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PENNSYLVANIA BULLETIN

Volume 41

Number 17

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Pages 2111—2202

Agencies in this issue

The Governor

The Courts

Department of Agriculture

Department of Education

Department of Environmental Protection

Department of Health

Department of Public Welfare

Department of Revenue

Independent Regulatory Review Commission

Insurance Department

Joint Committee on Documents

Milk Marketing Board

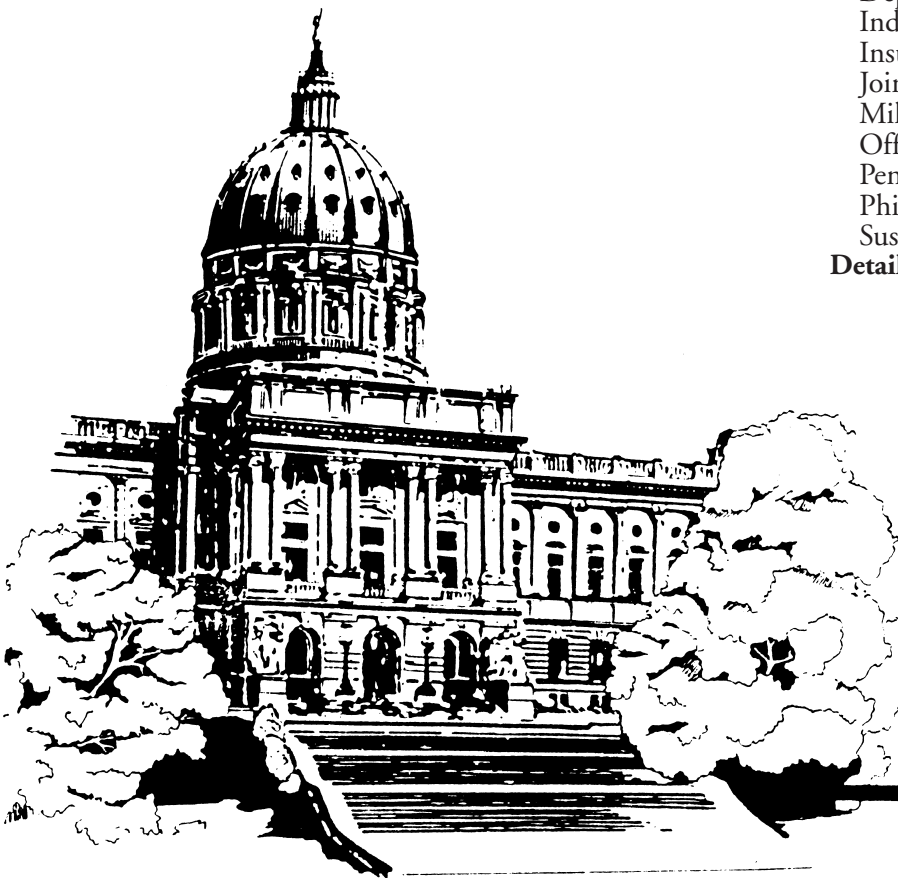
Office of Open Records

Pennsylvania Public Utility Commission

Philadelphia Regional Port Authority

Susquehanna River Basin Commission

Detailed list of contents appears inside.



**Latest Pennsylvania Code Reporters
(Master Transmittal Sheets):**

No. 437, April 2011

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CONTENTS

THE GOVERNOR

Amendment no. 2 to proclamation of January 31, 2011 2118

THE COURTS

DISCIPLINARY BOARD OF THE SUPREME COURT

Collection fee and late payment penalty for 2011-2012 registration year..... 2119
 Notice to attorneys..... 2119

JUDICIAL SYSTEM GENERAL PROVISIONS

Amendment of rules 219(a) and 502(b) of the rules of disciplinary enforcement; no. 98 disciplinary rule doc. 2119

EXECUTIVE AGENCIES

DEPARTMENT OF AGRICULTURE

Notices

Electronic Benefits Transfer application process..... 2131

DEPARTMENT OF EDUCATION

Notices

Application of Geneva College for approval of amendment and restatement of its articles of incorporation 2131

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices

Applications, actions and special notices..... 2131
 Clean Air Interstate Rule; final 2015 annual and ozone season CAIR nitrogen oxides allowance allocations and redistribution of 2010-2014 allowances for certain facilities (correction)..... 2169
 Nutrient and Sediment Reduction Credit Trading Program; notice of proposals..... 2169

DEPARTMENT OF HEALTH

Notices

Applications for exception
 Children’s Surgery Center, LLC..... 2170
 Shriners Hospital for Children—Philadelphia ... 2171
 28 Pa. Code 29.33(6)..... 2170
 Human Immunodeficiency Virus (HIV) Community Prevention Planning Committee public meetings..... 2171
 Human Immunodeficiency Virus (HIV) Integrated Council public meetings..... 2171
 Long-term care nursing facilities; requests for exception..... 2171
 Traumatic Brain Injury Advisory Board meeting 2172

DEPARTMENT OF PUBLIC WELFARE

Notices

Income limits and co-payments for the Subsidized Child Care Program 2172

DEPARTMENT OF REVENUE

Notices

Pennsylvania Electric 8s ’11 instant lottery game ... 2180
 Pennsylvania Gus Bucks ’11 instant lottery game... 2183

INDEPENDENT REGULATORY REVIEW COMMISSION

Notices

Notice of filing of final rulemakings..... 2184

INSURANCE DEPARTMENT

Notices

Application for approval to acquire control of UnityFinancial Life Insurance Company..... 2185
 First Priority Life Insurance Company; BlueCare Direct Essentials PPO; rate filing..... 2185
 First Priority Life Insurance Company; BlueCare Direct Select PPO; rate filing..... 2185
 First Priority Life Insurance Company; BlueCare PPO individual qualified high deductible; comprehensive major medical plan; rate filing..... 2185
 Medical malpractice increased limits capacity study for health care providers; request for public comments..... 2186
 Review procedure hearings under the Unfair Insurance Practices Act 2186

JOINT COMMITTEE ON DOCUMENTS

Notices

Resolution 2011-1..... 2186

MILK MARKETING BOARD

Proposed Rulemaking

Electronic methods for testing milk for fat content .. 2123

Notices

Hearing and presubmission schedule for all milk marketing areas; January 2012 resale price announcement 2187
 Hearing and presubmission schedule for all milk marketing areas; over-order premium 2187
 Hearing and presubmission schedule for all milk marketing areas; wholesale discount adjustments..... 2188

OFFICE OF OPEN RECORDS

Notices

Standard right-to-know request form..... 2189

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Notices

Change in control..... 2191
 Service of notice of motor carrier applications..... 2191

PHILADELPHIA REGIONAL PORT AUTHORITY

Notices

Request for bids 2194

SUSQUEHANNA RIVER BASIN COMMISSION

Notices

Projects approved or rescinded for consumptive uses of water (2 documents) 2194, 2200

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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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Third parties may not take information from the *Pennsylvania Code* and *Pennsylvania Bulletin* and reproduce, disseminate or publish such information except as provided by 1 Pa. Code § 3.44. 1 Pa. Code § 3.44 reads as follows:

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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 2011.

4 Pa. Code (Administration)		1027	435
Adopted Rules		1029	435
6	1754	1051	435
		1053	435
Statements of Policy		1055	435
9	522, 614, 1784	1057	435
		1059	435
7 Pa. Code (Agriculture)		1061	435
Proposed Rules		1063	435
144	2123	1065	435
Statements of Policy		55 Pa. Code (Public Welfare)	
28c	351	Statements of Policy	
		6000	352
25 Pa. Code (Environmental Protection)			
Adopted Rules		58 Pa. Code (Recreation)	
78	805	Adopted Rules	
93	1335	135	1621, 1764
105	219	141	1622, 1623, 1765
129	229	147	1624, 1764, 1766, 1767
250	230, 840, 1458	521	234
		525	234, 1897
Proposed Rules		531	1897
901	1173	535	234, 1897
		539	1897
31 Pa. Code (Insurance)		537	234
Adopted Rules		541	234
39	592	543	234
39a	592	545	234
84b	599	549	234, 1897
84c	600	561	1897
84d	601	563	1897
118a	602	565	234
		569	234
34 Pa. Code (Labor and Industry)		Proposed Rules	
Adopted Rules		131	1633
61	844	139	1634
65	848	141	1625, 1626, 1627, 1629, 1631
		143	1625
49 Pa. Code (Professional and Vocational Standards)		401a	1018
Adopted Rules		405a	1018
20	16	423a	1903
		433a	1903
Proposed Rules		435a	1903
27	1337	436a	1903
42	1909	513a	1903
		521	1769
52 Pa. Code (Public Utilities)		523	238
Adopted Rules		524	605
62	30	526	1769
		527	1769
Proposed Rules		528	605
59	1020	529	605
1001	435	601a	1769
1003	435	603a	238
1005	435	605a	605
1011	435	609a	1769
1013	435	611a	1769
1015	435	613a	605
1017	435	615a	605
1019	435		
1021	435		
1023	435		
1025	435		

61 Pa. Code (Revenue)**Adopted Rules**

1001 41

67 Pa. Code (Transportation)**Adopted Rules**

83 46

204 Pa. Code (Judicial System General Provisions)**Adopted Rules**

29 1894

71 1895

83 331, 2119

85 1757

211 1894

207 Pa. Code (Judicial Conduct)**Adopted Rules**

51 332

Proposed Rules

115 1332

210 Pa. Code (Appellate Procedure)**Adopted Rules**

11 923

15 1999

63 923

67 1456

231 Pa. Code (Rules of Civil Procedure)**Adopted Rules**

200 7, 214, 215, 333

1920 1758

3000 333

4000 334

Part II 336

Proposed Rules

1910 1617, 1618, 1619

234 Pa. Code (Rules of Criminal Procedure)**Adopted Rules**

1 1999

3 1759

4 1167

5 834

9 1999

10 216, 834

Proposed Rules

1 1008

7 1011

237 Pa. Code (Juvenile Rules)**Proposed Rules**

1 8, 1013

8 8

11 8

12 8

18 8

249 Pa. Code (Philadelphia Rules)

Unclassified 1760

255 Pa. Code (Local Court Rules)

Unclassified .. 14, 218, 344, 346, 521, 588, 589, 590, 724,

837, 838, 839, 924, 1016, 1017, 1168, 1169,

1332, 1456, 1620, 1763, 1896, 2001, 2002

THE GOVERNOR

Amendment No. 2 to Proclamation of January 31, 2011

March 31, 2011

Whereas, on January 31, 2011, I declared an emergency declaration due to a winter storm, accompanied by substantial accumulations of snow and ice that impacted the Commonwealth of Pennsylvania with severe weather conditions; and

Whereas, on March 10, 2011, I amended the proclamation in order to respond to localized flooding in certain creeks and streams that caused damage to public infrastructure and caused other adverse impacts upon the population of the Commonwealth; and

Whereas, these severe winter weather conditions have continued throughout February and March and are projected to extend into April, 2011 with potentially additional snowfall, sleet and freezing rain thereby causing another emergency response related to treating Pennsylvania's highways in preparation for the impending winter storm; and

Now Therefore, Pursuant to the provisions of Subsection 7301(c) of the Emergency Management Services Code (35 Pa.C.S.A. Section 7101 et seq. as amended), I do hereby amend my Proclamation of January 31, 2011, as follows:

1. I hereby authorize the Secretary of Transportation, in his sole discretion, to waive any provision of the Vehicle Code or any other law or regulation which he is authorized by law to administer or enforce as may be necessary to respond to this impending emergency.
2. I further authorize the Secretary of Transportation, if he so determines, that if the Commonwealth is in need of greater flexibility in the application of state and federal motor carrier regulations to accommodate Department of Transportation truck drivers in responding to this emergency across the state, to hereby waive any laws or Federal or state regulations related to drivers of commercial vehicles.
3. All state agencies are directed to render additional resources as is necessary to assist county and municipal efforts to mitigate and contend with the magnitude and severity of this continuing and expanding disaster emergency.
4. The provisions of the January 31, 2011 Proclamation shall remain in effect.
5. This Amendment to Proclamation shall take effect immediately.

Given under my hand and the Seal of the Governor, at the City of Harrisburg, this thirty-first day of March in the year of our Lord two thousand eleven of the Commonwealth the two hundred and thirty-fifth.



Governor

[Pa.B. Doc. No. 11-678. Filed for public inspection April 22, 2011, 9:00 a.m.]

THE COURTS

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT [204 PA. CODE CH. 83]

Amendment of Rules 219(a) and 502(b) of the Rules of Disciplinary Enforcement; No. 98 Disci- plinary Rule Doc.

Order

Per Curiam

And Now, this 8th day of April, 2011, it is hereby Ordered that:

(1) Rules 219(a) and 502(b) of the Pennsylvania Rules of Disciplinary Enforcement are amended in the following form;

(2) These amendments shall be effective for the 2011-12 assessment and shall continue until further Order of this Court; and

(3) Pursuant to Rule 103 of the Pennsylvania Rules of Judicial Administration, the immediate amendment of Rules 219(a) and 502(b) of the Pennsylvania Rules of Disciplinary Enforcement is required in the interest of efficient administration.

This Order shall be processed in accordance with Rule 103(b) of the Pennsylvania Rules of Judicial Administration and shall be effective immediately.

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT

Subpart B. DISCIPLINARY ENFORCEMENT

CHAPTER 83. PENNSYLVANIA RULES OF DISCIPLINARY ENFORCEMENT

Subchapter B. MISCONDUCT

Rule 219. Periodic assessment of attorneys; volun- tary inactive status.

(a) Every attorney admitted to practice law in this Commonwealth[,] shall pay an annual fee of [**\$140.00**] **\$135.00** under this rule. The annual fee shall be collected under the supervision of the Attorney Registration Office, which shall send and receive, or cause to be sent and received, the notices and forms provided for in this rule. The said fee shall be used to defray the costs of disciplinary administration and enforcement under these rules, and for such other purposes as the Board shall, with the approval of the Supreme Court, from time to time determine.

* * * * *

Subchapter E. PENNSYLVANIA LAWYERS FUND FOR CLIENT SECURITY GENERAL PROVISIONS

Rule 502. Pennsylvania Lawyers Fund for Client Security.

* * * * *

(b) *Additional assessment.* Every attorney who is required to pay an active annual assessment under Rule 219 (relating to periodic assessment of attorneys; voluntary inactive status) shall pay an additional annual fee of [**\$35.00**] **\$40.00** for use by the Fund. Such additional assessment shall be added to, and collected with and in the same manner as, the basic annual assessment, but the statement mailed by the Attorney Registration Office pursuant to Rule 219 shall separately identify the additional assessment imposed pursuant to this subdivision. All amounts received pursuant to this subdivision shall be credited to the Fund.

* * * * *

[Pa.B. Doc. No. 11-679. Filed for public inspection April 22, 2011, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Collection Fee and Late Payment Penalty for 2011- 2012 Registration Year

Notice is hereby given that in accordance with Pennsylvania Rule of Disciplinary Enforcement 219(d)(2) and 219(h)(3), The Disciplinary Board of the Supreme Court of Pennsylvania has established the collection fee for checks returned as unpaid and the late payment penalty for the 2011-2012 Registration Year as follows:

Where a check in payment of the annual registration fee for attorneys has been returned to the Board unpaid, the collection fee will be \$50 per returned item.

At the time the final notices are transmitted by ordinary mail to an attorney who fails to timely file an annual registration form and pay the fee, the late payment penalty will be \$100. After 30 days, the names of every attorney who has failed to respond to the notice shall be certified to the Supreme Court, at which time the late payment penalty will be increased to \$200.

SUZANNE E. PRICE,

Attorney Registrar

*The Disciplinary Board of the
Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 11-680. Filed for public inspection April 22, 2011, 9:00 a.m.]

Notice to Attorneys

Notice is hereby given that pursuant to Rule 221(b), Pa.R.D.E., the following List of Financial Institutions have been approved by the Supreme Court of Pennsylvania for the maintenance of fiduciary accounts of attorneys. Each financial institution has agreed to comply with the requirements of Rule 221, Pa.R.D.E, which provides for trust account overdraft notification.

SUZANNE E. PRICE,

Attorney Registrar

*The Disciplinary Board of the
Supreme Court of Pennsylvania*

**List of PA Financial Institutions
Who Have Been Approved as Depositories
for Fiduciary Accounts of Attorneys**

Bank Code A.

595	Abacus Federal Savings Bank
374	Abington Bank
2	Adams County National Bank
572	Affinity Bank of Pennsylvania
613	Allegent Community Federal Credit Union
302	Allegheny Valley Bank of Pittsburgh
548	Allegiance Bank of North America
579	Alliance Bank
375	Altoona First Savings Bank
376	Ambler Savings Bank
532	American Bank
502	American Eagle Savings Bank
615	Americhoice Federal Credit Union
116	Ameriserv Financial
377	Apollo Trust Company
568	Arc Federal Credit Union

Bank Code B.

558	Bancorp Bank (The)
485	Bank of America
415	Bank of Landisburg
519	Beaver Valley Federal Credit Union
501	BELCO Community Credit Union
397	Beneficial Bank
582	Berkshire Bank
5	BNY Mellon, N.A.
392	Brentwood Bank
495	Brown Brothers Harriman & Co.
161	Bryn Mawr Trust Company
156	Bucks County Bank

Bank Code C.

540	C & G Savings Bank
480	Cresson Community Bank
622	Carrollton Bank
459	Centra Bank
136	Centric Bank
394	Charleroi Federal Savings Bank
623	Chemung Canal Trust Company
599	Citibank N.A.
238	Citizens & Northern Bank
561	Citizens Bank of PA
420	Citizens National Bank, Meyersdale
206	Citizens Savings Bank
602	City National Bank of New Jersey
576	Clarion County Community Bank
16	Clearfield Bank & Trust Co.
591	Clearview Federal Credit Union

23	CNB Bank
354	Coatesville Savings Bank
603	Colonial American Bank
223	Commercial Bank & Trust of Pennsylvania
21	Community Bank, N.A.
533	Community First Bank
430	Community National Bank of Northwestern PA
132	Community State Bank of Orbisonia
170	Conestoga Bank
590	Continental Bank
380	County Savings Bank
536	Customers Bank

Bank Code D.

339	Dime Bank (The)
239	DNB First, National Assoc.
27	Dollar Bank
423	Dwelling House S&L Assoc.

Bank Code E.

357	Eagle National Bank
424	East Penn Bank
597	East River Bank
340	East Stroudsburg Savings Association
500	Elderton State Bank
567	Embassy Bank
541	Enterprise Bank
28	Ephrata National Bank (The)
616	ErieBank, a division of CNB Bank
383	ESB Bank, F.S.B.
601	Esquire Bank
552	Eureka Bank

Bank Code F.

629	1st Colonial National Bank
478	Farmers & Merchants Bank of Western PA, N.A.
31	Farmers & Merchants Trust Company
205	Farmers National Bank of Emlenton
311	Fidelity Bank
34	Fidelity Deposit & Discount Bank
343	Fidelity Savings & Loan of Bucks County
583	Fifth Third Bank
627	First Bank of Delaware
174	First Citizens National Bank
191	First Columbia Bank & Trust Co.
539	First Commonwealth Bank
551	First Cornerstone Bank
369	First Federal of Bucks County
504	First Federal S&Loan Assoc. of Greene County
388	First Federal Savings Bank in Monessen
525	First Heritage Federal Credit Union
42	First Keystone National Bank

371 **First Liberty Bank & Trust**
 263 FirstMerit Bank, N.A.
 51 **First National Bank & Trust Co. of Newtown (The)**
 421 First National Bank of Fredericksburg
 417 First National Bank of Lilly
 418 First National Bank of Liverpool
 43 First National Bank of Marysville
 46 First National Bank of Mercersburg
 419 First National Bank of Mifflintown
 198 **First National Bank of Minersville**
 426 First National Bank of Palmerton
 48 First National Bank of Pennsylvania
 427 First National Bank of Port Allegany
 175 **First National Community Bank**
 549 First National Community Bank (Midland)
 626 First Niagara Bank
 604 First Priority Bank
 592 **First Resource Bank**
 40 First Savings Bank of Perkasio
 349 **First Star Savings Bank**
 158 First Summit Bank
 408 First United National Bank
 151 Firstrust Bank
 416 Fleetwood Bank
 493 **FNB Bank, N.A.**
 291 Fox Chase Bank
 241 Franklin Mint Federal Credit Union
 612 **Franklin Security Bank**
 58 **Fulton Bank**

Bank Code G.

588 Gateway Bank of Pennsylvania
 499 Gratz National Bank (The)
 593 **Graystone Tower Bank**
 498 Greenville Savings Bank

Bank Code H.

402 **Halifax National Bank**
 244 Hamlin Bank & Trust Co.
 362 Harleysville Savings Bank
 363 Hatboro Federal Savings
 463 Haverford Trust Company (The)
 410 Herndon National Bank (The)
 559 Home Savings & Loan Co.
 606 Hometown Bank of PA
 68 Honesdale National Bank (The)
 350 HSBC Bank of USA
 364 **Huntingdon Valley Bank**
 605 Huntington National Bank
 608 **Hyperion Bank**

Bank Code I.

365 Indiana First Savings Bank
 575 Integrity Bank
 557 **Investment Savings Bank**
 526 Iron Workers Bank

Bank Code J.

70 Jersey Shore State Bank
 127 Jim Thorpe National Bank
 488 Jonestown Bank and Trust Co.
 72 **Juniata Valley Bank (The)**

Bank Code K.

414 Kish Bank

Bank Code L.

74 **Lafayette Ambassador Bank**
 554 Landmark Community Bank
 78 Luzerne National Bank

Bank Code M.

361 M & T Bank
 454 Mainline National Bank
 386 Malvern Federal Savings Bank
 412 Manor Bank
 510 Marion Center Bank
 387 Marquette Savings Bank
 81 Mars National Bank
 367 Mauch Chunk Trust Company
 619 MB Financial Bank
 511 MCS Bank
 555 Mercer County State Bank
 192 Merchants Bank of Bangor
 610 Meridian Bank
 18 Metro Bank
 294 Mid Penn Bank
 276 **Mifflinburg Bank & Trust Company**
 617 Milestone Bank
 457 Milton Savings Bank
 345 Miners Bank
 614 Monument Bank
 596 **Morebank**
 484 **Muncy Bank & Trust Company**

Bank Code N.

433 National Bank of Malvern
 88 National Penn Bank
 347 Neffs National Bank
 372 Nesquehoning Savings Bank
 434 New Tripoli Bank
 15 **Nextier Bank**
 492 North Penn Bank
 439 **Northumberland National Bank**

93 Northwest Savings Bank
 546 **Nova Bank**
Bank Code O.
 593 1 N Bank, a division of Graystone Tower Bank
 489 OMEGA Federal Credit Union
 94 Orrstown Bank
Bank Code P.
 598 **Parke Bank**
 267 Parkvale Bank
 584 Parkview Community Federal Credit Union
 580 **Penn Liberty Bank**
 97 Penn Security Bank & Trust Company
 168 Pennstar Bank
 447 Peoples Neighborhood Bank
 491 Peoples State Bank (The)
 99 PeoplesBank
 556 Philadelphia Federal Credit Union
 448 Phoenixville Federal Bank & Trust
 620 Pittsburgh Central Federal Credit Union
 79 PNC Bank
 528 Polonia Bank
 449 Port Richmond Savings
 451 Progressive Home Federal
 624 Province Bank
 456 Prudential Savings Bank
 618 Public Savings Bank
Bank Code Q.
 107 QNB Bank
 560 Quaint Oak Savings Bank
Bank Code R.
 452 **Reliance Bank**
 220 Republic First Bank
 628 Riverview National Bank
 208 Royal Bank America
Bank Code S.
 153 S&T Bank
 464 Scottdale Bank & Trust Company
 460 Second Federal S&L Assoc. of Phila.
 516 Sentry Federal Credit Union
 458 Sharon Savings Bank
 462 Slovenian S&L Assoc. of Franklin-Conemaugh
 486 Somerset Trust Company
 316 Sovereign Bank, F.S.B.
 465 **St. Edmonds Federal Savings Bank**
 518 Standard Bank PASB
 542 Stonebridge Bank
 517 Sun National Bank
 440 SunTrust Bank

30 Susquehanna Bank
 236 **Swineford National Bank**
Bank Code T.
 143 **TD Bank**
 594 **Team Capital Bank**
 26 Third Federal Bank
 593 Tower Bank, a division of Graystone Tower Bank
 609 Tristate Capital Bank
 467 Turbotville National Bank
Bank Code U.
 113 Union Bank and Trust Company
 481 Union Building and Loan Savings Bank
 483 **Union National Bank of Mount Carmel**
 133 Union National Community Bank
 472 United Bank of Philadelphia
 475 **United Savings Bank**
 600 Unity Bank
 232 Uninvest National Bank & Trust Co.
Bank Code V.
 589 Valley Green Bank
 607 **Vantage Point Bank**
 611 Victory Bank (The)
 182 VIST Financial
Bank Code W.
 338 Wachovia
 631 Wells Fargo Bank N.A.
 119 Washington Financial Bank
 121 Wayne Bank
 553 WesBanco Bank
 122 West Milton State Bank
 494 West View Savings Bank
 473 Westmoreland Federal Savings
 476 William Penn Bank
 625 **Wilmington Trust FSB**
 272 Woodlands Bank
 573 **Woori America Bank**
 630 WSFS Bank, FSB
Bank Code X.
Bank Code Y.
 577 York Traditions Bank
Bank Code Z.

Platinum Leader Banks

The Boldfaced Eligible Institutions are Platinum Leader Banks—Institutions that go above and beyond eligibility requirements to foster the IOLTA Program. These Institutions pay a net yield at the higher of 1% or 75% of the Federal Funds Target Rate on all PA IOLTA accounts. They are committed to ensuring the success of the IOLTA Program and increased funding for legal aid.

[Pa.B. Doc. No. 11-681. Filed for public inspection April 22, 2011, 9:00 a.m.]

PROPOSED RULEMAKING

MILK MARKETING BOARD

[7 PA. CODE CH. 144]

Electronic Methods for Testing Milk for Fat Content

The Milk Marketing Board (Board) proposes to amend 7 Pa. Code Chapter 144 (relating to electronic methods for testing milk for fat and component content) to read as set forth in Annex A.

Purpose of Proposed Rulemaking

The current regulations, adopted in 1987, specify, by manufacturer and model designation, which electronic testing instruments were approved for testing butterfat content of milk for purposes of payment to producers. Since that time, advances in testing technology and equipment, as well as changes in the way producers are paid for their milk, have made the current regulations obsolete and unworkable in practice. The purpose of this proposed rulemaking is to update the regulations to reflect these changes.

After lengthy consultation with industry and other governmental entities involved in testing milk, the Board is proposing comprehensive amendments to the regulations that will provide flexibility in adopting new technology, as well as accountability to insure that testing is well documented and performed in accordance with peer-reviewed science. The proposed rulemaking eliminates references to specific equipment and instead directs the regulated community to organizations that are recognized for establishing standards for equipment and methods for testing milk for the entire industry. The proposed rulemaking specifies how electronic milk testing equipment shall be maintained and calibrated while still providing language that is flexible enough to accommodate foreseeable changes in technology.

Summary of Proposed Rulemaking

When the existing regulations were adopted, producers' milk was priced based upon its butterfat (fat) content. Producers are now paid based upon "multiple component pricing" which uses butterfat, protein and other milk solids (such as lactose and minerals) to determine the price of milk. The proposed rulemaking adds the words "and component" to the Chapter 144 heading and replaces "fat" or "butterfat" with "component" throughout the regulations.

In § 144.1 (relating to electronic methods—general), proposed amendments to subsection (a) delete the requirement that the Board approve specific electronic instruments and reference methods in favor of language that allows methods to be used if they have been approved by one of several organizations that are recognized authorities in the field of electronic milk testing. Proposed subsection (b) reflects the fact that the Board will no longer require that specific instruments or testing procedures be preapproved by the Board. Subsection (c) is proposed to be deleted because the Board will no longer be designating, by manufacturer and model, which specific electronic testing instruments may be used. The recordkeeping requirements in this section that have not been rendered obsolete are proposed to be added to § 144.6 (relating to required records).

Proposed § 144.1a (relating to definitions) defines several terms that are used throughout the regulations.

Proposed amendments to § 144.2 (relating to certification and approval requirements) replace "licensing" with "certification" to be consistent with the terminology used in section 602 of the Milk Marketing Law (act) (31 P. S. § 700j-602). Proposed amendments to subsection (a) include government agencies and private institutions recognized for their authority in milk testing as additional approvers of electronic testing equipment. Subsections (b) and (d) are proposed to be deleted because the Board will no longer be approving specific test instruments, methods, locations or facilities nor licensing persons for specific reference methods or testing instruments.

Proposed amendments to § 144.3 (relating to laboratory facilities and supplies) delete language that was compatible with a narrow range of equipment or was superfluous because it was already required by another section. The reference to "records" has been removed because requirements for records maintenance and retention are proposed in § 144.6.

Proposed amendments to § 144.4 (relating to routine inspection and control) to remove from subsection (a) the specific directions on production and use of control samples and replace it with language that allows the Board to establish the standards for the production and use of control samples through Official General Orders as needed due to changes in technology. Subsection (b) is deleted because the daily performance checks will accomplish the same thing. Proposed subsection (b), formerly subsection (c), regarding daily performance contains the latest standards for accuracy checks and repeatability checks.

There are extensive proposed amendments to § 144.5 (relating to instrument calibration). The definition of "calibration" has been deleted and moved to proposed § 144.1a. References to the standard deviation calculation have been deleted in recognition of the fact that standard deviations are now calculated by computer. The proposed standards determine if an instrument is properly calibrated for different components. Subsection (c), regarding conditions requiring calibration, has also been amended to be consistent with the other amendments in this proposed rulemaking.

Section 144.6 has been expanded to include the recordkeeping requirements that are currently in other sections. The proposed amendments also allow for records to be maintained in electronic format, and further provide with more specificity exactly what shall be recorded and maintained for calibration and accuracy checks.

The current text of § 144.7 (relating to summary record required), currently titled chronological record required, is proposed to be deleted and replaced with proposed subsections (a) and (b). The current regulation requires a chronological record of butterfat tests using permanently bound or computer printed reports. The proposed text recognizes the industry trend toward use of commercial laboratories and computerized records. The proposed language more closely mirrors § 143.21 (relating to testing; notification of producer) by requiring two samples be tested in each half month rather than every 15 days.

Sections 144.8—144.10 (relating to date, sign, keep record 1 year; identify samples/tests; and identify test with patron's number) are proposed to be rescinded. These sections deal with recordkeeping requirements that are proposed to be added to § 144.6.

Section 144.11 (relating to two or more licensees) is also proposed to be rescinded because the practice of two or more licensees performing tests on a lot or group of samples is obsolete and no longer occurs in laboratories testing milk samples.

In proposed amendments to § 144.12 (relating to credit producers with actual component test), “patron” will be replaced by “producer” and “fat” will be replaced by “component” in both the section heading and the text. The amendment allows for rechecks to occur when the next sample is taken, rather than the current 72-hour requirement. The amendment also provides specific guidance as to which component measurements will lead to a recheck requirement.

Proposed amendments to § 144.13 (relating to availability of records) add cooperatives to the list of entities that must make records available to the Board. The amendment also changes the requirement that a written statement of test results be delivered to producers “at each time a list is made” to “at least once each month,” but allows these results to be communicated to producers by means of a verbal statement (such as an automated telephone dial-in or web access) rather than a written statement, if the producer agrees.

Proposed amendments to § 144.14 (relating to responsibility for violations) clarify that a certified tester at a laboratory or plant is responsible for a violation of the act or this chapter as well as the other parties listed in the existing regulations.

Statutory Authority

Section 307 of the act (31 P. S. § 700j-307) provides the Board with the authority to adopt and enforce regulations necessary or appropriate to carry out the act.

Public Hearing

On October 12, 2006, the Board, after due notice, conducted a public hearing to receive comments on a first draft of the proposed rulemaking. Among the attendees were representatives of the United States Department of Agriculture Milk Marketing Order #33, QC Laboratories, Dairylea Cooperative Inc./Dairy Marketing Services LLC, Independent Regulatory Review Commission (IRRC) and Board staff. As a result of the discussion and comments at that public hearing, the draft proposed rulemaking was revised and a second draft was circulated among the interested parties to receive further comment.

A second meeting was held on November 17, 2009, to discuss the second draft proposed rulemaking. Among the attendees at this meeting were representatives of the United States Department of Agriculture Milk Marketing Order #1, the United States Department of Agriculture Milk Marketing Order #33, Eastern Lab Services, QC Laboratories, Dairylea Cooperative Inc./Dairy Marketing Services LLC, Lancaster Dairy Herd Improvement Association and Board staff. The parties at this meeting suggested a few minor changes which were incorporated into this proposed rulemaking.

Fiscal Impact

The proposed rulemaking will not have fiscal impact on the regulated entities, the Commonwealth or its political subdivisions.

Paperwork Requirements

The proposed rulemaking will not require additional paperwork by the regulated entities, the Commonwealth or its political subdivisions.

Effective Date

The proposed rulemaking will become effective upon final-form publication in the *Pennsylvania Bulletin*.

Sunset Date

There is not a sunset date.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on March 24, 2011, the Board submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to IRRC and to the Chairpersons of the House and Senate Committees on Agriculture and Rural Affairs. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey any comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections must specify the regulatory review criteria which have not been met. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the rulemaking, by the Board, the General Assembly and the Governor of comments, recommendations or objections raised.

Public Comment

Interested persons are invited to submit written comments, suggestions or objections concerning the proposed rulemaking to the Chief Counsel, Milk Marketing Board, 2301 North Cameron Street, Harrisburg, PA 17110 within 30 days following publication in the *Pennsylvania Bulletin*.

RICHARD KRIEBEL,
Chairperson

Fiscal Note: 47-15. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 7. AGRICULTURE

PART VI. MILK MARKETING BOARD

CHAPTER 144. ELECTRONIC METHODS FOR TESTING MILK FOR FAT AND COMPONENT CONTENT

§ 144.1. Electronic methods—general.

(a) [**The Board will approve electronic instruments and reference methods to determine the butterfat content of milk for payment purposes. Electronic instruments and reference methods submitted to the Board for approval shall be those recognized, approved and set forth in the latest edition of either *Standard Methods for the Examination of Dairy Products*, published by American Public Health Association, Washington, D.C. or *Officials of the Association of Official Analytical Chemists (AOAC)*.**

(b) **A manufacturer requesting approval of an electronic butterfat testing instrument shall furnish to the Board a complete instrument operation and maintenance manual and further information as required. If, after approval of the electronic butterfat testing instrument by the Board, the manufacturer makes changes in the instrument, the testing procedure, the operating procedure or the maintenance instructions, the changes shall be submitted to the Board for approval prior to implementation of the change.**

(c) Specific instructions for equipment and required reagents, testing techniques, equipment maintenance, related recordkeeping and other required procedures are as follows:

(1) *Introduction.* Some electronic fat testing instruments approved by the Board may be capable of determining the content of other components in milk, either by analysis or computation. Determination of milk components other than butterfat is outside the purview of this chapter and records of the determination are not required to be maintained. Factors which could affect the accuracy of the instrument for butterfat testing, such as certain maintenance procedures or total hours of instrument use, are subject to this chapter.

(2) *Approved electronic fat testing instruments—manufacturer and model designation.*

Milko Tester Mark II	Milko Scan 104
(Instruments with automatic diluent syringes only)	Milko Scan 203
Milko Tester Mark III	Milko Scan 300
Milko Tester Automatic	Milko Scan 133
Milko Tester Mark III Industrial	Milko Scan 605
	Multi-Spec. M

(3) *Manufacturer of instruments.* The instruments in paragraph (2) are manufactured by A/S N. Foss Electric and Berwyn Instruments.

(4) *Manufacturer requirements.* The manufacturer shall submit complete instructions for the operation and maintenance of each model instrument for which approval is requested. Changes shall be submitted to the Board prior to distribution by the manufacturer.

(5) *Required records.* Records of the operation and maintenance of each electronic fat testing instrument shall be kept on forms prescribed and furnished by the Board, and shall contain the following information:

(i) Work sheet of calibration samples showing the following:

(A) Individual test results by electronic method and average result.

(B) Individual test results by reference method and average result.

(C) Description of adjustments made to electronic tester.

(D) Laboratory name and machine identification.

(E) Date, signature and number of technician.

(ii) Computation of standard deviation (S_D) as follows:

(A) The results of individual samples by reference method and electronic method.

(B) The mathematical steps shown in computation of D and S_D .

(C) The name of laboratory and machine identification.

(D) The date of computation, name and license number of technician.

(iii) Daily performance check showing the following:

(A) Name of laboratory and machine identification.

(B) Reference method used; sample identification, individual test results and average test.

(C) Electronic method used, time, sample identification, individual test results and average test results.

(D) Number of samples since rebuilding of homogenizer or other required maintenance procedures.

(E) Hours of machine operation on reporting date.

(F) Total hours of machine operation on instrument.

(G) Special maintenance. Copies of bills or service call reports for repairs or part replacements shall be kept with the maintenance records.]

Reference methods used to determine the component content of milk for payment purposes shall be those recognized or approved and set forth by the ICSMEDP in the latest edition of Standard Methods for the Examination of Dairy Products, published by American Public Health Association, Washington, DC, or by the AOAC in Official Methods of Analysis, published by AOAC International, Gaithersburg, Maryland. Only electronic instruments recognized by the USDA Dairy Division for the analysis of milk and milk components and capable of performance standards as referenced in § 144.4 (relating to routine inspection and control) shall be used to test milk for payment purposes in this Commonwealth.

(b) A manufacturer of an electronic testing instrument shall make available upon request to the Board a complete instrument operation and maintenance manual and further information as requested.

§ 144.1a. Definitions.

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

AOAC—The Association of Official Analytical Chemists.

Accuracy check—A test made at the beginning of each testing session and once per hour thereafter to determine the continued accuracy of the electronic testing apparatus.

Calibration—The adjustment of an electronic instrument so that the results for a given payment component meet the comparison criteria results of an AOAC or ICSMEDP approved reference method.

Certified tester—A Board certified technician as referenced in § 144.2 (relating to certification and approval requirements) operating electronic instruments or a person certified to perform specific reference methods for determining the components in raw milk, or both.

Control milk or control sample—Samples produced by a commercial laboratory or by the USDA Market Administrator's Office, or its successor agency, used to do the following:

(i) Determine the calibration of an electronic instrument.

(ii) Set the calibration of an electronic instrument.

Electronic method—A method for determining the components in raw milk using an electronic testing instrument.

ICSMEDP—The Intersociety Council on Standard Methods for the Examination of Dairy Products.

Milk component or component—A unique compound within milk whose relative mass within the milk may be used to determine the payment to producers. Component parts of milk include the following:

- (i) Butterfat.
- (ii) Protein.
- (iii) Lactose.
- (iv) Solids nonfat
- (v) Other solids.
- (vi) Total solids.

Reference method—A standard method using analytical chemistry or other approved techniques by which all other electronic methods of testing milk are compared for determining the components in milk.

Repeatability check—A test run at the beginning of each testing session to demonstrate the ability of a given electronic testing instrument or piece of equipment to meet the requirements for repeatability in § 144.4(b)(2) (relating to routine inspection and control).

USDA—The United States Department of Agriculture.

§ 144.2. [Licensing] Certification and approval requirements.

