daily Maximum</i> | <i>Instantaneous Maximum (mg/l)</i> |
|------------------|-------------------------------|--|-------------------------------------|
| Flow | Monitor and Report | | |
| pH | | 6.0 to 9.0 Standard Units at all times | |

The proposed effluent limits for Outfall 301, based on a design flow of 0.003 mgd from the vacuum degassing boiler blowdown, are:

| <i>Parameter</i> | <i>Average Monthly (mg/l)</i> | <i>Daily Maximum</i> | <i>Instantaneous Maximum (mg/l)</i> |
|------------------|-------------------------------|--|-------------------------------------|
| Flow | Monitor and Report | | |
| pH | | 6.0 to 9.0 Standard Units at all times | |

Outfalls 001—004 consist of stormwater only and are subject to special conditions II in Part C of the permit.

The EPA waiver is in effect.

PA0023043, Sewage, **North East Borough**, 31 West Main Street, North East, PA 16428. This proposed facility is located in North East Borough, **Erie County**.

Description of Proposed Activity: New discharge of treated sewage from an existing facility.

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply, considered during the evaluation is the Pennsylvania Canadian International Boundary located in Lake Erie.

The receiving stream, Sixteenmile Creek, is in Watershed 15 and classified for: WWF, aquatic life, water supply and recreation.

Interim Limits

The proposed effluent limits for Outfall 001 are based on a design flow of 2.1 mgd.

| Parameter | Loadings | | Concentrations | | |
|-------------------------|-----------------------------|-------------------------------------|--|--------------------------|---------------------------------|
| | Average Monthly (lb/day) | Average Weekly (lb/day) | Average Monthly (mg/l) | Average Weekly (mg/l) | Instantaneous Maximum (mg/l) |
| Flow (mgd) | XX | XX | | | |
| CBOD ₅ | 437 | 700 | 25 | 40 | 50 |
| Total Suspended Solids | 525 | 787 | 30 | 45 | 60 |
| NH ₃ -N | | | | | |
| (5-1 to 10-31) | 26 | | 1.5 | | 3 |
| (11-1 to 4-30) | 78 | | 4.5 | | 9 |
| Phosphorus as "P" | | | 1 | | |
| Chloroform | | | 0.024 | | 0.048 |
| Dichlorobromomethane | | | 0.0023 | | 0.0046 |
| Chronic WET Limit | | | 1.4 TUC | | |
| Fecal Coliform | | | | | |
| (5-1 to 9-30) | | 200/100 ml as a Geometric Average | | | |
| (10-1 to 4-30) | | 2,000/100 ml as a Geometric Average | | | |
| Total Residual Chlorine | | | 0.037 | | 0.12 |
| Dissolved Oxygen | | | Minimum of 6 mg/l at all times | | |
| pH | | | 6.0 to 9.0 Standard Units at all times | | |

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

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

WQM Permit No. 2309403, Sewerage, **Ridley Township**, 100 East MacDade Boulevard, Folsom, PA 19033. This proposed facility is located in Ridley Township, **Delaware County**.

Description of Action/Activity: Construction of 1540 LF 8" gravity sanitary sewer line to serve a number of commercial buildings and transport sewage flow to existing CDPS pump station on Sellers Avenue.

WQM Permit No. 4609404, Sewerage, **Lower Salford Township Authority**, P. O. Box 243, 57 Main Street, Harleysville, PA 19438. This proposed facility is located in Lower Salford Township, **Montgomery County**.

Description of Action/Activity: Construction and operation of a sewage pump station.

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

WQM Permit No. 4809402, Sewerage, **Lisa Bodnar**, 3701 North Delaware Drive, Easton, PA 18040. This proposed facility is located in Forks Township, **Northampton County**.

Description of Proposed Action/Activity: This project is for the construction of a single-family dwelling small flow treatment facility.

WQM Permit No. 6609401, Sewerage, **Little Washington Wastewater Company**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010-3489. This proposed facility is located in Washington Township, **Wyoming County**.

Description of Proposed Action/Activity: The proposed project involves improvements and upgrades at the wastewater treatment plant that serves the Washington Park subdivision.

WQM Permit No. 3909401, Sewerage, **Lower Milford Township**, 7607 Chestnut Hill Church Road, Coopersburg, PA 18036-3712. This proposed facility is located in Lower Milford Township, **Lehigh County**.

Description of Proposed Action/Activity: This project involves the construction of a low pressure sewer collection/conveyance system and a new 35,000 gpd Recirculating Sand Filter sewage treatment plant. The system will serve approximately 109 EDUs from the Village of Limeport and an area of Hoffman Lane.

WQM Permit No. 4509401, Sewerage, **Robert Kinsley, Kinsley Shopping Center**, P. O. Box, Brodheadsville, PA 18322. This proposed facility is located in Chestnuthill Township, **Monroe County**.

Description of Proposed Action/Activity: This project involves construction of a 20,000 gpd sewage treatment facility and an at-grade-bed system for final disposal.

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

WQM Permit No. 0509404, Sewerage, **Bedford Township Municipal Authority**, P. O. Box 371, Bedford, PA 15522. This proposed facility is located in Bedford Township, **Bedford County**.

Description of Proposed Action/Activity: Application for the proposed Area III sanitary sewer extension project.

WQM Permit No. 0509405, Sewerage, **Bedford Township Municipal Authority**, P. O. Box 371, Bedford, PA 15522. This proposed facility is located in Bedford Township, **Bedford County**.

Description of Proposed Action/Activity: Application for the proposed Area II sanitary sewer extension project.

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

WQM Permit No. 0309401, Sewerage, **Municipal Authority of the Borough of Kittanning**, 300 South McKean Street, Kittanning, PA 16201. This proposed facility is located in Kittanning Borough, **Armstrong County**.

Description of Proposed Action/Activity: Application for installation of about 9,860 lineal feet of sanitary and storm sewer.

The Pennsylvania Infrastructure Investment Authority (PENNVEST) which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source. The Department of Environmental Protection's review of the sewage facilities plan revision has not identified any significant environmental impacts resulting from this proposal.

WQM Permit No. 0469402-A4, Sewerage, **Borough of Ambridge Municipal Authority**, 600 Eleventh Avenue, Ambridge, PA 15003. This existing facility is located in Ambridge Borough, **Beaver County**.

Description of Proposed Action/Activity: Application for permit amendment to improve wet weather flows.

The Pennsylvania Infrastructure Investment Authority (PENNVEST) which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source. The Department of Environmental Protection's review of the sewage facilities plan revision has not identified any significant environmental impacts resulting from this proposal.

WQM Permit No. 9775S-A1, Sewerage, **City of Clairton**, 551 Ravensburg Boulevard, Clairton, PA 15025. This existing facility is located in the City of Clairton, **Allegheny County**.

Description of Proposed Action/Activity: Application for permit amendment to renovate the Wilson Lift Station.

The Pennsylvania Infrastructure Investment Authority (PENNVEST) which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source. The Department of Environmental Protection's review of the sewage facilities plan revision has not identified any significant environmental impacts resulting from this proposal.

WQM Permit No. 5609401, Sewerage, **Paint Township Supervisors**, 1741 Basin Drive, Windber, PA 15963. This proposed facility is located in Paint Township, **Somerset County**.

Description of Proposed Action/Activity: Permit application for the construction and operation of sanitary sewer extension.

The Pennsylvania Infrastructure Investment Authority (PENNVEST) which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source. The Department of Environmental Protection's review of the sewage facilities plan revision has not identified any significant environmental impacts resulting from this proposal.

WQM Permit No. 6309402, Sewerage, **Municipal Authority of the City of Monongahela**, 521 West Main Street, Monongahela, PA 15063. This proposed facility is located in the City of Monongahela, **Washington County**.

Description of Proposed Action/Activity: Permit application for the construction and operation of a pump station and force main.

The Pennsylvania Infrastructure Investment Authority (PENNVEST) which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source. The Department of Environmental Protection's review of the sewage facilities plan revision has not identified any significant environmental impacts resulting from this proposal.

WQM Permit No. 1109401, 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 application for the construction and operation of sanitary sewer extension, phase III.

WQM Permit No. 6509401, Sewerage, **Ligonier Township Municipal Authority**, One Municipal Park Drive, Ligonier, PA 15658. This proposed facility is located in Ligonier Township, **Westmoreland County**.

Description of Proposed Action/Activity: Permit application for the construction and operation of sanitary sewer and pump station.

WQM Permit No. WQG026123, Sewerage, **Ford City Borough Municipal Sewage Disposal Authority**, P. O. Box 66, Ford City, PA 16226. This proposed facility is located in Ford City Borough, **Armstrong County**.

Description of Proposed Action/Activity: Permit application for the construction and operation of sanitary sewers.

The Pennsylvania Infrastructure Investment Authority (PENNVEST) which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source. The Department of Environmental Protection's review of the sewage facilities plan revision has not identified any significant environmental impacts resulting from this proposal.

WQM Permit No. 6374419-A5, Sewerage, **Washington-East Washington Joint Authority**, 60 East Beau Street, P. O. Box 510, Washington, PA 15301-4514. This existing facility is located in the City of Washington, East Washington Borough, South Strabane, North Franklin, Canton and Chartiers Townships, **Washington County**.

Description of Proposed Action/Activity: Permit amendment application for the Washington-East Washington Sewage Treatment Plant.

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

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

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

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

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|---|---------------|----------------------|--|
| PAI01 0909003 | Joseph Bonargo 3461 Durham Road Doylestown, PA 18901-1569 | Bucks | Buckingham Township | Paunnacussing Creek HQ-CWF |
| PAI01 1509008 | Signature Group Holding, LLC 1045 Andrew Drive Suite C-1 West Chester, PA 19380-3401 | Chester | West Goshen Township | Broad Run HQ |
| PAI01 1509009 | Honey Brook Community Church P. O. Box 100 Honey Brook, PA 19344 | Chester | Honey Brook Township | West Branch Brandywine Creek HQ-TSF-MF |
| PAI01 1509010 | Michael Hires 1289 Yellow Spring Road Malvern, PA 19355 | Chester | Tredyffrin Township | Valley Creek EV |

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

Northampton County Conservation District: Greystone Building, Gracedale Complex, Nazareth, PA 18064-9211, (610) 746-1971.

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|--|---------------|---------------------|---|
| PAI024809003 | Estate Living by CountryQuest Attn: Leonard Ramautar 459 Mount Pleasant Road Bangor, PA 18013 | Northampton | Plainfield Township | Waltz Creek CWF, MF Little 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 & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|---|---------------|----------------------|-----------------------------------|
| PAS10C051-R | John G. Smith Forino Co., LP 555 Mountain Home Road Sinking Spring, PA 19608 | Berks | Maidencreek Township | Willow and Peters Creeks EV |
| PAI030608023 | Tod Auman TEDCAR Properties, LLC 850 North Wyomissing Boulevard Suite 200 Wyomissing, PA 19610 | Berks | Cumru Township | Wyomissing Creek HQ-CWF |

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

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

STATE CONSERVATION COMMISSION

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

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

Based upon preliminary reviews, the State Conservation Commission (SCC), or County Conservation Districts (CCD) working under a delegation agreement with the SCC, have completed an administrative review of NMPs described. These NMPs are published as proposed plans for comment prior to taking final actions. The NMPs are available for review at

the CCD office for the county where the agricultural operation is located. A list of CCD office locations is available at www.pacd.org/districts/directory.htm or can be obtained from the SCC at the office address listed or by calling (717) 787-8821.

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

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

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

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> |
|--|---------------|--------------------|--------------------------------|--------------------|---|--------------------|
| Downs Racing, LP d/b/a Mohegan Sun at Pocono Downs 1280 Highway 315 Wilkes-Barre, PA 18702 | Luzerne | 216 | 263 | Horse | NA | Renewal |
| M & M Farms Monte and Mary Edgin 10368 Chester Furnace Road Shirleysburg, PA 17260 | Huntingdon | 221.9 | 615.8 | Swine | NA | Renewal |
| Roy Diem 3409 Smoketown Road Spring Grove, PA 17362 | York | 13 | 283.54 | Layers | 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, 2 Public Square, Wilkes-Barre, PA 18711-0790.

Application No. 4809501, Public Water Supply.

| | |
|---------------------------|---|
| Applicant | Northampton Community College Pocono Township |
| Responsible Official | Brian Post Northampton Community College 3835 Green Pond Road Bethlehem, PA 18020 |
| Type of Facility | PWS |
| Consulting Engineer | David B. Strunk, P. E. Strunk-Albert Engineering R. D. 5 Box 5198 Route 209 East Stroudsburg, PA 18301 |
| Application Received Date | February 18, 2009 |

Description of Action Applicant proposes the installation of corrosion control treatment facilities per the Department of Environmental Protection's Lead and Copper Rule.

Application No. 3909501, Public Water Supply.
Applicant **Aqua Pennsylvania, Inc.**
South Whitehall Township
Lehigh County

Responsible Official Patrick R. Burke
Regional Manager
50 East Woodhaven Drive
White Haven, PA 18661

Type of Facility Community Water System

Consulting Engineer William A. LaDieu, P. E.
CET Engineering Services
1240 North Mountain Road
Harrisburg, PA 17112
(717) 541-0622

Application Received Date February 27, 2009

Description of Action Application for construction of a new well station with 5,000 gallon hydropneumatic tank and disinfection system to replace existing PWS facilities serving the Country Club Gardens development.

Application No. 3909503, Public Water Supply.
Applicant **Aqua Pennsylvania, Inc.**
South Whitehall Township
Lehigh County

Responsible Official Patrick R. Burke
Regional Manager
50 East Woodhaven Drive
White Haven, PA 18661

Type of Facility Community Water System

Consulting Engineer William A. LaDieu, P. E.
CET Engineering Services
1240 North Mountain Road
Harrisburg, PA 17112
(717) 541-0622

Application Received Date February 27, 2009

Description of Action Application for construction of a new well house with booster pumps, disinfection system and buried, clear wells and buried chlorine contact line to replace existing PWS facilities serving the Springhouse Farms development.

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

Permit No. 0109501, Public Water Supply.
Applicant **Bonneauville Borough
Municipal Authority**
Municipality Bonneauville Borough

County
Responsible Official

Adams
Bernie Shanebrook
Borough Manager
86 West Hanover Street
Gettysburg, PA 17325

Type of Facility
Consulting Engineer

Public Water Supply
Daniel Cargnel, P. E.
Buchart Horn, Inc.
445 West Philadelphia Street
York, PA 17404

Application Received
Description of Action

February 27, 2009
Radium and gross alpha removal for wells Nos. 5 and 8—9.

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

Permit No. 6309501, Public Water Supply.
Applicant **Authority of the Borough of Charleroi**
3 McKean Avenue
P. O. Box 211
Charleroi, PA 15022
Township or Borough Charleroi Borough
Responsible Official Edward Golanka
Authority General Manager
Authority of the Borough of Charleroi
3 McKean Avenue
P. O. Box 211
Charleroi, PA 15022

Type of Facility
Consulting Engineer

Water treatment plant
KLH Engineers, Inc.
5173 Campbells Run Road
Pittsburgh, PA 15205

Application Received Date

February 17, 2009

Description of Action

Construction of a finished water booster station, transmission main and elevated water storage tank to increase the supply capacity to an existing service district.

Permit No. 3209502, Public Water Supply.
Applicant **Indiana County Municipal Services Authority**
602 Kolter Drive
Indiana, PA 15701
Township or Borough Plumville Borough
Responsible Official Michael Duffalo
Executive Director
Indiana County Municipal Services Authority
602 Kolter Drive
Indiana, PA 15701

Type of Facility
Consulting Engineer

Plumville water system
Gibson-Thomas Engineering Co., Inc.
1004 Ligonier Street
P. O. Box 853
Latrobe, PA 15650

Application Received Date February 13, 2009
 Description of Action Development of a new well source and construction of a 220,000 gallon above groundwater storage tank and service connections for the new ICMSA Plumville water system.

Permit No. 6509502, Public Water Supply.
 Applicant **Highridge Water Authority**
 17 Maple Avenue
 Blairsville, PA 15717
 Township or Borough Derry Township
 Responsible Official George Sulkosky
 Executive Director
 Highridge Water Authority
 17 Maple Avenue
 Blairsville, PA 15717
 Type of Facility Sundial water project
 Consulting Engineer Gibson-Thomas Engineering Co.,
 Inc.
 1004 Ligonier Street
 P. O. Box 853
 Latrobe, PA 15650
 Application Received Date February 13, 2009

Description of Action Construction of a pump station and a 220,000 gallon water storage tank along with installation of 8 inch waterline.

Permit No. 0209506, Public Water Supply.
 Applicant **Pittsburgh Water & Sewer Authority**
 1200 Penn Avenue
 2nd Floor
 Pittsburgh, PA 15222-4204
 Township or Borough O'Hara Township
Blawnox
 Responsible Official Michael Kenney, Executive
 Director
 Pittsburgh Water & Sewer
 Authority
 1200 Penn Avenue
 2nd Floor
 Pittsburgh, PA 15222-4204

Type of Facility Water treatment plant
 Consulting Engineer Chester Engineers
 260 Airside Drive
 Moon Township, PA 15108

Application Received Date March 10, 2009

Description of Action Lining rehabilitation of the existing 60-inch transmission main, from the water treatment plant to Boyd Avenue in Blawnox.

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

Application No. 2009503, Public Water Supply.

Applicant **Weber Family, Ltd.
 Partnership, d/b/a Woodlands
 Mobile Home Park**
 Township or Borough Vernon Township
Crawford County
 Responsible Official Lorraine A. Dallas, Managing
 Partner
 Consulting Engineer Steven R. Halmi, P. E.
 Deiss & Halmi Engineering, Inc.
 105 Meadville Street
 Edinboro, PA 16412
 Application Received Date February 25, 2009
 Description of Action System modifications for chlorine contact capacity, and the addition of Well No. 3 as a new source of supply replacing existing Well No. 2.

MINOR AMENDMENT

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

Application No. 3209501MA, Minor Amendment.

Applicant **Central Indiana County
 Water Authority**
 30 East Wiley Street
 Homer City, PA 15748
 Township or Borough Center Township
 Responsible Official Anthony Perman
 Chairperson
 Central Indiana County Water
 Authority
 30 East Wiley Street
 Homer City, PA 15748
 Type of Facility Coral Water storage tank
 Consulting Engineer Bankson Engineers, Inc.
 267 Blue Run Road
 P. O. Box 200
 Indianola, PA 15051
 Application Received Date February 11, 2009
 Description of Action Construction of the 253,000
 gallon Coral water storage tank.

Application No. 0409503MA, Minor Amendment.

Applicant **New Sewickley Township
 Municipal Authority**
 233 Miller Road
 Rochester, PA 15074
 Township or Borough New Sewickley Township
 Responsible Official Gary Guy
 Chairperson
 New Sewickley Township
 Municipal Authority
 233 Miller Road
 Rochester, PA 15074
 Type of Facility Highview Circle water storage
 tank

Consulting Engineer Michael Baker Jr., Inc.
4301 Dutch Ridge Road
Beaver, PA 15009

Application Received February 20, 2009
Date

Description of Action Cleaning and painting of the
Highview Circle water tank.

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

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

WA56-1000B, Water Allocations. **Lincoln Township Municipal Authority**, P. O. Box 162, Sipesville, PA 15561, **Somerset County**. The applicant is requesting the right to purchase 150,000 gallons of water per day from the Somerset County General Authority.

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:

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

Estate of Warren J. Thomas, Upper Moreland Township, **Montgomery County**. Jeremy Bolyn, Environmental Maintenance Company, Inc., 1420 East Mermaid Lane, Glenside, PA 19038 on behalf of Valerie Thomas, Estate of Warren J. Thomas, REMax Center Realtors, 2701 York Road, Jamison, PA 1829 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of petroleum. The current property owner is currently marketing the property for sale and redevelopment. A summary of the Notice of Intent to Remediate was reported to have been published in the *Intelligencer* on February 19, 2009.

Fisher Crossing Apartments Complex, City of Philadelphia, **Philadelphia County**. Jeremy Bolyn Environmental Maintenance Company, Inc., 1420 East Mermaid Lane, Glenside, PA 19038 on behalf of Carol Richards, Corsa Management, P. O. Box 770, South Orange, NJ 07079 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of No. 6 fuel oil. The future use of the property is expected to remain as an apartment building.

Frankford and Darrah Site, City of Philadelphia, **Philadelphia County**. Bradley S. Wolf, BL Companies, Inc., 213 Market Street, 6th Floor, Harrisburg, PA 17101, Robert Lerner, BL Companies, Inc., 213 Market Street, 6th Floor, Harrisburg, PA 17101 on behalf of Lawrence Gelman, Rite Aid of Pennsylvania, Inc., 30 Hunter Lane, Camp Hill, PA 17011 has submitted a Notice of Intent to Remediate. Groundwater at the site has been impacted with the release of No. 2 fuel oil. The intended use of the site will be for nonresidential purpose.

Regency City Avenue, City of Philadelphia, **Philadelphia County**. George Keil, URS Corporation, 335 Commerce Drive, Suite 300, Fort Washington, PA 19034, Sherry Adams URS Corporation, 335 Commerce Drive, Suite 300, Fort Washington, PA 19034 on behalf of Eric Solvers, City Line Shopping Center Associates, One Independent Drive, Suite 114, Jacksonville, FL 32202 has submitted a Notice of Intent to Remediate. Groundwater and soil at the site has been impacted with the release of chlorinated solvents. The current and future use of the site will be commercial as a retail shopping center.

Universal Concrete Road, West Pottsgrove Township, **Montgomery County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073 on behalf of Joe Laspina, Universal Concrete Products, 400 Old Reading Pike, Pottstown, PA 1464, Andy Meadows, Tyree Environmental Corporation, 828 North Hanover Street, Pottstown, PA 19464 has submitted a Notice of Intent to Remediate. Groundwater and soil has been impacted with the release of No. 6 fuel oil. The future use of the site will be commercial and industrial.

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

Milus Property, 400 Ben Titus Road, Rush Township, **Schuylkill County**. The property owner, Eugene Milus, 6615 Huntsville Road, Fayetteville, AR 72701 has submitted a Notice of Intent to Remediate, concerning the remediation of soil found to have been impacted by home heating oil as a result of an accidental release from an 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.

Yuasa Battery, Inc., Laureldale Borough, **Berks County**. Liberty Environmental, Inc., 50 North Fifth Street, 5th Floor, Reading, PA 19601, on behalf of Yuasa Battery, Inc., 2901 Montrose Avenue, Laureldale, PA 19605, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with No. 6 fuel oil released from an underground storage tank. The site will be remediated to the Site-Specific Standard and will remain industrial.

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

Triangle II Restaurant, Blacklick Township, **Cambria County**. Douglas McKee, ATC Associates, Inc., 101 Allegheny Street, Hollidaysburg, PA 16648 on behalf of Debra Whinney, Benjamin Franklin Highway, Belsano, PA 15931 has submitted a Notice of Intent to Remediate. The Former Triangle II Restaurant ceased operations in 2007, and is currently vacant. A phase I ESA indicated that a former fuel dispenser and likely associated USTs were located on the northern side of the existing structure. Contaminated soil was removed and attainment samples were taken. The site will remain nonresidential, and an Act 2 Statewide Health Standard will be attained.

Canonsburg Library Site (Former MacPlastics), Borough of Canonsburg, **Washington County**. Robert A. King, Applied Geology and Environmental Science, Inc., 800 Old Pond Road, Suite 703, Bridgeville, PA 15017 on behalf of Kerry Fox, Redevelopment Authority of the County of Washington, 100 West Beau Street, Suite 603, Washington, PA 15301 has submitted a Notice of Intent to Remediate. The property had historically been used for commercial purposes and is currently undeveloped. Releases from the former underground storage tanks, formerly located on the site and adjacent property have impacted soils and groundwater with petroleum related constituents. The intended purpose of the property is to be a library. The site is eligible to use the Special Industrial Area provisions within Act 2.

BP Site No. 07178 (Former), Borough of Monroeville, **Allegheny County**. Ronald Malec, Shaw Environmental

& Infrastructure, 2790 Mossdale Boulevard, Monroeville, PA 15146 on behalf of Dennis Cefola, Boardwalk Custard, 5009 Holly Court, Murrysville, PA 15668 and Shawn N. Croucher, BP Products North America, Inc., 1 West Pennsylvania Avenue, Suite 440, Towson, MD 21204 has submitted a Notice of Intent to Remediate. The site is a former BP retail gasoline station that occupies an approximately 1 acre parcel in Monroeville, PA. At some unknown time prior to 1990, 3 10,000 gallon gasoline underground storage tanks, dispenser islands and associated piping were removed from the site. BP proposes to remediate the site to a nonresidential Statewide Health Standard.

1215 Federal Street, City of Pittsburgh, **Allegheny County**. Wendy Noe, American Geosciences, Inc., 3925 Reed Boulevard, Suite 400, Murrysville, PA 15668-1848 on behalf of Andrew Stewart, The Silk & Stewart Development Group, 5812 Darlington Road, Pittsburgh, PA 15217 and Andrew Stewart, Federal North Associates, LP, 5812 Darlington Road, Pittsburgh, PA 15217 has submitted a Notice of Intent to Remediate. The property is located in the North Side section of the City of Pittsburgh. The property is currently developed as a parking garage that was constructed in 1999. A portion of the site was formerly a dry cleaning operation. Concentrations of chemicals commonly associated with dry cleaning, PCE and TCE, and its breakdown products have been detected in soil and groundwater at the site. The site will remain nonresidential. A Site-Specific pathway elimination remediation will be completed to attain an Act 2 relief of liability.

Ionics, Inc., Bridgeville PA Site, Bridgeville Borough, **Allegheny County**. Kenneth Battyanyi, AECOM, Inc., Four Gateway Center, 444 Liberty Avenue, Suite 700, Pittsburgh, PA 15222 on behalf of David Chambliss, General Electric Water and Process Technologies, 960 B Six Flags Road, Austell, GA 30168 has submitted a Notice of Intent to Remediate. The facility had been used primarily as a machine shop, producing metal products, with a small portion of the facility dedicated to manufacture water treatment systems and activated carbon. Potential constituents of concern are metals and chlorinated solvents in soil and chlorinated solvents in groundwater. The property has been used for nonresidential purposes since at least 1950, and is anticipated to be used for nonresidential purposes in the future. The impacted soils will be excavated and properly disposed of. The groundwater will be addressed by a combination of pathway elimination and institutional controls.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Application Received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and 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 Application No. 101069. Southeastern Chester County Refuse Authority (SECCRA), 219 Street Road, West Grove, PA 19390, London Grove Township, **Chester County**. This minor permit modification is for establishing a drop-off center for electronic waste recycling at the SECCRA Community Landfill located in

London Grove Township Chester County. The application was received by the Southeast Regional Office on March 1, 2009.

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

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

Permit Application No. 101603. Veolia ES Solid Waste of PA, R. D. 1, Route 6, Pittsfield, PA 16340, Pittsfield Township, Warren County. The application is a permit renewal for the Warren County Transfer Station. The application was received by the Northwest Regional Office on February 23, 2009.

Comments concerning the application should be directed to Todd Carlson, Program Manger, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. Persons interested in obtaining more information about the general permit application may contact the Northwest Regional Office, (814) 332-6848. TDD users may contact the Department of Environmental Protection through the Pennsylvania AT&T Relay Service at (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

NEW SOURCES AND MODIFICATIONS

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

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

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

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

ing 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.

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

03-00229E: Rosebud Mining Co. (301 Market Street, Kittanning, PA 16201) for installation of wet coal processing circuit and rail load-out operation at Logansport Coal Processing Facility in Bethel Township, **Armstrong 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, Ray Kempa, New Source Review Chief, (570) 826-2507.

48-306-013: Northampton Generating Co., LP (1 Horwith Drive, Northampton, PA 18067) to increase the maximum heat input to the existing circulating fluidized bed boiler at their Northampton Generating Plant in Northampton Borough, **Northampton County.** The facility currently has a Title V Operating Permit No. 48-00021. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V Operating Permit through an administrative amendment at a later date.

Plan Approval No. 48-306-013 is to increase the maximum heat input to the circulating fluidized bed (CFB) boiler from 1,146 mmBtu/hr to 1,336 mmBtu/hr. The emissions from the CFB boiler will not exceed the following emission limits (unchanged from the current Title V operating permit) listed:

| <i>Pollutant</i> | <i>Lbs/Hour</i> |
|------------------|--------------------------|
| Total VOCs | 5.74 |
| SO ₂ | 147.8 (24-hr Average) |
| NOx | 115.0 (24-hr Average) |

| <i>Pollutant</i> | <i>Lbs/Hour</i> |
|------------------|------------------------|
| CO | 172.0 |
| Particulates | (4-hr Average) 10.1 |

In addition to the emission limits listed in the table previously, the emissions from the CFB boiler will not exceed the following emission limits when the CFB boiler is fired by TDF (unchanged from the issued Plan Approval No. 48-306-012): arsenic—0.000743 lbs/hr; cadmium—0.0106 lbs/hr; hexavalent chromium—0.00265 lbs/hr; lead—0.0027 lbs/hr; nickel—0.00875 lbs/hr and zinc—0.0606 lbs/hr.

