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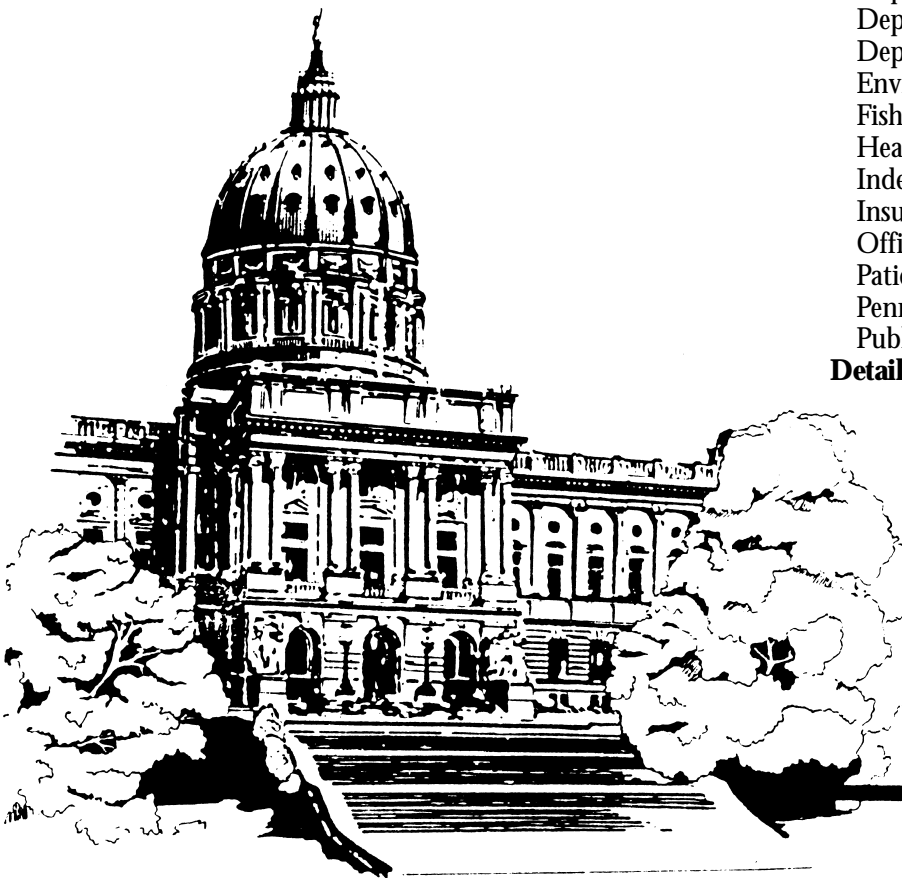
# PENNSYLVANIA BULLETIN

Volume 37  
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Number 32  
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## Agencies in this issue

The Governor  
The General Assembly  
The Courts  
Department of Banking  
Department of Conservation and Natural Resources  
Department of Environmental Protection  
Department of Health  
Department of Labor and Industry  
Department of Transportation  
Environmental Quality Board  
Fish and Boat Commission  
Health Care Cost Containment Council  
Independent Regulatory Review Commission  
Insurance Department  
Office of the Budget  
Patient Safety Authority  
Pennsylvania Public Utility Commission  
Public School Employees' Retirement Board

**Detailed list of contents appears inside.**



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

**No. 393, August 2007**

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# CONTENTS

## THE GOVERNOR

### Proclamation

Proclamation of special and extraordinary session;  
energy policy ..... 4427

## THE GENERAL ASSEMBLY

Recent actions during the 2007 regular session of  
the General Assembly ..... 4428

## THE COURTS

### DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of disbarment ..... 4430

### LOCAL COURT RULES

#### Dauphin County

Promulgation of local rule of criminal procedure  
543; no. 0004-21 MD 2007 (1793 S 1989); AO-28-  
2007 ..... 4430

#### Delaware County

Local rules of civil procedure; no. 07-00756 ..... 4430

## EXECUTIVE AGENCIES

### DEPARTMENT OF BANKING

#### Notices

Actions on applications ..... 4434

### DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

#### Notices

Wild Resource Conservation Program; meeting ..... 4435

### DEPARTMENT OF ENVIRONMENTAL PROTECTION

#### Notices

Applications, actions and special notices ..... 4436

Bid opportunities ..... 4489

Radiation Protection Advisory Committee; special  
meeting ..... 4489

Small Business Advantage Grant Program ..... 4489

Stream redesignation evaluation; water quality  
standards review:

Bear Run ..... 4490

Grinnage Run ..... 4490

Halter Creek ..... 4491

Hotland Run ..... 4491

Sherman Creek ..... 4492

### DEPARTMENT OF HEALTH

#### Proposed Rulemaking

Home care agencies and home care registries ..... 4431

### DEPARTMENT OF LABOR AND INDUSTRY

#### Notices

Prevailing Wage Appeals Board public meeting ..... 4493

### DEPARTMENT OF TRANSPORTATION

#### Notices

Finding ..... 4493

### ENVIRONMENTAL QUALITY BOARD

#### Notices

Meeting cancellation ..... 4493

### FISH AND BOAT COMMISSION

#### Proposed Rulemaking

General provisions; scientific collectors' permits ..... 4431

### HEALTH CARE COST CONTAINMENT COUNCIL

#### Notices

Meetings scheduled ..... 4493

### INDEPENDENT REGULATORY REVIEW COMMISSION

#### Notices

Notice of comments issued ..... 4493

Notice of filing of final rulemaking ..... 4495

### INSURANCE DEPARTMENT

#### Notices

Allstate Fire and Casualty Insurance Company;  
private passenger automobile rate and rule revisions;  
rate filing ..... 4495

Allstate Property and Casualty Insurance Company;  
private passenger automobile rate and rule revisions;  
rate filing ..... 4495

Application for acquisition of a controlling interest  
of a domestic insurance company ..... 4495

Export list of insurance coverages; request for comments  
..... 4496

Great Northern Insurance Company; homeowners  
insurance rate and rule revision; rate filing ..... 4496

Highmark Blue Cross Blue Shield; filing no. 1A-  
CPE-07-HBCBS; Direct Pay ClassicBlue Hospital  
Plan (western region); rate filing ..... 4496

Highmark Blue Cross Blue Shield; filing no. 1A-  
DPMS-07-HBCBS; Direct Pay ClassicBlue Medical  
Surgical Plan (western region); rate  
filing ..... 4496

Highmark Blue Cross Blue Shield; filing no. 1A-  
PMM-07-HBCBS; Direct Pay ClassicBlue Major  
Medical Plan (western region); rate filing ..... 4497

Highmark Blue Cross Blue Shield; Guaranteed Issue  
Preferred Blue Individual PPO Plan (western  
region); rate filing ..... 4497

Highmark Blue Shield; Direct Pay Guaranteed Issue  
PPO High Deductible Health Plans (central  
region); rate filing ..... 4497

Highmark Blue Shield; Guaranteed Issue PPO High  
Deductible Health Plans (western region); rate  
filing ..... 4497

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Highmark, Inc., d/b/a Highmark Blue Cross Blue Shield; filing no. 1-MGP (AA)-07-HBCBS; application for approval of revised rates for attained age Nongroup MedigapBlue Plans for the Western Pennsylvania region, providing standardized benefit packages E and I; rate filing..... 4498

Highmark, Inc., d/b/a Highmark Blue Cross Blue Shield; filing no. 1-MGP (IA)-07-HBCBS; application for approval of revised rates for issue age Nongroup MedigapBlue Plans for the western Pennsylvania region, providing standardized benefit packages A, B, C and H; rate filing ..... 4498

Highmark, Inc., d/b/a Highmark Blue Shield; ClassicBlue Comprehensive Major Medical Plan (central region); filing no. 1A-CMM-07-HBS; rate filing..... 4499

Highmark, Inc., d/b/a Highmark Blue Shield; ClassicBlue Hospital, Medical/Surgical Plans (central region); filing no. 1A-TRAD-07-HBS; rate filing..... 4499

Highmark, Inc., d/b/a Highmark Blue Shield; filing no. 1-MGP (AA)-07-HBS; application for approval of revised rates for attained age Nongroup MedigapBlue Plans for the central Pennsylvania region, providing standardized benefit packages E and I; rate filing..... 4499

Highmark, Inc., d/b/a Highmark Blue Shield; filing no. 1-MGP (IA)-07-HBS; application for approval of revised rates for issue age Nongroup MedigapBlue Plans for the central Pennsylvania region, providing standardized benefit packages A, B, C and H; rate filing ..... 4500

PMSLIC Insurance Company rate and rule filing; rate filing ..... 4500

**OFFICE OF THE BUDGET**

**Notices**

Commonwealth financing authority certification .... 4501

**PATIENT SAFETY AUTHORITY**

**Notices**

Public meeting ..... 4501

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Notices**

Service of notice of motor carrier applications..... 4501

Telecommunications..... 4502

Water service (2 documents)..... 4503

**PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD**

**Notices**

Hearings scheduled ..... 4503

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

## ***Pennsylvania Bulletin***

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

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

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

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

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

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

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

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

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

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

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

## ***Pennsylvania Code***

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

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

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

## **How to Find Documents**

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

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

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

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### Printing Format

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

### Fiscal Notes

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

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

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# List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2007.

<b>1 Pa. Code (General Provisions)</b>	126 .....	209
<b>Proposed Rules</b>	127 .....	2365
301 .....	803 .....	774
303 .....	804 .....	774
305 .....	805 .....	774
307 .....	806 .....	774
309 .....	807 .....	774
311 .....	808 .....	774
311a .....		
313 .....		
315 .....		
	<b>Proposed Rules</b>	
<b>4 Pa. Code (Administration)</b>	93 .....	2190
<b>Adopted Rules</b>	121 .....	2063
7 .....	127 .....	1317
	129 .....	2063
<b>Proposed Rules</b>	145 .....	2063
250 .....	260a .....	3249
	261a .....	3249
<b>Statements of Policy</b>	262a .....	3249
9 .....	263a .....	3249
	264a .....	3249
<b>7 Pa. Code (Agriculture)</b>	265a .....	3249
<b>Adopted Rules</b>	266a .....	3249
130e .....	266b .....	3249
	267a .....	3249
<b>Proposed Rules</b>	269a .....	3249
11 .....	270a .....	3249
21 .....	901 .....	785, 3098
23 .....		
25 .....	<b>Statements of Policy</b>	
27 .....	83 .....	2609
95 .....		
123 .....	<b>28 Pa. Code (Health and Safety)</b>	
125 .....	<b>Proposed Rules</b>	
128a .....	611 .....	4198, 4431
139 .....	<b>Statements of Policy</b>	
	931 .....	953
<b>10 Pa. Code (Banks and Banking)</b>		
<b>Proposed Rules</b>	<b>31 Pa. Code (Insurance)</b>	
46 .....	<b>Adopted Rules</b>	
	84a .....	1125
<b>12 Pa. Code (Commerce, Trade and Local Government)</b>	<b>Proposed Rules</b>	
<b>Adopted Rules</b>	133 .....	1229
145 .....		
<b>22 Pa. Code (Education)</b>	<b>34 Pa. Code (Labor and Industry)</b>	
<b>Adopted Rules</b>	<b>Adopted Rules</b>	
49 .....	121 .....	4181
	123 .....	2804
<b>Proposed Rules</b>	<b>Statements of Policy</b>	
201 .....	123 .....	317
211 .....		
213 .....	<b>37 Pa. Code (Law)</b>	
215 .....	<b>Adopted Rules</b>	
	801 .....	2511
<b>Proposed Rules</b>	802 .....	2511
14 .....	<b>Proposed Rules</b>	
	97 .....	786
<b>25 Pa. Code (Environmental Protection)</b>	<b>Statements of Policy</b>	
<b>Adopted Rules</b>	200 .....	1651, 2517
93 .....	411 .....	1651
121 .....		
123 .....		



**40 Pa. Code (Liquor)**

**Adopted Rules**

5 ..... 16  
 11 ..... 16  
 13 ..... 16  
 17 ..... 16

**Proposed Rules**

1 ..... 3418  
 3 ..... 3418  
 5 ..... 3418  
 7 ..... 3418  
 11 ..... 3418  
 13 ..... 3418  
 17 ..... 3418

**49 Pa. Code (Professional and Vocational Standards)**

**Adopted Rules**

7 ..... 20  
 11 ..... 4055  
 13 ..... 2412  
 16 ..... 1644, 3230  
 18 ..... 1644, 3230  
 19 ..... 2606  
 25 ..... 3230  
 31 ..... 3240, 3365  
 35 ..... 2291  
 36 ..... 3367

**Proposed Rules**

13 ..... 1867, 1868  
 21 ..... 1035, 1980  
 27 ..... 1036  
 31 ..... 1038  
 35 ..... 1499  
 39 ..... 1494  
 43b (correction) ..... 2098

**Statements of Policy**

43b ..... 2608

**52 Pa. Code (Public Utilities)**

**Proposed Rules**

64 ..... 1032  
 Unclassified ..... 1126, 2098

**Statements of Policy**

69 ..... 29, 1335

**55 Pa. Code (Public Welfare)**

**Adopted Rules**

140 ..... 2180  
 1163 ..... 4065  
 1249 ..... 2185

**Proposed Rules**

1150 ..... 1865  
 1243 ..... 1865

**Statements of Policy**

178 ..... 1043, 1046  
 1101 ..... 1880  
 1249 ..... 2215  
 4300 ..... 2979

**58 Pa. Code (Recreation)**

**Adopted Rules**

131 ..... 2947  
 135 ..... 1309  
 137 ..... 1310, 2948  
 139 ..... 2949

141 ..... 2955, 2956, 2957, 2958  
 147 ..... 1310, 1311, 1312, 2959  
 401 ..... 2808  
 401a ..... 2808  
 403 ..... 2808  
 403a ..... 2808  
 405 ..... 2808  
 405a ..... 2808  
 407 ..... 2808  
 407a ..... 2808  
 451 ..... 2686  
 451a ..... 2686  
 461 ..... 3381  
 461a ..... 3381, 4068  
 461b ..... 3381  
 463 ..... 3381  
 463a ..... 3382  
 465 ..... 4068  
 465a ..... 4068  
 465b ..... 4068  
 466 ..... 4068  
 466a ..... 4068  
 466b ..... 4068  
 467 ..... 4068  
 467a ..... 4068  
 471 ..... 2686  
 471a ..... 2686  
 481 ..... 2688  
 481a ..... 2688  
 Unclassified ..... 2960

**Proposed Rules**

51 ..... 4431  
 61 ..... 2692  
 63 ..... 2196, 2694  
 65 ..... 1218  
 69 ..... 1218  
 111 ..... 1220  
 131 ..... 1325  
 135 ..... 315  
 137 ..... 1333  
 139 ..... 1327  
 141 ..... 1320, 1324, 2837, 2838  
 147 ..... 211, 1333, 2695  
 421a ..... 2197  
 423a ..... 2197  
 425a ..... 2197  
 427a ..... 2197  
 429a ..... 2695  
 431a ..... 2197  
 433a ..... 2695  
 435a ..... 2695  
 436a ..... 2197  
 437a ..... 2695  
 438a ..... 2197  
 439a ..... 2197  
 440a ..... 2197  
 441a ..... 2695  
 491a ..... 23  
 493a ..... 2298  
 494a ..... 2298  
 495a ..... 2298  
 497a ..... 2298  
 499a ..... 2298  
 501a ..... 416  
 503a ..... 416  
 511a ..... 1490  
 513a ..... 1490

**Statements of Policy**

436a ..... 2099  
 436b ..... 2099

**Temporary Rules**

401 ..... 21, 1841, 1968  
 405 ..... 1313, 1968  
 421 ..... 1970  
 423 ..... 1968, 1970  
 425 ..... 21  
 427 ..... 1970  
 429 ..... 1862  
 431 ..... 1970  
 433 ..... 1841, 2292  
 435 ..... 1841  
 437 ..... 1841  
 440 ..... 2292  
 441 ..... 1841, 2296  
 443 ..... 1841  
 461 ..... 1968, 2292  
 465 ..... 1978, 2292  
 511 ..... 1314

**61 Pa. Code (Revenue)**

**Adopted Rules**

951 ..... 4195  
 1001 ..... 3410

**Proposed Rules**

1001 ..... 1028

**Statements of Policy**

60 ..... 1048

**67 Pa. Code (Transportation)**

**Adopted Rules**

75 ..... 1487  
 173 ..... 3242  
 457 ..... 1650

**201 Pa. Code (Judicial Administration)**

**Adopted Rules**

5 ..... 2491  
 19 ..... 929

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

**Adopted Rules**

71 ..... 311, 3212  
 81 ..... 3212  
 83 ..... 1959, 3218

**Proposed Rules**

81 ..... 394  
 83 ..... 394, 520, 2602

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

**Adopted Rules**

1 ..... 752  
 3 ..... 752  
 117 ..... 1025, 1839

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

**Adopted Rules**

1 ..... 521  
 3 ..... 521  
 9 ..... 521, 2492  
 13 ..... 3222  
 15 ..... 2492  
 19 ..... 2405, 2408  
 21 ..... 2409, 3222

**225 Pa. Code (Rules of Evidence)**

**Adopted Rules**

ART. I ..... 2492

**Proposed Rules**

ART. IV ..... 3223  
 VIII ..... 669

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

**Adopted Rules**

200 ..... 312, 3095  
 400 ..... 1480  
 1000 ..... 1411, 1480, 3225  
 1700 ..... 1480  
 1900 ..... 929  
 1910 ..... 522, 2800  
 1915 ..... 2602  
 1920 ..... 1959  
 2200 ..... 1480  
 3000 ..... 939, 1411  
 4000 ..... 2178  
 Part II ..... 1759, 2575

**Proposed Rules**

200 ..... 1640, 2930  
 1300 ..... 1641  
 1910 ..... 1120, 2493  
 1915 ..... 2493  
 1920 ..... 2493  
 3000 ..... 1641  
 4000 ..... 7

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

**Adopted Rules**

4 ..... 523, 752  
 5 ..... 2496  
 7 ..... 523  
 8 ..... 1960  
 10 ..... 312

**Proposed Rules**

1 ..... 2409, 4170  
 2 ..... 1302  
 3 ..... 4170  
 5 ..... 1025, 1303, 2409, 4178  
 6 ..... 4170

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

**Adopted Rules**

1 ..... 1123, 1483  
 2 ..... 1483  
 3 ..... 1123  
 5 ..... 2506  
 6 ..... 1123  
 8 ..... 1123, 1483  
 11 ..... 1123

**Proposed Rules**

1 ..... 527, 1306  
 3 ..... 527  
 5 ..... 527  
 6 ..... 3096  
 11 ..... 943  
 12 ..... 943  
 13 ..... 943  
 14 ..... 943  
 15 ..... 943  
 16 ..... 943  
 17 ..... 943  
 18 ..... 943

**246 Pa. Code (Minor Court Civil Rules)**  
**Adopted Rules**  
100 ..... 2092

**249 Pa. Code (Philadelphia Rules)**  
Unclassified ..... 2932

**252 Pa. Code (Allegheny Rules)**  
Unclassified .....2411, 2933

**255 Pa. Code (Local Court Rules)**  
Unclassified . . . . . 255, 400, 401, 404, 530, 670, 671, 761,  
768, 770, 772, 773, 949, 950, 1026, 1124, 1215, 1216,  
1414, 1642, 1962, 2094, 2095, 2096, 2289, 2509, 2510,  
2681, 2684, 2800, 2802, 2803, 2939, 2940, 3227, 3228,  
3229, 4430


# THE GOVERNOR

## GOVERNOR'S OFFICE

### Proclamation of Special and Extraordinary Session; Energy Policy

By virtue of the authority vested in me by Article II, Section 4; Article IV, Section 12; and Article III, Section 12, of the Constitution, I, Edward G. Rendell, Governor of the Commonwealth of Pennsylvania, do hereby convene the General Assembly in Special and Extraordinary Session, to meet in the Capitol at Harrisburg, on Monday, September 17, 2007, at 11 a.m., to consider any and all legislation regarding funding for and the making of investments in clean and renewable energy, energy conservation and economic development efforts relating thereto, and the establishment of requirements regarding the renewable energy content of liquid fuels.