(a) No person may use an electronic instrument or method to test milk for [butterfat] component content for payment purposes unless the instrument and [test] method have been approved by the Board, ICSMEDP, AOAC or USDA Dairy Division, or their successor organizations.

(b) [No person may use an electronic instrument or method to test milk for butterfat content for payment purposes unless the specific test instrument and method, location and facilities have been approved by the Board.

(c) [No person may use or employ an electronic instrument or method to test milk for [butterfat] component content for payment purposes unless [licensed] certified by the Board under [Article VI] section 602 of the act (31 P. S. [§]§ 700j-602[—700j—608]).

[(d) A person testing milk by a reference method for the purpose of controlling the accuracy of an electronic test instrument or method shall be licensed for the method by the Board under Article VI of the act.]

§ 144.3. Laboratory facilities[,] and supplies[and records].

[Laboratories and other facilities using an electronic instrument or method to test milk for butterfat content for payment purposes shall have the following supplies, facilities and records available and in proper working order:

(1) An approved electronic testing instrument, required accessories and reagents, an instruction manual for operation of the instrument and an instrument maintenance record.

(2) A complete set of equipment and reagents for testing milk by the reference method approved for the purpose of controlling the accuracy of electronic testing instruments in use.

(3) A thermostatically controlled water bath, with recording thermometer having proper temperature distribution, set to maintain samples at 95°F to 100°F or at the temperature specified by the manufacturer of the electronic testing instrument.

(4) A power supply as specified by the manufacturer of the electronic testing instrument.

(5) A means of measuring pH.

(6) A supply of distilled or deionized water.

(7) Refrigeration at 33°—40°F for milk sample storage.

(8) A laboratory with adequate lighting facilities and adequate counter surface to accommodate essential equipment. The laboratory shall be free from disturbing drafts, dust, noise and vibrations.

(9) Hot and cold water, wash sinks and cleansing agents to clean equipment.

(10) An adequate waste and sewage system to dispose of milk, acid and wash water.

(11) Temperature and humidity controls and facilities as specified by the manufacturer of the electronic testing instrument.

(12) An approved preservative for milk samples as specified by the manufacturer of the electronic testing instrument.]

Laboratories and other facilities using an electronic instrument or method to test milk for component content for payment purposes must have the following supplies and facilities available and in proper working order:

(1) An approved electronic testing instrument, required accessories and reagents and an instruction manual for operation of the instrument.

(2) A thermostatically controlled water, or other manufacturer-prescribed medium, bath with recording thermometer having proper temperature distribution, set to maintain samples at the temperature specified by the manufacturer of the electronic testing instrument or other methods of obtaining the required temperature as specified by the instrument manufacturer and acceptable to the Board.

§ 144.4. Routine inspection and control.

(a) *Preparation of control samples.*

[(1) At least four control samples of natural milk of sufficient quantity shall be available to allow for performance checks and accuracy checks required by subsection (c).

(i) At least one control milk sample shall be a commingled sample of unhomogenized milk from a minimum of three herds or 100 cows, testing between 3.0% and 4.0% butterfat, and at least one control milk sample shall test between 4.5% and 6.0% butterfat. The calibration samples shall repre-

sent a variety of butterfat levels within the anticipated range of official samples to be tested.

(ii) An approved preservative shall be added at the required rate and mixed thoroughly if the control sample is to be used more than 24 hours after preparation. Churning shall be avoided. A sample shall be subdivided into subsamples of adequate size. The control sample shall be kept thoroughly mixed during subsampling.

(iii) A subsample of a control milk sample shall be tested in triplicate by the reference method for butterfat content. Individual determinations shall be read to at least the nearest 0.05% butterfat. The individual results and the average for a control milk sample shall be recorded.

(iv) The remaining control subsamples shall continue to be stored at 33°–40°F. until used. Subsamples more than 10 days old shall be discarded.

(v) Prior to the expiration date of the subsamples or use of the last subsample of the control milk sample, whichever comes first, preparation of a new set of control milk samples shall be completed.

(2) Standard mixtures approved by the Board may be used in lieu of the control milk samples. The mixtures shall be stored, tempered and tested in the manner prescribed by the Board.

(b) *Instrument inspection prior to daily use.* An electronic butterfat testing instrument shall be inspected prior to each day's use in accordance with the manufacturer's instructions. Deficiencies found during that inspection shall first be recorded in the instrument maintenance record and appropriate repairs or adjustments shall be made before the instrument is used to test milk.

(c) *Daily performance.*

(1) *Accuracy check.* Each day before routine testing begins, at least one subsample of control milk shall be tested in triplicate using an electronic instrument. The operator shall read the test to 0.01%. The first reading shall be disregarded. If the difference between the average of the second and third reading obtained from the electronic instrument and the average of the result obtained by the three reference methods is 0.1% butterfat or less, test three more samples of new control milk. If the difference of the additional samples exceeds 0.1% butterfat, the operator shall discontinue operation of the machine, determine the reason for the difference and correct the deficiencies before resuming operation. An accuracy check shall be performed at least once an hour during the time the electronic instrument is in operation.

(2) *Repeatability check.* Each day before routine testing begins, ten consecutive readings on a single well-mixed commingled sample of milk shall be made and recorded as a permanent record. The standard deviation of the results shall be less than 0.03% butterfat. If the standard deviation is 0.03% or greater, discontinue operation of the machine until the cause is determined and corrected. The standard deviation may be assumed to be acceptable if the range of the ten readings is .07% or less. Calculations of standard deviation are described in § 144.5 (relating to instrument calibration).]

Control samples shall be prepared in accordance with methods established by the Board through an Official General Order.

(b) *Daily performance.*

(1) *Accuracy check.* Each day before routine testing begins, at least once each hour during the course of the testing session, and when the testing session ends, at least one subsample of control milk shall be tested using the electronic instrument. The certified tester shall read the test to 0.01%. The result difference obtained by the reference method must be 0.05 or less than the known reference test sample result. If the difference of the samples exceeds 0.05, the certified tester shall discontinue operation of the instrument, determine the reason for the difference and correct the deficiencies before resuming operation.

(2) *Repeatability check.* Each day before routine testing begins, ten consecutive readings on a single well-mixed sample of milk that has not been homogenized shall be made and recorded as a permanent record. If more than ten consecutive readings are taken, the certified tester shall use the last ten results. The repeatability check is acceptable if the range of the ten readings is 0.04 or less.

§ 144.5. Instrument calibration.

(a) [*Definitions.* Calibration means adjustment of the settings on the instrument so that the butterfat test readings obtained from the instrument match the butterfat test result obtained by using the reference method approved by the Board.

(b) *Calculation of calibration results.*

(1) A machine shall be considered to be calibrated properly when the average difference between the machine results and the reference method results, called \bar{D} , and the standard deviation of difference between methods, called S_D , are less than the values described in Table 1. At least 20 samples shall be tested.

Table 1. Maximum Allowable Difference (\bar{D}) and Standard Deviation of Differences (S_D) Between the Electronic Tester and the Reference Method

Reference Method	Individual Cow Samples		Herd or Other Blended Samples	
	\bar{D} (%)	S_D (%)	\bar{D} (%)	S_D (%)
Gerber	±0.04	±0.08	±0.04	±0.06
Babcock	±0.04	±0.10	±0.04	±0.06
Roose Gottlieb	±0.04	±0.10	±0.02	±0.04

(2) The average of the results obtained by the low testing samples—3.0% to 4.0%—by the electronic method shall be compared to the average of the results obtained on the same samples by the reference method. If the difference is 0.02% butterfat or less, the calibration may be continued. If the difference is greater than 0.02% butterfat, the machine shall be adjusted and the samples retested by the adjusted electronic method until the difference is 0.02% butterfat or less.

(3) The average of the results obtained on the high testing samples—4.5% to 6.0%—by the electronic method shall be compared to the average of the results obtained on the same samples by the reference method. If the difference is 0.04% butterfat or less, the calibration procedure may be contin-

ued. If the difference is greater than 0.04% butterfat, the machine shall be adjusted and the samples retested by the electronic method until the difference is 0.04% butterfat or less.

(4) The criteria listed in paragraphs (2) and (3) shall be met simultaneously.

(5) The average difference between method, \bar{D} , shall be calculated as the difference between the average of the electronic tester method on calibration samples and the average of the reference method on calibration samples. \bar{D} , shall be considered as the mathematical equivalent of the following formula:

$$\bar{D} = \frac{1}{N} \sum_i (M_i - R_i)$$

Where N = Number of samples tested

M_i = Average of electronic tester results on the i^{th} sample

R_i = Average of reference method results on the i^{th} sample, referred to as the "true value"

(6) The standard deviation of difference, S_D of calibration samples shall be calculated by a mathematical equivalent of the following formula:

$$S_D = \sqrt{\frac{\sum D_i^2 - \frac{(\sum D_i)^2}{N}}{N - 1}}$$

D_i = Difference between the average of electronic tester results of the i^{th} sample and the average of the reference method results for the i^{th} sample.

(7) An example of the calculations required in paragraphs (5) and (6) is provided as follows:

Table 2
Sample Work Sheet for Determining Standard Deviation

Column No.					
1	2	3	4		5
Sample No.	Average Duplicate	Average Triplicate Babcock	Difference (D) Babcock		Difference Squared (D) ²
			4a	4b	
1	3.53	3.55		-.02	.0004
2	3.61	3.60	.01		.0001
3	3.69	3.65	.04		.0016
4	3.40	3.30	.10		.0100
5	3.47	3.45	.02		.0004
6	3.85	3.80	.05		.0025
7	3.62	3.60	.02		.0004
8	3.71	3.75		-.04	.0016
9	3.91	3.85	.06		.0036
10	3.62	3.60	.02		.0004
11	6.12	6.15		-.03	.0009
12	6.39	6.40		-.01	.0001
13	6.75	6.80		-.05	.0025
14	6.39	6.35	.04		.0016
15	6.77	6.70	.07		.0049
16	6.42	6.45		-.03	.0009
17	6.71	6.75		-.04	.0016
18	6.68	6.70		-.02	.0004
19	6.71	6.70	.01		.0001
20	6.43	6.45		-.02	.0004
Sub total			4a .44	4b -.26	.0344

- Step 4— $\sum D (4a - 4b) + 0.18$ (If step 4 is negative, it does not affect results)
- Step 5— $\sum D^2 = .0344$
- Step 6— $\bar{D} = \frac{\sum D}{N} = \frac{.18}{20} = .009$
- Step 7— $\bar{D} \times \sum D = .009 \times .18 = .00162$
- Step 8— $\sum D^2 - (\bar{D} \times \sum D) = .0344 - .00162 = .03278$
- Step 9— $\frac{\sum D^2 - (\bar{D} \times \sum D)}{(N - 1)} = \frac{.03278}{19} = S_D^2 = .0017$
- Step 10—Find S_D from S_D^2 in Table 3.

(8) The data in Table 3 provides sufficiently accurate estimate of S_D .

Table 3

If S_D^2 is:	The S_D is:
.0001	.01
.0004	.02
.0009	.03
.0016	.04
.0025	.05
.0036	.06
.0049	.07
.0064	.08
.0081	.09
.0100	.10

(i) In the example in Table 3, S_D^2 was 0.0017, so the S_D would fall between 0.04 and 0.05. To estimate that it was 0.04 is sufficient. If the value for S_D^2 exceeds .0036 on blended milk or .01 on an individual cow's milk, the instrument shall be recalibrated.

(ii) The average difference (\bar{D}) in the example is 0.009 and the standard deviation (S_D) is 0.04, so the instrument is in proper calibration because these values are less than the values shown in Table 1 for the Babcock method for individual cow samples.

(iii) If either the mean difference or the standard deviation of difference, determined as outlined, exceed the values shown in Table 3, the instrument shall be adjusted as provided in subsection (b), and the calibration procedure repeated by retesting the same samples with the instrument.

(c) *Conditions requiring calibration.*

(1) The instrument shall be calibrated when initially installed.

(2) The instrument shall be calibrated when the performance check fails or the accuracy check fails.

(3) The instrument shall be calibrated if a part which may affect proper operation of the instrument is replaced, rebuilt or adjusted.

(4) The instrument shall be calibrated upon the occurrence of the specific circumstances which require calibration for that instrument, as set forth in this section.]

Calculation of calibration results. An instrument shall be considered to be calibrated properly when the average difference between the instrument results for butterfat and protein and the reference method results for at least ten different control samples, called mean average, is +/-0.04 and the

standard deviation of the difference between the instrument and reference methods, called standard deviation, are 0.04 or less. For all solids the mean average is ± 0.09 and the standard deviation of the differences between the instrument and reference methods are 0.12 or less for those same ten samples.

(b) *Conditions requiring calibration.*

(1) The instrument shall be calibrated when initially installed.

(2) The instrument shall be calibrated when the accuracy check is confirmed to have failed.

(3) The instrument shall be calibrated if a part which may affect proper operation of the instrument is replaced, rebuilt or adjusted.

(4) The instrument shall be calibrated upon the occurrence of the specific circumstances which require calibration for that instrument, as determined by the manufacturer.

§ 144.6. Required records.

(a) [Records of butterfat tests shall conform to section 602 of the act (31 P. S. § 700j-602).

(b) Records of calibrations, performance checks, \bar{D} and S_D computations and other instrument use shall be maintained for 1 year under § 144.1 (relating to electronic methods—general).

(c) An instrument record shall be maintained for each test instrument in use under § 144.1.]

The certified tester and testing facility or laboratory shall maintain the records required under this section for at least 1 year. Records may be maintained in paper or electronic formats. Records must denote the record date and the name and license number of the certified tester who created or maintained the records.

(b) Records of calibrations, accuracy checks, mean average and standard deviation computations and other instrument use.

(c) Records of the operation and maintenance of each electronic testing instrument and records of test results by electronic method.

(d) Certified testers shall record standard deviation of the calibration verification as follows:

(i) The results of individual samples by reference method (average only for reference method) and electronic method.

(ii) The date of computation, name and license number of certified tester.

(e) Certified testers operating electronic testing equipment shall perform a daily accuracy check and record the following:

(i) Reference method used, sample identification, individual test results and average test.

(ii) Electronic method used, time, sample identification, individual test results and average test results.

§ 144.7. [Chronological] Summary record required.

[A record of butterfat tests shall be kept in chronological order either in a permanently bound record or in computer printed reports made at least once every 15 days. The record shall contain the farm sampling date, the lab testing date and the

test result for each sample. The record shall be known as the original record or laboratory record. If bottles are numbered, the samples in each set shall be arranged for testing in numerical order, so that they may be reported in the same numerical order in the record book or printed report.]

(a) The certified tester and the testing facility or laboratory shall compile summary records of component tests performed for producers for the first and second half of each month containing results for at least two evenly spaced representative samples in each half month for each producer. The record must contain the farm sampling date, the laboratory testing date, the laboratory or testing site, the tester identification, the producer identification and the test result for each sample. The record shall be known as the original record or laboratory record and shall be maintained by the tester for at least 1 year. If the tests are performed by a milk dealer licensed by the Board, the milk dealer shall maintain the records of the component content of producers' milk samples for at least 1 year.

(b) If tests are performed in a commercial laboratory which is not an integral part of the milk plant where the samples were delivered, the licensed dealer or plant shall make available to the Board a copy of the final laboratory records of the component tests in computerized or written form for at least 1 year.

§ 144.8. [Date, sign, keep record 1 year] (Reserved).

[(a) Original records containing information with respect to the fat content of a producer's sample, whether the record is for 1 day or for more than 1 day, shall be dated and subscribed to by the person making the determination or by the technician or supervisor responsible for testing during the testing period for which the entry is made, and preserved for at least 1 year, regardless of the fact that the milk dealer may copy the record for the purpose of making a more permanent record for personal use.

(b) If tests are performed in a commercial laboratory which is not an integral part of the milk plant where the samples were taken, a carbon copy of the original laboratory records of the fat tests shall be prepared for transmittal to the plant where the samples were taken for filing purposes for at least 1 year.]

§ 144.9. [Identify samples/tests] (Reserved).

[If fat tests for different sets of samples or for samples representing different periods of time or different days are recorded on a single page in the original record book, ample space shall be used for the correct, clear and legible identity of a sample or sets of samples, to be followed immediately on the same page by the record of the fat tests thereon. The name and license number of the tester who made the tests or the technician or supervisor responsible for testing when the tests are made shall appear immediately following the fat-test record on a set of samples requiring a separate identity. The identification of a set of samples shall show the dates the fresh samples were taken or the limiting dates of the period which the composite

samples represent. If there is more than one sample in a set, a sample as received at the laboratory shall be identified to distinguish it from others in the set. Show other available pertinent information to identify and characterize the sample.]

§ 144.10. [Identify test with patron's number] (Reserved).

[The percentage of milk fat found in the patron's sample shall be recorded opposite the distinctive number or mark assigned to a patron. Entries in the laboratory record book shall be made with an indelible pencil, with a pen and permanent ink or by a computer printed line of letters and numbers. If it is necessary to correct errors, corrections shall be made by drawing a line across the incorrect figure and placing the correct value nearby on the same line, or by adding an additional computer printed line clearly signifying the correcting information.]

§ 144.11. [Two or more licensees] (Reserved).

[If two or more licensees are performing tests on a lot of samples, each licensee shall work independently of the other to the extent of preparing a selected group of samples, including the measurement of the fat columns, and recording the results of the tests in the laboratory record book. The testing does not necessarily prohibit the common use of apparatus by the different licensees successively or simultaneously, such as the joint operation of the centrifuge, the joint use of the tempering bath, the use of the same balance and weights and the like. If two or more licensees are testing, the records as reported in the laboratory record book shall indicate the tests made by each licensee-name and license number subscribed to each series of tests and the completed tests shall be subscribed to—name and license number—by the responsible licensee in charge of the laboratory at the time the tests are made.]

§ 144.12. Credit [patrons] producers with actual [fat] component test.

(a) No [patrons] individual producers delivering milk or cream, or both, to a milk or cream-receiving or purchasing plant, where the milk or cream is purchased on the basis of the milk [fat] components contained therein, may be credited with a greater or lesser percentage or average percentage of milk [fat] components than is actually contained in the milk or cream delivered.

(b) No report on a test to determine the milk [fat] component content of milk or cream may be of a greater or lesser percentage of milk [fat] components than is actually contained in the milk or cream from which the sample was taken. [In order to] To be a basis of payment to [the patron] an individual producer, a recheck of a [patron's] producer's milk [fat] component test shall be made from [a] the next available sample taken [no later than 72 hours] after the original test. Rechecks of a producer's milk component test shall be made when the butterfat varies 0.5% or more or the protein varies 0.3% or more from the most recent test.

§ 144.13. Availability of records.

Laboratory, cooperative or plant records shall be open to examination by the Board or its authorized representative. Upon request of a producer, the purchaser or receiver of milk or cream, or both, shall permit the producer to examine the part of the record containing information concerning the samples of milk or cream representing the milk or cream delivered by the producer. A purchaser or receiver of milk or cream from the producer thereof shall, on written request, at least once each month mail or deliver to the producer[, at each time a list is made,] a written statement, unless the producer agrees to accept a verbal statement, of the percentage of milk [fat] components found to have been contained in the sample or samples representing the milk or cream delivered by the producer.

§ 144.14. Responsibility for violations.

[The] A certified tester at a laboratory or plant shall be responsible for a violation of the act or this chapter, including the keeping of the reports and records required by the act and this chapter. Additionally, the purchaser or receiver, or both, of the milk or cream, or both, or the licensed manager of a milk-gathering station, manufactory or plant receiving or purchasing milk or cream from producers for sale or resale or for manufacture, where the payment or settlement for the milk or cream is based in whole or in part on the milk [fat] component content thereof, [is] shall be responsible for a violation of the act or this chapter by a person working under his direction or subject to his orders or the act or this chapter, including the keeping of the reports and records [of the milk fat tests] required by the act and this chapter.

[Pa.B. Doc. No. 11-682. Filed for public inspection April 22, 2011, 9:00 a.m.]

NOTICES

DEPARTMENT OF AGRICULTURE

Electronic Benefits Transfer Application Process

The Department of Agriculture (Department) will hold an application process for Electronic Benefits Transfer (EBT) wireless terminals to be provided to farm stands or farmers' markets for use in acceptance of Supplemental Nutrition Assistance Program (SNAP) benefits. The application period will begin Monday, April 25, 2011, and continue until all available EBT wireless terminals are granted to successful applicants. There are 145 EBT wireless terminals to be distributed to successful applicants. Information about SNAP and the application form can be obtained at the Department's web site at www.agriculture.state.pa.us or e-mail RA-fooddist@state.pa.us (include EBT in the subject line). Interested persons may also contact Heidi Crager at (717) 787-4956 for information and the application.

The distribution of EBT wireless terminals shall be limited to one per farm stand or farmers' market location. Applicants shall be required to be SNAP program vendors (or become a program vendor before using the EBT wireless terminal) and follow all SNAP program requirements and regulations, as well as promote the acceptance of the SNAP benefit at the stand/market. The machines will be awarded on a first come, first served basis based upon when the completed application is received by the Department. If more applications are received than the Department has terminals available, a randomly numbered lottery system to choose the final successful applicants will be conducted of all applications received on the date when more applications are received than EBT wireless terminals remaining to be granted.

Completed applications should be addressed to or delivered to the Department of Agriculture, Bureau of Food Distribution, Direct Farm Sales Grant Program, 2301 North Cameron Street, Room 401, Harrisburg, PA 17110-9408. Applications will be date-stamped with the date of receipt. Successful applicants will be provided a use agreement to execute in connection with the receipt of the EBT wireless terminal. The use agreement will set forth the terms and conditions of use.

GEORGE GREIG,
Acting Secretary

[Pa.B. Doc. No. 11-683. Filed for public inspection April 22, 2011, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Application of Geneva College for Approval of Amendment and Restatement of its Articles of Incorporation

Notice of Opportunity for Hearing and Invitation to Protest

Under 24 Pa.C.S. § 6503(e) (relating to certification of institutions), the Department of Education (Department) will consider the application of Geneva College (College) for a Certificate of Authority approving the request to amend and restate the College's Articles of Incorporation. The College is updating legal references to Commonwealth and Federal law, defining more precisely the method by which the College may be dissolved, and it clarifies the membership, terms and selection of its Board of Corporators.

In accordance with 24 Pa.C.S. § 6503(e), the Department will act upon this application without hearing, unless within 30 days after the publication of this notice in the *Pennsylvania Bulletin* a written request for public hearing is filed with the Department, along with a notice of intervention, a petition to intervene or protest in accordance with 1 Pa. Code §§ 35.23—35.24 (relating to protests) or 1 Pa. Code §§ 35.27—35.32 (relating to intervention).

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

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

RONALD J. TOMALIS,
Acting Secretary

[Pa.B. Doc. No. 11-684. Filed for public inspection April 22, 2011, 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 regarding 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 (CAFO). This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

<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 tentative determinations 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 United States 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 NPDES applications are invited to submit statements to the contact office noted before the application within 30 days from the date of this public notice. Persons wishing to comment on WQM permit applications are invited to submit statements to the 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. A comment submittal 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 public hearings 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 No.)</i>	<i>EPA Waived Y/N?</i>
PA0044423 (Industrial Waste)	Lehigh University Mountaintop Campus 461 Webster Street Bethlehem, PA 18015-1755	Northampton County Bethlehem City	Saucon Creek (2-C) HQ-CWF, MF	Y
PA0029874 (Sewage)	Skytop Lodge Corporation Skytop Lodge STP Falls Road Skytop, PA 18357	Monroe County Barrett Township	Leavitt Branch (1-E) HQ-CWF & MF	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0247588 (CAFO)	Wenger's Feed Mill, Inc. Dutch Country Complex 101 West Harrisburg Avenue Rheems, PA 17570	Lebanon County Bethel Township	Oil Creek / 7-D	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>
PA0223131 (Sewage)	Living Church International 1087 Pine Run Road Fairmont City, PA 16224	Clarion County Redbank Township	Unnamed tributary to Pine Creek 17-C	Y
PA0104086 (Industrial Waste)	Mercer Forge Corporation P. O. Box 272 Mercer, PA 16137	Mercer County Mercer Borough	Unnamed tributary to Otter Creek 20-A	Y
PA0093378 (Sewage)	Associated Ceramics & Technology 400 N. Pike Road Sarver, PA 16055-8634	Butler County Winfield Township	Unnamed tributary to Sarver Run 18-F	Y
PA0092304 (Sewage)	Keystone Senior Care 296 Dinnerbell Road Butler, PA 16002	Butler County Penn Township	Unnamed tributary to Robinson Run 20-C	Y

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

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

PA0052949, Industrial Waste, SIC 4941, **Aqua Pennsylvania, Inc.**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010-3489.

This existing facility is located in Upper Uwchlan Township, **Chester County**.

Description of Proposed Activity: This application is for the renewal of an NPDES permit for an existing discharge of treated filter backwash from the Milford Well Station, which is a potable well water treatment and booster station.

The receiving stream, an unnamed tributary to Marsh Creek, is in the State Water Plan watershed 3H and is classified: HQ-TSF, MF. Marsh Creek is a tributary to East Branch Brandywine Creek, which flows into Brandywine Creek.

The proposed effluent limits for Outfall 001, based on an average flow of 2,000 gpd, are as follows:

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		<i>Instantaneous Maximum (mg/l)</i>
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	
Total Suspended Solids	0.5	1.0	30	60	75
Aluminum, Total	0.06	0.12	3.3	6.6	8.3
Iron, Total	0.03	0.06	2.0	4.0	5.0
Manganese, Total	0.02	0.04	1.0	2.0	2.5
Chloroform			Monitor/Report		
Chlorodibromomethane			Monitor/Report		
Dichlorobromomethane			Monitor/Report		
Total Residual Chlorine			0.5		1.0
pH (STD Units)			6.0 (min.)		9.0

The proposed effluent limits for Outfall 002, based on an average flow of 3,000 gpd, are as follows:

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		<i>Instantaneous Maximum (mg/l)</i>
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	
Total Residual Chlorine			0.5		1.0
pH (STD Units)			6.0 (min.)		9.0

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

- A. Notification of Designation of Operator
- B. Remedial Measures if Unsatisfactory Effluent
- C. Discharge to Small Stream
- D. Change of Ownership
- E. Total Residual Chlorine Requirement
- F. Sludge Disposal Requirement
- G. I-Max Requirements
- H. Laboratory Certification

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

PA0031364, Sewage, SIC Code 8211, **Wallenpaupack Area School District**, 2552 Route 6, Hawley, PA 18428. Facility Name: Wallenpaupack Area High School. This existing facility is located in Palmyra Township, **Pike County**.

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

The receiving stream(s), Unnamed Stream, is located in State Water Plan watershed 1-C and is classified for, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.04 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	7.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	1.2	XXX	2.8
CBOD ₅	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30				200		
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	1,000
Ammonia-Nitrogen				Geo Mean	XXX	10,000
May 1 - Oct 31	XXX	XXX	XXX	3.0	XXX	6.0
Nov 1 - Apr 30	XXX	XXX	XXX	9.0	XXX	18.0
Total Phosphorus	Report	XXX	XXX	0.5	XXX	1.0
Total Phosphorus		61.6				
	XXX	Total Annual	XXX	XXX	XXX	XXX

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-826-5472.

The EPA Waiver is not in effect.

PAS802226, Storm Water, SIC Code 3724, **Unison Engine Components Inc**, 701 Crestwood Drive, Mountaintop, PA 18707-0068. Facility Name: Unison Engine Components Mountaintop. This proposed facility is located in Wright Township, **Luzerne County**.

Description of Proposed Activity: The application is for an individual NPDES permit (in place of a general permit renewal due to the reclassification of Bow Creek) for existing discharges of site Storm Water.

The receiving stream(s), Bow Creek, is located in State Water Plan watershed 5-B and is classified for HQ-Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

Outfall 001 has been determined to be representative of Outfalls 003 and 005.

For this facility, storm water monitoring is not required for Outfalls 002 and 004 since discharges from Outfall 002 and 004 consist of only non-contaminated site storm water.

The proposed effluent limits for Outfall 001, Outfall 003, and 005 are as follows:

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Total Chromium	XXX	XXX	XXX	XXX	Report	XXX
Total Nickel	XXX	XXX	XXX	XXX	Report	XXX

In addition, the permit contains the following major special conditions: Requirements applicable to stormwater outfalls.

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-826-5472.

The EPA Waiver is in effect.

PA0023558, Sewage, SIC Code 4952, **Ashland Borough**, 401 S. 18th Street, Ashland, PA 17921. Facility Name: Ashland Borough WWTP. This existing facility is located in Ashland Borough, **Schuylkill County**.

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

The receiving stream, Mahanoy Creek, is located in State Water Plan watershed 6-B and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.3 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	1.0	XXX	2.0
CBOD ₅	271	434	XXX	25	40	50
Total Suspended Solids	325	488	XXX	30	45	60
Fecal Coliform (CFU/100 ml)				200		
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean	XXX	1000
Oct 1 - Apr 30	XXX	XXX	XXX	2000		
	XXX	XXX	XXX	Geo Mean	XXX	10000
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
Total Aluminum	XXX	XXX	XXX	Report	XXX	XXX
Total Iron	XXX	XXX	XXX	Report	XXX	XXX
Total Manganese	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 011 (stormwater from industrial activities) are based on a design flow of N/A MGD. The permittee has the option to perform an annual inspection in lieu of annual monitoring for Outfall 011.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Daily Maximum</i>	<i>Average Weekly</i>	
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Total Iron	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl—N	XXX	XXX	XXX	Report	XXX	XXX

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

<i>Parameters</i>	<i>Mass (lbs)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>	
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>
Ammonia—N	Report	Report		Report	
Kjeldahl—N	Report			Report	
Nitrate-Nitrite as N	Report			Report	
Total Nitrogen	Report	Report		Report	
Total Phosphorus	Report	Report		Report	
Net Total Nitrogen (Interim)	Report	Report			
Net Total Nitrogen (Final)	Report	23744			
Net Total Phosphorus (Interim)	Report	Report			
Net Total Phosphorus (Final)	Report	3166			

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

* The compliance date for Net Total Nitrogen and Net Total Phosphorus will begin on October 1, 2011. Since these reporting requirements are annual loads, the reporting on compliance with the annual limitations will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2012. This facility is required to monitor and report for Net Total Nitrogen and Net Total Phosphorus from the effective date of the permit until September 30, 2011.

** Total Annual Ammonia Load will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2012.

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

- Chesapeake Bay Nutrient Requirements
- Combined Sewer Overflows
- Stormwater Outfall
- Whole Effluent Toxicity Testing (WETT)

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-826-5472.

The EPA Waiver is not in effect.

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

PA0080519, Sewage, SIC Code 4952, 221320, **Antrim Township**, Greencastle, PA 17225-0130. Facility Name: Antrim Township WWTP. This existing facility is located in Antrim Township, **Franklin County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 1.2 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
CBOD ₅	250	400 Wkly Avg	XXX	25	40	50
BOD ₅						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	300	450 Wkly Avg	XXX	30	45	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Total Phosphorus	20	XXX	XXX	2.0	XXX	4.0

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

Parameters	Mass (lbs)		Minimum	Concentration (mg/l)	
	Monthly	Annual		Monthly Average	Maximum
Ammonia—N	Report	Report		Report	
Kjeldahl—N	Report			Report	
Nitrate-Nitrite as N	Report			Report	
Total Nitrogen	Report	Report		Report	
Total Phosphorus	Report	Report		Report	
Net Total Nitrogen (Interim)	Report	Report			
Net Total Nitrogen (Final)	Report	21,918			
Net Total Phosphorus (Interim)	Report	Report			
Net Total Phosphorus (Final)	Report	2,922			

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

* The compliance date for Net Total Nitrogen and Net Total Phosphorus will begin on October 1, 2011. Since these reporting requirements are annual loads, the reporting on compliance with the annual limitations will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2012. This facility is required to monitor and report for Net Total Nitrogen and Net Total Phosphorus from the effective date of the permit until September 30, 2011.

** Total Annual Ammonia Load will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2011.

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

- Implementation of Industrial Pretreatment Program

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

The EPA Waiver is not in effect.

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

PA0252921, Sewage, **Dana Mining Co. of PA LLC.**, 308 Dents Run Road, Morgantown, WV 26501. Facility Name: 4 West Deep Mine Portal STP. This existing facility is located in Dunkard Township, **Greene County**.

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

The receiving stream(s), Unnamed Tributary to Dunkard Creek, is located in State Water Plan watershed 19-G and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.009 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	
Flow (MGD)	0.009	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	1.4	XXX	3.3
CBOD ₅	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30				200		
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean	XXX	1000
				2000		
	XXX	XXX	XXX	Geo Mean	XXX	10000

The EPA Waiver is in effect.

PA0254444, Sewage, **Consol PA Coal Co. LLC**, PO Box J, 1525 Pleasant Grove Road, Claysville, PA 15323. Facility Name: Oak Spring Slope & Supply Yard STP. This proposed facility is located in East Finley Township, **Washington County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated Sewage.

The receiving stream(s), Unnamed Tributary of Rocky Run, is located in State Water Plan watershed 20-E and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0028 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	
Flow (MGD)	0.0028	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.02	XXX	0.04
CBOD ₅	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30				200		
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean	XXX	1000
				2000		
	XXX	XXX	XXX	Geo Mean	XXX	10000
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	1.9	XXX	3.8
Nov 1 - Apr 30	XXX	XXX	XXX	2.8	XXX	5.6

The EPA Waiver is in effect.

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

PA0029491, Sewage, SIC Code 4952, **PA American Water**, 425 Waterworks Road, Clarion, PA 16214. Facility Name: Clarion Area STP. This existing facility is located in Monroe Township, **Clarion County**.

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

The receiving stream, Trout Run, is located in State Water Plan watershed 17-B and is classified for cold water fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.75 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
CBOD ₅	365	584	XXX	25	40	50
Total Suspended Solids	438	657	XXX	30	45	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30				200		
Mar 1 - Apr 30, Oct 1 - Jan 31	XXX	XXX	XXX	Geo Mean 2000	XXX	XXX
	XXX	XXX	XXX	Geo Mean	XXX	XXX

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

- Effluent Chlorine Minimization
- Sanitary Sewer Overflows
- Requirement to submit electronic Discharge Monitoring Reports

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

The EPA Waiver is not in effect.

III. WQM Industrial Waste and Sewerage Applications under The Clean Streams Law

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

WQM Permit No. 5811402, Sewerage, **Lackawanna College**, 501 Vine Street, Scranton, PA 18509

This proposed facility is located in New Milford Twp., **Susquehanna County**, PA.

Description of Proposed Action/Activity: The proposed project involves construction of a small flow sewage treatment system and an evapotranspiration greenhouse system including re-use of treated and disinfected effluent for toilet flushing.

WQM Permit No. 5411405, Sewerage, **Little Washington Wastewater Company**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010

This proposed facility is located in North Union Twp., **Schuylkill County**, PA.

Description of Proposed Action/Activity: The proposed project involves construction of a low pressure sewer with individual grinder pumps to serve approximately 51 lots in the AW South Section. The sewage will be conveyed to Little Washington Wastewater Company's existing Eagle Rock Treatment Plant via the Valley of the Lakes Interceptor.

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

WQM Permit No. 3691412 11-1, Sewerage, **Fairmount Homes**, 333 Wheat Ridge Drive, Ephrata, PA 17522.

This proposed facility is located in West Earl Township, **Lancaster County**.

Description of Proposed Action/Activity: Seeking permit amendment approval to expand an existing wastewater treatment facility by 20,000 GPD.

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

WQM Permit No. 0211403, Sewerage, **Allegheny County Sanitary Authority**, 3300 Preble Avenue, Pittsburgh, PA 15233-1092

This proposed facility is located in the City of Pittsburgh, **Allegheny County**

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

WQM Permit No. 3011401, Sewerage, **Alexander Shuppe**, PO Box 218, Dillner, PA 15327

This proposed facility is located in Dunkard Township, **Greene County**

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

WQM Permit No. 3211401, Sewerage, **Scott Elgin**, 2950 Warren Road, Indiana, PA 15701

This proposed facility is located in Armstrong Township, **Indiana County**

Description of Proposed Action/Activity: Application for the construction and operation of a single residence sewage treatment facility.

IV. NPDES Applications for Stormwater Discharges from MS4

V. Applications for NPDES Waiver Stormwater Discharges from 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 091010	Scott McGill 4450 McNeal Road Doylestown, PA 18901	Bucks	Plumstead Township	Unnamed Tributary Paunnacussing Creek (HQ-CWF)
PAI01 091003	USS Real Estate One Ben Fairless Drive Fairless Hills, PA 19030	Bucks	Falls Township	Delaware South (MF-WWF)

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

Pike County Conservation District: 556 Route 402, Ste. 1, Hawley PA 18428, 570-226-8220

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI025211001	U.S. National Park Service Delaware Water Gap National Recreation Area River Road off Route 209 Bushkill PA 18324	Pike County	Delaware	Dingmans Creek/Delaware River Basin (HQ-CWF, MF)

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

PAG-12	CAFOs
PAG-13	Stormwater Discharges from MS4

**STATE CONSERVATION COMMISSION
NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR
NPDES PERMITS FOR CAFOs**

The State Conservation Commission has taken the following actions on previously received applications for nutrient management plans under 3 Pa.C.S. Chapter 5, for agricultural operations that have or anticipate submitting applications for new, amended or renewed NPDES permits or NOIs for coverage under a general permit for CAFOs under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Persons aggrieved by an action may appeal under 3 Pa.C.S. § 517, 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, 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 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 a right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge actions, 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.

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>Renewal/ New</i>
Keystone Dairy Ventures, LLC 324 Balance Meeting Road Peach Bottom, PA 17563	Lancaster	621.6	1408.5	Dairy	HQ	Renewal

<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 Application</i>
Phillip Courter 6527 Jacksonville Rd Mill Hall, PA 17751	Clinton	146.3	690.01	Swine	HQ	Application

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—6026.907)

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P. S. §§ 6026.302—6026.305) require the 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. A person intending to use the background standard, Statewide health standard, the site-specific standard or intend to remediate a site as a special industrial area shall 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 or a combination of cleanup standards or 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 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 following site, 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 as follows. 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 listed before the notice. If information concerning

this acknowledgment is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

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

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

Dhaliwal Transport, Interstate 80@MM190E, Greene Township, **Clinton County**. Northridge Group, Inc., 1172 Ridge Road, Northumberland, PA 17857, on behalf of Dhaliwal Transport, 1856 Chatfield Circle, Stockton, CA 95206, has submitted a Notice of Intent to Remediate soil contaminated with diesel fuel. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in *The Daily Item* on March 26, 2011. The site was, and will remain, a right-of-way area along the interstate highway.

Pickelner-Woodlands Bank, Loyalsock Township, **Lycoming County**. Chambers Environmental Group, Inc., 629 East Rolling Ridge Drive, Bellefonte, PA 16823 on behalf of Pickelner Fuel Company, Inc., 210 Locust St., Williamsport, PA 17701 has submitted a Notice of Intent to Remediate soil and groundwater contaminated with MTBE, benzene, toluene, ethylbenzene, total xylenes cumene, naphthalene, 1,2-dibromoethane, 1,2-dichloroethane, fluorene, phenanthrene, and dissolved lead. The applicant proposes to remediate the site to meet the Site-specific Standard.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Applications 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.