The Plan Approval will contain recordkeeping, testing and operating restrictions (unchanged from the issued Plan Approval No. 48-306-012) designed to keep the facility operating within all applicable air quality requirements. The company will be required to continue to operate and maintain a Continuous Emission Monitoring System (CEM), which is certified by the Department of Environmental Protection, for opacity, SO_x, NO_x and CO. In addition, the company is required to conduct annual stack testing for arsenic, cadmium, hexavalent chromium, lead, mercury, nickel, zinc, total VOCs and PM due to the CFB boiler being fired by TDF.

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

28-03055A: D.L. Martin Co. (25 Harbaugh Drive, Mercersburg, PA 17236) for a special fabricated down-draft filter booth and a fabric collector for their facility in Mercersburg Borough, **Franklin County**. The plan approval will include restrictions, monitoring, recordkeeping, reporting and work practice standards designed to keep the facility operating within all applicable air quality requirements.

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

03-00244: Dominion Transmission, Inc. (445 West Main Street, Clarksburg, WV 26301-2886) for construction of a natural gas compressor station and other supporting equipment at the Rural Valley Compressor Station, in Valley Township, **Armstrong County**.

In accordance with 25 Pa. Code §§ 127.44(b) and 127.45, the Department of Environmental Protection (Department) intends to issue a Plan Approval to allow construction of a natural gas compressor station and other supporting equipment at the Rural Valley Compressor Station, located in Valley Township, Armstrong County.

Emissions from this facility are estimated to be 28.81 tons of NO_x, 10.94 tons of CO, 47.52 tons of VOCs, 0.11 ton of SO₂, 5.88 tons of HAPs and 1.81 tons of PM per year. The proposed facility is subject to the applicable requirements of 25 Pa. Code Chapter 127, related to construction, modification, reactivation and operation of sources. The Department believes that the facility will meet these requirements by complying with the following Plan Approval conditions:

1. This Plan Approval is for the installation of a new natural gas compressor station at the Dominion Transmission, Inc., Rural Valley Compressor Station located in Valley Township, Armstrong County. (25 Pa. Code § 127.12b)

2. Sources at this facility shall consist of the following: (25 Pa. Code § 127.12b)

- Two Caterpillar compressor engines; one Model G3612, 3550 bhp engine and one Model G3606, 1775 bhp engine, each equipped with air/fuel ratio controls and individual cylinder ignition timing (ADEM III control system), and oxidation catalysts to control emissions.

- A NATCO glycol dehydration system (Model 150-275) with a 0.275 mmBtu/hr natural gas fired reboiler, emissions controlled by a 4 mmBtu/hr Questar Technology Thermal Oxidizer (Model Q100).

- A 690 bhp Caterpillar (Model G-3412 TA HCR) auxiliary generator for back-up power to the facility, emissions controlled by three-way oxidation catalyst.

- A 5,000-gallon Produced Fluids storage tank (vapor pressure greater than 1.5 psia) equipped with appropriate pressure and vacuum vents.

- A 2.1 mmBtu/hr (Model WRFG-2100) low-NO_x boiler.

- An office furnace (0.08 mmBtu/hr).

- A hot water tank (0.036 mmBtu/hr).

- Five smaller tanks (1,000—3,000 gallons) containing ethylene glycol, triethylene glycol, process and waste oil, and wastewater (vapor pressure less than 1.5 psia).

- A measuring and regulating (M & R) station.

Restrictions

3. Total emissions from the facility shall not exceed the following, on a tons per 12-consecutive month rolling average basis: (25 Pa. Code § 127.12b)

Pollutants and Emission Rates (TPY)

| NO _x | CO | VOC | SO ₂ | HAPs | PM |
|-----------------|------|------|-----------------|------|-----|
| 30.0 | 12.0 | 48.0 | 3.0 | 7.0 | 3.0 |

4. The operating hours of the auxiliary generator of this facility shall be limited to maximum 500 hours over a consecutive 12-month period. (25 Pa. Code § 127.12b)

5. In accordance with 25 Pa. Code §§ 123.1 and 123.2, there shall be no fugitive emissions from this facility except those that arise from the use of roads, stockpiling of materials and clearing of land. The reasonable actions shall be taken to minimize fugitive emissions that arise from use of roads and stockpiling. Reasonable actions shall include, but shall not be limited to paving, sweeping and application of water or other dust suppressants. In no case shall fugitive emissions be permitted to cross the property line.

6. In accordance with 25 Pa. Code § 123.1(b), the Department has determined that certain unavoidable fugitive emissions from this facility, such as process losses, are of minor significance. Permittee shall make every effort to minimize fugitive emissions. The sources and air cleaning devices shall be operated and maintained in accordance with good air pollution control practices and manufacturers' recommendations. Fugitive emissions that are caused in part by poor maintenance or careless operation are not determined to be of minor significance.

7. The owner/operator shall not permit emissions of particulate matter in excess of 0.04 gr/dscf of effluent gas. (25 Pa. Code § 123.13)

8. The owner/operator shall not permit the emission into the outdoor atmosphere of SO_x from a source in a manner that the concentration of the SO_x, expressed as SO₂, in the effluent gas exceeds 500 parts per million, by volume, dry basis. (25 Pa. Code § 123.21)

9. The owner/operator may not permit the emission into the outdoor atmosphere of any malodorous air contaminants from any source, in such a manner that the malodors are detectable outside the owner/operator's property. (25 Pa. Code § 123.31(b))

10. In accordance with 25 Pa. Code § 123.41, the owner/operator may not permit the emission into the outdoor atmosphere of visible emissions in such a manner that the opacity of the emission is either of the following:

- a. Equal to or greater than 20% for periods aggregating more than 3 minutes in any 1 hour.
- b. Equal to or greater than 60% at any time.

11. In accordance with 40 CFR 60.4233(e) (Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines), owner/operator shall not permit emission into the outdoor atmosphere of NO_x, CO and VOCs emissions in excess of 2.0 gm/bhp-hr, 4.0 gm/bhp-hr and 1.0 gm/bhp-hr respectively from any engine of the facility.

12. Permittee shall comply with the applicable requirements of 40 CFR 60, Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines.

13. Permittee shall comply with the applicable requirements of 40 CFR 63, Subpart ZZZZ—National Emissions Standards for HAPs for Stationary Reciprocating Internal Combustion Engines.

14. The 5,000-gallon Produced Fluids Storage Tank at this facility is subject to the requirements of 25 Pa. Code § 129.57. The Storage Tank shall be equipped with appropriate pressure and vacuum vent systems (pressure relief valve) to address the requirements of this regulation.

Testing

No additional testing is required.

Monitoring

15. The owner/operator shall institute and conduct an audio, visual and olfactory leak detection and repair (LDAR) program performed on a biweekly basis. Records of each inspection must be maintained on site for a period of 5 years and be made available to the Department upon request. Inspection records shall, at a minimum, identify each leak and the length of time until it is repaired. The repairs shall be made within 15 calendar days unless otherwise approved by the Department in writing. (25 Pa. Code § 127.12b)

16. Owner/operator shall conduct a fugitive emission survey and a malodor survey around the perimeter of the facility property to ensure compliance with 25 Pa. Code §§ 123.1, 123.2 and 123.31 at least once a week. If any fugitive emissions or malodors are apparent, the permittee shall take immediate corrective action to eliminate them.

Recordkeeping

17. In accordance with 40 CFR 60.4243(a)(1), the owner or operator of a stationary SI internal combustion engine must keep records of conducted maintenance to demonstrate compliance.

18. In accordance with 40 CFR 60.4245(a), owners and operators of all stationary SI ICE must keep records of the information below:

a. The notifications submitted to comply with this subpart and all documentation supporting any notification.

b. Maintenance conducted on the engine.

c. If the stationary SI internal combustion engine is a certified engine, documentation from the manufacturer that the engine is certified to meet the emission standards and information as required in 40 CFR Parts 90, 1048, 1054 and 1060, as applicable.

d. If the stationary SI internal combustion engine is not a certified engine or is a certified engine operating in a noncertified manner and subject to 40 CFR 60.4243 (a)(2), documentation that the engine meets the emission standards.

19. The owner/operator shall keep daily records of all gas delivery. These records shall be kept on site for a period of 5 years and be made available to the Department upon request. (25 Pa. Code § 127.12b)

20. The owner/operator shall maintain a record of all fugitive emission and malodor surveys performed. The records shall include the date, time, name and title of the observer, whether fugitive emissions or malodors were observed, and any corrective action. Owner/operator shall keep records of all monitoring activities conducted as described previously. The records shall be kept for 5 years, and shall be made available to the Department upon request. (25 Pa. Code § 127.12b)

Reporting

21. The permittee shall report each malfunction that may result in an emissions' increase to the Department. For purposes of this condition a malfunction is defined as any sudden, infrequent, and not reasonably preventable failure of air pollution control or process equipment; or, operating in a nonpermitted manner. When the malfunction poses an imminent and substantial danger to the public's health and safety, or potential harm to the environment, the permittee shall report the incident to the Department within 1 hour. (25 Pa. Code § 127.12b)

a. The report shall describe the:

- i. name and location of the facility;
- ii. nature and cause of the malfunction;
- iii. time when the malfunction was first observed;
- iv. expected duration of excess emissions; and
- v. estimated rate of emissions.

b. The owner or operator shall notify the Department immediately when corrective measures have been accomplished.

c. Unless otherwise required by specific reporting requirements, any malfunction that is not subject to the notice requirements previously listed, shall be reported to the Department within 24-hours (or the next business day) by telephone, and within 5 days by mail of discovery. The report shall contain the same information required by subsection (A).

d. Malfunctions shall be reported to the Department at the following address:

Department of Environmental Protection
Office of Air Quality
400 Waterfront Drive
Pittsburgh, PA 15222-4745
(412) 442-4000

22. In accordance with 25 Pa. Code §§ 135.3 and 135.21, the owner/operator shall submit by March 1 of each year, a source report for the preceding calendar year. The report shall include information for all previously reported sources, new sources which were first operated during the preceding calendar year and sources modified during the same period which were not previously reported. A source owner or operator may request an extension of time from the Department for the filing of a source report, and the Department may grant the extension for reasonable cause.

Work Practice Standards

23. In accordance with 40 CFR 60.4243(a)(1), the owner or the operator of a certified stationary SI internal combustion engine and control device shall operate and maintain the engine and control device according to the manufacturer's emission-related written instructions.

24. In accordance with 40 CFR 63.6605(b), the owner/operator must operate and maintain stationary RICE, including air pollution control and monitoring equipment, in a manner consistent with good air pollution control practices for minimizing emissions at all times, including during startup, shutdown, and malfunction.

25. A person responsible for any source specified in § 123.1(a)(1)—(6) or (8) shall take all reasonable actions to prevent PM from becoming airborne. These actions shall include, but not be limited to, the following:

a. Use, where possible, of water or chemicals for control of dust in the demolition of buildings or structures, construction operations, the grading of roads or the clearing of land.

b. Application of asphalt, oil, water or suitable chemicals on dirt roads, material stockpiles and other surfaces which may give rise to airborne dusts.

c. Paving and maintenance of roadways.

d. Prompt removal of earth or other material from paved streets onto which earth or other material has been transported by trucking or earth moving equipment, erosion by water, or other means.

26. Upon completion of the construction of the facility, company must request that the existing Operating Permit be updated to include the new equipment and the new requirements. Notify the Department when the installation is completed so that the facility can be inspected for issuance of an operating permit.

27. Words and terms that are not otherwise defined in this plan approval shall have the meanings set forth in section 3 of the Air Pollution Control Act (APCA) (35 P. S. § 4003) and 25 Pa. Code § 121.1. (25 Pa. Code § 121.1)

28. The issuance of this plan approval does not prevent the future adoption by the Department of any rules, regulations or standards, or the issuance of orders necessary to comply with the requirements of the Federal Clean Air Act (CAA) or the APCA, or to achieve or maintain ambient air quality standards. The issuance of this plan approval shall not be construed to limit the Department's enforcement authority. (25 Pa. Code § 127.12b (a) (b))

29. This plan approval authorizes temporary operation of the sources covered by this plan approval provided the following conditions are met.

a. When construction, installation, modification or reactivation is being conducted, the permittee should provide written notice to the Department of the completion of the activity approved by this plan approval and the permit-

tee's intent to commence operation at least 5 working days prior to the completion of said activity. The notice shall state when the activity will be completed and when the permittee expects to commence operation. When the activity involves multiple sources on different time schedules, notice is required for the commencement of operation of each source.

b. Under 25 Pa. Code § 127.12b(d), temporary operation of the sources to facilitate the shakedown of sources and air cleaning devices, to permit operations pending the issuance of a permit under 25 Pa. Code Chapter 127, Subchapter F or G (relating to operating permits; and Title V operating permits) or to permit the evaluation of the air contaminant aspects of the source.

c. This plan approval authorizes a temporary operation period not to exceed 180 days from the date of commencement of operation, provided the Department receives notice from the permittee under paragraph (a), previously.

d. The permittee may request an extension of the 180-day shakedown period if further evaluation of the air contamination aspects of the sources is necessary. The request for an extension should be submitted, in writing, to the Department at least 15 days prior to the end of the initial 180-day shakedown period and shall provide a description of the compliance status of the source, a detailed schedule for establishing compliance, and the reasons compliance has not been established. This temporary operation period will be valid for a limited time and may be extended for additional limited periods, each not to exceed 180 days.

30. If, at any time, the Department has cause to believe that air contaminant emissions from the sources listed in this plan approval may be in excess of the limitations specified in, or established under this plan approval or the permittee's operating permit, the permittee may be required to conduct test methods and procedures deemed necessary by the Department to determine the actual emissions rate. The testing shall be conducted in accordance with 25 Pa. Code Chapter 139, where applicable, and in accordance with any restrictions or limitations established by the Department at the time as it notifies the company that testing is required. (25 Pa. Code § 127.12b)

31. The permittee shall maintain and operate the sources and associated air cleaning devices in accordance with good engineering practice as described in the plan approval application submitted to the Department. (25 Pa. Code § 127.12(a)(10))

32. The records, reports or information obtained by the Department or referred to at public hearings shall be available to the public, except as provided in paragraph (a) of this condition.

a. Upon cause shown by the permittee that the records, reports or information or a particular portion thereof, but not emission data, to which the Department has access under the act, if made public, would divulge production or sales figures or methods, processes or production unique to that person or would otherwise tend to affect adversely the competitive position of that person by revealing trade secrets, including intellectual property rights, the Department will consider the record, report or information, or particular portion thereof confidential in the administration of the act. The Department will implement this section consistent with sections 112(d) and 114(c) of the CAA (42 U.S.C.A. §§ 7412(d) and 7414(c)). Nothing in this section prevents disclosure of the report, record or information to Federal, State or local representatives as

necessary for purposes of administration of Federal, State or local air pollution control laws, or when relevant in a proceeding under the act. (25 Pa. Code §§ 127.12(c) and (d) and 35 P. S. § 4013.2)

33. This plan approval will be valid for a limited time, as specified by the expiration date contained on page 1 of this plan approval.

a. Except as provided in §§ 127.11a and 127.215 (relating to reactivation of sources; and reactivation), at the end of the time, if the construction, modification, reactivation or installation has not been completed, a new plan approval application or an extension of the previous approval will be required.

b. If construction has commenced, but cannot be completed before the expiration of this plan approval, an extension of the plan approval must be obtained to continue construction. To allow adequate time for departmental action, a request for the extension should be postmarked at least 30 days prior to the expiration date. The Department will not issue an extension after the plan approval expires. The request for an extension should include the following:

- i. A justification for the extension,
- ii. A schedule for the completion of the construction.

c. If construction has not commenced before the expiration of this plan approval, then a new plan approval application must be submitted and approval obtained before construction can commence.

34. If the construction, modification or installation is not commenced within 18-months of the issuance of this plan approval or if there is more than an 18-month lapse in construction, modification or installation, a new plan approval application that meets the requirements of 25 Pa. Code Chapter 127, Subchapters B, D and E (relating to plan approval requirements; prevention of significant deterioration of air quality; and new source review) shall be submitted. (25 Pa. Code § 127.13)

35. This plan approval may not be transferred from one person to another except when a change of ownership is demonstrated to the satisfaction of the Department and the Department approves the transfer of the plan approval in writing.

a. Section 127.12a (relating to compliance review) applies to a request for transfer of a plan approval. A compliance review form shall accompany the request.

36. This plan approval is valid only for the specific source and the specific location of the source as described in the application. (25 Pa. Code § 127.32)

37. Under 35 P. S. § 4008, no person shall hinder, obstruct, prevent or interfere with the Department or its personnel in the performance of any duty authorized under the APCA.

38. The permittee shall also allow the Department to have access at reasonable times to said sources and associated air cleaning devices with such measuring and recording equipment, including equipment recording visual observations, as the Department deems necessary and proper for performing its duties and for the effective enforcement of the APCA and regulations adopted under the act.

39. Nothing in this plan approval condition shall limit the ability of the Environmental Protection Agency (EPA) to inspect or enter the premises of the permittee in

accordance with section 114 or other applicable provisions of the CAA. (25 Pa. Code § 127.12(4) and 35 P. S. § 4008 and 114 of the CAA)

40. This plan approval may be terminated, modified, suspended or revoked and reissued if one or more of the following applies:

a. The permittee constructs or operates the source subject to the plan approval in violation of the act, the CAA, the regulations promulgated under the act or the CAA, a plan approval or permit or in a manner that causes air pollution.

b. The permittee fails to properly or adequately maintain or repair an air pollution control device or equipment attached to or otherwise made a part of the source.

c. The permittee fails to submit a report required by this plan approval.

d. The EPA determines that this plan approval is not in compliance with the CAA or the regulations thereunder. (25 Pa. Code 127.13a)

41. The permittee, or any other person, may not circumvent the new source review requirements of 25 Pa. Code Chapter 127, Subchapter E by causing or allowing a pattern of ownership or development, including the phasing, staging, delaying or engaging in incremental construction, over a geographic area of a facility which, except for the pattern of ownership or development, would otherwise require a permit or submission of a plan approval application.

42. No person may permit the use of a device, stack height which exceeds good engineering practice stack height, dispersion technique or other technique which, without resulting in reduction of the total amount of air contaminants emitted, conceals or dilutes an emission of air contaminants which would otherwise be in violation of this plan approval, the APCA or the regulations promulgated thereunder, except that with prior approval of the Department, the device or technique may be used for control of malodors. (25 Pa. Code §§ 121.9 and 127.216)

43. Reports, test data, monitoring data, notifications shall be submitted to the:

Regional Air Program Manager
Department of Environmental Protection
(At the address given on the plan approval transmittal letter or otherwise notified) (25 Pa. Code § 127.12c)

44. If required by section 112(r) of the CAA, the permittee shall develop and implement an accidental release program consistent with requirements of the CAA, 40 CFR Part 68 (relating to chemical accident prevention provisions) and the Federal Chemical Safety Information, Site Security and Fuels Regulatory Relief Act (Pub. L. No. 106-40).

45. The permittee shall prepare and implement a Risk Management Plan (RMP) which meets the requirements of section 112(r) of the CAA, 40 CFR Part 68 and the Federal Chemical Safety Information, Site Security and Fuels Regulatory Relief Act when a regulated substance listed in 40 CFR 68.130 is present in a process in more than the listed threshold quantity at the facility. The permittee shall submit the RMP to the EPA according to the following schedule and requirements:

a. The permittee shall submit the first RMP to a central point specified by the EPA no later than the latest of the following:

- i. Three years after the date on which a regulated substance is first listed under 40 CFR 68.130; or,

ii. The date on which a regulated substance is first present above a threshold quantity in a process.

b. The permittee shall submit any additional relevant information requested by the Department or the EPA concerning the RMP and shall make subsequent submissions of RMPs in accordance with 40 CFR 68.190.

c. The permittee shall certify that the RMP is accurate and complete in accordance with the requirements of 40 CFR Part 68, including a checklist addressing the required elements of a complete RMP.

46. As used in this plan approval condition, the term "process" shall be as defined in 40 CFR 68.3. The term "process" means any activity involving a regulated substance including any use, storage, manufacturing, handling or onsite movement of the substances or any combination of these activities. For purposes of this definition, any group of vessels that are interconnected or separate vessels that are located such that a regulated substance could be involved in a potential release, shall be considered a single process. (25 Pa. Code § 127.12(9) and 40 CFR Part 68)

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

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

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

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

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

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

24-161B: Greentree Landfill Gas Company, LLC (Tower Road, Brockway, PA 15824) for construction of two natural gas compressor engines to replace the existing two compressor engines for boosting natural gas production into the custody transfer point in Horton Township, **Elk County**. This is a State-only facility. The public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the State-only operating permit through an administrative amendment at a later date. The source shall comply with the following conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate BAT for the source:

- The internal combustion engine shall be designed and operated so emissions do not exceed the following:

- NO_x at rated brake horsepower and operating at rated speed—1.5 grams per brake horsepower-hour (gms/bhp-hr) for gas fired units;

- VOC at rated brake horsepower and operating at rated speed—0.44 gms/bhp-hr;

- CO at rated brake horsepower and operating at rated speed—2.11 gms/bhp-hr; and,

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

- Visible emissions in excess of the following limitations:

- Equal to or greater than 10% for a period or periods aggregating more than 3 minutes in any 1 hour.

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

- The emission limitations shall apply at all times except during periods of start-up and shut-down, provided, however, that the duration of start-up and shut-down do not exceed one hour per occurrence.

- This source is subject to 25 Pa. Code §§ 123.1 and 123.31 for fugitive and odor emissions, respectively.

- No person may permit the emission into the outdoor atmosphere of PM in a manner that the concentration of PM in the effluent gas exceeds 0.02 gr/dscf.

- The internal combustion engines shall be designed and operated to either reduce NMOC by 98 weight-percent or to reduce the outlet NMOC concentration to less than 20 parts per million by volume, dry basis as hexane at 3% oxygen. The reduction efficiency or parts per million by volume shall be established by an initial performance test to be completed no later than 180 days after the initial startup of the source using the test methods specified in 40 CFR 60.754(d).

- The stack test shall be conducted for NO_x, CO and VOC (NMOC). In lieu of performing a stack test, the facility may show compliance with the emission limitations by the use of a Department approved portable analyzer.

- Within 12-months after the initial stack testing, and annually thereafter, the permittee shall perform NO_x, CO and VOC emissions tests upon each of the respective engines herein using a portable analyzer approved by the Department.

- The permittee shall maintain comprehensive accurate records which, at a minimum, shall include the following. Recordkeeping shall commence at the time of the start-up of each source.

- The number of hours that each engine operated on a 12-month rolling total.

- The amount of fuel used in each engine on a 12-month rolling total.

- When a new internal combustion engine is installed and is required to conduct a performance test, the permittee shall maintain records or report the following. Recordkeeping shall commence at the time of the start-up of each source.

- Records including a description of testing methods, results, all engine operating data collected during the tests, and a copy of the calculations performed to determine compliance with emission standards.

- Copies of the report that demonstrates that the engines were operating at rated brake horsepower and rated speed conditions during performance testing.

- These records shall be retained for a minimum of 5 years and shall be made available to the Department upon request. The Department reserves the right to expand the list contained in this condition as it may reasonably prescribe under the provisions of § 4 of the

APCA (35 P. S. §§ 4001—4015), and as it may deem necessary to determine compliance with any condition contained herein.

- The permittee shall maintain a record of all preventative maintenance inspections of the source. These records shall, at a minimum, contain the dates of the inspections, any problems or defects, the actions taken to correct the problem or defects, and any routine maintenance performed. Recordkeeping shall commence at the time of the start-up of each source.

- The permittee shall maintain a record of the following from the operational inspections. Recordkeeping shall commence at the time of the start-up of each source.

- Engine Load.
- Engine Speed.

- The permittee shall perform a daily operational inspection of the source for any day the source is in operation.

- The permittee shall maintain and operate the source in accordance with the manufacturer's specifications and in accordance with good air pollution control practices.

- The source is subject to 40 CFR 60 Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines.

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.

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

15-00043: Sunoco Partners Marketing and Terminals LP—Malvern Terminal (41 Malin Road, Malvern, PA 19355) in East Whiteland Township, **Chester County**. This action is a renewal of their Title V Operating Permit. The initial permit was issued on August 17, 1999. This facility receives gasoline by means of underground pipes and distributes gasoline into tank trucks. As a result of potential emissions of VOCs, the facility is a major stationary source as defined in the CAA, and is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code § 127, Subpart G. This renewal adopts the applicable requirements under 40 CFR Part 64—Compliance Assurance Monitoring. It contains all applicable requirements including monitoring, and recordkeeping and reporting, and does not reflect any change in air emissions from the facility.

09-00066: Exelon Generation Co.—Fairless Hills Generation Station (South Pennsylvania Avenue, Fairless Works, Fairless Hills, PA) for a significant modification of the Title V Operating Permit to incorporate the Federal Clean Air Interstate Rule (CAIR) Regulation found in 40 CFR 97, Sections 106, 206 and 306 in Falls Township, **Bucks County**. The facility is primarily used for providing electrical energy from two fossil-fuel steam generating units (both landfill/natural gas units). The proposed Title V Operating Permit Modification does not reflect any change in air emissions from the facility. The modified permit contains all applicable requirements including monitoring, recordkeeping and reporting.

15-00019: Exelon Generation Co.—Cromby Generating Station (100 Cromby Road, Phoenixville, PA, 19460-1882) for a significant modification of the Title V Operating Permit to incorporate the Federal Clean Air

Interstate Rule (CAIR) Regulation found in 40 CFR 97, Sections 106, 206 and 306 in East Pikeland Township, **Chester County**. The facility is primarily used for providing electrical energy from two fossil-fuel steam generating units (one coal and one natural gas/fuel oil unit). The proposed Title V Operating Permit Modification does not reflect any change in air emissions from the facility. The modified permit contains all applicable requirements including monitoring, recordkeeping and reporting.

09-00024: Waste Management of Pennsylvania, Inc. (1000 New Ford Mill Road, Morrisville, PA 19067) for renewal of the Title V Operating Permit for their Tullytown Resource Recovery Facility, a landfill in Tullytown Borough, **Bucks County**. The renewal will also include the incorporation of Plan Approvals PA-09-0024C, 09-0024E and 09-0024G. The renewal does not authorize any increase in air emissions of regulated pollutants above previously approved levels. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting.

23-00017: Exelon Generation Co.—Eddystone Generating Station (1 Industrial Highway, Eddystone, PA, 19022-1585) for a Significant Modification of the Title V Operating Permit to incorporate the Federal Clean Air Interstate Rule (CAIR) Regulation found in 40 CFR 97, Sections 106, 206 and 306 in Eddystone Borough, **Delaware County**. The facility is primarily used for providing electrical energy from four fossil-fuel steam generating units (two coal and two natural gas/fuel oil units). The proposed Title V Operating Permit Modification does not reflect any change in air emissions from the facility. The modified permit contains all applicable requirements including monitoring, recordkeeping and reporting.

23-00009: The Boeing Co.—Integrated Defense Systems Rotorcraft (P. O. Box 16858, Philadelphia, PA 19142-0858) for renewal of the Title V Operating Permit for their Rotorcraft Management Center, an aerospace fabrication and repair facility in Ridley Township, **Delaware County**. The renewal will also include the incorporation of Plan Approvals 23-0009C, 23-302-145GP and 23-312-223GP. The renewal does not authorize any increase in air emissions of regulated pollutants above previously approved levels. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting.

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

48-00057: Steel Management Systems, LLC (3045 Bath Pike, Nazareth, PA 18064) for renewal of a Title V Operating Permit. This facility currently operates a metal preparation and coating facility in Upper Nazareth Township, **Northampton County**. The facility's major sources of emissions are VOC's. The proposed Title V Operating Permit does not reflect any change in air emissions from the facility. This Title V Operating Permit shall include emission restrictions, monitoring, recordkeeping and reporting requirements designed to ensure this facility complies with all applicable air quality regulations.

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

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

39-00092: Hale Trailer Brake & Wheel, Inc. (5361 Oak View Drive, Allentown, PA 18104) for operation of a surface coating process at a trailer manufacturing and repair facility in Upper Macungie Township, **Lehigh County**. This is the initial issuance of a State-only Operating Permit.

40-00104: Brdaric Excavating, Inc. (913 Miller Street, Luzerne, PA 18709) for operation of a rock crushing operation and associated air cleaning devices at their facility in Kingston Township, **Luzerne County**. This facility is currently operating under Operating Permit 40-310-045. The permit requirements shall be included in the new State-only (Natural Minor) Operating Permit for this facility. This Operating Permit shall include emission restrictions, monitoring, recordkeeping and reporting requirements designed to ensure this facility complies with all applicable air quality regulations.

40-00116: Ohio Mattress Co. (Sealy Components Group, 25 Elmwood Road, Mountaintop, PA 18707) for operation of a mattress manufacturing facility in Wright Township, **Luzerne County**. This is a State-only Natural Minor operating permit.

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

36-03007: F.L. Smidth, Inc. (236 South Cherry Street, Manheim, PA 17545) for operation of their two natural gas boilers, two metal build-up lathes, shotblast booth and degreasing units in the Manheim Borough, **Lancaster County**. This is a renewal of the State-only operating permit issued in 2004.

36-03132: Fab-Rick Industries, Inc. (1780 Newport Road, Ephrata, PA 17522) for operation of their spray booth in West Earl Township, **Lancaster County**. Actual VOC emissions are expected to be no greater than 34.5 tpy. The State-only operating permit will include monitoring, recordkeeping, reporting requirements, emission restrictions and work practice standards designed to keep the facility operating within all applicable air quality requirements.