*Given* under my hand and the Seal of the Governor, at the city of Harrisburg, on this thirtieth day of July in the year of our Lord two thousand and seven, and of the Commonwealth the two hundred and thirty-second.



*Governor*

[Pa.B. Doc. No. 07-1425. Filed for public inspection August 10, 2007, 9:00 a.m.]

# THE GENERAL ASSEMBLY

## Recent Actions during the 2007 Regular Session of the General Assembly

The following is a summary of recent actions of the General Assembly during the 2007 Regular Session.

<i>Doc. No.</i>	<i>Date of Action</i>	<i>Bill Number</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
<b>2007 GENERAL ACTS OF REGULAR SESSION ENACTED—ACT 044 through 056</b>					
044	Jul 18	HB1590	PN2342	Immediately	General Local Government Code (53 Pa.C.S.), Transportation (74 Pa.C.S.) and Vehicle Code (75 Pa.C.S.)—omnibus amendments
045	Jul 20	HB0842	PN2347	Immediately	Public School Code of 1949—omnibus amendments
046	Jul 20	HB1251	PN2287	60 days	Medical Practice Act of 1985—physician assistants
047	Jul 20	HB1252	PN2288	60 days	Osteopathic Medical Practice Act—physician assistants
048	Jul 20	HB1253	PN2296	60 days	Professional Nursing Law—scope of practice for certified registered nurse practitioners and professional liability
049	Jul 20	HB1254	PN2295	60 days	Professional Nursing Law—clinical nurse specialists
050	Jul 20	HB1255	PN2290	60 days	Medical Practice Act of 1985—“legend drug” and nurse-midwife license
051	Jul 20	SB0455	PN1243	60 days	Dental Law—powers of State Board of Dentistry, radiologic procedures, education and training and practice of public health dental hygiene practitioners
052	Jul 20	SB0968	PN1298	30 days	Medical Care Availability and Reduction of Error (Mcare) Act—reduction and prevention of health care-associated infection and long-term care nursing facilities
053	Jul 25	HB1631	PN2345	Immediately	Pennsylvania Gaming Economic Development and Tourism Fund Capital Budget Itemization Act of 2007—enactment
054	Jul 25	HB1656	PN2341	Immediately	Conveyance—Commonwealth property in Skippack Township, Montgomery County; Winslow Township, Jefferson County; Borough of Mansfield, Tioga County; City of Pittsburgh, Allegheny County; and City and County of Philadelphia
055	Jul 25	SB0097	PN1327	Immediately*	Tax Reform Code of 1971—omnibus amendments
056	Jul 25	SB0704	PN1272	90 days	Public Welfare Code—regulating and licensing personal care homes, Intra-Governmental Council on Long-Term Care and rules and regulations for personal care homes and assisted living residences

\* denotes an effective date with exceptions

### Effective Dates of Statutes

The effective dates specified previously for laws and appropriation acts were contained in the applicable law or appropriation act. Where no date is specified or where the effective date specified is prior to the date of enactment, the effective date is 60 days after final enactment except for statutes making appropriations or affecting budgets of political subdivisions. See 1 Pa.C.S. §§ 1701—1704 (relating to effective dates of statutes).

### Advance Copies of Statutes

Section 1106 of Title 1 of the *Pennsylvania Consolidated Statutes* provides that the prothonotaries of each county shall file advance copies of statutes in their offices for public inspection until the *Laws of Pennsylvania* are generally available. Section 2406(h) of The Administrative Code of 1929 provides that the Department of General Services (Department) shall distribute advance sheets of the *Laws of Pennsylvania* to each law judge of the courts, to every county and public library

of this Commonwealth and to each member of the General Assembly. These copies shall be furnished without charge. The Department shall also mail one copy of each law enacted during any legislative session to any person who pays to it the sum of \$20.

Requests for annual subscriptions for advance copies of statutes should be sent to the State Bookstore—PHMC, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120-0053, accompanied by a check or money order in the sum of \$20, payable to the “Commonwealth of Pennsylvania.”

ROBERT W. ZECH, Jr.,  
*Director*  
*Legislative Reference Bureau*

[Pa.B. Doc. No. 07-1426. Filed for public inspection August 10, 2007, 9:00 a.m.]

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# THE COURTS

## Title 255—LOCAL COURT RULES

### DAUPHIN COUNTY

**Promulgation of Local Rule of Criminal Procedure 543; No. 0004-21 MD 2007 (1793 S 1989); AO-28-2007**

#### Order

*And Now*, this 26th day of July 2007, Dauphin County Local Rule of Criminal Procedure 543 is promulgated as follows:

#### **Rule 543. Disposition of Case at Preliminary Hearing**

(1) Pursuant to Pa.R.Crim.P. 543(D)(3), if an issuing authority holds a preliminary hearing in absentia and holds the case for court, s/he shall immediately forward the transcript to the Clerk of Court with a request that a bench warrant be issued by the Court of Common Pleas.

(2) The Clerk of Court shall immediately docket and forward the transcript and request for bench warrant to the Court Administrator's Office for review and presentation to the Court.

(3) Upon receipt of a signed bench warrant, the Clerk of Court shall immediately make the appropriate notation on the docket and transmit a copy of the warrant to the sheriff.

This rule shall be effective September 4, 2007.

*By the Court*

RICHARD A. LEWIS,  
*President Judge*

[Pa.B. Doc. No. 07-1427. Filed for public inspection August 10, 2007, 9:00 a.m.]

### DELAWARE COUNTY

**Local Rules of Civil Procedure; No. 07-00756**

#### Order

*And Now*, this 13th day of February AD, 2007, it is hereby *Ordered* that Delaware County Local Rule of Civil Procedure 1308(a)(2) is *Amended* as follows:

Subject to the provisions of Pa.R.C.P. 1308(a)(2), the Appellant shall pay to the Office of Judicial Support a fee, said fee to be established by Order of the President Judge. Checks shall be made payable to the Treasurer of Delaware County.

*By the Court*

EDWARD J. ZETUSKY, Jr.,  
*President Judge*

[Pa.B. Doc. No. 07-1428. Filed for public inspection August 10, 2007, 9:00 a.m.]

## DISCIPLINARY BOARD OF THE SUPREME COURT

### Notice of Disbarment

Notice is hereby given that Joel D. Tenenbaum having been disbarred from the practice of law in the State of Delaware by Opinion and Order of the Supreme Court of the State of Delaware decided February 6, 2007, the Supreme Court Disbarred Joel D. Tenenbaum from the Bar of this Commonwealth, effective August 29, 2007. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

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

[Pa.B. Doc. No. 07-1429. Filed for public inspection August 10, 2007, 9:00 a.m.]

# PROPOSED RULEMAKING

## DEPARTMENT OF HEALTH

[28 PA. CODE CH. 611]

### Home Care Agencies and Home Care Registries

Under section 809.1(d) of the act of July 7, 2006 (P. L. 334, No. 69) (35 P. S. § 448.809a(d)), the Department of Health (Department) is required to submit the proposed rulemaking regarding home care agencies and home care registries not only to the Legislative Reference Bureau (LRB), the Independent Regulatory Review Commission (IRRC), the Public Health and Welfare Committee of the Senate and the Health and Human Services Committee of the House of Representatives, but also to the Aging and Youth Committee of the Senate and the Aging and Older Adult Services Committee of the House of Representatives. The Department inadvertently failed to submit the proposed rulemaking to the Aging and Youth Committee of the Senate and the Aging and Older Adult Services Committee of the House at the time proposed rulemaking was submitted to the other required House and Senate Committees, IRRC and the LRB. To correct that omission, the Department resubmitted the proposed rulemaking to each chair of the four House and Senate Committees, IRRC and the LRB on August 6, 2007. The Regulatory Review section of the preamble to proposed rulemaking is corrected to read as follows:

#### *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on August 6, 2007, the Department submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to IRRC and to the Chairpersons of the House Committee on Health and Human Services, the House Committee on Aging and Older Adult Services, the Senate Committee on Public Health and Welfare and the Senate Committee on Aging and Youth. In addition to submitting the proposed rulemaking, the Department provided IRRC and the Committees with a copy of the Regulatory Analysis Form prepared by the Department. 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 Department, the General Assembly and the Governor of comments, recommendations or objections raised.

#### *Contact Person*

In addition, the Department is providing additional time for public comment. Interested persons are invited to submit written comments, suggestions or objections regarding the proposed rulemaking to Janice Staloski, Director, Bureau of Community Program Licensure and Certification, 132 Kline Plaza, Suite A, Harrisburg, PA 17104-1579, (717) 783-8665 within 30 days after publication of this correction in the *Pennsylvania Bulletin*. For persons with disabilities, comments, suggestions and objections regarding the proposed rulemaking may also be submitted to Janice Staloski in alternative formats, for example, audio tape, Braille or by using TDD: (717)

783-6514. Persons with a disability who require an alternative format of this document (for example, large print, audio tape or Braille) should contact Janice Staloski to make the necessary arrangements.

ESTELLE B. RICHMAN,  
*Secretary*

[Pa.B. Doc. No. 07-1395. Filed for public inspection August 3, 2007, 9:00 a.m.]

## FISH AND BOAT COMMISSION

[58 PA. CODE CH. 51]

### General Provisions; Scientific Collectors' Permits

The Fish and Boat Commission (Commission) proposes to amend Chapter 51 (relating to administrative provisions). The Commission is publishing this proposed rulemaking under the authority of 30 Pa.C.S. (relating to the Fish and Boat Code) (code).

#### A. *Effective Date*

The proposed rulemaking, if approved on final-form rulemaking, will go into effect on January 1, 2008.

#### B. *Contact Person*

For further information on the proposed rulemaking, contact Jason E. Oyler, Esq., P. O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This proposed rulemaking is available on the Commission's website at [www.fish.state.pa.us](http://www.fish.state.pa.us).

#### C. *Statutory Authority*

The proposed amendment to § 51.71 (relating to scientific collectors' permits) is published under the statutory authority of section 2905 of the code (relating to permits for scientific and educational fish collecting activities).

#### D. *Purpose and Background*

The proposed rulemaking is designed to improve, enhance and update the Commission's regulations regarding scientific collectors' permits. The specific purpose of the proposed amendment is described in more detail under the summary of proposal.

#### E. *Summary of Proposal*

Under section 2905 of the code, the Executive Director, with the Commission's approval, may issue permits to catch fish in waters within or bordering on this Commonwealth at any season of the year and with any kind of devices without regard to size or possession limits to a person who possesses a valid Pennsylvania fishing license and is engaged in scientific or educational research or other collecting activities approved by the Commission. This section also authorizes the Commission to promulgate regulations and to establish fees.

In 1985, the Commission adopted § 51.71, which requires a valid and current scientific collector's permit issued by the Commission to collect, take or maintain for scientific or educational purposes any species of Pennsylvania fishes, amphibians, reptiles or aquatic organisms during seasons not permitted by regulations governing holders of a valid Pennsylvania fishing license or other



license or permit issued by the Commission (for example, venomous snake permit, organized reptile and amphibian hunt permit). Although this regulation was not promulgated until 1985, the Scientific Collector's Permit Program (SCP Program) was initiated by the Commission in January 1966 and revised several times over the years. In July 1978, the Commission established various fees for different permit types within the SCP Program through a statement of policy. Three types of permits with associated fees were established and those fees are the same today: Type 1 permits (Research) are \$10, assistants and permit amendments have no fee; Type 2 permits (Government) are free, assistants and permit amendments are free; and Type 3 permits (Consulting) are \$50, \$10 for each assistant and permit amendments are \$10.

The Natural Diversity Section within the Commission's Bureau of Fisheries, Division of Environmental Services, administers the SCP Program. The SCP Program has significant staff demands. Administering the SCP Program requires staff to review permit applications and process end-of-year permit reports. Reviewing the applications requires a technical review and substantial staff interaction with potential collectors, often resulting in changes to proposed collections. Permit collection reports are filed by staff—relevant collection information (that is, rare, threatened and endangered species data) is extracted from the reports and submitted to Pennsylvania Natural Heritage Program to be included in a Statewide database for rare species (Pennsylvania Natural Diversity Inventory).

In the past, the Commission issued, on average, approximately 120 scientific collectors' permits annually. However, in the past 5 years, the number of permits reviewed, amended and issued by Commission staff has increased substantially. In 2005, 397 permits were issued; in 2006, 520 permits and amendments were issued. To address increasing SCP Program demands, Commission staff have streamlined the permit application process and improved and standardized permit reporting by developing an interactive, Internet-based computer application that will be accessible to the public.

Although the fee structure is included in the statement of policy, it currently is not set forth in § 51.71. The Commission proposes to include the fee structure in § 51.71. In addition, this fee structure has not changed in 29 years. Therefore, the Commission also proposes to increase the permit fees to help offset inflation and increasing SCP Program costs (staff time, new Internet-based, interactive application). The Commission further proposes to formalize the long-standing statement of policy that defines and describes the three different permit types that the SCP Program offers by including its terms in § 51.71. The Commission also proposes house-keeping changes to reflect the current names of some of the permits referenced in the regulation. The Commission proposes to amend § 51.71 to read as set forth in Annex A.

#### F. Paperwork

The proposed rulemaking will not increase paperwork and will create no new paperwork requirements. The Commission currently offers the three permit types described in this proposed rulemaking, and the interactive, Internet-based computer application is intended to streamline the permitting process and to reduce the paperwork demands of the SCP Program.

#### G. Fiscal Impact

The proposed rulemaking will have no adverse fiscal impact on the Commonwealth or its political subdivisions.

The increased fees will help offset the Commission's continuing expenses to administer the SCP Program and the costs of the interactive, Internet-based application.

The proposed rulemaking will increase fees for permit applicants. The fee for a Type I permit for Nonprofit Research and Education will increase from \$10 to \$30, assistants on Type I permits will remain free and the fee for a Type I permit amendment will increase from no fee to \$15. The fee for a Type II permit for Government remains free and assistants and permit amendment also remain free. The fee for a Type III permit for Consulting will increase from \$50 to \$150, the fee for assistants on Type III permits will increase from \$10 to \$30 and the fee for a Type III permit amendment will increase from \$10 to \$75.

With regard to all permit types, the Commission will utilize the fees to offset the costs associated with permit issuance and processing and data compilation. It is expected that the Commission will recover its costs for the permits for which fees are charged and that the Commission will absorb the costs associated with the free permits.

#### H. Public Comments

Interested persons are invited to submit written comments, objections or suggestions about the proposed rulemaking to the Executive Director, Fish and Boat Commission, P. O. Box 67000, Harrisburg, PA 17106-7000 within 30 days after publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

Comments also may be submitted electronically by completing the form at [www.fish.state.pa.us/promo/form/regulation\\_comments.htm](http://www.fish.state.pa.us/promo/form/regulation_comments.htm). If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt. Electronic comments submitted in any other manner will not be accepted.

DOUGLAS J. AUSTEN, Ph.D.,  
*Executive Director*

**Fiscal Note:** 48A-195. No fiscal impact; (8) recommends adoption.

### Annex A

#### TITLE 58. RECREATION

#### PART II. FISH AND BOAT COMMISSION

#### Subpart A. GENERAL PROVISIONS

#### CHAPTER 51. ADMINISTRATIVE PROVISIONS

#### Subchapter H. PERMITS FOR FISH COLLECTING ACTIVITIES

#### § 51.71. Scientific collectors' permits.

(a) A valid and current scientific collector's permit issued by the Commission is required to collect, take or maintain, for scientific or educational research purposes, any species of Pennsylvania fishes, amphibians, reptiles or aquatic organisms, during seasons not permitted by regulations governing holders of a valid Pennsylvania fishing license, [ **individual rattlesnake hunter** ] **venomous snake** permit, organized **reptile and amphibian** [ **and reptile** ] hunt permit, or other license or permit.

(b) **The Commission will issue three categories of scientific collectors' permits: nonprofit research and education, governmental and consulting.**

**(1) Type I Permit: Nonprofit Research and Education. The Commission will issue a Type I (Nonprofit**

Research and Education) permit to individuals whom the Commission deems to be qualified to competently and capably conduct research or educational programs and who are not engaged in scientific collecting for monetary gain.

(i) *Qualifications.* To qualify for a Type I permit, applicants shall demonstrate to the satisfaction of the Commission that they meet one or more of the following conditions:

(A) They possess a Bachelor's Degree, are pursuing studies toward an advanced degree and have a demonstrable need to collect fishes, reptiles, amphibians or aquatic invertebrates to complete the degree.

(B) They possess an advanced academic degree and are conducting biological research that requires field specimens.

(C) They are associated with or employed by a museum or an accredited institution of higher learning and are academically or professionally, or both, qualified to conduct biological research or have a valid need for collection of specimens for science or education.

(D) They have gained, through association with a museum, zoological institution or personal endeavor, recognized expertise in some area of herpetology, fisheries science, limnology, aquatic entomology or related sciences.

(ii) *Geographic area covered.* A Type I permit will be generally limited to a specific geographic area (that is, county or specific water area), except that the Commission may issue a Statewide collector's permit to persons serving as members of an advisory board or advisory committee to the Commission or, in exceptional cases, to persons conducting critical research that the Commission recognizes as justification for Statewide collecting.

(iii) *Fees.* The fee for a Type I permit holder is \$30. Each assistant is free. Permit amendments are \$15 each.

(2) *Type II Permit: Governmental.* A Type II (Governmental) permit is a free permit that the Commission issues, at the discretion of the Executive

Director, to State and Federal employees who are engaged in scientific collecting as a part of their required duties. A Type II permit may be Statewide or regional depending upon the application.

(3) *Type III Permit: Consulting.* The Commission will issue a Type III (Consulting) permit to individuals whom the Commission deems to be qualified to engage in scientific collecting and who are engaged in private consulting for profit. The Commission will issue a Type III permit to qualified individuals only and will not issue one in the name of a corporation or other business entity.