Northeast Region: Regional Solid Waste Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915

Permit Application No. 400693. Daniels Sharpmart Inc., 195 Conroy Drive, Easton, PA 18040. An application for a Medical Infectious Waste Processing and Transfer facility located in Forks Township, **Northampton County**. The application was received in the Regional Office on February 15, 2011, with supplemental information received on March 28, 2011. The Local Municipality Involvement Process (LMIP) meeting was conducted on April 5, 2011, and as of April 6, 2011, the application was found to be administratively complete.

Comments concerning the application should be directed to Bill Tomayko, Program Manager, Waste Management Program, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511. TDD users may contact the Department through the Pennsyl-

vania Relay service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

Northeast Region: Regional Solid Waste Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915

Permit Application No. 603456. Greater Hazleton Joint Sewer Authority, Greater Hazleton Joint Sewer Authority, Jaycee and Oscar Thomas Drive, Hazleton, PA 18201-0651. An application for a Non-Hazardous Residual Waste Incinerator located in the Borough of West Hazleton, **Luzerne County**. The application was received in the Regional Office on September 20, 2010, as of February 16, 2011, the application was found to be administratively complete.

Comments concerning the application should be directed to Bill Tomayko, Program Manager, Waste Management Program, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS NEW SOURCES AND MODIFICATIONS

The 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 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 received applications for Plan Approvals or Operating Permits from the following facilities.

Copies of these applications, subsequently prepared draft permits, review summaries and other support materials are available for review in the regional office listed before the applications. Persons interested in reviewing the application files should contact the appropriate regional office to schedule appointments.

Persons wishing to receive a copy of a proposed Plan Approval or Operating Permit shall indicate interests to the Department regional office within 30 days of the date of this notice and shall file protests or comments on a proposed Plan Approval or Operating Permit within 30 days of the Department providing a copy of the proposed documents to persons or within 30 days of its publication in the *Pennsylvania Bulletin*, whichever comes first. Interested persons may also request that hearings be held concerning a proposed Plan Approval or Operating Permit. A comment or protest filed with the Department regional office shall include a concise statement of the objections to the issuance of the Plan Approval or Operating Permit and relevant facts which serve as the basis for the objections. If the Department schedules a hearing, a notice will be published in the *Pennsylvania Bulletin* at least 30 days prior the date of the hearing.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodation to participate should contact the regional office listed

before the application. TDD users may 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 (42 U.S.C.A. §§ 7401—7671q) and regulations adopted under the Federal Clean Air Act.

PLAN APPROVALS

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

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790

Contact: Ray Kempa, New Source Review Chief—Telephone: 570-826-2507

39-309-081: Lafarge North America (5160 Main Street, Whitehall, PA 18052) for addition of natural gas as a fuel at their facility in Whitehall Township, **Lehigh County**.

40-328-008: Transcontinental Gas Pipeline Company LLC—TRANSCO (2800 Post Oak Blvd., PO Box 1396, Houston, TX 77251-1396) for construction of a new natural gas turbine at their facility at Station 515 in Buck Township, **Luzerne County**.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481

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

20-040G: Advanced Cast Products, Inc. (18700 Mill Street, Meadville, PA 16335) for installation of a Torit baghouse to serve the facility's scrap pre-heat operation and a newer Beckert & Heister baghouse to serve the Goff Spinner-Hanger shot blast and the East Cleaning Machine, West Cleaning Machine and the Wheelabrator Belt Blast which currently exhaust through two existing baghouses that will be retired in Vernon Township, **Crawford County**. This is a Title V facility.

24-120C: Dominion Transmission, Inc.—Ardell Station (389 Crissman Road, Weedville, PA 15865) for construction of a 10310 hp compressor turbine, eight new 0.842 mmbtu/hr microturbines, and ten space heaters in Benezette Township, **Elk County**. This is a Title V facility.

33-140B: Dominion Transmission, Inc.—Punxsutawney Station (88 Laska Road, Punxsutawney, PA 15767) for construction of a 6130 hp compressor turbine, five new 0.842 mmbtu/hr microturbines, and one (1) new 2.76 mmbtu/hr line heater for a measurement and regulation facility in Perry Township, **Jefferson County**. This is a Title V facility.

37-317B: Ellwood Mill Products (712 Moravia Street, New Castle, PA 16101) for construction of a natural gas-fired forge furnace with a total heat input of 26.4 mmbtu/hr in New Castle City, **Lawrence County**. This is a State Only facility.

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

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401

Contact: Sachin Shankar, New Source Review Chief—Telephone: 484-250-5920

46-0169D: Constantia Colmar, Inc. (92 County Line Road, Colmar, PA 18915) for installation of a new flexographic press and the removal of an existing flexographic press and an existing rotogravure press at an existing facility in Hatfield Township, **Montgomery County**. The facility is a non-Title V facility. Volatile organic compound (VOC) emissions from the facility will be captured by an existing permanent total enclosure and controlled by an existing regenerative thermal oxidizer. The VOC emission restriction for the facility, as currently indicated in State Only Operating Permit No. 46-00169, will remain at 24.7 tons/yr. The plan approval will include monitoring, recordkeeping, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701

Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648

08-00038A: Appalachia Midstream Services, LLC (6100 North Western Avenue, Oklahoma City OK 73118-1044) for construction of 10 compressor-engines and the ancillary equipment (storage tanks, flanges, valves, etc.) needed for the proposed Liberty Compressor Station to be in Towanda Township, **Bradford County**.

The Department of Environmental Protection's (Department) review of the information submitted by Appalachia indicates that the engine-compressors to be constructed will comply with applicable regulatory requirements pertaining to air contamination sources. These requirements include the best available technology (BAT) requirements of 25 Pa. Code Section 127.1 and 127.12 as well as the Standards of Performance for Stationary Spark Ignition Internal Combustion Engines specified in 40 CFR 60, Subpart JJJJ. Pursuant to the requirements of BAT, the engine-compressors are restricted to emit emissions for the following pollutants at a rate above; 0.50 g/Bhp-hr for NO_x, 0.19 g/Bhp-hr for CO, 0.19 g/Bhp-hr for NMNEHC, and 0.039 g/Bhp-hr for formaldehyde. To demonstrate compliance with these limitations, Appalachia will be required to conduct EPA reference method testing on each engine's exhaust for NO_x, CO, VOC, and CH₂O emissions. Continuous compliance demonstration will include monitoring of operational parameters of the catalyst and EPA reference method testing for NO_x and CO on an approximate annual basis.

Each engine-compressor has a site rating of 1775 Bhp and a maximum heat input equal to 12.00 MMBtu/hr. The compressor-engines are required to use only pipeline quality natural gas as fuel for operation. Based on the findings above, the Department proposes to issue a plan approval with annual emission restrictions as well as monitoring, recordkeeping, reporting, and work practice requirements for the proposed construction as summarized below

The air contaminate emissions from all sources at the proposed compressor station will be restricted to the following annual 12 consecutive month limitations; 90.0 tpy for NO_x, 48.3 tpy for VOC, and 6.7 tpy for formaldehyde. Compliance requirement for these annual limitations include monthly recordkeeping of emissions from each source at the proposed station.

In addition to the emission limitations above, the following is a summary of the types of conditions the Department intends to place in Plan Approval 08-00038A to ensure compliance with applicable Federal and State regulatory requirements including the best available technology requirements of 25 Pa. Code Sections 127.1 and 127.12.

Monitoring requirement to take representative samples of gas into the station or recordkeeping of fuel certification by fuel tariff sheets, purchase contract, or transportation contract

Monitoring requirement for the inlet and outlet exhaust temperature of catalysts and recordkeeping of these parameters to demonstrate continuous compliance with the destruction efficiency of the catalyst

Recordkeeping requirements catalyst replacement and service information

Recordkeeping requirement for engine-compressors' gas usage and operational hours

Work practice requirement to construct and operate in accordance with the manufacturer's recommendations and good air pollution control practices.

A requirement to limit the emission of malodors to level undetectable outside the property

A requirement to restrict fugitive emissions from the compressor station across property boundaries

A copy of the plan approval application and the Department's review is available for public review between 8 a.m. and 4 p.m. at the Department's Northcentral Regional Office. Appointments for scheduling a review may be made by calling the Department at 570-327-3693. Written comments or requests for a public hearing shall be directed to Muhammad Q. Zaman, Environmental Program Manager, Air Quality Program, Department of Environmental Protection, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, 570-327-3648 within 30 days of the publication date for this notice.

57-00003A: Sullivan County School District (101 East Main Street, PO Box 346, Dushore, PA 18614-0346) for a plan approval to construct a 4.0 million Btu per hour, biomass-fired boiler at their facility in Laporte Borough, **Sullivan County**.

Sullivan County School District has submitted an application to the Pennsylvania Department of Environmental Protection for plan approval to construct a 4.0 million Btu per hour, biomass-fired boiler at their facility located in Laporte Borough, Sullivan County. The respective facility is a state only (natural minor) facility for which a state only operating permit has not been issued.

The Department's review of the information submitted by Sullivan County School District indicates that construction of the boiler will meet all applicable air quality regulatory requirements pertaining to air contamination sources and the emission of air contaminants. Based on these findings, the Department intends to issue a plan approval for the construction of the boiler. Additionally, if the Department determines the boiler is operating in

compliance with all plan approval conditions, the conditions established in the plan approval will be incorporated into a state only (natural minor) operating permit.

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

The nitrogen oxides (NO_x, expressed as NO₂) emissions from the boiler shall not exceed 0.22 pounds per million Btu, 0.88 pounds per hour and 2.88 tons in any 12 consecutive month period.

The carbon monoxide emissions from the boiler shall not exceed 0.16 pounds per million Btu, 0.64 pounds per hour and 2.10 tons in any 12 consecutive month period.

The volatile organic compound emissions from the boiler shall not exceed 0.017 pounds per million Btu, 0.07 pounds per hour and 0.23 tons in any 12 consecutive month period.

The particulate matter emissions from the boiler shall not exceed 0.23 pounds per million Btu, 0.92 pounds per hour and 3.01 tons in any 12 consecutive month period.

The sulfur oxide (SO_x, expressed as SO₂) emissions from the boiler shall not exceed 0.025 pounds per million Btu, 0.10 pounds per hour and 0.33 tons in any 12 consecutive month period.

The boiler shall not be operated more than 6,552 hours in any 12 consecutive month period.

The boiler shall only be fired on green or kiln dried wood. At no time, shall wood laminates, particleboard, treated wood, construction and demolition waste or materials other than wood be fired in the boiler.

All wood fuel intended for use in the boiler shall be stored in an enclosed building.

The permittee shall, upon Department request, provide analyses or samples of the wood fuel used to fire the boiler.

The cyclone collector shall be equipped with instrumentation to continuously monitor the differential pressure across the device.

The collection, storage and handling of ash generated by the boiler shall not result in the emission of fugitive air contaminants.

The permittee shall perform stack testing to determine compliance with the nitrogen oxides (NO_x, expressed as NO₂), carbon monoxide and particulate matter emission limitations established herein.

A copy of the plan approval application is available for public review between 8 a.m. and 4 p.m. at the Department's Northcentral Regional Office. Appointments for scheduling a review may be made by calling the Department at 570-327-3693. Written comments or requests for a public hearing should be directed to Muhammad Q. Zaman, Environmental Program Manager, Department of Environmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, 570-327-3648.

47-00014B: United States Gypsum Company (60 PPL Road, Danville, PA 17821) for a revision of the units for the emissions limitations established previously pursuant of Plan Approval 47-00014A for Source ID P114 in **Montour County**. The revision changes the short-term (lb/MMBtu) basis to hourly basis and does not increase the potential emissions (tpy) from Source ID P114. The respective facility is a Title V facility for carbon monoxide

and particulate matter emissions and will be required to obtain a Title V operating permit.

The Department's review of the information contained in the application indicates that the revision should comply with all applicable air quality regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirements of 25 Pa. Code Section 127.1 and 127.12. Based on these findings, the Department intends to issue the plan approval for the revision noted above.

All applicable regulatory requirements relating to fugitive, visible, and malodorous emissions standards and additional requirements regarding malfunctions, testing, monitoring, recordkeeping, and reporting have been included in the proposed plan approval. In addition to the above requirements, the following is a list of new conditions that the Department proposes to place in the plan approval to ensure compliance with all applicable regulatory requirements:

1. Pursuant to best available technology requirements of 25 Pa. Code Section 127.1 and 127.12, the total particulate matter emissions (filterable and condensable) from the kiln associated with source ID P114 shall not exceed the following limitations: 4.57 pounds per hour at any time the kiln is drying any type of wallboard without a mold-resistant additive, 23.40 pounds per hour at any time the kiln is drying a wallboard with a mold-resistant additive, 11.3 tons in any 12 consecutive month period drying the type of wallboard with a mold-resistant additive and a combined total of 29.1 tons in any 12 consecutive month period drying both types of wallboard (with and without mold-resistant additive).

2. Pursuant to best available technology requirements of 25 Pa. Code Section 127.1 and 127.12, the volatile organic compound (including formaldehyde) emissions from the kiln associated with source ID P114 shall not exceed the following limitations: 5.73 pounds per hour at any time the kiln is drying any type of wallboard without a mold-resistant additive, 19.80 pounds per hour at any time the kiln is drying a wallboard with a mold-resistant additive, 9.5 tons in any 12 consecutive month period drying a type of wallboard with a mold-resistant additive and a combined total of 31.8 tons in any 12 consecutive month period drying both types of wallboard (with and without mold-resistant additive).

3. Pursuant to best available technology requirements of 25 Pa. Code Section 127.1 and 127.12, the formaldehyde emissions from the kiln associated with source ID P114 shall not exceed the following limitations: 1.47 pounds per hour at any time the kiln is drying any type of wallboard without a mold-resistant additive, 3.60 pounds per hour at any time the kiln is drying a wallboard with a mold-resistant additive, 1.7 tons in any 12 consecutive month period drying a type of wallboard with a mold-resistant additive and a combined total of 7.4 tons in any 12 consecutive month period drying both types of wallboard (with and without mold-resistant additive).

4. Pursuant to 25 Pa. Code Section 127.12b, not later than 180 days from the issuance date of Plan Approval 47-00014B, EPA reference method stack testing shall be performed to determine the nitrogen oxides, carbon monoxide, volatile organic compound, and formaldehyde emissions (in units of pound per hour) from the kiln. All testing shall be conducted in accordance with the testing and reporting requirements specified in the plan approval.

5. Pursuant to 25 Pa. Code Section 127.12b, all conditions of Plan Approvals 47-309-001, 47-309-001A, and 47-00014A remain unchanged and in effect unless superseded or amended by a condition contained in Plan Approval 47-00014B. If there is a conflict between a condition contained in Plan Approvals 47-309-001, 47-309-001A, or 47-00014A and a condition contained in 47-00014B, the permittee shall comply with the condition contained in 47-00014B rather than with the conflicting condition contained in Plan Approvals 47-309-001, 47-309-001A, or 47-00014A.

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

59-00025A: EQT Gathering, LLC (EQT Plaza, 625 Liberty Avenue Suite 1700, Pittsburgh, PA 15222) for construction of three (3) compressor-engines, one (1) emergency generator engine, one (1) triethylene glycol dehydrator, and the ancillary equipment (storage tanks, flanges, valves, etc.) needed for the proposed Tioga Compressor Station. The proposed Tioga Compressor Station will be located in Duncan Township, **Tioga County**.

The Department of Environmental Protection's (Department) review of the information submitted by EQT indicates that the engine-compressors to be constructed will comply with applicable regulatory requirements pertaining to air contamination sources. These requirements include the best available technology (BAT) requirements of 25 Pa. Code Section 127.1 and 127.12 as well as the Standards of Performance for Stationary Spark Ignition Internal Combustion Engines specified in 40 CFR 60, Subpart JJJJ. Pursuant to the requirements of BAT, the engine-compressors are restricted to emit emissions for the following pollutants at a rate above; 0.50 g/Bhp-hr for NO_x, 0.19 g/Bhp-hr for CO, 0.19 g/Bhp-hr for NMNEHC, and 0.03 g/Bhp-hr for formaldehyde. To demonstrate compliance with these limitations, EQT will be required to conduct EPA reference method testing on each engine's exhaust for NO_x, CO, VOC, and CH₂O emissions. Continuous compliance demonstration will include monitoring of operational parameters of the catalyst and EPA reference method testing for NO_x and CO on an approximate annual basis.

Each engine-compressor has a site rating of 2,370 bhp. The compressor-engines are required to use only pipeline quality natural gas as fuel for operation. Based on the findings above, the Department proposes to issue a plan approval with annual emission restrictions as well as monitoring, recordkeeping, reporting, and work practice requirements for the proposed construction as summarized below

The air contaminate emissions from all sources at the proposed compressor station will be restricted to the following annual 12 consecutive month limitations; 35.5 tpy for NO_x, 14.0 tpy for CO, 21.0 tpy for VOC, and 6.0 tpy for formaldehyde. Compliance requirement for these annual limitations include monthly recordkeeping of emissions from each source at the proposed station.

In addition to the emission limitations above, the following is a summary of the types of conditions the

Department intends to place in Plan Approval 59-00025A to ensure compliance with applicable Federal and State regulatory requirements including the best available technology requirements of 25 Pa. Code Sections 127.1 and 127.12.

Monitoring requirement to take representative samples of gas into the station or recordkeeping of fuel certification by fuel tariff sheets, purchase contract, or transportation contract

Monitoring requirement for the inlet and outlet exhaust temperature of catalysts and recordkeeping of these parameters to demonstrate continuous compliance with the destruction efficiency of the catalyst

Recordkeeping requirements catalyst replacement and service information

Recordkeeping requirement for engine-compressors' gas usage and operational hours

Work practice requirement to construct and operate in accordance with the manufacturer's recommendations and good air pollution control practices.

A requirement to limit the emission of malodors to level undetectable outside the property

A requirement to restrict fugitive emissions from the compressor station across property boundaries

A copy of the plan approval application and the Department's review is available for public review between 8 a.m. and 4 p.m. at the Department's Northcentral Regional Office. Appointments for scheduling a review may be made by calling the Department at 570-327-3693. Written comments or requests for a public hearing shall be directed to Muhammad Q. Zaman, Environmental Program Manager, Air Quality Program, Department of Environmental Protection, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, 570-327-3648 within 30 days of the publication date for this notice.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481

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

37-299B: Tube City IMS LLC (1155 Business Center Drive, Suite 200, Horsham, PA 19044-3454) for installation of an oxygen lancing baghouse to be in the facility at 208 Rundle Road, which is in the City of New Castle, **Lawrence County**.

Pursuant to 25 Pa. Code §§ 127.44(b) and 127.424(b) the Department of Environmental Protection (DEP) intends to issue Plan Approval 37-299B to Tube City IMS LLC for an oxygen lancing baghouse, for the facility located at 208 Rundle Road, in the City of New Castle, Lawrence County. The Plan Approval will subsequently be incorporated into a facility Operating Permit through an administrative amendment in accordance with 25 Pa. Code Section 127.450.

Plan Approval No. 37-299B is for the installation of an oxygen lancing baghouse. Based on the information provided by the applicant and DEP's own analysis, the subject source will have the potential to emit approximately 4.42 tons per year of particulate matter and 4.28 tons per year of PM₁₀.

The Plan Approval will contain monitoring, recordkeeping, reporting and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

OPERATING PERMITS

Intent to Issue Title V Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter G.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701.

Contact: Muhammad Zaman, Environmental Program Manager—Telephone: 570-327-3648

59-00004: Ward Manufacturing, LLC (PO Box 9, 117 Gulick Street, Blossburg, PA) for renewal of a Title V Operating Permit for their facility in the Borough of Blossburg, **Tioga County**. The facility is currently operating under amended Title V Operating Permit 59-00004 revised August 5, 2010. The facility's main sources include a cupola, core machines, pouring lines operation and molding and casting operations. The facility has the potential to emit major quantities of carbon monoxide, total particulate matter, volatile organic compounds and hazardous air pollutant emissions. The proposed renewal Title V operating permit has incorporated the Compliance Assurance Monitoring (CAM) provisions applicable to the molding and casting operations for monitoring of the performance of the baghouse that control particulate matter emissions. The CAM provisions included in the proposed Title V operating permit require pressure differential monitoring in addition to the existing monitoring requirement using bag leak detection system. Additionally, the Department has made a preliminary determination on the RACT proposal from the company and included the proposed RACT conditions into the Title V operating permit proposal. The proposed renewal Title V operating permit also contains applicable Maximum Achievable Control Technology (MACT) requirements for the cupola, core machines and pouring lines operation which includes monitoring, recordkeeping, and reporting conditions to ensure compliance with this federal regulation as well as state regulations.

Intent to Issue Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19428

Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920

23-00048: Smurfit-Stone Container Corp. (100 McDonald Boulevard, Aston, PA 19014) for renewal of a non-Title V, State Only, Synthetic Minor facility in Chester Township, **Delaware County**. The facility operates two 20.9 MMBTU/hr boilers; four flexo-folder gluers; three rotary die cutters with flexographic printing; a corrugator; a hogger; and a cyclone. This facility has the potential to emit 24 tons of nitrogen oxides per year; 10.5 tons of volatile organic compounds per year; 2.8 tons of hazardous air pollutants per year; 20 tons of sulfur dioxide per year; and 17 tons of particulate matter. Monitoring, record keeping and reporting requirements have been added to the permit to address applicable limitations.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790

Contact: Ray Kempa, New Source Review Chief—Telephone: 570-826-2507

40-00089: Jeddo Coal Co. (46 Public Square, Suite 600, Wilkes-Barre, PA 18701-2609) for operation of coal

processing units such as crusher, screens and associated activities at their facility in Hazle Township, **Luzerne County**. The proposed State Only Operating Permit contains applicable requirements for emissions limitations, monitoring, record keeping, reporting, and work practice standards used to maintain facility compliance with Federal and State air pollution regulations.

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110

Contact: Thomas J. Hanlon, Chief, East Permitting Section—Telephone: 717-705-4862 or Daniel Husted, Chief, West Permitting Section—Telephone: 717-949-7935

36-03020: The Bachman Co. (150 Industrial Drive, Ephrata, PA 17522) for operation of their snack food manufacturing plant in Ephrata Borough, **Lancaster County**. This is a renewal of their State-Only Operating Permit issued in 2006.

In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) has received an application and intends to issue an Air Quality Operating Permit for the abovementioned facility.

The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the PA DEP Southcentral Regional Office, at 909 Elmerton Avenue, Harrisburg, PA 17110.

A person may oppose the proposed operating permit, or may provide the Department with additional information to consider in its review, or may request a public hearing, by filing a written protest with the Department at the address listed above. Each written comment must contain the following:

- Name, address and telephone number of the person submitting the comments.
- Identification of the proposed permit by the permit number listed above.
- A concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A 30-day comment period, from the date of publication of this notice in the *PA Bulletin*, will exist for the submission of comments or protests.

Tom Hanlon, Chief, East Permitting Section, may be contacted at 717-705-4862, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments or protests.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481

Contact: Matthew Williams, New Source Review Chief—Telephone: 814-332-6940

16-00094: IA Construction Corp. (PO Box 290, Homer City, PA 15748) to issue a renewal State Only Operating Permit for their facility in Paint Township, **Clarion County**. The facility is a Synthetic Minor. The primary sources at the facility include a Batch Hot Mix Asphalt Plant and a Portable Crushing Plant. The renewal permit contains emission restrictions, recordkeep-

ing, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

61-00188: National Fuel Gas Supply Corp. (1100 State Street, P. O. Box 2081, Erie PA 16512-2081)—Van Compressor Station (1404 Whippoorwill Road) for a Natural Minor Permit to operate a Natural Gas Compressor Station in Cranberry Township, **Venango County**.

Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104

Contact: Edward Wiener, Chief—Telephone: 215-685-9426

S11-012: PA Convention Center Annex (111 North Broad Street, Philadelphia, PA 19107) to install in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include Two (2) 1750 Kilowatt (KW) Cummins Diesel emergency generator firing No. 2 fuel oil, Two (2) 20.93 MMBTU/hr Burnham Boiler firing No.2 fuel oil and natural gas, Two (2) 8.43 MMBTU/hr Johnson Controls/Power Flame Chillers firing No.2 fuel oil and natural gas, Two (2) 1.0 MMBTU/hr PVI Industries Hot Water heaters firing natural gas.

The operating permit will be issued under the Pennsylvania Code Title 25, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104.

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

S11-013: PA Convention Center Authority (1101 Arch Street, Philadelphia, PA 19107) to install in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include Two (2) 500 Kilowatt (KW) Detroit Diesel emergency generator firing No. 2 fuel oil, One (1) 600 KW Detroit Diesel emergency generator firing No. 2 fuel oil One (1) 270 Horsepower (HP) Peerless fire protection pump firing No. 2 fuel oil Two (2) 20.4 MMBTU/hr Cleaver Brooks Boiler firing No.2 fuel oil and natural gas Two (2) 8.76 MMBTU/hr York Chillers firing No.2 fuel oil and natural gas, One(1) 600,000 BTU/hr Hot Water heater firing natural gas.

The operating permit will be issued under the Pennsylvania Code Title 25, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104.

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

PLAN APPROVALS

Receipt of Plan Approval Applications and Intent to Issue Plan Approvals, and Intent to Issue Amended Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter B And Subchapter F. These actions may include the administrative amendments of an associated operating permit.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790

Contact: Ray Kempa, New Source Review Chief—Telephone: 570-826-2507

64-303-013: Bedrock Quarries Inc. (1211 Oregon Pike, Danascus, PA 18415) for their facility for installation of a Hot Mix Asphalt Plant in Damascus Township, **Wayne County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to Bedrock Quarries Inc. (1211 Oregon Pike, Danascus, PA 18415) for their facility in Damascus Township, Wayne County. This Plan Approval No. 64-303-013 will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 64-303-013 is for installation of a Hot Mix Asphalt Plant. The plant will use #2 oil, on spec WDLF and RAP as their fuels. The particulate emissions from the fabric collector shall not exceed the Best Available Technology (BAT) standard of 0.02 grains/dscf. The company is subject to NSPS Subpart I requirements. The visible emission opacity shall not be equal to or greater than 20% at any time. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions. These limits will meet BAT requirements for this source. This facility is not a Title V facility. The company has elected to take a voluntary production restriction of 495,000 tons of asphalt per year. The plan approval and operating permit will include all appropriate testing, monitoring, record keeping, and reporting requirements designed to keep the asphalt plant operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

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

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

Identification of the proposed permit No.: 64-303-013.

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

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests

for a public hearing should be directed to Ray Kempa, Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Phone # 570-826-2511 within 30 days after publication date.

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law; 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—1406.20a). Mining activity permits issued in response to applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P. S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1002).

The following permit applications to conduct mining activities have been received by the Department. A copy of an application is available for inspection at the district mining office indicated before each application. Notices of requests for 401 Water Quality Certifications are included in individual application notices, as noted.

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 a person or an officer or head of Federal, state or local government agency or authority to the Department at the address of the district mining office indicated before 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 regarding a mining permit application should contain the name, address and telephone number of the person submitting comments or objections, the 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.

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

When an 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 in Table 2. Discharges from noncoal mines located in some geologic settings (for example, in 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 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 in Technical Guidance Document 362-0600-001, NPDES Program Implementation-Memorandum of Understanding (MOU) Concerning Water Quality Management, NPDES Program Implementation, and Related Matters. Other specific factors to be considered include public comments and Total Maximum Daily Loads.

Persons wishing to comment on NPDES permit applications should submit statements to the Department at the address of the district mining office indicated before 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. A comment 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 contain the name, address, telephone number and the interest of the party filing the request and 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. When a public hearing is held, the Department will consider comments from the public hearing in the final determination on the NPDES permit application.

Coal Applications Received

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

Parameter	Table 1		
	30-Day Average	Daily Maximum	Instantaneous Maximum
Iron (total)	1.5 to 3.0 mg/l	3.0 to 6.0 mg/l	3.5 to 7.0 mg/l
Manganese (total)	1.0 to 2.0 mg/l	2.0 to 4.0 mg/l	2.5 to 5.0 mg/l

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

¹ The parameter is applicable at all times.

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

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

4074SM28 and NPDES No. PA0599123. PBS Coals, Inc., 1576 Stoystown Road, Friedens, PA 15541, permit renewal for the continued operation and restoration of a bituminous surface mine in Summit Township, **Somerset County**, affecting 377.2 acres. Receiving stream(s): UTS to/and Bigby Creek to the Casselman River classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: March 16, 2011.

Permit No. 56110104 and NPDES No. PA0263206. Wilson Creek Energy, LLC, 140 West Union Street, Suite 102, Somerset, PA 15501, commencement, operation and restoration of a bituminous surface highwall mining mine in Jenner Township, **Somerset County**, affecting 184.9 acres. Receiving stream(s): unnamed tributaries to/and Hoffman Run classified for the following use(s): cold water fishery. The first downstream potable water supply intake from the point of discharge is Cambria-Somerset Authority, Quemahoning Reservoir. Application received: March 18, 2011.

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

63100102 and NPDES Permit No. PA0251968. Arthur J. Boyle (P. O. Box 400, Laughlinton, PA 15655). Resubmitted application for commencement, operation and reclamation of a bituminous surface mine, located in Centerville Borough, **Washington County**, affecting 32.2 acres. Receiving streams: unnamed tributaries to Monongahela River, classified for the following use: WWF. The public water supply intake within 10 miles downstream from the point of discharge: PA American Water Co, Brownsville Plant. Application received: March 30, 2011.

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

33850123. Waroquier Coal Company (P. O. Box 128, Clearfield, PA 16830). Renewal of an existing bituminous strip operation in Washington Township, **Jefferson County** affecting 203.2 acres. Receiving streams: Unnamed tributary to Mill Creek to Little Mill Creek to Redbank Creek, an unnamed tributary to Rattlesnake Run, and Rattlesnake Run to Toby Creek to the Clarion River, classified for the following: CWF. There are no

potable surface water supply intakes within 10 miles downstream. Application for reclamation only. Application received: April 8, 2011.

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

17900143 and NPDES No. PA0206458. Waroquier Coal Co. (P. O. Box 128, 3056 Washington Ave., Clearfield, PA 16830). Transfer of an existing bituminous surface mine from TDK Coal Sales, Inc. located in Penn and Brady Townships, Clearfield a Irish Run classified for cold water fisheries. There are no potable water supply intakes within 10 miles downstream. Application received April 7, 2011.

17040112 and NPDES No. PA0256129. AMFIRE Mining Co., LLC (One Energy Place, Latrobe, PA 15650). Permit renewal for reclamation activities only on an existing bituminous surface mine located in Penn Township, **Clearfield County** affecting 55.1 acres. Receiving streams: unnamed tributaries to Kratzer Run classified for cold water fisheries. There are no potable water supply intakes within 10 miles downstream. Application received: April 5, 2011.

17110103 and NPDES No. PA0257605. AMFIRE Mining Co., LLC (One Energy Place, Latrobe, PA 15650). Commencement, operation and restoration of a bituminous surface mine located in Girard Township, **Clearfield County** affecting 257.0 acres. Receiving streams: unnamed tributaries to Bald Hill Run and Bald Hill Run classified for cold water fisheries and migratory fishes). There are no potable water supply intakes within 10 miles downstream. Application received: March 29, 2011.

17110104 and NPDES No. PA0257613. Strishock, LLC (200 Hillcrest Drive, Dubois, PA 15801). Commencement, operation and restoration of a bituminous surface mine located in Decatur and Boggs Townships, **Clearfield County** affecting 52.5 acres. Receiving stream: unnamed tributary to Little Laurel Run classified for cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: March 30, 2011.

59060101 and NPDES No. PA0256315. Phoenix Resources, Inc. (783 Antrim Road, Wellsboro, PA 16901). Renewal of an existing bituminous surface mine located in Duncan Township, **Tioga County** affecting 80.9 acres. Receiving streams: unnamed tributaries to Rock Run, Rock Run to Babb Creek classified for cold water fisheries. There are no potable water supply intakes within 10 miles downstream. Application received: March 28, 2011.

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.

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

42110301. Glenn O. Hawbaker, Inc. (1952 Waddle Road, State College, PA 16803) Commencement, operation and restoration of a large industrial mineral operation in Ceres Township & Shinglehouse Borough, **McKean & Potter Counties** affecting 74.8 acres. Receiving streams: Raub Hollow, unnamed tributary to Horse Run and Horse Run, all classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: April 1, 2011.

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

08090302 and NPDES No. PA0257168. Glenn O. Hawbaker, Inc. (1952 Waddle Road, State College, PA 16804). Transfer of an existing large noncoal surface mine (shale and limestone) from Calvin C. Cole, Inc. located in Burlington Borough/Township, **Bradford County** affecting 19.2 acres. Receiving stream: Sugar Creek classified for cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: April 4, 2011.

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. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) requires the Commonwealth to certify that the involved projects will not violate the 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, the issuance of a Dam Permit or Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment shall submit comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted before an 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. Each individual 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 working days at the office noted before the application.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the specified program. TDD users may 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 FWPCA.

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E46-1066. Whitemarsh Valley CC, 815 Thomas Road, Lafayette Hill, PA 19444, Springfield, Whitemarsh Townships, **Montgomery County**, ACOE Philadelphia District.

To perform the following water obstruction and encroachment activities in and along an UNT to the Wis-sahickon Creek associated with Whitemarsh Valley Country Club rehabilitation project:

1. To remove five existing culverts.
2. To remove the existing concrete and asphalt material from the stream slopes.
3. To grade, and stabilize approximately 880-linear feet of the stream banks.
4. To construct and maintain two new 8-foot wide and one 12-foot wide golf cart bridges.
5. To dredge five existing man-made ponds.

The site is located along Germantown Pike, between the intersections of Thomas Road & Northwestern Avenue (Germantown, PA USGS Quadrangle N: 17 inches; W: 15.25 inches).

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

E06-664: PA Department of Transportation, Engineering District 5-0, 1002 Hamilton Street, Allentown, PA 18101, in Ontelaunee Township, **Berks County**, ACOE Philadelphia District.

To: 1) remove the bridge deck and upstream wingwalls of the existing structure and to construct and maintain a single span bridge having a normal span of 48.0 feet, a width of 81.0 feet, and an underclearance of 12.9 feet across Willow Creek (HQ, CWF) carrying SR 0061 approximately 480.0 feet south of the intersection with Snyder Road in Ontelaunee Township (Temple, PA Quad-

rangle; N: 9.1 inches, W: 8.6 inches; Latitude: 40°25'31", Longitude: 75°56'13"), 2) remove the existing structures and to construct and maintain two 60.0-inch CMP pipes having a length of 115.0 feet, a concrete wingwall entrance and riprap protection outfall in an unnamed tributary to the Schuylkill River (WWF) carrying SR 0061 approximately 275.0 feet south of the intersection with West Huller Lane in Ontelaunee Township (Temple, PA Quadrangle; N: 7.1 inches, W: 8.9 inches; Latitude: 40°24'50", Longitude: 75°56'20"), 3) place and maintain fill in 0.04 acre of PEM wetland at the intersection of Lake Shore Drive and SR 0061 (Temple, PA Quadrangle; N: 11.8 inches, W: 9.8 inches; Latitude: 40°26'23", Longitude: 75°56'44"), and 4) place 0.01 acre of temporary fill in the same PEM wetland, all for the purpose of improving transportation safety and roadway standards along SR 0061 in Berks County. The amount of wetland impact is considered a de minimus impact of 0.04 acre, and wetland replacement is not required.

E22-573: DCNR Bureau of Forestry, Split Rock Trail Bridge, Jackson Township, **Dauphin County**, ACOE Baltimore District

To construct and maintain a 5-foot wide, single span wooden stringer footbridge having a normal span of 20.0 feet across Wolf Run (EV, MF). The project is located east of Minnich Hit picnic area in the Haldeman Tract of Weiser State Forest (Lykens, PA Quadrangle; N: 4.0 inches, W: 16.9 inches; Latitude: 40°31'20", Longitude: -76°44'49") on Split Rock Trail in Jackson Township, Dauphin County. The purpose of the project is to provide a dry crossing of the creek for hikers.

E28-366: Chambersburg Rod and Gun Club, Trout Nursery Care and Security Enclosure, Guilford Township, **Franklin County**, ACOE Baltimore District

To construct and maintain a 23.0-foot wide by 144.0-foot long post and beam structure with a steel roof and gable ends enclosed with a 6.0-foot high chain-link fence over the existing trout runway in the floodway of an unnamed tributary to Falling Spring (HQ-CWF, MF). The project is located on Franklin Farm Lane (Chambersburg, PA Quadrangle; N: 9.82 inches, W: 0.58 inch; Latitude: 39° 55' 44.7", Longitude: -77° 37' 45.0") in Guilford Township, Franklin County. The purpose of the project is to protect the existing trout nursery from theft, predation, and outside elements.

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

E63-632. Department of Transportation, District 12-0, P. O. Box 459, 825 North Gallatin Avenue Extension, Uniontown, PA 15401-0459. To fill wetlands and relocate streams for a wetland compensation site in North Bethlehem Township, **Washington County**, United States Army Corps of Engineers, Pittsburgh District. (Amity, PA Quadrangle N: 0.7 inches; W: 15.0 inches; Latitude 40°4'53"; Longitude 80°7'56"). The applicant proposes to place and maintain fill in 0.01 acres of PFO and 0.24 acres of PEM wetlands, and to construct and maintain a 130 foot relocation of an unnamed tributary to Little Daniels Run (TSF) with a drainage area of 54.8 acres and a 192 foot relocation of an unnamed tributary to Little Daniels Run (TSF) with a drainage area of 17.1 acres. In addition associated temporary crossings and stream diversions for the purpose of constructing a 5.0 acre advanced wetland compensation site located in State Game Land 297.

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

E10-467, Echo Cranberry Associates, L.P., 701 Alpha Drive Pittsburgh, PA 15238-2820, Cranberry Crossroads in Cranberry Township, **Butler County**, ACOE Pittsburgh District (Mars, PA Quadrangle N: 40°, 41', 8.75"; W: 80°, 05', 8.51").

To conduct the following activities associated with the construction of a commercial retail development along SR 228 in Cranberry Township, Butler County:

1. To fill a total of 0.203 acre of 4 wetland areas.
2. To realign a tributary to Brush Creek (WWF) impacting a total reach of 555 feet.
3. To install and maintain a 189 foot long, 8 foot by 4 foot box culvert stream enclosure within the realigned tributary to Brush Creek.
4. To impact, construct and maintain a 87 foot long, 3 foot diameter culvert in a tributary to Brush Creek (WWF) on an access road between this development and Cranberry Commons.

The applicant proposes contribution to the PA Wetland Replacement Fund for replacement of 0.203 acre of wetland impact.