67-05112: Kinsley Manufacturing, Inc. (1110 East Princess Street, York, PA 17403) for operation of their East York steel fabrication plant in Springettsbury Township, **York County**. The State-only operating permit will include emission restrictions, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

63-00147: International Paper (10 Wilson Road, Eighty Four, PA 15330-2846) for operation of a corrugated cardboard shipping container manufacturing facility at their Eighty Four Container Plant in North Strabane Township, **Washington County**. This is a renewal of the State-only Operating Permit issued in 2004.

Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104, Edward Brawn, Chief, (215) 685-9476.

S04-013: RR Donnelley Baum (9985 Gantry Road, Philadelphia, PA 19115) for their offset lithographic printing facility in the City of Philadelphia, **Philadelphia County**. The synthetic minor facilities emission sources include five nonheatset offset sheetfed lithographic printing presses.

The operating permit will be issued under the 25 Pa. Code, 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 previous 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 30 days before the hearing.

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

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

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

a statement whether the requestor desires to have the conference conducted in the locality of the proposed mining activities.

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

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

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

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

The procedures for determining the final effluent limits, using a mass-balance equation or model, are found in Technical Guidance Document 362-0600-001, NPDES Program Implementation—Memorandum of Understanding Concerning Water Quality Management, NPDES Program

Implementation and Related Matters. Other specific factors to be considered include public comments and Total Maximum Daily Loads (TMDLs).

Persons wishing to comment on an NPDES permit application should submit a statement to the Department at the address of the district mining office indicated 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:

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

¹The parameter is applicable at all times.

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

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

32981301 and NPDES Permit No. PA0215180, RoxCOAL, Inc., (P. O. Box 149, Friedens, PA 15541), to renew the permit for the North Branch Mine in Green and Grant Townships, **Indiana County** and related NPDES permit. No additional discharges. Application received January 13, 2009.

65881701 and NPDES Permit No. PA0214116, Consolidation Coal Company, (CNX Center, 100 Consol Energy Drive, Canonsburg, PA 15317), to renew the permit for the Hutchinson AMD Plant in Sewickley Township, **Westmoreland County** and related NPDES permit. No additional discharges. Application received December 9, 2008.

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

56090103 and NPDES No. PA0262358. Mountaineer Mining Corporation, 1010 Garrett Shortcut Road, Berlin, PA 15530, commencement, operation and restoration of a bituminous surface mine in Brothersvalley Township, **Somerset County**, affecting 58.1 acres. Receiving streams: UNTs to/and Buffalo Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received February 25, 2009.

11940102 and NPDES No. PA0212725. E. P. Bender Coal Company, Inc., P. O. Box 594, Main and Lehmier Streets, Carrolltown, PA 15722, permit renewal for reclamation only of a bituminous surface auger and coal refuse disposal mine in Reade Township, **Cambria County**, affecting 133 acres. Receiving streams: UNTs to/and Powell Run and UNT to Clearfield Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received February 27, 2009.

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

26890103 and NPDES Permit No. PA0591327. Durant Excavating Company (18 North Ross Street, Masontown, PA 15461). Renewal application for continued operation and reclamation of a bituminous surface mine, located in Nicholson Township, **Fayette County**, affecting 32 acres. Receiving streams: UNTs to Cats Run, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received February 27, 2009.

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

24030103 and NPDES Permit No. PA0242390. AMFIRE Mining Company, LLC (One Energy Place, Suite 2800, Latrobe, PA 15650). Renewal of an existing bituminous surface strip, auger, coal ash placement and beneficial use of coal ash operation in Horton Township, **Elk County** affecting 581.1 acres. Receiving streams: Little Toby Creek, classified for the following use: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received March 3, 2009.

33030101 and NPDES Permit No. PA0242292. Strishock Coal Company (220 Hillcrest Drive, DuBois, PA 15801). Renewal of an existing bituminous surface strip operation in Washington Township, **Jefferson**

County affecting 103.5 acres. Receiving stream: Horn Run, classified for the following use: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application for reclamation only. Application received March 4, 2009.

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

54860107R4. Reading Anthracite Company (P. O. Box 1200, Pottsville, PA 17901), renewal of an existing anthracite surface mine and coal refuse reprocessing operation in Cass Township, **Schuylkill County** affecting 786.0 acres, receiving stream: none. Application received February 27, 2009.

54880203R4 and NPDES Permit No. PA0594393. Rausch Creek Land, LP, (978 Gap Street, Valley View, PA 17983), renewal of an existing anthracite coal refuse reprocessing operation in Tremont Township, **Schuylkill County** affecting 15.8 acres, receiving stream: Rowe Tunnel to Lorberry Creek. Application received March 2, 2009.

54040102R. Neumeister Coal Company, (28 Frank Lane, Ashland, PA 17921), renewal of an existing anthracite surface mine and coal refuse disposal operation in Foster and Reilly Townships, **Schuylkill County** affecting 23.0 acres, receiving stream: none. Application received March 3, 2009.

54040101R and NPDES Permit No. PA0224375. Char-Pac Coal Company, (P. O. Box 81, Minersville, PA 17954), renewal of an existing anthracite surface mine operation in Foster Township, **Schuylkill County** affecting 200.5 acres, receiving streams: Hans Yost Creek or West Branch Schuylkill River. Application received March 4, 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.

56090801. Fieg Brothers, 3070 Stoystown Road, Stoystown, PA 15563, commencement, operation and restoration of a small noncoal (industrial minerals) operation in Southampton Township, **Somerset County**, affecting 5 acres. Receiving stream: UNT to Rush Run. Application received February 27, 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 Flood Plain Management Act (32 P. S. § 679.302) and requests for certification under section 401(a) of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E423-005. Jim McCann, Delaware County Office of Housing and Community Development, 600 North Jackson Street, Room 101, Media, PA 19063, Borough of Colwyn, and Borough of Sharon Hill, **Delaware County**, United States Army Corps of Engineers, Philadelphia District.

A request for an Environmental Assessment approval for impacts associated with the removal of two out of three abandoned railroad bridge concrete piers, accumulated sediments and debris. These two piers are located within the centerline, and along the right bank of the Darby Creek (TSF-MF). Removal of these piers will reduce some flooding and silt accumulation in the area.

The site is located approximately 2000 feet northeast of the intersection of Oak and Elmwood Avenues (Lansdowne, PA USGS Quadrangle N: 6.5 inches; W: 1.0 inch).

E09-934. Silokwa, LLC, P. O. Box 1508, Bethlehem, PA 18016, Springfield Township, **Bucks County**, United States Army Corps of Engineers, Philadelphia District.

To stabilize, restore, and maintain approximately 325 linear feet of the UNT to Cooks Creek (EV), utilizing natural stream design methods. This work includes relocation of approximately 100 linear feet of stream channel to create a stable pattern and profile, impacting a diminutive acre of wetlands. The site is located approximately 3,000 feet southeast of the intersection of Knechts Bridge Road and Springhouse Lane (Hellertown, PA USGS Quadrangle N: 6.6 inches; W: 3.8 inches).

E23-451. Corinthian Yacht Club of Philadelphia, P. O. Box 366, Essington, PA 19029-0366, Tinicum Township **Delaware County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain the following Water Obstruction and Encroachment activities along Delaware River (WWF/MF) associated with the proposed Marina improvements at the Corinthian Yacht Club of Philadelphia:

1) To remove portions of the existing upriver deteriorated solid fill crib structure.

2) To construct and maintain the proposed upriver pier, extending approximately 320 feet from the shoreline. The pier is 25-foot wide which widens out to 150-foot at the tee-head. The proposed 65-foot long pier will be supported by H-pile bents placed at 25-foot center to center. Two boat hoists will be installed at each end of the tee-head.

3) To construct and maintain the proposed 78-foot long, 15-foot wide fixed pier. The proposed timber pile bents will be supported at 10-foot center to center.

4) To install and maintain the proposed floating dock system consisting of:

- One 6-foot wide access boat ramp
- One 4-foot wide pedestrian ramp
- One 150-foot long, 8-foot wide main floating dock
- Three 80-foot long, 8-foot wide floating docks
- Two 50-foot long, 8-foot wide tee heads
- Three 21-foot long, 4-foot wide finger piers
- Sixteen 20-foot long, 10-foot wide floating dingy docks
- Ten 14-inch diameter timber piles will be utilized in installation of this floating dock.

5) To construct and maintain an approximately 90-foot long, 20-foot wide boat ramp.

6) To construct and maintain the proposed 144-foot long, 8-foot wide fixed pier and associated plastic sheet piling along the existing bulkhead.

The project is located along Delaware River in Tinicum Township, Delaware County (Bridgeport, PA-NJ USGS Quadrangle Latitude: N: 39° 51' 38"; Longitude: W: 75° 18' 24").

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

E40-679A. City of Pittston, 335 Broad Street, Pittston, PA 18640, in City of Pittston, **Luzerne County**, United States Army Corps of Engineers, Baltimore District.

To amend Permit No. E40-679 for the construction and maintenance of a stream enclosure consisting of approximately 2,250 feet of 72-inch diameter reinforced concrete pipe in a UNT to Laurel Line Creek (CWF) and a 72-inch outfall to the Susquehanna River (WWF) with headwall, wingwalls and riprap outfall protection. The location of the project begins at Gazette Place to the outfall structure at Kennedy Boulevard (Pittston, PA Quadrangle Latitude: 41° 19' 10"; Longitude: 75° 46' 47").

E58-283. Borough of Hop Bottom, R. R. 1, Box 1325, Hop Bottom, PA 18824, in Borough of Hop Bottom, **Susquehanna County**, United States Army Corps of Engineers, Baltimore District.

To construct and maintain the following structures in and along Hop Bottom Creek (CWF) and Martins Creek (CWF): 1) installation of a log sill structure 2.0 foot below the stream bed of Hop Bottom Creek to prevent erosion; 2) installation of root wad bank protection in Hop Bottom Creek; 3) dredge sediment deposits and removal of gravel bars within Hop Bottom Creek and Martins Creek to

restore historic cross section; and 4) excavation of a sediment stilling basin in the floodway of both Hop Bottom and Martins Creeks to facilitate future maintenance of the channels (Hop Bottom, PA Quadrangle Latitude: 41° 42' 48"; Longitude: 75° 46' 10").

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

E05-349. Patrick Dumpert, 750 Cumberland Road, Bedford, PA 15522, Dumpert Farm Bridge, Bedford Township, **Bedford County**, United States Army Corps of Engineers, Baltimore District.

To construct and maintain an 8-foot wide, 43.6-foot long flat bed steel road trailer bridge with an average underclearance of 3.1 feet, across Cumberland Valley Run (WWF) for the purpose of connecting two pastures located approximately 0.5 mile upstream of US 30 bridge (Bedford, PA Quadrangle N: 2.48 inches; W: 2.24 inches, Latitude: 40° 00' 48"; Longitude: 78° 30' 57") in Bedford Township, Bedford County.

E36-847. Mount Joy Borough Authority, Terry Kauffman, 21 East Main Street, Mount Joy, PA 17552, Mount Joy Borough, **Lancaster County**, United States Army Corps of Engineers, Baltimore District.

To: (1) remove a 40.0-foot diameter intermediate clarifier, a 13.0-foot long by 9.0-foot wide recirculation pump station in the floodway of Little Chickies Creek (TSF); (2) remove a 67.0-foot diameter trickling filter; (3) remove a 29.0-foot 4.0-inch long by 28.0-foot by 4.0-inch wide chlorine tank in the floodplain of Little Chickies Creek (TSF); and (4) add a 41.0-foot 8.0-inch long by 20.0-foot wide UV channel and post aeration basin within the floodplain of Little Chickies Creek (TSF), at a point just west of the intersection of Garfield and Longenecker Roads, for the purpose of upgrading the existing Mount Joy Borough's Wastewater Treatment Plant (WWTP) (Columbia East, PA Quadrangle N: 18.10 inches; W: 16.75 inches, Latitude: 40° 5' 58" N; Longitude: 76° 29' 40" W) in Mount Joy Borough, Lancaster County.

E05-350. Bedford Borough, John Montgomery, Manager, 244 West Penn Street, Bedford, PA 15522, Bedford Borough, **Bedford County**, United States Army Corps of Engineers, Baltimore District.

To: (1) raze the existing Watson Street (SR 7401) P/S adjacent plank beam bridge having three spans, a width of 18.5 feet, a total span of 56.0 feet, and an underclearance of 6.7 feet over Shobers Run (HQ-CWF) (Everett West, PA Quadrangle N: 2.5 inches; W: 16.7 inches, Latitude: 40° 00' 50"; Longitude: 78° 29' 40"); (2) construct and maintain a P/S Box Beam bridge having a width of 37.5 feet, a total span of 52.0 feet, and an underclearance of 6.8 feet carrying Watson Street (SR 7401) over Shobers Run (HQ-CWF) (Everett West, PA Quadrangle N: 2.5 inches; W: 16.7 inches, Latitude: 40° 00' 50"; Longitude: 78° 29' 40"); (3) construct and maintain an 18-inch outfall structure on the upstream left side of the bridge discharging to Shobers Run (HQ-CWF) (Everett West, PA Quadrangle N: 2.5 inches; W: 16.7 inches, Latitude: 40° 00' 50"; Longitude: 78° 29' 40"); (4) construct and maintain an 18-inch outfall structure on the downstream left side of the bridge discharging to Shobers Run (HQ-CWF) (Everett West, PA Quadrangle N: 2.5 inches; W: 16.7 inches, Latitude: 40° 00' 50"; Longitude: 78° 29' 40"); and (5) construct and maintain a 27-inch outfall structure on the upstream right side of the bridge discharging to Shobers Run (HQ-CWF) (Everett West, PA Quadrangle N: 2.5 inches; W: 16.7 inches,

Latitude: 40° 00' 50"; Longitude: 78° 29' 40"). The project involves the use of a temporary causeway and cofferdams and is located in Bedford Borough, Bedford County.

E31-218. Huntingdon Borough, 530 Washington Street, P. O. Box 592, Huntingdon, PA 16652-0592, Huntingdon Borough WWTP, Smithfield Township, **Huntingdon County**, United States Army Corps of Engineers, Baltimore District.

To remove two 50-foot diameter clarifiers, and a 155-foot by 55-foot cake barn building and then to construct and maintain two 63-foot diameter primary clarifiers, a 36-foot by 36-foot odor control facility building, a 36-foot by 36-foot mechanical thickener building, a 25-foot by 40-foot residual pump building, a 16-foot by 22-foot primary distribution box and sludge pump building, a 44-foot by 90-foot denitrification building, a 39-foot by 103-foot headwork building, and a 50-foot by 147-foot cake barn building and associated pipings and improvements, in order to improve the conditions located in the Juniata River's right bank 100-year floodway (Huntingdon, PA Quadrangle N: 18.20 inches; W: 0.35 inch, Latitude: 40° 28' 31"; Longitude: 78° 00' 09") in Smithfield Township, Huntingdon County.

E67-864. Eastern Gold Prospectors Association, Inc., 50 Graybill Road, Leola, PA 17540, Conewago Township, **York County**, United States Army Corps of Engineers, Baltimore District.

The applicant proposes to use recreational suction dredges and power sluices to prospect for gold in the Conewago Creek (WWF). The activities will be conducted from March 1st to November 30th with no more than 6 mechanical suction dredges operating at one time within the approved area. The project area extends from 50 feet upstream of the existing dam to the Susquehanna Trail Road Bridge (Dover, PA Quadrangle N: 18.5 inches; W: 2.25 inches, Latitude: 40° 06' 7.6"; Longitude: 76° 46' 13.6") in Conewago Township, York County.

E31-219. Spring Creek Joint Municipal Authority, P. O. Box 373, Three Springs, PA 17264, Spring Creek WWTP, Clay Township, **Huntingdon County**, United States Army Corps of Engineers, Baltimore District.

To: (1) remove two existing 3-foot diameter manholes, a 13-foot by 65-foot clarifier, and a 13-foot by 13-foot chlorine tank; and (2) construct and maintain a 20-foot by 20-foot office and meeting room, a 10-foot by 10-foot post aeration blower pad, a 10-foot by 24-foot chemical room, a 15-foot by 15-foot SBR blower pad, a 20-foot by 32-foot building, a 30-foot by 60-foot SBR, a 40-foot by 150-foot reed bed/sludge drying bed at the existing Spring Creek WWTP along the left bank floodplain of Spring Creek (CWF) located just across the PA 994 and T-332 intersection (Orbisonia, PA Quadrangle N: 12.38 inches; W: 13.90 inches, Latitude: 40° 11' 33"; Longitude: 77° 58' 26") in Clay Township, Huntingdon County.

E22-521. Millersburg Ferry Boat Association, Diane Hammaker, Operations Manager, P. O. Box 93, Millersburg, PA 17061, Upper Paxton Township, **Dauphin County**, United States Army Corps of Engineers, Baltimore District.

To: 1) reconstruct, restore and maintain the existing rock wall; 2) remove 1.0 foot high bedrock outcrops within a 4000.0-foot long by 25.0-foot wide area; and 3) stabilize and maintain 100.0 feet of west riverbank and 100.0 feet of east riverbank with excavated rock material in the Susquehanna River (WWF), all for the purpose of ferry boat access during low flow periods just west of the intersection of River and North Streets (Millersburg, PA

Quadrangle 7.5 inches N; 12.5 inches W, Latitude: 40° 32' 27.6" N; Longitude: 76° 57' 53.7" W) in Upper Paxton Township, Dauphin County.

E31-220. Department of Transportation, Engineering District 9-0, 1620 North Juniata Street, Hollidaysburg, PA 16648, Spruce Creek Township, **Blair County**, United States Army Corps of Engineers, Baltimore District.

To: (1) raze the existing Trout Run Lane steel I-beam bridge having a width of 15.5 feet, a total clear span of 41.0 feet, a skew of 90°, and an underclearance of 6.1 feet over Spruce Creek (HQ-CWF) (Spruce Creek, PA Quadrangle N: 20.8 inches; W: 1.0 inch, Latitude: 40° 36' 52.8"; Longitude: 78° 07' 57.0"); (2) construct and maintain a spread box beam bridge approximately 40 feet downstream of the existing bridge, having a width of 27.3 feet, a total clear span of 41.0 feet, a skew of 90°, and a minimum underclearance of 6.8 feet over Trout Run (HQ-CWF) (Spruce Creek, PA Quadrangle N: 20.8 inches; W: 1.0 inch, Latitude: 40° 36' 52.7"; Longitude: 78° 07' 56.6"); (3) construct and maintain an 18-inch outfall structure on the upstream left side of the proposed bridge discharging to Trout Run (HQ-CWF) (Spruce Creek, PA Quadrangle N: 20.8 inches; W: 1.0 inch, Latitude: 40° 36' 52.7"; Longitude: 78° 07' 56.6"); and (4) construct and maintain an 18-inch outfall structure on the downstream left side of the proposed bridge discharging to Trout Run (HQ-CWF) (Spruce Creek, PA Quadrangle N: 20.8 inches; W: 1.0 inch, Latitude: 40° 36' 52.7"; Longitude: 78° 07' 56.6"). The project will temporarily impact approximately 80 linear feet of perennial stream channel and permanently impact approximately 60 linear feet of perennial stream channel. The project involves the use of temporary cofferdams and is located in Spruce Creek Township, Blair County.

E36-841. Lancaster County Conservancy, 117 South West End Avenue, P. O. Box 716, Lancaster, PA 17608-0716, Lancaster Township, **Lancaster County**, United States Army Corps of Engineers, Baltimore District.

To: (1) construct and maintain a minor road crossing of a UNT to Conestoga River (WWF) by extending an existing 36-inch diameter by 14-foot long DIP pipe with a 20-foot long pipe and placing upstream and downstream rock aprons for a cumulative impact length of 69.0 feet (Lancaster, PA Quadrangle N: 6.4 inches; W: 5.0 inches, Latitude: 40° 2' 7" N; Longitude: 76° 17' 8" W); and (2) construct and maintain a minor road crossing of a UNT

to Conestoga River (WWF) with a 24-inch diameter by 25-foot long RCP pipe and placing upstream and downstream rock aprons for a cumulative impact length of 50.0 feet (Lancaster, PA Quadrangle N: 6.0 inches; W: 5.1 inches, Latitude: 40° 2' 0" N; Longitude: 76° 17' 12" W) all for the purpose of constructing a 1.3 mile, 12 foot wide bituminous walking trail within the floodway of the Conestoga River (WWF) known as the Conestoga Greenway Trail in Lancaster Township and Lancaster City, Lancaster County.

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

E02-1606. Atlas Industries, Inc., 530 Bell Avenue, P. O. Box 470, Carnegie, PA 15106.

To construct a retaining wall in Scott Township, **Allegheny County**, United States Army Corps of Engineers, Pittsburgh District (Pittsburgh West, PA Quadrangle N: 7.5 inches; W: 12.7 inches, Latitude: 40° 24' 56"; Longitude: 80° 04' 43"). The applicant proposes to construct and maintain a 10.0 foot high by 90.0 foot long retaining wall in the channel and along the left bank of Whiskey Run (WWF) for the purpose of preventing stream bank erosion at the existing Atlas Industries site. The project is located approximately 500.0 feet northeast from the intersection of Bell Avenue and Noblestown Road and will impact approximately 90.0 linear feet of stream channel.

ENVIRONMENTAL ASSESSMENTS

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

D11-071EA. Tim Golby, Authority Chairperson, 1202 Philadelphia Street, Northern Cambria, PA 15714-0488. Barr Township, **Cambria County**, United States Army Corps of Engineers, Pittsburgh District.

Project proposes to breach and remove Shirf's Run Dam across a tributary to North Branch Blacklick Creek (CWF) for the purpose of eliminating a threat to public safety and restoring the stream to a free flowing condition. The project will restore approximately 1,350 linear feet of stream channel. The dam is located approximately 1.7 miles southeast of the intersection of SR 271 and SR 553 (Colver, PA Quadrangle Latitude: 40° 35' 29"; Longitude: 78° 47' 37").

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 |

| <i>Location</i> | <i>Permit Authority</i> | <i>Application Type or Category</i> |
|-----------------|-------------------------|--|
| 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 free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

I. NPDES Renewal Permit Actions

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

| <i>NPDES No. (Type)</i> | <i>Facility Name & Address</i> | <i>County & Municipality</i> | <i>Stream Name (Watershed #)</i> | <i>EPA Waived Y/N ?</i> |
|-------------------------|--|--|------------------------------------|-------------------------|
| PA0070122 (Sew) | UMH Properties, Inc.—Highland Estates MHP 3499 Route 9 North Suite 3C Freehold, NJ 07728 | Berks County Greenwich Township | UNT Mill Creek 3-B | Y |
| PA0041491 (Sew) | Berks Properties, Inc.—Mountain Village MHP 3613 Seisholtzville Road Hereford, PA 18056 | Berks County Longswamp Township | UNT Perkiomen Creek 3-E | Y |
| PA0027952 (Sew) | HMS Host Lawn Service Plaza P. O. Box 8 Middletown, PA 17057 | Lebanon County South Londonderry Township | UNT Conewago Creek 7-G | Y |
| PAG2003603117-R | Myers Valley Farm, LLC 3121 Mount Joy Road Mount Joy, PA 17552 | Lancaster County Conoy Township | UNT Susquehanna River WWF | Y |

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

| <i>NPDES No. (Type)</i> | <i>Facility Name & Address</i> | <i>County & Municipality</i> | <i>Stream Name (Watershed #)</i> | <i>EPA Waived Y/N ?</i> |
|-------------------------|--|------------------------------------|----------------------------------|-------------------------|
| PA0228079 SP | Middleburg Municipal Authority 13 North Main Street Middleburg, PA 17842-0415 | Snyder County Franklin Township | UNT to Middle Creek 6A | Y |

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

| <i>NPDES No. (Type)</i> | <i>Facility Name & Address</i> | <i>County & Municipality</i> | <i>Stream Name (Watershed #)</i> | <i>EPA Waived Y/N</i> |
|-------------------------------|--|---------------------------------------|------------------------------------|-----------------------|
| PA0098787 Industrial Waste | Portage Borough Municipal Authority 606 Cambria Street Portage, PA 15946 | Cambria County Portage Township | Bens Creek | Y |
| PA0098779 Industrial Waste | Portage Borough Municipal Authority 606 Cambria Street Portage, PA 15946 | Cambria County Portage Township | Trout Run | Y |
| PA0094790 Sewage | Briko, LLC 110 Fremont Avenue Portage, PA 15946 | Cambria County Adams Township | UNT of Sandy Run | Y |
| PA0091936 Sewage | Indiana County Municipal Services Authority 602 Kolter Drive Indiana, PA 15701 | Indiana County Center Township | UNT of Aultmans Run | Y |
| PA0252581 Sewage | Mahoning Township Supervisors 987 SR 1025 New Bethlehem, PA 16242 | Armstrong County Mahoning Township | Headwaters of UNT of Redbank Creek | Y |

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

| <i>NPDES No. (Type)</i> | <i>Facility Name & Address</i> | <i>County & Municipality</i> | <i>Stream Name (Watershed #)</i> | <i>EPA Waived Y/N ?</i> |
|-------------------------|---|--|----------------------------------|-------------------------|
| PA0239518 | Meadow Ridge STP Route 68 and Buhl Hill Road Evans City, PA 16033 | Forward Township Butler County | Connoquenessing Creek 20-C | Y |
| PA0239372 | Harry J. and Norma J. Stafford SFTF 4467 Ivanhoe Road Sharpsville, PA 16150 | South Pymatuning Township Mercer County | UNT to McCullough Run 20-A | Y |

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

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

NPDES Permit No. PA0032301, Industrial Waste, **Applied Water Management, Inc.**, 453 Boot Road, Downingtown, PA 19335. This proposed facility is located in Concord Township, **Delaware County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge treated effluent from a STP serving the concord Industrial Park into the West Branch Chester Creek in Watershed 3G.

NPDES Permit No. PA0056014, Industrial Waste, **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 discharge of treated groundwater from groundwater remediation system and stormwater runoff into the Dry Swale to East Branch Perkiomen Creek in Watershed 3E.

NPDES Permit No. PA0051586, Sewage, **Tohickon Family Campground**, 8308 Covered Bridge Road, Quakertown, PA 18951. This proposed facility is located in East Rockhill Township, **Bucks County**.

Description of Proposed Action/Activity: Approval for the discharge of treated sewage into Tohickon Creek in Watershed 2D.

NPDES Permit No. PA0052744, Sewage, **Concordville Hotel, Inc.**, 780 Baltimore Pike, P. O. Box 607, Concordville, PA 19331-0607. This proposed facility is located in Concord Township, **Delaware County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge treated sewage to a UNT to the West Branch of Chester Creek in Watershed 3G.

NPDES Permit No. PA0027103, Amendment No. 1, Sewage, **Delaware County Regional Water Quality Control Authority (DELCORA)**, 100 East Fifth Street, P. O. Box 999, Chester, PA 19016-0999. This proposed facility is located in City of Chester, **Delaware County**.

Description of Proposed Action/Activity: Approval for the amendment to include an additional combined sewer overflow outfall to comply with Nine Minimum Control and a long-term Control Plan the discharge will be into the Delaware River Estuary Zone 4 in Watershed 3G.

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

NPDES Permit No. PA0027090, Sewage, **Lackawanna River Basin Sewer Authority**, P. O. Box 9068, Dickson City, PA 18515-9068. This proposed facility is located in Throop Borough, **Lackawanna County**.

Description of Proposed Action/Activity: Revocation and reissuance of NPDES Permit.

NPDES Permit No. PA0020176, Sewage, **Slatington Borough Authority**, 125 South Walnut Street, Slatington, PA 18080. This proposed facility is located in Slatington Borough, **Lehigh County**.

Description of Proposed Action/Activity: Issuance of NPDES Permit for the discharge of treated wastewater.

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

NPDES Permit No. PA0261238, Sewage, **Michael Civils**, 120 Trout Lane, Duncansville, PA 16635. This proposed facility is located in Allegheny Township, **Blair County**. Description of Proposed Action/Activity: Authorization to discharge to Watershed 11-A.

NPDES Permit No. PA0261220, Sewage, **Jason Brenneman**, 1114 Mifflin Street, Huntingdon, PA 16652. This proposed facility is located in Walker Township, **Huntingdon County**.

Description of Proposed Action/Activity: Authorization to discharge to Watershed 11-B.

NPDES Permit No. PA0009571, Industrial Waste, **KMS Specialities, LLC, Fairmont Dairy**, 100 Milk Lane, Newington, CT 06111. This proposed facility is located in Union Township, **Mifflin County**.

Description of Proposed Action/Activity: Termination of Permit.

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

PA0233749, Sewerage, **152 Mchaffey Hollow Road Extension**, Linden, PA 17744. This approved facility will be located in Woodward Township, **Lycoming County**.

Description of Activity: An NPDES permit application has been approved to discharge from a small flow treatment facility serving the Freezer residence.

The receiving stream, a UNT to Quenshukeny Run, is in the State Water Plan Watershed 10A and is classified for: WWF. The nearest downstream public water supply intake is near Milton is located on is on the West Branch of the Susquehanna River approximately 36 miles below the point of discharge.