(i) *Qualifications.* To qualify for a Type III permit, applicants shall demonstrate to the satisfaction of the Commission that they possess at a minimum a Bachelor's Degree in biological science, zoology, fisheries science, herpetology or a related field that is specific to the purpose of the scientific collecting described in their application. The Commission will consider professional experience, certification by a professional society or recommendations by acknowledged authorities in the appropriate field of biological science when evaluating an applicant's qualifications.

(ii) *Geographic area covered.* A Type III permit will be limited to specific site as described in the conditions of the permit. A holder may change the area of coverage to accommodate new projects by applying to the Commission for a permit amendment.

(iii) *Fees.* The fee for a Type III permit holder is \$150. Each assistant is \$30. Permit amendments are \$75 each.

(c) Holders of scientific collectors' permits and their assistants shall comply with terms and conditions of the permit, including the requirement for a report of collecting activities. **Permit holders and their assistants shall possess a valid Pennsylvania fishing license. Permit holders shall be personally present any time collecting activities under the permit take place. Permits will cover the permit holder and the assistants named in the permit.**

[Pa.B. Doc. No. 07-1430. Filed for public inspection August 10, 2007, 9:00 a.m.]

# NOTICES

## DEPARTMENT OF BANKING

### Actions on Applications

The Department of Banking, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 9, 2002 (P. L. 1572, No. 207), known as the Credit Union Code, has taken the following action on applications received for the week ending July 31, 2007.

#### BANKING INSTITUTIONS

##### Conversions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-26-07	Susquehanna Patriot Bank Marlton Burlington County, NJ	Marlton, NJ	Approved
	Conversion from a New Jersey State-chartered bank to a Pennsylvania State-chartered bank to be known as Susquehanna Bank DV, Bryn Mawr.		

##### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-6-07	Royal Asian Bank Philadelphia Philadelphia County	Philadelphia	Effective
	Purchase of assets/assumption of liabilities of one branch of Wilshire State Bank, Los Angeles, CA, located at:		
		136-52 39th Avenue Flushing Queens County, NY	

##### Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-25-07	Graystone Bank Lancaster Lancaster County	One College Avenue Grantham Cumberland County	Approved
7-26-07	Farmers and Merchants Trust Company of Chambersburg Chambersburg Franklin County	870 Norland Avenue Chambersburg Franklin County	Filed
7-30-07	Republic First Bank Philadelphia Philadelphia County	833 Chestnut Street Philadelphia Philadelphia County	Approved

##### Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-25-07	Beneficial Mutual Savings Bank Philadelphia Philadelphia County	<i>To:</i> 101 East Baltimore Avenue Lansdowne Delaware County	Filed
		<i>From:</i> 727 Church Lane Yeadon Delaware County	
7-25-07	Northwest Savings Bank Warren Warren County	<i>To:</i> 1010 Eichelberger Street Hanover York County	Approved
		<i>From:</i> 1 Center Square Hanover York County	

**Articles of Amendment**

<i>Date</i>	<i>Name of Bank</i>	<i>Purpose</i>	<i>Action</i>
7-26-07	Meridian Bank Berwyn Chester County	Amendment to Article I of the Articles of Incorporation provides for a change of address of the principal place of business  <i>From:</i> 1436 Lancaster Avenue Berwyn, PA 19312 <i>To:</i> 92 Lancaster Avenue Devon, PA 19333	Approved and Effective
7-27-07	New Century Bank Phoenixville Chester County	Amendment to Article I of the Articles of Incorporation provides for a change of address of the principal place of business  <i>From:</i> P. O. Box 747 Route 113 and Pothouse Road Phoenixville, PA 19460 <i>To:</i> Bridge Street and French Creek Parkway (99 Bridge Street) Phoenixville, PA 19460  Effective as of July 28, 2007. The former principal place of business will remain a branch office.	Approved and Effective

**SAVINGS INSTITUTIONS**

No activity.

**CREDIT UNIONS**

No activity.

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

VICTORIA A. REIDER,  
*Acting Secretary*

[Pa.B. Doc. No. 07-1431. Filed for public inspection August 10, 2007, 9:00 a.m.]

## DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

### Wild Resource Conservation Program Meeting

A hearing will be held on Wednesday, August 22, 2007, to comment on the applications submitted to the Wild Resource Conservation Program for grant funding in Fiscal Years 2007-2008. The meeting will be held at 1 p.m. in Room 14, East Wing of the Capitol, Harrisburg, PA.

Questions concerning this hearing should be directed to Teresa Witmer (717) 783-1639, [tewitmer@state.pa.us](mailto:tewitmer@state.pa.us) or Greg Czarnecki (717) 783-1337, [gczarnecki@state.pa.us](mailto:gczarnecki@state.pa.us). Persons planning to make comments, please contact either of the previously listed individuals.

Persons in need of accommodations as provided for the Americans With Disabilities Act of 1990 should contact Greg Czarnecki directly at (717) 783-1337 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

MICHAEL DIBERARDINIS,  
*Secretary*

[Pa.B. Doc. No. 07-1432. Filed for public inspection August 10, 2007, 9:00 a.m.]

# DEPARTMENT OF ENVIRONMENTAL PROTECTION

## Applications, Actions and Special Notices

### APPLICATIONS

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

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

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

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

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

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

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

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

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

#### I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0043311	Camp Towanda, Inc. 4 York Court New City, NY 10956-4418	Lebanon Township Wayne County	UNT to Big Brook Creek 1B	Y
PA0061352	Delaware Water Gap Municipal Authority P. O. Box 128 Delaware Water Gap, PA 18327	Delaware Water Gap Monroe County	Cherry Creek 1E	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0052485 (Sew)	James Miller Mountain Springs MHP P. O. Box 365 Shartlesville, PA 19554-0365	Berks County Upper Bern Township	UNT Mill Creek 3-C	Y
PA0085120 (IW)	Altoona City Authority Plane Nine Water Treatment Plant 20 Greenwood Road Altoona, PA 16602-7114	Blair County Juniata Township	Blair Gap Run 11-A	Y
PA0085111 (IW)	Altoona City Authority Tipton Water Treatment Plant 20 Greenwood Road Altoona, PA 16602-7114	Blair County Antis Township	Tipton Run 11-A	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0114111 (Nonmunicipal)	United States Army Corps of Engineers South Shore Recreation Area 710 Ives Run Lane Tioga, PA 16946	Tioga County Lawrence Township	Cowanesque Reservoir (Cowanesque River) 04A	Y
PA0046094 (Nonmunicipal)	United States Army Corps of Engineers Ives Run Recreation Area 710 Ives Run Lane Tioga, PA 16946	Tioga County Tioga Township	Hammond Reservoir (Crooked Creek) 04A	Y
PA0228214 IW	CCDA Waters, LLC One Aqua Penn Drive P. O. Box 938 Milesburg, PA 16853-0938	Centre County Boggs Township	Bald Eagle Creek 9C	Y

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

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

**PA0030571**, Sewage, SIC 4952, **New Life Youth and Family Services Sewage Treatment Plant (STP)**, 585 Freeman School Road, Schwenksville, PA 19473. This proposed facility is located in Lower Salford Township, **Montgomery County**.

Description of Proposed Activity: This application is for an existing sewage treatment facility.

The receiving stream, UNT to East Branch Perkiomen Creek, is in the State Water Plan Watershed 3E—Perkiomen and is classified for: TSF, aquatic life, water supply and recreation. The nearest downstream public water intake/supply is Pennsylvania American’s Water Filtration Plant and is approximately 18 miles downstream on the Schuylkill River.

The effluent limits for Outfall 001 are based on a design flow of 22,500 gpd.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Average Monthly</i>	<i>Average Monthly</i>	<i>Instantaneous Average Weekly</i>
CBOD <sub>5</sub> (5-1 to 10-31)			10		20
(11-1 to 4-30)			20		40
Total Suspended Solids			30		60
Fecal Coliform			200/100 ml		1,000/100 ml
Dissolved Oxygen			6.0 (Minimum)		
pH (Standard Units)			6.0 (Minimum)		9.0 (Maximum)
Ammonia as N (5-1 to 10-31)			1.5		3.0
(11-1 to 4-30)			4.5		9.0
Phosphorus as P			2.0		4.0

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

1. Discharge must not cause nuisance or health hazard.
2. Sludge disposal according to State and Federal regulations.

The EPA waiver is in effect.

**PA0043966**, Sewage, SIC 6515, **Valley Forge Group Limited Partnership d/b/a Valley Forge Crossing**, 31200 Northwestern Highway, Farmington Hills, MI 48334. This existing facility is located in Lower Providence Township, **Montgomery County**.

Description of Proposed Activity: Renewal of NPDES permit to discharge 0.045 mgd of treated effluent from the Valley Forge Crossing Mobile Home Park Wastewater Treatment Plant. The plant is located at 1311 Catfish Lane, Norristown, PA 19403.

The receiving stream, a UNT to the Schuylkill River, is in the State Water Plan Watershed 3F and is classified for: WWF, aquatic life, water supply and recreation. The nearest downstream public water supply intake for Pennsylvania American—Norristown is located on the Schuylkill River and is approximately 4.5 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.045 mgd.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Minimum</i>	<i>Average Monthly</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>				25	50
Total Suspended Solids				30	60
Ammonia as N					
(5-1 to 10-31)				7.0	14.0
(11-1 to 4-30)				20.0	40.0
Fecal Coliform (#col/100 ml)				200	1,000
pH (Standard Units)			6.0		9.0
Dissolved Oxygen			5.0		
Total Residual Chlorine				0.26	0.85

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

1. Notification of Designation of Responsible Operator.
2. Abandon STP when Public Sewers become Available.
3. Remedial Measures if Public Nuisance.
4. No Stormwater to Sanitary Sewers.
5. Necessary Property Rights.
6. Small Stream Discharge.
7. Change in Ownership.
8. Chlorine Minimization.
9. Proper Sludge Handling.
10. Instantaneous Maximum Limitations.
11. Operator Training.
12. Operations and Maintenance Plan.
13. Fecal Coliform Reporting.
14. Laboratory Certification.

The EPA waiver is in effect.

**PA0050989**, Sewage, SIC 4952, **Frederick Mennonite Community Wastewater Treatment Plant**, P. O. Box 498, Frederick, PA 19435, Upper Frederick Township, **Montgomery County**.

Description of Activity: This is a renewal NPDES permit application is for an existing sewage treatment facility.

The receiving waters, a UNT to Swamp Creek, is in the State Water Plan Watershed 3E—Perkiomen, and is classified for: TSF, aquatic life, water supply and recreation. The nearest downstream public water intake/supply is Pennsylvania American's Water Filtration Plant and is approximately 25 miles downstream on the Schuylkill River.

The effluent limits for Outfall 001 are based on a design flow of 49,900 gpd.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow					
CBOD <sub>5</sub>					
(5-1 to 10-31)			10		20
(11-1 to 4-30)			15		30
Total Suspended Solids			15		30
Fecal Coliform			200/100 ml		1,000/100 ml
Dissolved Oxygen			6.0 (Minimum)		
pH (Standard Units)			6.0 (Minimum)		9.0 (Maximum)
Ammonia as N			3.0		6.0
Phosphorus as P			1.0		2.0

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

1. Discharge must not cause nuisance or health hazard.
2. Sludge disposal according to State and Federal regulations.
3. Discharge is to small stream.
4. Operations and maintenance plan required.

The EPA waiver is in effect.

**PA0023256**, Sewage, SIC 59, **Upper Gwynedd Township**, P. O. Box 1, West Point, PA 19486. This proposed facility is located in Upper Gwynedd Township, **Montgomery County**.

Description of Proposed Activity: Amendment of an NPDES permit to discharge treated sanitary sewage from a facility located at Township Line Road, West of Swedesford Road, Upper Gwynedd Township, Montgomery County.

This permit amendment includes an accelerated expiration date of June 2009, and the following additional revisions:

Effective December 2008, in lieu of a total phosphorus limit, the permit includes an ortho-phosphate limit of 3.64 mg/l, applicable seasonally from November to March. Effective April 2009, the permit includes an ortho-phosphate limit of 1.0 mg/l, applicable seasonally from April to October.

The amended permit requires the submission of WET testing results for the species *Ceriodaphnia dubia* only. In conjunction with the permit renewal in June 2009, the permittee will be required to submit the results of four rounds of WET test results for both *Pimephales promelas* and *Ceriodaphnia dubia*.

The receiving stream, Wissahickon Creek, is in the State Water Plan Watershed 3F (Lower Schuylkill) and is classified for TSF. The nearest downstream public water supply intake for City of Philadelphia—Queen Lane Intake is located on the Schuylkill River.

The proposed effluent limits for Outfall 001, effective from permit amendment issuance through November 30, 2008, are based on a design flow of 4.5 mgd.

Parameters	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Average Weekly	Average Monthly	Average Weekly	Instantaneous Maximum
CBOD <sub>5</sub>					
(5-1 to 10-31)	375	563	10	15	20
(11-1 to 4-30)	750	1,126	20	30	40
Total Suspended Solids	1,126	1,689	30	45	60
Ammonia as N					
(5-1 to 10-31)	68		1.8		4.0
(11-1 to 4-30)	161		4.3		8.0
Orthophosphate as P			Monitor and Report		Monitor and Report
Nitrite + Nitrate as N			Monitor and Report		
Iron, Total			Monitor and Report		
Iron, Dissolved			Monitor and Report		
Aluminum, Total			Monitor and Report		
Fecal Coliform			200#/100 ml as a geometric mean		
Dissolved Oxygen			Minimum of 6.0 at all times		
pH			Within limits of 6.0 to 9.0 Standard Units		
Total Residual Chlorine			0.04		0.13
Dichlorobromomethane			Monitor and Report		
Chlorodibromomethane			Monitor and Report		
Copper, Total			Monitor and Report		
Toxicity, Chronic (TUc) (Ceriodaphnia Dubia)					Monitor and Report

The proposed effluent limits for Outfall 001, effective from December 1, 2008, through permit expiration, are based on a design flow of 4.5 mgd.

Parameters	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Average Weekly	Average Monthly	Average Weekly	Instantaneous Maximum
CBOD <sub>5</sub>					
(5-1 to 10-31)	188	281	5.0	7.5	10
(11-1 to 4-30)	489	734	10	15	20
Total Suspended Solids	1,126	1,689	30	45	60



<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Instantaneous Maximum</i>
Ammonia as N (5-1 to 10-31)	28		0.74		1.48
(11-1 to 4-30)	83		2.22		4.44
Orthophosphate-P (11-1 to 4-30)	136		3.64		7.28
(4-1 to 10-31)	39		1.00		2.00
Nitrite + Nitrate as N			Monitor and Report		
Iron, Total			Monitor and Report		
Iron, Dissolved			Monitor and Report		
Aluminum, Total			Monitor and Report		
Fecal Coliform			200#/100 ml as a geometric mean		
Dissolved Oxygen			Minimum of 7.0 at all times		
pH			Within limits of 6.0 to 9.0 Standard Units		
Total Residual Chlorine			0.04		0.13
Dichlorobromomethane			0.0010		0.0025
Chlorodibromomethane			0.00075		0.0019
Copper, Total			Monitor and Report		
Toxicity, Chronic (TUc) (Ceriodaphnia Dubia)					1.06 Daily Maximum

The proposed effluent limits for Outfall 001, is effective upon completion of expansion to a design flow of 5.7 mgd.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub> (5-1 to 10-31)	238	357	5.0	7.5	10
(11-1 to 4-30)	475	713	10	15	20
Total Suspended Solids	1,426	2,139	30	45	60
Ammonia as N (5-1 to 10-31)	35		0.74		1.48
(11-1 to 4-30)	106		2.22		4.44
Orthophosphate-P (11-1 to 4-30)	174		3.64		7.28
(4-1 to 10-31)	48		1.00		2.00
Nitrite + Nitrate as N			Monitor and Report		
Iron, Total			Monitor and Report		
Iron, Dissolved			Monitor and Report		
Aluminum, Total			Monitor and Report		
Fecal Coliform			200#/100 ml as a geometric mean		
Dissolved Oxygen			Minimum of 7.0 at all times		
pH			Within limits of 6.0 to 9.0 Standard Units		
Total Residual Chlorine			0.016		0.052
Dichlorobromomethane			0.00093		0.0023
Chlorodibromomethane			0.00068		0.0017
Copper, Total			Monitor and Report		
Toxicity, Chronic (TUc) (Ceriodaphnia Dubia)					1.05 Daily Maximum

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

1. Notification of Designation of Operator.
2. Average Weekly Definition.
3. Remedial Measures.
4. No Stormwater.
5. Acquire Necessary Property Rights.
6. Small Stream Discharge.

7. Analytical Procedures.
8. Change of Ownership.
9. Chlorine Dosages.
10. Sludge Disposal Requirements.
11. TMDL/WLA Analysis.
12. WET Tests Required for Renewal.
13. Chronic Whole Effluent Toxicity (WET) Permit Limit.
14. Instantaneous Maximum Limits.
15. Twice Per Month Sampling.
16. Requirements Applicable to Stormwater Outfalls.
17. Pretreatment Program Requirements.
18. Notification of Completion of Expansion to 5.7 mgd.
19. Operations and Maintenance Plan.
20. Laboratory Certification.
21. Copper/Water Effects Ratio.

The EPA waiver is not in effect.

**PA0026131**, Sewage, SIC 59, **Upper Merion Municipal Utility Authority**, 175 West Valley Forge Road, King of Prussia, PA 19406. This proposed facility is located in Upper Merion Township, **Montgomery County**.

Description of Proposed Activity: Amendment of an NPDES permit to discharge an annual average flow of 6.0 mgd of treated sanitary sewage from Trout Run Water Pollution Control Center located at 900 Mancill Mill Road, King of Prussia, PA 19406.

The receiving stream, Schuylkill River, is in the State Water Plan Watershed 3F (Lower Schuylkill) and is classified for: WWF, aquatic life, water supply and recreation. The nearest downstream public water supply intake is for the Pennsylvania American Water Company—Norristown District located on the Schuylkill River.

The proposed effluent limits for Outfall 002 are based on a design flow of 6.0 mgd.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	1,251	1,876	25	40	50
Total Suspended Solids	1,501	2,252	30	45	60
Ammonia as N					
(5-1 to 10-31)	751		15		30
(11-1 to 4-30)	1,000		20		40
Total Residual Chlorine			0.5		1.2
Fecal Coliform			200#/100 ml as a geometric mean		
Dissolved Oxygen			Minimum of 5.0 at all times		
pH			Within limits of 6.0 to 9.0 Standard Units		

The proposed effluent limits for stormwater Outfall 001 are as follows:

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Daily Maximum</i>
CBOD <sub>5</sub>					Monitor and Report
COD					Monitor and Report
Oil and Grease					Monitor and Report
pH					Monitor and Report
Total Suspended Solids					Monitor and Report
Total Kjeldahl Nitrogen					Monitor and Report
Total Phosphorus					Monitor and Report
Iron (Dissolved)					Monitor and Report
Fecal Coliform					Monitor and Report

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

1. Notification of Designation of Operator.
2. Average Weekly Definition.
3. Remedial Measures.
4. No Stormwater.
5. Acquire Necessary Property Rights.
6. Change of Ownership.
7. Chlorine Disinfection.
8. Sludge Disposal Requirements.
9. TMDL/WLA Analysis.
10. WET Tests Required for Renewal.
11. Requirements Applicable to Stormwater Outfalls.
12. Operator Training Requirements.