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 has taken the following actions on previously received applications for new, amended and renewed NPDES and WQM permits, applications for permit waivers and NOIs for coverage under General Permits. This notice of final action is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.101) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
Section I	NPDES	Renewals
Section II	NPDES	New or Amendment
Section III	WQM	Industrial, Sewage or Animal Wastes; Discharges to Groundwater
Section IV	NPDES	MS4 Individual Permit
Section V	NPDES	MS4 Permit Waiver
Section VI	NPDES	Individual Permit Stormwater Construction
Section VII	NPDES	NOI for Coverage under NPDES General Permits

Sections I—VI contain actions regarding industrial, animal or sewage wastes discharges, discharges to groundwater, and discharges associated with MS4, stormwater associated with construction activities and CAFOs. Section VII contains notices for parties who have submitted NOIs for Coverage under General NPDES Permits. The approval for coverage under these General NPDES Permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions 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 in the respective permit. The 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 that action to the Environmental Hearing Board (Board) 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 Administrative Agency Law). The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal 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 contact a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

I. NPDES Renewal Permit Actions

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0047198 (Sewage)	Empire Schuylkill, LP 830 Schuylkill Mall Frickville, PA 17931	Schuylkill County New Castle Township	Unnamed Tributary to Mud Run (03A)	Y
PA0046353 (Sewage)	Waymart Area Authority Rear Railroad Lane Waymart, PA 18472-0224	Wayne County Waymart Borough	Van Auken Creek (1-B)	Y
PA0063401 (Sewage)	Monteforte Enterprises, Inc. Intersection SR 848 & I-81 New Milford, PA 18834	Susquehanna County New Milford Township	Unnamed Tributary to Nine Partners Creek (4-F) CWF	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0020214 (Sew)	Mount Union Borough Municipal Authority 400 North Drake Street Mount Union, PA 17066	Huntingdon County Mount Union Borough	Juniata River / 12-C	Y
PA0033111 (Sew)	Oak Creek Campgrounds, Inc. PO Box 128 Bowmansville, PA 17507-0128	Lancaster County Brecknock Township	Rock Run / 7-J	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>
PA0222861 (Industrial Waste)	TIN Inc. d/b/a Temple-Inland 824 Glendale Court Cranberry Township, PA 16066-2726	McKean County Sergeant Township	Little Sicily Run (Outfall 001), unnamed tributary of Sevenmile Run (Outfall 002), Sevenmile Run (Outfalls 003A, 003B & 004) 17-A	Y

II. New 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. PA0056804, Amendment, Sewage, North Penn North Wales Water Authority, d.b.a. Forest Park Water, 144 Park Avenue, P. O. Box 317, Chalfont, PA 18914.

This proposed facility is located in Chalfont Borough, **Bucks County**.

Description of Action/Activity: Approval for the amendment of an NPDES permit to discharge 1.3 mgd of treated process wastewater from a water filtration plant known as Forest Park Water Treatment Plant to Pine Run in Watershed 2F-Neshaminy.

III. WQM Industrial Waste and Sewerage Actions under The Clean Streams Law

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

WQM Permit No. 4610401, Sewage, **Borough of Bridgeport**, 4th & Mill Streets, Borough Hall, Bridgeport, PA 19405-0148.

This proposed facility is located in Bridgeport Borough, **Montgomery County**.

Description of Action/Activity: Construction and operation of a new relief interceptor and replacing the Front Street Interceptor located in Bridgeport, PA.

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

WQM Permit No. 4811401, Sewerage, **City of Bethlehem**, City Hall, 10 East Church Street, Bethlehem, PA 18018.

This proposed facility is located in Bethlehem City, **Northampton County**.

Description of Proposed Action: Issuance of Water Quality Management Permit for the improvements to the waste activated sludge thickener and digesters at the existing wastewater treatment plant.

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

WQM Permit No. WQG01221101, Sewage, **Scott R. Reichenbach**, 14 Park Street, Mt. Gretna, PA 17064.

This proposed facility is located in East Hanover Township, **Dauphin County**.

Description of Proposed Action/Activity: Construction/Operation of a small flow sewage system to serve their single family residence located at 1237 S. Meadow Lane, Palmyra.

WQM Permit No. WQG02361101, Sewage, **Salisbury Township**, 5581 Old Philadelphia Pike, Gap, PA 17527.

This proposed facility is located in Salisbury Township, **Lancaster County**.

Description of Proposed Action/Activity: Construction / operation of a pump station and force main extension to an existing manhole in Limeville Road for a three lot residential subdivision.

WQM Permit No. 2811401, Sewage, **Christopher K. and Billie J. Ritter**, 110 A Street, Carlisle, PA 17015.

This proposed facility is located in Southampton Township, **Franklin County**.

Description of Proposed Action/Activity: Approval for the construction / operation of a small flow treatment facility with septic tank, sand filter, tablet chlorinator and contact tank disinfection, and discharge to UNT to Conodoguinet Creek serving a 5-bedroom house.

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

WQM Permit No. 0210402, Sewerage, **Aleppo Township**, 100 North Drive, Suite 2, Sewickley, PA 15143

This proposed facility is located in Aleppo Township, **Allegheny County**

Description of Proposed Action/Activity: Permit issuance for the construction and operation of sanitary sewers, three (3) pump stations and force mains.

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

WQM Permit No. 1605402, Sewage, **Amendment No. 1, ABECO Inc.**, P. O. Box 265, Clarion, PA 16214.

This existing facility is located in Paint Township, **Clarion County**.

Description of Proposed Action/Activity: Issuance of an Amendment to a WQ Permit to reduce the size of the aeration tank in order to improve the ability of the plant to create and maintain a healthy biomass for wastewater treatment and to minimize freezing issues.

WQM Permit No. 4303416, Sewerage, **Amendment No. 2, Hermitage Municipal Authority**, 800 North Hermitage Road, Hermitage, PA 16148.

This existing facility is located in City of Hermitage, **Mercer County**.

Description of Proposed Action/Activity: Issuance of an Amendment to the Water Quality permit for the installation of a bio-gas electrical generator which will utilize the bio-gas from the anaerobic digestion system to produce electricity, the installation of an emergency generator, the elimination of the food waste shredder to replace it with a bottle/container processing unit and modifying the sludge staging pavilion, the change in the effluent flow metering system and a decrease in the maximum flow rate for the SBR system to the UV disinfection system.

WQM Permit No. WQG028325, Sewage, **Butler Area Sewer Authority**, 100 Litman Road, Butler, PA 16001-3256.

This existing facility is located in Butler Township, **Butler County**.

Description of Proposed Action/Activity: Issuance of a WQ Permit replacing approximately 3,500 feet of 10-inch sanitary sewer with a 12-inch line via pipe bursting. The project is located along Litman Road and Butcher Run.

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

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

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

NPDES Permit

No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI041410008	Gray's Woods Professional Development, LLC 428 Windmere Dr Ste 200 State College, PA 16801	Centre	Patton Township	UNT to Buffalo Run HQ-CWF

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

Erie County Conservation District, 1927 Wager Road, Erie PA 16509

Jefferson County Conservation District, 1514 Route 28, Brookville PA 15825

NPDES Permit

No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI 0625 10 002	PA Department of Environmental Protection 230 Chestnut Street Meadville PA 16335	Erie	Millcreek Township	West Branch Cascade Creek WWF; MF
PAI 0633 10 001	Brookville Area School District 104 Jenks Street Brookville PA 15825	Jefferson	Brookville Borough	UNT North Fork Redbank Creek HQ; CWF

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

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

List of NPDES and/or Other General Permit Types

PAG-1	General Permit for Discharges from Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated with Construction Activities (PAR)
PAG-3	General Permit for Discharges of Stormwater from Industrial Activities
PAG-4	General Permit for Discharges from Small Flow Treatment Facilities
PAG-5	General Permit for Discharges from Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems
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	CAFOs
PAG-13	Stormwater Discharges from MS4

*General Permit Type—PAG-02**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>
Perkasie Borough Bucks County	PAG0200 0909109	Kurt Wiest 779 East Rockhill Road Sellersville, PA 18960	East Branch Perkiomen Creek (TSF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
West Fallowfield Township Chester County	PAG0200 151036	Dina M. Schofield 1310 Glenville Road Cochranville, PA 19330	Muddy Run (TSF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
East Marlborough Township Chester County	PAG0200 151119	Plantation Field Equestrian Events, PO Box 82 Unionville, PA 19375	Unnamed Tributary West Branch Brandywine Creek (CWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
West Chester Borough Chester County	PAG0200 1510043	West Chester Public Works 205 Lacey Street West Chester, PA 19382	Goose Creek (TSF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0201 511102	Cranaleith Spiritual Center 13475 Proctor Road Philadelphia, PA 19116	Poquessing Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0201 511107	The Philadelphia Committee of the Garden Club of America 215 West Willow Grove Ave Philadelphia, PA 19118	Lower Schuylkill River (WWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Hazleton Luzerne Co.	PAG020040010017	Zaremba Group Sean McDermott 14600 Detroit Avenue Lakewood OH 44107	Black Creek (CWF, MF)	Luzerne Co. Conservation District 570-674-7991
Pine Grove Twp. Schuylkill Co.	PAG02005411007	Philip Riehl 1830 Camp Swatara Road Myerstown PA 17067 And Keystone Builders ATTN: Curvin Hubner 252 E. Kercher Ave. Lebanon PA 17046	UNT to Lower Little Swatara Creek (CWF, MF)	Schuylkill Co. Conservation District 570-622-3742
Bonneauville Borough Adams County	PAG02000110019	John Krichten DJ Homes (Hickory Heights 2010) 415 Cedar Run Road New Oxford, PA 17350	Rock Creek/WWF	Adams County Conservation District 670 Old Harrisburg Road, Suite 201 Gettysburg, PA 17325 (717) 334-0636
Mount Joy Township Adams County	PAG02PAG2000106 006(1) Permit Ack. 12/21/2010 Didn't send to PA Bulletin until now.	Barton L. Breighner Barton Real Estate, LLC (Fairview Farms) 420 Bulk Plant Road Littlestown, PA 17340	Littles Run, Rock Creek/WWF	Adams County Conservation District 670 Old Harrisburg Road, Suite 201 Gettysburg, PA 17325 (717) 334-0636
Straban Township Adams County	PAG02000110020	Gerald Stolzfoos Freedom Valley Worship Center 3185 York Road Gettysburg, PA 17325	Swift Run/WWF	Adams County Conservation District 670 Old Harrisburg Road, Suite 201 Gettysburg, PA 17325 (717) 334-0636

NOTICES

2155

<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>
Straban Township Adams County	PAG02000111003	Scott Crabtree Straban Solar, LLC 201 King of Prussia Road Suite 550 Radnor, PA 19087	Conewago Creek/WWF	Adams County Conservation District 670 Old Harrisburg Road, Suite 201 Gettysburg, PA 17325 (717) 334-0636
Cumberland Township Adams County	PAG02000111004	Paula Neiman Adams County Commissioners 117 Baltimore Street Suite 201 Gettysburg, PA 17325	Tributary 58958 to Marsh Creek/ CWF/MF	Adams County Conservation District 670 Old Harrisburg Road, Suite 201 Gettysburg, PA 17325 (717) 334-0636
Straban Township Adams County	PAG02000110021	Curtis Sigler Autozone, Inc. 123 S. Front Street 3rd Floor Memphis TN 38103	Rock Creek/ WWF	Adams County Conservation District 670 Old Harrisburg Road, Suite 201 Gettysburg, PA 17325 (717) 334-0636
Straban Township Adams County	PAG02000111002	Dave Nett Gettysburg Area School District 900 Biglerville Road Gettysburg, PA 17325	Rock Creek/WWF	Adams County Conservation District 670 Old Harrisburg Road, Suite 201 Gettysburg, PA 17325 (717) 334-0636
Cumberland Township Adams County	PAG02PAG20001 05025R	Summit Partners, LLC (Adams Co Tech Prep Bldg) 100 Colonial Way West Chester, PA 19382	Rock Creek/WWF	Adams County Conservation District 670 Old Harrisburg Road, Suite 201 Gettysburg, PA 17325 (717) 334-0636
Carlisle Borough and North Middleton Twp. Cumberland County	PAG02002110012	William J. Shrader V.P. of Real Estate Giant Food Stores, LLC 1149 Harrisburg Pike Carlisle, PA 17013	Alexanders Spring Creek/CWF	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle PA 17013 717-240-7812
Lower Allen Township Cumberland County	PAG02002110022	John D. Lippa Member's 1st Federal Credit Union 5000 Louise Drive Mechanicsburg, PA 17055	Cedar Run/CWF	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle PA 17013 717-240-7812
Asylum Township Bradford County	PAG2000811003	Pumpco Services Penn Centre West, Ste 227 Pittsburgh, PA 15276	Susquehanna River WWF, MF	Bradford County Conservation District Stoll Natural Resource Center RR 5, Box 5030C Towanda, PA 18848 (570) 265-5539, X 6
Potter Township Centre County	PAG2001411004	Northwest Savings Bank PO Box 787 Boalsburg, PA 16827	Penns Creek CWF	Centre County Conservation District 414 Holmes Avenue, Suite 4 Bellefonte, PA 16823 (814) 355-6817
Mansfield Borough Tioga County	PAG2005910009	Sheetz Company 5700 Sixth Ave Altoona, PA 16602-1111	UNT to Ellen Run WWF, MF	Tioga County Conservation District 50 Plaza Lane Wellsboro, PA 16901 (570) 724-1801, X 3

*Facility Location:
Municipality &
County*

<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>
Beaver County South Beaver Township	PAG02000411005	Rosenberger Land Company 2921 Duss Avenue Ambridge, PA 15003	UNT to Big Sewickley Creek (TSF)	Beaver County CD 156 Cowpath Road Aliquippa, PA 15001 724-378-1701
Cambria County Carrolltown Borough	PAG02001111002	Girard Tibbott 404 Magnolia Street Northern Cambria, PA 15714	Little Chest Creek (CWF)	Cambria County CD 401 Candlelight Drive Suite 221 Ebensburg, PA 15931 814-472-2120
Indiana County Conemaugh Township	PAG02003211003	Saltsburg School District 102 School Lane Blairsville, PA 15717	UNTs to Kiskiminetas River	Indiana County CD 625 Kolter Drive, Suite 8 Indiana, PA 15701-3571
Indiana County Young Township	PAG02003211002	Brian Okey Aultman Run Watershed Association for Restoring the Environment (AWARE) IUP Dept. of Geography & Regional Planning Leonard Hall, Room 10 421 North Walk Indiana, PA 15705-1087	Neal Run	Indiana County CD 625 Kolter Drive, Suite 8 Indiana, PA 15701-3571
Somerset County Central City Borough	PAG02005610009	The Community Action Partnership for Somerset County. Tableland, Inc. 535 East Main Street Somerset, PA 15501	Laurel Run (CWF)	Somerset County CD 6024 Glades Pike, Suite 103 Somerset, PA 15501
Washington County Fallowfield Township	PAG02006311008	Charleroi Area School District 100 Fecsen Drive Charleroi, PA 15022	UNT to Taylors Run (WWF)	Washington County CD 602 Courthouse Square Washington, PA 15501
Washington County South Strabane Township	PAG02006311007	StoneCreek Apartments 90 Chateau Royal Court Morgantown, WV 26505	UNT to Chartiers Creek	Washington County CD 602 Courthouse Square Washington, PA 15501
New Wilmington Borough Lawrence County	PAG02 0037 11 002	Wilmington Area School District Attn: Dr. Catherine Nicksick 300 Wood Street New Wilmington PA 16142	UNT Little Neshannock Creek TSF	Lawrence Conservation District 724-652-4512
City of Sharon Mercer County	PAG02 0043 11 001	Sharon City School District Attn: John J. Sarandrea 215 Forker Blvd Sharon PA 16146	Pine Run WWF	Mercer Conservation District 724-662-2242

General Permit Type—PAG-3

*Facility Location:
Municipality &
County*

<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>
Gibson Twp Susquehanna County	PAR212242	Northeast Bluestone LLC 1718 Damascus Rd. Susquehanna PA 18847	Tunkhannock Creek (CWF, MF)	PA DEP Northeast Regional Office 2 Public Square Wilkes-Barre, PA 18701-1915 570-826-2511
Lancaster County / East Cocalico Township	PAR123512	Pepperidge Farm, Inc.— Denver Facility 2195 N. Reading Road Denver, PA 17517	Little Muddy Creek / WWF / 7J	DEP—SCRO—Water Management 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

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>
Clay Township Butler County	PAR608333	Ronald Renick d/b/a Renick's Used Auto Parts 849 West Sunbury Road West Sunbury, PA 16061	Unnamed tributary to Stoney Run 20-C	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

General Permit Type—PAG-4

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>
Dauphin County / East Hanover Township	PAG043914	Scott Reichenbach 14 Park Street Mt. Gretna, PA 17064	Unt Bow Creek / WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

STATE CONSERVATION COMMISSION

NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs

The State Conservation Commission has taken the following actions on previously received applications for nutrient management plans under 3 Pa.C.S. Chapter 5, for agricultural operations that have or anticipate submitting applications for new, amended or renewed NPDES permits or NOIs for coverage under a general permit for CAFOs under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Persons aggrieved by an action may appeal under 3 Pa.C.S. § 517, section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704 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 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 a right of appeal beyond that permitted by applicable statutes and decision law.

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

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

CAFO PUBLIC NOTICE SPREADSHEET—ACTIONS

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Rhorer Dairy Farms, LLC Mike Rohrer 124 Charlestown Road Washington Boro, PA 17582	Lancaster	750	2236.5	Dairy	NA	Approved
Donald Weaver 1871 Smith Station Road Spring Grove, PA 17362	York	12.9	318.4	Hogs and Turkeys	NA	Approved
Elvin Nolt 11 Seth Erb Rd Richland, PA 17087	Lebanon	8.6	638	swine	NA	Approved
Donald Martin 331 Greble Rd Lebanon, PA 17046	Lebanon	90.5	333.74	Poultry & beef	NA	Approved
Justa Mere Farm 3736 Mahantango Road Dalmatia, PA 17017	Northumberland	413	0.35	Finishing Ducks	None	Approved

PUBLIC WATER SUPPLY (PWS) PERMITS

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

For individuals who wish to challenge an action, the appeal 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 document 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

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

Permit No. 3110504, Public Water Supply.
 Applicant **Neelyton Water Cooperative**
 Municipality Dublin Township
 County **Huntingdon**
 Responsible Official William L. Parson, Chairman
 PO Box 27
 Neelyton, PA 17239
 Type of Facility GWR 4-Log treatment of viruses with a conversion of the existing iodine disinfection to a sodium hypochlorite disinfection system.
 Consulting Engineer Mark V Glenn, P.E. Gwin, Dobson & Foreman, Inc.
 3121 Fairway Dr.
 Altoona, PA 16602-4475
 Permit to Construct Issued: 4/8/2011

Operations Permit issued to: **Millerstown Borough Water Works**, 7500021, Millerstown Borough, **Perry County** on 4/1/2011 for the operation of facilities submitted under Application No. 5010512 MA.

Operations Permit issued to: **Hawk Valley Condo Association**, 7360016, Brecknock Township, **Lancaster County** on 4/8/2011 for the operation of facilities submitted under Application No. 3611514 MA.

Operations Permit issued to: **Evergreen Enterprises**, 7360157, Rapho Township, **Lancaster County** on 4/8/2011 for the operation of facilities submitted under Application No. 3611515 MA.

Operations Permit issued to: **Guilford water Authority**, 7280038, Guilford Township, **Franklin County** on 4/1/2011 for the operation of facilities approved under Construction Permit No. 2809517 MA.

Operations Permit issued to: **Fishertown Water Association**, 4050029, East St. Clair Township, **Bedford County** on 4/1/2011 for the operation of facilities submitted under Application No. 0510505 MA.

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

Permit No. 5910504—Construction Public Water Supply.

Applicant	Dominion Transmission, Inc.
[Township or Borough]	Clymer Township
County	Tioga
Responsible Official	Mr. Kevin Zink Dominion Transmission, Inc. 5094 Route 349 Westfield, PA 16950
Type of Facility	Public Water Supply
Consulting Engineer	Gregory Cummings, P.E. Larson Design Group 1 West Market Street 3rd Floor, Suite 401 Corning, NY 14830
Permit Issued Date	April 5, 2011
Description of Action	Construction of a sodium hypochlorite disinfection system, a barium removal system-consisting of an existing ion exchange softener, and two 120-gallon detention tanks.

Permit No. Minor Amendment—Construction Public Water Supply.

Applicant	State College Borough Water Authority
[Township or Borough]	Patton Township
County	Centre
Responsible Official	Max G. Gill, Executive Director State College Borough Water Authority 1201 West Branch Road State College, PA 16801
Type of Facility	Public Water Supply
Consulting Engineer	Mark V. Glenn, P.E. Gwin, Dobson & Foreman, Inc. 3121 Fairway Drive Altoona, PA 16602
Permit Issued Date	April 11, 2011

Description of Action Repainting and minor repairs to the 1.0 MG elevated water storage tank known as Tank #4.

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

Operations Permit issued to **Aqua Pennsylvania, Inc.**, PWSID, #6270008, Jenks Township WTP, Jenks Township, **Forest County**. Permit Number 2703502-T1-MA1 issued April 5, 2011, for operation of 4-Log treatment of viruses for Entry Point No. 101. This permit action is taken under the requirements of the Groundwater Rule and is applied to operation permit 2703502.

Operations Permit issued to **Saegertown Borough**, PWSID, #6200043, Saegertown Borough, **Crawford County**. Permit Number 361W13-MA1 issued April 5, 2011, for operation of 4-Log treatment of viruses for Entry Point No. 100; Permit Number 2069501-MA1 issued April 5, 2011, for operation of 4-Log treatment of viruses for Entry Point No. 101; Permit Number 2069503-MA1 issued April 5, 2011, for operation of 4-Log treatment of viruses for Entry Point No. 102; Permit Number 2086502-MA1 issued April 6, 2011, for operation of 4-Log treatment of viruses for Entry Point 103; Permit Number 2001501-MA1 issued April 5, 2011, for operation of 4-Log treatment of viruses for Entry Point 104; at the treatment facilities in Saegertown PA. This permit action is taken under the requirements of the Groundwater Rule.

SEWAGE FACILITIES ACT PLAN APPROVAL

Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act (35 P. S. § 750.5)

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Douglass Township	1068 Douglass Drive Boyertown, PA 19512	Berks County

Plan Description: The approved plan provides for a one lot residential on-lot system repair to generate a total of 400 gallons of sewage per day to be served by a small flows treatment facility that will discharge to an intermittent tributary to Ironstone Creek. The proposed development is located Locust Rd., Douglass Township, Berks County.

The plan revision DEP number is A3-06930-108-3S. 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 or authority as appropriate.

HAZARDOUS SITES CLEAN-UP UNDER THE ACT OF OCTOBER 18, 1988

Yuhas Dump Site—Phase 2 Pocono Township, Monroe County

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (HSCA) (35 P. S. §§ 6020.101—6020.1305) is proposing an interim response at Yuhas Dump Site

(“Site”). The Site is located at RR1, Box 119, (Sullivan Trail Road) in Scotrun, Pocono Township, Monroe County, Pennsylvania.

The Yuhas Dump Site is a residential property that was used for the disposal of an estimated 33,211 cubic yards of construction and demolition (“C&D”) waste, stumps and possibly contaminated soil. The C&D waste pile, which covers a significant portion of the property, is decomposing, eroding and is unstable. Cracks and fissures have formed in the pile and venting of steam and odors has been observed. The C&D waste was filled to the edge of where Dry Sawmill Run, a stream with a protected use designation of high quality cold-water fishery (HQ-CWF), traverses the property and a large quantity of C&D waste has fallen into the stream. Leachate discharges are visible on the side slopes and are discharging directly in to the stream. Hazardous substances have been found in the C&D waste, leachate and surface water. The results of macroinvertebrate studies and surface water sampling show that the Dry Sawmill Run has been adversely affected by the C&D pile. The unpermitted disposal of C&D waste containing hazardous substances and/or contaminants poses an ongoing threat to public health, safety and the environment.

To address the release and threat of release of hazardous substances at the Site, and corresponding threats to human health and the environment, the Department proposes a response action at the Site under section 501(a) of HSCA, 35 P. S. § 6020.501(a). The objective of this proposed interim response is to: 1) To prevent further sloughing off of the C&D waste into the stream and 2) to mitigate the leaching of contaminants of concern to surface water. The Department evaluated several alternatives for this proposed interim response which include:

- 1) No Action
- 2) Leave waste, but relocate a portion of the stream
- 3) Construction of an Mechanically Stabilized Embankment (“MSE Wall”) to stabilize the C&D pile, relocation of a portion of the stream and removal of waste from adjoining properties
- 4) Construction of an Mechanically Stabilized Embankment (“MSE Wall”) to stabilize the C&D pile and relocation of a portion of the stream; Leave waste on adjoining properties
- 5) Total removal and offsite disposal of C&D waste.
- 6) Removal of some C&D waste and regrading.

Based upon an evaluation of the Alternatives using criteria including protection of human health and the environment, feasibility, implement ability, permanence, and cost-effectiveness, the Department has selected Alternative 3 as the proposed interim response for the Site.

This notice is being provided pursuant to Section 506(b) of HSCA 35 P. S. § 6020.506(b). The administrative record, which contains the information that forms the basis and documents the selection of the response action, is available for public review and comment. The administrative record is located at the Pocono Township Municipal Building, P. O. Box 197 (Route 611), Tannersville, PA 18372 and is available for review Monday through Friday from 8:30 AM to 12:00 PM and 1:00 PM to 4:00 PM. The Township Building is closed from 12:00 PM until 1:00 PM for lunch. The administrative record will be open for comment from April 23, 2011 through July 22, 2011. Persons may submit written comments into the record during this time only, by sending them to Meg Boyer, Project Officer, at the Department's Bethlehem District

Office at 4530 Bath Pike, Bethlehem, PA 18017, or by delivering them to that office in person Monday through Friday from 8:00 AM and 4:00 PM.

In addition, persons may present oral comments, for inclusion in the administrative record, at a Public Hearing. The Department has scheduled the hearing for May 25, 2011 at 10:30 AM at the Pocono Township Municipal Building. The testimony at the public hearing will be limited to the proposed interim response, which involves the relocation of a portion of the Dry Sawmill Run and stabilization of the construction and demolition waste pile using a mechanically stabilized embankment (MSE Wall). Persons wishing to present testimony at the May 25, 2011 Public Hearing regarding this proposed interim response must register with Meg Boyer before May 23, 2011 by telephone at (610) 861-2070, or in writing to Meg Boyer at the Department's Bethlehem District Office. If no person registers to present oral comments by May 23, 2011, the hearing will not be held.

Persons with a disability who wish to attend the May 25, 2011 hearing and require auxiliary aid, service or other accommodations to participate in the proceedings, should contact Meg Boyer or the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate their needs.

**NOTICE OF PROPOSED INTERIM RESPONSE
Kelly Farm Site, Fairview Township, Butler County**

The Department of Environmental Protection ("Department"), under the authority of the Hazardous Sites Cleanup Act (HSCA) (35 P. S. §§ 6020.101—6020.1305) proposes to initiate an interim response at the Kelly Farm Site, one of the disposal areas that make up the Bear Creek Area Chemical Site. The Bear Creek Area Chemical Site includes, among other things, at least twenty-four areas where the Department knows or has evidence to suggest that industrial wastes were historically disposed, and the surface water, groundwater, soils and sediments that have been contaminated from hazardous substances and contaminants that have migrated from the disposal areas. The individual disposal areas are located in Concord, Fairview and Parker Townships, Butler County and Perry Township, Armstrong County. In the site area, the Department previously provided approximately 900 homes and businesses with bottled water until a permanent water system was constructed as part of the Groundwater Operable Unit for the Bear Creek Area Chemical Site. A more detailed description of the location for each of the 24 individual disposal areas is located in the administrative record compiled for this response. This response has been initiated pursuant to Sections 501(a) and 505(b) of the HSCA (35 P. S. §§ 6020.501(a) and 6020-505(b)).

The Kelly Farm Site lies approximately one mile northwest of Karns City, PA. Gas line right-of-ways form the Kelly Farm Site's northern and eastern boundaries. Property lines define the Kelly Farm Site's southern and western boundaries. The Kelly Farm Site was formerly strip mined and the strip pits were used for the disposal of industrial wastes from area chemical plants. The disposal area at the Kelly Farm Site is a somewhat "horseshoe-shaped" lagoon covering approximately 3.5 acres, and contains approximately 64,000 cubic yards (77,000 tons) of industrial waste ("Waste Lagoon").

The industrial waste disposed at the Kelly Farm include waste generated during the manufacture of resorcinol. That waste is believed to consist primarily of gypsum (calcium sulfate), but also contains disodium

benzene disulfonate, meta-benzene disulfonic acid, benzene sulfonic acid, meta- and para-phenol sulfonic acid, and resorcinol. Other waste disposed at the Kelly Farm Site is a wastewater treatment sludge arising from the lime-neutralization and flocculation of industrial wastewater with alum (aluminum sulfate). That sludge consists of calcium sulfate, aluminum hydroxide, calcium petronate, barium petronate, and waste white oils. The sludge within the Waste Lagoon, consisting of the wastes described above and whatever bulking agents may have been added to facilitate transport to the site, is mostly a black to dark gray, soft, fine-grained material that is damp to wet in many locations. It has been described as "tarry", and in many locations exhibits a petroleum-like odor. Some light non-aqueous phase liquids (LNAPLs) are present within the sludge mass.

The following hazardous substances have been found in waste and environmental media at one or more of the disposal areas and are likely to be present at the Kelly Farm Site: resorcinol, xylene, benzene, acetone, phenols, formaldehyde, chloromethane, bromomethane, methyl ethyl ketone, carbon disulfide, trichloroethane, ethyl benzene, nickel, lead, chromium, copper, aluminum sulfate and arsenic.

Additionally, the following contaminants have been detected in waste and environmental media at most of the disposal areas, including the Kelly Farm Site: meta-benzene disulfonic acid (m-BDSA), benzene sulfonic acid (BSA), para-phenol sulfonic acid (p-PSA), sulfonate, total petroleum hydrocarbons (TPH), and calcium petronate/KSS. Resorcinol and certain contaminants have been detected in the groundwater, surface water and springs at the site.

To date, no peer-reviewed, or health or environmental agency-approved health-based advisory levels or maximum contaminant levels exist for resorcinol and the above-mentioned site-related contaminants for water or soils. The 5 parts per billion threshold Medium Specific Concentration (MSC) for resorcinol contained in 25 Pa. Code § 250, Appendix A, table 6 is a default value and was not derived from actual toxicological data used in the development of Statewide health Standards under the Land Recycling Act. Accordingly, the risks associated with the presence of these compounds in drinking water, wastes, and contaminated soils are not known. Further, the Department can not conclude that the presence of these substances does not threaten human health and the environment. As a result, the Department has decided that a response action is appropriate to protect public health and safety. For this interim response, the Department considered four alternatives for the site.

Alternative 1- No Action

Alternative 2- Removal and Off-Site Disposal of Wastes (Removal)

Alternative 3- Ex-Situ Solidification/Stabilization, On-Site Disposal (Treatment)

Alternative 4- Multi-Layer Capping and Dam Enhancements

Each alternative was evaluated with respect to four comparison criteria of: (1) the extent to which each alternative protects the public health and the environment; (2) the extent to which each alternative complies with or otherwise addresses Applicable or Relevant and Appropriate Requirements; (3) the extent to which each alternative is feasible, effective, implementable and permanent; and (4) the relative cost of each alternative. The comparative analysis identified advantages and disadvan-

tages of each alternative, so that tradeoffs between the alternatives could be determined.

Based on the comparative analysis the Department chose to implement Alternative 4—Multi-Layer Capping and Dam Enhancements on the Kelly Farm Site. With the earlier provision of safe drinking water to the public via a public water system, in the area of the Kelly Farm site (as well as all over the Bear Creek Area Chemical site), the release of contaminants to the groundwater is less of a concern from the human health perspective (i.e., exposure through drinking groundwater), eliminating the need to remove waste from that perspective. The only other significant routes of potential exposure to Kelly Farm waste constituents are via direct contact, surface water run-off into streams, and the groundwater to surface water pathway.

Alternative 4 will effectively reduce or eliminate the direct contact, inhalation, and surface water run-off routes. Alternative 4 should have a significant reduction of contaminant migration from the groundwater to the surface water. This alternative was selected because it protects, in the most cost-effective manner, the public and ecological receptors from Site-related hazardous substances and contaminants. The capital cost to implement Alternative 4 is estimated at \$1,815,131.20. The present net worth (30 years) for operation and maintenance for Alternative 4 is \$158,390. Although operation and maintenance costs would be least for Alternative 2, more for Alternative 3, and most for Alternative 4, the overall costs for Alternative 4 (capital costs plus 30 year present net worth operation and maintenance costs) are significantly less than capital costs alone for Alternatives 2 and 3.

This notice is being provided pursuant to Section 506(b) of HSCA. The administrative record, which contains the information that forms the basis and documents the selection of this response, is available for public review and comment. The administrative record is located at the Department's Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335, and is available for review Monday through Friday from 8:00 a.m. to 4:00 p.m. Please telephone beforehand for an appointment (telephone: 814-332-6648).

The administrative record will be open for comment from April 23, 2011 until July 22, 2011. Persons may submit written comments into the record during this time only, by sending them to Mr. Chuck Tordella, Project Manager, at the Department's Northwest Regional Office at 230 Chestnut Street, Meadville, PA 16335, or by delivering them to the office in person.

The public will have an opportunity to present oral comments regarding the Department's response at a public hearing. The public hearing has been scheduled for Tuesday May 24, 2011 from 5:00 PM to 8:00 PM at the Fairview Township building at 1571 Hooker Road. Persons wishing to present formal oral comments at that hearing must register on or before May 17, 2011 by calling the Department's Community Relations Coordinator, Ms. Freda Tarbell at (814) 332-6945. A general informational meeting will follow the formal oral comment period of the public hearing. If no person requests to present oral comments by the date specified above, a hearing will not be held; however, the informational meeting will still be held. Persons interested in finding out if anyone has registered, and if a hearing will be held, should contact Ms. Tarbell at the telephone number noted above. Persons with a disability who wish to attend the meeting and require auxiliary aid, service or other accom-

modations to participate in the proceedings, should call Ms. Tarbell or the Pennsylvania AT & T Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate their needs.

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—6026.907).

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P. S. §§ 6026.301—6026.308) require the 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, will 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 reuse 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 under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

Gettysburg College—West Building Area, Borough of Gettysburg and Cumberland Township, **Adams County**. Herbert, Rowland & Grubic Inc., 369 East Park Drive, Harrisburg, PA 17111, on behalf of Mr. James Biesecker, 300 North Washington Street, Gettysburg, PA 17325, submitted a Remedial Investigation and Final Reports concerning remediation of site groundwater contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the Site Specific and Residential Statewide Health standards.

Wyeth-Marietta—Debris Area, East Donegal Township, **Lancaster County**. Malcolm Pirnie, Inc, 824 Mar-

ket Street, Suite 820, Wilmington, DE 19801, on behalf of GlaxoSmithKline, 2200 Renaissance Boulevard, Suite 105, King of Prussia, PA 19406, Wyeth, Five Giralda Farms, Madison, NJ 07940, and Quantum Management Group, 3550 Burch Avenue, 2nd Floor, Cincinnati, OH 45208 submitted a Final Report concerning investigation of an unpermitted landfill. The report is intended to document remediation of the site to meet the Non-Residential Statewide Health standard.

Wyeth-Marietta—Main Parcel Area, East Donegal Township, **Lancaster County**. Malcolm Pirnie, Inc, 824 Market Street, Suite 820, Wilmington, DE 19801, on behalf of GlaxoSmithKline, 2200 Renaissance Boulevard, Suite 105, King of Prussia, PA 19406, Wyeth, Five Giralda Farms, Madison, NJ 07940, and Quantum Management Group, 3550 Burch Avenue, 2nd Floor, Cincinnati, OH 45208 submitted a Final Report concerning remediation of site soil and groundwater contaminated with VOCs, SVOCs, and inorganics. The report is intended to document remediation of the site to meet the Non-Residential Statewide Health standard.

Former BP-Amoco Service Station #84749, Carlisle Borough, **Cumberland County**. Sovereign Consulting, Inc., 111 A. North Gold Drive, Robbinsville, NJ 08691, on behalf of BP Products North America, Inc., 1 West Pennsylvania Avenue, Towson, MD 21204-5027, submitted a combined Remedial Investigation Report and Final Report concerning remediation of site soils and groundwater contaminated with gasoline from unregulated storage tanks. The combined report is intended to document remediation of the site to meet the Site-Specific standard.

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

Putnam Wellpad 77, Armenia Township, **Bradford County**. URS Corporation, 4507 N. Front St., Suite 200, Harrisburg, PA 17110 on behalf of Talisman Energy USA Inc., 50 Penwood Place, Warrendale, PA 15086 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.

Dhaliwal Transport, Interstate 80 at MM190E, Greene Township, **Clinton County**. Northridge Group, Inc., 1172 Ridge Road, Northumberland, PA 17857, on behalf of Dhaliwal Transport, 1856 Chatfield Circle, Stockton, CA 95206, 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.

Betty Transportation Services, Inc., Interstate 80 at MM186E, Greene Township, **Clinton County**. Northridge Group, Inc., 1172 Ridge Road, Northumberland, PA 17857, on behalf of Betty Transportation Services, Inc., 13 Melblum Lane, Edison, NJ 08837, 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. Final report was submitted within 90 days of release.

Cooney Bulk Sales, Ltd., Interstate 180 at MM8W, Delaware Township, **Northumberland County**. Northridge Group, Inc., 1172 Ridge Road, Northumberland, PA 17857, on behalf of Cooney Bulk Sales, Ltd., P. O. Box 186, Trenton, Ontario, Canada K8V5R2, 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. Final Report was submitted within 90 days of release.

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

Farmer's Valley Wax Plant—Crude Tanks Area, Keating Township, **McKean County**. URS Corporation, 200 Orchard Ridge Drive, Suite 101, Gaithersburg, MD 20878 on behalf of Pennzoil-Quaker State Company, 700 Milam, Houston, TX 20878 has submitted a Remedial Investigation/Risk Assessment/Final Report concerning remediation of site soils contaminated with Bis[2-ethylhexyl]phthalate, 2-methylnaphthalene, Aluminum, Antimony, Arsenic, Barium, Beryllium, Cadmium, Calcium, Chromium, Cobalt, Copper, Iron, Lead, Magnesium, Manganese, Mercury, Nickel, Potassium, Selenium, Silver, Sodium, Thallium, Vanadium, Zinc and site groundwater contaminated with Methylcyclohexane, Caprolactam, Diethyl phthalate, Aluminum, Arsenic, Barium, Beryllium, Cadmium, Calcium, Cobalt, Iron, Magnesium, Manganese, Mercury, Potassium, Sodium, and Zinc. The report is intended to document remediation of the site to meet the Site-Specific Standard. Notice of the Remedial Investigation/Risk Assessment/Final Report was published in *The Bradford Era* on March 23, 2011.

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

Former Scarpino / Patterson Ave Site, City of Duquesne, **Allegheny County**. KU Resources, Inc., 22 South Linden Street, Duquesne PA 15110 on behalf of the Redevelopment Authority of Allegheny County, 425 Sixth Street, Suite 800, Pittsburgh, PA 15217 and West to West Coalition, 22 South Linden Street, Duquesne, PA 15110 has submitted a combined Risk Assessment and Cleanup Plan concerning the remediation of site soil and groundwater contaminated with gasoline constituents. The Risk Assessment and Cleanup Plan was noticed in the *Daily News* on March 17, 2011.

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—6026.907).

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its 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 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 reuse 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 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 under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

Northeast Region: Eric Supey, Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Former Barletta Materials Property, Southwest of Intersection of SR 924 and I-81, Hazle Township, **Luzerne County**. Lori Girvan, Barry Isett & Associates, Inc., 100 West Broad Street, Hazleton, PA 18201 submitted a Final Report (on behalf of her client, CAN DO, Inc., 1 South Church Street, Hazleton, PA 18201), concerning the remediation of soil found to have been impacted by asphalt as a result of historical operations at the former asphalt plant, which was removed from the property in 2009. The report documented attainment of the Residential Statewide Health Standard for soil and was approved on April 7, 2011.