The effluent limits for Outfall 001 are based on a design flow of 0.0004 mgd.

| Parameter | Mass (lbs/day) | | Concentration (mg/l) | | |
|-------------------|-----------------|---------------|--------------------------------|---------------|-----------------------|
| | Average Monthly | Maximum Daily | Average Monthly | Maximum Daily | Instantaneous Maximum |
| CBOD ₅ | | | 10 | | 20 |
| TSS | | | 20 | | 40 |
| Fecal Coliforms | | | 200 colonies/100 ml | | |
| pH | | | Within the range of 6.0 to 9.0 | | |
| Flow | | | Monitor and Report | | |
| UV Disinfection | | | Clean | | |

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

NPDES Permit No. PA0103373, Industrial Waste, **Amendment No. 1, Foxburg Area Water and Sewer Authority**, P. O. Box 2, Foxburg, PA 16036. This proposed facility is located in Foxburg Borough, **Clarion County**.

Description of Proposed Action/Activity: Amendment of an NPDES permit to increase the permitted flow from 0.085 mgd to 0.160 mgd of treated sewage.

NPDES Permit No. PA0240061, Sewage, **Country Acres Personal Care Home**, 2017 Meadville Road, Titusville, PA 16354. This proposed facility is located in Cherrytree Township, **Venango County**.

Description of Proposed Action/Activity: A new discharge of treated sewage.

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

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

WQM Permit No. 0708402, Sewage, **Michael Civils**, 120 Trout Lane, Duncansville, PA 16635. This proposed facility is located in Allegheny Township, **Blair County**.

Description of Proposed Action/Activity: Approval for the construction of sewerage facilities consisting of: a 1,000-gallon septic tank, STB-650 Ecofof peat filter, a 300-gallon chlorine contact tank with chlorination and dechlorination to serve their single-family residence.

WQM Permit No. 3108403, Sewage, **Jason Brenneman**, 1114 Mifflin Street, Huntingdon, PA 16652. This proposed facility is located in Walker Township, **Huntingdon County**.

Description of Proposed Action/Activity: Approval for the construction/operation of sewerage facilities consisting of: septic tank/peat filter with chlorine tablet disinfection to serve their single-family residence.

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

WQM Permit No. 4108401, Sewerage 4952, **Jeffery Freezer**, 152 Mchaffey Hollow Road Extension, Linden, PA 17744. This proposed facility is located in Woodward Township, **Lycoming County**.

Description of Proposed Action/Activity: The applicant is proposing to construct and operate a 400 gpd single-residence small flow treatment facility that will discharge to a UNT to Quenshukeny Run, a WWF. The treatment system will be comprised of a 1,000 gallon capacity concrete septic tank, a peat bio-filter and ultraviolet disinfection.

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

WQM Permit No. 6308203, Industrial Waste, **Tri-County Joint Municipal Authority**, P. O. Box 758, Fredericktown, PA 15333. This proposed facility is located in East Bethlehem Township, **Washington County**.

Description of Proposed Action/Activity: Permit issuance for the construction and operation of a filter backwash water and clarifier sludge treatment facility.

WQM Permit No. WQG016160, Sewerage, **Adelphoi, Inc.**, 310 Ligonier Street, Latrobe, PA 15650. This proposed facility is located in Jenner Township, **Somerset County**.

Description of Proposed Action/Activity: Permit issuance for the construction and operation of small flow sewage treatment plant.

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

WQM Permit No. 1608402, Sewerage, **Foxburg Area Water and Sewer Authority and the Borough of Foxburg**, P. O. Box 327, Foxburg, PA 16036. This proposed facility is located in Foxburg Borough, **Clarion County**.

Description of Proposed Action/Activity: This project will consist of an expansion from the current sewage treatment plant permitted capacity of 85,000 gpd to 160,000 gpd.

WQM Permit No. WQG018675, Sewerage, **Brian Lindenberger**, 5400 West Stancliff Road, McKean, PA 16426. This proposed facility is located in McKean Township, **Erie County**.

Description of Proposed Action/Activity: Issuance of a single-residence Sewage Treatment Plant.

WQM Permit No. 6107403, Sewerage, **Country Acres Personal Care Home**, 2017 Meadville Road, Titusville, PA 16354. This proposed facility is located in Cherrytree Township, **Venango County**.

Description of Proposed Action/Activity: A new discharge of treated sewage from a Nonmunicipal STP to be constructed at a nursing home.

WQM Permit No. WQG018677, Sewerage, **Patrick A. and Stephanie Dougherty and Timothy and Teresa L. Sonney**, 3610 McLaughlin Road, McKean, PA 16426. This proposed facility is located in Harborcreek Township, **Erie County**.

Description of Proposed Action/Activity: Issuance of a single-residence Sewage Treatment Plant.

WQM Permit No. 2572405, Sewerage, **Amendment No. 2, McKean Township**, 9231 Edinboro Road, McKean, PA 16426. This proposed facility is located in McKean Township, **Erie County**.

Description of Proposed Action/Activity: This is to rerate the facility to a Maximum Monthly Average flow of 0.042 mgd. Physical construction activities are not proposed under this permit application.

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

WQM Permit No. 4609401, Sewerage, **Pottstown Borough Authority**, 100 East High Street, Pottstown, PA 19464. This proposed facility is located in Pottstown Borough, **Montgomery County**.

Description of Action/Activity: New 30" sewer to replace 1,400 (+/-) feet of existing 21" sewer from Beach Street south to Hanover Street.

WQM Permit No. WQG025100823, Sewerage, **Philadelphia Water Department**, ARAMARK Tower—5th Floor, 1101 Market Street, Philadelphia, PA 19107-2994. This proposed facility is located in City of Philadelphia, **Philadelphia County**.

Description of Action/Activity: Construction and operation of a sewage pump station and sanitary sewer extension.

IV. NPDES Stormwater Discharges from MS4 Permit Actions

V. NPDES Waiver Stormwater Discharges from MS4 Actions

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

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

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|--|---------------|------------------------|---|
| PAS10-G466-R | Orleans Home Builders 333 Street, Road Suite 101 Bensalem, PA 19020-9988 | Chester | West Bradford Township | Broad Run and West Branch Brandywine Creek EV, MF, WWF, MF |
| PAI01 1508034 | Jackson Immuno Research Laboratories, Inc. P. O. Box 9 West Grove, PA 19348 | Chester | Penn Township | UNT East Branch Big Elk Creek HQ-TSF-MF |

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|---|---------------|----------------------|---|
| PAI01 1508052 | New Garden Township 299 Starr Road Landenberg, PA 19350 | Chester | New Garden Township | East Branch White Clay Creek EV |
| PAI01 1508053 | Timothy and Traci Sheldon P. O. Box 16 Brandmore, PA 19316-0016 | Chester | Honey Brook Township | West Branch Brandywine Creek HQ-TSF-MF |

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

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|--|---------------|--|---|
| PAI024808015 | J. G. Petrucci Co., Inc. 171 Route 173 Suite 201 Asbury, NJ 08802 | Northampton | Bushkill Township Plainfield Township | Tributary to Bushkill Creek HQ-CWF |
| PAI023507008 | LCL Management, LLC 199 Baldwin Road Parsippany, NJ 07054 | Lackawanna | Scranton City | Spring Brook Creek HQ-CWF, EV Wetlands |

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

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|---|---------------|---------------------|----------------------------------|
| PAI030608015 | James Radwanski J & A Court Apartments, LLC 5071 Cherrywood Drive Mohnton, PA 19540 | Berks | Cumru Township | Wyomissing Creek HQ-CWF |
| PAI033608005 | R. Thomas Bowman Northview Stallion Station, Inc. 55 Northern Dancer Drive Box 89 Chesapeake City, MD 21915 | Lancaster | Fulton Township | UNT to Conowingo Creek HQ-CWF |
| PAI033607007 | Sparrow Investments, LLC 354 Springville Road New Holland, PA 17557 | Lancaster | Salisbury Township | UNT to Umbles Run HQ-CWF |
| PAI032107002 | Smith Land & Improvement Corporation Richard E. Jordon, III 2010 State Road Camp Hill, PA 17011 | Cumberland | Hampden Township | Trindle Spring Run HQ-CWF |

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

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

List of NPDES and/or Other General Permit Types

| | |
|-------------|--|
| PAG-1 | General Permit for Discharges From Stripper Oil Well Facilities |
| PAG-2 | General Permit for Discharges of Stormwater Associated With Construction Activities (PAR) |
| PAG-3 | General Permit for Discharges of Stormwater From Industrial Activities |
| PAG-4 | General Permit for Discharges From Small Flow Treatment Facilities |
| PAG-5 | General Permit for Discharges From Gasoline Contaminated Groundwater Remediation Systems |
| PAG-6 | General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems (CSO) |
| PAG-7 | General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application |
| PAG-8 | General Permit for Beneficial Use of Nonexceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site |
| PAG-8 (SSN) | Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage |
| PAG-9 | General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site |
| PAG-9 (SSN) | Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage |

| | |
|--------|--|
| PAG-10 | General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines |
| PAG-11 | (To Be Announced) |
| PAG-12 | Concentrated Animal Feeding Operations (CAFOs) |
| PAG-13 | Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4) |

*General Permit Type—PAG-2**Facility Location:*

| <i>Municipality & County</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water/Use</i> | <i>Contact Office & Phone No.</i> |
|--|---------------------|---|-----------------------------------|---|
| Warminster Township Bucks County | PAG200 0908046 | Farabee Construction Company 2630 Meetinghouse Road Jamison, PA 18929-1156 | Little Neshaminy Creek WWF, MF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900 |
| Newtown Township Bucks County | PAG200 0909008 | Douglas Black 11 Terry Drive Newtown, PA 18940 | Core Creek CWF, MF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900 |
| Buckingham Township Bucks County | PAG200 0908041 | Henry Lindenmeyr 2836 Ash Mill Road Holicong, PA 18928 | Lahaska Creek CWF, MF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900 |
| Wrightstown Township Bucks County | PAG200 0909019 | 538 Swamp Road, LP 301 Oxford Valley Road Suite 702 Yardley, PA 19067 | Neshaminy Creek WWF, MF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900 |
| East Rockhill Township Bucks County | PAG200 0909005 | Walter S. Buck 8043 Richardtown Road Quakertown, PA 18951 | Tohickon Creek TSF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900 |
| Middletown Township Bucks County | PAG200 0907135-1 | Middletown Township 3 Municipal Way Langhorne, PA 19047 | Mill Creek TSF, MF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900 |
| Richland Township Bucks County | PAG200 0908097 | Bill and Pat Williams 1034 Mountainview Drive Quakertown, PA 18951 | UNT Tohickon Creek TSF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900 |
| Warrington Township Bucks County | PAG200 0908097 | Warrington Township 852 Easton Road Warrington, PA 18976 | Little Neshaminy Creek WWF, MF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900 |
| Newtown Township Bucks County | PAG200 0908043 | RKD Builders, Inc. 130 Almshouse Road Suite 404C Richboro, PA 18954 | Newtown Creek WWF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900 |
| Warrington Township Bucks County | PAG200 0904081-R | Warrington Township 852 Easton Road Warrington, PA 18976 | Mill Creek No. 4 WWF, MF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900 |
| Easttown Township Chester County | PAR10-G497-R | Pohlig Builders 274 Lancaster Avenue Suite 100 Malvern, PA 19355 | UNT Darby Creek CWF, MF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900 |
| City of Chester Delaware County | PAG200 2308055 | Pentecostal Senior Housing, LP 725 Cuthbere Boulevard Cherry Hill, NJ 08002 | Delaware River WWF, MF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900 |
| Concord Township Delaware County | PAG200 2308057 | EDMM, LP 1810 Wilmington Pike, Suite 1 Glen Mills, PA 19342 | Beaver Creek WWF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900 |

| <i>Facility Location: Municipality & County</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water/Use</i> | <i>Contact Office & Phone No.</i> |
|---|---------------------|---|---|---|
| Tinicum Township Delaware County | PAR10- J243-R | Smart park, Inc. 900 East Second Street Essington, PA 19029 | Darby Creek WWF, MF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900 |
| Plymouth Township Montgomery County | PAG200 4609002 | Department of Military And Veterans Building 0-10 Fort Indiantown Gap Annville, PA 17003 | Schuylkill River WWF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900 |
| Lower Moreland Township Montgomery County | PAG200 4607195 | Lower Moreland Township School District 2551 Murray Avenue Huntingdon Valley, PA 19006 | UNT Poquessing Creek WWF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900 |
| Skippack Township Montgomery County | PAG200 4605013-1 | Robert D'Orsogna 3058 Highley Road Audubon, PA 19407 | UNT Skippack Creek TSF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900 |
| Upper Providence Township Montgomery County | PAG200 4604210-2 | Audubon Land Development 2620 Egypt Road Norristown, PA 19403 | Schuylkill River WWF, MF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900 |
| City of Philadelphia Philadelphia County | PAG201 5108015 | John Vanni 1 Bryce Lane Newtown, PA 18944-2925 | Poquessing Creek WWF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900 |
| Pittston Township Luzerne County | PAG2004006042 | Mericle Oak Street, LLC Attn: Robert Mericle 100 Baltimore Drive Wilkes-Barre, PA 18702 | Tributaries to Susquehanna River CWF Mill Creek CWF | Luzerne County Conservation District (570) 674-7991 |
| Wilson Borough Northampton County | PAG2004808025 | Wilson Area School District 2040 Washington Boulevard Easton, PA 18042-3890 | Lehigh River WWF | Northampton County Conservation District (610) 746-1971 |
| City of Bethlehem Northampton County | PAG2004804003R | Boyd/Wilson Bethlehem Fields, LP 600 Olde Hickory Road Lancaster, PA 17601 | Saucon Creek CWF | Northampton County Conservation District (610) 746-1971 |
| City of Bethlehem Northampton County | PAG2004808027 | Lehigh University 461 Webster Street Bethlehem, PA 18015 | Tributary to Saucon Creek CWF | Northampton County Conservation District (610) 746-1971 |
| South Middleton Township Cumberland County | PAS10H053RR-1 | S & A Homes, Inc. Forgedale Crossing 2121 Old Gatesburg Road Suite 200 State College, PA 16801 | Letort Spring Run EV | Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 (717) 240-7812 |
| Salisbury Township Lancaster County | PAG2003608082 | Urban Outfitters, Inc. 5000 South Broad Street Philadelphia, PA 19112 | Houston Run CWF | Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 (717) 299-5361, Ext. 5 |

NOTICES

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| <i>Facility Location: Municipality & County</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water/Use</i> | <i>Contact Office & Phone No.</i> |
|---|-------------------|---|--|--|
| Mount Joy Borough Lancaster County | PAG2003608089 | Messiah Family Services 100 Mount Allen Drive Mechanicsburg, PA 17055 | UNT Donegal Creek CWF | Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 (717) 299-5361, Ext. 5 |
| Penn Township Lancaster County | PAG2003609006 | Kreider Farms 455 Indian Village Road Manheim, PA 17545 | Chickies Creek-Lititz Run WWF | Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 (717) 299-5361, Ext. 5 |
| Lancaster City Lancaster County | PAG2003609010 | School District of Lancaster 1020 Lehigh Avenue Lancaster, PA 17602 | Conestoga River CWF | Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 (717) 299-5361, Ext. 5 |
| Manheim Township Lancaster County | PAG2003609011 | Frank Provanzo 2938 Columbia Avenue Lancaster, PA 17603 | UNT Little Conestoga Creek WWF | Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 (717) 299-5361, Ext. 5 |
| Manheim Township Lancaster County | PAR100424R(1) | Manheim Township 1840 Municipal Drive Lancaster, PA 17601 | UNT Little Conestoga Creek WWF | Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 (717) 299-5361, Ext. 5 |
| Oley Township Berks County | PAG2000608076 | John Kibblehouse Dibble Development Co., Inc. 2052 Lucon Road Skippack,, PA 19474 | Little Manatawny Creek CWF | Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 15333-9710 (610) 372-4657, Ext. 201 |
| Douglass Township Berks County | PAG2000608057 | Timothy Specht Trap Rock No. 3, LLC P. O. Box 300 Boyertown, PA 19512 | Schuylkill River-Schuylkill River Watershed WWF | Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 15333-9710 (610) 372-4657, Ext. 201 |
| Bethel Township Berks County | PAG2000609007 | Ralph Moyer 91 Frystown Road Myerstown, PA 17067 | Little Swatara Creek CWF | Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 15333-9710 (610) 372-4657, Ext. 201 |
| Alsace Township Berks County | PAG2000609002 | Ronald Bortz L Designs, LLC 3209 Pricetown Road Fleetwood, PA 19522 | Laurel Run CWF-MF | Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 15333-9710 (610) 372-4657, Ext. 201 |

*Facility Location:
Municipality &
County**Permit No.**Applicant Name &
Address**Receiving
Water/Use**Contact Office &
Phone No.*

Muhlenberg
Township
Berks County

PAG2000608080

Robert Hinson
Spring Valley Church of
God
2727 Old Pricetown Road
Temple, PA 19560

Bernhart-Schuylkill
River
WWF

Berks County
Conservation District
1238 County Welfare
Road
Suite 200
Leesport, PA 15333-9710
(610) 372-4657, Ext. 201

Erie County
Millcreek Township

PAG200250005(2)

Forest View Skilled
Nursing
2301 Edinboro Road
Erie, PA 16501

UNT to Walnut Creek
CWF; MF

Erie County Conservation
District
(814) 825-6403

Fayette County
Springhill Township

PAG2092609002

Bureau of Abandoned
Mine Reclamation
Cambria Office
286 Industrial Park Road
Ebensburg, PA
15931-4119

UNT to the Monongahela
River
WWF

Department of
Environmental Protection
Cambria Office
286 Industrial Park Road
Ebensburg, PA
15931-4119
(814) 472-1800

*General Permit Type—PAG-3**Facility Location:
Municipality &
County**Permit No.**Applicant Name &
Address**Receiving
Water/Use**Contact Office &
Phone No.*

West Hazleton
Borough
Luzerne County

PAR202235

Valmont Newmark
225 Kiwanis Boulevard
West Hazleton, PA 18202

Black Creek
CWF

DEP—NERO
Water Management
Program
2 Public Square
Wilkes-Barre, PA
18711-2511
(570) 826-2511

Catasauqua
Borough
Lehigh County

PAR212215

Rock Hill Concrete, Inc.
339 School Street
Suite 1
Catasauqua, PA
18032-1832

Catasauqua Creek
CWF

DEP—NERO
Water Management
Program
2 Public Square
Wilkes-Barre, PA
18711-2511
(570) 826-2511

Parryville Borough
Carbon county

PAR212216

Rock Hill Concrete, Inc.
339 School Street
Suite 1
Catasauqua, PA
18032-1832

Lehigh
Canal/Pohopoco/Lehigh
River
CWF

DEP—NERO
Water Management
Program
2 Public Square
Wilkes-Barre, PA
18711-2511
(570) 826-2511

Franklin County
Greene Township

PAR803553

IESI Blue Ridge Landfill
Corporation
P. O. Box 399
Scotland, PA 17257

Phillaman Run
CWF

DEP—SCRO
909 Elmerton Avenue
Harrisburg, PA 17110
(717) 705-4707

Berks County
Laureldale Borough

PAR113505

Yuasa Battery, Inc.
2901 Montrose Avenue
Laureldale, PA 19605

Bernhart Creek
WWF

DEP—SCRO
909 Elmerton Avenue
Harrisburg, PA 17110
(717) 705-4707

Cumberland County
Lower Allen
Township

PAR803514

Ward Trucking, LLC
Camp Hill Terminal
P. O. Box 1553
Altoona, PA 16603-1553

UNT Cedar Run
CWF

DEP—SCRO
909 Elmerton Avenue
Harrisburg, PA 17110
(717) 705-4707

*Facility Location:
Municipality &
County*Sandy Township
Clearfield CountyPermit No.
PAR604812
(Stormwater)*Applicant Name &
Address*
Murrays Freightliner
Division of Murrays
Ford, Inc.
1844 Rich Highway
Route 219 North
DuBois, PA 15801*Receiving
Water/Use*
Slab Run
CWF*Contact Office &
Phone No.*
Northcentral Regional
Office
Water Management
Program
208 West Third Street,
Suite 101
Williamsport, PA 17701
(570) 327-3666City of Erie
Erie County

PAR808387

Hardinger Transfer
Company, Inc.
d/b/a Team Hardinger
1314 West 18th Street
Erie, PA 16502-1517City of Erie stormwater
sewers to McDaniel RunDEP—NWRO
Water Management
230 Chestnut Street
Meadville, PA 16335-3481
(814) 332-6942Harborcreek
Township
Erie County

PAR808380

TA Operating, LLC
24601 Center Ridge Road
West Lake, OH
44145-5639Municipal stormwater
sewers to Seven Mile
Creek and Lake ErieDEP—NWRO
Water Management
230 Chestnut Street
Meadville, PA 16335-3481
(814) 332-6942*General Permit Type—PAG-4**Facility Location:
Municipality &
County*Hilltown Township
Bucks CountyPermit No.
PAG040108*Applicant Name &
Address*
Anthony Alber
P. O. Box 125
Hilltown, PA 18927*Receiving
Water/Use*
Morris Run
Watershed
3E*Contact Office &
Phone No.*
Southeast Regional Office
2 East Main Street
Norristown, PA 19401Hilltown Township
Bucks County

PAG040112

Dennis Dunlap
419 Twinbrook Road
Perkasie, PA 18944Dry Swale to Pleasant
Spring Creek
Watershed 3ESoutheast Regional Office
2 East Main Street
Norristown, PA 19401Berks County
Upper Tulephocken
Township

PAG043613

DeVon Henne
133 Lakeview Road
Bernville, PA 19506UNT Birch Creek
3C
CWFDEP—SCRO
909 Elmerton Avenue
Harrisburg, PA 17110
(717) 705-4707Jenner Township
Somerset County

PAG046368

Adelphoi, Inc.
352 Main Street
Latrobe, PA 15650

Coal Run

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

PAG049495

Brian Lindenberger
5400 West Stancliff Road
McKean, PA 16426UNT to Elk Creek
15DEP—NWRO
Water Management
230 Chestnut Street
Meadville, PA 16335-3481
(814) 332-6942Harborcreek
Township
Erie County

PAG049497

Patrick A. and Stephanie
Dougherty
Timothy and Teresa L.
Sonney
3610 McLaughlin Road
McKean, PA 16426UNT to Eight Mile Creek
15DEP—NWRO
Water Management
230 Chestnut Street
Meadville, PA 16335-3481
(814) 332-6942Greene Township
Erie County

PAG048890

Ludwig S. Corsi
3925 Douglass Road
Erie, PA 16510-4903UNT to Four Mile Creek
15DEP—NWRO
Water Management
230 Chestnut Street
Meadville, PA 16335-3481
(814) 332-6942

*General Permit Type—PAG-5**Facility Location:**Municipality & County**Permit No.**Applicant Name & Address**Receiving Water/Use**Contact Office & Phone No.*Lancaster County/
East Lampeter
Township

PAG053597

Worley and Obetz,
Inc.—Greenfield WoGo
85 White Oak Road
P. O. Box 429
Manheim, PA 17545

Conestog River/WWF/7J

DEP—SCRO
909 Elmerton Avenue
Harrisburg, PA 17110
(717) 705-4707*General Permit Type—PAG-6**Facility Location:**Municipality & County**Permit No.**Applicant Name & Address**Receiving Water/Use**Contact Office & Phone No.*Sharpsburg
Borough
Allegheny County

PAG066125

Borough of Sharpsburg
1611 Main Street
Pittsburgh, PA 15215

Allegheny River

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

PAG066103

Borough of Homestead
1705 Maple Street
Homestead, PA 15120

Monongahela River

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

PAG066128

Borough of Swissvale
7560 Roslyn Street
Pittsburgh, PA 15218

Monongahela River

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

PAG066120

Borough of East
Pittsburgh
811 East Pittsburgh Mall
East Pittsburgh, PA
15112

Turtle Creek

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

PAG066109

McDonald Sewage
Authority
151 School Street
McDonald, PA 15057Robinson Run and Robb's
RunSouthwest Regional Office
Water Management
Program Manager
400 Waterfront Drive
Pittsburgh, PA
15222-4745
(412) 442-4000Crafton Borough
Allegheny County

PAG066110

Borough of Crafton
100 Stotz Avenue
Pittsburgh, PA 15205

Chartiers Creek

Southwest Regional Office
Water Management
Program Manager
400 Waterfront Drive
Pittsburgh, PA
15222-4745
(412) 442-4000*General Permit Type—PAG-9**Facility Location:**Municipality & County**Permit No.**Applicant Name & Address**Receiving Water/Use**Contact Office & Phone No.*St. Thomas
Township
Franklin County

PAG093522T

Witter's Septic and
Sanitation, LLC
4534 Warm Spring RoadWitter's Septic and
Sanitation, LLC
St. Thomas Township
Franklin CountyDEP—SCRO
909 Elmerton Avenue
Harrisburg, PA
17110-8200
(717) 705-4707

*Facility Location:
Municipality &
County*

| <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water/Use</i> | <i>Contact Office & Phone No.</i> |
|------------------------------------|---|---|---|
| Lack Township Juniata County | PAG093521 Thatcher's Heating and Plumbing 9339 South Route 75 East Waterford, PA 17021 | Thatcher's Heating and Plumbing Lack Township Juniata County | DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707 |
| Fayette Township Juniata County | PAG093523 William Kemp Septic Service R. R. 1 Box 2930 McAlisterville, PA 17049 | William Kemp Septic Service Fayette Township Juniata County | DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707 |

General Permit Type—PAG-12

*Facility Location:
Municipality &
County*

| <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water/Use</i> | <i>Contact Office & Phone No.</i> |
|------------------------------------|---|----------------------------------|---|
| Juniata County Fayette Township | PAG123523 Brent Hershey 138 Airport Road Marietta, PA 17547-9748 | Little Lost Creek TSF 12-A | DEP—SCRO Watershed Management 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4802 |

STATE CONSERVATION COMMISSION

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

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

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

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

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

ACTIONS—NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET

| <i>Agricultural Operation Name and Address</i> | <i>County</i> | <i>Total Acres</i> | <i>Animal Equivalent Units</i> | <i>Animal Type</i> | <i>Special Protection Waters (HQ or EV or NA)</i> | <i>Approved or Disapproved</i> |
|---|---------------|------------------------|--|------------------------|---|------------------------------------|
| Anthony Oberholtzer 1500 Pine Road Bethel, PA 19507 | Berks | 209.9 | 381.6 | Broilers | None | Approved |
| M & M Farms Monte and Mary Edgin 10368 Chester Furnace Road Shirleysburg, PA 17260 | Huntingdon | 170.6 | 585.6 | Swine | N/A | Approved |

| <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> |
|--|---------------|------------------------|--|------------------------------------|---|------------------------------------|
| Mike L. Brubaker Brubaker Farms Partnership 493 Musser Road Mount Joy, PA 17552 | Lancaster | 2,463.5 | 1,690.74 | Dairy, Broilers, Hogs, Sheep | HQ | Approved |
| Brian Byers 81 Four Pines Road Quarryville, PA 17566 | Lancaster | 240 | 130.2 | Ducks | HQ | 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 free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act

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

Permit No. 1395501MA, Minor Amendment, Public Water Supply.

| | |
|-----------|---|
| Applicant | Lansford-Coaldale Joint Water Authority 1 East Ridge Street Lansford, PA 18232 Nesquehoning and Lansford Boroughs Coaldale Borough |
|-----------|---|

| | |
|---|--|
| County | Carbon Schuylkill |
| Type of Facility | PWS |
| Consulting Engineer | Edward J. Gaydos, P. E. Edward J. Gaydos, Inc. 250 Gerald Avenue Orwigsburg, PA 17961 |
| Permit to Construct Issued | March 4, 2009 |
| <i>Southcentral Region: Water Supply Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.</i> | |
| Permit No. 0608521 MA, Minor Amendment, Public Water Supply. | |
| Applicant | Lazy K Campground, Inc. |
| Municipality | Washington Township |
| County | Berks |
| Type of Facility | Rearrangement of treatment in existing treatment building and addition of a third booster pumps. |
| Consulting Engineer | Steven E. Riley, P. E. Entech Engineering, Inc. P. O. Box 32 Reading, PA 19603 |
| Permit to Construct Issued | March 5, 2009 |

Operations Permit issued to **Country View Estates**, 7210065, Upper Frankford Township, **Cumberland County** on March 5, 2009, for the operation of facilities approved under Construction Permit No. 2108505.

Operations Permit issued to **Melanie Macknair**, 4440827, Derry Township, **Mifflin County** on March 5, 2009, for the operation of facilities approved under Construction Permit No. 4408502.

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

Operations Permit issued to **Hughesville Borough Water Authority**, P. O. Box 185, Hughesville, PA 17737, (PWSID No. 4410178) Wolf Township, **Lycoming County** on February 26, 2009, for the operation of Well Number 103 under Construction Permit No. 4106503.

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

Permit No. 1108503, Public Water Supply.
 Applicant **Highland Sewer and Water Authority**
 120 Tank Drive
 Johnstown, PA 15904
 Borough or Township Summerhill Township
 County **Cambria**
 Type of Facility Water treatment plant
 Consulting Engineer The EADS Group, Inc.
 450 Aberdeen Drive
 Somerset, PA 15501
 Permit to Construct March 5, 2009
 Issued

Permit No. 0408502, Public Water Supply.
 Applicant **David A. D'Atri, Owner**
 Forestbrook MHP
 320 Sunset Drive
 Baden, PA 15005
 Borough or Township New Sewickley Township
 County **Beaver**
 Type of Facility Mobile Home Park
 Consulting Engineer Shoup Engineering, Inc.
 329 Summerfield Drive
 Baden, PA 15005
 Permit to Construct March 10, 2009
 Issued

Operations Permit issued to **Somerset County General Authority**, 146 West Main Street, Somerset, PA 15501, (PWSID No. 4560009) Jenner Township, **Somerset County** on March 3, 2009, for the operation of facilities approved under Construction Permit No. 5604502.