13. Operations and Maintenance Plan.
14. Pretreatment Program.
15. Laboratory Certification.

The EPA waiver is not in effect.

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

**PA0065145**, Sewage, **Dunn Lake, LLC**, 103 Indian Springs Road, Kennett Square, PA 19348. This proposed facility is located in Ararat Township, **Susquehanna County**.

Description of Proposed Activity: NPDES Permit for a new, treated sewage discharge.

The receiving stream, East Branch Lackawanna River, is in the State Water Plan Watershed 5A and is classified for: HQ-CWF. The nearest downstream public water supply intake for the Pennsylvania American Water Company is located at the Stillwater Reservoir on the Lackawanna River over 10 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.019 mgd.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Annual Average (lbs/Year)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	5.0		10.0
Total Suspended Solids	3.0		6.0
NH <sub>3</sub> -N	3.0		6.0
Dissolved Oxygen	A minimum of 6.0 mg/l at all times.		
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)	200/100 ml as a geometric mean 2,000/100 ml as a geometric mean 6.0 to 9.0 Standard Units at all times.		
pH			
Temperature January 1-31			38.2° F
Temperature February 1-29			39.5° F
Temperature March 1-31			47.0° F
Temperature April 1-15			56.3° F
Temperature April 16-30			62.3° F
Temperature May 1-15			61.1° F
Temperature May 16-31			65.1° F
Temperature June 1-15			67.0° F
Temperature June 16-30			71.0° F
Temperature July 1-31			73.7° F
Temperature August 1-15			72.4° F
Temperature August 16-31			72.4° F
Temperature September 1-15			68.1° F
Temperature September 16-30			62.1° F
Temperature October 1-15			57.2° F
Temperature October 16-31			53.2° F
Temperature November 1-15			48.6° F
Temperature November 16-30			42.6° F
Temperature December 1-31			38.4° F
Total Residual Chlorine	Nondetectable		
Total Phosphorus	0.10, Offset by Credits		0.20
Total Nitrogen	5.0, Offset by Credits		10.0
Kjeldahl-N	Report		
NO <sub>2</sub> -NO <sub>3</sub> as "N"	Report		
Total Net Nitrogen		0	
Total Net Phosphorus		0	

The permit contains conditions which authorize the permittee to apply nutrient reduction credits to meet the nitrogen and phosphorus effluent limits, under the Department's Trading of Nutrient and Sediment Reduction Credits Policy and Guidelines (392-0900-001, December 30, 2006). The conditions include the requirement to report any credits in monthly supplemental DMRs submitted to the Department.

**PA#0060054**, Sewage, **Mount Airy 1, LCC**, Carleton Road, Mount Airy, PA 18362-1226. This proposed facility is located in Paradise Township, **Monroe County**.

Description of Proposed Activity: Renewal of NPDES permit to discharge 0.22 mgd of treated sewage.

The receiving stream, Forest Hills Run, is in the State Water Plan Watershed 1E and is classified for HQ-CWF. The nearest downstream public water supply intake for East Stroudsburg is located on the Delaware River below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.220 mgd.

Parameter	Average		Instantaneous Maximum (mg/l)
	Monthly (mg/l)	Weekly (mg/l)	
CBOD <sub>5</sub>	25		50
Total Suspended Solids	30		60
NH <sub>3</sub> -N			
(5-1 to 10-31)	3.0		6.0
(11-1 to 4-30)	9.0		18.0
Phosphorus as "P"	2.0		4.0
Dissolved Oxygen	A minimum of 6.0 mg/l at all times.		
Fecal Coliform			
(5-1 to 9-30)	200/100 ml as a geometric mean		
(10-1 to 4-30)	2,000/100 ml as a geometric mean		
pH	6.0 to 9.0 Standard Units at all times.		
Total Residual Chlorine	1.0		2.0
Total Dissolved Solids	1,000		2,000
Nitrate-Nitrite-N	Monitor and Report		

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

**PA0034819**, Industrial Waste, SIC 399/3499, **Ametek Corp.**, Route 510, Eighty-Four, PA 15330.

This application is for renewal of an NPDES permit to discharge treated process water, sewage and untreated stormwater from the Specialty Metals Products Division Plant in North Strabane Township, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, Little Chartiers Creek and UNT to Little Chartiers Creek, classified as a HQ-WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is Robinson Township Municipal Authority, located at P. O. Box 15539, Pittsburgh, PA 15244, 42.7 miles below the discharge point.

*Outfall 001:* existing discharge, design flow of 0.025 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	Monitor and Report				
pH	not less than 6.0 nor greater than 9.0				

*Other Conditions*

The EPA waiver is in effect.

*Outfall 101:* existing discharge, design flow of 0.114 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	Monitor and Report				
Total Suspended Solids	8.182	17.234	19.51	41.0	
Oil and Grease	5.036	8.406	12.0	20.0	
Copper	0.39	0.742	1.0	1.9	
Cyanide	0.047	0.113	0.12	0.29	
Lead	0.078	0.164	0.20	0.42	
Fluoride	0.768	1.732	4.9	9.8	
Nickel	0.011	0.016	0.25	0.5	
Chromium	0.004	0.011	0.18	0.44	
pH	not less than 6.0 nor greater than 9.0				

*Outfall 201:* existing discharge, design flow of 0.0023 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	0.0023				
CBOD <sub>5</sub>					
(5-1 to 10-31)			10	20	
(11-1 to 4-30)			10	20	
Total Suspended Solids			20	40	

## NOTICES

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Ammonia Nitrogen (5-1 to 10-31)			5	10	
(11-1 to 4-30)			15	30	
Total Residual Chlorine			0.5	1.4	
Fecal Coliform (5-1 to 9-30)			200	1,000	
(10-1 to 4-30)			2,000		
pH	not less than 6.0 nor greater than 9.0				

*Outfall 301:* existing discharge, design flow of various mgd.

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

*Outfalls 002, 003:* existing discharge, design flow of various mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
These discharges shall consist solely of uncontaminated stormwater runoff.					

**PA0041602**, Industrial Waste, SIC 5171, **Pittsburgh Terminals Corporation**, 2760 Neville Road, Pittsburgh, PA 15225. This application is for renewal of an NPDES permit to discharge treated stormwater from the Neville Island Bulk Petroleum Storage Terminal in Neville Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, Ohio River, classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is NOVA Chemical Company, Beaver Valley Plant, located at Monaca, PA, 23.3 miles below the discharge point.

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

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	Monitor and Report				
Oil and Grease			15		30
C-Biochemical Oxygen Demand			Monitor and Report		
Chemical Oxygen Demand			Monitor and Report		
Total Suspended Solids			Monitor and Report		
Total Kjeldahl Nitrogen			Monitor and Report		
Total Phosphorous			Monitor and Report		
pH	not less than 6.0 nor greater than 9.0				

*Other Conditions:* Solids Disposal, Floating Solids and Petroleum Marketing Terminal Conditions.

The EPA waiver is in effect.

**PA0093181**, Industrial Waste, SIC NA, **Industrial Waste, Inc.**, P. O. Box 406, Darlington, PA 16115. This application is for renewal of an NPDES permit to discharge treated leachate from Darlington disposal site in Darlington Township, **Beaver County**.

The following effluent limitations are proposed for discharge to the receiving waters, East Fork State Line Creek, classified as a HQ-CWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is not applicable.

*Outfall 001:* existing discharge, design flow of 0.198 mgd for the period effective from the date of permit issuance for 3 years.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow	Monitor and Report				
Suspended Solids			30	60	

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Ammonia Nitrogen (5-1 to 9-30)			3.0	6.0	
(10-1 to 4-30)			4.5	9.0	
Manganese			1.0	2.0	
Cadmium			0.001	0.002	
Copper			0.012	0.024	
Nickel			0.063	0.126	
Iron			1.5	3.0	
Dissolved Solids			2,350	4,700	
Sulfate			600	1,200	

*Outfall 001*: existing discharge, design flow of 0.198 mgd for the period effective from the date of permit issuance for 3 years.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Nitrate and Nitrite			20	40	
Zinc			0.08	0.16	
Total Residual Chlorine			0.5	1.25	
Aluminum			Monitor and Report		
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is in effect.

*Outfall 001*: existing discharge, design flow of 0.198 mgd for the period from 3 years after permit issuance until permit expiration.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow	Monitor and Report				
Suspended Solids			30	60	
Ammonia Nitrogen (5-1 to 9-30)			3.0	6.0	
(10-1 to 4-30)			4.5	9.0	
Manganese			1.0	2.0	
Cadmium			0.001	0.002	
Copper			0.012	0.024	
Nickel			0.063	0.126	
Iron			1.5	3.0	
Dissolved Solids			2,350	4,700	
Sulfate			600	1,200	

*Outfall 001*: existing discharge, design flow of 0.198 mgd for the period from 3 years after permit issuance until permit expiration.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Nitrate and Nitrite			20	40	
Zinc			0.08	0.16	
Total Residual Chlorine			0.5	1.25	
Aluminum			0.5	1.0	
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is in effect.

**PA0204153**, Industrial Waste, SIC 4911, **Cambria Cogen Company**, 243 Rubisch Road, Ebensburg, PA 15931. This application is for renewal of an NPDES permit to discharge treated process water, cooling water, stormwater, untreated stormwater and pump recycle water from the Cambria Cogen Facility in Cambria Township, **Cambria County**.

The following effluent limitations are proposed for discharge to the receiving waters, Little Conemaugh River, classified as a CWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is Buffalo Township Municipal Authority, Freeport located 100 miles below the discharge point.

*Outfall 101:* existing discharge, design flow of 0.154 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	Monitor and Report				
Total Suspended Solids			30	100	
Oil and Grease			15	20	
Chromium			0.2	0.2	
Zinc			1.0	1.0	
Temperature (° F)					110
Free Available Chlorine			0.2		0.5
Total Residual Chlorine			0.5		1.25
pH	not less than 6.0 nor greater than 9.0				

*Other Conditions:* Part C permit conditions concerning priority pollutants, residual waste disposal, total residual and free available chlorine, PCBs, chemical additives and stormwater.

The EPA waiver is in effect.

*Outfall 001:* existing discharge, design flow of 0.154 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
	The discharge from this outfall shall consist of sources monitored at Internal Monitoring Point 101.				

*Outfall 002:* existing discharge.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
	This outfall shall discharge raw water (pump recycle water) from Wilmore Dam.				

*Outfall 003:* existing discharge of stormwater.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Zinc					Monitor and Report

**PA0253511**, Industrial Waste, SIC 4941, **Rolling Rock Farms**, P. O. Box 717, Ligonier, PA 15658. This application is for an NPDES permit to discharge treated process wastewater to Rolling Rock Creek, Ligonier Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, Rolling Rock Creek, classified as a HQ-CWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is the Kingston Filtration Plant, located on Loyalhanna Creek, about 11.2 miles below the discharge point.

*Outfall 001:* existing discharge, design flow of 0.00143 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	Monitor and Report				
Total Suspended Solids			30		60
Iron, total			2.0		4.0
Aluminum			4.0		8.0
Manganese			1.0		2.0
Total Residual Chlorine			0.5		1.0
pH (Standard Units)	not less than 6.0 nor greater than 9.0 Standard Units				

The EPA waiver is in effect.

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

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

**WQM Permit No. 4607201**, Industrial, **Realen Valley Forge Greenes Associates**, 1000 Chesterbrook Boulevard, Suite 100, Bewyn, PA 19312. This proposed facility is located in Upper Merion Township, **Montgomery County**.

Description of Action/Activity: Mixed use development including retail, residential and hotel facilities.

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

**WQM Permit No. 0607402**, Sewerage, **Maidencreek Township Authority**, P. O. Box 319, Blandon, PA 19519. This proposed facility is located in Ontelaunee Township, **Berks County**.

Description of Proposed Action/Activity: Application for construction/operation of a new fine screen is proposed to replace an existing comminutor in the wastewater treatment plant. A new building is also proposed to surround the existing comminutor site and enclose the proposed fine screen.

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

**WQM Permit No. 1407202**, Industrial Waste, **Madisonburg Water Works**, Route 445 North, Maddisonburg, PA 16852. This proposed facility is located in Miles Township, **Centre County**.

Description of Proposed Action/Activity: Permit application for a 15 gpm pump station and a 722 square foot infiltration bed for treatment of backwash water from a membrane filter plant.

**WQM Permit No. 1406411**, Sewage 4952, **Millheim Borough**, 225 East Main Street, P. O. Box 421, Millheim, PA 16854-0421. This proposed facility is located in Penn Township, **Centre County**.

Description of Proposed Action/Activity: The applicant proposes to replace the existing sewage plant with a new biological membrane sewage plant.

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

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

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023907019	Eric Andreus Nestle Waters North America 405 Nestle Way Breinigsville, PA 18031	Lehigh	Lynn Township	Ontelaunee Creek EV
PAI023907018	Brian Peterson Opus East, LLC 610 Germantown Avenue Plymouth Meeting, PA 19462	Lehigh	Lower Macungie Township	Little Lehigh Creek HQ-CWF Swabia Creek HQ-CWF

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

*Washington County Conservation District, 602 Courthouse Square, Washington, PA 15301, (724) 228-6774.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI056307002	JND Properties, LLC 3625 Washington Pike Bridgeville, PA 15017	Washington	North Strabane Township	Little Chartiers Creek HQ-WWF

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

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



## PUBLIC WATER SUPPLY (PWS) PERMIT

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

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

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

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

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

### SAFE DRINKING WATER

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

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

**Permit No. 0907514**, Public Water Supply.

Applicant	<b>Red Cliff Trailer Park</b>
Township	Upper Black Eddy
County	<b>Bucks</b>
Responsible Official	Randy S. Eddinger 1697 Swamp Pike Gilbertsville, PA 19525
Type of Facility	PWS
Consulting Engineer	Ruby Engineering 3605 Island Club Drive Unit No. 9 North Port, FL 34288-6611
Application Received Date	July 26, 2007
Description of Action	The installation of an arsenic treatment system.

**Permit No 0907515**, Public Water Supply.

Applicant	<b>Bucks County Water and Sewer Authority</b>
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Township	Lower Southampton
County	<b>Bucks</b>
Responsible Official	Benjamin W. Jones 1275 Almshouse Road Warrington, PA 18976
Type of Facility	PWS
Consulting Engineer	Tri-State Engineering Land Surveyors 801 West Street Road Feasterville, PA 19053
Application Received Date	July 30, 2007
Description of Action	A second 2.0 million gallon standpipe steel water storage tank will be constructed adjacent to an existing 2.0 million gallon of similar dimension.

**Permit No. 4607504**, Public Water Supply.

Applicant	<b>Schwenksville Borough Authority</b>
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Township	Schwenksville
County	<b>Montgomery</b>
Responsible Official	Edward R. Beitler P. O. Box 458 298 Main at Church Street Schwenksville, PA 19473

Type of Facility	PWS
Consulting Engineer	Arro Consulting, Inc. 649 North Lewis Road Suite 100 Limerick, PA 19468

Application Received Date	July 30, 2007
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Description of Action	The replacement of an existing chlorine gas disinfection system with a new sodium hypochlorite disinfection system.
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*Southcentral Region: Water Supply Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**Permit No. 0607505**, Public Water Supply.

Applicant	<b>Wernersville Municipal Authority</b>
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Municipality	South Heidelberg Township
County	<b>Berks</b>

Responsible Official	Wernersville Municipal Authority 50 Jefferson Street Oley, PA 19547
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Type of Facility	Public Water Supply
Consulting Engineer	John P. Spitko, P. E. Spotts Stevens and McCoy, Inc. 1047 North Park Road Reading, PA 19610-0307

Application Received Date	March 14, 2007
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Description of Action Construction of new treatment building at Well No. 5 to provide disinfection for Well Nos. 5 and 6.

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

**Permit No. 4707501—Construction, Public Water Supply.**

Applicant **Mahoning Township Authority**  
 Township or Borough Mahoning Township  
 County **Montour**  
 Responsible Official Thomas N. Mertz, Chairperson  
 Mahoning Township Authority  
 1101 Bloom Street  
 Danville, PA 17821

Type of Facility Public Water Supply—Construction  
 Consulting Engineer Thomas W. Schreffler  
 Light-Heigel & Associates, Inc.  
 430 East Main Street  
 Palmyra, PA 17078

Permit Application Date July 26, 2007

Description of Action Construct pump station, distribution main and water storage tank. Woods of Welsh and Whisper Meadows sections of Whisper Hills.

**Permit No. 1707502—Construction, Public Water Supply.**

Applicant **Covington-Karthaus-Girard Area Authority**  
 Township or Borough Karthaus Township  
 County **Clearfield**  
 Responsible Official Jack Reese, Vice Chairperson  
 Covington-Karthaus-Girard Area Authority  
 P. O. Box 104  
 Frenchville, PA 16826

Type of Facility Public Water Supply—Construction

Consulting Engineer F. Gregory Nadeau  
 Worley Parsons  
 2675 Morgantown Road  
 Reading, PA 19607

Application Issued Date July 27, 2007

Description of Action Water pressure booster pump system is provided to increase the existing water pressure due to high elevation of the site. Portable water provided for the River Hill Power project.

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

**Permit No. 0407507, Public Water Supply.**

Applicant **Outlook Pointe Commons**  
 498 Lisbon Road  
 Darlington, PA 16115

Township or Borough Ohioville Borough

Responsible Official Eric Trehar, Administrator  
 Outlook Pointe Commons  
 498 Lisbon Road  
 Darlington, PA 16115

Type of Facility Elderly care home

Consulting Engineer NIRA Consulting Engineers, Inc.  
 950 Fifth Avenue  
 Coraopolis, PA 15108

Application Received Date July 18, 2007

Description of Action Operation of a personal care facility.

**Permit No. 0407505, Public Water Supply.**

Applicant **Borough of Ambridge Water Authority**  
 P. O. Box 257  
 600 Eleventh Street  
 Ambridge, PA 15003-2377

Township or Borough Economy Borough

Responsible Official Mary Hrotic, General Manager  
 Borough of Ambridge Water Authority  
 P. O. Box 257  
 600 Eleventh Street  
 Ambridge, PA 15003-2377

Type of Facility Water treatment plant

Consulting Engineer NIRA Consulting Engineers, Inc.  
 950 Fifth Avenue  
 Coraopolis, PA 15108

Application Received Date June 28, 2007

Description of Action Construction of the Conway Wallrose Road standpipe, pumping station and two pressure regulating vaults.