Rosenkrance Property, Lot 57033 Loomis Lake Road, Lenox Township, **Susquehanna County**. James P. Sposito, James P. Sposito Associates, 11 Archbald Street, Carbondale, PA 18407 submitted a Final Report (on behalf of his client, Robert Rosenkrance, 700 University Avenue, Endwell, NY 13760), concerning the remediation of soil found to have been impacted by No. 2 fuel oil as a result of a release due to over pressurization during the filling of two 275-gallon aboveground storage tanks. The report documented attainment of the Residential Statewide Health Standard for soil and was approved on April 8, 2011.

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

Cumberland Technological Park Site, Hampden Township, **Cumberland County**. B.L. Companies, 4242 Carlisle Pike, Suite 260, Camp Hill, PA 17011, on behalf of Mr. John Harbilas, 33 North Second Street, Harrisburg, PA 17101, submitted a Final Report concerning the remediation of site soil and groundwater contaminated

with VOCs, PAHs and chlorinated solvents. The Final Report demonstrated attainment of the Site Specific and Residential Statewide Health standards, and was approved by the Department on April 6, 2011.

RESIDUAL WASTE GENERAL PERMITS

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

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

General Permit Number WMGR047. Harsco Minerals of PA, 357 N Pike Road, Sarver, PA 16055-8633. General Permit Number WMGR047 authorizes the beneficial use of the "residual aggregate" generated from the extraction of stainless steel from the stainless steel slag. The authorized beneficial uses under this general permit are limited to use as an agricultural liming agent, as an ingredient in specialty fertilizers and an ingredient in mine grouting material. The permit was amended by Central Office on April 8, 2011.

Persons interested in reviewing the general permit may contact Scott E. Walters, Chief, General Permits/Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472, 717-787-7381. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

Permit No. 300176. Arcelormittal Plate, LLC, 139 Modena Road, Coatesville PA 19320-0911. This permit is issued to allow for the short-term, continued operation of the ArcelorMittal Landfill, an existing Class I captive residual waste landfill, located at the intersection of PA Route 82 (Doe Run Road) and IMS Drive in East Fallowfield Township and Valley Township, **Chester County**, during the review of the facility's 10-year renewal application. The permit was issued by the Southeast Regional Office on April 4, 2011.

Southwest Regional Office, Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Telephone 412.442.4000.

Permit ID No. 101421. Shade Landfill, Inc., 1176 No. 1 Road, Cairnbrook, PA 15924-9726. The permit renewal of a municipal waste landfill in Shade Township, **Somerset County** was issued in the Regional Office on April 6, 2011.

AIR QUALITY

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

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401

Contact: Sachin Shankar, New Source Review Chief—Telephone: 484-250-5920

GP3-23-0022: Diamond Materials, LLC. (924 South Heald Street, Wilmington, DE 19801) on April 5, 2011, was authorized to construct and operate portable nonmetallic mineral processing plant in Concord Township, **Delaware County**.

GP9-23-0011: Diamond Materials, LLC. (924 South Heald Street, Wilmington, DE 19801) on April 5, 2011, was authorized to construct and operate (2) two diesel-fired internal combustion engines in Concord Township, **Delaware County**.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481

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

GP5-16-158A: ABARTA Oil & Gas Co., Inc.—Clarion Compressor Site (Off McEwen Road, Sligo, PA 16255) on April 4, 2011, for operation of a natural gas fired compressor engine (BAQ-GPA/GP-5) in Piney Township, **Clarion County**.

Plan Approvals Issued under the Air Pollution Control Act 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

Contact: Sachin Shankar, New Source Review Chief—Telephone: 484-250-5920

09-0215: National Sales and Supply (3800 Marshall Lane, Bensalem, PA 19020) on April 5, 2011, for installation of a Salt Dryer at their new facility in Bensalem Township, **Bucks County**. The Plan Approval will contain monitoring, recordkeeping and operating restrictions designed to minimize emissions and keep the facility operating within all applicable air quality requirements.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745

Contact: Mark Gorog and Barb Hatch, Environmental Engineer Managers—Telephone: 412-442-4163/5226

PA-30-00194: EQT Gathering, LLC (625 Liberty Avenue, Pittsburgh, PA 15222) on March 29, 2011, to authorize the construction and temporary operation of air

contamination sources and controls associated with a natural gas compressor facility at the Callisto Compressor Station in Morris Township, **Greene County** with an expiration date of September 28, 2012.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401

Contact: Sachin Shankar, New Source Review Chief—Telephone: 484-250-5920

15-0009C: AGC Chemical Americas, Inc. (255 South Bailey Road, Downingtown, PA, 19355) on April 6, 2011, to operate fluidized bed dryer in Caln Township, **Chester County**.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745

Contact: M. Gorog & B. Hatch, Environmental Engineer Managers—Telephone: 412-442-4163/5226

PA-30-00072E: Consol Pennsylvania Coal Co., LLC (1525 Pleasant Grove Road, Claysville, PA 15323) on April 10, 2011, with an expiration date of October 10, 2011, for continued temporary operation of sources associated with the Crabapple Overland Conveyor, located in Richhill Township, **Greene County**. The plan approval has been extended.

Title V Operating Permits Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter G.

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110

Contact: Thomas J. Hanlon, Chief, East Permitting Section—Telephone: 717-705-4862 or Daniel Husted, Chief, West Permitting Section—Telephone: 717-949-7935

05-05005: Bedford Materials Co., Inc. (7676 Allegheny Road, Manns Choice, PA 15550-8967) on April 5, 2011, for their paper - fabric coating and flexible electric insulation materials manufacturing facility in Napier Township, **Bedford County**. This is a renewal of the Title V operating permit.

31-05005: Containment Solutions, Inc. (14489 Croghan Pike, Mount Union, PA 17066) on March 29, 2011, for their fiberglass reinforced plastic underground storage tank manufacturing facility in Shirley Township, **Huntingdon County**. This is a renewal of the Title V operating permit.

Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19428

Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920

15-00101: Kendal-Crosslands Communities (P. O. Box 100, Kennett Square, PA 19348) on April 5, 2011, for a non-Title V, State-Only, Synthetic Minor Operating

Permit to operate a two (2) 1,500 kW diesel fuel-fired generators, four (4) natural gas and #2 fuel oil-fired boilers and other insignificant processes and combustion sources in Kennett Township, **Chester County**. This action is a renewal of the State Only Operating Permit. The initial permit was issued on 3-3-2006. The permit will include monitoring, recordkeeping, reporting, and work practice standards designed to keep the facility operating within all applicable air quality requirements. The permit will include monitoring, recordkeeping, reporting, and work practice standards designed to keep the facility operating within all applicable air quality requirements.

Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401

Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920

09-00186: Kinder Morgan Bulk Terminals, Inc. (1 Sinter Lane, Fairless Hills, PA 19030) on April 7, 2011, is a non-Title V facility in Falls Township, **Bucks County**. The State-Only (Synthetic Minor) Operating Permit, No. 09-00186, has been amended to incorporate conditions from Plan Approval No. 09-0186B. This amendment allows for the implementation of self-unloading vessels where material dust emissions can be controlled by water suppression. The only pollutants of concern from this operation are PM and HAP emissions. In combination with the facility's Source ID 101 (Bulk Material Handling System), this operation has a potential-to-emit of 20.71 tons per year (TPY) for total PM, 9.75 TPY for PM-10, 3.09 TPY for PM-2.5, and 9.94 TPY for total HAP. The facility has site-wide potentials of 151.6 TPY for total PM, 42.2 TPY for PM-10, 8.0 TPY for PM-2.5, and 9.94 TPY for total HAP. PM emissions from the self-unloading vessels are controlled by primarily by water suppression, and in some cases covers on conveyors and enclosures around transfer points. The operating permit contains recordkeeping and operating restrictions designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

Operating Permits Denied, Terminated, Suspended or Revoked under the Air Pollution Control Act and 25 Pa. Code §§ 127.431 and 127.461.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401

Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920

09-00128: Icon Identity Solutions, Inc.—DBA East Coast Sign Advertising (5058 Bristol Pike, Bristol, PA 19007) on April 5, 2011, for revocation of their non-Title V operating permit for the operation of three (3) spray paint booths in Bristol Township, **Bucks County**. This operating permit was revoked because of closure of business and shutdown of operations at the facility.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law; 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—1406.20a). The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P. S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1002).

Coal Applications Returned

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

26000102 and NPDES Permit No. PA0202860. Stash Mining Company (P. O. Box 20, Waltersburg, PA 15488). Returned application for commencement, operation and reclamation of a bituminous surface mine, located in South Union Township, **Fayette County**, affecting 130.5 acres. Receiving streams: unnamed tributaries to Jennings. Resubmitted application received: March 15, 2009. Application returned: April 4, 2011.

Coal Permits Actions

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

65060102 and NPDES Permit No. PA0250864. Coal Loaders, Inc. (210 E. Main St., P. O. Box 556, Ligonier, PA 15658). Permit renewal issued for reclamation only of a bituminous surface mining site located in Fairfield Township, **Westmoreland County**, affecting 85.5 acres. Receiving streams: unnamed tributaries to Hannas Run and Hypocrite Creek. Renewal application received: January 5, 2011. Renewal issued: April 1, 2011.

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

40840206R5. Jeddo-Highland Coal Company, (46 Public Square, Suite 600, Wilkes-Barre, PA 18701), renewal of an existing anthracite coal refuse reprocessing and prep plant operation in Plains Township, **Luzerne County** affecting 126.9 acres, receiving stream: none. Application received: August 25, 2010. Renewal issued: April 7, 2011.

Noncoal Permits Actions

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

10000305 and NPDES Permit No. PA0241792. Three Rivers Aggregates, LLC (225 North Shore Drive, Pittsburgh, PA 15212) Transfer of an existing large industrial mineral operation from Ennstone, Inc. d/b/a Three Rivers Aggregates in Worth Township, **Butler County** affecting 111.0 acres. Receiving streams: Un-

named tributary to Black Run and Black Run. Application received: October 6, 2010. Permit Issued: April 5, 2011.

37940302 and NPDES Permit No. PA0212041. Three Rivers Aggregates, LLC (225 North Shore Drive, Pittsburgh, PA 15212) Transfer of an existing large industrial mineral operation from Ennstone, Inc. d/b/a Three Rivers Aggregates in Scott & Plain Grove Townships, **Lawrence County** affecting 137.5 acres. Receiving streams: Unnamed tributary to Slippery Rock Creek. Application received: October 6, 2010. Permit Issued: April 5, 2011.

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

09050302C2. Waste Management of PA, Inc., (1000 New Ford Mill Road, Morrisville, PA 19067), correction of an existing quarry operation to address off-site mitigation of wetlands affecting 265.0 acres in Falls Township, **Bucks County**, receiving stream: Delaware River. Application received: October 7, 2009. Correction issued: April 7, 2011.

09050302GP104. Waste Management of PA, Inc., (1000 New Ford Mill Road, Morrisville, PA 19067), General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 09050302 in Falls Township, **Bucks County**, receiving stream: Delaware River. Application received: January 24, 2011. Permit issued: April 7, 2011.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.

Blasting Permits Actions

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

14114003. Glenn O. Hawbaker, Inc. (1952 Waddle Road, State College, PA 16803). Blasting on the White Rock reclamation project located in Spring Township, **Centre County**. Permit issued: April 6, 2011. Permit expires: May 31, 2013.

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

67114105. TJ Angelozzi, Inc., (7845 Kabik Court, Woodbine, MD 21797), construction blasting for the Hills at Valley View in Codorus Township, **York County** with an expiration date of March 31, 2012. Permit issued: April 4, 2011.

66114001. Geokinetics, (RR 6 Box 6176, Towanda, PA 18848), seismic blasting for Sullivan Phase I in Forkston & North Branch Townships, **Wyoming County** with an expiration date of March 31, 2012. Permit issued: April 6, 2011.

38114103. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Farmer Boy Ag in Myerstown Borough, **Lebanon County** with an expiration date of June 30, 2011. Permit issued: April 6, 2011.

38114104. Maine Drilling & Blasting, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for a single dwelling on School Creek Lane in North Annville Township, **Lebanon County** with an expiration date of April 4, 2012. Permit issued: April 6, 2011.

38114105. Maine Drilling & Blasting, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for North Londonderry Waste Water Treatment Plant in North Londonderry Township, **Lebanon County** with an expiration date of April 4, 2012. Permit issued: April 6, 2011.

67114106. Maine Drilling & Blasting, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Spring Woods Development in York Township, **York County** with an expiration date of April 4, 2012. Permit issued: April 6, 2011.

58114008. John Brainard, (3978 SR 2073, Kingsley, PA 18826), construction blasting for the Price BB Well Pad in Lenox Township, **Susquehanna County** with an expiration date of August 30, 2011. Permit issued: April 7, 2011.

58114009. John Brainard, (3978 SR 2073, Kingsley, PA 18826), construction blasting for the Gerfin AA Well Pad in Lenox Township, **Susquehanna County** with an expiration date of August 30, 2011. Permit issued: April 7, 2011.

58114106. Meshoppen Blasting, Inc., (P. O. Box 127, Meshoppen, PA 18630), construction blasting for Yvonne 1H-6H well site and access road in Rush Township, **Susquehanna County** with an expiration date of June 3, 2011. Permit issued: April 7, 2011.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The 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 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 that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also

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

For individuals who wish to challenge an action, the appeal 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 and Notice of Final Action for Certification under section 401 of the FWPCA.

Permits, Environmental Assessments and 401 Water Quality Certifications Issued:

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E23-491. David Sciocchetti, Chester Economic Development Authority, P. O. Box 407, 511 Welsh Street, Chester, PA 19016-0407, City of Chester, **Delaware County**, ACOE Philadelphia District.

To construct and maintain a recreational facility in the floodplain of Chester Creek (WWF-MF).

The site is located approximately 150 feet southeast of the intersection of Penn Street and Seventh Avenue (Bridgeport, NJ-PA USGS Quadrangle N: 17.95 inches; W: 16.05 inches).

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

E08-459. Tennessee Gas Pipeline Company, 1001 Louisiana Street, Houston, TX 77002-5089. Water Obstruction and Encroachment Joint Application, 300 Line Project-Loop 317, in Asylum, Burlington, Granville, Monroe, West Burlington Townships, **Bradford County**, ACOE Baltimore District (Towanda, PA Quadrangle N: 41° 43' 22"; W: 76° 28' 12").

To construct, operate and maintain 26.46 miles of 30" natural gas pipeline (Loop 317) within the West Branch of the Susquehanna River watershed (Warm Water Fishery). Construction of the pipeline loop will require forty-one (41) stream and eighty-eight (88) wetland crossings associated with the pipeline right-of-way (ROW) and access roads. All pipeline crossings shall be placed beneath streambeds and wetlands so there will be a minimum of 3 feet of cover between the top of the pipe and the lowest point in the streambed or wetland. Trench plugs or clay dikes shall be used at every waterway and wetland crossing to ensure the existing hydrology is not altered. The project is centered approximately 1 mile north of the Village of Monroeton in Bradford County. The 317 Loop will start N 41° 44' 5"; W 76° 45' 39" - terminate N 41° 42' 28"; W 76° 20' 4".

E18-463. Kelly & Kevin Witterick, 316 Main Street, Mill Hall, PA 17751. Charlie's Fence, in Mill Hall Borough, **Clinton County**, ACOE Baltimore District (Mill Hall, PA Quadrangle, N: 41°06'6.1"; W: -77°29'0.8").

To construct and maintain 23 linear feet of 6-foot high chain link fence, located in the right 100-year floodway of Fishing Creek, located 130 feet southeast of the intersection of East Arch Street and Main Street. This permit was issued under Section 105.13(e) "Small Projects."

ENVIRONMENTAL ASSESSMENTS

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

EA25-052, Pennsylvania Department of Environmental Protection Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. Currie Landfill Remediation, in Millcreek Township, **Erie County**, ACOE Pittsburgh District (Swanville, PA Quadrangle N: 42°, 5', 55"; W: 80°, 8', 5").

The Pennsylvania Department of Environmental Protection Northwest Regional Office Hazardous Sites Cleanup Program has requested 401 Water Quality Certification for encroachments associated with the consolidation and capping of waste in place at the Currie Landfill site. The Currie Landfill site is bordered to the north by West 15th Street, to the east by Pittsburgh Avenue, to the northwest by Sellinger Avenue and to the south by Conrail railroad tracks. The site consists of three parcels of land, two currently owned by the Erie Drive-In Theater Corporation, referred to as parcels A and B; and one owned by UPS Freight, referred to as parcel C. The area that will be part of the remedial response will include the entirety of parcels A and B, and also include the northwest corner of parcel C.

The proposed remediation will consolidate the landfill waste and place a two foot soil cap over the waste. This alternative will remove the waste from parcel A and a portion of parcel C to be incorporated with the waste in parcel B. A two foot soil cap would be placed over parcel B. Parcel A will be covered with clean fill followed by coarse aggregate for future land development opportunities. The northeastern area of the undeveloped landfill will serve as the constructed wetland stormwater detention basin. Waste will be removed from the stream banks and will be restored with a 25' riparian buffer. The waste and soil cap will be graded to a final slope of 1% crowned from the center of parcel B to the north and south into collection channels that will drain into the stormwater detention basin. Parcel A will slope 1% to the south and drain into the storm water detention basin. Parcel A will be an impervious surface and parcel B will have a vegetative cover. Operations and maintenance will be required by the landowners to maintain the landfill cap and to ensure the wetland stormwater detention pond operates properly.

The proposed encroachments are: 1) to remove waste from the streambanks and associated floodplain of the West Branch of Cascade Creek for a length of approximately 700 feet, 2) to reconstruct and maintain streambanks, riparian area and stream channel for a length of approximately 700 feet, 3) to construct stormwater BMPs including associated outfalls within the floodway and floodplain of the West Branch of Cascade Creek and 4) to impact an unknown area of wetland if the wetland is located on top of waste that would be removed. The West Branch of Cascade Creek is a perennial stream classified as a warm water fishery and migratory fishery.

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

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

For individuals who wish to challenge an action, the appeal 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.

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

ESCGP-1 #ESX09-031-0003—Ochs 1V
 Applicant Citrus Energy Corporation
 Contact Jeffrey Searfoss
 Address 5601 Democrat Drive, Ste 190
 City Plano State TX Zip Code 75024
 County Clarion Township(s) Highland(s)
 Receiving Stream(s) and Classification(s) Toby Creek—
 CWF, Clarion River—CWF

ESCGP-1 #ESX11-019-0056A—Kriley Farm No. 1H Minor
 Modification
 Applicant Phillips Exploration, Inc.
 Contact Mr. Gary Clark
 Address 502 Keystone Drive
 City Warrendale State PA Zip Code 15086
 County Butler Township(s) Summit(s)
 Receiving Stream(s) and Classification(s) Thorn Creek
 CWF

ESCGP-1 #ESX10-123-0010—ANF Gray Todd & Gray
 Wells 8 - 14
 Applicant Allegheny Enterprises, Inc.
 Contact Clint Stout
 Address 3885 Roller Coaster Road
 City Corsica State PA Zip Code 15829
 County Warren Township(s) Mead(s)
 Receiving Stream(s) and Classification(s) Browns Run—
 EV, Allegheny River—EV, Allegheny River—WWF

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

Washington County Conservation District: 100 West Beau Street, Suite 105, Washington, PA 15301-4447. (724-228-6774)

<i>ESCGP-1 No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
04 11 001	Eric N. Stewart Appalachia Midstream Services 179 Chesapeake Drive PO Box 1300 Jane Lew, WV 26278	Beaver	South Beaver Township	UNT to Brush Run (HQ-CWF)

SPECIAL NOTICES

Plan Revision Approval under the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, Act 101

Southwest Region: Waste Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222

The Department of Environmental Protection (Department) approved the Greene County Municipal Waste Management Plan Revision on March 31, 2011. This plan revision approval contained conditions regarding the continued operation of the Greene County Recycling Facility.

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 may contact the Environmental Hearing Board (Board) through the Pennsylvania Relay Service,

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

The plan revision is a public document and may be viewed at the Southwest Regional Office.

Questions concerning this approval should be directed to Lawrence Holley, Environmental Program Manager, Department of Environmental Protection, Bureau of Waste Management, Division of Waste Minimization and Planning, P. O. Box 8472, Harrisburg, PA 17105-8472 or to Sharon Svitek, Regional Recycling and Planning Coordinator, Bureau of Waste Management at the Southwest Regional Office.

Plan Revision Approval under the Municipal Waste Planning, Recycling and Waste Planning, Recycling and Waste Reduction Act of 1988, Act 101

Southcentral Region: Waste Management Program Manager, 909 Elmerton Avenue Harrisburg, PA 17110-8200.

The Department of Environmental Protection (Department) approved the Lebanon County Municipal Waste Management Non-Substantial Plan Revision ("Revision") on April 06, 2011. Key features of the Revision include updated municipal solid waste calculations, ongoing landfill disposal capacity, at the Greater Lebanon Refuse Authority, yard waste composting, and on going recycling options. The Revision is a public document and may be viewed at the Southcentral Regional Office, at the address noted above. Questions concerning the approval of the Revision should be directed to Larry Holley, Department of Environmental Protection, Bureau of Land Recycling and Waste Management, Division of Waste Minimization and Planning, P. O. Box 8472, Harrisburg, PA 17105-8472, (717) 787-7382, or to John Lundsted, Regional Planning and Recycling Coordinator, Waste Management Program, at the Southcentral Regional Office at (717) 705-4927.

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

[Pa.B. Doc. No. 11-685. Filed for public inspection April 22, 2011, 9:00 a.m.]

[Correction]

Clean Air Interstate Rule; Final 2015 Annual and Ozone Season CAIR Nitrogen Oxides Allowance Allocations and Redistribution of 2010-2014 Allowances for Certain Facilities

An error occurred in the notice which appeared at 41 Pa.B. 2067, 2087 (April 16, 2011). The filing information was incorrect. The correct filing date is as follows.

[Pa.B. Doc. No. 11-661. Filed for public inspection April 15, 2011, 9:00 a.m.]

Nutrient and Sediment Reduction Credit Trading Program; Notice of Proposals

The Department of Environmental Protection (Department) provides notice of the following proposal under the Nutrient and Sediment Reduction Credit Trading Program (Trading Program). This proposal was submitted under The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and 25 Pa. Code § 96.8 (relating to use of offsets and tradable credits from pollution reduction activities in the Chesapeake Bay Watershed) (see 40 Pa.B. 5790 (October 9, 2010)).

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

The proposals described in this notice relate to submitted proposals through April 5, 2011.

Background

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

Approval is also known as certification, which is a written approval by the Department for the use of a nutrient reduction activity to generate credits. Certifications are based on at least: (1) a credit proposal describing the qualifying nutrient reduction activity that will reduce the nutrient loadings delivered to the applicable watershed; (2) the calculation to quantify the pounds of reductions expected; and (3) a verification plan that, when implemented, ensures that the qualifying nutrient reduction activity has taken place. The proposals described in this notice apply to the Chesapeake Bay Watershed.

Once the credits are certified, they must be verified to be applied towards an NPDES permit for compliance with effluent limits. Verification means implementation of the verification plan contained in a certification, as required by the Department. Verification plans require annual submittal of documentation to the Department that demonstrates that the qualifying nutrient reduction activity has taken place for the applicable compliance year.

The credits also need to be registered by the Department before they can be used to meet effluent limits in an NPDES permit. Registration occurs only after credits have been certified, verified and a contract has been submitted. For the Chesapeake Bay Watershed, the Department will register credits for use during the compliance year in which the qualifying pollutant reduction

activity has taken place. The Department will provide the credits with an annual registry number for reporting and tracking purposes.

Proposals

The following new proposals are being reviewed by the Department.

<i>Proposal Applicant</i>	<i>Proposal Description</i>
Red Barn Trading Company on behalf of Lancaster Farmland Trust	Nitrogen and phosphorous credits to be generated from the pollutant reduction activity of poultry manure export by Client's E. Zimmerman, M. Rohrer, T. Rohrer, J. Harnish and Cherry Crest.
Red Barn Trading Company on behalf of Lancaster Farmland Trust	Nitrogen credits to be generated from the pollutant reduction activity of continuous no-till by Client R. Stoltzfoos.
Wyoming Valley Sanitary Authority	Nitrogen and phosphorous credits to be generated from the pollutant reduction activity of using operational controls to maximize the WWTP performance with respect to the removal of nitrogen and phosphorus.
TeamAg on behalf of Lancaster Area Sewer Authority	Nitrogen credits to be generated from the pollutant reduction activity of continuous no-till, cereal cover crops and a riparian forest buffer on land owned by Lancaster Area Sewer Authority.

Written Comments

Interested persons may submit written comments on these proposals by May 23, 2011. The Department will accept comments submitted by e-mail, but comments submitted by facsimile will not be accepted. A return name and address must be included in each e-mail transmission. Written comments should be submitted to Ann Roda, Water Planning Office, Department of Environmental Protection, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 787-4726, aroda@state.pa.us.

For further information about these proposals or the Trading Program contact Ann Roda, at the previously listed address or phone number or visit the Department's web site at www.depweb.state.pa.us (DEP Keywords: "Nutrient Trading").

MICHAEL L. KRANCER,
Acting Secretary

[Pa.B. Doc. No. 11-686. Filed for public inspection April 22, 2011, 9:00 a.m.]

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 at the 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).

ELI N. AVILA, MD, JD, MPH, FCLM,
Acting Secretary

[Pa.B. Doc. No. 11-687. Filed for public inspection April 22, 2011, 9:00 a.m.]

DEPARTMENT OF HEALTH

Application of Children's Surgery Center, LLC for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Children's Surgery Center, LLC has requested an exception to the requirements of 28 Pa. Code § 551.22(2) and (3)(ii) (relating to criteria for performance of ambulatory surgery on pediatric patients).

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.

Application for Exception to 28 Pa. Code § 29.33(6)

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 § 29.33(6) (relating to requirements for abortion):

Drs. Bruce Berger, M.D. and Charles Benjamin, D.O.
Allegheny Women's Center
Planned Parenthood of Western Pa, Inc.

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 at the 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).

ELI N. AVILA, MD, JD, MPH, FCLM,
Acting Secretary

[Pa.B. Doc. No. 11-688. Filed for public inspection April 22, 2011, 9:00 a.m.]

Application of Shriners Hospital for Children—Philadelphia for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Shriners Hospital for Children—Philadelphia 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: 5.4.1.2(1)(b) (relating to space requirements).

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 at the 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).

ELI N. AVILA, MD, JD, MPH, FCLM,
Acting Secretary

[Pa.B. Doc. No. 11-689. Filed for public inspection April 22, 2011, 9:00 a.m.]

Human Immunodeficiency Virus (HIV) Community Prevention Planning Committee Public Meetings

The Statewide HIV Community Prevention Planning Committee, established by the Department of Health (Department) under sections 301(a) and 317(b) of the

Public Health Service Act (42 U.S.C.A. §§ 241(a) and 247(b)), will hold public meetings on Wednesday, May 18, 2011, from 9 a.m. to 4 p.m. and on Thursday, May 19, 2011, from 9 a.m. to 2:30 p.m. at the Park Inn Harrisburg West, 5401 Carlisle Pike, Mechanicsburg, PA 17050.

For additional information, contact Kenneth McGarvey, Department of Health, Bureau of Communicable Diseases, 625 Forster Street, Room 1010, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-0572.

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

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

ELI N. AVILA, MD, JD, MPH, FCLM,
Acting Secretary

[Pa.B. Doc. No. 11-690. Filed for public inspection April 22, 2011, 9:00 a.m.]

Human Immunodeficiency Virus (HIV) Integrated Council Public Meetings

The Statewide Integrated HIV Planning Council, established by the Department of Health (Department) under sections 301(a) and 317(b) of the Public Health Service Act (42 U.S.C.A. §§ 241(a) and 247(b)), will hold a public meeting on Tuesday, May 17, 2011, from 9 a.m. to 2:30 p.m. at the Park Inn Harrisburg West, 5401 Carlisle Pike, Mechanicsburg, PA 17050.

For additional information contact Joseph Pease, Department of Health, Bureau of Communicable Diseases, Division of HIV/AIDS, 625 Forster Street, Room 1010, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-0572.

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

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

ELI N. AVILA, MD, JD, MPH, FCLM,
Acting Secretary

[Pa.B. Doc. No. 11-691. Filed for public inspection April 22, 2011, 9:00 a.m.]

Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.18(e) (relating to management).

Progressive Care Center
500 West Berkeley Street
Uniontown, PA 15401

This request is on file with the Department of Health (Department). Persons may receive a copy of the request for exception by requesting a copy from the Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@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 at the 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 the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ELI N. AVILA, MD, JD, MPH, FCLM,
Acting Secretary

[Pa.B. Doc. No. 11-692. Filed for public inspection April 22, 2011, 9:00 a.m.]

Traumatic Brain Injury Advisory Board Meeting

The Traumatic Brain Injury Advisory Board, established under section 1252 of the Federal Traumatic Brain Injury Act of 1996 (42 U.S.C.A. § 300-52), will hold a public meeting on Friday, May 6, 2011. The meeting will be held in the large conference room of the Community Center, which is located on the 2nd Floor, Giant Food Store, 2300 Linglestown Road, Harrisburg, PA 17110, from 10 a.m. to 3 p.m.

For additional information, or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so, contact Naomi Zeiset, Administrative Assistant, Division of Child and Adult Health Services at (717) 772-2762, or for speech and/or hearing impaired persons contact V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

This meeting is subject to cancellation without notice.

ELI N. AVILA, MD, JD, MPH, FCLM,
Acting Secretary

[Pa.B. Doc. No. 11-693. Filed for public inspection April 22, 2011, 9:00 a.m.]

**DEPARTMENT OF
PUBLIC WELFARE**

Income Limits and Co-payments for the Subsidized Child Care Program

The purpose of this notice is to increase the income limits codified at 55 Pa. Code Chapter 3041, Appendix B (relating to co-payment chart family co-payment scale (based on the 2011 Federal Poverty Income Guidelines (FPIG)) under 55 Pa. Code § 3041.107(b) (relating to availability and use of the Federal Poverty Income Guidelines). This increase is effective May 2, 2011.

Section 3041.107(b) of 55 Pa. Code requires the Department of Public Welfare to update the copayment schedule in 55 Pa. Code Chapter 3041, Appendix B to reflect changes in the FPIGs. Effective May 2, 2011, the income guidelines for the subsidized child care program are increased due to increases in the FPIG. The copayment schedule is adjusted to reflect the increases. Chapter 3041, Appendix B of 55 Pa. Code also establishes the family copayment levels according to the family's computed annual income and lists the weekly family copayment based on the annual family income.

GARY D. ALEXANDER,
Acting Secretary

Fiscal Note: 14-NOT-685. No fiscal impact; (8) recommends adoption.

**CO-PAYMENT CHART
FAMILY CO-PAYMENT SCALE
(BASED ON THE 2011 FEDERAL POVERTY INCOME GUIDELINES)**

Weekly Co-pay	Family Size:	1	Family Size:	2	Family Size:	3
	Annual Income		Annual Income		Annual Income	
\$5.00	Less than:	\$8,890	Less than:	\$12,710	Less than:	\$14,530
\$10.00	\$8,890.01	\$10,890	\$12,710.01	\$14,710	\$14,530.01	\$16,530
\$15.00	\$10,890.01	\$12,890	\$14,710.01	\$16,710	\$16,530.01	\$18,530
\$20.00	\$12,890.01	\$14,890	\$16,710.01	\$18,710	\$18,530.01	\$20,530
\$25.00	\$14,890.01	\$16,890	\$18,710.01	\$20,710	\$20,530.01	\$22,530
\$30.00	\$16,890.01	\$18,890	\$20,710.01	\$22,710	\$22,530.01	\$24,530
\$35.00	\$18,890.01	\$20,890	\$22,710.01	\$24,710	\$24,530.01	\$26,530
\$40.00	\$20,890.01	\$22,890	\$24,710.01	\$26,710	\$26,530.01	\$28,530
\$45.00	\$22,890.01	\$24,890	\$26,710.01	\$28,710	\$28,530.01	\$30,530
\$50.00	\$24,890.01	\$25,592	\$28,710.01	\$30,710	\$30,530.01	\$32,530

Weekly Co-pay	Family Size:	1	Family Size:	2	Family Size:	3
	Annual Income		Annual Income		Annual Income	
\$55.00			\$30,710.01	\$32,710	\$32,530.01	\$34,530
\$60.00			\$32,710.01	\$34,569	\$34,530.01	\$36,530
\$65.00					\$36,530.01	\$38,530
\$70.00					\$38,530.01	\$40,530
\$75.00					\$40,530.01	\$42,530
\$80.00					\$42,530.01	\$43,546
	200% FPIG	\$21,780	200% FPIG	\$29,420	200% FPIG	\$37,060

**CO-PAYMENT CHART
FAMILY CO-PAYMENT SCALE**
(BASED ON THE 2011 FEDERAL POVERTY INCOME GUIDELINES)

Weekly Co-pay	Family Size:	4	Family Size:	5	Family Size:	6
	Annual Income		Annual Income		Annual Income	
\$5.00	Less than:	\$16,350	Less than:	\$18,170	Less than:	\$19,990
\$10.00	\$16,350.01	\$18,350	\$18,170.01	\$20,170	\$19,990.01	\$21,990
\$15.00	\$18,350.01	\$20,350	\$20,170.01	\$22,170	\$21,990.01	\$23,990
\$20.00	\$20,350.01	\$22,350	\$22,170.01	\$24,170	\$23,990.01	\$25,990
\$25.00	\$22,350.01	\$24,350	\$24,170.01	\$26,170	\$25,990.01	\$27,990
\$30.00	\$24,350.01	\$26,350	\$26,170.01	\$28,170	\$27,990.01	\$29,990
\$35.00	\$26,350.01	\$28,350	\$28,170.01	\$30,170	\$29,990.01	\$31,990
\$40.00	\$28,350.01	\$30,350	\$30,170.01	\$32,170	\$31,990.01	\$33,990
\$45.00	\$30,350.01	\$32,350	\$32,170.01	\$34,170	\$33,990.01	\$35,990
\$50.00	\$32,350.01	\$34,350	\$34,170.01	\$36,170	\$35,990.01	\$37,990
\$55.00	\$34,350.01	\$36,350	\$36,170.01	\$38,170	\$37,990.01	\$39,990
\$60.00	\$36,350.01	\$38,350	\$38,170.01	\$40,170	\$39,990.01	\$41,990
\$65.00	\$38,350.01	\$40,350	\$40,170.01	\$42,170	\$41,990.01	\$43,990
\$70.00	\$40,350.01	\$42,350	\$42,170.01	\$44,170	\$43,990.01	\$45,990
\$75.00	\$42,350.01	\$44,350	\$44,170.01	\$46,170	\$45,990.01	\$47,990
\$80.00	\$44,350.01	\$46,350	\$46,170.01	\$48,170	\$47,990.01	\$49,990
\$85.00	\$46,350.01	\$48,350	\$48,170.01	\$50,170	\$49,990.01	\$51,990
\$90.00	\$48,350.01	\$50,350	\$50,170.01	\$52,170	\$51,990.01	\$53,990
\$95.00	\$50,350.01	\$52,350	\$52,170.01	\$54,170	\$53,990.01	\$55,990
\$100.00	\$52,350.01	\$52,523	\$54,170.01	\$56,170	\$55,990.01	\$57,990
\$105.00			\$56,170.01	\$58,170	\$57,990.01	\$59,990
\$110.00			\$58,170.01	\$60,170	\$59,990.01	\$61,990
\$115.00			\$60,170.01	\$61,500	\$61,990.01	\$63,990
\$120.00					\$63,990.01	\$65,990
\$125.00					\$65,990.01	\$67,990
\$130.00					\$67,990.01	\$69,990
\$135.00					\$69,990.01	\$70,477
	200% FPIG	\$44,700	200% FPIG	\$52,340	200% FPIG	\$59,980

**CO-PAYMENT CHART
FAMILY CO-PAYMENT SCALE**
(BASED ON THE 2011 FEDERAL POVERTY INCOME GUIDELINES)

Weekly Co-pay	Family Size:	7	Family Size:	8	Family Size:	9
	Annual Income		Annual Income		Annual Income	
\$5.00	Less than:	\$21,810	Less than:	\$23,630	Less than:	\$25,450

Weekly Co-pay	Family Size:	7	Family Size:	8	Family Size:	9
	Annual Income		Annual Income		Annual Income	
\$10.00	\$21,810.01	\$23,810	\$23,630.01	\$25,630	\$25,450.01	\$27,450
\$15.00	\$23,810.01	\$25,810	\$25,630.01	\$27,630	\$27,450.01	\$29,450
\$20.00	\$25,810.01	\$27,810	\$27,630.01	\$29,630	\$29,450.01	\$31,450
\$25.00	\$27,810.01	\$29,810	\$29,630.01	\$31,630	\$31,450.01	\$33,450
\$30.00	\$29,810.01	\$31,810	\$31,630.01	\$33,630	\$33,450.01	\$35,450
\$35.00	\$31,810.01	\$33,810	\$33,630.01	\$35,630	\$35,450.01	\$37,450
\$40.00	\$33,810.01	\$35,810	\$35,630.01	\$37,630	\$37,450.01	\$39,450
\$45.00	\$35,810.01	\$37,810	\$37,630.01	\$39,630	\$39,450.01	\$41,450
\$50.00	\$37,810.01	\$39,810	\$39,630.01	\$41,630	\$41,450.01	\$43,450
\$55.00	\$39,810.01	\$41,810	\$41,630.01	\$43,630	\$43,450.01	\$45,450
\$60.00	\$41,810.01	\$43,810	\$43,630.01	\$45,630	\$45,450.01	\$47,450
\$65.00	\$43,810.01	\$45,810	\$45,630.01	\$47,630	\$47,450.01	\$49,450
\$70.00	\$45,810.01	\$47,810	\$47,630.01	\$49,630	\$49,450.01	\$51,450
\$75.00	\$47,810.01	\$49,810	\$49,630.01	\$51,630	\$51,450.01	\$53,450
\$80.00	\$49,810.01	\$51,810	\$51,630.01	\$53,630	\$53,450.01	\$55,450
\$85.00	\$51,810.01	\$53,810	\$53,630.01	\$55,630	\$55,450.01	\$57,450
\$90.00	\$53,810.01	\$55,810	\$55,630.01	\$57,630	\$57,450.01	\$59,450
\$95.00	\$55,810.01	\$57,810	\$57,630.01	\$59,630	\$59,450.01	\$61,450
\$100.00	\$57,810.01	\$59,810	\$59,630.01	\$61,630	\$61,450.01	\$63,450
\$105.00	\$59,810.01	\$61,810	\$61,630.01	\$63,630	\$63,450.01	\$65,450
\$110.00	\$61,810.01	\$63,810	\$63,630.01	\$65,630	\$65,450.01	\$67,450
\$115.00	\$63,810.01	\$65,810	\$65,630.01	\$67,630	\$67,450.01	\$69,450
\$120.00	\$65,810.01	\$67,810	\$67,630.01	\$69,630	\$69,450.01	\$71,450
\$125.00	\$67,810.01	\$69,810	\$69,630.01	\$71,630	\$71,450.01	\$73,450
\$130.00	\$69,810.01	\$71,810	\$71,630.01	\$73,630	\$73,450.01	\$75,450
\$135.00	\$71,810.01	\$73,810	\$73,630.01	\$75,630	\$75,450.01	\$77,450
\$140.00	\$73,810.01	\$75,810	\$75,630.01	\$77,630	\$77,450.01	\$79,450
\$145.00	\$75,810.01	\$77,810	\$77,630.01	\$79,630	\$79,450.01	\$81,450
\$150.00	\$77,810.01	\$79,454	\$79,630.01	\$81,630	\$81,450.01	\$83,450
\$155.00			\$81,630.01	\$83,630	\$83,450.01	\$85,450
\$160.00			\$83,630.01	\$85,630	\$85,450.01	\$87,450
\$165.00			\$85,630.01	\$87,630	\$87,450.01	\$89,450
\$170.00			\$87,630.01	\$88,431	\$89,450.01	\$91,450
\$175.00					\$91,450.01	\$93,450
\$180.00					\$93,450.01	\$95,450
\$185.00					\$95,450.01	\$97,408
	200% FPIG	\$67,620	200% FPIG	\$75,260	200% FPIG	\$82,900