Operations Permit issued to **Municipal Authority of the Borough of Oakmont**, 721 Allegheny Avenue, Oakmont, PA 15139, (PWSID No. 5020036) Oakmont Borough, **Allegheny County** on March 4, 2009, for the operation of facilities approved under Construction Permit No. 0208504.

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

Operations Permit issued to **Fleming Mobile Home Park**, PWSID No. 5100088, Clay, Concord, Center and Oakland Townships, **Butler County**, March 10, 2009. Permit issued for operation of the public water supply facilities including Well No. P-1; a 4,000 gal contact/storage tank; 10 gpm distribution pump; 120 gal pressure tank and distribution lines, as approved under construction Permit No. 1007501, issued April 28, 2008.

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

Plan Location: 1605 Tract Road in Liberty Township, Adams County.

| | | |
|----------------------------|---------------------------------------|---------------|
| <i>Borough or Township</i> | <i>Borough or Township Address</i> | <i>County</i> |
| Liberty Township | 39 Topper Road Fairfield, PA 17320 | Adams County |

Plan Description: The approved plan provides for the installation of a small flow treatment facility to service a proposed single-family home with wastewater flows estimated at 600 gpd. The facility will discharge into Flat Run. The name of the project is Joe Macharsky and the Department of Environmental Protection (Department) Code No. is A3-01922-146-3s. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality, authority or owner as appropriate.

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

Plan Location:

| | | |
|----------------------------|--|----------------|
| <i>Borough or Township</i> | <i>Borough or Township Address</i> | <i>County</i> |
| Shamokin Township | 649 Seven Points Road Sunbury, PA 17801 | Northumberland |

Plan Description: The approved plan provides for construction of a gravity sewer along Adams Park Road, on the west side of Shamokin Creek. The collection system consists of 720 feet of gravity sewer, a pump station and 340 feet of force main. The total flow will be conveyed to, and treated at, the Shamokin-Coal Township Joint Sewer Authority sewage treatment plant. The Department of Environmental Protection's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of Shamokin Township.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 2

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

Provisions of Chapter 3 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, shall also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a Site-Specific Standard remediation. A remedial

investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media; benefits of refuse of the property and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

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

The Department has received the following plans and reports:

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

Staats Oil Company, Malvern Borough/Williston Township, **Chester County**. Michael Welsh, Applied Environmental Management, Inc., 16 Chester County Commons, Malvern, PA 19355 behalf of Eli Kahn, 237 King Partners, LLC, 55 County Club Drive, Downingtown, PA 19355 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with unleaded gasoline. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Riverplace Homes of Marcus Hook, Marcus Hook Borough, **Delaware County**. Mark Zurich, Reliance Environmental, Inc., 130 Chestnut Street, Lancaster, PA 17602 on behalf of Bruce Dorbian, Marcus Hook Community Development Corporation, 1015 Green Street, Marcus Hook, PA 19061 has submitted a Final Report concerning remediation of site soil contaminated with other organic. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Dalke Residence, Radnor Township, **Delaware County**. Ann Smith, Eldredge, Inc., West Chester, PA 19380 on behalf of Jeffery Dalke, 410 Oak Lane, Wayne, PA 19087 has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Keystone Discount Tire, City of Philadelphia, **Philadelphia County**. John Forsyth, Mid-Atlantic Associates, Inc., 271 Bethlehem Pike, Colmar, PA 18915 on behalf of Lee Gottsman, Lee Rob, LLC, 130 Pocasset Road, Philadelphia, PA 19115 has submitted a Final Report concerning remediation of site soil contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Greene Tweed & Co., Towamencin Township, **Montgomery County**. Rick Cheever, Green Tweed & Company, 2075 Detwiler Road, Kulpsville, PA 19443 has submitted a Final Report concerning remediation of site groundwater and soil contaminated with No. 2, No. 4 and No. 6. The report is intended to document remediation of the site to meet the Statewide Health Standard

Richboro Center, Northampton, **Bucks County**. Andrew Hubley, Environmental Consulting, Inc., 500 West Washington Street, Suite 375, Norristown, PA 19401 on

behalf of Steve Lees, R. Norman Turner Estate Trust, 34 South State Street, Newtown, PA 18940, Richard Shore, Richboro-Gelt Partners, LLC, 2755 Philmont Avenue, Suite 130, Huntingdon Valley, PA 19006 has submitted a 90-day Final Report concerning remediation of site heating oil contaminated with No. 4 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

West Chester Commons, West Goshen Township, **Chester County**. Michael Christie, Penn Environmental & Remediation, Inc, 2755 Bergey Road, Hatfield, PA 19440 on behalf of Timothy Regan, Weston Commons, LP, 100 Centre Boulevard, Suite E, Marlton, NJ 08053 has submitted a Final Report concerning remediation of site soil contaminated with inorganics. The report is intended to document remediation of the site to meet the Statewide Health Standard and Background Standard.

NW Corner 11th and Wallace Street, City of Philadelphia, **Philadelphia County**. David Van Keuren, Earth Engineering Incorporated, 115 West Germantown Pike, East Norriton, PA 19401 on behalf of William McGroarty, New Urban Ventures, LLC, 70 Limekiln Pike, Glenside, PA 19038 has submitted a Final Report concerning remediation of site soil contaminated with PAHs. The report is intended to document remediation of the site to meet the Site-Specific Standard and Statewide Health Standard.

Warren J. Thomas Estate, Upper Merion Township, **Montgomery County**. Jeremy Boly, Environmental Maintenance Company, Inc. 1420 East Mermaid Lane, Glenside, PA 19038 on behalf of Valerie Thomas, ReMax Centre Realtors, 2701 York Road, Jamison, PA 18929 has submitted a Final Report concerning remediation of site soil contaminated with unleaded gasoline. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

Pennfield Corporation/Diesel Fuel Release, Mount Joy Borough, **Lancaster County**. GemChem, Inc., 53 North Cedar Street, P. O. Box 384, Lititz, PA 17543-0384, on behalf of Pennfield Corporation, 711 Rohrerstown Road, Lancaster, PA 17604 and Kline's Services, 5 Holland Street, Salunga, PA 17538, submitted a Final Report concerning remediation of site soils contaminated with diesel fuel released during a tractor trailer fire. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

Maple Springs Center, Borough of Birdsboro, **Berks County**. Hafer Environmental Services, Inc., P. O. Box 4418, Reading, PA 19606, on behalf of Maple Springs Development, 6 Industrial Drive, Birdsboro, PA 19508, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil from an underground storage tank. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

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

Cvejkus Paving & Excavating Accident, Riverside Borough, **Northumberland County**. Northridge Group Inc., 1172 Ridge Road, Northumberland, PA 17857 on behalf of Cvejkus Paving & Excavating, R. R. 1, Box 112, Liverpool, PA 17045 has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel. The report was submitted within 90 of the release

and is intended to document remediation of the site to meet the Statewide Health Standard.

Mary Siemsen Residence, Northumberland Borough, **Northumberland County**. Northridge Group Inc., 1172 Ridge Road, Northumberland, PA 17857 on behalf of Mary Siemsen, 272 King Street, Northumberland, PA 17857 has submitted a Final Report concerning remediation of site soil contaminated with No. 2 heating oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

Triangle II Restaurant, Blacklick Township, **Cambria County**. Douglas McKee, ATC Associates, Inc., 101 Allegheny Street, Hollidaysburg, PA 16448 (on behalf of Debra Whinney, Benjamin Franklin Highway, Belsano, PA 15931) has submitted a Final Report concerning remediation of site soil and groundwater contaminated with Fuel Oil No. 2. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Curtiss Wright Electro Mech Corp., Cheswick Borough, Harmar Township, **Allegheny County**. Bruce Geno, Cummings Riter Consultants, Inc., 10 Duff Road, Suite 500, Pittsburgh, PA 15235 (on behalf of Paul Patchin, Westinghouse Government Services, LLC (and or its successors), P. O. Box 73, Boise, ID 83729 and Frank Meledandri, Curtiss-Wright Electro-Mechanical Corporation, 1000 Cheswick Avenue, Cheswick, PA 15024-1300) has submitted a Remedial Investigation Report concerning remediation of site soil and groundwater contaminated with other organics. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Curtiss-Wright Electro Mech Corp., Cheswick Borough, Harmar Township, **Allegheny County**. Bruce Geno, Cummings Riter Consultants, Inc., 10 Duff Road, Suite 500, Pittsburgh, PA 15235 (on behalf of Paul Patchin, Westinghouse Government Services, LLC (and or its successors), P. O. Box 73, Boise, ID 83729 and Frank Meledandri, Curtiss-Wright Electro-Mechanical Corporation, 1000 Cheswick Avenue, Cheswick, PA 15024-1300)) has submitted a Final Report concerning remediation of site soil and groundwater contaminated with other organics. The report is intended to document remediation of the site to meet the Site-Specific and Statewide Health Standards.

Warehousing Services, City of Jeannette **Westmoreland County**. Alan Halperin, D'Appolonia Engineering, 275 Center Road, Monroeville, PA 15146 (on behalf of Douglas Johnston, T.S. Quatro, Inc, 215 North Fourth Street, Jeannette, PA 15644) has submitted a Remedial Investigation Report and Cleanup Plan concerning remediation of site soil contaminated with lead. The report is intended to document remediation of the site to meet the Site-Specific Standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

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

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

The Department has received the following plans and reports:

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

Chester Soccer Stadium Area, City of Chester **Delaware County**. Steve Johnson, Weston Solutions, Inc. 1400 Weston Way, West Chester, PA 19380 on behalf of Michael Hare, FC Pennsylvania Stadium, LLC, 322 A Street, Suite 300, Wilmington, DE 19081 has submitted a Remedial Investigation and Cleanup Plan concerning the remediation of site groundwater contaminated with inorganics. The Remedial Investigation and Clean up Plan was disapproved by the Department of Environmental Protection on February 25, 2009.

300 Kimberton Road, Schuylkill Township, **Chester County**. Bernard Beegle, Advanced GeoServices, 1055 Andrew Drive, Suite A, West Chester, PA 19380, Christopher T. Reitman, Bernard Beegle, Advanced GeoServices,

1055 Andrew Drive, Suite A, West Chester, PA 19380 on behalf of Mike Bonner, Lion Phoenix Partners LP, 100 Plaza Drive, Suite B, Downingtown, PA 19335 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with chlorinated solvents. The Final Report demonstrated attainment of the Site-Specific Standard and was approved by the Department of Environmental Protection on February 26, 2009.

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

Former Banko Beverage Property, 420—424 Atlantic Street, Bethlehem City, **Northampton County**. Christopher A. Jacangelo, J. Rockwood & Associates, Inc., P. O. Box 1006, Easton, PA 18044-1006 submitted a Final Report (on behalf of his client, Anthony G. Stellar, P. O. Box 52, Route 309 and Lowhill Road, Schnecksville, PA 18078), concerning the remediation of soils found to have been impacted by leaded/unleaded gasoline and diesel fuel as the result of the removal of two underground storage tanks. The report documented attainment of the State-wide Health Standard and was approved on March 4, 2009.

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

Janet Frye Residence, Hempfield Township, **Westmoreland County**. Richard D. Trimpi, CHMM, P. G., Trimpi Associated, Inc., 1635 Old Plains Road, Pennsburg, PA 18073 on behalf of Lisa Deppe, Harleysville Insurance Company, P. O. Box 1016, Moorestown, NJ 08057 and Janet Frye, 115 Fallow Deer Lane, Greensburg, PA 15601 has submitted a Final Report concerning the remediation of site soil contaminated with Fuel Oil No. 2. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on November 12, 2008.

Union Railroad Company Monongahela Junction Yard (Former), City of Duquesne, **Allegheny County**. Nicholas Palumbo, KU Resources, Inc., 22 South Linden Street, Duquesne, PA 15110 on behalf of Tom Besselman, Union Railroad Company, 1200 Penn Avenue, Suite 300, Pittsburgh, PA 15222-4207 and Jerome Gibas, General Manager, Kennywood Entertainment Partners, LP, 4800 Kennywood Boulevard, West Mifflin, PA 15122 has submitted a Remedial Investigation Report concerning the remediation of site soil and groundwater contaminated with chlorinated solvents and other organics. The Remedial Investigation Report was approved by the Department of Environmental Protection on January 27, 2009.

Hazardous Waste Action

Proposed action on a request for a bond reduction under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations to operate a hazardous waste management facility.

Persons wishing to comment on the proposed action are invited to submit a statement to the Regional Office indicated as the office responsible, within 45 days from the date of this public notice. Comments received within this 45-day period will be considered in the formulation of the final determination regarding this application. Responses should include the name, address and telephone number of the writer and concise statement to inform the Regional Office of the exact basis of any comment and the

relevant facts upon which it is based. A public hearing may be held if the Regional Office considers the public response significant.

Following the 45-day comment period and/or public hearing, the Department of Environmental Protection will make a final determination regarding the proposed permit action. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

Intent to Reduce Bond

Regional Office: Regional Manager, Waste Management, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

PAD004835146, MAX Environmental Technologies, Inc., 233 MAX Lane, Yukon, South Huntingdon Township, **Westmoreland County**. On March 5, 2009, the Department of Environmental Protection (Department) received a request for a bond reduction from MAX Environmental Technologies, Inc. for its closed hazardous waste Impoundment No. 5. The Department has reviewed the request and has determined that it is consistent with 25 Pa. Code § 265a.165.

INFECTIOUS AND CHEMOTHERAPEUTIC WASTE GENERAL PERMITS

Permit 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 Municipal Waste Regulations for a General Permit to Operate Infectious and Chemotherapeutic Waste Processing Facilities.

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

General Permit No. WMGI005C. Merck & Company Inc.—Wayne Facility, 466 Devon Park Drive, Wayne, PA 19087-1816. This is for the voluntary revocation of the General Permit No. WMGI005C issued to Merck & Company, Inc. (Merck), governing the processing of infectious waste through chemical and thermal inactivation at Merck's Wayne facility located in Radnor Township, **Delaware County**. The permit was revoked by the Southeast Regional Office on March 5, 2009.

AIR QUALITY

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

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

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

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

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

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

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

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

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

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

46-0198N: Blommer Chocolate Co. (1101 Blommer Drive, East Greenville, PA 18041) on March 6, 2009, for a change in venting an existing Line 4 Nuisance Pick-up Dust Collector from indoors to the atmosphere in Upper Hanover Township, **Montgomery County**. The proposed source has the potential to emit 0.86 tpy PM after controls.

09-0188B: Gamesa Wind PA, LLC (400 Gamesa Drive, Fairless Hills, PA 19030) on March 6, 2009, to operate a nacelle assembly at an existing wind generator manufacturing plant at USX Industrial Complex in Falls Township, **Bucks County**. The RTO will be equipped with low-NOx burners. This facility is a minor facility. The Plan Approval will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

09-0207: Tower and Metallic Structures, Inc. (400 Gamesa Drive, Fairless Hills, PA 19030) on March 6, 2009, to install a regenerative thermal oxidizer (RTO) to control VOC emissions from two existing spray booths and a paint mixing room at an existing wind generator manufacturing plant at USX Industrial Complex in Falls Township, **Bucks County**. This facility is a minor facility. The Plan Approval will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

09-0208B: Fiberblade East, LLC (400 Gamesa Drive, Fairless Hills, PA 19030) on March 6, 2009, to operate an existing fiber blade manufacturing at an existing wind generator manufacturing plant at USX Industrial Complex in Falls Township, **Bucks County**. This facility is a minor facility. The Plan Approval will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

46-0271: Ratoskey & Trainor, Inc. (396 River Road, Bridgeport, PA 19405) on March 6, 2009, to install a nonmetallic crushing plant to process concrete products in Upper Merion Township, **Montgomery County**. The Plan Approval and Operating Permit will contain all applicable requirements including monitoring, recordkeeping and reporting designed to keep the facility operating within all applicable air quality requirements.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790, Ray Kempa, New Source Review Chief, (570) 826-2531.

48-320-015: CADMUS Investments, LLC (1991 Northampton Street, Easton, PA 18042-3173) on March 9, 2009 to install a new printing press No. 85 at their facility in Wilson Borough, **Northampton County**.

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

05-05025A: Bedford Reinforced Plastics, Inc. (2 Corporate Drive, Bedford, PA 15522-7946) on March 3, 2009, to construct six pultrusion lines, two 5,000 gallon resin tanks and one 3,750 gallon resin tank in Bedford Township, **Bedford County**.

22-05047B: Dura Bond Pipe, LLC (2716 South Front Street, Steelton, PA 17113-3099) on March 3, 2009, to replace two existing small baghouses with one larger baghouse in Steelton Borough, **Dauphin County**.

ER-36-03161A: Compass Quarries (P. O. Box 130, 47 McIlvaine Road, Paradise, PA 17562) on March 9, 2009, for an Air Quality Emission Reduction Credit approval of 0.57 ton of PM/PM10, 6.73 tons of NOx, 1.35 tons of SOx, 15.9 tons of CO, 3.91 tons of VOCs and 0.0018 ton of lead (Pb) at their Paradise Quarry plant, in Paradise Township, **Lancaster County**.

38-05037B: Zimmerman Chair Shop (1486 Colebrook Road, Lebanon, PA 17042-9507) on March 5, 2009, to install two (of) coating booths in North Cornwall Township, **Lebanon County**.

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

20-123D: Lord Corp. (124 Grant Street, Cambridge Springs, PA 16403) on March 3, 2009, to construct up to three hand spray booths and associated preheat ovens at their facility in Cambridge Springs Borough, **Crawford County**. This is a Title V facility.

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

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

09-0015G: Rohm & Haas Co. (200 Route 413, Bristol, PA 19007) on March 3, 2009, to operate a thermal oxidizer in Bristol Township, **Bucks County**.

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

44-05011B: Standard Steel, LLC (500 North Walnut Street, Burnham, PA 17009-1644) on February 28, 2009, to construct a continuous wheel heat treating line with two furnaces in Burnham Borough, **Mifflin County**. This plan approval was extended.

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

65-00101B: MAX Environmental Technologies, Inc.—Yukon Plant (233 Max Lane, Yukon, PA 15698) on

March 6, 2009, the company requested additional time to complete construction of the building and install the permitted air pollution control devices in South Huntingdon Township, **Westmoreland County**. The plan approval has been extended.

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

10-0210: Indspec Chemical Corp. (133 Main Street, P. O. Box 307, Petrolia, PA 16050) on February 26, 2009, to replace burners in the Bertrams No. 1 and No. 2 furnaces with LNB (12.8 mmBtu/hr each) in Petrolia Borough, **Butler County**. The facility is a Title V Facility.

16-132B: Clarion Boards, Inc. (1 Fiberboard Avenue, Shippensville, PA 16245) on February 26, 2009, to modify their fiberboard plant in Paint Township, **Clarion County**.

16-132C: Clarion Boards, Inc. (143 Fiberboard Road, Shippensville, PA 16254) on February 26, 2009, to install dryers, venturi and cyclonic separator in Paint Township, **Clarion County**.

62-017P: United Refining Co. (15 Bradley Street, Warren, PA 16365) on March 4, 2009, for to modify Boiler No. 4 to install flue gas recirculation in City of Warren, **Warren County**. This is a Title V facility.

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

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

06-05036: Cryovac, Inc. (P. O. Box 295, Reading, PA 19603-0295) on March 6, 2009, to operate an expanded polystyrene foam products manufacturing facility in Muhlenberg Township, **Berks County**. This is a renewal of the Title V Operating Permit.

36-05079: Chester County Solid Waste Authority (P. O. Box 476 Honeybrook, PA 19344-0476) on February 27, 2009, to operate a municipal waste landfill in Caernarvon Township, **Lancaster County**. This is a renewal of the Title V permit.

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

24-00012: C/G Electrodes, LLC (800 Theresia Street, Saint Marys, PA 15857-1831) on March 5, 2009, for an Administrative Amendment of their Title V Operating Permit, to incorporate the conditions of Plan Approval No. 24-012H d in the City of Saint Marys, **Elk County**.

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

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

06-03015: F. M. Brown's Sons, Inc. (P. O. Box 67, South Furnace Street, Birdsboro, PA 19508) on March 5, 2009, to operate their existing feed mill in Birdsboro Borough, **Berks County**. This is a renewal of the State-only operating permit.

36-03046: Packaging Corp. of America (1530 Fruitville Pike, Lancaster, PA 17601-4006) on March 4, 2009, to operate their existing packaging materials facility in the City of Lancaster, **Lancaster County**. This is a renewal of the State-only operating permit.

36-03085: Goodhart Sons, Inc. (2515 Horseshoe Road, Lancaster, PA 17601-5939) on March 4, 2009, to operate their existing metal fabrication facility in Upper Leacock Township, **Lancaster County**. This is a renewal of the State-only operating permit.

36-03101: Pennfield Corp. (3579 Hempland Road, Lancaster, PA 17601-1319) on March 2, 2009, to operate their feed plant in East Hempfield Township, **Lancaster County**. This is a renewal of the State-only operating permit.

36-03108: Bristol Pipe (88 Newport Road, Leola, PA 17540-1821) on March 2, 2009, for their pipe manufacturing facility in Upper Leacock Township, **Lancaster County**. This is a renewal of the State-only operating permit.

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

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

01-05016: ISP Minerals, Inc. (P. O. Box O, Blue Ridge Summit, PA 17214-0914) on March 2, 2009, for their stone crushing and coloring facility in Hamiltonban Township, **Adams County**. This operating permit was administratively amended to incorporate Plan Approval 01-05016I. This is Revision No. 3.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

Coal Permits Actions

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

32080102 and NPDES No. PA0262595. Alverda Enterprises, Inc., P. O. Box 245, Alverda, PA 15710, commencement, operation and restoration of a bituminous surface mine in Pine Township, **Indiana County**, affecting 85.2 acres. Receiving streams: Leonard Run classified

for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received March 10, 2008. Permit issued March 2, 2009.

32070103. RES Coal, LLC, 224 Grange Hall Road, P. O. Box 228, Armagh, PA 15920, commencement, operation and restoration of a bituminous surface, auger and blasting mine in East Mahoning Township, **Indiana County**, affecting 201.4 acres. Receiving streams: Little Mahoning Creek classified for the following use: HQ-CWF. The operation will utilize nondischarge alternatives and there will be no point source discharges of treated waste water or stormwater from the site. There are no potable water supply intakes within 10 miles downstream. Application received March 2, 2007. Permit issued February 23, 2009.

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

63880102 and NPDES Permit No. PA0591025. Robinson Coal Company (P. O. Box 9391, Pittsburgh, PA 15225). Permit renewal issued for continued reclamation only of a bituminous surface mining site located in Robinson Township, **Washington County**, affecting 55.0 acres. Receiving streams: UNT to Robinson Run. Application received February 9, 2009. Reclamation only renewal issued March 5, 2009.

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

24080101. Hepburnia Coal Company (P. O. Box I, Grampian, PA 16838) Commencement, operation and restoration of a bituminous strip and auger operation in Fox Township, **Elk County** affecting 225.0 acres. Receiving streams: UNTs to Kyler Run. Application received February 28, 2008. Permit issued March 2, 2009.

1189-24080101-E-1. Hepburnia Coal Company (P. O. Box I, Grampian, PA 16838) Application for a stream encroachment to conduct mining activities within 100 feet of UNT No. 1 to Kyler Run in Fox Township, **Elk County**. Receiving streams: UNTs to Kyler Run. Application received February 28, 2008. Permit issued March 2, 2009.

1189-24080101-E-2. Hepburnia Coal Company (P. O. Box I, Grampian, PA 16838) Application for a stream encroachment to mine through and reconstruct a portion of UNT No. 2 to Kyler Run in Fox Township, **Elk County**. Receiving streams: UNTs to Kyler Run. Application received February 28, 2008. Permit issued March 2, 2009.

1189-24080101-E-3. Hepburnia Coal Company (P. O. Box I, Grampian, PA 16838) Application for a stream encroachment to relocate and mine through the original channel of UNT No. 2A to Kyler Run in Fox Township, **Elk County**. Receiving streams: UNTs to Kyler Run. Application received February 28, 2008. Permit issued March 2, 2009.

1189-24080101-E-4. Hepburnia Coal Company (P. O. Box I, Grampian, PA 16838) Application for a stream encroachment to relocate and mine through the original channel of UNT No. 2A to Kyler Run in Fox Township, **Elk County**. Receiving streams: UNTs to Kyler Run. Application received February 28, 2008. Permit issued March 2, 2009.

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

17030117. Forcey Coal, Inc. (P. O. Box 225, 475 Banian Road, Madera, PA 16661). Permit renewal for

reclamation only of a bituminous surface mine in Bigler Township, **Clearfield County**, affecting 266.0 acres. Permit issued February 27, 2009.

17070116 and NPDES No. PA0256668. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). Commencement, operation and restoration of a bituminous surface mine in Winslow and Sandy Townships, in **Jefferson and Clearfield Counties**, affecting 552.0 acres. Receiving stream: Sandy Lick Creek, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received October 12, 2007. Permit issued March 2, 2009.

Noncoal Applications Returned

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

08080813. John Preston (R. R. 1, Box 20, Wyalusing, PA 18853). Commencement, operation and restoration of a small noncoal (bluestone) operation in Wyalusing Township, **Bradford County**, affecting 2.0 acres. Receiving streams: UNT, tributary to Billings Creek. Application received October 17, 2008. Application returned: February 27, 2009.

Noncoal Permits Actions

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

32080801. Leonard W. Yenzi, P. O. Box 62, Anita, PA 15711, commencement, operation and restoration of a small noncoal (industrial minerals) operation in Cheryhill Township, **Indiana County**, affecting 3.0 acres, receiving streams: UNT to Two Lick Creek. Permit received March 12, 2008. Permit issued March 4, 2009.

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

20082805. Kimberly McManus (6971 Kreider Road, Fairview, PA 16415) Commencement, operation and restoration of a small noncoal sand and gravel operation in Rockdale Township, **Crawford County** affecting 5.0 acres. Receiving streams: UNT to Kelly Run. Application received October 23, 2008. Permit issued March 2, 2009.

18119-43060302-E-3. Terra Resources, LLC (267 Gilmore Road, Enon Valley, PA 16120) Application for a stream encroachment to construct and maintain a haul road crossing over UNT No. 1 to Lackawannock Creek in Jefferson Township, **Mercer County**. Receiving streams: None. Application received September 12, 2008. Permit issued March 3, 2009.

42080810. William R. Culver (2110 Two Mile Road, Port Allegany, PA 16743) Commencement, operation and restoration of a small noncoal shale operation in Annin Township, **McKean County** affecting 1.8 acres. Receiving streams: UNT to Two Mile Creek. Application received December 10, 2008. Permit issued March 5, 2009.

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

08030808. Vasquez Stone (P. O. Box 202, Lawton, PA 18828), transfer of an existing quarry operation from Casselbrick Flagstone, in Herrick Township, **Bradford County**, affecting 3.0 acres. Receiving stream: UNT to Camps Creek. Application received October 29, 2008. Permit issued February 19, 2009.

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

66080806. Michael A. Tinna, (R. R. 2, Box 376 A, Mehoopany, PA 18629), commencement, operation and

restoration of a quarry operation in Windham Township, **Wyoming County** affecting 3.0 acres, receiving stream: none. Application received December 10, 2008. Permit issued March 5, 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

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

21094104. Dyno Nobel, Inc., 1320 Galiffa Drive, Donora, PA 15033, blasting activity permit issued for cemetery development in Lower Allen Township, **Cumberland County**. Blasting activity permit end date is February 28, 2010. Permit issued February 25, 2009.

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

26094002. Eugene Carpenter (36 Vaughn Street, Jackson, OH 45640). Blasting activity permit for the North Summit project, located in Georges and Wharton Townships, **Fayette County**. The expected duration of blasting is 1 year. Permit issued March 2, 2009

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

08094001. Geokinetics, Inc. (Eugene C. Carpenter, P. O. Box 158, Wysox, PA 18854), Bradford 3D, blasting for geophysical exploration located in Rome, Orwell, Wysox, Standing Stone, Herrick, Pike, Stevens, Monroe, Asylum, Wyalusing, Tuscarora, Terry, Albany, Wilmot and Overton Townships and New Albany and Wyalusing Boroughs in **Bradford County** and Forks, Cherry, Colley Townships and Dushore Borough in **Sullivan County**. Permit issued March 4, 2009. Permit expires: May 31, 2010.

14094001. Glenn O. Hawbaker (P. O. Box 135, State College, PA 16804), blasting for the White Rock Quarry Reclamation Project located in Spring Township, **Centre County**. Permit issued March 3, 2009. Permit expires December 31, 2009.

17094003. Sky Haven Coal, Inc. (5510 State Park Road, Penfield, PA 15849), blasting on the Kovalick GFCC#-17-08-11 located in Bradford Township, **Clearfield County**. Permit issued March 4, 2009. Permit expires: May 31, 2011.

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

06094101. Allan A. Myers, Inc., d/b/a Independence Construction Materials, (P. O. Box 98, Worcester, PA 19490), construction blasting for Exeter Commons in Exeter Township, **Berks County** with an expiration date of February 1, 2010. Permit issued March 2, 2009.