#### MINOR AMENDMENT

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

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

**Application No.. 461W001T1-A4, Minor Amendment.**

Applicant **Harrison Township Water Authority**  
 1705 Rear Freeport Road  
 Natrona Heights, PA 15065

Township or Borough Harrison Township

Responsible Official Charles Craig, General Manager  
 Harrison Township Water Authority  
 1705 Rear Freeport Road  
 Natrona Heights, PA 15065

Type of Facility Water treatment plant

Consulting Engineer NIRA Consulting Engineers, Inc.  
950 Fifth Avenue  
Coraopolis, PA 15108

Application Received July 17, 2007  
Date

Description of Action Installation of a new backwash  
recycle lagoon pump.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

### PREAMBLE 1

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

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

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

For further information concerning the content of a Notice of Intent to Remediate, contact the environmental cleanup program manager in the Department regional office before which the notice appears. If information

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

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

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

**NW Control Property**, Upper Salford Township, **Montgomery County**. Richard Sacks, Sigma Env. Svc., Inc., 1514 Harmon Road, Harleysville, PA 19438 on behalf of Karl Ifert, Todd Ferrence, Henry Shontzt, 2210 Shelly Corp., 2210 Shelly Road, Harleysville, PA 19438 has submitted a Notice of Intent to Remediate. Groundwater and soil at the site has been impacted with chlorinated solvents. The future use of the site has not been determined.

**Perles Residence**, Norristown Borough, **Montgomery County**. Richard Trimpi, Trimpi Associates, 1635 Old Plains Road, Pennsburg, PA 18073 on behalf of Claire Perles, 712 Perles Stanbridge Street, Norristown, PA 19401 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with No. 2 fuel oil. The intended future use of the site is residential. A summary of the Notice of Intent to Remediate was reported to have been published in the *Bucks County Intelligencer* on July 10, 2007.

**Peir 60 Property**, City of Philadelphia, **Philadelphia County**. Bill Schmidt, P. E., Pennoni Associates, Inc., 3000 Market Street, 2nd Floor, Philadelphia, PA 19104 on behalf of James L. Dougherty, Philadelphia Entertainment and Development Partner, 39 Norwich-Westerly Road, Masantucket, CT 06338 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with lead and inorganics. The future use of the site will remain the same.

**Worth & Worth, LP**, Doylestown Borough, **Bucks County**. Daniel E. Erdman, P. G., REA, Keystone E-Science Group, Inc., 967 East Swedesford Road, Suite 300, Exton, PA 19341 on behalf of Stephen Worth, Joyce McFalls, Worth & Worth, LP, 6263 Keller Church Road, Pipersville, PA 18947 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with No. 2 fuel oil. The future use of the site will remain the same.

**United States Steel Fairless Works Lot 8 KIPC**, Falls Township, **Bucks County**. Jeffrey Smith, Langan Engineering & Environmental Services, Inc., 30 South 17th Street, Suite 1300, Philadelphia, PA 19103 on behalf of Kathleen Mayher, United States Steel Corporation, 600 Grant Street, Pittsburgh, PA 15219 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with release of other organics. The future use of the site will remain the same.

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

**Rite Aid No. 170/East Stroudsburg Carwash Property**, East Stroudsburg Borough, **Monroe County**. Martin Gilgallon, P. G., Pennsylvania Tectonics, Inc., 826 Main Street, Peckville, PA 18452 has submitted a Notice of Intent to Remediate (on behalf of his client, Samuel M. D'Alessandro, P. O. Box 268, 112 North Courtland Street, East Stroudsburg, PA 18301), concerning the remediation of soils found or suspected to have been impacted by total

lead contaminants. The applicant proposes to remediate the site to meet the Site-Specific Standard. It is anticipated that the future use of the property will be for nonresidential purposes. A summary of the Notice of Intent to Remediate is expected to be published in a local newspaper serving the general area sometime in the near future.

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

**Industrial Steel and Pipe Supply Company**, City of St. Marys, **Elk County**, Quad Three Group, Inc., 72 Glenamaura Boulevard, Moosic, PA 18518 on behalf of Industrial Steel and Pipe Supply Company, 294 Depot Street, St. Marys, PA 15857 has submitted a Notice of Intent to Remediate. The cleanup will consist of the removal and offsite disposal of soil contamination and the cleaning of onsite drains. The contamination consists of metals such as arsenic and lead. Future use of the subject property will include demolition of the existing facility and the construction of the St. Marys parking garage. In addition, a green area, the Elk Creek Park is proposed along Elk Creek.

**West Erie Plaza**, Millcreek Township, **Erie County**, Mountain Research, LLC, 825 25th Street, Altoona, PA 16601 on behalf of National Shopping Centers Management Corporation, 1104 La Vista Road, Santa Barbara, CA 93110 has submitted a Notice of Intent to Remediate. This site is a retail plaza that has been impacted by chlorinated solvents and gasoline constituents from an offsite source. Known contaminants at the site include trichloroethene, vinyl chloride, cis-1,2-dichloroethene, tetrachloroethene, benzene, ethylbenzene, xylenes, cumene, naphthalene, 1,2,4-trimethylbenzene and 1,3,5-trimethylbenzene in site groundwater and trichloroethene, bromomethane, ethylbenzene, cumene, naphthalene, xylenes, n-butylbenzene, 1,2,4-trimethylbenzene and 1,3,5-trimethylbenzene in site soils. This site will continue to be utilized as a commercial retail property.

## AIR QUALITY

### PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

#### NEW SOURCES AND MODIFICATIONS

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

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

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

Persons wishing to receive a copy of a proposed plan approval or operating permit must indicate their interest to the Department regional office within 30 days of the date of this notice and must file protests or comments on a proposed plan approval or operating permit within 30

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

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodation to participate should contact the regional office identified before the application. TDD users should contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984. Final plan approvals and operating permits will contain terms and conditions to ensure that the source is constructed and operating in compliance with applicable requirements in 25 Pa. Code Chapters 121—143, the Federal Clean Air Act (act) and regulations adopted under the act.

### PLAN APPROVALS

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

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790, Mark Wejkszner, New Source Review Chief, (570) 826-2531.*

**40-303-030: Glenn O. Hawbaker, Inc.** (711 East College Avenue, Bellefonte, PA 16823) to construct a coal fired asphalt plant with baghouse at their facility in Hazle Township, **Luzerne County**.

**40-313-047: Kama Corp.** (600 Dietrich Avenue, Hazleton, PA 18201) for reactivation of their Polymerization Plant No. 2 at their facility in Hazleton, **Luzerne County**.

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

**01-05025D: Valley Quarries, Inc.** (P. O. Box J, Chambersburg, PA 17201-0809) for use of Nos. 4 and 5 fuel oil for their Drum Mix Asphalt Plant, Gettysburg Quarry, Cumberland Township, **Adams County**. The asphalt plant is subject to New Source Performance Standards, 40 CFR 60, Subpart I.

**36-05014I: Alumax Mill Products, Inc.** (1480 Manheim Pike, Lancaster, PA 17604) for modifications to the existing secondary aluminum processing plant in Manheim Township, **Lancaster County**. The modifications include the installation of an aluminum homogenizing furnace and a screw down lowering system on a cold rolling mill. The plant is subject to 40 CFR Part 63, Subpart GGGGG—National Emissions Standards for HAPs for Site Remediation; Subpart RRR—National Emissions Standards for Hazardous Air Pollutants for Secondary Aluminum Plants; Subpart SSSS—National Emission Standards for Hazardous Air Pollutants—Surface Coating of Metal Coils and 40 CFR Part 60, Subpart TT—Standards of Performance for Metal Coil Surface Coating.

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

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

**06-05007D: Carpenter Technology Corp.** (P. O. Box 14662, Reading, PA 19612-4662) for modification of their specialty steel manufacturing plant in the City of Reading, **Berks County**. The modification involves the construction of a VIM Furnace, four VAR Furnaces, two ESP Furnaces controlled by lime injection and a fabric collector, seven batch heating furnaces and miscellaneous combustion units in Building No. 108. The modification will involve the increase in the potential production of the existing melt shop. A new fabric collector will also be installed to control particulate emissions from the existing ESR Furnaces A—F. The net VOC and NOx emissions from this and other modifications to the facility over the past several years will exceed the New Source Review thresholds requiring the purchase of credits. The company is proposing the purchase of these credits from a third party in the amounts of 70.56 tons of NOx and 47.53 tons of VOC. The plan approval will include monitoring, work practices, recordkeeping and reporting requirements designed to keep the sources operating within all applicable air quality requirements. The facility is presently covered by the Title V Operating Permit No. 06-05007. The plan approval will be incorporated into the permit in accordance with 25 Pa. Code § 127.450 (Administrative Amendment).

**06-05114A: Birchcraft Kitchens, Inc.** (1612 Thorn Street, Reading, PA 19601) for installing finishing operations at their assembly facility at 1900 Madison Avenue in the City of Reading, **Berks County**. From the facility, annual VOC emissions will be limited to 24.9 tons per consecutive 12-month period, total annual HAP emissions will be limited to 24.9 tons per consecutive 12-month period and annual emissions of an individual HAP will be limited to 9.9 tons per consecutive 12-month period. The approval will include monitoring, work practices, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**22-03073: Advanced Communications, Inc.** (1000 North Cameron Street, Harrisburg, PA 17103) for installation of three heatset web offset printing presses controlled by a regenerative thermal oxidizer at their facility in the City of Harrisburg, **Dauphin County**. Overall VOC emissions are not expected to exceed 15 tpy (after control). The plan approval shall contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

**28-03041A: A & B Industrial Coatings** (9226 Mountain Brook Road, St. Thomas, PA 17252) for installation and operation of a surface coating operation at the facility located in St. Thomas Township, **Franklin County**. Annual VOC emissions from the facility will be limited to 15 tons per consecutive 12-month period. PM emissions from the proposed paint spray booths will be controlled by dry filters. The plan approval will include emission limits along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality requirements.

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

**17-00063A: Bionol Clearfield, LLC** (99 Longwater Circle, Norwell, MA 02061) for construction and operation of a 108 million gpy dry mill ethanol manufacturing facility at a site at their Clearfield Tech Park in Clearfield Borough, **Clearfield County**. The ethanol manufacturing facility consists of grain receiving and storage, grain milling, grain processing and fermentation, distillation, ethanol purification, stillage separation, distillers dried grain with solubles (DDGS) dryers and storage silos, DDGS loadout, ethanol loadout, four natural-gas fired boilers, emergency diesel-fired engines, eight tanks storing VOC containing material and a cooling tower.

The NOx and CO emissions from the natural gas fired boilers will be controlled by ultra-low NOx burners and good combustion practices. The PM and PM10 emissions from the grain receiving and storage, grain milling, DDGS storage and DDGS loadout will be controlled by 18 fabric collectors. The VOC and HAP emissions from the ethanol production sources will be controlled by a packed-bed water scrubber and two regenerative thermal oxidizers (RTOs). The VOC and HAP emissions from the tanks storing VOC and HAP containing materials will be controlled by internal floating roofs with primary and secondary seals. The VOC and HAPs emissions from the ethanol railcar and truck loading operations will be controlled by an enclosed flare. Combustion emissions, including CO, total PM and PM10, VOCs and HAPs, from the DDGS dryers will be controlled by the RTOs. The ethanol manufacturing facility will be considered as a natural minor facility.

The Department of Environmental Protection's (Department) review of the information provided by Bionol Clearfield, Inc. indicates that the sources at the facility will comply with all air quality requirements, including the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12; 40 CFR Part 60, Subpart Dc, 60.40c—60.48c; 40 CFR Part 60, Subpart Kb, 60.110b—60.117b; 40 CFR Part 60, Subpart VV, 60.480—60.489; and 40 CFR Part 60, Subpart IIII, 60.4200—60.4219, pertaining to air contamination sources and the emission of air contaminants. Based on this finding, the Department intends to issue a plan approval for the proposed construction and operation of the sources. Additionally, if the Department determines that the proposed sources and the air cleaning devices are operating in compliance with the plan approval conditions, the conditions established in the plan approval will be incorporated into a State-only operating permit by means of an administrative amendment under 25 Pa. Code § 127.450.

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

1. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, the emission of NOx, CO, SOx, PM, PM10, VOCs and total combined HAPs from all sources at the facility shall not equal or exceed 72.0 tons, 25.5 tons, 1.5 tons, 63.7 tons, 48.5 tons, 33.9 tons and 5.2 tons in any 12-consecutive month period respectively.

2. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, the emission of VOCs resulting from the process equipment shall not exceed 1.60 pounds per hour and 7.0 tons in any 12-consecutive month period.

3. The permittee shall comply with the fugitive emissions requirements of 25 Pa. Code §§ 123.1 and 123.2 for the construction and operation of the sources at the facility.

4. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, the facility shall process no more than 41.54 million bushels of grain in any 12-consecutive month period.

5. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, the facility shall produce no more than 108 million gallons of ethanol in any 12-consecutive month period.

6. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, the wet distiller's grain with solubles (WDGS) storage area shall be limited to use for emergency purposes only. The VOC emissions from the WDGS storage area shall not exceed 0.41 ton in any 12-consecutive month period.

7. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, any No. 2 fuel oil or diesel fuel fired in any source at this facility shall be virgin fuel to which no reclaimed or waste oil or other waste materials have been added. Additionally, the sulfur content shall not, at any time, exceed 0.05% (by weight).

8. The stack testing required by this plan approval shall be performed using reference method test procedures acceptable to the Department. At least 60 days prior to the performance of the stack testing required by this plan approval, a test plan shall be submitted to the Department for evaluation. The plan shall contain a description of the proposed test methods and dimensioned drawings or sketches showing the test port locations. The Department (Northcentral Regional Office and Central Office, Source Testing Section) shall be given at least 14 days advance notice of the scheduled dates for the performance of the stack testing required by this plan approval. Within 60 days of the completion of the stack testing required by this plan approval, two copies of the test report shall be submitted to the Department. The report shall contain the results of the tests, a description of the testing and analytical procedures actually used in performance of the tests, all process and operating data collected during the tests, a copy of all raw data and a copy of all calculations generated during data analysis.

9. Within 120 days of achieving maximum production, but no later than 180 days after initial startup, the permittee shall perform testing on the exhaust of each fabric collector to verify compliance with the total PM and PM10 emissions limitations for each respective fabric collector associated with the respective sources. All testing shall be performed while the respective sources and control device is operating at its maximum rate of production, using EPA Method 5, or equivalent test methods specifically approved, in writing, by the Department.

10. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, each fabric collector at the facility shall be equipped with instrumentation to monitor the differential pressure across the fabric collector and the actual pressure drop shall be displayed on a continuous basis.

11. The permittee shall keep records of the supporting calculations on a monthly basis for NO<sub>x</sub>, CO, SO<sub>x</sub>, PM, PM10, VOCs and total combined HAPs from all sources at the facility to verify compliance with the NO<sub>x</sub>, CO, SO<sub>x</sub>, PM, PM10, VOCs and total combined HAPs emission limitations of tons in any 12-consecutive month period.

12. The permittee shall keep records of the pressure differential across each fabric collector within the facility at least once per day during the operation of the respective fabric collector.

13. The permittee shall keep records of the amount of grain, in bushels, processed in the facility on a monthly basis to verify compliance with the grain throughput limitation in any 12-consecutive month period.

14. The permittee shall keep records of the supporting calculations on a monthly basis for VOC emissions from the process equipment to verify compliance with the VOC emission limitations of pounds per hour and tons in any 12-consecutive month period.

15. The permittee shall keep records of the fuel test reports or the fuel certification reports upon each delivery of No. 2 or lighter fuel oil to verify compliance with the percent sulfur limitation for No. 2 or lighter fuel oil.

16. The permittee shall keep up-to-date records of Certified Product Data Sheets or Material Safety Data Sheets that identify the VOC content and HAP content of each VOC and/or HAP containing material used at the facility.

17. The permittee shall keep records of the amount of ethanol produced by the facility on a monthly basis to verify compliance with the production limitation of gallons in any 12-consecutive month period.

18. All records required by the conditions contained in Plan Approval 17-00063A shall be retained for a minimum of 5 years and shall be made available to the Department upon request.

19. The permittee shall submit reports to the Department on a semiannual basis that include the supporting calculations to verify compliance with the NO<sub>x</sub>, CO, SO<sub>x</sub>, PM, PM10, VOCs and total combined HAPs emissions limitations for all sources at the facility in any 12-consecutive month period. The semiannual reports shall be submitted to the Department no later than March 1 (for January 1 through December 31 of the previous year) and September 1 (for July 1 of the previous year through June 30 of the current year).

20. The permittee shall submit reports to the Department on a semiannual basis that include the amount of ethanol produced on a monthly basis to verify compliance with the ethanol production limitation in any 12-consecutive month period. The semiannual reports shall be submitted to the Department no later than March 1 (for January 1 through December 31 of the previous year) and September 1 (for July 1 of the previous year through June 30 of the current year).

21. The permittee shall submit reports to the Department on a semiannual basis that include amount of grain, in bushels, processed in the facility to verify compliance with the grain throughput limitation in any 12-consecutive month period. The semiannual reports shall be submitted to the Department no later than March 1 (for January 1 through December 31 of the previous year) and September 1 (for July 1 of the previous year through June 30 of the current year).

22. The permittee shall submit reports to the Department on a semiannual basis that include the supporting calculations to verify compliance with the VOC emissions limitation for the process equipment in any 12-consecutive month period. The semiannual reports shall be submitted to the Department no later than March 1 (for January 1 through December 31 of the previous year) and September 1 (for July 1 of the previous year through June 30 of the current year).

23. The permittee shall report malfunctions, which occur at this facility to the Department. A malfunction is any sudden, infrequent and not reasonably preventable failure of air pollution control equipment, process equipment or a process to operate in a normal or usual manner that may result in an increase in the emissions of air contaminants. Failures that are caused in part by poor maintenance or careless operation are not malfunctions. Failures that are caused in part by poor maintenance or careless operation shall be reported as excess emissions or deviations from this plan approval's requirements. When the malfunction, excess emissions or deviation from this plan approval's requirements poses an imminent and substantial danger to the public health and safety or environment, the permittee shall notify the Department by telephone no later than 1 hour after the incident. Any malfunction, excess emissions or deviation from this plan approval's requirements that is not subject to the notice requirements above shall be reported to the Department within 24 hours of discovery. In notifying the Department, the permittee shall describe the following: name and location of the facility, nature and cause of the malfunction or breakdown, time when the malfunction or breakdown was first observed, expected duration of excess emissions, estimated rate of emissions and corrective actions or preventative measures taken. The permittee shall notify the Department immediately when corrective measures have been accomplished. Upon the request of the Department, the permittee shall submit a full written report to the Regional Air Program Manager within 15 days of the malfunction, excess emissions or deviations from this plan approval's requirements.

24. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall keep on hand a sufficient quantity of spare fabric collector bags for each fabric collector at the facility in order to be able to immediately replace any bags requiring replacement due to deterioration.

25. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, the air compressors supplying the compressed air for the fabric collectors at the facility shall be equipped with an air dryer and oil trap.

26. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, each fabric collector associated with the respective sources at the facility shall have an effective air-to-cloth ratio under actual conditions of no more than 5.0:1.

27. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, all conveyors, storage silos, surge bins, scalpers and hammermills associated with grain receiving and milling operations, which are not entirely located inside a building, shall be fully enclosed.

28. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, an operable road vacuum sweeper shall be kept onsite anytime the facility is in operation. The facility shall not be operated if the vacuum sweeper is inoperable. All trucks loaded with grain or DDGS entering or exiting the facility by means of public roadways shall have their truck beds completely tarped to prevent the emission of fugitive PM. Additionally, a highly visible notice shall be posted at the facility stating: "All loads on trucks shall be tarped before exiting facility property to prevent fugitive PM from becoming airborne." All plant roads shall be paved and properly maintained. The facility shall establish, and enforce, vehicle speed limits of no higher than 10 miles per hour on all plant roads. These speed limits shall be posted in highly visible locations within the facility.

29. Within 30 days of selection, but no less than 120 days prior to the installation, of each specific source and control device, the permittee shall submit to the Department for approval, the manufacturer name and model number with design specifications of each specific source and control device selected, by submitting the appropriate pages of the plan approval application.

30. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall implement a leak detection and repair program (LDAR) which is compliant with Subpart VV, 40 CFR 60.480—60.489. Additionally, the facility is subject to 40 CFR Part 60, Subpart VV. The permittee shall comply with all the applicable requirements specified in 40 CFR 60.480—60.489.

31. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, the emission of SO<sub>x</sub>, expressed as SO<sub>2</sub>, from each boiler shall not exceed 0.0006 pound per million Btu, 0.04 pound per hour and 0.20 ton in any 12-consecutive month period. The emission of NO<sub>x</sub> from each boiler shall not exceed 0.020 pound per million Btu, 1.54 pounds per hour and 6.78 tons in any 12-consecutive month period. The emission of CO from each boiler shall not exceed 0.009 pound per million Btu, 0.69 pound per hour and 3.05 tons in any 12-consecutive month period. The emission of PM and PM<sub>10</sub> from each boiler shall not exceed 0.003 pound per million Btu, 0.23 pound per hour and 1.03 tons in any 12-consecutive month period. Additionally, there shall be no visible emissions from the exhaust of each boiler. The emission of VOCs from each boiler shall not exceed 0.004 pound per million Btu, 0.31 pound per hour and 1.35 tons in any 12-consecutive month period. The emission of total combined HAPs from each boiler shall not exceed 0.625 ton in any 12-consecutive month period.

32. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, only natural gas shall be fired in each boiler.

33. Within 120 days of achieving maximum production, but no later than 180 days after initial startup, the permittee shall perform testing on the exhaust of each boiler to verify compliance with the NO<sub>x</sub> and CO emissions limitations. The NO<sub>x</sub> and CO stack testing shall be conducted simultaneously. All testing shall be performed while each boiler is operating at its maximum rate of production, using test methods approved by the Department.

34. The permittee shall keep records of: the supporting calculations on a monthly basis for the total PM and PM<sub>10</sub>, SO<sub>x</sub>, CO, NO<sub>x</sub> and VOC emissions from each boiler to verify compliance with the total PM and PM<sub>10</sub>, SO<sub>x</sub>, CO, NO<sub>x</sub> and VOC emissions limitations of pounds per million Btu, pounds per hour, and tons in any 12-consecutive month period; and the supporting calculations on a monthly basis for the total combined HAPs emissions from each boiler to verify compliance with the total combined HAPs emissions limitation of tons in any 12-consecutive month period.

35. The permittee shall submit reports to the Department on a semiannual basis that include the supporting calculations to verify compliance with the SO<sub>x</sub>, CO, total PM and PM<sub>10</sub>, NO<sub>x</sub>, VOC and total combined HAPs emissions limitations for each boiler in any 12-consecutive month period. The semi-annual reports shall be submitted to the Department no later than March 1 (for January 1 through December 31 of the previous year) and September 1 (for July 1 of the previous year through June 30 of the current year).

36. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall utilize ULNB and flue gas

recirculation (FGR) technology to control NOx emissions from each boiler. Each boiler shall be operated with the operation of ULNB and FGR. Each boiler shall be rated at 77.22 million Btu per hour of heat input.

37. Each boiler at the facility is subject to the New Source Performance Standards, 40 CFR Part 60, Subpart Dc and shall comply with all applicable requirements as specified in 40 CFR 60.40c—60.48c.

38. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, the PM and PM10 emissions from each grain receiving fabric collector shall not exceed 0.003 grain per dry standard cubic foot (gr/dscf), 0.77 pound per hour, and 3.4 tons in any 12-consecutive month period. Additionally, there shall be no visible emissions from the exhaust of each fabric collector associated with the respective sources.

39. The permittee shall keep records of the supporting calculations on a monthly basis for the total PM and PM10 emissions from each fabric collector associated with the respective sources to verify compliance with the total PM and PM10 emissions limitations of pounds per hour and tons in any 12-consecutive month period. Additionally, the permittee shall keep records of all stack tests reports to verify compliance with the PM and PM10 emissions limitations in gr/dscf for each fabric collector associated with the respective sources.

40. The permittee shall submit reports to the Department on a semiannual basis that include the supporting calculations to verify compliance with the total PM and PM10 emissions limitations for each fabric collector associated with the respective sources in any 12-consecutive month period. The semiannual reports shall be submitted to the Department no later than March 1 (for January 1 through December 31 of the previous year) and September 1 (for July 1 of the previous year through June 30 of the current year).

41. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, the grain receiving from railcar operation shall be enclosed on the top and sides. The grain receiving from truck operation shall be enclosed on the top and sides and be equipped with doors, which shall be shut during grain receiving from truck to create a total enclosure.

42. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall not operate the truck and/or railcar grain receiving operation, including each grain pit auger, grain conveyor and grain elevator, without the simultaneous operation of the respective fabric collector. The PM emissions from the truck and railcar grain receiving operation shall be controlled by the respective fabric collector. In addition, the PM emissions from truck dump auger No. 2 shall be controlled by the railcar receiving operation fabric collector.

43. The maximum railcar-to-dump pit grain drop height shall not exceed 4 feet. The grain receiving operation shall consist of the grain receiving from railcar operation and the grain receiving from truck operation. Each receiving operation shall consist of a grain dump pit, an auger, a grain conveyor and a grain elevator. Additionally, truck dump auger No. 2 associated with the truck dump pit exhausts to the railcar receiving operation fabric collector. The two Alston fabric collectors associated with the grain receiving operation shall be cleaned using pulse air jets and shall each have a rated airflow capacity of 30,000 standard cubic feet per minute (SCFM).

44. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, the PM and PM10 emissions from each grain storage fabric collector shall not exceed 0.003gr/dscf, 0.03

pound per hour, and 0.1 ton in any 12-consecutive month period. Additionally, there shall be no visible emissions from the exhaust of each fabric collector associated with the respective sources.

45. The permittee shall keep records of the supporting calculations on a monthly basis for the total PM and PM10 emissions from each fabric collector associated with the respective sources to verify compliance with the total PM and PM10 emissions limitations of pounds per hour and tons in any 12-consecutive month period. Additionally, the permittee shall keep records of all stack tests reports to verify compliance with the PM and PM10 emissions limitations in gr/dscf for each fabric collector associated with the respective sources.

46. The permittee shall submit reports to the Department on a semiannual basis that include the supporting calculations to verify compliance with the total PM and PM10 emissions limitations for each fabric collector associated with the respective sources in any 12-consecutive month period. The semiannual reports shall be submitted to the Department no later than March 1 (for January 1 through December 31 of the previous year) and September 1 (for July 1 of the previous year through June 30 of the current year).

47. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall not operate each grain storage operation, including each transfer conveyor and grain silo, without the simultaneous operation of the respective fabric collector. The PM emissions from each grain storage operation shall be controlled by the respective fabric collector.

48. The grain storage operation shall consist of four transfer conveyors and four grain storage silos. The grain storage silos shall each have a capacity of 8,400 tons. The four Alston fabric collectors associated with the grain storage operation shall be cleaned using pulse air jets and shall each have a rated airflow capacity of 1,000 SCFM.

49. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, the PM and PM10 emissions from each grain surge bin fabric collector shall not exceed 0.003 gr/dscf, 0.01 pound per hour, and 0.051 ton in any 12-consecutive month period. The PM and PM10 emissions from each grain milling fabric collector shall not exceed 0.003 gr/dscf, 0.15 pound per hour, and 0.7 ton in any 12-consecutive month period. Additionally, there shall be no visible emissions from the exhaust of each fabric collector associated with the respective sources.

50. The permittee shall keep records of the supporting calculations on a monthly basis for the total PM and PM10 emissions from each fabric collector associated with the respective sources to verify compliance with the total PM and PM10 emissions limitations of pounds per hour and tons in any 12-consecutive month period. Additionally, the permittee shall keep records of all stack tests reports to verify compliance with the PM and PM10 emissions limitations in gr/dscf for each fabric collector associated with the respective sources.

51. The permittee shall submit reports to the Department on a semiannual basis that include the supporting calculations to verify compliance with the total PM and PM10 emissions limitations for each fabric collector associated with the respective sources in any 12-consecutive month period. The semiannual reports shall be submitted to the Department no later than March 1 (for January 1 through December 31 of the previous year) and September 1 (for July 1 of the previous year through June 30 of the current year).



52. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall not operate each grain surge bin and milling operation, including each surge bin, scalping screen and hammermill, without the simultaneous operation of the respective fabric collector. The PM emissions from each grain surge bin and milling operation shall be controlled by the respective fabric collector. Additionally, the PM emissions from the scalping screen shall be controlled by the fabric collector associated with surge bin No. 1.

53. The grain surge bin operation shall consist of two surge bins and a scalping screen. The surge bins shall each have a capacity of 840 tons/hr. The grain milling operation shall consist of four hammermills. The hammermills shall each have a capacity of 42 tph. The two Alston fabric collectors associated with the grain surge bin operation shall be cleaned using pulse air jets and shall each have a rated airflow capacity of 400 SCFM. The four Alston fabric collectors associated with the grain milling operation shall be cleaned using pulse air jets and shall each have a rated airflow capacity of 6,000 SCFM.

54. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, the emission of SO<sub>x</sub>, expressed as SO<sub>2</sub>, from each RTO associated with the ethanol process shall not exceed 0.0006 pound per million Btu, 0.06 pound per hour and 0.25 ton in any 12-consecutive month period. The emission of NO<sub>x</sub> from each RTO associated with the ethanol process shall not exceed 0.040 pound per million Btu, 2.88 pounds per hour and 18.9 tons in any 12-consecutive month period. The emission of CO from each RTO associated with the ethanol process shall not exceed 0.002 pound per million Btu, 1.22 pounds per hour and 5.3 tons in any 12-consecutive month period. The emission of PM and PM10 from each RTO associated with the ethanol process shall not exceed 0.005 gr/dscf, 2.85 pounds per hour and 12.3 tons in any 12-consecutive month period. Additionally, there shall be no visible emissions from the exhaust of each RTO associated with the ethanol process. The emission of VOCs from each RTO associated with the ethanol process shall not exceed 1.92 pounds per hour and 7.5 tons in any 12-consecutive month period. The emission of total combined HAPs from each RTO associated with the ethanol process shall not exceed 0.31 pound per hour and 1.35 tons in any 12-consecutive month period.

55. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, only natural gas shall be fired in each RTO associated with the ethanol process and in each DDGS dryer.

56. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, each RTO shall destroy the VOC/HAP emissions ducted to it at a destruction efficiency of no less than 99% (by weight). In addition, each RTO shall destroy the CO emissions ducted to it at a destruction efficiency of no less than 95% (by weight).

57. Within 120 days of achieving maximum production, but no later than 180 days after initial startup, the permittee shall perform testing on the inlet and exhaust of each RTO associated with the ethanol process to verify compliance with VOCs, CO and PM emissions limitations and the VOC/HAP and CO destruction efficiency of each RTO. All testing shall be performed while the facility is operating at representative operating conditions, using test methods approved by the Department. Additionally, the test shall verify compliance with a VOC/HAP destruction efficiency of 99%, a CO destruction efficiency of 95% and a PM outlet concentration of 0.005 gr/dscf for each RTO. During the stack testing, the temperature of the

combustion chamber of each RTO shall be monitored and the temperature shall not go below 1,550° F or above 1,650° F. Additionally, the pressure drop of the bed media of each RTO shall be monitored and recorded during testing.

58. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, each RTO shall be equipped with instrumentation to monitor and record the temperature of the combustion chamber of each RTO on a continuous basis. Each RTO shall be equipped with instrumentation to monitor the pressure drop across the bed media of each RTO and the monitor shall be operated on a continuous basis.

59. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, the fermentation scrubber shall be equipped with instrumentation to monitor the scrubber water flow rate, pressure drop across the scrubber, and pH of the scrubber water and the monitor shall be operated on a continuous basis.

60. The permittee shall keep records of: the supporting calculations on a monthly basis for the total PM and PM10, and VOC emissions from each RTO associated with the ethanol process to verify compliance with the total PM and PM10 and VOC emissions limitations of pounds per hour and tons in any 12-consecutive month period; the supporting calculations on a monthly basis for SO<sub>x</sub>, CO and NO<sub>x</sub> emissions from each RTO to verify compliance with the SO<sub>x</sub>, CO and NO<sub>x</sub> emissions limitations of pounds per million Btu, pounds per hour and tons in any 12-consecutive month period; and the total combined HAPs emissions from each RTO to verify compliance with the total combined HAPs emissions limitations of tons in any 12-consecutive month period. Additionally, the permittee shall keep records of all stack tests reports to verify compliance with the PM and PM10 emissions limitations in gr/dscf for each RTO associated with the ethanol process.

61. The permittee shall continuously record the temperature of the combustion chamber of each RTO by means of temperature recorder when the respective RTO is in operation. The permittee shall record the pressure drop of the bed media of each RTO at least once per day when the respective RTO is in operation.

62. The permittee shall submit reports to the Department on a semiannual basis that include the supporting calculations to verify compliance with the SO<sub>x</sub>, CO, total PM and PM10, NO<sub>x</sub>, VOC and total combined HAPs emissions limitations for each RTO associated with the ethanol process in any 12-consecutive month period. The semiannual reports shall be submitted to the Department no later than March 1 (for January 1 through December 31 of the previous year) and September 1 (for July 1 of the previous year through June 30 of the current year).

63. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, the scrubbing water flow rate in the fermentation scrubber shall be no less than 200 gpm at all times the scrubber is operating. Additionally, the scrubber shall only use clean water on a once-through basis.

64. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall not operate the yeast tank, each fermenter, and/or the beer well, without the simultaneous operation of the fermentation scrubber and both RTOs. The permittee shall not operate the slurry tank, each liquefaction tank, the beer column, the stripper, the rectifier, the evaporator system, the whole stillage tank, the thin stillage tank, the syrup tank, each centrifuge, each molecular sieve and/or the 200-proof condenser without the simultaneous operation of the both RTOs.

The permittee shall not operate DDGS dryer No. 1 and/or DDGS cooler No. 1 without the simultaneous operation of RTO No. 1. The permittee shall not operate DDGS dryer No. 2 and/or DDGS cooler No. 2 without the simultaneous operation of RTO No. 2. In order for each RTO to be considered in operation, the combustion chamber of the respective RTO shall achieve and maintain a temperature of at least 1,600° F. The VOC and HAP emissions from the fermentation operation shall be controlled by the fermentation scrubber and the RTOs. The PM, CO, VOC and HAP emissions from the distillation, separation and DDGS drying operations shall be controlled by the RTOs.

65. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, should one RTO be inoperable, the permittee may operate the fermentation system, distillation system, separation system and DDGS drying system, provided that; the permittee does not operate the DDGS dryer and cooler associated with the inoperable RTO, the permittee monitors the slurry output from the slurry tank and the slurry output does not exceed 0.508 million pounds per hour, and the permittee monitors the beer flow rate into the beer well and the beer flow rate does not exceed 0.488 million pounds per hour. In addition, the permittee shall record the times when only one RTO was operating, as well as the slurry output and beer flow rate at least every hour during the time that only one RTO was operating.

66. The fermentation system shall consist of the following sources: one slurry tank with a 62,500 gallon capacity; two liquefaction tanks each with a 165,700 gallon capacity; one yeast tank with a 277,200 gallon capacity; seven fermenters each with a 824,200 gallon capacity; and one beer well with a 1,058,000 gallon capacity. The distillation system shall consist of the following sources: one beer column; one stripper; one rectifier; two molecular sieves; and one 200 proof condenser. The separation system shall consist of the following sources: one whole stillage tank with a 556,800 gallon capacity; four centrifuges; one thin stillage tank with a 556,800 gallon capacity; one evaporator system; one process condensate tank with a 932,800 gallon capacity; and one syrup tank with a 313,200 gallon capacity. The DDGS drying system shall consist of the following sources: two natural-gas fired DDGS dryers, each with a rated burner capacity of 90.0 mmBtu/hr and a multiclone for product recovery; and two DDGS coolers that use ambient air for cooling, each with a baghouse for combustion air cleaning. Each DDGS drying system shall have a rated airflow capacity of 215,000 SCFM, with all air cleaned by the multiclones and baghouses exhausting back to the burner of each dryer and not exhausting to atmosphere. The fermentation scrubber is a packed gas column scrubber and shall have a designed airflow capacity of 12,280 SCFM. The two RTOs are natural gas fired units and each shall have a designed airflow capacity of 71,100 SCFM, burner capacity of 18 mmBtu/hr and a flush chamber.

67. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, the PM and PM10 emissions from the DDGS reclaim fabric collector shall not exceed 0.003 gr/dscf, 0.06 pound per hour, and 0.3 ton in any 12-consecutive month period. The PM and PM10 emissions from each DDGS storage fabric collector shall not exceed 0.003 gr/dscf, 0.03 pound per hour, and 0.1 ton in any 12-consecutive month period. The PM and PM10 emissions from each DDGS truck loadout fabric collector shall not exceed 0.003 gr/dscf, 0.05 pound per hour, and 0.2 ton in any 12-consecutive month period. The PM and PM10 emissions from each DDGS railcar loadout fabric collector shall not exceed 0.003 gr/dscf, 0.08 pound per hour and 0.3 ton in any 12-consecutive month period. Additionally, there shall

be no visible emissions from the exhaust of each fabric collector associated with the respective sources.

68. The permittee shall keep records of the supporting calculations on a monthly basis for the total PM and PM10 emissions from each fabric collector associated with the respective sources to verify compliance with the total PM and PM10 emissions limitations of pounds per hour and tons in any 12-consecutive month period. Additionally, the permittee shall keep records of all stack tests reports to verify compliance with the PM and PM10 emissions limitations in gr/dscf for each fabric collector associated with the respective sources.

69. The permittee shall submit reports to the Department on a semiannual basis that include the supporting calculations to verify compliance with the total PM and PM10 emissions limitations for each fabric collector associated with the respective sources in any 12-consecutive month period. The semiannual reports shall be submitted to the Department no later than March 1 (for January 1 through December 31 of the previous year) and September 1 (for July 1 of the previous year through June 30 of the current year).

70. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall not operate each DDGS operation, including the DDGS storage building, the DDGS reclaim, each DDGS silo and associated transfer conveyor, each DDGS truck loadout spout and/or the DDGS railcar loadout spout without the simultaneous operation of the respective fabric collector. The PM emissions from each DDGS storage and loadout operation shall be controlled by the respective fabric collector.