CO-PAYMENT CHART
FAMILY CO-PAYMENT SCALE
(BASED ON THE 2011 FEDERAL POVERTY INCOME GUIDELINES)

Weekly Co-pay	Family Size:	10	Family Size:	11	Family Size:	12
	Annual Income		Annual Income		Annual Income	
\$5.00	Less than:	\$27,270	Less than:	\$29,090	Less than:	\$30,910
\$10.00	\$27,270.01	\$29,270	\$29,090.01	\$31,090	\$30,910.01	\$32,910
\$15.00	\$29,270.01	\$31,270	\$31,090.01	\$33,090	\$32,910.01	\$34,910
\$20.00	\$31,270.01	\$33,270	\$33,090.01	\$35,090	\$34,910.01	\$36,910

Weekly Co-pay	Family Size:	10	Family Size:	11	Family Size:	12
	Annual Income		Annual Income		Annual Income	
\$25.00	\$33,270.01	\$35,270	\$35,090.01	\$37,090	\$36,910.01	\$38,910
\$30.00	\$35,270.01	\$37,270	\$37,090.01	\$39,090	\$38,910.01	\$40,910
\$35.00	\$37,270.01	\$39,270	\$39,090.01	\$41,090	\$40,910.01	\$42,910
\$40.00	\$39,270.01	\$41,270	\$41,090.01	\$43,090	\$42,910.01	\$44,910
\$45.00	\$41,270.01	\$43,270	\$43,090.01	\$45,090	\$44,910.01	\$46,910
\$50.00	\$43,270.01	\$45,270	\$45,090.01	\$47,090	\$46,910.01	\$48,910
\$55.00	\$45,270.01	\$47,270	\$47,090.01	\$49,090	\$48,910.01	\$50,910
\$60.00	\$47,270.01	\$49,270	\$49,090.01	\$51,090	\$50,910.01	\$52,910
\$65.00	\$49,270.01	\$51,270	\$51,090.01	\$53,090	\$52,910.01	\$54,910
\$70.00	\$51,270.01	\$53,270	\$53,090.01	\$55,090	\$54,910.01	\$56,910
\$75.00	\$53,270.01	\$55,270	\$55,090.01	\$57,090	\$56,910.01	\$58,910
\$80.00	\$55,270.01	\$57,270	\$57,090.01	\$59,090	\$58,910.01	\$60,910
\$85.00	\$57,270.01	\$59,270	\$59,090.01	\$61,090	\$60,910.01	\$62,910
\$90.00	\$59,270.01	\$61,270	\$61,090.01	\$63,090	\$62,910.01	\$64,910
\$95.00	\$61,270.01	\$63,270	\$63,090.01	\$65,090	\$64,910.01	\$66,910
\$100.00	\$63,270.01	\$65,270	\$65,090.01	\$67,090	\$66,910.01	\$68,910
\$105.00	\$65,270.01	\$67,270	\$67,090.01	\$69,090	\$68,910.01	\$70,910
\$110.00	\$67,270.01	\$69,270	\$69,090.01	\$71,090	\$70,910.01	\$72,910
\$115.00	\$69,270.01	\$71,270	\$71,090.01	\$73,090	\$72,910.01	\$74,910
\$120.00	\$71,270.01	\$73,270	\$73,090.01	\$75,090	\$74,910.01	\$76,910
\$125.00	\$73,270.01	\$75,270	\$75,090.01	\$77,090	\$76,910.01	\$78,910
\$130.00	\$75,270.01	\$77,270	\$77,090.01	\$79,090	\$78,910.01	\$80,910
\$135.00	\$77,270.01	\$79,270	\$79,090.01	\$81,090	\$80,910.01	\$82,910
\$140.00	\$79,270.01	\$81,270	\$81,090.01	\$83,090	\$82,910.01	\$84,910
\$145.00	\$81,270.01	\$83,270	\$83,090.01	\$85,090	\$84,910.01	\$86,910
\$150.00	\$83,270.01	\$85,270	\$85,090.01	\$87,090	\$86,910.01	\$88,910
\$155.00	\$85,270.01	\$87,270	\$87,090.01	\$89,090	\$88,910.01	\$90,910
\$160.00	\$87,270.01	\$89,270	\$89,090.01	\$91,090	\$90,910.01	\$92,910
\$165.00	\$89,270.01	\$91,270	\$91,090.01	\$93,090	\$92,910.01	\$94,910
\$170.00	\$91,270.01	\$93,270	\$93,090.01	\$95,090	\$94,910.01	\$96,910
\$175.00	\$93,270.01	\$95,270	\$95,090.01	\$97,090	\$96,910.01	\$98,910
\$180.00	\$95,270.01	\$97,270	\$97,090.01	\$99,090	\$98,910.01	\$100,910
\$185.00	\$97,270.01	\$99,270	\$99,090.01	\$101,090	\$100,910.01	\$102,910
\$190.00	\$99,270.01	\$101,270	\$101,090.01	\$103,090	\$102,910.01	\$104,910
\$195.00	\$101,270.01	\$103,270	\$103,090.01	\$105,090	\$104,910.01	\$106,910
\$200.00	\$103,270.01	\$105,270	\$105,090.01	\$107,090	\$106,910.01	\$108,910
\$205.00	\$105,270.01	\$106,385	\$107,090.01	\$109,090	\$108,910.01	\$110,910
\$210.00			\$109,090.01	\$111,090	\$110,910.01	\$112,910
\$215.00			\$111,090.01	\$113,090	\$112,910.01	\$114,910
\$220.00			\$113,090.01	\$115,090	\$114,910.01	\$116,910
\$225.00			\$115,090.01	\$115,362	\$116,910.01	\$118,910
\$230.00					\$118,910.01	\$120,910
\$235.00					\$120,910.01	\$122,910
\$240.00					\$122,910.01	\$124,339
	200% FPIG	\$90,540	200% FPIG	\$98,180	200% FPIG	\$105,820

CO-PAYMENT CHART
FAMILY CO-PAYMENT SCALE
(BASED ON THE 2011 FEDERAL POVERTY INCOME GUIDELINES)

Weekly Co-pay	Family Size:	13	Family Size:	14	Family Size:	15
	Annual Income		Annual Income		Annual Income	
\$5.00	Less than:	\$32,730	Less than:	\$34,550	Less than:	\$36,370
\$10.00	\$32,730.01	\$34,730	\$34,550.01	\$36,550	\$36,370.01	\$38,370
\$15.00	\$34,730.01	\$36,730	\$36,550.01	\$38,550	\$38,370.01	\$40,370
\$20.00	\$36,730.01	\$38,730	\$38,550.01	\$40,550	\$40,370.01	\$42,370
\$25.00	\$38,730.01	\$40,730	\$40,550.01	\$42,550	\$42,370.01	\$44,370
\$30.00	\$40,730.01	\$42,730	\$42,550.01	\$44,550	\$44,370.01	\$46,370
\$35.00	\$42,730.01	\$44,730	\$44,550.01	\$46,550	\$46,370.01	\$48,370
\$40.00	\$44,730.01	\$46,730	\$46,550.01	\$48,550	\$48,370.01	\$50,370
\$45.00	\$46,730.01	\$48,730	\$48,550.01	\$50,550	\$50,370.01	\$52,370
\$50.00	\$48,730.01	\$50,730	\$50,550.01	\$52,550	\$52,370.01	\$54,370
\$55.00	\$50,730.01	\$52,730	\$52,550.01	\$54,550	\$54,370.01	\$56,370
\$60.00	\$52,730.01	\$54,730	\$54,550.01	\$56,550	\$56,370.01	\$58,370
\$65.00	\$54,730.01	\$56,730	\$56,550.01	\$58,550	\$58,370.01	\$60,370
\$70.00	\$56,730.01	\$58,730	\$58,550.01	\$60,550	\$60,370.01	\$62,370
\$75.00	\$58,730.01	\$60,730	\$60,550.01	\$62,550	\$62,370.01	\$64,370
\$80.00	\$60,730.01	\$62,730	\$62,550.01	\$64,550	\$64,370.01	\$66,370
\$85.00	\$62,730.01	\$64,730	\$64,550.01	\$66,550	\$66,370.01	\$68,370
\$90.00	\$64,730.01	\$66,730	\$66,550.01	\$68,550	\$68,370.01	\$70,370
\$95.00	\$66,730.01	\$68,730	\$68,550.01	\$70,550	\$70,370.01	\$72,370
\$100.00	\$68,730.01	\$70,730	\$70,550.01	\$72,550	\$72,370.01	\$74,370
\$105.00	\$70,730.01	\$72,730	\$72,550.01	\$74,550	\$74,370.01	\$76,370
\$110.00	\$72,730.01	\$74,730	\$74,550.01	\$76,550	\$76,370.01	\$78,370
\$115.00	\$74,730.01	\$76,730	\$76,550.01	\$78,550	\$78,370.01	\$80,370
\$120.00	\$76,730.01	\$78,730	\$78,550.01	\$80,550	\$80,370.01	\$82,370
\$125.00	\$78,730.01	\$80,730	\$80,550.01	\$82,550	\$82,370.01	\$84,370
\$130.00	\$80,730.01	\$82,730	\$82,550.01	\$84,550	\$84,370.01	\$86,370
\$135.00	\$82,730.01	\$84,730	\$84,550.01	\$86,550	\$86,370.01	\$88,370
\$140.00	\$84,730.01	\$86,730	\$86,550.01	\$88,550	\$88,370.01	\$90,370
\$145.00	\$86,730.01	\$88,730	\$88,550.01	\$90,550	\$90,370.01	\$92,370
\$150.00	\$88,730.01	\$90,730	\$90,550.01	\$92,550	\$92,370.01	\$94,370
\$155.00	\$90,730.01	\$92,730	\$92,550.01	\$94,550	\$94,370.01	\$96,370
\$160.00	\$92,730.01	\$94,730	\$94,550.01	\$96,550	\$96,370.01	\$98,370
\$165.00	\$94,730.01	\$96,730	\$96,550.01	\$98,550	\$98,370.01	\$100,370
\$170.00	\$96,730.01	\$98,730	\$98,550.01	\$100,550	\$100,370.01	\$102,370
\$175.00	\$98,730.01	\$100,730	\$100,550.01	\$102,550	\$102,370.01	\$104,370
\$180.00	\$100,730.01	\$102,730	\$102,550.01	\$104,550	\$104,370.01	\$106,370
\$185.00	\$102,730.01	\$104,730	\$104,550.01	\$106,550	\$106,370.01	\$108,370
\$190.00	\$104,730.01	\$106,730	\$106,550.01	\$108,550	\$108,370.01	\$110,370
\$195.00	\$106,730.01	\$108,730	\$108,550.01	\$110,550	\$110,370.01	\$112,370
\$200.00	\$108,730.01	\$110,730	\$110,550.01	\$112,550	\$112,370.01	\$114,370
\$205.00	\$110,730.01	\$112,730	\$112,550.01	\$114,550	\$114,370.01	\$116,370
\$210.00	\$112,730.01	\$114,730	\$114,550.01	\$116,550	\$116,370.01	\$118,370
\$215.00	\$114,730.01	\$116,730	\$116,550.01	\$118,550	\$118,370.01	\$120,370
\$220.00	\$116,730.01	\$118,730	\$118,550.01	\$120,550	\$120,370.01	\$122,370

Weekly Co-pay	Family Size:	13	Family Size:	14	Family Size:	15
	Annual Income		Annual Income		Annual Income	
\$225.00	\$118,730.01	\$120,730	\$120,550.01	\$122,550	\$122,370.01	\$124,370
\$230.00	\$120,730.01	\$122,730	\$122,550.01	\$124,550	\$124,370.01	\$126,370
\$235.00	\$122,730.01	\$124,730	\$124,550.01	\$126,550	\$126,370.01	\$128,370
\$240.00	\$124,730.01	\$126,730	\$126,550.01	\$128,550	\$128,370.01	\$130,370
\$245.00	\$126,730.01	\$128,730	\$128,550.01	\$130,550	\$130,370.01	\$132,370
\$250.00	\$128,730.01	\$130,730	\$130,550.01	\$132,550	\$132,370.01	\$134,370
\$255.00	\$130,730.01	\$132,730	\$132,550.01	\$134,550	\$134,370.01	\$136,370
\$260.00	\$132,730.01	\$133,316	\$134,550.01	\$136,550	\$136,370.01	\$138,370
\$265.00			\$136,550.01	\$138,550	\$138,370.01	\$140,370
\$270.00			\$138,550.01	\$140,550	\$140,370.01	\$142,370
\$275.00			\$140,550.01	\$142,293	\$142,370.01	\$144,370
\$280.00					\$144,370.01	\$146,370
\$285.00					\$146,370.01	\$148,370
\$290.00					\$148,370.01	\$150,370
\$295.00					\$150,370.01	\$151,270
	200% FPIG	\$113,460	200% FPIG	\$121,100	200% FPIG	\$128,740

CO-PAYMENT CHART
FAMILY CO-PAYMENT SCALE
(BASED ON THE 2011 FEDERAL POVERTY INCOME GUIDELINES)

Weekly Co-pay	Family Size:	16	Family Size:	17	Family Size:	18
	Annual Income		Annual Income		Annual Income	
\$5.00	Less than:	\$40,190	Less than:	\$42,010	Less than:	\$43,830
\$10.00	\$40,190.01	\$42,190	\$42,010.01	\$44,010	\$43,830.01	\$45,830
\$15.00	\$42,190.01	\$44,190	\$44,010.01	\$46,010	\$45,830.01	\$47,830
\$20.00	\$44,190.01	\$46,190	\$46,010.01	\$48,010	\$47,830.01	\$49,830
\$25.00	\$46,190.01	\$48,190	\$48,010.01	\$50,010	\$49,830.01	\$51,830
\$30.00	\$48,190.01	\$50,190	\$50,010.01	\$52,010	\$51,830.01	\$53,830
\$35.00	\$50,190.01	\$52,190	\$52,010.01	\$54,010	\$53,830.01	\$55,830
\$40.00	\$52,190.01	\$54,190	\$54,010.01	\$56,010	\$55,830.01	\$57,830
\$45.00	\$54,190.01	\$56,190	\$56,010.01	\$58,010	\$57,830.01	\$59,830
\$50.00	\$56,190.01	\$58,190	\$58,010.01	\$60,010	\$59,830.01	\$61,830
\$55.00	\$58,190.01	\$60,190	\$60,010.01	\$62,010	\$61,830.01	\$63,830
\$60.00	\$60,190.01	\$62,190	\$62,010.01	\$64,010	\$63,830.01	\$65,830
\$65.00	\$62,190.01	\$64,190	\$64,010.01	\$66,010	\$65,830.01	\$67,830
\$70.00	\$64,190.01	\$66,190	\$66,010.01	\$68,010	\$67,830.01	\$69,830
\$75.00	\$66,190.01	\$68,190	\$68,010.01	\$70,010	\$69,830.01	\$71,830
\$80.00	\$68,190.01	\$70,190	\$70,010.01	\$72,010	\$71,830.01	\$73,830
\$85.00	\$70,190.01	\$72,190	\$72,010.01	\$74,010	\$73,830.01	\$75,830
\$90.00	\$72,190.01	\$74,190	\$74,010.01	\$76,010	\$75,830.01	\$77,830
\$95.00	\$74,190.01	\$76,190	\$76,010.01	\$78,010	\$77,830.01	\$79,830
\$100.00	\$76,190.01	\$78,190	\$78,010.01	\$80,010	\$79,830.01	\$81,830
\$105.00	\$78,190.01	\$80,190	\$80,010.01	\$82,010	\$81,830.01	\$83,830
\$110.00	\$80,190.01	\$82,190	\$82,010.01	\$84,010	\$83,830.01	\$85,830
\$115.00	\$82,190.01	\$84,190	\$84,010.01	\$86,010	\$85,830.01	\$87,830
\$120.00	\$84,190.01	\$86,190	\$86,010.01	\$88,010	\$87,830.01	\$89,830
\$125.00	\$86,190.01	\$88,190	\$88,010.01	\$90,010	\$89,830.01	\$91,830

Weekly Co-pay	Family Size:	16	Family Size:	17	Family Size:	18
	Annual Income		Annual Income		Annual Income	
\$130.00	\$88,190.01	\$90,190	\$90,010.01	\$92,010	\$91,830.01	\$93,830
\$135.00	\$90,190.01	\$92,190	\$92,010.01	\$94,010	\$93,830.01	\$95,830
\$140.00	\$92,190.01	\$94,190	\$94,010.01	\$96,010	\$95,830.01	\$97,830
\$145.00	\$94,190.01	\$96,190	\$96,010.01	\$98,010	\$97,830.01	\$99,830
\$150.00	\$96,190.01	\$98,190	\$98,010.01	\$100,010	\$99,830.01	\$101,830
\$155.00	\$98,190.01	\$100,190	\$100,010.01	\$102,010	\$101,830.01	\$103,830
\$160.00	\$100,190.01	\$102,190	\$102,010.01	\$104,010	\$103,830.01	\$105,830
\$165.00	\$102,190.01	\$104,190	\$104,010.01	\$106,010	\$105,830.01	\$107,830
\$170.00	\$104,190.01	\$106,190	\$106,010.01	\$108,010	\$107,830.01	\$109,830
\$175.00	\$106,190.01	\$108,190	\$108,010.01	\$110,010	\$109,830.01	\$111,830
\$180.00	\$108,190.01	\$110,190	\$110,010.01	\$112,010	\$111,830.01	\$113,830
\$185.00	\$110,190.01	\$112,190	\$112,010.01	\$114,010	\$113,830.01	\$115,830
\$190.00	\$112,190.01	\$114,190	\$114,010.01	\$116,010	\$115,830.01	\$117,830
\$195.00	\$114,190.01	\$116,190	\$116,010.01	\$118,010	\$117,830.01	\$119,830
\$200.00	\$116,190.01	\$118,190	\$118,010.01	\$120,010	\$119,830.01	\$121,830
\$205.00	\$118,190.01	\$120,190	\$120,010.01	\$122,010	\$121,830.01	\$123,830
\$210.00	\$120,190.01	\$122,190	\$122,010.01	\$124,010	\$123,830.01	\$125,830
\$215.00	\$122,190.01	\$124,190	\$124,010.01	\$126,010	\$125,830.01	\$127,830
\$220.00	\$124,190.01	\$126,190	\$126,010.01	\$128,010	\$127,830.01	\$129,830
\$225.00	\$126,190.01	\$128,190	\$128,010.01	\$130,010	\$129,830.01	\$131,830
\$230.00	\$128,190.01	\$130,190	\$130,010.01	\$132,010	\$131,830.01	\$133,830
\$235.00	\$130,190.01	\$132,190	\$132,010.01	\$134,010	\$133,830.01	\$135,830
\$240.00	\$132,190.01	\$134,190	\$134,010.01	\$136,010	\$135,830.01	\$137,830
\$245.00	\$134,190.01	\$136,190	\$136,010.01	\$138,010	\$137,830.01	\$139,830
\$250.00	\$136,190.01	\$138,190	\$138,010.01	\$140,010	\$139,830.01	\$141,830
\$255.00	\$138,190.01	\$140,190	\$140,010.01	\$142,010	\$141,830.01	\$143,830
\$260.00	\$140,190.01	\$142,190	\$142,010.01	\$144,010	\$143,830.01	\$145,830
\$265.00	\$142,190.01	\$144,190	\$144,010.01	\$146,010	\$145,830.01	\$147,830
\$270.00	\$144,190.01	\$146,190	\$146,010.01	\$148,010	\$147,830.01	\$149,830
\$275.00	\$146,190.01	\$148,190	\$148,010.01	\$150,010	\$149,830.01	\$151,830
\$280.00	\$148,190.01	\$150,190	\$150,010.01	\$152,010	\$151,830.01	\$153,830
\$285.00	\$150,190.01	\$152,190	\$152,010.01	\$154,010	\$153,830.01	\$155,830
\$290.00	\$152,190.01	\$154,190	\$154,010.01	\$156,010	\$155,830.01	\$157,830
\$295.00	\$154,190.01	\$156,190	\$156,010.01	\$158,010	\$157,830.01	\$159,830
\$300.00	\$156,190.01	\$158,190	\$158,010.01	\$160,010	\$159,830.01	\$161,830
\$305.00	\$158,190.01	\$160,190	\$160,010.01	\$162,010	\$161,830.01	\$163,830
\$310.00	\$160,190.01	\$160,247	\$162,010.01	\$164,010	\$163,830.01	\$165,830
\$315.00			\$164,010.01	\$166,010	\$165,830.01	\$167,830
\$320.00			\$166,010.01	\$168,010	\$167,830.01	\$169,830
\$325.00			\$168,010.01	\$169,224	\$169,830.01	\$171,830
\$330.00					\$171,830.01	\$173,830
\$335.00					\$173,830.01	\$175,830
\$340.00					\$175,830.01	\$177,830
\$345.00					\$177,830.01	\$178,201
	200% FPIG	\$136,380	200% FPIG	\$144,020	200% FPIG	\$151,660

CO-PAYMENT CHART
FAMILY CO-PAYMENT SCALE
(BASED ON THE 2011 FEDERAL POVERTY INCOME GUIDELINES)

Weekly Co-pay	Family Size:	19	Family Size:	20	Family Size:	21
	Annual Income		Annual Income		Annual Income	
\$5.00	Less than:	\$45,650	Less than:	\$47,470	Less than:	\$49,290
\$10.00	\$45,650.01	\$47,650	\$47,470.01	\$49,470	\$49,290.01	\$51,290
\$15.00	\$47,650.01	\$49,650	\$49,470.01	\$51,470	\$51,290.01	\$53,290
\$20.00	\$49,650.01	\$51,650	\$51,470.01	\$53,470	\$53,290.01	\$55,290
\$25.00	\$51,650.01	\$53,650	\$53,470.01	\$55,470	\$55,290.01	\$57,290
\$30.00	\$53,650.01	\$55,650	\$55,470.01	\$57,470	\$57,290.01	\$59,290
\$35.00	\$55,650.01	\$57,650	\$57,470.01	\$59,470	\$59,290.01	\$61,290
\$40.00	\$57,650.01	\$59,650	\$59,470.01	\$61,470	\$61,290.01	\$63,290
\$45.00	\$59,650.01	\$61,650	\$61,470.01	\$63,470	\$63,290.01	\$65,290
\$50.00	\$61,650.01	\$63,650	\$63,470.01	\$65,470	\$65,290.01	\$67,290
\$55.00	\$63,650.01	\$65,650	\$65,470.01	\$67,470	\$67,290.01	\$69,290
\$60.00	\$65,650.01	\$67,650	\$67,470.01	\$69,470	\$69,290.01	\$71,290
\$65.00	\$67,650.01	\$69,650	\$69,470.01	\$71,470	\$71,290.01	\$73,290
\$70.00	\$69,650.01	\$71,650	\$71,470.01	\$73,470	\$73,290.01	\$75,290
\$75.00	\$71,650.01	\$73,650	\$73,470.01	\$75,470	\$75,290.01	\$77,290
\$80.00	\$73,650.01	\$75,650	\$75,470.01	\$77,470	\$77,290.01	\$79,290
\$85.00	\$75,650.01	\$77,650	\$77,470.01	\$79,470	\$79,290.01	\$81,290
\$90.00	\$77,650.01	\$79,650	\$79,470.01	\$81,470	\$81,290.01	\$83,290
\$95.00	\$79,650.01	\$81,650	\$81,470.01	\$83,470	\$83,290.01	\$85,290
\$100.00	\$81,650.01	\$83,650	\$83,470.01	\$85,470	\$85,290.01	\$87,290
\$105.00	\$83,650.01	\$85,650	\$85,470.01	\$87,470	\$87,290.01	\$89,290
\$110.00	\$85,650.01	\$87,650	\$87,470.01	\$89,470	\$89,290.01	\$91,290
\$115.00	\$87,650.01	\$89,650	\$89,470.01	\$91,470	\$91,290.01	\$93,290
\$120.00	\$89,650.01	\$91,650	\$91,470.01	\$93,470	\$93,290.01	\$95,290
\$125.00	\$91,650.01	\$93,650	\$93,470.01	\$95,470	\$95,290.01	\$97,290
\$130.00	\$93,650.01	\$95,650	\$95,470.01	\$97,470	\$97,290.01	\$99,290
\$135.00	\$95,650.01	\$97,650	\$97,470.01	\$99,470	\$99,290.01	\$101,290
\$140.00	\$97,650.01	\$99,650	\$99,470.01	\$101,470	\$101,290.01	\$103,290
\$145.00	\$99,650.01	\$101,650	\$101,470.01	\$103,470	\$103,290.01	\$105,290
\$150.00	\$101,650.01	\$103,650	\$103,470.01	\$105,470	\$105,290.01	\$107,290
\$155.00	\$103,650.01	\$105,650	\$105,470.01	\$107,470	\$107,290.01	\$109,290
\$160.00	\$105,650.01	\$107,650	\$107,470.01	\$109,470	\$109,290.01	\$111,290
\$165.00	\$107,650.01	\$109,650	\$109,470.01	\$111,470	\$111,290.01	\$113,290
\$170.00	\$109,650.01	\$111,650	\$111,470.01	\$113,470	\$113,290.01	\$115,290
\$175.00	\$111,650.01	\$113,650	\$113,470.01	\$115,470	\$115,290.01	\$117,290
\$180.00	\$113,650.01	\$115,650	\$115,470.01	\$117,470	\$117,290.01	\$119,290
\$185.00	\$115,650.01	\$117,650	\$117,470.01	\$119,470	\$119,290.01	\$121,290
\$190.00	\$117,650.01	\$119,650	\$119,470.01	\$121,470	\$121,290.01	\$123,290
\$195.00	\$119,650.01	\$121,650	\$121,470.01	\$123,470	\$123,290.01	\$125,290
\$200.00	\$121,650.01	\$123,650	\$123,470.01	\$125,470	\$125,290.01	\$127,290
\$205.00	\$123,650.01	\$125,650	\$125,470.01	\$127,470	\$127,290.01	\$129,290
\$210.00	\$125,650.01	\$127,650	\$127,470.01	\$129,470	\$129,290.01	\$131,290
\$215.00	\$127,650.01	\$129,650	\$129,470.01	\$131,470	\$131,290.01	\$133,290
\$220.00	\$129,650.01	\$131,650	\$131,470.01	\$133,470	\$133,290.01	\$135,290

Weekly Co-pay	Family Size:	19	Family Size:	20	Family Size:	21
	Annual Income		Annual Income		Annual Income	
\$225.00	\$131,650.01	\$133,650	\$133,470.01	\$135,470	\$135,290.01	\$137,290
\$230.00	\$133,650.01	\$135,650	\$135,470.01	\$137,470	\$137,290.01	\$139,290
\$235.00	\$135,650.01	\$137,650	\$137,470.01	\$139,470	\$139,290.01	\$141,290
\$240.00	\$137,650.01	\$139,650	\$139,470.01	\$141,470	\$141,290.01	\$143,290
\$245.00	\$139,650.01	\$141,650	\$141,470.01	\$143,470	\$143,290.01	\$145,290
\$250.00	\$141,650.01	\$143,650	\$143,470.01	\$145,470	\$145,290.01	\$147,290
\$255.00	\$143,650.01	\$145,650	\$145,470.01	\$147,470	\$147,290.01	\$149,290
\$260.00	\$145,650.01	\$147,650	\$147,470.01	\$149,470	\$149,290.01	\$151,290
\$265.00	\$147,650.01	\$149,650	\$149,470.01	\$151,470	\$151,290.01	\$153,290
\$270.00	\$149,650.01	\$151,650	\$151,470.01	\$153,470	\$153,290.01	\$155,290
\$275.00	\$151,650.01	\$153,650	\$153,470.01	\$155,470	\$155,290.01	\$157,290
\$280.00	\$153,650.01	\$155,650	\$155,470.01	\$157,470	\$157,290.01	\$159,290
\$285.00	\$155,650.01	\$157,650	\$157,470.01	\$159,470	\$159,290.01	\$161,290
\$290.00	\$157,650.01	\$159,650	\$159,470.01	\$161,470	\$161,290.01	\$163,290
\$295.00	\$159,650.01	\$161,650	\$161,470.01	\$163,470	\$163,290.01	\$165,290
\$300.00	\$161,650.01	\$163,650	\$163,470.01	\$165,470	\$165,290.01	\$167,290
\$305.00	\$163,650.01	\$165,650	\$165,470.01	\$167,470	\$167,290.01	\$169,290
\$310.00	\$165,650.01	\$167,650	\$167,470.01	\$169,470	\$169,290.01	\$171,290
\$315.00	\$167,650.01	\$169,650	\$169,470.01	\$171,470	\$171,290.01	\$173,290
\$320.00	\$169,650.01	\$171,650	\$171,470.01	\$173,470	\$173,290.01	\$175,290
\$325.00	\$171,650.01	\$173,650	\$173,470.01	\$175,470	\$175,290.01	\$177,290
\$330.00	\$173,650.01	\$175,650	\$175,470.01	\$177,470	\$177,290.01	\$179,290
\$335.00	\$175,650.01	\$177,650	\$177,470.01	\$179,470	\$179,290.01	\$181,290
\$340.00	\$177,650.01	\$179,650	\$179,470.01	\$181,470	\$181,290.01	\$183,290
\$345.00	\$179,650.01	\$181,650	\$181,470.01	\$183,470	\$183,290.01	\$185,290
\$350.00	\$181,650.01	\$183,650	\$183,470.01	\$185,470	\$185,290.01	\$187,290
\$355.00	\$183,650.01	\$185,650	\$185,470.01	\$187,470	\$187,290.01	\$189,290
\$360.00	\$185,650.01	\$187,178	\$187,470.01	\$189,470	\$189,290.01	\$191,290
\$365.00			\$189,470.01	\$191,470	\$191,290.01	\$193,290
\$370.00			\$191,470.01	\$193,470	\$193,290.01	\$195,290
\$375.00			\$193,470.01	\$195,470	\$195,290.01	\$197,290
\$380.00			\$195,470.01	\$196,155	\$197,290.01	\$199,290
\$385.00					\$199,290.01	\$201,290
\$390.00					\$201,290.01	\$203,290
\$395.00					\$203,290.01	\$205,132
	200% FPIG	\$159,300	200% FPIG	\$166,940	200% FPIG	\$174,580

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DEPARTMENT OF REVENUE

Pennsylvania Electric 8s '11 Instant Lottery Game

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Electric 8s '11.

2. *Price:* The price of a Pennsylvania Electric 8s '11 instant lottery game ticket is \$2.

3. *Play Symbols:* Each Pennsylvania Electric 8s '11 instant lottery game ticket will contain one play area. The play symbols and their captions printed in black ink, located in the play area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 19

(NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 8 (BLACK8) symbol and an Electric (ELECTRIC) symbol. The play symbols and their captions printed in blue ink, located in the play area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THR TN), 14 (FORTN), 15 (FIFTN), 16 (SIX TN), 17 (SVNTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX) and an 8 (BLUE8) symbol.

4. *Prize Symbols:* The prize symbols and their captions are: \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$8⁰⁰ (EGT DOL), \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$40⁰⁰ (FORTY), \$80⁰⁰ (EIGHTY), \$100 (ONE HUN), \$400 (FOR HUN), \$1,000 (ONE THO) and \$28,000 (TWYEGTTHO).

5. *Prizes:* The prizes that can be won in this game are: \$1, \$2, \$4, \$5, \$8, \$10, \$20, \$40, \$80, \$100, \$400, \$1,000, and \$28,000. A player can win up to 10 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 8,400,000 tickets will be printed for the Pennsylvania Electric 8s '11 instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets with an 8 (BLACK8) symbol in the play area, with the symbol and caption printed in black ink, and a prize symbol of \$28,000 (TWYEGTTHO) appears in the "Prize" area to the right of that 8 (BLACK8) symbol, on a single ticket, shall be entitled to a prize of \$28,000.

(b) Holders of tickets with an 8 (BLACK8) symbol in the play area, with the symbol and caption printed in black ink, and a prize symbol of \$1,000 (ONE THO) appears in the "Prize" area to the right of that 8 (BLACK8) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets with an Electric (ELECTRIC) symbol in the play area, with the symbol and caption printed in black ink, and a prize symbol of \$100 (ONE HUN) appears in all ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets with an 8 (BLACK8) symbol in the play area, with the symbol and caption printed in black ink, and a prize symbol of \$400 (FOR HUN) appears in the "Prize" area to the right of that 8 (BLACK8) symbol, on a single ticket, shall be entitled to a prize of \$400.

(e) Holders of tickets with an Electric (ELECTRIC) symbol in the play area, with the symbol and caption printed in black ink, and a prize symbol of \$40⁰⁰ (FORTY) appears in all ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$400.

(f) Holders of tickets with an 8 (BLUE8) symbol in the play area, with the symbol and caption printed in blue ink, and a prize symbol of \$40⁰⁰ (FORTY) appears in the "Prize" area to the right of that 8 (BLUE8) symbol, on a single ticket, shall be entitled to a prize of \$320.

(g) Holders of tickets with an 8 (BLACK8) symbol in the play area, with the symbol and caption printed in black ink, and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area to the right of that 8 (BLACK8) symbol, on a single ticket, shall be entitled to a prize of \$100.

(h) Holders of tickets with an Electric (ELECTRIC) symbol in the play area, with the symbol and caption

printed in black ink, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in all ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$100.

(i) Holders of tickets with an 8 (BLACK8) symbol in the play area, with the symbol and caption printed in black ink, and a prize symbol of \$80⁰⁰ (EIGHTY) appears in the "Prize" area to the right of that 8 (BLACK8) symbol, on a single ticket, shall be entitled to a prize of \$80.

(j) Holders of tickets with an 8 (BLUE8) symbol in the play area, with the symbol and caption printed in blue ink, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "Prize" area to the right of that 8 (BLUE8) symbol, on a single ticket, shall be entitled to a prize of \$80.

(k) Holders of tickets with an Electric (ELECTRIC) symbol in the play area, with the symbol and caption printed in black ink, and a prize symbol of \$8⁰⁰ (EGT DOL) appears in all ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$80.

(l) Holders of tickets with an 8 (BLACK8) symbol in the play area, with the symbol and caption printed in black ink, and a prize symbol of \$40⁰⁰ (FORTY) appears in the "Prize" area to the right of that 8 (BLACK8) symbol, on a single ticket, shall be entitled to a prize of \$40.

(m) Holders of tickets with an 8 (BLUE8) symbol in the play area, with the symbol and caption printed in blue ink, and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the "Prize" area to the right of that 8 (BLUE8) symbol, on a single ticket, shall be entitled to a prize of \$40.

(n) Holders of tickets with an Electric (ELECTRIC) symbol in the play area, with the symbol and caption printed in black ink, and a prize symbol of \$4⁰⁰ (FOR DOL) appears in all ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$40.

(o) Holders of tickets with an 8 (BLUE8) symbol in the play area, with the symbol and caption printed in blue ink, and a prize symbol of \$4⁰⁰ (FOR DOL) appears in the "Prize" area to the right of that 8 (BLUE8) symbol, on a single ticket, shall be entitled to a prize of \$32.

(p) Holders of tickets with an 8 (BLACK8) symbol in the play area, with the symbol and caption printed in black ink, and a prize symbol of \$20⁰⁰ (TWENTY) appears in the "Prize" area to the right of that 8 (BLACK8) symbol, on a single ticket, shall be entitled to a prize of \$20.

(q) Holders of tickets with an Electric (ELECTRIC) symbol in the play area, with the symbol and caption printed in black ink, and a prize symbol of \$2⁰⁰ (TWO DOL) appears in all ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$20.

(r) Holders of tickets with an 8 (BLUE8) symbol in the play area, with the symbol and caption printed in blue ink, and a prize symbol of \$2⁰⁰ (TWO DOL) appears in the "Prize" area to the right of that 8 (BLUE8) symbol, on a single ticket, shall be entitled to a prize of \$16.

(s) Holders of tickets with an 8 (BLACK8) symbol in the play area, with the symbol and caption printed in black ink, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "Prize" area to the right of that 8 (BLACK8) symbol, on a single ticket, shall be entitled to a prize of \$10.

(t) Holders of tickets with an Electric (ELECTRIC) symbol in the play area, with the symbol and caption printed in black ink, and a prize symbol of \$1⁰⁰ (ONE

DOL) appears in all ten of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$10.

(u) Holders of tickets with an 8 (BLACK8) symbol in the play area, with the symbol and caption printed in black ink, and a prize symbol of \$8.⁰⁰ (EGT DOL) appears in the “Prize” area to the right of that 8 (BLACK8) symbol, on a single ticket, shall be entitled to a prize of \$8.

(v) Holders of tickets with an 8 (BLUE8) symbol in the play area, with the symbol and caption printed in blue ink, and a prize symbol of \$1.⁰⁰ (ONE DOL) appears in the “Prize” area to the right of that 8 (BLUE8) symbol, on a single ticket, shall be entitled to a prize of \$8.

(w) Holders of tickets with an 8 (BLACK8) symbol in the play area, with the symbol and caption printed in black ink, and a prize symbol of \$5.⁰⁰ (FIV DOL) appears in the “Prize” area to the right of that 8 (BLACK8) symbol, on a single ticket, shall be entitled to a prize of \$5.

(x) Holders of tickets with an 8 (BLACK8) symbol in the play area, with the symbol and caption printed in

black ink, and a prize symbol of \$4.⁰⁰ (FOR DOL) appears in the “Prize” area to the right of that 8 (BLACK8) symbol, on a single ticket, shall be entitled to a prize of \$4.

(y) Holders of tickets with an 8 (BLACK8) symbol in the play area, with the symbol and caption printed in black ink, and a prize symbol of \$2.⁰⁰ (TWO DOL) appears in the “Prize” area to the right of that 8 (BLACK8) symbol, on a single ticket, shall be entitled to a prize of \$2.

(z) Holders of tickets with an 8 (BLACK8) symbol in the play area, with the symbol and caption printed in black ink, and a prize symbol of \$1.⁰⁰ (ONE DOL) appears in the “Prize” area to the right of that 8 (BLACK8) symbol, on a single ticket, shall be entitled to a prize of \$1.