36094107. M & J Explosives, Inc., (P. O. Box 608, Carlisle, PA 17013), construction blasting for Sheetz in the City of Lancaster, **Lancaster County** with an expiration date of February 28, 2010. Permit issued March 2, 2009.

67094101. Warren's Excavating & Drilling, Inc., (P. O. Box 214, Myerstown, PA 17067), construction blasting for York Water North-West Transmission Main in the City of York, **York County** with an expiration date of February 25, 2010. Permit issued March 2, 2009.

58094006. John Brainard, (3978 SR 2073, Kingsley, PA 18826), construction blasting for the Epsilon Pipeline in Auburn and Rush Townships, **Susquehanna County** with an expiration date of February 28, 2010. Permit issued March 3, 2009.

58094007. John Brainard, (3978 SR 2073, Kingsley, PA 18826), construction blasting for the Epsilon Compressor Station in Rush Township, **Susquehanna County** with an expiration date of February 28, 2010. Permit issued March 3, 2009.

52094103. Hayduk Enterprises, Inc., (257 Riverside Drive, Factoryville, PA 18419), construction blasting for Pocono Ranch Lands in Lehman Township, **Pike County** with an expiration date of April 30, 2010. Permit issued March 5, 2009.

52094104. Hayduk Enterprises, Inc., (257 Riverside Drive, Factoryville, PA 18419), construction blasting for Hemlock Farms in Blooming Grove, Dingman and Porter Townships, **Pike County** with an expiration date of April 30, 2010. Permit issued March 5, 2009.

67094102. Keystone Blasting Service, (381 Reifsnnyder Road, Lititz, PA 17543), construction blasting for Stonegate Commons in Conewago Township, **York County** with an expiration date of December 30, 2010. Permit issued March 5, 2009.

46094001. Explo-Craft, Inc., (P. O. Box 1332, West Chester, PA 19380), construction blasting for a Foundation at 1233 Valley Road in Lower Merion Township, **Montgomery County** with an expiration date of December 30, 2009. Permit issued March 9, 2009.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

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

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

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

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

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

Permits, Environmental Assessments and 401 Water Quality Certifications Issued

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

E39-486. Posocco Properties, 2610 Walbert Avenue, Allentown, PA 18104. South Whitehall and Upper Macungie Townships, **Lehigh County**, United States Army Corps of Engineers, Philadelphia District.

To fill 0.07 acre of PSS wetland for the purpose of widening Blue Barn Road for access to Blue Barn Meadows Residential Subdivision (Allentown, West Quadrangle Lat. 40° 36' 3"; Long. 75° 34' 54"). (Subbasin: 2C)

E35-416. Department of Transportation, Engineering District 4-0, 55 Keystone Industrial Park, Dunmore, PA 18512. South Abington Township, **Lackawanna County**, United States Army Corps of Engineers, Baltimore District.

To remove the existing structure; to construct and maintain a single-span steel girder bridge skewed 75° to the stream with a normal clear span of 60-feet and an underclearance of 5-feet, across Leggetts Creek (TSF); and to construct and maintain 6 sawtooth deflectors within Leggetts Creek. This project is located along SR 1027 (Layton Road), Segment 0010, Offset 0045, just east of the intersection of SR 6/SR 11 and SR 1027 (Scranton, PA Quadrangle Latitude: 41°28'23"; Longitude: 75°40'49"). (Subbasin: 5A)

E39-488. Department of Transportation, Engineering District 5-0, 1002 Hamilton Street, Allentown, PA 18103-1013. Upper Saucon Township, **Lehigh County**, United States Army Corps of Engineers Philadelphia District.

To remove the existing structure and to construct and maintain a single-span, prestressed concrete, spread box beam bridge having a normal span of 60 feet and an underclearance of 5 feet over South Branch Saucon Creek (CWF). The proposed bridge will be located approximately 32 feet downstream of the current bridge location along SR 2047 (Landis Mill Road), Segment 0020, Offset 1959, approximately 0.4 mile east of the SR 2006/SR 384 intersection (Allentown East, PA Quadrangle Latitude: 40°32'46"; Longitude: 75°23'16").

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E02-1579. Department of Transportation, District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017. To construct an elevated walking trail in the City of Pittsburgh and adjoining area of Millvale Borough, **Allegheny County**, United States Army Corps of Engineers, Pittsburgh District. (Pittsburgh East, PA Quadrangle N: 16.1 inches; W: 13.1 inches, Latitude: 40° 27' 58"; Longitude: 79° 58' 38"). To construct and maintain a 14 ft. wide, 1,274 ft. long elevated walking trail section replacement on piers and fill encroaching into the Herrs Island, Allegheny River (WWF) back channel floodway; modification and separation of tributary sewage flows from an enclosure of a UNT to the Allegheny River with a drainage area of 70 acres; install a stormwater management basin along UNT to the Allegheny River; modifications to the western end of 31st Street Bridge; and five stormwater outfalls to the Allegheny River. This project provides for shifting sections of the Allegheny River North Shore Walking Trail and two Norfolk Southern Railroad tracks toward the back channel to provide for widening and other improvements to SR 0028. The stormwater outfalls will provide for the separation of tributary SR 0028 runoff from the Allegheny County Sanitary Authority combined sewer system. The project is located approximately 2.3 miles upstream of the Allegheny River confluence with the Monongahela River or the start of the Ohio River.

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

E42-328. Foster Township, 1185 East Main Street, Bradford, PA 16701. South Kendall Avenue Sewer Line to Corwin Corners, in Foster Township, **McKean County**, United States Army Corps of Engineers, Pittsburgh District.

The applicant proposes to construct and maintain a gravity sewerline extension from Lafferty Hollow Road to Corwin Corners in Foster Township, **McKean County** having a total length of approximately 3 miles and involving the following: 1) to construct and maintain 16 open cut sewerline crossings of UNTs Kendall Creek; and 2) to construct and maintain 18 open cut sewerline wetland crossings impacting approximately 2.71 acres of PSS wetlands. Kendall Creek is a perennial stream classified as a WWF.

ENVIRONMENTAL ASSESSMENTS

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

D26-130EA. Ohiopyle State Park, P. O. Box 105, Ohiopyle, PA 15470-0105. Stewart Township **Fayette County**, United States Army Corps of Engineers, Pittsburgh District.

Project proposes to breach and remove Meadow Run Dam across Meadow Run (HQ-CWF) for the purpose of eliminating a threat to public safety and restoring the stream to a free flowing condition. The project will restore approximately 300 feet of stream channel. The dam is

located approximately 2,700 feet southwest of the intersection of Farmington Ohiopyle Road (SR 381) and Dinner Bell Road (SR 2011) (Fort Necessity, PA Quadrangle Latitude: 39° 50' 59"; Longitude: 79° 30' 17").

D47-003EA. Borough of Danville, 239 Mill Street, Danville, PA 17821-1983. Danville Borough, **Montour County**, United States Army Corps of Engineers, Baltimore District.

Project proposes to breach and remove Service Water Dam across Mahoning Creek (WWF) for the purpose of eliminating a threat to public safety and restoring the stream to a free flowing condition. The project will restore approximately 2,700 feet of stream channel. The dam is located approximately 1,700 feet south of the intersection of SR 54 and US 11 (Danville, PA Quadrangle Latitude: 40° 58' 09"; Longitude: 76° 37' 03")

D65-049EA. Dorothy Lutz, 123 Bask Drive, Jeanette, PA 15644. Project proposes to breach and remove Howell Dam across a tributary to Little Sewickley Creek (TSF) for the purpose of eliminating a threat to public safety and restoring the stream to a free flowing condition. The project will restore approximately 1,700 feet of stream channel. The dam is located approximately 250 feet north of the intersection of General Braddock Road (T641) and Reservoir Road (T420) (Irwin, PA Quadrangle Latitude: 40° 17' 09"; Longitude: 79° 42' 31"). Sewickley Township, **Westmoreland County**.

SPECIAL NOTICES

Planning Grant Awards under Section 901 of the Municipal Waste Planning Recycling and Waste Reduction Act of 1988, Act 101

The Department of Environmental Protection (Department) announces the following grants to counties under the Pennsylvania Municipal Waste Planning, Recycling and Waste Reduction Act of 1988 (P. L. 556, Act 101) Section 901 and Section 208 of the Waste Tire Recycling Act/Small Business and Household Pollution Prevention Act (Act 190 of 1996).

Planning grants are awarded to counties for 80% of approved costs for preparing municipal waste management plans as required by Act 101, for carrying out related studies, surveys, investigations, inquiries, research and analysis, including those related to siting, environmental mediation, education programs on pollution prevention and household hazardous waste and providing technical assistance to small businesses for pollution prevention. Grants may be awarded for feasibility studies and project development for municipal waste processing or disposal facilities, except for facilities for the combustion of municipal waste that are not proposed to be operated for the recovery of energy. Grant awards are predicated on the receipt of recycling fees required by sections 701 and 702 of Act 101 and the availability of monies in the Recycling Fund.

Inquiries regarding the grant offerings should be directed to Sally Lohman, Chief, Waste Planning Section, Department of Environmental Protection, Bureau of Waste Management, Division of Waste Minimization and Planning, P. O. Box 8472, Harrisburg, PA 17105-8472.

JOHN HANGER,
Acting Secretary

Act 101, Section 901 Planning Grant

| Region | County | Applicant | Project Description | Grant Award |
|--------------|--------|---------------|---------------------|-------------|
| Southeast | | | | |
| Northeast | | | | |
| Southcentral | | | | |
| Northcentral | Centre | Centre County | Plan Revision | \$200,000 |
| Southwest | | | | |
| Northwest | | | | |

[Pa.B. Doc. No. 09-520. Filed for public inspection March 20, 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 www.depweb.state.pa.us (DEP Keywords: "Technical Guidance"). 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.

Draft Technical Guidance:

DEP ID: 362-2000-009. Title: Manual for Land Treatment of Wastewater. Description: This document is intended to provide general guidance on the existing methods and types of land treatment systems and their relative effectiveness and limitations. Factors are presented which must be considered when determining whether land treatment is a feasible and environmentally sound alternative. This manual also contains information on the general design, installation and maintenance of land treatment systems. Treatment systems developed in accordance with this manual will need to be supplemented with additional detailed research once a land treatment method has been selected. Upon publication as final, this manual will replace in entirety Department's *Manual for Land Application of Treated Sewage and Industrial Wastewater*, DEP ID: 362-2000-009. Written Comments: The Department is seeking comments on draft technical guidance #362-0200-009. Interested persons may submit written comments on this draft techni-

cal guidance document by April 22, 2009. Comments submitted by facsimile will not be accepted. The Department will accept comments submitted by e-mail. A return name and address must be included in each e-mail transmission. Written comments should be submitted to Kevin McLeary, Department of Environmental Protection, Bureau of Water Standards and Facility Regulation, Rachel Carson State Office Building, 11th Floor, Harrisburg, PA 17105-8774, kmcleary@state.pa.us. Contact: Questions regarding the draft technical guidance document should be directed to Kevin McLeary, (717) 783-1820; kmcleary@state.pa.us. Effective Date: Upon publication of notice as final in the *Pennsylvania Bulletin*.

JOHN HANGER,
Acting Secretary

[Pa.B. Doc. No. 09-521. Filed for public inspection March 20, 2009, 9:00 a.m.]

Bid Opportunity

C40:8-107.1, Lackawanna River Sediment Removal Project, Borough of Duryea, Luzerne County. The principal items of work include mobilization and demobilization, common excavation, seeding, temporary access road and erosion and sedimentation. This project issues on March 20, 2009, and bids will be opened on April 16, 2009, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@state.pa.us for more information on this bid.

JOHN HANGER,
Acting Secretary

[Pa.B. Doc. No. 09-522. Filed for public inspection March 20, 2009, 9:00 a.m.]

Bid Opportunity

OSM 10(4330)101.1, Abandoned Mine Land Reclamation Project, Vogleyville, Summit Township, Butler County. The principal items of work and approximate quantities include clearing and grubbing, 91,500 cubic yards of grading, 425 cubic yards of ditch excavation, 485 square yards of R-4 rock lining with filter material, 300 square yards of R-5 rock lining with filter material, 350 square yards of high velocity erosion control mulch blanket, wetland construction, gas line relocation and 9.5 acres of seeding. This project issues on March 20, 2009, and bids will be opened on April 16, 2009, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. This project is financed by the Federal Government under the authority given it by Pub. L. No. 95-87 dated August 3, 1977, The Surface Mining Control and Reclamation Act of 1977, and is subject to that Law, and to the Federal grant for this project. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@state.pa.us for more information on this bid.

JOHN HANGER,
Acting Secretary

[Pa.B. Doc. No. 09-523. Filed for public inspection March 20, 2009, 9:00 a.m.]

Bid Opportunity

OSM 17(6801)101.1, Abandoned Mine Land Reclamation Project, Grassflat Northwest, Cooper Township, Clearfield County. The principal items of work and approximate quantities include clearing and grubbing, dewatering and diversion and care of water, 1,531,000 cubic yards of grading, 3,875 ton of high calcium carbonate "baghouse" lime, 7,430 cubic yards of ditch excavation, 5,335 square yards of rock lining, 365 linear feet of subsurface drain and 146 acres of seeding. This project issues on March 20, 2009, and bids will be opened on April 16, 2009, at 2 p.m. Bid documents cost \$15 per set and will not be mailed until payment has been received. This project is financed by the Federal Government under the authority given it by Pub. L. No. 95-87 dated August 3, 1977, The Surface Mining Control and Reclamation Act of 1977, and is subject to that Law, and to the Federal grant for this project. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@state.pa.us for more information on this bid.

JOHN HANGER,
Acting Secretary

[Pa.B. Doc. No. 09-524. Filed for public inspection March 20, 2009, 9:00 a.m.]

Environmental Laboratory Accreditation Proficiency Test Study Requirements

In accordance with 25 Pa. Code § 252.501(a) (relating to proficiency test study requirements), the Department of Environmental Protection (Department) is providing the following list of new fields of accreditation (FOA) for which proficiency test (PT) studies are available. To obtain or maintain a FOA, the Department requires that an environmental laboratory successfully participate in PT studies when available.

The following Fields of Proficiency Testing (FoPT) listing updates the previous listing published at 36 Pa.B. 8006 (December 30, 2006). The new FoPT listings are effective immediately. Please note that this listing of FoPTs includes additions to those previously printed on December 30, 2006. Environmental laboratories seeking to maintain accreditation for a FOA that has been added to the tables by this notice, must successfully complete a PT study for that analytes by January 1, 2010. Environmental laboratories seeking initial accreditation or laboratories seeking to add FOAs to their current Scope of Accreditation must successfully complete a PT study before accreditation is granted. Accredited environmental laboratories must successfully complete at least one PT study for each FOA, where available, once every 12 months to maintain accreditation. Additional information regarding the proficiency test study requirements is contained in 25 Pa. Code Chapter 252, Subchapter E (relating to proficiency test study requirement).

Updates to the following additions will be published in the *Pennsylvania Bulletin* as revisions are made. Questions concerning this notice, including the lists of proficiency testing currently available, should be directed to Aaren S. Alger, Department of Environmental Protection, Bureau of Laboratories, (717) 346-8212, aaaler@state.pa.us.

JOHN HANGER,
Acting Secretary

**Pennsylvania State (Chapter 252) Accreditation
Fields of Proficiency Testing
Drinking Water
Effective March 1, 2009**

| | |
|----------------|----------------------------|
| <i>Matrix</i> | <i>Analyte</i> |
| | Microbiology |
| Drinking Water | Fecal Coliform Enumeration |
| Drinking Water | Total Coliform Enumeration |

**Pennsylvania State (Chapter 252) Accreditation
Fields of Proficiency Testing
Nonpotable Water
Effective March 1, 2009**

| | |
|------------------|---------------------|
| <i>Matrix</i> | <i>Analyte</i> |
| | Microbiology |
| Nonpotable Water | E.coli, MF |
| Nonpotable Water | E.coli, MPN |

[Pa.B. Doc. No. 09-525. Filed for public inspection March 20, 2009, 9:00 a.m.]

General Permit WMGM038; Processing and Beneficial Use of Gypsum Wallboard

Under the regulatory authority of 25 Pa. Code § 271.811 (relating to authorization for general permit) of the municipal waste regulations and the statutory authority of the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003), the Department of Environmental Protection (Department) issued a General Permit for the processing and beneficial use of unpainted and untreated standard gypsum wallboard.

This final General Permit WMGM038 (General Permit) provides for the beneficial use of ground (that is, processed) gypsum wallboard as a component of mushroom growing media, as a soil additive material or soil amendment and allows for utilization of the backing paper as an animal bedding material. The final General Permit reduces the amount of gypsum wallboard being disposed in landfills by providing a mechanism to divert the waste to a more productive, beneficial use. This General Permit provides potential end uses under a streamlined set of operating conditions.

Persons interested in obtaining more information or a paper copy of the final General Permit should contact Peter Arnt of the Division of Municipal and Residual Waste at (717) 787-7381. TDD users may contact the Department through the Pennsylvania Relay Service at (800) 654-5984. The General Permit document is also accessible on the Department's web site at www.depweb.state.pa.us (DEP Keywords: "Public Participation"; then "Proposals Open for Comment," or DEP Keywords "Municipal Waste").

The Department will provide public notice upon final publication of the General Permit.

JOHN HANGER,
Acting Secretary

[Pa.B. Doc. No. 09-526. Filed for public inspection March 20, 2009, 9:00 a.m.]

Mine Families First Response and Communications Advisory Council; Change of Meeting Date

The next meeting of the Mine Families First Response and Communications Advisory Council has been changed to Tuesday, April 28, 2009, at 10 a.m. in the Delaware Room, 16th Floor of the Rachel Carson State Office Building in Harrisburg. The meeting was originally scheduled for April 29.

The agenda and meeting materials for this meeting will be available through the Public Participation Center on the Department of Environmental Protection's (Department) web site at www.depweb.state.pa.us (DEP Keywords: "Public Participation, Participate").

Questions concerning this meeting should be directed to Allison D. Gaida at (724) 439-7289 or by e-mail to agaida@state.pa.us. The agenda and meeting materials for this meeting will be available through the Public Participation Center on the Department's web site at www.depweb.state.pa.us (DEP Keywords: "Public Participation, Participate").

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact the Department at (724) 439-7289 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

JOHN HANGER,
Acting Secretary

[Pa.B. Doc. No. 09-527. Filed for public inspection March 20, 2009, 9:00 a.m.]

Pennsylvania Sunshine Program Installer Registration

The Department of Environmental Protection (Department) is publishing applications for solar photovoltaic (PV) and solar thermal (hot water) installation contractors wishing to register to participate in the new Pennsylvania Sunshine Program (Program). This new incentive program will be available later this spring for homeowners and small businesses undertaking solar energy projects. The Program will provide \$100 million in grants to Commonwealth homeowners and small businesses to purchase and install PV and solar hot water systems. Program applicants will be required to use an installer from the Department's approved list.

Installers interested in participating in the program may obtain an application at www.depweb.state.pa.us, select "Energy Independence." For questions regarding the eligibility of installers, contact Rebecca Campbell, Office of Energy and Technology Deployment, at (717) 772-8911 or pasunshine@state.pa.us before submitting an application.

JOHN HANGER,
Acting Secretary

[Pa.B. Doc. No. 09-528. Filed for public inspection March 20, 2009, 9:00 a.m.]

Radiation Protection Advisory Committee; Meeting Cancellation

The March 26, 2009, meeting of the Radiation Protection Advisory Committee has been cancelled. The next meeting is scheduled for October 22, 2009, at 9 a.m. in the 14th Floor Conference Room of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning the cancellation of the meeting for March 26, 2009, can be directed to Ray Urciuolo at (717) 783-9730 or lurciuolo@state.pa.us. Information regarding advisory committee meetings is also available through the Public Participation Center on the Department of Environmental Protection's (Department) web site at www.depweb.state.pa.us. (DEP Keyword: Participate).

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Donielle Skelton at (717) 787-3720 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

JOHN HANGER,
Acting Secretary

[Pa.B. Doc. No. 09-529. Filed for public inspection March 20, 2009, 9:00 a.m.]

Solar Workgroup Meeting

The Solar Workgroup will hold a meeting on April 1, 2009, at 10 a.m. in the 2nd Floor Training Room of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

The agenda and materials for the April 1, 2009, meeting will be available at the meeting. Questions concerning this meeting should be directed to Libby Dodson, Office of Energy and Technology Deployment, Division of Energy Promotion, 400 Market Street, Harrisburg, PA 17101, (717) 772-8907, ldodson@state.pa.us.

Persons with a disability who require accommodations to attend the April 1, 2009, meeting of the Solar Workgroup should contact Angela Rothrock at (717) 772-8911 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department of Environmental Protection may accommodate their needs.

JOHN HANGER,
Acting Secretary

[Pa.B. Doc. No. 09-530. Filed for public inspection March 20, 2009, 9:00 a.m.]

State Board for Certification of Water and Wastewater Systems Operators; Change of Conference Call Meeting

The April 3, 2009, State Board for Certification of Water and Wastewater Systems Operators (Board) conference call meeting at 10 a.m. has been rescheduled. The meeting will now take place on Friday, May 8, 2009, 10 a.m. in the 12th Floor Conference Room of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105.

Questions concerning the Board meetings can be directed to Cheri Sansoni at (717) 772-5158, csansoni@state.pa.us. The agendas and meeting materials for above revised meeting date will be available through the Public Participation Center on the Department of Environmental Protection's (Department) web site at www.depweb.state.pa.us (DEP Keywords: "Public Participation, Participate").

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

JOHN HANGER,
Acting Secretary

[Pa.B. Doc. No. 09-531. Filed for public inspection March 20, 2009, 9:00 a.m.]

State Water Plan; Regional Water Resources Technical Subcommittee Meetings Schedule for April 2009

The Department of Environmental Protection announces the meeting dates for the six Water Resources Regional Technical Subcommittees (subcommittees). This schedule and an agenda for each meeting, including meeting locations and meeting materials, will be available through the Public Participation Center on the Department's web site at www.depweb.state.pa.us.

The Regional Water Resources Technical Committees (committees) were created under 27 Pa.C.S. Chapter 31 (relating to Water Resources Planning Act), and their purpose is to assist in initial review of technical reports and products related to the identification of critical water planning areas in behalf of the committees.

The April 2009 meeting dates of the six Water Resources Regional Technical Subcommittees are as follows:

| <i>Subcommittee</i> | <i>Date</i> | <i>Time</i> | <i>Location</i> |
|--------------------------|---------------|-------------|--|
| Potomac | April 2, 2009 | 9 a.m. | Franklin County Administrative Annex Building 218 North Second Street Chambersburg, PA 17201 |
| Upper/Middle Susquehanna | April 3, 2009 | 9 a.m. | PA DEP Northcentral Regional Office 208 West Third Street, Suite 101 Williamsport, PA 17701-6448 |

| <i>Subcommittee</i> | <i>Date</i> | <i>Time</i> | <i>Location</i> |
|---------------------|----------------|-------------|---|
| Ohio | April 8, 2009 | 10 a.m. | Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 |
| Delaware | April 17, 2009 | 10 a.m. | PA DEP Southeast Regional Office 2 East Main Street Norristown, PA 19401 |
| Lower Susquehanna | April 22, 2009 | 9 a.m. | PA DEP Southcentral Regional Office 909 Elmerton Avenue Harrisburg, PA 17110 |
| Great Lakes | April 28, 2009 | 10 a.m. | Tom Ridge Environmental Center 301 Peninsula Drive Erie, PA 16505 |

Questions concerning these meetings should be directed to David Jostenski, Chief, Water Use Assessment Section, P. O. Box 8555, Harrisburg, PA 17105-8555, (717) 772-5659, djostenski@state.pa.us.

Persons with a disability who require accommodations to attend any of the meetings listed previously should contact the Department at (717) 783-6118 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

JOHN HANGER,
Acting Secretary

[Pa.B. Doc. No. 09-532. Filed for public inspection March 20, 2009, 9:00 a.m.]

DEPARTMENT OF HEALTH

Application of Allegheny General Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Allegheny General Hospital has requested an exception to the requirements of 28 Pa. Code § 115.25 (relating to infant footprints).

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

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

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

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

EVERETTE JAMES,
Acting Secretary

[Pa.B. Doc. No. 09-533. Filed for public inspection March 20, 2009, 9:00 a.m.]

Application for Exception to 28 Pa. Code § 127.32

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that the following facilities have requested an exception to the requirements of 28 Pa. Code § 127.32 (relating to written orders):

Allegheny General Hospital
Gettysburg Hospital
Monongahela Valley Hospital, Inc.
Robert Packer Hospital

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

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

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

EVERETTE JAMES,
Acting Secretary

[Pa.B. Doc. No. 09-534. Filed for public inspection March 20, 2009, 9:00 a.m.]

Application of Indiana Regional Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Indiana Regional Medical Center has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standard contained in this publication: 2.1-5.4.1 (relating to cardiac catheterization lab).

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

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

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

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

EVERETTE JAMES,
Acting Secretary

[Pa.B. Doc. No. 09-535. Filed for public inspection March 20, 2009, 9:00 a.m.]

Application of Surgical Specialty Center of Northeastern Pennsylvania for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Surgical Specialty Center of Northeastern Pennsylvania has requested an exception to the requirements of 28 Pa. Code § 551.21(d)(3) (relating to criteria for ambulatory surgery).

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

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

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

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

EVERETTE JAMES,
Acting Secretary

[Pa.B. Doc. No. 09-536. Filed for public inspection March 20, 2009, 9:00 a.m.]

Application of UPMC Braddock for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that UPMC Braddock has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exception from the following standard contained in this publication: 10.1.4.2 (relating to vacuum systems).

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

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

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

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

EVERETTE JAMES,
Acting Secretary

[Pa.B. Doc. No. 09-537. Filed for public inspection March 20, 2009, 9:00 a.m.]

Application of The Western Pennsylvania Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that The Western Pennsylvania Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility

specifically requests exception from the following standard contained in this publication: 2.1.1.2(1) (relating to minimum room areas).

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

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

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

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

EVERETTE JAMES,
Acting Secretary

[Pa.B. Doc. No. 09-538. Filed for public inspection March 20, 2009, 9:00 a.m.]

DEPARTMENT OF LABOR AND INDUSTRY

Uniform Construction Code (UCC) Review and Advisory Council; Schedule of Meetings

April 2, 16 and 30, 2009
10 a.m.—5 p.m.
Department of Labor and Industry
651 Boas Street, Room E-100
Harrisburg, PA 17121

April 8 and 22, 2009
10 a.m.—5 p.m.
Department of Labor and Industry
651 Boas Street, 12 Floor Conference Room A
Harrisburg, PA 17121

Additional information concerning the meetings may be found on the Department of Labor and Industry's web site at www.dli.state.pa.us/codes scroll down and click on the link for UCC Review and Advisory Council.

Questions concerning this may be directed to Edward Leister at (717) 783-6304.

SANDI VITO,
Acting Secretary

[Pa.B. Doc. No. 09-539. Filed for public inspection March 20, 2009, 9:00 a.m.]

DEPARTMENT OF PUBLIC WELFARE

Changes to an Additional Class of Disproportionate Share Payments

The Department of Public Welfare (Department) is providing final notice of its revision to the criteria and an increase in the allocation for disproportionate share hospital (DSH) payments to certain qualifying Medical Assistance (MA) enrolled hospitals for Fiscal Year (FY) 2007-2008.

The Department published notice of its intent to revise the qualifying criteria for DSH payments to hospitals that advanced the Department's goal of enhanced access to multiple types of medical care in economically distressed areas of this Commonwealth and to increase its allocation for this payment at 38 Pa.B. 2741 (June 7, 2008). The Department received no public comments during the 30 day public comment period.

To address increases in MA eligibility and service costs and to ensure access to care for MA recipients, the Department will change the original qualifying criteria and will provide a one-time increase to its allocation.

The Department has adopted the criteria set forth in its notice of intent and will consider a hospital eligible, provided it is an acute care general hospital that meets all of the following criteria:

(a) The hospital provides in excess of 100,000 inpatient days to MA eligible individuals as reported on its FY 2004-2005 MA Hospital Cost Report (MA 336).

(b) The hospital has a Low-Income Utilization Rate in excess of the 95th percentile of the Low-Income Utilization Rate for all enrolled acute care general hospitals as reported on its FY 2004-2005 MA Hospital Cost Report (MA 336).

(c) The hospital's ratio of MA revenue to net patient revenue exceeds the 98th percentile for all Commonwealth acute care general hospitals as reported in the Pennsylvania Health Care Cost Containment Council's 2006 Financial Analysis, Volume One.

(d) The dollar value of the hospital's uncompensated care equals or exceeds the 94th percentile of the value to uncompensated care for all acute care general hospitals as reported in the Pennsylvania Health Care Cost Containment Council's 2006 Financial Analysis, Volume One.

(e) The hospital is located in a Census tract designated by the Bureau of Primary Health Care of the Health Resource and Services Administration as a Medically Underserved Area.

For FY 2007-2008 only, the Department will increase the amount allocated for this payment from \$5.862 million to \$11.348 million. The Department is not changing its methodology of calculating payment for qualifying hospitals. In making these payments, the Department continues to ensure that no acute care general hospital receives a DSH payment that is in excess of its hospital-specific DSH upper payment limit and the Commonwealth will not exceed its aggregate annual DSH allotment.

Fiscal Impact

For FY 2007-2008, the fiscal impact as a result of the revision to the criteria and the one-time payment increase

in DSH payment allotment is \$11.949 million in total funds (\$5.486 million in State General Funds and \$6.463 million in Federal funds).