71. The DDGS storage and loadout operation shall consist of one enclosed DDGS storage building, one enclosed DDGS reclaim area, two DDGS storage silo transfer conveyors, two DDGS storage silos with a 4,000 ton capacity each, two DDGS truck loadout spouts and one DDGS railcar loadout spout. The Alston fabric collector associated with the DDGS reclaim area shall be cleaned using pulse air jets and shall have a rated airflow capacity of 2,500 SCFM. The two Alston fabric collector associated with the DDGS storage operation shall be cleaned using pulse air jets and shall each have a rated airflow capacity of 1,000 SCFM. The two Alston fabric collector associated with the DDGS truck loadout operation shall be cleaned using pulse air jets and shall each have a rated airflow capacity of 2,000 SCFM. The Alston fabric collector associated with the DDGS railcar loadout operation shall be cleaned using pulse air jets and shall have a rated airflow capacity of 3,000 SCFM.

72. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, the VOC emissions from the tanks storing VOC-containing material at the facility shall not exceed 0.312 pound per hour and 1.37 tons in any 12-consecutive month period.

73. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall visually inspect the internal floating roof, the primary seal and the secondary seal of the denaturant tank prior to filling. If there are holes, tears or other openings in the primary seal, the secondary seal or the seal fabric or defects in the internal floating roof or both, the permittee shall repair the items before filling the denaturant tank.

74. The permittee shall keep records of the supporting calculations on a monthly basis for the VOC emissions from the tanks storing VOC-containing material to verify compliance with the VOC emissions limitations of tons in any 12-consecutive month period.

75. Under 40 CFR 60.115b(a), the permittee shall keep records to verify that the denaturant tank meets the requirements of 40 CFR Part 60, Subpart Kb. In addition, the permittee shall keep records of each inspection performed on the denaturant tank.

76. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall keep records of the period of storage of each fill in the denaturant tank and the maximum true vapor pressure of the denaturant in each fill of the denaturant tank. The permittee shall use available data on Reid vapor pressure and maximum expected storage temperature based on the highest expected calendar-month average temperature to calculate maximum true vapor pressure.

77. The permittee shall submit reports to the Department on a semiannual basis that include the supporting calculations to verify compliance with the VOC emissions limitations for the tanks storing VOC-containing material in any 12-consecutive month period. The semiannual reports shall be submitted to the Department no later than March 1 (for January 1 through December 31 of the previous year) and September 1 (for July 1 of the previous year through June 30 of the current year).

78. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, the denaturant tank shall be equipped with a mechanical shoe primary seal and a rim-mounted secondary seal.

79. The denaturant tank is subject to 40 CFR Part 60, Subpart Kb. The permittee shall comply with all the applicable requirements specified in 40 CFR 60.110b—60.117b.

80. The denaturant tank is subject to 25 Pa. Code § 129.56. The permittee shall comply with all the applicable requirements specified in 25 Pa. Code § 129.56.

81. The tanks storing VOC-containing material include the following: two 200 proof ethanol day tanks with a 100,000 gallon capacity each; one gasoline denaturant storage tank with a 77,000 gallon capacity; two denatured ethanol storage tanks with a 1.5 million gallon capacity each; one 200 proof off-spec ethanol day tank with a 100,000 gallon capacity; one corrosion inhibitor tank with a 6,000 gallon capacity; and one diesel (No. 2 fuel oil) storage tank with a 6,000 gallon capacity.

82. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, the emission of SO<sub>x</sub>, expressed as SO<sub>2</sub>, from the ethanol loadout enclosed flare shall not exceed 0.0006 pound per million Btu, 0.007 pound per hour and 0.03 ton in any 12-consecutive month period. The emission of NO<sub>x</sub> from the ethanol loadout enclosed flare shall not exceed 0.0334 pound per thousand gallons of ethanol, 0.41 pound per hour, and 1.8 tons in any 12-consecutive month period. The emission of CO from the ethanol loadout enclosed flare shall not exceed 0.0835 pound per thousand gallons of ethanol, 1.03 pounds per hour and 4.5 tons in any 12-consecutive month period. The emission of PM and PM<sub>10</sub> from the ethanol loadout enclosed flare shall not exceed 0.040 pound per million Btu, 0.50 pound per hour and 2.2 tons in any 12-consecutive month period. Additionally, there shall be no visible emissions from the exhaust of the ethanol loadout enclosed flare. The emission of VOCs from the ethanol loadout enclosed flare shall not exceed 5.81 pounds per hour and 4.55 tons in any 12-consecutive month period. The emission of total combined HAPs from the ethanol loadout enclosed flare shall not exceed 0.89 pound per hour and 0.70 ton in any 12-consecutive month period.

83. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, the ethanol loadout enclosed flare shall destroy the VOC/HAP emissions from the ethanol loadout operation at a destruction efficiency of no less than 98% (by weight).

84. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall not operate the truck ethanol loadout and/or the railcar ethanol loadout without the simultaneous operation of the ethanol loadout enclosed flare. In order for the ethanol loadout enclosed flare to be considered in operation, the combustion chamber of the ethanol loadout enclosed flare shall achieve and maintain a temperature of at least 1,800° F. The VOC and HAP emissions from the ethanol loadout operation shall be controlled by the ethanol loadout enclosed flare.

85. Within 120 days of achieving maximum production, but no later than 180 days after initial startup, the permittee shall perform testing on the inlet and exhaust of the ethanol loadout enclosed flare to verify compliance with the VOC emissions limitations and the VOC/HAP destruction efficiency of the ethanol loadout enclosed flare. All testing shall be performed while the facility is operating at representative operating conditions, using test methods approved by the Department. Additionally, the test shall verify compliance with a VOC/HAP destruction efficiency of 98%. During the stack testing, the temperature of the combustion chamber of the ethanol loadout enclosed flare shall be monitored and the temperature shall not go below 1,750° F or above 1,850° F.

86. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, the ethanol loadout enclosed flare shall be equipped with instrumentation to monitor and record the temperature of the combustion chamber on a continuous basis.

87. The permittee shall keep records of: the supporting calculations on a monthly basis for the total PM and PM<sub>10</sub>, and SO<sub>x</sub> emissions from the ethanol loadout enclosed flare to verify compliance with the total PM and PM<sub>10</sub>, and SO<sub>x</sub> emissions limitations of pounds per million Btu, pounds per hour, and tons in any 12-consecutive month period; the supporting calculations on a monthly basis for CO and NO<sub>x</sub> emissions from the ethanol loadout enclosed flare to verify compliance with the CO and NO<sub>x</sub> emissions limitations of pounds per thousand gallons of ethanol, pounds per hour and tons in any 12-consecutive month period; and the supporting calculations on a monthly basis for VOC and total combined HAP emissions from the ethanol loadout enclosed flare to verify compliance with the VOC and total combined HAP emissions limitations of pounds per hour and tons in any 12-consecutive month period.

88. The permittee shall continuously record the temperature of the combustion chamber of the ethanol loadout enclosed flare by means of temperature chart recorder when the ethanol loadout enclosed flare is in operation.

89. The permittee shall submit reports to the Department on a semiannual basis that include the supporting calculations to verify compliance with the SO<sub>x</sub>, CO, total PM and PM<sub>10</sub>, NO<sub>x</sub>, VOC and total combined HAPs emissions limitations for the ethanol loadout enclosed flare in any 12-consecutive month period. The semiannual reports shall be submitted to the Department no later than March 1 (for January 1 through December 31 of the previous year) and September 1 (for July 1 of the previous year through June 30 of the current year).

90. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, all VOC emissions displaced from railcars and

trucks being loaded with ethanol shall be collected through dedicated vapor collection lines and ducted to the ethanol loadout enclosed flare for destruction.

91. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, the ethanol loadout enclosed flare shall be equipped with an interlock system that will automatically shutdown loading operations if the combustion chamber temperature of the ethanol loadout enclosed flare falls below 1,800° F.

92. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, the ethanol loadout operation consists of a truck ethanol loadout spout and a railcar ethanol loadout spout. The ethanol loadout flare shall be an enclosed flare. Natural gas is used for the pilot and backup fuel supply of the ethanol loadout enclosed flare.

93. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, the emission of SO<sub>x</sub>, expressed as SO<sub>2</sub>, from the emergency generator shall not exceed 0.05 pound per million Btu, 1.3 pounds per hour and 0.2 ton in any 12-consecutive month period. The emission of NO<sub>x</sub> plus nonmethane hydrocarbons (NMHC) from the emergency generator shall not exceed 4.8 grams per brake horsepower-hour (g/bhp-hr), 39.6 pounds per hour and 4.9 tons in any 12-consecutive month period. The emission of CO from the emergency generator shall not exceed 0.41 g/bhp-hr, 3.4 pounds per hour and 0.4 ton in any 12-consecutive month period. The emission of PM and PM<sub>10</sub> from the emergency generator shall not exceed 0.05 g/bhp-hr, 0.4 pound per hour and 0.05 ton in any 12-consecutive month period. Additionally, there shall be no visible emissions from the exhaust of emergency generator. The emission of NMHC, including VOCs, from the emergency generator shall not exceed 0.1 g/bhp-hr, 0.8 pound per hour, and 0.10 ton in any 12-consecutive month period. The emission of total combined HAPs from the emergency generator shall not exceed 0.04 pound per hour and 0.006 ton in any 12-consecutive month period. The Department will evaluate the actual emission rates for NO<sub>x</sub> and CO and may revise the allowable emission rates upon demonstrated performance during the first five years of operation.

94. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, the sulfur content of the No. 2 fuel oil or diesel fuel fired in the emergency generator shall not, at any time, exceed 0.05% (by weight).

95. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, the emergency generator shall not be operated more than 250 hours in any 12-consecutive month period.

96. Within 120 days of achieving maximum production, but no later than 180 days after initial startup, the permittee shall perform testing on the exhaust of the emergency generator to verify compliance with the NO<sub>x</sub> and CO emissions limitations. The NO<sub>x</sub> and CO testing shall be conducted simultaneously. All testing shall be performed while the emergency generator is operating at its maximum rate of production, using test methods approved by the Department.

97. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, the emergency generator shall be equipped with a nonresettable meter for hours of operation prior to startup and the meter shall be operated at all times the emergency generator is in operation.

98. The permittee shall keep records of the number of hours that the emergency generator operates on a monthly basis to verify compliance with the operation hours restriction in any 12-consecutive month period.

99. The permittee shall keep records of: the supporting calculations on a monthly basis for the total PM and PM<sub>10</sub>, CO, NO<sub>x</sub> + NMHC and NMHC, including VOCs, emissions from the emergency generator to verify compliance with the total PM and PM<sub>10</sub>, CO, NO<sub>x</sub> + NMHC and NMHC, including VOCs, emissions limitations of g/bhp-hr, pounds per hour, and tons in any 12-consecutive month period; the supporting calculations on a monthly basis for SO<sub>x</sub> emissions from the emergency generator to verify compliance with the SO<sub>x</sub> emissions limitations of pounds per million Btu, pounds per hour, and tons in any 12-consecutive month period; and the supporting calculations on a monthly basis for total combined HAP emissions from the emergency generator to verify compliance with the HAP emissions limitations of pounds per hour and tons in any 12-consecutive month period.

100. The permittee shall submit reports to the Department on a semiannual basis that include the supporting calculations to verify compliance with the SO<sub>x</sub>, CO, total PM and PM<sub>10</sub>, NO<sub>x</sub> + NMHC, NMHC, including VOC and total combined HAPs emissions limitations for the emergency generator in any 12-consecutive month period. Additionally, the permittee shall submit reports to the Department on a semiannual basis that include the hours of operation of the emergency generator to verify compliance with hours of operation limitation in any 12-consecutive month period. The semiannual reports shall be submitted to the Department no later than March 1 (for January 1 through December 31 of the previous year) and September 1 (for July 1 of the previous year through June 30 of the current year).

101. The emergency generator is a Caterpillar model C175-16 engine, which shall be rated at 3,740 horsepower and fired on diesel fuel (No. 2 fuel oil).

102. The emergency generator is subject to the New Source Performance Standards, 40 CFR Part 60, Subpart IIII and shall comply with all applicable requirements as specified in 40 CFR 60.4200—60.4219.

103. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, the emission of SO<sub>x</sub>, expressed as SO<sub>2</sub>, from the fire pump shall not exceed 0.05 pound per million Btu, 0.13 pound per hour and 0.02 ton in any 12-consecutive month period. The emission of NO<sub>x</sub> from the fire pump shall not exceed 3.68 g/bhp-hr, 2.92 pounds per hour and 0.4 ton in any 12-consecutive month period. The emission of CO from the fire pump shall not exceed 0.47 g/bhp-hr, 0.37 pound per hour, and 0.05 ton in any 12-consecutive month period. The emission of PM and PM<sub>10</sub> from the fire pump shall not exceed 0.20 g/bhp-hr, 0.16 pound per hour and 0.02 ton in any 12-consecutive month period. Additionally, there shall be no visible emissions from the exhaust of the fire pump. The emission of NMHC, including VOCs, from the fire pump shall not exceed 0.46 g/bhp-hr, 0.37 pound per hour and 0.05 ton in any 12-consecutive month period. The emission of total combined HAPs from the fire pump shall not exceed 0.004 pound per hour and 0.0005 ton in any 12-consecutive month period.

104. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, the sulfur content of the No. 2 fuel oil or diesel fuel fired in the fire pump shall not, at any time, exceed 0.05% (by weight).

105. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, the fire pump shall not be operated more than 250 hours in any 12-consecutive month period.

106. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, the fire pump shall be equipped with a

nonresettable meter for hours of operation prior to startup and the meter shall be operated at all times the fire pump is in operation.

107. The permittee shall keep records of the number of hours that the fire pump operates on a monthly basis to verify compliance with the operation hours restriction in any 12-consecutive month period.

108. The permittee shall keep records of: the supporting calculations on a monthly basis for the total PM and PM10, CO, NO<sub>x</sub> and NMHC, including VOC, emissions from the fire pump to verify compliance with the total PM and PM10, CO, NO<sub>x</sub> and NMHC, including VOC, emissions limitations of g/bhp-hr, pounds per hour, and tons in any 12-consecutive month period; the supporting calculations on a monthly basis for SO<sub>x</sub> emissions from the fire pump to verify compliance with the SO<sub>x</sub> emissions limitations of pounds per million Btu, pounds per hour and tons in any 12-consecutive month period; and the supporting calculations on a monthly basis for total combined HAP emissions from the fire pump to verify compliance with the HAP emissions limitations of pounds per hour and tons in any 12-consecutive month period.

109. The fire pump is a Clarke model 5X6H-UF60 engine, which shall be rated at 360 horsepower and fired on diesel fuel (No. 2 fuel oil).

110. The Department reserves the right to require verification of emission rates from the fire pump, which may include source testing, in accordance with applicable provisions of 25 Pa. Code Chapter 139 (relating to sampling and testing) or portable exhaust gas analyzer testing approved by the Department.

111. The fire pump is subject to the New Source Performance Standards, 40 CFR Part 60, Subpart IIII and shall comply with all applicable requirements as specified in 40 CFR 60.4200—60.4219.

112. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, the emission of PM and PM10 from the cooling tower shall not exceed 0.50 pound per hour and 2.17 tons in any 12-consecutive month period.

113. The permittee shall keep records of the supporting calculations on a monthly basis for the total PM and PM10 emissions from the cooling tower to verify compliance with the total PM and PM10 emissions limitations of pounds per hour and tons in any 12-consecutive month period.

114. Under BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, each cell of the cooling tower shall be equipped with a drift eliminator. The drift eliminator located on each cell of the cooling tower shall be capable of achieving a maximum drift rate of 0.0001%. The cooling tower shall have a maximum circulating water flow rate of 36,000 gpm.

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

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, William Charlton, New Source Review Chief, (412) 442-4174.*

**PA-32-00266B: Evergreen Landfill, Inc.—Evergreen Landfill** (P. O. Box 195, Route 19, Coral, PA 15731) for the Phase III landfill expansion project in Center and Brush Valley Townships, **Indiana County**.

Under 25 Pa. Code § 127.44(a)(4), the Department of Environmental Protection (Department) intends to issue a Plan Approval to Evergreen Landfill, Inc. for the Phase III landfill expansion project at the Evergreen Landfill, P. O. Box 195, Route 19, Coral, PA 15731 in Center and Brush Valley Townships, Indiana County. As currently configured, Evergreen landfill has a waste capacity of approximately 2.75 million tons. The Phase III expansion is expected to increase that capacity by 4.56 million tons up to 7.3 million tons. Though the landfill will be larger, Evergreen has not forecasted an increase in the rate at which waste is accepted. This is a Title V Facility.

Copies of the application, the Department's analysis and other documents used in evaluation of the application are available for public inspection during normal business hours at this address: Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222.

In order for the Department to assure compliance with all applicable standards, the Department proposes to place the following conditions on the Plan Approval:

#### Special Conditions

1. This Plan Approval authorizes the construction of a new Phase III disposal area and gas collection system at the Evergreen Landfill Inc. municipal solid waste landfill facility located in Center and Brush Valley Townships, Indiana County. (Title 25 Pa. Code § 127.12b)

2. The amended design capacity of this facility is established at 7.3 million tons of municipal solid waste. This includes the waste deposited in the existing Phase I and Phase II areas, and the anticipated capacity of the proposed Phase III expansion area. Any increase in the design capacity above this level is subject to permitting by both Air Quality (AQ) and the Bureau of Waste Management (BWM). (25 Pa. Code § 127.12b)

3. This entire facility is subject to the applicable requirements of 40 CFR 60, Subpart WWW—Standards of Performance for Municipal Solid Waste Landfills.

4. In accordance with 40 CFR 752(b)(2)(iii)(B), the enclosed flare shall be operated to either reduce NMOC emissions by 98 weight-percent, or reduce the outlet NMOC concentration to less than 20 parts per million by volume, dry basis as hexane at 3% oxygen.

5. The enclosed flare shall be operated with no visible emissions except for periods not to exceed a total of 5 minutes during any two consecutive hours. (25 Pa. Code § 127.12b and 40 CFR 60.18(c)(1))

6. The Owner/Operator shall not permit the emission to the outdoor atmosphere from any source of any odorous air contaminants determined to be objectionable by the Department in such a manner that such odorous air contaminants are detectable outside the property on which the source is being operated. (25 Pa. Code § 127.12b)

7. The owner/operator shall comply with the fugitive emission standards adopted established at 123.1 and 123.2. There shall be no fugitive emissions except those that arise from the use of roads and stockpiling of materials. All reasonable actions shall be taken to prevent PM from aforementioned activities from becoming airborne. In no case shall fugitive emissions from the aforementioned activities cross the property line.