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>Reveal A Black “8” (BLACK8) Symbol, Win The Prize Shown To The Right Of That Symbol, Win With Prize(s) Of:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 8,400,000 Tickets:</i>
\$1 × 2	\$2	20	420,000
\$2	\$2	20	420,000
\$1 × 4	\$4	37.5	224,000
\$4	\$4	37.5	224,000
\$1 × 5	\$5	150	56,000
\$5	\$5	75	112,000
\$1 × 8	\$8	125	67,200
\$1 w/BLUE 8	\$8	166.67	50,400
\$2 × 4	\$8	750	11,200
\$4 × 2	\$8	750	11,200
\$8	\$8	300	28,000
ELECTRIC w/(\$1 × 10)	\$10	1,500	5,600
(\$1 w/BLUE 8) + \$2	\$10	1,500	5,600
\$2 × 5	\$10	1,500	5,600
\$5 × 2	\$10	1,500	5,600
\$10	\$10	1,500	5,600
ELECTRIC w/(\$2 × 10)	\$20	375	22,400
(\$2 w/BLUE 8) + (\$2 × 2)	\$20	750	11,200
\$5 × 4	\$20	1,500	5,600
\$10 × 2	\$20	1,500	5,600
\$20	\$20	750	11,200
ELECTRIC w/(\$4 × 10)	\$40	685.71	12,250
(\$4 w/BLUE 8) + (\$4 × 2)	\$40	685.71	12,250
\$5 w/BLUE 8	\$40	3,000	2,800
\$10 × 4	\$40	3,000	2,800
\$40	\$40	1,000	8,400
ELECTRIC w/(\$8 × 10)	\$80	1,500	5,600
\$20 × 4	\$80	24,000	350
\$10 w/BLUE 8	\$80	4,800	1,750
\$40 × 2	\$80	24,000	350
\$80	\$80	4,800	1,750
ELECTRIC w/(\$10 × 10)	\$100	6,000	1,400
\$20 × 5	\$100	24,000	350
(\$10 w/BLUE 8) + (\$10 × 2)	\$100	8,000	1,050
(\$40 × 2) + (\$10 × 2)	\$100	24,000	350
\$100	\$100	8,000	1,050
ELECTRIC w/(\$40 × 10)	\$400	40,000	210
(\$40 w/BLUE 8) + (\$40 × 2)	\$400	40,000	210
\$80 × 5	\$400	60,000	140
\$100 × 4	\$400	60,000	140
\$400	\$400	30,000	280

Reveal A Black "8" (BLACK8) Symbol,
Win The Prize Shown To The Right Of
That Symbol, Win With Prize(s) Of:

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 8,400,000 Tickets:
ELECTRIC w/(\$100 × 10)	\$1,000	60,000	140
\$1,000	\$1,000	60,000	140
\$28,000	\$28,000	840,000	10

Reveal a Blue "8" (BLUE8) symbol, win 8 times the prize shown to the right of that symbol.
Reveal an "ELECTRIC" (ELECTRIC) symbol, win all 10 prizes shown.

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 Electric 8s '11 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 Electric 8s '11, prize money from winning Pennsylvania Electric 8s '11 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 Electric 8s '11 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 Electric 8s '11 or through normal communications methods.

DANIEL MEUSER,
Acting Secretary

[Pa.B. Doc. No. 11-695. Filed for public inspection April 22, 2011, 9:00 a.m.]

Pennsylvania Gus Bucks '11 Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Gus Bucks '11.
2. *Price:* The price of a Pennsylvania Gus Bucks '11 instant lottery game ticket is \$1.
3. *Play Symbols:* Each Pennsylvania Gus Bucks '11 instant lottery game ticket will contain one play area. The play symbols and their captions located in the play area are: Paw Print (PAWPRNT) symbol, Gus (GUS) symbol and an X (XXXX) symbol.
4. *Prizes:* The prizes that can be won in this game are: Free \$1 Ticket, \$2, \$5, \$10, \$20, \$40, \$100 and \$1,000.

5. *Approximate Number of Tickets Printed For the Game:* Approximately 7,920,000 tickets will be printed for the Pennsylvania Gus Bucks '11 instant lottery game.

6. *Determination of Prize Winners:*

(a) Holders of tickets with three matching Gus (GUS) play symbols appearing in diagonal line, beginning in the lower right hand corner of the play area, and a prize amount of \$1,000 appears below the arrow pointing to that win, on a single ticket, shall be entitled to a prize of \$1,000.

(b) Holders of tickets with three matching Gus (GUS) play symbols appearing in a diagonal line, beginning in the lower left hand corner of the play area, and a prize amount of \$100 appears below the arrow pointing to that win, on a single ticket, shall be entitled to a prize of \$100.

(c) Holders of tickets with three matching Gus (GUS) play symbols appearing in the bottom row in the play area, and a prize amount of \$40 appears above the arrow pointing to that win, on a single ticket, shall be entitled to a prize of \$40.

(d) Holders of tickets with three matching Gus (GUS) play symbols appearing in the right column in the play area, and a prize amount of \$20 appears to the left of the arrow pointing to that win, on a single ticket, shall be entitled to a prize of \$20.

(e) Holders of tickets with three matching Gus (GUS) play symbols appearing in the top row in the play area, and a prize amount of \$10 appears above the arrow pointing to that win, on a single ticket, shall be entitled to a prize of \$10.

(f) Holders of tickets with a Paw Print (PAWPRNT) play symbol in the play area, on a single ticket, shall be entitled to a prize of \$10.

(g) Holders of tickets with three matching Gus (GUS) play symbols appearing in the left column in the play area, and a prize amount of \$5 appears to the left of the arrow pointing to that win, on a single ticket, shall be entitled to a prize of \$5.

(h) Holders of tickets with three matching Gus (GUS) play symbols appearing in the middle row in the play area, and a prize amount of \$2 appears above the arrow pointing to that win, on a single ticket, shall be entitled to a prize of \$2.

(i) Holders of tickets with three matching Gus (GUS) play symbols appearing in the middle column in the play area, and a prize amount of "FREE" appears to the left of the arrow pointing to that win, on a single ticket, shall be entitled to a prize of one Pennsylvania Gus Bucks '11 instant game ticket or one Pennsylvania Lottery instant game ticket of equivalent sale price which is currently on sale.

7. *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:

Reveal 3 "GUS" (GUS) Symbols
In A Row, Column Or Diagonal
And Win Prize Shown By The
Arrow Pointing To That Win, Win
With Prize(s) Of:

	Win:	Approximate Odds Are 1 In:	Approximate No. of Winners Per 7,920,000 Tickets
FREE MIDDLE COLUMN	FREE \$1 TICKET	9.38	844,800
\$2 MIDDLE ROW	\$2	16.67	475,200
\$5 LEFT COLUMN	\$5	37.50	211,200
\$10 w/PAW PRINT	\$10	85.71	92,400
\$10 TOP ROW	\$10	600	13,200
(\$10 w/PAW PRINT) + (\$10 TOP ROW)	\$20	600	13,200
\$20 RIGHT COLUMN	\$20	600	13,200
\$40 BOTTOM ROW	\$40	1,920	4,125
\$100 RIGHT DIAGONAL	\$100	2,500	3,168
\$1,000 LEFT DIAGONAL	\$1,000	240,000	33

Reveal a "PAW PRINT" (PAWPRNT) symbol in the Tic-Tac-Toe play area, win \$10 automatically.

Prizes, including top prizes, are subject to availability at the time of purchase.

8. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Gus Bucks '11 instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

9. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Gus Bucks '11, prize money from winning Pennsylvania Gus Bucks '11 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 Gus Bucks '11 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.

10. *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.

11. *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 Gus Bucks '11 or through normal communications methods.

DANIEL MEUSER,
Acting Secretary

[Pa.B. Doc. No. 11-696. Filed for public inspection April 22, 2011, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Filing of Final Rulemakings

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

Final-Form

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Meeting</i>
57-265	Pennsylvania Public Utility Commission Standards and Billing Practices for Residential Utility Services	4/7/11	5/19/11
57-269	Pennsylvania Public Utility Commission Natural Gas Distribution Companies and the Promotion of Competitive Retail Markets	4/7/11	5/19/11
16A-4929	State Board of Medicine Behavior Specialist	4/11/11	5/19/11

SILVAN B. LUTKEWITTE, III,
Chairperson

[Pa.B. Doc. No. 11-697. Filed for public inspection April 22, 2011, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Approval to Acquire Control of Unity Financial Life Insurance Company

Columbian Mutual Life Insurance Company has filed an application for approval to acquire control of Unity Financial Life Insurance Company, a domestic life insurance company. The filing was made under Article XIV of The Insurance Company Law of 1921 (40 P. S. §§ 991.1401—991.1413).

Persons wishing to comment on the acquisition are invited to submit a written statement to the Insurance Department (Department) within 14 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Robert Brackbill, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557 or rbrackbill@state.pa.us.

MICHAEL F. CONSEDINE,
Acting Insurance Commissioner

[Pa.B. Doc. No. 11-698. Filed for public inspection April 22, 2011, 9:00 a.m.]

First Priority Life Insurance Company; BlueCare Direct Essentials PPO; Rate Filing

By filing #1648-FP-28-PPO-ES-1-RATE-8/1/11 First Priority Life Insurance Company (FPLIC) requested approval to increase the current rates for the BlueCare Direct Essentials PPO Plan. The requested rate increase varies from -17.8% to 30.2% depending on the Tier and deductible. The proposed rate increase would affect approximately 385 members and FPLIC anticipated the rate changes would be approximately revenue neutral. The requested effective date of the change is August 1, 2011.

Unless formal administrative action is taken prior to July 7, 2011, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov. To access the filing, under "How to Find . . ." click on "View Current Rate Filings."

A copy of the filing is also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

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

MICHAEL F. CONSEDINE,
Acting Insurance Commissioner

[Pa.B. Doc. No. 11-699. Filed for public inspection April 22, 2011, 9:00 a.m.]

First Priority Life Insurance Company; BlueCare Direct Select PPO; Rate Filing

By filing #1649-FP-29-PPO-DS-2-RATE-8/1/11 First Priority Life Insurance Company (FPLIC) requested approval to increase the current rates for the BlueCare Direct Select PPO Plan. The requested rate increase varies from -14.9% to 18.7% depending on the Tier and deductible. The proposed rate increase would affect approximately 440 members and FPLIC anticipated the rate changes would be approximately revenue neutral. The requested effective date of the change is August 1, 2011.

Unless formal administrative action is taken prior to July 7, 2011, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov. To access the filing, under "How to Find . . ." click on "View Current Rate Filings."

A copy of the filing is also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

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

MICHAEL F. CONSEDINE,
Acting Insurance Commissioner

[Pa.B. Doc. No. 11-700. Filed for public inspection April 22, 2011, 9:00 a.m.]

First Priority Life Insurance Company; BlueCare PPO Individual Qualified High Deductible; Comprehensive Major Medical Plan; Rate Filing

On April 11, 2011, First Priority Life Insurance Company submitted a rate filing (#1650-FP-25-QHD-S-Rate-8/1/11) to adjust the rates between -1% and -16.7% premium rates for the Qualified High Deductible Comprehensive Major Medical PPO. This will affect approximately 35 members and will not produce additional premium income. The requested effective date of the change is August 1, 2011.

Unless formal administrative action is taken prior to July 6, 2011, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov. Under the tab "How to Find . . ." click on the link "View Current Rate Filings."

A copy of the filing is also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

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

MICHAEL F. CONSEDINE,
Acting Insurance Commissioner

[Pa.B. Doc. No. 11-701. Filed for public inspection April 22, 2011, 9:00 a.m.]

Medical Malpractice Increased Limits Capacity Study for Health Care Providers; Request for Public Comments

Under section 711(d)(3) of the Medical Care Availability and Reduction of Error (MCARE) Act (act) (40 P. S. § 1303.711(d)(3)), the Insurance Commissioner (Commissioner) is conducting a study regarding the availability of additional basic insurance coverage capacity in the medical malpractice marketplace for health care providers, as the providers are defined in section 103 of the act (40 P. S. § 1303.103).

Earlier this year, the Insurance Department (Department) issued a data call to insurers to collect information relative to the capacity in the marketplace for the increased limits and the impact of the various reforms enacted over the last 9 years.

As a part of this review, the Commissioner is soliciting public comments regarding the provision to increase the basic limits of insurance for participating health care providers from their current level of \$500,000 per occurrence or claim and \$1,500,000 per annual aggregate (\$2,500,000 for hospitals) to \$750,000 per occurrence or claim and \$2,250,000 per annual aggregate (\$3,750,000 for hospitals) effective January 1, 2012. While the Commissioner's decision must be based upon the evaluation of basic insurance coverage capacity, the Department offers all interested parties the opportunity to comment on this important topic.

Interested parties are invited to submit written comments on this matter to Michael McKenney, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, mmckenney@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,
Acting Insurance Commissioner

[Pa.B. Doc. No. 11-702. Filed for public inspection April 22, 2011, 9:00 a.m.]

Review Procedure Hearings under the Unfair Insurance Practices Act

The following insureds have requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (40 P. S. § 1171.8) in connection with their companies' termination of the insureds' homeowners policy. The hearing will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held in the Insurance Department's regional office in Philadelphia, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Philadelphia Regional Office, Fairmount Hearing Room, 801 Market Street, Philadelphia, PA 19107.

Appeal of John and Christine Cordray; file no. 11-214-99702; West American Insurance Company; Doc. No. PH11-04-004; May 19, 2011, 1:30 p.m.

Parties may appear with or without counsel and offer relevant testimony and/or other relevant evidence. Each party must bring documents, photographs, drawings,

claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Donna R. Fleischauer, Human Resources Director, (717) 705-4194.

MICHAEL F. CONSEDINE,
Acting Insurance Commissioner

[Pa.B. Doc. No. 11-703. Filed for public inspection April 22, 2011, 9:00 a.m.]

JOINT COMMITTEE ON DOCUMENTS

Resolution 2011-1

Whereas, the Joint Committee on Documents has determined that the appropriation for the printing of the *Pennsylvania Code* and *Bulletin* is insufficient to pay current contractual obligations; and

Whereas, the Joint Committee on Documents issued Requests for Proposals for both the *Pennsylvania Code* and *Bulletin* and received no responses.

Now, therefore, be it known by Resolution of the Joint Committee on Documents that:

1. The Committee authorizes the Legislative Reference Bureau to negotiate a renewal of the current contract with Fry Communications:

As a sole source provider;

On the basis of drastic reductions in the overall product, including the areas of:

indexing;

cross referencing; and

annotations;

On the basis of online publication with limited print; and

On the basis of a maximum annual contract price of \$700,000 or such amount as may be approved by the Committee.

2. The Committee authorizes the Legislative Reference Bureau, if there is no contractor for the *Pennsylvania Bulletin* or the *Pennsylvania Code*, or both, or by July 1, 2012, to meet legal requirements relating to publication, printing, and dissemination of the *Pennsylvania Bulletin* and the *Pennsylvania Code* as follows:

As to the *Pennsylvania Bulletin*, the Bureau will continue to receive deposited material and will

compile deposited material on a weekly basis;

prepare a hard copy of the compilation and maintain the hard copy in the Legislative Reference Bureau, the State Law Library, and the Senate Library;

prepare an electronic version of the compilation available to the public without charge; and

disseminate the compilation to county law libraries.

As to the *Pennsylvania Code*, the Bureau will:

edit the regulations and surrounding material to engross amendments and effectuate changes required by law;

prepare an electronic version of the *Pennsylvania Code*, updated on the most efficient basis possible, considering the need for currency and the need to maintain historical versions;

prepare, on an annual basis, a hard copy of the *Pennsylvania Code* and maintain the hard copy in the Legislative Reference Bureau, the State Law Library, and the Senate Library; and

disseminate the contents of the *Pennsylvania Code* to county law libraries.

STEPHEN AICHELE,
Chairperson

[Pa.B. Doc. No. 11-704. Filed for public inspection April 22, 2011, 9:00 a.m.]

MILK MARKETING BOARD

Hearing and Presubmission Schedule for All Milk Marketing Areas; January 2012 Resale Price Announcement

Under the Milk Marketing Law (31 P. S. §§ 700j-101—700j-1302), the Milk Marketing Board (Board) will conduct a public hearing for Milk Marketing Areas 1—6 on June 1, 2011, at 10:30 a.m. in Room 202 of the Agriculture Building, 2301 North Cameron Street, Harrisburg, PA.

The purpose of the hearing is to receive testimony and exhibits concerning the announcement date for January 2012 minimum resale prices.

The staff of the Board is deemed to be a party to this hearing, and the attorney representing staff is deemed to have entered his appearance. Other persons who wish to present evidence may be included on the Board's list of parties by: (1) having their attorney file with the Board on or before 4 p.m. on April 29, 2011, a notice of appearance substantially in the form prescribed by 1 Pa. Code § 31.25 (relating to form of notice of appearance); or (2) if unrepresented by counsel, filing with the Board on or before 4 p.m. on April 29, 2011, notification of their desire to be included as a party. Parties shall indicate in their notices of appearance if alternate means of service, that is, e-mail or fax, are acceptable. Notices of appearance filed electronically should be directed to deberly@state.pa.us.

The parties shall observe the following requirements for advance filing of witness information and exhibits. The Board may exclude witnesses or exhibits of a party that fails to comply with these requirements. In addition, the parties shall have available in the hearing room at least 20 additional copies made available for the use of nonparties attending the hearing.

1. By 4 p.m. on May 12, 2011, the petitioner shall file with the Board, in person or by mail, one original and six copies and ensure receipt by all other parties of one copy of:

a. A list of witnesses who will testify for the petitioner, along with a statement of the subjects concerning which each witness will testify. A witness who will be offered as an expert shall be so identified, along with the witness's area or areas of proposed expertise. For expert witnesses there shall also be filed a statement of the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion.

b. Each exhibit to be presented, including testimony to be offered in written form.

2. By 4 p.m. on May 19, 2011, each responding party shall file and serve as set forth in paragraph 1 information concerning rebuttal witnesses and copies of rebuttal exhibits.

3. By 4 p.m. on May 26, 2011, parties shall file and serve as set forth in paragraph 1 information concerning surrebuttal witnesses and copies of surrebuttal exhibits.

Parties that wish to offer in evidence documents on file with the Board, public documents, or records in other proceedings before the Board, or wish the Board to take official notice of facts, shall comply with, respectively, 1 Pa. Code § 35.164, § 35.165, § 35.167 or § 35.173. Whenever these rules require production of a document as an exhibit, copies shall be provided to each Board member and to all other parties; in addition, at least 20 copies shall be available for distribution to nonparties attending the hearing.

Requests by parties for Board staff to provide data pertinent to the hearing shall be made in writing and received in the Board office by 12 p.m. on May 20, 2011.

The filing address for the Board is Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

TIM MOYER,
Acting Secretary

[Pa.B. Doc. No. 11-705. Filed for public inspection April 22, 2011, 9:00 a.m.]

Hearing and Presubmission Schedule for All Milk Marketing Areas; Over-Order Premium

Under the Milk Marketing Law (31 P. S. §§ 700j-101—700j-1302), the Milk Marketing Board (Board) will conduct a public hearing for Milk Marketing Areas 1—6 on June 1, 2011, at 10 a.m. in Room 202 of the Agriculture Building, 2301 North Cameron Street, Harrisburg, PA.

The purpose of the hearing is to receive testimony and exhibits concerning the level and duration of the Class I over-order premium to be effective July 1, 2011.

The staff of the Board is deemed to be a party to this hearing, and the attorney representing staff is deemed to have entered his appearance. Other persons who wish

to present evidence may be included on the Board's list of parties by: (1) having their attorney file with the Board on or before 4 p.m. on April 29, 2011, a notice of appearance substantially in the form prescribed by 1 Pa. Code § 31.25 (relating to form of notice of appearance); or (2) if unrepresented by counsel, filing with the Board on or before 4 p.m. on April 29, 2011, notification of their desire to be included as a party. Parties shall indicate in their notices of appearance if alternate means of service, that is, e-mail or fax, are acceptable. Notices of appearance filed electronically should be directed to deberly@state.pa.us.

The parties shall observe the following requirements for advance filing of witness information and exhibits. The Board may exclude witnesses or exhibits of a party that fails to comply with these requirements. In addition, the parties shall have available in the hearing room at least 20 additional copies made available for the use of nonparties attending the hearing.

1. By 4 p.m. on May 12, 2011, the petitioner shall file with the Board, in person or by mail, one original and six copies and ensure receipt by all other parties of one copy of:

a. A list of witnesses who will testify for the petitioner, along with a statement of the subjects concerning which each witness will testify. A witness who will be offered as an expert shall be so identified, along with the witness's area or areas of proposed expertise. For expert witnesses there shall also be filed a statement of the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion.

b. Each exhibit to be presented, including testimony to be offered in written form.

2. By 4 p.m. on May 19, 2011, each responding party shall file and serve as set forth in paragraph 1 information concerning rebuttal witnesses and copies of rebuttal exhibits.

3. By 4 p.m. on May 26, 2011, parties shall file and serve as set forth in paragraph 1 information concerning surrebuttal witnesses and copies of surrebuttal exhibits.

Parties that wish to offer in evidence documents on file with the Board, public documents, or records in other proceedings before the Board, or wish the Board to take official notice of facts, shall comply with, respectively, 1 Pa. Code § 35.164, § 35.165, § 35.167 or § 35.173. Whenever these rules require production of a document as an exhibit, copies shall be provided to each Board member and to all other parties; in addition, at least 20 copies shall be available for distribution to nonparties attending the hearing.

Requests by parties for Board staff to provide data pertinent to the hearing shall be made in writing and received in the Board office by 12 p.m. on May 20, 2011.

The filing address for the Board is Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

TIM MOYER,
Acting Secretary

[Pa.B. Doc. No. 11-706. Filed for public inspection April 22, 2011, 9:00 a.m.]

Hearing and Presubmission Schedule for All Milk Marketing Areas; Wholesale Discount Adjustments

Under the Milk Marketing Law (31 P.S. § 700j-101—700j-1302), the Milk Marketing Board (Board) will conduct a public hearing for Milk Marketing Areas 1—6 on June 1, 2011, at 11 a.m. in Room 202 of the Agriculture Building, 2301 North Cameron Street, Harrisburg, PA.

The purpose of the hearing is to receive testimony and exhibits concerning adjustments to wholesale discounts to account for changes in milk prices subsequent to the adoption of Official General Orders for each of the Milk Marketing Areas.

The staff of the Board is deemed to be a party to this hearing, and the attorney representing staff is deemed to have entered his appearance. Other persons who wish to present evidence may be included on the Board's list of parties by: (1) having their attorney file with the Board on or before 4 p.m. on April 29, 2011, a notice of appearance substantially in the form prescribed by 1 Pa. Code § 31.25 (relating to form of notice of appearance); or (2) if unrepresented by counsel, filing with the Board on or before 4 p.m. on April 29, 2011, notification of their desire to be included as a party. Parties shall indicate in their notices of appearance if alternate means of service, that is, e-mail or fax, are acceptable. Notices of appearance filed electronically should be directed to deberly@state.pa.us.

The parties shall observe the following requirements for advance filing of witness information and exhibits. The Board may exclude witnesses or exhibits of a party that fails to comply with these requirements. In addition, the parties shall have available in the hearing room at least 20 additional copies made available for the use of nonparties attending the hearing.

1. By 4 p.m. on May 12, 2011, the petitioner shall file with the Board, in person or by mail, one original and six copies and ensure receipt by all other parties of one copy of:

a. A list of witnesses who will testify for the petitioner, along with a statement of the subjects concerning which each witness will testify. A witness who will be offered as an expert shall be so identified, along with the witness's area or areas of proposed expertise. For expert witnesses there shall also be filed a statement of the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion.

b. Each exhibit to be presented, including testimony to be offered in written form.

2. By 4 p.m. on May 19, 2011, each responding party shall file and serve as set forth in paragraph 1 information concerning rebuttal witnesses and copies of rebuttal exhibits.

3. By 4 p.m. on May 26, 2011, parties shall file and serve as set forth in paragraph 1 information concerning surrebuttal witnesses and copies of surrebuttal exhibits.

Parties that wish to offer in evidence documents on file with the Board, public documents, or records in other proceedings before the Board, or wish the Board to take official notice of facts, shall comply with, respectively, 1 Pa. Code § 35.164, § 35.165, § 35.167 or § 35.173. Whenever these rules require production of a document as an exhibit, copies shall be provided to each Board member and to all other parties; in addition, at least 20 copies shall be available for distribution to nonparties attending the hearing.

Requests by parties for Board staff to provide data pertinent to the hearing shall be made in writing and received in the Board office by 12 p.m. on May 20, 2011.

The filing address for the Board is Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

For persons who require this information in an alternate format, call (717) 787-4194.

TIM MOYER,
Acting Secretary

[Pa.B. Doc. No. 11-707. Filed for public inspection April 22, 2011, 9:00 a.m.]

OFFICE OF OPEN RECORDS

Standard Right-to-Know Request Form

The Office of Open Records (OOR) has updated the Standard Right-to-Know Request Form. This form can be accessed from the OOR's web site at <http://openrecords.state.pa.us>. Any questions can be directed to the OOR at (717) 346-9903.

TERRY MUTCHLER,
Executive Director



pennsylvania
OFFICE OF OPEN RECORDS

STANDARD RIGHT-TO-KNOW REQUEST FORM

DATE REQUESTED: _____

REQUEST SUBMITTED BY: E-MAIL U.S. MAIL FAX IN-PERSON

REQUEST SUBMITTED TO (Agency name & address or e-mail address):

NAME OF REQUESTER: _____

REQUESTER STREET ADDRESS: (Required): _____

CITY/STATE/COUNTY/ZIP(Required): _____

TELEPHONE: _____ EMAIL: _____

RECORDS REQUESTED: **Provide as much specific detail as possible so the agency can identify the information. Please use additional sheets if necessary*

DO YOU WANT COPIES? YES or NO
DO YOU WANT TO INSPECT THE RECORDS ON SITE? YES or NO
DO YOU WANT CERTIFIED COPIES OF RECORDS? (Certification fee may apply) YES or NO

**** PLEASE NOTE: RETAIN A COPY OF THIS REQUEST FOR YOUR FILES ****
**** IT IS A REQUIRED DOCUMENT IF YOU WOULD NEED TO FILE AN APPEAL ****

FOR AGENCY USE ONLY

RIGHT TO KNOW OFFICER:

DATE RECEIVED BY THE AGENCY:

AGENCY FIVE (5) BUSINESS DAY RESPONSE DUE:

***Public bodies may fill anonymous verbal or written requests. If the requestor wishes to pursue the relief and remedies provided for in this Act, the request must be in writing. (Section 702.) Written requests need not include an explanation why information is sought or the intended use of the information unless otherwise required by law. (Section 703.)*

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Change in Control

A-2011-2235657 and A-2011-2235659. NTELOS of West Virginia, Inc. and FiberNet Telecommunications of PA, LLC. Joint application of NTELOS of West Virginia, Inc. and FiberNet Telecommunications of PA, LLC, for approval of a general rule change in control.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before May 9, 2011. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at www.puc.state.pa.us, and at the applicant's business address.

Joint Applicants: NTELOS of West Virginia, Inc., FiberNet Telecommunications of PA, LLC

Through and by Counsel: Michael A. Gruin, Esquire, Stevens & Lee, 17 North Second Street, 16th Floor, Harrisburg, PA 17101

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 11-709. Filed for public inspection April 22, 2011, 9:00 a.m.]

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 May 9, 2011. 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-2011-2235296. Kevin R. and Sheri D. Bippus, Copartners t/a Expressions Limousine of Lancaster (P. O. Box 297, Ephrata, Lancaster County, PA 17522), for the right to begin to transport, as a common carrier, by motor vehicle, persons, in airport transfer service, from points in the Counties of Lancaster, Lebanon, Berks, Dauphin, York and Cumberland, to the Philadelphia International Airport, Harrisburg International Airport, Lehigh Valley International Airport and Lancaster Airport.

A-2011-2235464. Keon Enterprises, LLC (3751 Rutherford Street, Harrisburg, PA 17111), a limited liability company of the Commonwealth of Pennsylvania—persons, in paratransit service, between points in the Counties of Dauphin and Cumberland.

Application of the following for approval to begin operating as contract carriers for transportation of persons as described under the application.

A-2011-2235606. Amstar Medical Transportation, Inc., d/b/a Safe & Secure Transit (7150 North Park Drive, Pennsauken, NJ 08109), a corporation of the state of New Jersey—contract carrier—persons, for Access2Care, LLC, between points in Philadelphia. *Attorney:* Ann C. Pearl, 1601 Market Street, Suite 2525, Philadelphia, PA 19103.

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

A-2011-2233419. Patricia M. Kreider (9 Prospect Road, Strasburg, Lancaster County, PA 17579)—for the discontinuance of service and cancellation of the certificate as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the County of Lancaster, to points in Pennsylvania, and return.

Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Chhabra Transport, Inc.;
Doc. No. C-2010-2129893; A-00121215

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings, which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Chhabra Transport, Inc., Respondent, maintains a principal place of business at 6710 A Chestnut Street, Upper Darby, PA 19082.
2. That Respondent was issued a Certificate of Public Convenience by this Commission on January 12, 2005, at A-00121215.
3. That Respondent was advised by letter dated May 10, 2005, that its medallion authority was being transferred to the Philadelphia Parking Authority. At that time, Respondent was advised that its taxicab service which had an origin and destination outside of the City of Philadelphia remained subject to the regulatory oversight of the PA PUC.
4. That Respondent was advised by letter dated August 31, 2009, that it failed to file a valid tariff with this Commission as required by 52 Pa. Code § 23.11. Respondent was provided 60 days to file an acceptable tariff. To date, Respondent has not filed an acceptable tariff. The Bureau of Transportation and Safety's Motor Carrier Services and Enforcement Prosecutory Staff's proposed civil penalty for this violation is \$250.00.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Chhabra Transport, Inc., the sum of two hundred and fifty dollars (\$250.00) for the illegal activity described in the complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement
Motor Carrier Services & Enforcement Division
Bureau of Transportation and Safety
P. O. Box 3265
Harrisburg, PA. 17105-3265

VERIFICATION

I, Wendy J. Keezel, Chief of Enforcement for the Motor Carrier Services and Enforcement Division of the Bureau of Transportation and Safety, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect the Bureau will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____

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

NOTICE

A. You must file an answer within twenty (20) days of the date of service of this complaint. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice, 52 Pa. Code § 1.56(a). An answer is a written explanation of circumstances wished to be considered in determining the outcome. The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this complaint. Your answer must be verified and the original and three (3) copies sent to:

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty (20) days of the date of service, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty. Each day you continue to violate any regulation, direction, requirement or Order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this complaint by filing an acceptable tariff and by paying the fine proposed in this Complaint by certified check or money order. The tariff must be filed with the:

Compliance Office, Bureau of Transportation and Safety
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

The fine payment must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of an acceptable tariff and payment of the proposed fine, the complaint proceeding shall be closed.

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

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

F. If you have questions regarding this Complaint or if you would like an alternative format to this Complaint (for persons with disabilities), please contact the Compliance Office at (717) 787-1227.

*Pennsylvania Public Utility Commission, Bureau of
Transportation and Safety v. G & V Cab Corp.;*
Doc. No. C-2010-2129666; A-00116615

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings, which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That G & V Cab Corp., Respondent, maintains a principal place of business at 1964 Renovo Street, Philadelphia, PA 19138.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on April 18, 2000, at A-00116615.

3. That Respondent was advised by letter dated May 10, 2005, that its medallion authority was being transferred to the Philadelphia Parking Authority. At that time, Respondent was advised that its taxicab service which had an origin and destination outside of the City of Philadelphia remained subject to the regulatory oversight of the PA PUC.

4. That Respondent was advised by letter dated August 31, 2009, that it failed to file a valid tariff with this Commission as required by 52 Pa. Code § 23.11. Respondent was provided 60 days to file an acceptable tariff. To date, Respondent has not filed an acceptable tariff. The Bureau of Transportation and Safety's Motor Carrier Services and Enforcement Prosecutory Staff's proposed civil penalty for this Violation is \$250.00.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine G & V Cab Corp., the sum of two hundred and fifty dollars (\$250.00) for the illegal activity described in the complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement
Motor Carrier Services & Enforcement Division
Bureau of Transportation and Safety
P. O. Box 3265
Harrisburg, PA. 17105-3265

VERIFICATION

I, Wendy J. Keezel, Chief of Enforcement for the Motor Carrier Services and Enforcement Division of the Bureau of Transportation and Safety, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect the Bureau will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____

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

NOTICE

A. You must file an answer within twenty (20) days of the date of service of this complaint. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice, 52 Pa. Code § 1.56(a). An answer is a written explanation of circumstances wished to be considered in determining the outcome. The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this complaint. Your answer must be verified and the original and three (3) copies sent to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty (20) days of the date of service, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty. Each day you continue to violate any regulation, direction, requirement or Order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this complaint by filing an acceptable tariff and by paying the fine proposed in this Complaint by certified check or money order. The tariff must be filed with the:

Compliance Office, Bureau of Transportation and Safety
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

The fine payment must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of an acceptable tariff and payment of the proposed fine, the complaint proceeding shall be closed.

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

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

F. If you have questions regarding this Complaint or if you would like an alternative format to this Complaint (for persons with disabilities), please contact the Compliance Office at (717) 787-1227.

*Pennsylvania Public Utility Commission, Bureau of
Transportation and Safety v. GP Cab Co.;*
Doc. No. C-2010-2129881; A-00121185

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings, which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That GP Cab Co., Respondent, maintains a principal place of business at 553 Snow Din Road, Upper Darby, PA 19082.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on December 21, 2004, at A-00121185.

3. That Respondent was advised by letter dated May 10, 2005, that its medallion authority was being transferred to the Philadelphia Parking Authority. At that time, Respondent was advised that its taxicab service which had an origin and destination outside of the City of Philadelphia remained subject to the regulatory oversight of the PA PUC.

4. That Respondent was advised by letter dated August 31, 2009, that it failed to file a valid tariff with this Commission as required by 52 Pa. Code § 23.11. Respondent was provided 60 days to file an acceptable tariff. To date, Respondent has not filed an acceptable tariff. The Bureau of Transportation and Safety's Motor Carrier Services and Enforcement Prosecutory Staff's proposed civil penalty for this violation is \$250.00.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine GP Cab Co., the sum of two hundred and fifty dollars (\$250.00) for the illegal activity described in the complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement
Motor Carrier Services & Enforcement Division
Bureau of Transportation and Safety
P. O. Box 3265
Harrisburg, PA. 17105-3265

VERIFICATION

I, Wendy J. Keezel, Chief of Enforcement for the Motor Carrier Services and Enforcement Division of the Bureau of Transportation and Safety, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect the Bureau will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____

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

NOTICE

A. You must file an answer within twenty (20) days of the date of service of this complaint. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice, 52 Pa. Code § 1.56(a). An answer is a written explanation of circumstances wished to be considered in determining the outcome. The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this complaint. Your answer must be verified and the original and three (3) copies sent to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty (20) days of the date of service, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty. Each day you continue to violate any regulation, direction, requirement or Order of the Commission is a separate and distinct offense, subject to additional penalties.

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Compliance Office, Bureau of Transportation and Safety
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

The fine payment must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of an acceptable tariff and payment of the proposed fine, the complaint proceeding shall be closed.

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

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law

Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

F. If you have questions regarding this Complaint or if you would like an alternative format to this Complaint (for persons with disabilities), please contact the Compliance Office at (717) 787-1227.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 11-710. Filed for public inspection April 22, 2011, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project No. 11-024.6, Replace Sprinkler System Valves, Packer Avenue Marine Terminal (PAMT) until 2 p.m. on Thursday, May 19, 2011. Information concerning this project can be obtained from the PRPA web site www.philaport.com under Procurement, or call the Procurement Department at (215) 426-2600.

JAMES T. MCDERMOTT, Jr.,
Executive Director

[Pa.B. Doc. No. 11-711. Filed for public inspection April 22, 2011, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Projects Approved or Rescinded for Consumptive Uses of Water

The Susquehanna River Basin Commission (Commission) has approved or rescinded by rule the following list of projects during November 1, 2010, through December 31, 2010.

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

Supplementary Information

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

Approvals By Rule Issued Under 18 CFR 806.22(e):

1. Empire Pipeline, Inc.—Tioga County Extension Project, ABR-201011050, Jackson Township, Tioga County, PA; Town of Canton and Town of Corning, Steuben County, NY; Consumptive Use of up to 0.300 mgd; Approval Date: November 18, 2010.

2. SVC Manufacturing, Inc., Gatorade—Mountaintop Facility, ABR-201012042, Wright Township, Luzerne County, PA; Consumptive Use of up to 1.300 mgd; Approval Date: December 20, 2010.

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

1. Novus Operating, LLC, Pad ID: Sylvester 4H Pad, ABR-201011001, Brookfield Township, Tioga County, PA; Consumptive Use of up to 2.000 mgd; Approval Date: November 1, 2010.

2. East Resources Management, LLC, Pad ID: Guillaume 715, ABR-201011002, Liberty Township, Tioga County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: November 1, 2010.

3. Chesapeake Appalachia, LLC, Pad ID: Sparky, ABR-201011003, Sheshequin Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: November 1, 2010.

4. Chesapeake Appalachia, LLC, Pad ID: Gregory, ABR-201011004, Wysox Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: November 1, 2010.

5. Chief Oil & Gas, LLC, Pad ID: Vollers Drilling Pad No. 1, ABR-201011005, Elkland Township, Sullivan County, PA; Consumptive Use of up to 2.000 mgd; Approval Date: November 1, 2010.

6. Enerplus Resources (USA) Corporation, Pad ID: Snow Shoe 1, ABR-201011006, Snow Shoe Township, Centre County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: November 1, 2010.

7. Enerplus Resources (USA) Corporation, Pad ID: Snow Shoe 2, ABR-201011007, Snow Shoe Township, Centre County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: November 1, 2010.

8. Chesapeake Appalachia, LLC, Pad ID: Norton, ABR-201011008, Elkland Township, Sullivan County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: November 2, 2010.

9. Chesapeake Appalachia, LLC, Pad ID: Crystal, ABR-201011009, North Towanda Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: November 2, 2010.

10. Chesapeake Appalachia, LLC, Pad ID: Weisbrod, ABR-201011010, Sheshequin Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: November 3, 2010.

11. Chesapeake Appalachia, LLC, Pad ID: Dland, ABR-201011011, Leroy Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: November 3, 2010.

12. Williams Production Appalachia, LLC, Pad ID: Resource Recovery Well Pad 2, ABR-201011012, Snow Shoe Township, Centre County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: November 3, 2010.

13. Chesapeake Appalachia, LLC, Pad ID: M & M Estates, ABR-201011013, Fox Township, Sullivan County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: November 4, 2010.

14. Southwestern Energy Production Company, Pad ID: Wells Pad, ABR-201011014, Benton Township, Lackawanna County, PA; Consumptive Use of up to 4.990 mgd; Approval Date: November 5, 2010.

15. Southwestern Energy Production Company, Pad ID: Belcher Pad, ABR-201011015, Clifford Township, Susque-

hanna County, PA; Consumptive Use of up to 4.990 mgd; Approval Date: November 5, 2010.

16. EnCana Oil & Gas (USA), Inc., Pad ID: 4P, ABR-201011016, Lake Township, Luzerne County, PA; Consumptive Use of up to 1.200 mgd; Approval Date: November 8, 2010.