ESTELLE B. RICHMAN,
Secretary

Fiscal Note: 14-NOT-586. (1) General Fund:

MA—Inpatient

| | |
|------------------------------------|-----------|
| (2) Implementing Year 2007-08 is | \$1.986 M |
| (3) 1st Succeeding Year 2008-09 is | \$0.000 M |
| 2nd Succeeding Year 2009-10 is | \$0.000 M |
| 3rd Succeeding Year 2010-11 is | \$0.000 M |
| 4th Succeeding Year 2011-12 is | \$0.000 M |
| 5th Succeeding Year is 2012-13 is | \$0.000 M |

Acute Care Hospitals

| | |
|--------------------------------|-----------|
| Implementing Year 2007-08 is | \$3.500 M |
| 1st Succeeding Year 2008-09 is | \$0.000 M |
| 2nd Succeeding Year 2009-10 is | \$0.000 M |

| | |
|--------------------------------|-----------|
| 3rd Succeeding Year 2010-11 is | \$0.000 M |
| 4th Succeeding Year 2011-12 is | \$0.000 M |
| 5th Succeeding Year 2012-13 is | \$0.000 M |

MA—Inpatient

| | |
|---------------------|-------------|
| (4) 2006-07 Program | \$513.020 M |
| 2005-06 Program | \$474.693 M |
| 2004-05 Program | \$531.785 M |

Acute Care Hospitals:

| | |
|-----------------|------------|
| 2006-07 Program | \$14.500 M |
| 2005-06 Program | \$10.800 M |
| 2004-05 Program | \$12.200 M |

(7) Medical Assistance (MA)—Inpatient; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 09-540. Filed for public inspection March 20, 2009, 9:00 a.m.]

2008 Group Two Exception Requests; Medical Assistance Long-Term Care Participation Review

The purpose of this notice, published under 55 Pa. Code § 1187.21a(e)(4) (relating to nursing facility exception requests—statement of policy), is to announce the 2008 Group Two Exception Requests received covering the submission period of July 1, 2008, through December 31, 2008.

Expansion Requests

| <i>Number</i> | <i>Facility</i> | <i>Address</i> | <i>County</i> | <i>Beds</i> |
|---------------|---|---|---------------|-------------|
| JD08001 | William Penn Care Center | 2020 Ader Road Jeanette, PA 15644 | Westmoreland | 45 |
| JD08002 | Mon Valley Care Center | 200 Stoops Drive Monongahela, PA 15063 | Washington | 60 |
| JD08003 | Liberty Court Genesis ElderCare Network Service | 1526 Lombard Street Philadelphia, PA 19146 | Philadelphia | 30 |

New Facility Requests

| <i>Number</i> | <i>Facility</i> | <i>Address</i> | <i>County</i> | <i>Beds</i> |
|---------------|--------------------------|---|---------------|-------------|
| JD08004 | Blough Healthcare Center | 316 East Market Street Bethlehem, PA 18018 | Northampton | 50 |

Copies of the previously listed exception requests are available for review during the 30-day comment period. The public may review the requests during regular business hours. To schedule an appointment to review a request, call (717) 772-2526.

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department of Public Welfare, Attention: Walter Barnes, P. O. Box 2675, Harrisburg, PA 17105. Comments received within 30 days will be reviewed and considered for any subsequent revision of the notice.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at calling (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

ESTELLE B. RICHMAN,
Secretary

Fiscal Note: 14-NOT-588. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 09-541. Filed for public inspection March 20, 2009, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Money Plus

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Money Plus.

2. *Price:* The price of a Pennsylvania Money Plus instant lottery game ticket is \$5.

3. *Play Symbols:* Each Pennsylvania Money Plus instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS" area and a "YOUR NUMBERS" area and a separate "PLUS BONUS" play area. The play symbols and their captions located in the "WINNING NUMBERS" area are: 1 (ONE), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR) and 24 (TWYFOR). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 2X symbol (2TIMES) and a Star symbol (STAR). The play symbols and their captions, located in the "PLUS BONUS" play area are: Clover symbol (CLOVER), Balloon symbol (BALLOON), Pot symbol (POT), Diamond symbol (DMND), Coins symbol (COINS), Piggy Bank symbol (PIGBNK), Chest symbol (CHEST), Wallet symbol (WALLET) and a Safe symbol (SAFE).

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$5.⁰⁰ (FIV DOL), \$10.⁰⁰ (TEN DOL), \$20.⁰⁰ (TWENTY), \$40.⁰⁰ (FORTY), \$50.⁰⁰ (FIFTY), \$100 (ONE HUN), \$400 (FOR HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO) and \$100,000 (ONEHUNTHO).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$20, \$40, \$50, \$100, \$400, \$500, \$1,000, \$10,000 and \$100,000. The prize that can be won in the "PLUS BONUS" play area is \$20. A player can win up to 12 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 6,000,000 tickets will be printed for the Pennsylvania Money Plus instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100,000 (ONEHUNTHO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100,000.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10,000 (TEN THO) appears under the matching

"YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 2X symbol (2TIMES), and a prize symbol of \$500 (FIV HUN) appears under the 2X symbol (2TIMES), on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Star symbol (STAR), and a prize symbol of \$50.⁰⁰ (FIFTY) appears in ten of the "prize" areas, a prize symbol of \$100 (ONE HUN) appears in one of the "prize" areas and a prize symbol of \$400 (FOR HUN) appears in one of the "prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 2X symbol (2TIMES), and a prize symbol of \$400 (FOR HUN) appears under the 2X symbol (2TIMES), on a single ticket, shall be entitled to a prize of \$800.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Star symbol (STAR), and a prize symbol of \$20.⁰⁰ (TWENTY) appears in five of the "prize" areas, a prize symbol of \$40.⁰⁰ (FORTY) appears in five of the "prize" areas and a prize symbol of \$100 (ONE HUN) appears in two of the "prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$400 (FOR HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$400.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Star symbol (STAR), and a prize symbol of \$20.⁰⁰ (TWENTY) appears in ten of the "prize" areas and a prize symbol of \$100 (ONE HUN) appears in two of the "prize" areas, on a single ticket, shall be entitled to a prize of \$400.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 2X symbol (2TIMES), and a prize symbol of \$100 (ONE HUN) appears under the 2X symbol (2TIMES), on a single ticket, shall be entitled to a prize of \$200.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 2X symbol

When Any Of Your Numbers Match Any Of The Winning Numbers, Win With Prize(s) Of:

| Prize(s) | Win: | Approximate Odds Are 1 In: | Approximate No. Of Winners Per 6,000,000 Tickets: |
|--|-----------|----------------------------|---|
| \$40 × 10 | \$400 | 24,000 | 250 |
| \$100 × 4 | \$400 | 24,000 | 250 |
| (\$100 w/2X) + (\$100 × 2) | \$400 | 24,000 | 250 |
| \$400 | \$400 | 24,000 | 250 |
| STAR w/(\$20 × 5) + (\$40 × 5) + (\$100 × 2) | \$500 | 20,000 | 300 |
| \$50 × 10 | \$500 | 24,000 | 250 |
| \$100 × 5 | \$500 | 24,000 | 250 |
| (\$100 w/2X) + (\$100 × 3) | \$500 | 24,000 | 250 |
| \$500 | \$500 | 24,000 | 250 |
| STAR w/(\$50 × 10) + \$100 + \$400 | \$1,000 | 40,000 | 150 |
| \$100 × 10 | \$1,000 | 40,000 | 150 |
| (\$400 w/2X) + (\$100 × 2) | \$1,000 | 40,000 | 150 |
| \$500 × 2 | \$1,000 | 60,000 | 100 |
| \$500 w/2X | \$1,000 | 40,000 | 150 |
| \$1,000 | \$1,000 | 40,000 | 150 |
| \$10,000 | \$10,000 | 300,000 | 20 |
| \$100,000 | \$100,000 | 600,000 | 10 |

"2X" (2TIMES) = Win double the prize shown below that symbol.

"STAR" (STAR) = Win all 12 prizes automatically.

PLUS BONUS: Get 3 identical symbols in either the vertical column or the horizontal row and win \$20 automatically.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Money Plus instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Money Plus, prize money from winning Pennsylvania Money Plus instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Money Plus instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), the regulations contained in 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Money Plus or through normal communications methods.

STEPHEN H. STETLER,
Acting Secretary

[Pa.B. Doc. No. 09-542. Filed for public inspection March 20, 2009, 9:00 a.m.]

Pennsylvania Super Match & Win™

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314), and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Super Match & Win™.

2. *Price:* The price of a Pennsylvania Super Match & Win™ instant lottery game ticket is \$3.

3. *Play Symbols:*

(a) Each Pennsylvania Super Match & Win™ instant lottery game ticket will contain a "Play Grid" area, a "BLACK NUMBERS" area, a "RED NUMBERS" area, three "Prize" areas with the prize symbols printed in black ink, immediately to the right of each "Row," three "Prize" areas with the prize symbols printed in red ink, in the "Prize" area next to the prize symbol printed in black ink to the right of each "Row," and eight "Prize" areas one immediately below each "Column."

(b) The "Play Grid" area consists of 24 spaces on a play grid 8 "Columns" wide by 3 "Rows" deep with half of the spaces containing "black play grid" play symbols printed in black ink and half of the spaces containing "red play grid" play symbols printed in red ink. The "black play grid" play symbols appearing in the "Play Grid" area are the numbers 1 through 10, the numbers 21 through 30, the numbers 41 through 50 and the numbers 61 through 70 printed in black ink. The "red play grid" play symbols appearing in the "Play Grid" area are the numbers 11 through 20, the numbers 31 through 40, the numbers 51 through 60 and the numbers 71 through 80 printed in red ink. The 4 vertical "Columns", designated as "Column 1," "Column 3," "Column 5" and "Column 7," will contain "black play grid" play symbols. The 4 vertical "Columns," designated as "Column 2," "Column 4," "Column 6" and "Column 8," will contain "red play grid" play symbols. The 3 horizontal "Rows" are designated as "Row 1," "Row 2" and "Row 3." Each "Column" offers a separate chance to win and each "Row" offers two chances to win.

(c) Each Pennsylvania Super Match & Win™ instant lottery game ticket will also contain a "BLACK NUMBERS" area containing 12 play symbols printed in black ink. The "BLACK NUMBERS" play symbols are the numbers 1 through 10, the numbers 21 through 30, the numbers 41 through 50 and the numbers 61 through 70 and a \$ symbol.

(d) Each Pennsylvania Super Match & Win™ instant lottery game ticket will also contain a "RED NUMBERS" area consisting of 12 play symbols printed in red ink. The "RED NUMBERS" play symbols are the numbers 11 through 20, the numbers 31 through 40, the numbers 51 through 60 and the numbers 71 through 80.

4. Prize Symbols:

(a) The prize symbols and their captions located in the 8 "Prize" areas, one below each of the 8 "Columns" and each printed in black or red ink are: \$3.⁰⁰ (THR DOL), \$5.⁰⁰ (FIV DOL), \$6.⁰⁰ (SIX DOL), \$10.⁰⁰ (TEN DOL), \$15.⁰⁰ (FIFTN), \$20.⁰⁰ (TWENTY), \$40.⁰⁰ (FORTY), \$100 (ONE HUN), \$300 (THR HUN), \$1,000 (ONE THO) and \$3,000 (THR THO).

(b) The prize symbols and their captions located in the "Prize" area, immediately to the right of each of the 3 "Rows" and printed in black ink are: \$3.⁰⁰ (THR DOL), \$5.⁰⁰ (FIV DOL), \$6.⁰⁰ (SIX DOL), \$10.⁰⁰ (TEN DOL), \$15.⁰⁰ (FIFTN), \$20.⁰⁰ (TWENTY), \$40.⁰⁰ (FORTY), \$100 (ONE HUN), \$300 (THR HUN), \$1,000 (ONE THO), \$3,000 (THR THO), \$30,000 (TRY THO) and \$60,000 (STY THO).

(c) The prize symbols and their captions, printed in red ink and located in the "Prize" area next to the prize symbol printed in black ink to the right of each of the 3 "Rows" are: \$3.⁰⁰ (THR DOL), \$5.⁰⁰ (FIV DOL), \$6.⁰⁰ (SIX DOL), \$10.⁰⁰ (TEN DOL), \$15.⁰⁰ (FIFTN), \$20.⁰⁰ (TWENTY), \$40.⁰⁰ (FORTY), \$100 (ONE HUN), \$300 (THR HUN), \$1,000 (ONE THO), \$3,000 (THR THO), \$30,000 (TRY THO) and \$60,000 (STY THO).

5. Prizes: The prizes that can be won in this game are: \$3, \$5, \$6, \$10, \$15, \$20, \$40, \$100, \$300, \$1,000, \$3,000, \$30,000 and \$60,000. The player can win up to 5 times on each ticket.

6. Approximate Number of Tickets Printed For the Game: Approximately 6,000,000 tickets will be printed for the Pennsylvania Super Match & Win™ instant lottery game.

7. Determination of Prize Winners:

(a) Holders of tickets in which four of the "BLACK NUMBERS" play symbols match the same exact four "black play grid" play symbols printed in black ink, one in "Column 1," one in "Column 3," one in "Column 5" and one in "Column 7" which appear in a complete horizontal "Row;" and a prize symbol of \$60,000 (STY THO), printed in black ink, appears in the "Prize" area immediately to the right of that "Row," on a single ticket, shall be entitled to a prize of \$60,000.

(b) Holders of tickets in which four of the "RED NUMBERS" play symbols match the same exact four "red play grid" play symbols printed in red ink, one in "Column 2," one in "Column 4," one in "Column 6" and one in "Column 8" which appear in a complete horizontal "Row;" and a prize symbol of \$60,000 (STY THO), printed in red ink, appears in the "Prize" area next to the prize symbol printed in black ink to the right of that "Row," on a single ticket, shall be entitled to a prize of \$60,000.

(c) Holders of tickets in which four of the "BLACK NUMBERS" play symbols match the same exact four

"black play grid" play symbols printed in black ink, one in "Column 1," one in "Column 3," one in "Column 5" and one in "Column 7" which appear in a complete horizontal "Row;" and a prize symbol of \$30,000 (TRY THO), printed in black ink, appears in the "Prize" area immediately to the right of that "Row," on a single ticket, shall be entitled to a prize of \$30,000.

(d) Holders of tickets in which four of the "RED NUMBERS" play symbols match the same exact four "red play grid" play symbols printed in red ink, one in "Column 2," one in "Column 4," one in "Column 6" and one in "Column 8" which appear in a complete horizontal "Row;" and a prize symbol of \$30,000 (TRY THO), printed in red ink appears in the "Prize" area next to the prize symbol printed in black ink to the right of that "Row," on a single ticket, shall be entitled to a prize of \$30,000.

(e) Holders of tickets in which four of the "BLACK NUMBERS" play symbols match the same exact four "black play grid" play symbols printed in black ink, one in "Column 1," one in "Column 3," one in "Column 5" and one in "Column 7" which appear in a complete horizontal "Row;" and a prize symbol of \$3,000 (THR THO), printed in black ink, appears in the "Prize" area immediately to the right of that "Row," on a single ticket, shall be entitled to a prize of \$3,000.

(f) Holders of tickets in which four of the "RED NUMBERS" play symbols match the same exact four "red play grid" play symbols printed in red ink, one in "Column 2," one in "Column 4," one in "Column 6" and one in "Column 8" which appear in a complete horizontal "Row;" and a prize symbol of \$3,000 (THR THO), printed in red ink, appears in the "Prize" area next to the prize symbol printed in black ink to the right of that "Row," on a single ticket, shall be entitled to a prize of \$3,000.

(g) Holders of tickets in which three of the "BLACK NUMBERS" play symbols match the same exact three "black play grid" play symbols printed in black ink, which appear in a complete vertical "Column;" and a prize symbol of \$3,000 (THR THO), printed in black ink, appears in the corresponding "Prize" area immediately below that "Column," on a single ticket, or holders of tickets in which three of the "RED NUMBERS" play symbols match the same exact three "red play grid" play symbols printed in red ink, which appear in a complete vertical "Column;" and a prize symbol of \$3,000 (THR THO), printed in red ink, appears in the corresponding "Prize" area immediately below that "Column," on a single ticket, shall be entitled to a prize of \$3,000.

(h) Holders of tickets in which four of the "BLACK NUMBERS" play symbols match the same exact four "black play grid" play symbols printed in black ink, one in "Column 1," one in "Column 3," one in "Column 5" and one in "Column 7" which appear in a complete horizontal "Row;" and a prize symbol of \$1,000 (ONE THO), printed in black ink, appears in the "Prize" area immediately to the right of that "Row," on a single ticket, shall be entitled to a prize of \$1,000.

(i) Holders of tickets in which four of the "RED NUMBERS" play symbols match the same exact four "red play grid" play symbols printed in red ink, one in "Column 2," one in "Column 4," one in "Column 6" and one in "Column 8" which appear in a complete horizontal "Row;" and a prize symbol of \$1,000 (ONE THO), printed in red ink, appears in the "Prize" area next to the prize symbol printed in black ink to the right of that "Row," on a single ticket, shall be entitled to a prize of \$1,000.

(j) Holders of tickets in which three of the "BLACK NUMBERS" play symbols match the same exact three

same exact three "red play grid" play symbols printed in red ink, which appear in a complete vertical "Column;" and a prize symbol of \$20⁰⁰ (TWENTY), printed in red ink, appears in the corresponding "Prize" area immediately below that "Column," on a single ticket, shall be entitled to a prize of \$20.

(w) Holders of tickets with a "S" play symbol in the "BLACK NUMBERS" area, on a single ticket, shall be entitled to a prize of \$20.

(x) Holders of tickets in which four of the "BLACK NUMBERS" play symbols match the same exact four "black play grid" play symbols printed in black ink, one in "Column 1," one in "Column 3," one in "Column 5" and one in "Column 7" which appear in a complete horizontal "Row;" and a prize symbol of \$15⁰⁰ (FIFTN), printed in black ink, appears in the "Prize" area immediately to the right of that "Row," on a single ticket, shall be entitled to a prize of \$15.

(y) Holders of tickets in which four of the "RED NUMBERS" play symbols match the same exact four "red play grid" play symbols printed in red ink, one in "Column 2," one in "Column 4," one in "Column 6" and one in "Column 8" which appear in a complete horizontal "Row;" and a prize symbol of \$15⁰⁰ (FIFTN), printed in red ink, appears in the "Prize" area next to the prize symbol printed in black ink to the right of that "Row," on a single ticket, shall be entitled to a prize of \$15.

(z) Holders of tickets in which three of the "BLACK NUMBERS" play symbols match the same exact three "black play grid" play symbols printed in black ink, which appear in a complete vertical "Column;" and a prize symbol of \$15⁰⁰ (FIFTN), printed in black ink, appears in the corresponding "Prize" area immediately below that "Column," on a single ticket, or holders of tickets in which three of the "RED NUMBERS" play symbols match the same exact three "red play grid" play symbols printed in red ink, which appear in a complete vertical "Column;" and a prize symbol of \$15⁰⁰ (FIFTN), printed in red ink, appears in the corresponding "Prize" area immediately below that "Column," on a single ticket, shall be entitled to a prize of \$15.

(aa) Holders of tickets in which four of the "BLACK NUMBERS" play symbols match the same exact four "black play grid" play symbols printed in black ink, one in "Column 1," one in "Column 3," one in "Column 5" and one in "Column 7" which appear in a complete horizontal "Row;" and a prize symbol of \$10⁰⁰ (TEN DOL), printed in black ink, appears in the "Prize" area immediately to the right of that "Row," on a single ticket, shall be entitled to a prize of \$10.

(bb) Holders of tickets in which four of the "RED NUMBERS" play symbols match the same exact four "red play grid" play symbols printed in red ink, one in "Column 2," one in "Column 4," one in "Column 6" and one in "Column 8" which appear in a complete horizontal "Row;" and a prize symbol of \$10⁰⁰ (TEN DOL), printed in red ink, appears in the "Prize" area next to the prize symbol printed in black ink to the right of that "Row," on a single ticket, shall be entitled to a prize of \$10.

(cc) Holders of tickets in which three of the "BLACK NUMBERS" play symbols match the same exact three "black play grid" play symbols printed in black ink, which appear in a complete vertical "Column;" and a prize symbol of \$10⁰⁰ (TEN DOL), printed in black ink,

appears in the corresponding "Prize" area immediately below that "Column," on a single ticket, or holders of tickets in which three of the "RED NUMBERS" play symbols match the same exact three "red play grid" play symbols printed in red ink, which appear in a complete vertical "Column;" and a prize symbol of \$10⁰⁰ (TEN DOL), printed in red ink, appears in the corresponding "Prize" area immediately below that "Column," on a single ticket, shall be entitled to a prize of \$10.

(dd) Holders of tickets in which four of the "BLACK NUMBERS" play symbols match the same exact four "black play grid" play symbols printed in black ink, one in "Column 1," one in "Column 3," one in "Column 5" and one in "Column 7" which appear in a complete horizontal "Row;" and a prize symbol of \$6⁰⁰ (SIX DOL), printed in black ink, appears in the "Prize" area immediately to the right of that "Row," on a single ticket, shall be entitled to a prize of \$6.

(ee) Holders of tickets in which four of the "RED NUMBERS" play symbols match the same exact four "red play grid" play symbols printed in red ink, one in "Column 2," one in "Column 4," one in "Column 6" and one in "Column 8" which appear in a complete horizontal "Row;" and a prize symbol of \$6⁰⁰ (SIX DOL), printed in red ink, appears in the "Prize" area next to the prize symbol printed in black ink to the right of that "Row," on a single ticket, shall be entitled to a prize of \$6.

(ff) Holders of tickets in which three of the "BLACK NUMBERS" play symbols match the same exact three "black play grid" play symbols printed in black ink, which appear in a complete vertical "Column;" and a prize symbol of \$6⁰⁰ (SIX DOL), printed in black ink, appears in the corresponding "Prize" area immediately below that "Column," on a single ticket, or holders of tickets in which three of the "RED NUMBERS" play symbols match the same exact three "red play grid" play symbols printed in red ink, which appear in a complete vertical "Column;" and a prize symbol of \$6⁰⁰ (SIX DOL), printed in red ink, appears in the corresponding "Prize" area immediately below that "Column," on a single ticket, shall be entitled to a prize of \$6.

(gg) Holders of tickets in which four of the "BLACK NUMBERS" play symbols match the same exact four "black play grid" play symbols printed in black ink, one in "Column 1," one in "Column 3," one in "Column 5" and one in "Column 7" which appear in a complete horizontal "Row;" and a prize symbol of \$5⁰⁰ (FIV DOL), printed in black ink, appears in the "Prize" area immediately to the right of that "Row," on a single ticket, shall be entitled to a prize of \$5.

(hh) Holders of tickets in which four of the "RED NUMBERS" play symbols match the same exact four "red play grid" play symbols printed in red ink, one in "Column 2," one in "Column 4," one in "Column 6" and one in "Column 8" which appear in a complete horizontal "Row;" and a prize symbol of \$5⁰⁰ (FIV DOL), printed in red ink, appears in the "Prize" area next to the prize symbol printed in black ink to the right of that "Row," on a single ticket, shall be entitled to a prize of \$5.

(ii) Holders of tickets in which three of the "BLACK NUMBERS" play symbols match the same exact three "black play grid" play symbols printed in black ink, which appear in a complete vertical "Column;" and a prize symbol of \$5⁰⁰ (FIV DOL), printed in black ink, appears

in the corresponding "Prize" area immediately below that "Column," on a single ticket, or holders of tickets in which three of the "RED NUMBERS" play symbols match the same exact three "red play grid" play symbols printed in red ink, which appear in a complete vertical "Column;" and a prize symbol of \$5.⁰⁰ (FIV DOL), printed in red ink, appears in the corresponding "Prize" area immediately below that "Column," on a single ticket, shall be entitled to a prize of \$5.

(jj) Holders of tickets in which four of the "BLACK NUMBERS" play symbols match the same exact four "black play grid" play symbols printed in black ink, one in "Column 1," one in "Column 3," one in "Column 5" and one in "Column 7" which appear in a complete horizontal "Row;" and a prize symbol of \$3.⁰⁰ (THR DOL), printed in black ink, appears in the "Prize" area immediately to the right of that "Row," on a single ticket, shall be entitled to a prize of \$3.

(kk) Holders of tickets in which four of the "RED NUMBERS" play symbols match the same exact four "red play grid" play symbols printed in red ink, one in "Column 2," one in "Column 4," one in "Column 6" and one in "Column 8" which appear in a complete horizontal

"Row;" and a prize symbol of \$3.⁰⁰ (THR DOL), printed in red ink, appears in the "Prize" area next to the prize symbol printed in black ink to the right of that "Row," on a single ticket, shall be entitled to a prize of \$3.

(ll) Holders of tickets in which three of the "BLACK NUMBERS" play symbols match the same exact three "black play grid" play symbols printed in black ink, which appear in a complete vertical "Column;" and a prize symbol of \$3.⁰⁰ (THR DOL), printed in black ink, appears in the corresponding "Prize" area immediately below that "Column," on a single ticket, or holders of tickets in which three of the "RED NUMBERS" play symbols match the same exact three "red play grid" play symbols printed in red ink, which appear in a complete vertical "Column;" and a prize symbol of \$3.⁰⁰ (THR DOL), printed in red ink, appears in the corresponding "Prize" area immediately below that "Column," on a single ticket, shall be entitled to a prize of \$3.

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

| <i>Black Numbers Area</i> | <i>Scratch The Black Numbers And Red Number Areas. Match All Three Numbers In Any Column On The Play Grid And Win The Prize Shown Below That Column. Win With Prize(s) Of:</i> | <i>Scratch The Black Numbers And Red Numbers Areas. Match Either Four Black Numbers Or Four Red Numbers In The Same Row On The Play Grid And Win The Corresponding Black Prize Or Red Prize To The Right Of That Row. Win With Prize(s) Of:</i> | <i>Win:</i> | <i>Approximate Odds Are 1 In:</i> | <i>Approximate No. Of Winners Per 6,000,000 Tickets</i> |
|---------------------------|--|---|-------------|-----------------------------------|---|
| | \$3 | | \$3 | 18.18 | 330,000 |
| | | \$3 | \$3 | 18.18 | 330,000 |
| | \$5 | | \$5 | 27.78 | 216,000 |
| | | \$5 | \$5 | 33.33 | 180,000 |
| | \$3 x 2 | | \$6 | 200 | 30,000 |
| | | \$3 x 2 | \$6 | 200 | 30,000 |
| | \$6 | | \$6 | 200 | 30,000 |
| | | \$6 | \$6 | 200 | 30,000 |
| | \$5 x 2 | | \$10 | 250 | 24,000 |
| | | \$5 x 2 | \$10 | 250 | 24,000 |
| | \$10 | | \$10 | 250 | 24,000 |
| | | \$10 | \$10 | 250 | 24,000 |
| | \$3 x 5 | | \$15 | 500 | 12,000 |
| | \$5 x 3 | | \$15 | 500 | 12,000 |
| | \$5 x 2 | \$5 | \$15 | 500 | 12,000 |
| | \$15 | | \$15 | 500 | 12,000 |
| | | \$15 | \$15 | 500 | 12,000 |
| | \$5 x 4 | | \$20 | 1,000 | 6,000 |
| | \$10 x 2 | | \$20 | 1,000 | 6,000 |
| | | \$10 x 2 | \$20 | 1,000 | 6,000 |
| | \$10 | \$10 | \$20 | 1,000 | 6,000 |
| | \$20 | | \$20 | 1,000 | 6,000 |
| \$ | | | \$20 | 250 | 24,000 |
| | | \$20 | \$20 | 1,000 | 6,000 |
| | \$10 x 4 | | \$40 | 1,846 | 3,250 |
| | \$20 | \$20 | \$40 | 1,846 | 3,250 |
| \$ | | \$20 | \$40 | 1,846 | 3,250 |
| \$ | \$20 | | \$40 | 1,846 | 3,250 |

| <i>Black Numbers Area</i> | <i>Scratch The Black Numbers And Red Number Areas. Match All Three Numbers In Any Column On The Play Grid And Win The Prize Shown Below That Column. Win With Prize(s) Of:</i> | <i>Scratch The Black Numbers Or Four Red Numbers In The Same Row On The Play Grid And Win The Corresponding Black Prize Or Red Prize To The Right Of That Row. Win With Prize(s) Of:</i> | <i>Win:</i> | <i>Approximate Odds Are 1 In:</i> | <i>Approximate No. Of Winners Per 6,000,000 Tickets</i> |
|---------------------------|--|--|-------------|-----------------------------------|---|
| | \$40 | | \$40 | 1,846 | 3,250 |
| | | \$40 | \$40 | 1,846 | 3,250 |
| | \$20 × 5 | | \$100 | 2,143 | 2,800 |
| | \$40 × 2 | | \$100 | 2,143 | 2,800 |
| \$ | | \$20 | \$100 | 2,143 | 2,800 |
| \$ | \$40 × 2 | \$40 × 2 | \$100 | 2,143 | 2,800 |
| | \$100 | | \$100 | 2,143 | 2,800 |
| | | \$100 | \$100 | 2,143 | 2,800 |
| | \$100 × 3 | | \$300 | 40,000 | 150 |
| | \$100 × 2 | \$100 | \$300 | 40,000 | 150 |
| | \$300 | | \$300 | 40,000 | 150 |
| | | \$300 | \$300 | 40,000 | 150 |
| | \$300 × 3 | \$100 | \$1,000 | 40,000 | 150 |
| | \$1,000 | | \$1,000 | 40,000 | 150 |
| | | \$1,000 | \$1,000 | 40,000 | 150 |
| | \$3,000 | | \$3,000 | 240,000 | 25 |
| | | \$3,000 | \$3,000 | 240,000 | 25 |
| | | \$30,000 | \$30,000 | 1,200,000 | 5 |
| | | \$60,000 | \$60,000 | 1,200,000 | 5 |

Get a \$ symbol in the Black Numbers area and win \$20 instantly.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Super Match & Win™ instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Super Match & Win™, prize money from winning Pennsylvania Super Match & Win™ instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Super Match & Win™ instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), the regulations contained in 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be

disseminated through media used to advertise or promote Pennsylvania Super Match & Win™ or through normal communications methods.