17. Anadarko E & P Company, LP, Pad ID: David G Wascher Pad A, ABR-201011017, Lewis Township, Lycoming County, PA; Consumptive Use of up to 3.000 mgd; Approval Date: November 8, 2010.

18. XTO Energy Incorporated, Pad ID: Levan 8532H, ABR-201011018, Pine Township, Columbia County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: November 8, 2010.

19. XTO Energy Incorporated, Pad ID: Shaner8507H, ABR-201011019, Jordan Township, Lycoming County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: November 8, 2010.

20. XTO Energy Incorporated, Pad ID: Renn8506H, ABR-201011020, Jordan Township, Lycoming County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: November 8, 2010.

21. Williams Production Appalachia, LLC, Pad ID: Webster—1, ABR-2009401.1, Franklin Township, Susquehanna County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: November 9, 2010.

22. Williams Production Appalachia, LLC, Pad ID: Holbrook No. 1, ABR-2009402.1, Bridgewater Township, Susquehanna County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: November 9, 2010.

23. Chesapeake Appalachia, LLC, Pad ID: Zaleski, ABR-201011021, Asylum Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: November 9, 2010.

24. Carrizo Marcellus, LLC, Pad ID: Shaskas South, ABR-201011022, Jessup Township, Susquehanna County, PA; Consumptive Use of up to 2.100 mgd; Approval Date: November 10, 2010.

25. Carrizo Marcellus, LLC, Pad ID: Bonnice 2, ABR-201011023, Jessup Township, Susquehanna County, PA; Consumptive Use of up to 2.100 mgd; Approval Date: November 10, 2010.

26. EOG Resources, Inc. Pad ID: SGL 90C Pad, ABR-2010011024, Lawrence Township, Clearfield County, PA; Consumptive Use of up to 4.999 mgd; Approval Date: November 10, 2010.

27. EOG Resources, Inc. Pad ID: SGL 90E Pad, ABR-2010011025, Lawrence Township, Clearfield County, PA; Consumptive Use of up to 4.999 mgd; Approval Date: November 10, 2010.

28. EOG Resources, Inc. Pad ID: SGL 90F Pad, ABR-2010011026, Lawrence Township, Clearfield County, PA; Consumptive Use of up to 4.999 mgd; Approval Date: November 10, 2010.

29. Novus Operating, LLC, Pad ID: Red Tailed Hawk, ABR-201011027, Covington Township, Tioga County, PA; Consumptive Use of up to 2.000 mgd; Approval Date: November 12, 2010.

30. Chesapeake Appalachia, LLC, Pad ID: Lytwyn, ABR-201011028, Smithfield Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: November 12, 2010.

31. Talisman Energy USA, Inc., Pad ID: 03 072 Szumski, ABR-201011029, Wells Township, Bradford County, PA; Consumptive Use of up to 6.000 mgd; Approval Date: November 12, 2010.

32. Cabot Oil & Gas Corporation, Pad ID: StalterD P1, ABR-201011030, Lenox Township, Susquehanna County, PA; Consumptive Use of up to 3.575 mgd; Approval Date: November 12, 2010.

33. Talisman Energy USA, Inc., Pad ID: 05 073 Harvey, ABR-201011031, Orwell Township, Bradford County, PA; Consumptive Use of up to 6.000 mgd; Approval Date: November 12, 2010.

34. Talisman Energy USA, Inc., Pad ID: 05 019 Cobb, ABR-201011032, Pike Township, Bradford County, PA; Consumptive Use of up to 6.000 mgd; Approval Date: November 12, 2010.

35. Talisman Energy USA, Inc., Pad ID: 05 028 Neville V, ABR-201011033, Warren Township, Bradford County, PA; Consumptive Use of up to 6.000 mgd; Approval Date: November 15, 2010.

36. Chesapeake Appalachia, LLC, Pad ID: Taylor, ABR-201011034, Orwell Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: November 15, 2010.

37. Chesapeake Appalachia, LLC, Pad ID: Primrose, ABR-201011035, Standing Stone Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: November 15, 2010.

38. Chesapeake Appalachia, LLC, Pad ID: Pines, ABR-201011036, Cherry Township, Sullivan County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: November 15, 2010.

39. Chesapeake Appalachia, LLC, Pad ID: Roeber, ABR-201011037, Wyalusing Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: November 15, 2010.

40. EnCana Oil & Gas (USA), Inc., Pad ID: Kent North, ABR-201011038, Fairmount Township, Luzerne County, PA; Consumptive Use of up to 1.200 mgd; Approval Date: November 15, 2010.

41. EnCana Oil & Gas (USA), Inc., Pad ID: Kent South, ABR-201011039, Fairmount Township, Luzerne County, PA; Consumptive Use of up to 1.200 mgd; Approval Date: November 15, 2010.

42. East Resources Management, LLC, Pad ID: Nestor 551, ABR-201011040, Delmar Township, Tioga County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: November 15, 2010.

43. Chesapeake Appalachia, LLC, Pad ID: Epler, ABR-201011041, Albany Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: November 16, 2010.

44. Enerplus Resources (USA) Corporation, Pad ID: Snow Shoe 4, ABR-201011042, Snow Shoe Township, Centre County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: November 16, 2010.

45. East Resources Management, LLC, Pad ID: Torpy & Van Order, Inc. 574, ABR-201011043, Covington Township, Tioga County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: November 16, 2010.

46. Anadarko E & P Company, LP, Pad ID: Harry W Stryker Pad A, ABR-201011044, Cogan House Township, Lycoming County, PA; Consumptive Use of up to 3.000 mgd; Approval Date: November 16, 2010.

47. Talisman Energy USA, Inc., Pad ID: 05 014 Warner, ABR-201011045, Rush Township, Susquehanna County, PA; Consumptive Use of up to 6.000 mgd; Approval Date: November 16, 2010.

48. Anadarko E & P Company, LP, Pad ID: William S Kieser Pad A, ABR-201011046, Cogan House Township, Lycoming County, PA; Consumptive Use of up to 3.000 mgd; Approval Date: November 16, 2010.

49. Anadarko E & P Company, LP, Pad ID: Ann C Good Pad B, ABR-201011047, Cogan House Township, Lycoming County, PA; Consumptive Use of up to 3.000 mgd; Approval Date: November 16, 2010.

50. Talisman Energy USA, Inc., Pad ID: 03 052 Watkins, ABR-201011048, Columbia Township, Bradford County, PA; Consumptive Use of up to 6.000 mgd; Approval Date: November 17, 2010.

51. Northeast Natural Energy, LLC, Pad ID: Curley, ABR-201011049, Graham Township, Clearfield County, PA; Consumptive Use of up to 0.020 mgd; Approval Date: November 17, 2010.

52. Talisman Energy USA, Inc., Pad ID: 05 076 Brown, ABR-201011051, Orwell Township, Bradford County, PA; Consumptive Use of up to 6.000 mgd; Approval Date: November 19, 2010.

53. Talisman Energy USA, Inc., Pad ID: 05 082 Abell Living Trust, ABR-201011052, Warren Township, Bradford County, PA; Consumptive Use of up to 6.000 mgd; Approval Date: November 19, 2010.

54. Chesapeake Appalachia, LLC, Pad ID: Comstock, ABR-201011053, Rome Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: November 19, 2010.

55. Range Resources—Appalachia, LLC, Pad ID: Goodwill Hunting Club Unit No. 4H-No. 9H Drilling Pad, ABR-201011054, Lewis Township, Lycoming County, PA; Consumptive Use of up to 5.000 mgd; Approval Date: November 19, 2010.

56. Cabot Oil & Gas Corporation, Pad ID: DerianchoF P1, ABR-201011055, Bridgewater Township, Susquehanna County, PA; Consumptive Use of up to 3.575 mgd; Approval Date: November 22, 2010.

57. Talisman Energy USA, Inc., Pad ID: 05 180 Peck Hill Farm, ABR-201011056, Windham Township, Bradford County, PA; Consumptive Use of up to 6.000 mgd; Approval Date: November 22, 2010.

58. EQT Production Co., Pad ID: Phoenix R, ABR-201011057, Duncan Township, Tioga County, PA; Consumptive Use of up to 3.000 mgd; Approval Date: November 22, 2010.

59. East Resources Management, LLC, Pad ID: Neal 815, ABR-201011058, Chatham Township, Tioga County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: November 22, 2010.

60. East Resources Management, LLC, Pad ID: Signor 583, ABR-201011059, Covington Township, Tioga County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: November 23, 2010.

61. Chesapeake Appalachia, LLC, Pad ID: Penecale, ABR-201011060, North Branch Township, Wyoming County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: November 23, 2010.

62. EQT Production Co., Pad ID: Longhorn C-1 (WDV1), ABR-201011061, Jay Township, Elk County, PA; Consumptive Use of up to 3.000 mgd; Approval Date: November 23, 2010.

63. J-W Operating Company, Pad ID: Pardee & Curtin Lumber Co. C-12H, ABR-201011062, Shippen Township, Cameron County, PA; Consumptive Use of up to 5.000 mgd; Approval Date: November 23, 2010.
64. Talisman Energy USA, Inc., Pad ID: 05 058 Vough, ABR-201011063, Orwell Township, Bradford County, PA; Consumptive Use of up to 6.000 mgd; Approval Date: November 23, 2010.
65. Talisman Energy USA, Inc., Pad ID: 05 165 Hutchinson, ABR-201011064, Warren Township, Bradford County, PA; Consumptive Use of up to 6.000 mgd; Approval Date: November 23, 2010.
66. Talisman Energy USA, Inc., Pad ID: 05 143 Bacon, ABR-201011065, Pike Township, Bradford County, PA; Consumptive Use of up to 6.000 mgd; Approval Date: November 23, 2010.
67. Chesapeake Appalachia, LLC, Pad ID: Dunny, ABR-201011066, Windham Township, Wyoming County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: November 23, 2010.
68. Range Resources—Appalachia, LLC, Pad ID: Red Bend Hunting & Fishing Club Unit No. 3H-No. 5H Drilling Pad, ABR-201011067, Cogan House Township, Lycoming County, PA; Consumptive Use of up to 5.000 mgd; Approval Date: November 23, 2010.
69. Chief Oil & Gas, LLC, Pad ID: PMG God Drilling Pad No. 1, ABR-201011068, Asylum Township, Bradford County, PA; Consumptive Use of up to 2.000 mgd; Approval Date: November 24, 2010.
70. Anadarko E & P Company, LP, Pad ID: David O Vollman Pad A, ABR-201011069, Cogan House Township, Lycoming County, PA; Consumptive Use of up to 3.000 mgd; Approval Date: November 24, 2010.
71. East Resources Management, LLC, Pad ID: Shaw Trust 500, ABR-201011070, Sullivan Township, Tioga County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: November 29, 2010.
72. East Resources Management, LLC, Pad ID: Sevem 474, ABR-201011071, Charleston Township, Tioga County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: November 29, 2010.
73. Talisman Energy USA, Inc., Pad ID: 05 223 Wheaton, ABR-201011072, Windham Township, Bradford County, PA; Consumptive Use of up to 6.000 mgd; Approval Date: November 29, 2010.
74. Range Resources—Appalachia, LLC, Pad ID: Ogontz Fishing Club No. 18H-No. 23H Drilling Pad, ABR-201011073, Cummings Township, Lycoming County, PA; Consumptive Use of up to 5.000 mgd; Approval Date: November 30, 2010.
75. Range Resources—Appalachia, LLC, Pad ID: Paulhamus, Frederick Unit No. 5H and No. 6H Drilling Pad, ABR-201011074, Mifflin Township, Lycoming County, PA; Consumptive Use of up to 5.000 mgd; Approval Date: November 30, 2010.
76. Seneca Resources, Pad ID: Wolfinger Pad B, ABR-201011075, Shippen Township, Cameron County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: November 30, 2010, including a partial waiver of 18 CFR 806.15.
77. EOG Resources, Inc. Pad ID: Sutherland Chevrolet 1H Pad, ABR-2010011076, Lawrence Township, Clearfield County, PA; Consumptive Use of up to 4.999 mgd; Approval Date: November 30, 2010.
78. Range Resources—Appalachia, LLC, Pad ID: Ogontz Fishing Club No. 24H-No. 29H Drilling Pad, ABR-201011077, Cummings Township, Lycoming County, PA; Consumptive Use of up to 5.000 mgd; Approval Date: November 30, 2010.
79. East Resources Management, LLC, Pad ID: Propheta 288, ABR-201011078, Charleston Township, Tioga County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: November 30, 2010.
80. Chesapeake Appalachia, LLC, Pad ID: Broughton, ABR-201012001, Morris Township, Tioga County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: December 1, 2010.
81. Chesapeake Appalachia, LLC, Pad ID: Keir, ABR-201012002, Sheshequin Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: December 1, 2010.
82. EXCO Resources (PA), LLC, Pad ID: DCNR Tract 323 Pad-2, ABR-201012003, Pine Township, Clearfield County, PA; Consumptive Use of up to 8.000 mgd; Approval Date: December 1, 2010.
83. Range Resources—Appalachia, LLC, Pad ID: Fuller, Eugene Unit No. 1H-No. 3H Drilling Pad, ABR-201012004, Mifflin Township, Lycoming County, PA; Consumptive Use of up to 5.000 mgd; Approval Date: December 2, 2010.
84. Chesapeake Appalachia, LLC, Pad ID: Graham, ABR-201012005, Morris Township, Tioga County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: December 2, 2010.
85. Chesapeake Appalachia, LLC, Pad ID: Mobear, ABR-201012006, Wilmot Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: December 2, 2010.
86. Chesapeake Appalachia, LLC, Pad ID: Burkmont Farms, ABR-201012007, Wilmot Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: December 2, 2010.
87. Triana Energy, LLC, Pad ID: Triana-Young Pad B, ABR-201012008, Hector Township, Potter County, PA; Consumptive Use of up to 7.000 mgd; Approval Date: December 3, 2010.
88. EQT Production Company, Pad ID: Phoenix S, ABR-201012009, Duncan Township, Tioga County, PA; Consumptive Use of up to 3.000 mgd; Approval Date: December 6, 2010.
89. Williams Production Appalachia, LLC, Pad ID: Campbell Well Pad, ABR-201012010, Benton Township, Columbia County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: December 6, 2010.
90. Chesapeake Appalachia, LLC, Pad ID: Franclaire, ABR-201012011, Braintrim Township, Wyoming County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: December 6, 2010.
91. Talisman Energy USA, Inc., Pad ID: 02 015 DCNR 587, ABR-201012012, Ward Township, Tioga County, PA; Consumptive Use of up to 6.000 mgd; Approval Date: December 8, 2010.
92. East Resources Management, LLC, Pad ID: Brewer 258, ABR-201012013, Jackson Township, Tioga County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: December 9, 2010.
93. Chief Oil & Gas, LLC, Pad ID: Houseknecht Drilling Pad No. 1, ABR-201012014, Davidson Township,

Sullivan County, PA; Consumptive Use of up to 2.000 mgd; Approval Date: December 9, 2010.

94. Chesapeake Appalachia, LLC, Pad ID: SGL 289A, ABR-201012015, West Burlington Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: December 10, 2010.

95. East Resources Management, LLC, Pad ID: Crittenden 593, ABR-201012016, Richmond Township, Tioga County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: December 13, 2010.

96. East Resources Management, LLC, Pad ID: Groff 720, ABR-201012017, Canton Township, Bradford County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: December 13, 2010.

97. East Resources Management, LLC, Pad ID: Swingle 591, ABR-201012018, Richmond Township, Tioga County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: December 13, 2010.

98. Chesapeake Appalachia, LLC, Pad ID: Gary, ABR-201012019, Rush Township, Susquehanna County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: December 13, 2010.

99. Chesapeake Appalachia, LLC, Pad ID: Baltzley, ABR-201012020, Rush Township, Susquehanna County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: December 13, 2010.

100. Chesapeake Appalachia, LLC, Pad ID: Roland, ABR-201012021, Wilmot Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: December 13, 2010.

101. Chesapeake Appalachia, LLC, Pad ID: Potuck Farm, ABR-201012022, Cherry Township, Sullivan County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: December 13, 2010.

102. Chesapeake Appalachia, LLC, Pad ID: Norconk, ABR-201012023, Wilmot Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: December 13, 2010.

103. Range Resources—Appalachia, LLC, Pad ID: State Game Lands 75A No. 3H Drilling Pad, ABR-201012024, Cogan House Township, Lycoming County, PA; Consumptive Use of up to 5.000 mgd; Approval Date: December 13, 2010.

104. Chief Oil & Gas, LLC, Pad ID: Niedzwiecki Drilling Pad No. 1, ABR-201012025, Sugarloaf Township, Columbia County, PA; Consumptive Use of up to 2.000 mgd; Approval Date: December 16, 2010.

105. Talisman Energy USA, Inc., Pad ID: 05 128 Upham R, ABR-201012026, Pike Township, Bradford County, PA; Consumptive Use of up to 6.000 mgd; Approval Date: December 16, 2010.

106. EXCO Resources (PA), LLC, Pad ID: Herring Pad—9, ABR-201012027, Graham Township, Clearfield County, PA; Consumptive Use of up to 8.000 mgd; Approval Date: December 16, 2010.

107. Pennsylvania General Energy, Pad ID: Reed Run Norwich Pad D, ABR-201012028, Norwich Township, Mckean County, PA; Consumptive Use of up to 3.500 mgd; Approval Date: December 16, 2010.

108. Chief Oil & Gas, LLC, Pad ID: Guinter Drilling Pad No. 1, ABR-201012029, Mifflin Township, Lycoming County, PA; Consumptive Use of up to 2.000 mgd; Approval Date: December 17, 2010.

109. Chesapeake Appalachia, LLC, Pad ID: Kinnarney, ABR-201012030, Albany Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: December 20, 2010.

110. Talisman Energy USA, Inc., Pad ID: 05 202 Slovak M, ABR-201012031, Windham Township, Bradford County, PA; Consumptive Use of up to 6.000 mgd; Approval Date: December 20, 2010.

111. East Resources Management, LLC, Pad ID: I G Coveney Revocable LVG Trust 282, ABR-201012032, Richmond Township, Tioga County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: December 20, 2010.

112. Chief Oil & Gas, LLC, Pad ID: Doebler Drilling Pad No. 1, ABR-201012033, Penn Township, Lycoming County, PA; Consumptive Use of up to 2.000 mgd; Approval Date: December 20, 2010.

113. Chief Oil & Gas, LLC, Pad ID: Curtin Drilling Pad No. 1, ABR-201012034, Albany Township, Bradford County, PA; Consumptive Use of up to 2.000 mgd; Approval Date: December 20, 2010.

114. Chief Oil & Gas, LLC, Pad ID: Remley Drilling Pad No. 1, ABR-201012035, Jackson Township, Columbia County, PA; Consumptive Use of up to 2.000 mgd; Approval Date: December 20, 2010.

115. Chief Oil & Gas, LLC, Pad ID: Sterner Drilling Pad No. 1, ABR-201012036, Jackson Township, Columbia County, PA; Consumptive Use of up to 2.000 mgd; Approval Date: December 20, 2010.

116. Chief Oil & Gas, LLC, Pad ID: Hess Drilling Pad No. 1, ABR-201012037, Jackson Township, Columbia County, PA; Consumptive Use of up to 2.000 mgd; Approval Date: December 20, 2010.

117. Chesapeake Appalachia, LLC, Pad ID: DGSM, ABR-201012038, Smithfield Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: December 20, 2010.

118. Chesapeake Appalachia, LLC, Pad ID: Hartz, ABR-201012039, Ulster Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: December 20, 2010.

119. Carrizo Marcellus, LLC, Pad ID: Baker North, ABR-201012040, Forest Lake Township, Susquehanna County, PA; Consumptive Use of up to 2.100 mgd; Approval Date: December 20, 2010.

120. Carrizo Marcellus, LLC, Pad ID: Sterling Farms, ABR-201012041, Noxen Township and Monroe Township, Wyoming County, PA; Consumptive Use of up to 2.100 mgd; Approval Date: December 20, 2010.

121. Range Resources—Appalachia, LLC, Pad ID: Ogontz Fishing Club No. 30H-No. 35H, ABR-201012043, Cummings Township, Lycoming County, PA; Consumptive Use of up to 5.000 mgd; Approval Date: December 21, 2010.

122. East Resources Management, LLC, Pad ID: Vanvliet 614, ABR-201012044, Delmar Township, Tioga County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: December 21, 2010.

123. Novus Operating, LLC, Pad ID: Merlin, ABR-201012045, Sullivan Township, Tioga County, PA; Consumptive Use of up to 2.000 mgd; Approval Date: December 22, 2010.

124. Talisman Energy USA, Inc., Pad ID: 05 167 Hutchinson, ABR-201012046, Warren Township, Bradford

County, PA; Consumptive Use of up to 6.000 mgd; Approval Date: December 23, 2010.

125. Range Resources—Appalachia, LLC, Pad ID: Rupert, Elton Unit No. 1H Drilling Pad, ABR-201012047, Penn Township, Lycoming County, PA; Consumptive Use of up to 5.000 mgd; Approval Date: December 23, 2010.

126. East Resources Management, LLC, Pad ID: Wilson 283, ABR-201012048, Charleston Township, Tioga County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: December 23, 2010.

127. East Resources Management, LLC, Pad ID: Buckwalter 429, ABR-201012049, Delmar Township, Tioga County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: December 23, 2010.

128. Range Resources—Appalachia, LLC, Pad ID: Winner Unit No. 2H-No. 5H Drilling Pad, ABR-201012050, Gallagher Township, Clinton County, PA; Consumptive Use of up to 5.000 mgd; Approval Date: December 27, 2010.

129. East Resources Management, LLC, Pad ID: Sherman 563, ABR-201012051, Shippen Township, Tioga County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: December 27, 2010.

130. East Resources Management, LLC, Pad ID: Hitesman 580, ABR-201012052, Covington Township, Tioga County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: December 27, 2010.

131. East Resources Management, LLC, Pad ID: Neal 375, ABR-201012053, Union Township, Tioga County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: December 28, 2010.

132. East Resources Management, LLC, Pad ID: Parent 749, ABR-201012054, Canton Township, Bradford County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: December 28, 2010.

133. East Resources Management, LLC, Pad ID: McConnell 471, ABR-201012055, Charleston Township, Tioga County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: December 28, 2010.

134. East Resources Management, LLC, Pad ID: Yourgalite 1119, ABR-201012056, Farmington Township, Tioga County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: December 28, 2010.

135. East Resources Management, LLC, Pad ID: Marshall Brothers, Inc., 731, ABR-201012057, Jackson Township, Lycoming County, PA; Consumptive Use of up to 4.000 mgd, Approval Date: December 29, 2010.

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

1. Chesapeake Appalachia, LLC, Pad ID: Boyles, ABR-201008095, Elkland Township, Sullivan County, PA; Consumptive Use of up to 7.500 mgd; Rescinded Date: December 16, 2010.

2. Chesapeake Appalachia, LLC, Pad ID: Burkett, ABR-20100543, Smithfield Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Rescinded Date: December 16, 2010.

3. Chesapeake Appalachia, LLC, Pad ID: Lee, ABR-201008012, Asylum Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Rescinded Date: December 16, 2010.

4. Chesapeake Appalachia, LLC, Pad ID: McCarty, ABR-201007018, Fox Township, Sullivan County, PA; Consumptive Use of up to 7.500 mgd; Rescinded Date: December 16, 2010.

5. Chesapeake Appalachia, LLC, Pad ID: Oshea, ABR-20100660, Windham Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Rescinded Date: December 16, 2010.

6. Chesapeake Appalachia, LLC, Pad ID: Schlick, ABR-201007077, Rush Township, Susquehanna County, PA; Consumptive Use of up to 7.500 mgd; Rescinded Date: December 16, 2010.

7. Chief Oil & Gas, LLC, Pad ID: M & L Beinlich North Drilling Pad No. 1, ABR-201007059, Overton Township, Bradford County, PA; Consumptive Use of up to 2.000 mgd; Rescinded Date: December 16, 2010.

8. Chief Oil & Gas, LLC, Pad ID: Baumunk Drilling Pad No. 1, ABR-20100675, Elkland Township, Sullivan County, PA; Consumptive Use of up to 2.000 mgd; Rescinded Date: December 16, 2010.

9. Citrus Energy, Pad ID: Martin No. 1V, ABR-20091202, Sugarloaf Township, Columbia County, PA; Consumptive Use of up to 5.000 mgd; Rescinded Date: December 16, 2010.

10. Citrus Energy, Pad ID: Farver No. 1V, ABR-20091228, Benton Township, Columbia County, PA; Consumptive Use of up to 5.000 mgd; Rescinded Date: December 16, 2010.

11. Epsilon Energy USA, Inc., Pad ID: J. Bowen, ABR-20100356, Auburn Township, Susquehanna County, PA; Consumptive Use of up to 5.000 mgd; Rescinded Date: December 16, 2010.

12. Epsilon Energy USA, Inc., Pad ID: L Hardic, ABR-20100357, Auburn Township, Susquehanna County, PA; Consumptive Use of up to 5.000 mgd; Rescinded Date: December 16, 2010.

13. Epsilon Energy USA, Inc., Pad ID: B Poulsen, ABR-20100358, Auburn Township, Susquehanna County, PA; Consumptive Use of up to 5.000 mgd; Rescinded Date: December 16, 2010.

14. Epsilon Energy USA, Inc., Pad ID: La Rue, ABR-20100359, Rush Township, Susquehanna County, PA; Consumptive Use of up to 5.000 mgd; Rescinded Date: December 16, 2010.

15. Epsilon Energy USA, Inc., Pad ID: MJ Barlow, ABR-20100360, Rush Township, Susquehanna County, PA; Consumptive Use of up to 5.000 mgd; Rescinded Date: December 16, 2010.

16. EnerVest Operating, LLC, Pad ID: Harris No. 1, ABR-20090709, Smithfield Township, Bradford County, PA; Consumptive Use of up to 2.000 mgd; Rescinded Date: December 16, 2010.

17. EnerVest Operating, LLC, Pad ID: Wood No. 1, ABR-20090708, Athens Township, Bradford County, PA; Consumptive Use of up to 2.000 mgd; Rescinded Date: December 16, 2010.

18. Penn Virginia Oil & Gas Corp., Pad ID: Kibbe No. 1, ABR-20100346, Harrison Township, Potter County, PA; Consumptive Use of up to 4.000 mgd; Rescinded Date: December 16, 2010.

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

Dated: April 4, 2011.

PAUL O. SWARTZ,
Executive Director

[Pa.B. Doc. No. 11-712. Filed for public inspection April 22, 2011, 9:00 a.m.]

Projects Approved or Rescinded for Consumptive Uses of Water

The Susquehanna River Basin Commission (Commission) has approved or rescinded the following lists of projects by rule during January 1, 2011, through February 28, 2011.

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

Supplementary Information

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

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

1. EQT Production Company, Pad ID: Bearer, ABR-201101001, Susquehanna and Elder Townships, Cambria County, PA; Consumptive Use of up to 3.000 mgd; Approval Date: January 4, 2011.

2. Chesapeake Appalachia, LLC, Pad ID: Wasyl, ABR-201101002, Ulster Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: January 10, 2011.

3. Chesapeake Appalachia, LLC, Pad ID: Rocks, ABR-201101003, Overton Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: January 10, 2011.

4. Ultra Resources, Inc., Pad ID: Granger 850, ABR-201101004, Gaines Township, Tioga County, PA; Consumptive Use of up to 4.990 mgd; Approval Date: January 10, 2011.

5. Chesapeake Appalachia, LLC, Pad ID: Meng, ABR-201101005, Albany Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: January 11, 2011.

6. Chesapeake Appalachia, LLC, Pad ID: Gunn, ABR-201101006, Rome Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: January 12, 2011.

7. SWEPI, LP, Pad ID: Knowlton 303, ABR-201101007, Charleston Township, Tioga County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: January 13, 2011.

8. SWEPI, LP, Pad ID: Stratton 885, ABR-201101008, Farmington Township, Tioga County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: January 13, 2011.

9. SWEPI, LP, Pad ID: Bielski 628, ABR-201101009, Richmond Township, Tioga County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: January 13, 2011.

10. SWEPI, LP, Pad ID: Violet Bieser Revoc Liv Tr 833, ABR-201101010, Chatham Township, Tioga County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: January 14, 2011.

11. SWEPI, LP, Pad ID: Baker 1105, ABR-201101011, Deerfield Township, Tioga County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: January 14, 2011.

12. Chesapeake Appalachia, LLC, Pad ID: Beech Flats, ABR-201101012, West Branch and Potter Townships, Potter County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: January 14, 2011.

13. Chesapeake Appalachia, LLC, Pad ID: Aukema, ABR-201101013, Meshoppen Township, Wyoming County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: January 14, 2011.

14. Chief Oil & Gas, LLC, Pad ID: Dacheux Drilling Pad No. 1, ABR-201101014, Cherry Township, Sullivan County, PA; Consumptive Use of up to 2.000 mgd; Approval Date: January 20, 2011.

15. Chesapeake Appalachia, LLC, Pad ID: Fausto, ABR-201101015, Litchfield Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: January 20, 2011.

16. Chesapeake Appalachia, LLC, Pad ID: Bo, ABR-201101016, Tuscarora Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: January 20, 2011.

17. Chesapeake Appalachia, LLC, Pad ID: Struble, ABR-201101017, Litchfield Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: January 20, 2011.

18. Seneca Resources Corporation, Pad ID: DCNR Tract 001 Pad F, ABR-201101018, Sweden Township, Potter County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: January 20, 2011.

19. Talisman Energy USA, Inc., Pad ID: 05 178 Peck Hill Farm, ABR-201101019, Windham Township, Bradford County, PA; Consumptive Use of up to 6.000 mgd; Approval Date: January 20, 2011.

20. Chief Oil & Gas, LLC, Pad ID: Smithmyer Drilling Pad No. 1, ABR-201101020, Clearfield Township, Cambria County, PA; Consumptive Use of up to 2.000 mgd; Approval Date: January 21, 2011.

21. Chesapeake Appalachia, LLC, Pad ID: DJ, ABR-201101021, Wysox Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: January 21, 2011.

22. Chesapeake Appalachia, LLC, Pad ID: VRGC, ABR-201101022, Wilmot Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: January 21, 2011.

23. Chief Oil & Gas, LLC, Pad ID: Andrus Drilling Pad No. 1, ABR-201101023, Granville Township, Bradford County, PA; Consumptive Use of up to 2.000 mgd; Approval Date: January 21, 2011.

24. EXCO Resources (PA), LLC, Pad ID: Hake Pad 53, ABR-201101024, Morris Township, Clearfield County, PA; Consumptive Use of up to 8.000 mgd; Approval Date: January 26, 2011.

25. Chesapeake Appalachia, LLC, Pad ID: Bustin Homestead, ABR-201101025, Sheshequin Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: January 26, 2011.

26. Chesapeake Appalachia, LLC, Pad ID: Joyce Road, ABR-201101026, Rome Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: January 26, 2011.

27. Enerplus Resources (USA) Corporation, Pad ID: Winner 1, ABR-201101027, West Keating Township, Clinton County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: January 26, 2011.

28. Chesapeake Appalachia, LLC, Pad ID: Beeman, ABR-201101028, Litchfield Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: January 28, 2011.
29. Southwestern Energy Production Company, Pad ID: Longacre Pad, ABR-201101029, Jackson Township, Susquehanna County, PA; Consumptive Use of up to 4.990 mgd; Approval Date: January 28, 2011.
30. Chesapeake Appalachia, LLC, Pad ID: Walker, ABR-201101030, Wilmot Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: January 31, 2011.
31. Chesapeake Appalachia, LLC, Pad ID: Cuthbertson, ABR-201102001, Wilmot Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: February 3, 2011.
32. Seneca Resources Corporation, Pad ID: DCNR 100 Pad D, ABR-201102002, McIntyre Township, Lycoming County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: February 4, 2011.
33. Seneca Resources Corporation, Pad ID: DCNR 001 Pad G, ABR-201102003, Sweden Township, Potter County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: February 7, 2011.
34. Chesapeake Appalachia, LLC, Pad ID: Taffe, ABR-201102004, Wilmot Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: February 7, 2011.
35. Chesapeake Appalachia, LLC, Pad ID: Jokah, ABR-201102005, Windham Township, Wyoming County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: February 7, 2011.
36. Chesapeake Appalachia, LLC, Pad ID: Harnish, ABR-201102006, Sheshequin Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: February 8, 2011.
37. Seneca Resources Corporation, Pad ID: DCNR 100 Pad C, ABR-201102007, Cogan House Township, Lycoming County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: February 8, 2011.
38. Talisman Energy USA, Inc., Pad ID: 05 081 Uhouse D, ABR-201102008, Orwell Township, Bradford County, PA; Consumptive Use of up to 6.000 mgd; Approval Date: February 8, 2011.
39. Talisman Energy USA, Inc., Pad ID: 05 181 Peck Hill Farm, ABR-201102009, Windham Township, Bradford County, PA; Consumptive Use of up to 6.000 mgd; Approval Date: February 10, 2011.
40. SWEPI, LP, Pad ID: MY TB INV, LLC 891, ABR-201102010, Deerfield Township, Tioga County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: February 10, 2011.
41. Chesapeake Appalachia, LLC, Pad ID: Corl, ABR-201102011, Colley Township, Sullivan County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: February 10, 2011.
42. Chesapeake Appalachia, LLC, Pad ID: Rinker, ABR-201102012, Elkland Township, Sullivan County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: February 11, 2011.
43. SWEPI, LP, Pad ID: Smith 606, ABR-201102013, Duncan Township, Tioga County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: February 16, 2011.
44. SWEPI, LP, Pad ID: Kuhl 529, ABR-201102014, Richmond Township, Tioga County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: February 16, 2011.
45. SWEPI, LP, Pad ID: Stanley 1106, ABR-201102015, Osceola Township, Tioga County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: February 16, 2011.
46. SWEPI, LP, Pad ID: Cole 495, ABR-201102016, Richmond Township, Tioga County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: February 16, 2011.
47. SWEPI, LP, Pad ID: Bowers 838, ABR-201102017, Chatham Township, Tioga County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: February 16, 2011.
48. SWEPI, LP, Pad ID: Boroch 477, ABR-201102018, Charleston Township, Tioga County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: February 16, 2011.
49. SWEPI, LP, Pad ID: Fenton 473, ABR-201102019, Charleston Township, Tioga County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: February 16, 2011.
50. Talisman Energy USA, Inc., Pad ID: 05 100 Dewing R, ABR-201102020, Warren Township, Bradford County, PA; Consumptive Use of up to 6.000 mgd; Approval Date: February 17, 2011.
51. Carrizo Marcellus, LLC, Pad ID: Yarasavage Well Pad, ABR-201102021, Washington Township, Wyoming County, PA; Consumptive Use of up to 2.100 mgd; Approval Date: February 17, 2011.
52. Southwestern Energy Production Company, Pad ID: Gerfin Pad, ABR-201102022, Lenox Township, Susquehanna County, PA; Consumptive Use of up to 4.990 mgd; Approval Date: February 17, 2011.
53. EQT Production Company, Pad ID: Doe, ABR-201102023, Shippen Township, Cameron County, PA; Consumptive Use of up to 3.000 mgd; Approval Date: February 17, 2011.
54. EQT Production Company, Pad ID: Whippoorwill, ABR-201102024, Shippen Township, Cameron County, PA; Consumptive Use of up to 3.000 mgd; Approval Date: February 17, 2011.
55. Chesapeake Appalachia, LLC, Pad ID: Lantz, ABR-201102025, Sheshequin Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: February 17, 2011.
56. Chesapeake Appalachia, LLC, Pad ID: Herr, ABR-201102026, Sheshequin Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: February 17, 2011.
57. Cabot Oil & Gas Corporation, Pad ID: KrisuleviczV P1, ABR-201102027, Auburn Township, Susquehanna County, PA; Consumptive Use of up to 3.575 mgd; Approval Date: February 23, 2011.
58. Southwestern Energy Production Company, Pad ID: Sheldon Pad, ABR-201102028, Jackson Township, Susquehanna County, PA; Consumptive Use of up to 4.990 mgd; Approval Date: February 23, 2011.
59. Pennsylvania General Energy Company, LLC, Pad ID: Pine Hill Pad C Wharton, ABR-201102029, Wharton Township, Potter County, PA; Consumptive Use of up to 3.000 mgd; Approval Date: February 23, 2011.
60. Chief Oil & Gas, LLC, Pad ID: American Asphalt Drilling Pad No. 1, ABR-201102030, Eaton Township,

Wyoming County, PA; Consumptive Use of up to 2.000 mgd; Approval Date: February 24, 2011.

61. Seneca Resources Corporation, Pad ID: Covington Pad M, ABR-201102031, Covington Township, Tioga County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: February 25, 2011.

62. Chief Oil & Gas, LLC, Pad ID: Garrison Drilling Pad No. 1, ABR-201102032, Lemon Township, Wyoming County, PA; Consumptive Use of up to 2.000 mgd; Approval Date: February 25, 2011.

63. Williams Production Appalachia, LLC, Pad ID: Knapik Well Pad, ABR-201102033, Liberty Township, Susquehanna County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: February 28, 2011.

64. Williams Production Appalachia, LLC, Pad ID: Hayes Well Pad, ABR-201102034, Silver Lake Township, Susquehanna County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: February 28, 2011.

65. Williams Production Appalachia, LLC, Pad ID: Herman Well Pad, ABR-201102035, Franklin Township, Susquehanna County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: February 28, 2011.

66. Southwestern Energy Production Company, Pad ID: Demento Pad, ABR-201102036, Stevens Township, Bradford County, PA; Consumptive Use of up to 4.990 mgd; Approval Date: February 28, 2011.

Rescinded Approval By Rule Issued Under 18 CFR 806.22(f):

1. EnCana Oil & Gas (USA), Inc., Pad ID: Farrell 1H, ABR-20100218, Lake Township, Luzerne County, PA; Consumptive Use of up to 1.000 mgd; Rescinded Date: February 16, 2011.

2. EnCana Oil & Gas (USA), Inc., Pad ID: Lansberry Perry 1V, ABR-20100227, Lehman Township, Luzerne County, PA; Consumptive Use of up to 1.000 mgd; Rescinded Date: February 16, 2011.

3. EnCana Oil & Gas (USA), Inc., Pad ID: 4P, ABR-201011016, Lake Township, Luzerne County, PA; Consumptive Use of up to 1.200 mgd; Rescinded Date: February 16, 2011.

4. EnCana Oil & Gas (USA), Inc., Pad ID: Kent North, ABR-201011038, Fairmount Township, Luzerne County, PA; Consumptive Use of up to 1.200 mgd; Rescinded Date: February 16, 2011.

5. EnCana Oil & Gas (USA), Inc., Pad ID: Kent South, ABR-201011039, Fairmount Township, Luzerne County, PA; Consumptive Use of up to 1.200 mgd; Rescinded Date: February 16, 2011.

6. Chief Oil & Gas, LLC, Pad ID: Vollers Drilling Pad No. 1, ABR-2011005, Elkland Township, Sullivan County, PA; Consumptive Use of up to 2.000 mgd; Rescinded Date: February 16, 2011.

7. Eastern Shore Natural Gas Company, Mainline Extension Interconnect Project, ABR-201007001, Salisbury Township and West Sadsbury Township, Lancaster County and Chester County, PA; Consumptive Use of up to 0.300 mgd; Rescinded Date: February 28, 2011.

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

Dated: April 5, 2011.

PAUL O. SWARTZ,
Executive Director

[Pa.B. Doc. No. 11-713. Filed for public inspection April 22, 2011, 9:00 a.m.]