STEPHEN H. STETLER,
Acting Secretary

[Pa.B. Doc. No. 09-543. Filed for public inspection March 20, 2009, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Finding Lehigh County

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

The Department of Transportation (Department) plans to replace Spinnerstown Road Bridge, SR 2031, section 05B, over Hosensack Creek in Lower Milford Township, Lehigh County. Spinnerstown Road Bridge is a contributing element to the Dubbs-Reith Historic District. The project will also require right-of-way from the Dubbs-Reith Historic District.

The effect of the project on the bridge will be mitigated through aesthetic treatment options that will be incorpo-

rated into the design of the new bridge. Where feasible, the Department will ensure that historically sensitive landscaping will be planted to replace mature trees and shrubbery that will have been removed by construction of the new bridge.

The environmental, economic, social and other effects of the proposed project as enumerated in section 2002 of The Administrative Code of 1929 have been considered. It has been concluded that there is no feasible and prudent alternative to the project as designed and all reasonable steps have been taken to minimize such effect.

No adverse environmental effect is likely to result from this project.

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

[Pa.B. Doc. No. 09-544. Filed for public inspection March 20, 2009, 9:00 a.m.]

HISTORICAL AND MUSEUM COMMISSION

National Register Nominations to be Reviewed by the Historic Preservation Board

The Historic Preservation Board (Board) will hold a meeting on April 7, 2009, at 9:45 a.m. at the headquarters of the Pennsylvania School Boards Association, 400 Bent Creek Boulevard, Mechanicsburg, PA. Persons with a disability who wish to attend this meeting and require an auxiliary aid, service or other accommodation to participate should contact Helena Johnson at (717) 783-2698 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the agency can accommodate their needs. Persons with questions or comments should contact the Bureau for Historic Preservation at (717) 783-8946.

1. Newville Historic District, roughly bounded by Cove Avenue, Big Spring Creek, Cumberland Valley Railroad and Washington Street, Newville, Cumberland County, No. 112116.

2. Hamburg Historic District, roughly bounded by Windsor and South Second Streets, Quince and Primrose Alleys and Mill Creek, Hamburg, Berks County, No. 101959.

3. Center City West Commercial Historic District (Boundary Increase), roughly bounded by Center City West HD, South 15th, Locust and South Sydenham Streets, Philadelphia County, No. 144483.

4. Ajax Metal Company, 46-1052 Richmond Street, Philadelphia County, No. 100127.

5. Robert Kennedy Presbyterian Church, 11799 Mercersburg Road, Montgomery Township, Franklin County, No. 144367.

6. Alleghany Mennonite Meeting House, 39 Horning Road, Brecknock Township, Berks County, No. 093616.

7. George Search House, 56 South Main Street, Shickshinny, Luzerne County, No. 086544.

8. George Douglass House, 19 Old Philadelphia Pike, Amity Township, Berks County, No. 025624.

9. James Madison School, 528 Quincy Avenue, Scranton, Lackawanna County, No. 144297.

10. McClelland-Grimes Farm, 844 Craynes Run Road, Washington and Morgan Townships, Greene County, No. 155221. With accompanying historic contexts.

BARBARA FRANCO,
Executive Director

[Pa.B. Doc. No. 09-545. Filed for public inspection March 20, 2009, 9:00 a.m.]

INSURANCE DEPARTMENT

Barkeyville Development Corporation; Prehearing

Appeal of Barkeyville Development Corporation under the Storage Tank and Spill Prevention Act; Underground Storage Tank Indemnification Fund; USTIF File No. 2007-0155(F); Doc. No. UT09-02-032

The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law); 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and any other relevant procedure provisions of law.

A prehearing telephone conference shall be held on May 6, 2009, at 9:30 a.m. A hearing shall occur on May 20, 2009, at 9:30 a.m., in the Administrative Hearings Office, Room 200, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA 17102. Motions preliminary to those at hearing, protests, petitions to intervene, notices of appearance or notices of intervention, if any, must be filed with the Hearings Administrator at the previously listed address on or before April 22, 2009. Answers to petitions to intervene, if any, shall be filed on or before May 5, 2009.

On or before April 22, 2009, each party shall file with the Administrative Hearings Office a prehearing statement which shall contain: (1) a comprehensive statement of undisputed facts to be stipulated between the parties; (2) a statement of additional contended facts; (3) names and address of witnesses along with the specialties of experts to be called; (4) a list of documents to be used at the hearing; (5) special evidentiary or other legal issues; and (6) the estimated time for the party's case. Contemporaneously with service of the prehearing statement on the opposing party, each party shall supply the other with a copy of any report generated by an expert witness designated on the prehearing statement. Any report subsequently received from a party's expert witness prior to hearing shall be supplied to the other party within 2 business days. Copies of expert reports need not be filed with the Administrative Hearings Office. Experts will be permitting to testify only on matters substantially contemplated by reports supplied to the other party in accordance with this paragraph.

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) 705-3873.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-546. Filed for public inspection March 20, 2009, 9:00 a.m.]

GEICO Indemnity Company; Private Passenger Automobile; Rate and Rule Revisions; Rate Filing

On March 6, 2009, the Insurance Department (Department) received from GEICO Indemnity Company a filing for rate level changes for private passenger automobile insurance.

The company requests an overall 6.90% increase amounting to \$4.87 million annually, to be effective April 9, 2009, for new business and June 1, 2009, for renewal business.

Unless formal administrative action is taken prior to May 5, 2009, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Department's web site at www.ins.state.pa.us. To access the filing, under "Quick Links" click on "Rate Filings Published in the PA Bulletin."

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

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-547. Filed for public inspection March 20, 2009, 9:00 a.m.]

Meadville Emergency Physicians; Prehearing

Appeal of Meadville Emergency Physicians under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM09-03-003

The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law); 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code Chapter 56 (relating to special rules of administrative practice and procedure).

On or before April 6, 2009, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's January 27, 2009, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for Tuesday, May 5, 2009, at 9:30 a.m. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before May 1, 2009.

A hearing date shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before April 20, 2009, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any shall be filed on or before May 4, 2009.

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) 705-3873.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-548. Filed for public inspection March 20, 2009, 9:00 a.m.]

St. Joseph's Hospital; Prehearing

Appeal of St. Joseph's Hospital under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM09-03-004

The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law); 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code Chapter 56 (relating to special rules of administrative practice and procedure).

On or before April 6, 2009, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's January 30, 2009, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for Tuesday, May 5, 2009, at 1:30 p.m. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before May 1, 2009. A hearing date shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before April 21, 2009, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any shall be filed on or before May 4, 2009.

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) 705-3873.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-549. Filed for public inspection March 20, 2009, 9:00 a.m.]

United American Insurance Company; 30% Rate Increase Filing for LTC Forms NH2, NH3, LTC, LTC2 and LTC2H; Rate Filing

United American Insurance Company is requesting a 30% increase on the following forms: NH2, NH3, LTC, LTC2 and LTC2H. A total of 354 Pennsylvania policyholders will be affected by this rate adjustment.

Unless formal administrative action is taken prior to June 4, 2009, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's web site at www.ins.state.pa.us. Scroll down the home page and click on "Consumer Information" located on the left side. Next scroll down to "General Information," located in the middle of the page, and click on "Notices." The pdf copy of this filing is located at the link "Filing.pdf" following the name of the filing.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-550. Filed for public inspection March 20, 2009, 9:00 a.m.]

LEGISLATIVE REFERENCE BUREAU

Documents Filed But Not Published

The Legislative Reference Bureau (Bureau) accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of *Bulletin*). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no documents have been received. For questions concerning or copies of documents filed, but not published, call (717) 783-1530.

Executive Board

Resolution #CB-09-014, Dated February 2, 2009. The Executive Board Resolution authorizes the implementation of the Collective Bargaining Agreement between the Commonwealth and CIVEA, Pennsylvania State Education Association, National Education Association effective July 1, 2007, through June 30, 2011.

Resolution #CB-09-015, Dated February 2, 2009. The Executive Board Resolution authorizes the implementation of the Collective Bargaining Agreement between the Commonwealth and the Pennsylvania State Education Association, National Education Association, Local Associations at the Scotland School for Veterans' Children and the Scranton State School for the Deaf effective August 16, 2007, through August 15, 2001.

Resolution #CB-09-021, Dated February 2, 2009. The Executive Board Resolution authorizes the Interest Arbitration Award entered into between the Commonwealth and the Pennsylvania State Troopers Assoc. for the period July 1, 2008, through June 30, 2012. The award provides for wage increases of 3% effective July 1, 2008; 3% effective July 1, 2009; 4% effective July 1, 2011.

Resolution #CB-09-036, Dated February 17, 2009. The Executive Board Resolution authorizes side agreement with AFSCME that establishes salary adjustments for employees classified as Insurance Company Licensing Specialist, Insurance Company Financial Analyst 1 or Insurance Company Financial Analyst 2, and who hold or attain the designations of AFE, APIR, CFE or PIR. The provisions of the side letter will apply to two Division Chief Positions and Accountants 1 and 3 in the Financial Analysis Division.

Governor's Office

Management Directive No. 205.25—Disability-Related Employment Policy, Amended February 13, 2009.

Management Directive No. 580.2—Civil Service Availability Survey/Interview Notice, Amended January 21, 2009.

Administrative Circular No. 09-02—Computation of Interest Penalties, Act 1982-266 Amended, Dated January 27, 2009.

Administrative Circular No. 09-03—2009-10 Budget Hearing Materials, Dated January 29, 2009.

MARY JANE PHELPS,
Director
Legislative Reference Bureau

[Pa.B. Doc. No. 09-551. Filed for public inspection March 20, 2009, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by April 6, 2009. 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-2009-2094032. Juan Rodriguez-Melendez (731 Lincoln Street, Hazelton, Luzerne County, PA 18201)—in paratransit service, from points in the City of Hazelton, to the T. J. Maxx Store located in Pittston Township, PA, and return.

A-2009-2094052. R & R Transit, Inc. (9909 Northeast Avenue, Philadelphia, Philadelphia County, PA 19115)—persons in paratransit service, between points in the City and County of Philadelphia. Attorney: David P. Temple, 1760 Market Street, Suite 1100, Philadelphia, PA 19103.

A-2009-2094256. Robert M. Zusinas (1814 Fairland Street, Pittsburgh, Allegheny County, PA 15210)—persons in airport transfer service, from the Counties of Washington, Westmoreland, Beaver, Allegheny and Armstrong, to the Pittsburgh International Airport, located in the County of Allegheny.

Applications of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of persons by transfer of rights as described under each application.

A-2009-2094535. Philly Limo, Inc. (1912 Nashmont Court, Lansdale, Montgomery County, PA 19446), a corporation of the Commonwealth—persons in limousine service, from points in the Counties of Delaware, Chester, Bucks and Montgomery, to points in Pennsylvania, and return, excluding service that is under the jurisdiction of the Philadelphia Parking Authority, which is to be a transfer of all the right authorized under the certificate issued at A-00123405 to Luis A. Escobar, subject to the same limitations and conditions.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 09-552. Filed for public inspection March 20, 2009, 9:00 a.m.]

Telecommunications

A-2009-2094073. Consolidated Communications of Pennsylvania Company, LLC and TCG Pittsburgh. Joint petition of Consolidated Communications of Pennsylvania Company, LLC and TCG Pittsburgh for approval of amendment No. 1 to the interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Consolidated Communications of Pennsylvania Company, LLC and TCG Pittsburgh, by its counsel, filed on February 25, 2009, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of

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 Consolidated Communications of Pennsylvania Company, LLC and TCG Pittsburgh 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. 09-553. Filed for public inspection March 20, 2009, 9:00 a.m.]

STATE BOARD OF NURSING

Bureau of Professional and Occupational Affairs v. Jennifer Ostrow Herbert, R.N.; Doc. No. 0965-51-08

In January 23, 2009, Jennifer Ostrow Herbert, license no. RN522211L, of New Castle, DE, had her registered nursing license revoked for conviction of a felony.

Individuals may obtain a copy of the adjudication by writing to Beth Sender Michlovitz, Board Counsel, State Board of Nursing, P. O. Box 2649, Harrisburg, PA 17105-2649.

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

ANN L. O'SULLIVAN, Ph.D., FANN, CRNP,
Chairperson

[Pa.B. Doc. No. 09-554. Filed for public inspection March 20, 2009, 9:00 a.m.]

STATE POLICE

Approved Registration Sites under the Registration of Sexual Offenders Act

The Commissioner of the Pennsylvania State Police, under 42 Pa.C.S. Chapter 97, Subchapter H (relating to registration of sexual offenders), shall publish a list of approved registration sites located throughout the Commonwealth where individuals subject to the requirements of 42 Pa.C.S. §§ 9795.1 and 9796 (relating to registration; and verification of residence) can report to fulfill these requirements.

The approved registration sites are:

| <i>County</i> | <i>Police Station</i> | <i>Address</i> | <i>Phone</i> |
|---------------|--|--|----------------|
| Adams | PSP Gettysburg | 3033 Old Harrisburg Road Gettysburg, PA 17325 | (717) 334-8111 |
| Adams | Adams County Prison Central Booking | 45 Major Bell Lane Gettysburg, PA 17325 | (717) 334-1911 |
| Allegheny | PSP Pittsburgh | 449 McCormick Road Moon Township, PA 15108 | (412) 787-2000 |
| Allegheny | PSP Gibsonia (Turnpike) | 3000 Haberlein Road Gibsonia, PA 15044 | (724) 443-5907 |
| Armstrong | PSP Kittanning | 184 Nolte Drive Kittanning, PA 16201 | (724) 543-2011 |
| Beaver | PSP Beaver | 1400 Brighton Road Beaver, PA 15009 | (724) 773-7400 |
| Bedford | PSP Bedford | 171 Arthur L. Hershey Drive Bedford, PA 15522 | (814) 623-6133 |
| Bedford | PSP Everett (Turnpike) | 1605 Ashcom Road Suite 2 Everett, PA 15537 | (814) 652-6131 |
| Berks | Berks County Sheriff | 633 Court Street 3rd Floor Reading, PA 19601 | (610) 478-6240 |
| Berks | PSP Reading | 600 Kenhorst Boulevard Reading PA 19611 | (610) 378-4011 |
| Berks | PSP Hamburg | 90 Industrial Drive Hamburg, PA 19526 | (610) 562-6885 |
| Blair | PSP Hollidaysburg | 1510 North Juniata Street Hollidaysburg, PA 16648 | (814) 696-6100 |
| Bradford | PSP Towanda | R. D. 1 Towanda, PA 18848 | (570) 265-2186 |
| Bucks | PSP Dublin | 3218 Rickert Road Perkasie, PA 18944 | (215) 249-9191 |
| Bucks | PSP Trevose | 3501 Neshaminy Boulevard Bensalem, PA 19020 | (215) 942-3900 |
| Bucks | Upper Makefield Township Police | 1076 Eagle Road Newtown, PA 18940 | (215) 968-3020 |
| Butler | PSP Butler | 200 Barracks Road Butler, PA 16001 | (724) 284-8100 |
| Butler | Butler City Police | 200 West New Castle Street Butler, PA 16001 | (724) 287-5045 |
| Butler | Butler County Day Reporting Center | 227 West Cunningham Street Butler, PA 16001 | (724) 284-5259 |
| Cambria | PSP Ebensburg | 100 Casale Court Ebensburg, PA 15931 | (814) 471-6500 |
| Cambria | Richland Township Police | 322 Schoolhouse Road Johnstown, PA 15904 | (814) 266-8333 |
| Cameron | PSP Emporium | 12921 Route 120 Emporium, PA 15834 | (814) 486-3321 |
| Carbon | PSP Pocono (Turnpike) | HCR 1 P. O. Box 18 White Haven, PA 18661 | (570) 443-9511 |
| Carbon | PSP Lehighton | 5730 Interchange Road Lehighton, PA 18235 | (610) 377-4270 |
| Centre | PSP Philipsburg | 3104 Port Matilda Highway Phillipsburg, PA 16866 | (814) 342-3370 |
| Centre | PSP Rockview | 745 South Eagle Valley Road Bellefonte, PA 16823 | (814) 355-7545 |

| <i>County</i> | <i>Police Station</i> | <i>Address</i> | <i>Phone</i> |
|---------------|---|---|-----------------------------|
| Centre | Centre County Prison | 700 Rishel Hill Road Bellefonte, PA 16823 | (814) 355-6868 |
| Chester | Coatesville Police | 1 City Hall Place Coatesville, PA 19320 | (610) 384-2300 Ext. 0 |
| Chester | Tredyffrin Township Police | 1100 DuPortail Road Berwyn, PA 19312 | (610) 644-3221 |
| Chester | West Whiteland Township Police | 222 North Pottstown Pike Exton, PA 19341 | (610) 363-0200 |
| Chester | PSP Embreeville | 997 Lieds Road Coatesville, PA 19320 | (484) 340-3241 |
| Chester | PSP Avondale | 2 Moxley Lane Avondale, PA 19311 | (610) 268-2022 |
| Clarion | PSP Clarion | 209 Commerce Road Clarion, PA 16214 | (814) 226-1710 |
| Clearfield | PSP Clearfield | 147 Doe Hill Road Woodland, PA 16881 | (814) 857-3800 |
| Clinton | PSP Lamar | 7127 Nittany Valley Drive Mill Hall, PA 17751 | (570) 726-6000 |
| Columbia | Bloomsburg Police | 301 East 2nd Street Bloomsburg, PA 17815 | (570) 784-4155 |
| Columbia | PSP Bloomsburg | 6850 Hidlay Church Road Bloomsburg, PA 17815 | (570) 387-4701 |
| Crawford | PSP Meadville | 11176 Murray Road Meadville, PA 16335 | (814) 332-6911 |
| Cumberland | PSP Carlisle | 1538 Commerce Avenue Carlisle, PA 17015 | (717) 249-2121 |
| Cumberland | PSP Newville (Turnpike) | 248 Center Road Newville, PA 17241 | (717) 776-3135 |
| Cumberland | Cumberland County Prison Central Booking | 1101 Claremont Road Carlisle, PA 17013 | (717) 245-8787 |
| Dauphin | Lower Paxton Township Police | 425 Prince Street Harrisburg, PA 17109 | (717) 657-5656 |
| Dauphin | PSP Highspire (Turnpike) | Turnpike Building Route 283 and Eisenhower Boulevard Harrisburg, PA 17106 | (717) 939-9551 Ext. 4290 |
| Dauphin | PSP Harrisburg | 8000 Bretz Drive Harrisburg, PA 17112 | (717) 671-7500 |
| Dauphin | PSP Lykens | 301 State Drive Elizabethville, PA 17023 | (717) 362-8700 |
| Delaware | Media Borough Police | 301 North Jackson Street Media, PA 19063 | (717) 565-6655 |
| Delaware | PSP Media | 1342 West Baltimore Pike Media, PA 19063 | (484) 840-1000 |
| Delaware | Ridley Township Police | 100 East MacDade Boulevard Folson, PA 19033 | (610) 532-4001 |
| Delaware | Springfield Township Police | 50 Powell Road Springfield, PA 19064 | (610) 544-1100 |
| Elk | PSP Ridgway | 15010 Boot Jack Road Ridgway, PA 15853 | (814) 776-6136 |
| Erie | PSP Erie | 4320 Iroquois Avenue Erie, PA 16511 | (814) 898-1641 |
| Erie | PSP Corry | 11088 Route 6 East Union City, PA 16438 | (814) 663-2043 |
| Erie | PSP Girard | 5950 Meadville Road Girard, PA 16417 | (814) 774-9611 |

| <i>County</i> | <i>Police Station</i> | <i>Address</i> | <i>Phone</i> |
|---------------|--------------------------------------|---|----------------|
| Fayette | PSP Uniontown | 1070 Eberly Way Lemont Furnace, PA 15456 | (724) 439-7111 |
| Forest | PSP Tionesta | R. D. 1 Box 43 DD Tionesta, PA 16353 | (814) 755-3565 |
| Franklin | PSP Chambersburg | 679 Franklin Farm Lane Chambersburg, PA 17202 | (717) 264-5161 |
| Fulton | PSP McConnellsburg | 23170 Great Cove Road McConnellsburg, PA 17233 | (717) 485-3131 |
| Greene | PSP Waynesburg | 255 Elm Drive Waynesburg, PA 15370 | (724) 627-6151 |
| Huntingdon | PSP Huntingdon | 10637 Raystown Road Huntingdon, PA 16652 | (814) 627-3161 |
| Indiana | PSP Indiana | 4221 Route 286 Highway West Indiana, PA 15701 | (724) 357-1960 |
| Jefferson | PSP DuBois | 101 Preston Way Falls Creek, PA, 15840 | (814) 371-4652 |
| Jefferson | PSP Punxsutawney | 485 North Findley Street Punxsutawney, PA 15767 | (814) 938-0510 |
| Juniata | PSP Lewistown | 34 Arch Rock Road Mifflintown, PA 17059 | (717) 320-1010 |
| Lackawanna | PSP Dunmore | 85 Keystone Industrial Park Dunmore, PA 18512 | (570) 963-3156 |
| Lackawanna | Scranton Police | 100 South Washington Avenue Scranton, PA 18503 | (570) 348-4134 |
| Lancaster | PSP Bowmansville (Turnpike) | 443 Panorama Drive Denver, PA 17517 | (717) 445-6716 |
| Lancaster | Elizabethtown Police | 600 South Hanover Street Elizabethtown, PA 17022 | (717) 367-6540 |
| Lancaster | PSP Ephrata | 21 Springhouse Road Ephrata, PA 17522 | (717) 721-7667 |
| Lancaster | PSP Lancaster | 2099 Lincoln Highway East Lancaster, PA 17602 | (717) 299-7650 |
| Lancaster | Lancaster City Police | 39 West Chestnut Street Lancaster, PA 17603 | (717) 735-3300 |
| Lawrence | PSP New Castle | 3539 Wilimington Road New Castle, PA 16105 | (724) 598-2211 |
| Lebanon | PSP Jonestown | 2632 SR 72 Jonestown, PA 17038 | (717) 865-2194 |
| Lebanon | Lebanon County Central Booking | 400 South 8th Street Lebanon, PA 17042 | (717) 228-4413 |
| Lehigh | PSP Fogelsville | 8320 Schantz Road Breinigsville, PA 18031 | (610) 395-1438 |
| Lehigh | PSP Bethlehem | 2930 Airport Road Bethlehem, PA 18017 | (610) 861-2026 |
| Lehigh | Lehigh County Prison Central Booking | 38 North Fourth Street Allentown, PA 18102 | (610) 782-3270 |
| Luzerne | PSP Hazleton | 250 Dessen Drive West Hazleton, PA 18202 | (570) 459-3890 |
| Luzerne | Hazleton Police Department | 40 North Church Street Hazleton, PA 18201 | (570) 459-4940 |
| Luzerne | PSP Shickshinny | 872 Salem Boulevard Berwick, PA 18603 | (570) 542-4117 |
| Luzerne | PSP Wyoming | 475 Wyoming Avenue Wyoming, PA 18644 | (570) 697-2000 |

| <i>County</i> | <i>Police Station</i> | <i>Address</i> | <i>Phone</i> |
|----------------|--|--|----------------|
| Lycoming | PSP Montoursville | 899 Cherry Street Montoursville, PA 17754 | (570) 368-5700 |
| McKean | PSP Kane | 3178 Route 219 Kane, PA 16735 | (814) 778-5555 |
| Mercer | PSP Mercer | 826 Franklin Road Mercer, PA 16137 | (724) 662-6162 |
| Mifflin | PSP Lewistown | 34 Arch Rock Road Mifflintown, PA 17059 | (717) 320-1010 |
| Mifflin | Mifflin County Prison Central Booking | 103 West Market Street Lewistown, PA 17044 | (717) 248-1130 |
| Monroe | PSP Swiftwater | HC 1 Box 121 Swiftwater, PA 18370 | (570) 839-7701 |
| Monroe | PSP Fern Ridge | P. O. Box 1440 Blakeslee, PA 18610 | (570) 646-2271 |
| Montgomery | Pottstown Police Department | 100 East High Street Pottstown, PA 19464 | (610) 970-6570 |
| Montgomery | PSP King of Prussia (Turnpike) | 251 Flint Hill Road King of Prussia, PA 19406 | (610) 279-1605 |
| Montgomery | PSP Skippack | 2047C Bridge Road Schwenksville, PA 19473 | (610) 410-3835 |
| Montgomery | Towamencin Township Police | 1090 Troxel Road Lansdale, PA 19446 | (215) 368-7606 |
| Northampton | PSP Belfast | 654 Bangor Road Nazareth, PA 18064 | (610) 258-0816 |
| Northumberland | PSP Stonington | 2465 SR 61 Sunbury, PA 17801 | (570) 286-5601 |
| Northumberland | PSP Milton | 50 Lawton Lane Milton, PA 17847 | (570) 524-2662 |
| Northumberland | Sunbury Police | 440 Market Street Sunbury, PA 17801 | (570) 286-4584 |
| Perry | PSP Newport | 52 Red Hill Court Newport, PA 17074 | (717) 567-3110 |
| Philadelphia | PSP Philadelphia | 2201 Belmont Avenue Philadelphia, PA 19131 | (215) 965-5870 |
| Pike | PSP Blooming Grove | 434 Route 402 Hawley, PA 18428 | (570) 226-5720 |
| Potter | PSP Coudersport | 3140 East Second Street Coudersport, PA 16915 | (814) 274-8690 |
| Schuylkill | PSP Schuylkill Haven | 23 Meadowbrook Drive Schuylkill Haven, PA 17972 | (570) 593-2000 |
| Schuylkill | PSP Frackville | 31 Eleanor Drive Frackville, PA 17931 | (570) 874-5300 |
| Snyder | PSP Selinsgrove | 204 Universal Road Selinsgrove, PA 17870 | (570) 374-8145 |
| Snyder | Snyder County Sheriff | 12 South Main Street Middleburg, PA 17842 | (570) 837-3311 |
| Somerset | PSP Somerset | 142 Sagamore Street Somerset, PA 15501 | (814) 445-4104 |
| Somerset | PSP Somerset (Turnpike) | 177 Menser Road Somerset, PA 15501 | (814) 445-9606 |
| Sullivan | PSP Laporte | 5837 Route 220 Laporte, PA 18626 | (570) 946-4610 |
| Susquehanna | PSP Gibson | 2856 SR 848 New Milford, PA 18834 | (570) 465-3154 |

| <i>County</i> | <i>Police Station</i> | <i>Address</i> | <i>Phone</i> |
|---------------|----------------------------|---|----------------|
| Tioga | PSP Mansfield | 1745 Valley Road Mansfield, PA 16933 | (570) 662-2151 |
| Union | Union County Courthouse | 103 South Second Street Lewisburg, PA 17837 | (570) 524-2943 |
| Venango | PSP Franklin | 6724 US 322 Franklin, PA 16323 | (814) 676-6596 |
| Warren | PSP Warren | 22001 Route 6 Warren, PA 16365 | (814) 728-3600 |
| Washington | PSP Washington | 83 Murtland Avenue Washington, PA 15301 | (724) 223-5200 |
| Wayne | PSP Honesdale | R. R. 6 14 Collan Park Honesdale, PA 18431 | (570) 251-7207 |
| Westmoreland | PSP Greensburg | 100 North Westmoreland Avenue Greensburg, PA 15601 | (724) 832-3288 |
| Westmoreland | PSP Belle Vernon | 560 Circle Drive Belle Vernon, PA 15012 | (724) 929-6262 |
| Westmoreland | PSP New Stanton (Turnpike) | 2200 North Center Avenue New Stanton, PA 15672 | (724) 755-9463 |
| Westmoreland | PSP Kiski Valley | 4451 SR 66 Apollo, PA 15613 | (724) 727-3434 |
| Westmoreland | Murrysville Police | 4120 Sardis Road Murrysville, PA 15668 | (724) 327-2111 |
| Wyoming | PSP Tunkhannock | 915 SR6W Tunkhannock, PA 18657 | (570) 836-2141 |
| York | PSP York | 110 North Street York, PA 17403 | (717) 428-1011 |
| York | York County Sheriff | 45 North George Street York, PA 17401 | (717) 771-9601 |

Comments, suggestions or questions may be directed to the Pennsylvania State Police, Megan's Law Section, 1800 Elmerton Avenue, Harrisburg, PA 17110. Individuals with a disability and require an alternative format of this document (that is, large print, audio tape, Braille) contact the Megan's Law Section so that necessary arrangements can be made.

COLONEL FRANK E. PAWLOWSKI,
Commissioner

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