8. Emissions from the facility shall be limited as follows (Title 25 Pa. Code § 127.12b):

<i>Parameter</i>	<i>Facility Emission Limits (12 month rolling average)</i>
NO <sub>x</sub>	34.37
CO	76.97
VOC	26.72
SO <sub>2</sub>	6.53
PM <sub>10</sub>	57.95
NMOC	40.3
HAPs	7.80

9. The Phase III landfill gas collection and control system shall be operated in accordance with 40 CFR 60.753

a. Gas shall be extracted from each area, cell or group of cells in which solid waste has been in place for:

- i. 5 years or more if active; or
- ii. 2 years or more if closed or at final grade.

b. The Phase III gas collection system shall be operated with a negative pressure at each wellhead except under the following conditions:

i. When a fire or increased well temperature is detected. The owner/operator shall record instances when positive pressure occurs in efforts to avoid fire.

ii. When the collection or control systems are experiencing down times due to routine maintenance. Routine equipment maintenance includes gas collection header repairs, wellhead and valve repairs, replacement or modifications and other similar activities.

iii. As otherwise allowed under 40 CFR 60.753(b) and/or the alternative compliance requirements in the Title V permit for this facility.

c. Gas temperature in each interior wellhead shall be less than 55° C, and shall have either a nitrogen level less than 20% or an oxygen level less than 5%. When approved by the Department, the owner/operator may establish a higher operating temperature, nitrogen, or oxygen value at a particular well after demonstrating that the elevated parameter does not increase emissions, cause fires or significantly inhibit anaerobic decomposition by killing methanogens. In addition, the owner/operator is allowed to follow the alternative compliance requirements specified in the Title V permit for this facility.

i. The nitrogen level shall be determined by using United States Environmental Protection Agency (EPA) Method 3C or as otherwise allowed under 40 CFR 60.753(c)(1).

ii. The oxygen content shall be determined using an oxygen meter per EPA Method 3A or 3C or as otherwise allowed under 40 CFR 60.753(c)(2).

d. The Phase III gas collection system shall be operated with a methane leakage concentration of less than 500 ppm at any exposed piping, at all points around the perimeter of the collection area and along a serpentine pattern spaced 30 meters apart across the collection area. The monitoring shall be conducted in accordance with a topographical map that shows proposed testing route and as specified in 40 CFR 60.753(d). Methane leakage testing shall be done in accordance with EPA Method 21 found in Appendix A of 40 CFR 60.

e. Owner/operator shall monitor in accordance with 40 CFR 60.756.

i. Owner/operator shall install, calibrate, maintain and operate a temperature monitoring device to monitor the operating temperature of the enclosed ground flare. The device shall be equipped with a continuous recorder. The device shall have an accuracy of +/- 1% of the temperature being measured, expressed in degrees Celsius or +/- 0.5° C, whichever is greater.

ii. Owner/operator shall either: install, calibrate, maintain and operate a gas flow rate measuring device that shall record the flow of landfill gas to the new enclosed flare at least every 15 minutes; or secure any flare bypass line in the closed position with a car-seal or a lock-and-key type configuration. A visual inspection of the seal or closure mechanism shall be performed at least once a month to ensure that the valve is maintained in the closed position and that the gas flow is not being diverted through any bypass line.

iii. The owner/operator shall measure gauge pressure at each wellhead on a monthly basis in accordance with 40 CFR 60.753(a)(3). If a positive pressure exists, action shall be initiated to correct this condition within 5 calendar days and in accordance with the corrective action schedules specified in 40 CFR 60.755.

iv. To check for air infiltration into the landfill, the owner/operator shall monitor each well monthly for temperature, and nitrogen or oxygen concentration in accordance with 40 CFR 60.755(a)(5).

v. On a quarterly basis, the owner/operator shall monitor surface methane concentration using the procedures given in 40 CFR 60.755(c) and EPA Method 21 found in Appendix A of 40 CFR 60.

vi. All monitoring and measuring devices shall be calibrated, maintained and operated according to the manufacturer's specifications. The owner/operator shall also comply with the provisions of 40 CFR 60.756(b) or (c) or (d).

f. Owner/operator shall evaluate the condition of the facility daily to verify compliance with the fugitive emission, visible emission and objectionable odor provisions of this approval. If problems are observed, permittee shall take immediate action to bring facility back into compliance. (25 Pa. Code § 127.12b)

10. Owner/operator shall comply with the recordkeeping provisions of 40 CFR 60.758.

a. The owner/operator shall keep on site records of the maximum design capacity, the current amount of solid waste in place, and a year by year waste acceptance rate.

b. The owner/operator shall keep daily records of gas flow to the control device, and any parameters that are available to indicate that the control device is operating properly.

c. The owner/operator shall keep records of wells in operation and wells out of operation (if any).

d. The owner/operator shall keep records of the installation date and location of all newly installed or replaced collection wells, pipe headers and other collection pipe assemblies.

e. The owner/operator shall keep documentation of the nature, date of deposition, amount and location of asbestos containing or nondegradable waste excluded from collection as well as any nonproducing areas excluded from the landfill gas collection system.

f. The owner/operator shall keep records of all monitoring activities performed to meet the requirements of 40 CFR 60, Subpart WWW.

g. The owner/operator shall keep records of any exceedence in the collection or control systems as defined in 40 CFR 60, Subpart WWW.

11. The owner/operator shall keep records of all actions taken to ensure compliance with the fugitive emission, visible emission and objectionable odor provisions of this approval. (25 Pa. Code § 127.12b)

12. Records required under this Plan Approval shall be kept for a minimum period of 5 years and be made available to the Department upon request. (25 Pa. Code § 127.12b)

In accordance with 40 CFR 60.4, copies of all requests, reports, applications, submittals and other communications shall be forwarded to both the Environmental Protection Agency and the Department of Environmental Protection at the addresses shown, unless otherwise noted:

Director, Air, Toxics and Radiation  
Environmental Protection Agency  
Region III  
1650 Arch Street  
Philadelphia, PA 19103

Department of Environmental Protection  
Regional Air Quality Manager  
Office of Air Quality  
400 Waterfront Drive  
Pittsburgh, PA 15222-4745

The owner/operator shall comply with all of the reporting requirements of 40 CFR 60.757, including initial design capacity report, amended design capacity report (when applicable), NMOC emission rate report (when applicable), collection and control system design plan, initial performance test report, annual reports, closure report and equipment removal reports.

13. The owner/operator shall, on or before March 1st of each year, submit to the Department, Air Quality an Annual Inventory and Emission Statement for the previous year on forms provided by the Department. (25 Pa. Code § 127.12b)

14. The owner/operator shall include with the Annual Inventory and Emission Statement a forecast of the total (before controls) NMOC emission generation rate anticipated each year for the next 5 years. Additionally, owner/operator shall calculate the actual NMOC emission rate, taking into account collection efficiencies and total destruction efficiencies achieved through the use of the landfill gas collection and destruction system. Forecast shall describe the current and scheduled collection system configurations for the forecast years, and shall include emissions from the actual waste in place, and the waste scheduled to be collected during the forecast years. (25 Pa. Code § 127.12b)

a. The owner/operator shall use the value of the methane generation rate constant,  $k$ , published at the most recent compilation of air pollution emission factors (AP-42) to calculate NMOC emission rates. Other values of  $k$  may be used, provided that the use of an alternate value can be demonstrated through testing or engineering calculations.

b. The owner/operator shall use the value of the methane generation potential,  $L_0$ , published at the most recent compilation of air pollution emission factors (AP-42) to calculate NMOC emission rates. Other values of  $L_0$  may be used, provided that the use of an alternate value can be demonstrated through testing or engineering calculations.

c. The NMOC concentration determined during the most recent test shall be used when calculating NMOC emission rates.

15. This approval to construct shall become invalid if: (1) construction is not commenced (as defined in 40 CFR 52.21(b)(8)) within 18 months after the date of this approval; or, (2) if construction is discontinued for a period of 18 months or more. (25 Pa. Code § 127.13(b))

16. This Plan Approval authorizes temporary operation of the sources covered by this Plan Approval provided the following conditions are met. (25 Pa. Code § 127.12(b))

a. The owner/operator shall submit written Notice of the Completion of Construction and the Operator's intent to commence operation at least 5 days prior to the completion of construction. The Notice shall state the date when construction will be completed and the date when the Operator expects to commence operation.

b. Operation of the sources covered by this Plan Approval is authorized only to facilitate the start-up and shakedown of sources and air cleaning devices, to permit operations pending the issuance of an Operating Permit, and to permit the evaluation of the source for compliance with all applicable regulations and requirements.

c. Upon receipt of the Notice of the Completion of Construction from the owner/operator the Department shall authorize a 180-day Period of Temporary Operation of the sources from the date of commencement of operation. The Notice submitted by the owner/operator, prior to the expiration of this Plan Approval, shall modify the Plan Approval expiration date. The new Plan Approval expiration date shall be 180 days from the date of commencement of operation.

d. Upon determination by the owner/operator that the sources covered by this Plan Approval are in compliance with all conditions of the Plan Approval the owner/operator shall contact the Department's reviewing engineer and schedule the Initial Operating Permit Inspection.

e. Upon completion of the Initial Operating Permit Inspection and determination by the Department that the sources covered by this Plan Approval are in compliance with all conditions of the Plan Approval, the owner/operator shall apply for an Operating Permit or submit an Administrative Amendment to an existing Operating Permit at least 60 days prior to the expiration date of the Plan Approval. The application shall incorporate the conditions of this Plan Approval into the Operating Permit.

f. The owner/operator may request an extension of the 180-day Period of Temporary Operation if compliance with all applicable regulations and Plan Approval requirements has not been established. The extension request shall be submitted in writing at least 15 days prior to the end of the Period of Temporary Operation and shall provide a description of the compliance status of the source. The extension request shall include a detailed schedule for establishing compliance and the reasons compliance has not been established. This Period of Temporary Operation may be extended for additional periods, each not to exceed 120-days, by submitting an extension request as described previously.

Any person wishing to provide the Department with additional information that they believe should be considered prior to the issuance of the Plan Approval may submit the information to the Department at the address shown. A 30-day comment period, from the date of this

publication, will exist for the submission of comments. Each written comment must contain the following:

- Name, address and telephone number of the person submitting the comments.
- Identification of the proposed Plan Approval (specify the Plan Approval number).
- Concise statements regarding the relevancy of the information or objections to issuance of the Plan Approval.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in this newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to the Regional Air Quality Program Manager, Commonwealth of Pennsylvania, Department of Environmental Protection, Southwest Region—Field Operation, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

For additional information you may contact the following person at the same address listed previously, Thomas J. Joseph, P. E., Air Quality Engineer.

#### OPERATING PERMITS

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

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701, Muhammad Zaman, Facilities Permitting Chief, (570) 327-0512.*

**49-00006: Viking Energy of Northumberland—Suez Energy Generation NA** (909 Cannery Road, Northumberland, PA 17857-8617) for re-issuance of a Title V. Operating Permit for their cogeneration facility in Point Township, **Northumberland County**.

Under 25 Pa. Code § 127.521, the Department of Environmental Protection (Department) intends to issue a renewal Title V Operating Permit to Viking Energy of Northumberland (a.k.a., Suez Energy Generation NA) for their cogeneration facility located in Point Township, **Northumberland County**. The Viking Energy representative to contact regarding this operating permit is Brian Heinbaugh, Plant Manager, Viking Energy of Northumberland, 909 Cannery Road, Northumberland, PA 17857-8617.

The facility's major source includes a 230 mmBtu/hr wood-waste fired steam boiler, which has the potential to emit major quantities of CO, NO<sub>x</sub> and PM and PM<sub>10</sub>. The facility emits VOCs, SO<sub>x</sub> and HAPs below the major emission thresholds. The proposed renewal Title V operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

Copies of the application, the Department's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the Department of Environmental Protection, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling (570) 327-3693. Written comments or requests for a public hearing should be directed to Muhammad Q. Zaman, Manager, Facilities Permitting

Section, Department of Environmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-0512.

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

*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19428, Edward Jurdones Brown, Facilities Permitting Chief, (484) 250-5920.*

**46-00134: The Hill School** (717 East High Street, Pottstown, PA 19464) for renewal of a non-Title V Facility, State-only, Synthetic Minor Permit in Pottstown Township, **Montgomery County**. The Hill School has several combustion sources for heat, hot water and food preparation. The school has taken fuel throughput restrictions. Monitoring, recordkeeping and reporting requirements have been added to the permit to address applicable limitations.

**23-00095: Norquay Technology, Inc.** (800 West Front Street, Chester, PA 19016) for renewal of a State-only, Synthetic Minor Operating Permit in City of Chester, **Delaware County**. The facility manufactures custom and specialty chemicals. Monitoring, recordkeeping and reporting requirements have been added to the permit to address applicable limitations.

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

**05-05006: Columbia Gas Transmission Corp.** (1700 MacCorkle Avenue SE, P. O. Box 1273, Charleston, WV 25325-1273) for renewal of the Title V Operating Permit issued in January 2003 in Mann Township, **Bedford County**. The facility's major sources of emissions include natural gas fired engine and gas turbine driven compressors, which primarily emit NO<sub>x</sub>.

**28-03039: Warrior Roofing Manufacturing of Pennsylvania, LLC** (323 Development Avenue, Chambersburg, PA 17201) for operation of two asphalt roofing manufacturing lines at their facility in Greene and Lettorkenny Townships, **Franklin County**. The lines and control devices are subject to 40 CFR Part 60, Subpart UU—Standards of Performance for Asphalt Processing and Asphalt Roofing Manufacture. The State-only operating permit will include emission limits along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

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

**14-00027: HRI Inc.** (1750 West College Avenue, State College, PA 16801-2719) for operation of their hot mix asphalt production facility in Marion Township, **Centre County**. The Department intends to issue a State-only (Synthetic Minor) Operating Permit for this facility. This facility's main source includes a batch mix asphalt plant, asphalt heaters and No. 2 fuel oil/reprocessed oil tanks. The facility has taken synthetic minor restriction for VOCs and CO below the major emission thresholds. The facility has the potential to emit NO<sub>x</sub>, SO<sub>x</sub>, HAPs and PM and PM<sub>10</sub> below the major emission thresholds. The proposed operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.



Copies of the application, the Department's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the Department of Environmental Protection, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling (570) 327-3693. Written comments or requests for a public hearing should be directed to Muhammad Q. Zaman, Manager, Facilities Permitting Section, Department of Environmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-0512.

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

**56-00261: Robert Bosch Tool Corporation** (429 Drum Avenue, Somerset, PA 15501) for manufacture of plumbing fixture fittings and trim at their Gilmour Manufacturing facility in Somerset Borough, **Somerset County**. This is a State-only Operating Permit Renewal.

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

**N07-003: MCI, Inc.—Verizon Business** (401 North Broad Street, Philadelphia, PA 19108) for operation of a telecommunication facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include one 300 Kw emergency generator, one 500 Kw emergency generator, one 800 Kw emergency generator and one 1,500 Kw emergency generator.

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

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

## COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S.

§§ 1406.1—1406.21). 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—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

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

Written comments, objections or requests for informal conferences on applications may be submitted by any person or any officer or head of any Federal, State or local government agency or authority to the Department at the district mining office indicated before an 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.

Where any of the mining activities listed will have discharges of wastewater to streams, the Department will incorporate NPDES permits into the mining activity permits issued in response to these applications. NPDES permits will contain, at a minimum, technology-based effluent limitations as identified in this notice for the respective coal and noncoal applications. In addition, more restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining which may occur will be incorporated into a mining activity permit, when necessary, for compliance with water quality standards (in accordance with 25 Pa. Code Chapters 93 and 95). Persons or agencies who have requested review of NPDES permit requirements for a particular mining activity within the previously mentioned public comment period will be provided with a 30-day period to review and submit comments on the requirements.

Written comments or objections 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. Requests for an informal conference must contain the name, address and telephone number of 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 wishes to have the conference conducted in the locality of the proposed mining activities.

### *Coal Applications Received*

*Effluent Limits*—The following coal mining applications that include an NPDES permit application will be subject to, at a minimum, the following technology-based effluent limitations for discharges of wastewater to streams:

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Iron (total)	3.0 mg/l	6.0 mg/l	7.0 mg/l
Manganese (total)	2.0 mg/l	4.0 mg/l	5.0 mg/l
Suspended solids	35 mg/l	70 mg/l	90 mg/l
pH <sup>1</sup>		greater than 6.0; less than 9.0	
Alkalinity greater than acidity <sup>1</sup>			

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

A settleable solids instantaneous maximum limit of 0.5 ml/l applied to: (1) 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 (2) 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.*

**56970102 and NPDES No. PA0234508. Hoffman Mining, Inc.**, P. O. Box 130, 118 Runway Road, Friedens, PA 15541, permit renewal for reclamation only of a bituminous surface mine in Paint Township, **Somerset County**, affecting 283.3 acres. Receiving streams: Weaver Run, UNT to Shade Creek, UNT to Roaring Fork classified for the following use: CWF. The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Stonycreek SWI. Application received July 23, 2007.

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

**33990101 and NPDES Permit No. PA0227951. Amerikohl Mining, Inc.**, 202 Sunset Drive, Butler, PA 16001. Renewal of an existing bituminous strip and auger operation in Winslow Township, **Jefferson County** affecting 127.8 acres. Receiving streams: UNT to Soldier Run and Soldier Run. There are no potable surface water supply intakes within 10 miles downstream. Application for reclamation only. Application received July 24, 2007.

**24990101 and NPDES Permit No. PA0241491. Energy Resources, Inc.**, P. O. Box 259, Brockway, PA 15824. Renewal of a bituminous surface strip and auger operation in Horton Township, **Elk County** affecting 588.0 acres. Receiving streams: UNT to Mead Run and Mead Run: UNT to Little Toby Creek, classified for the following use: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received July 26, 2007.

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

**57960201 and NPDES No. PA0220671. Falcon Coal & Construction Company**, P. O. Box 207, Mildred, PA 18632, permit renewal for the continued operation and restoration of a bituminous surface coal extraction and coal refuse reprocessing mine in Cherry Township, **Sullivan County**, affecting 12.1 acres. Receiving stream: Birch Creek, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received July 18, 2007.

**57000901 and NPDES No. PA0242837. Falcon Coal & Construction Company**, P. O. Box 207, Mildred, PA 18632, permit renewal for the continued operation and restoration of a bituminous surface coal extraction and coal refuse reprocessing mine in Cherry Township, **Sullivan County**, affecting 18.5 acres. Receiving stream: Birch Creek, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received July 18, 2007.

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

**54070103 and NPDES Permit No. PA0224618. White Pine Coal Co., Inc.**, P. O. Box 119, Ashland, PA 17921, commencement, operation and restoration of an anthracite surface mine and coal refuse disposal operation in Reilly Township, **Schuylkill County** affecting 159.9 acres, receiving streams: Muddy Branch and Polly's Creek, classified for the following use: CWF. Application received July 19, 2007.

**54-305-003GP12. Park Mine Coal Company**, 5 Radio Station Road, Shenandoah, PA 17976, application to operate a coal preparation plant whose pollution control equipment is required to meet all applicable limitations, terms and conditions of General Permit, BAQ-GPA/GP-12 on existing anthracite Surface Mining Permit No. 54050101 in Mahanoy Township, **Schuylkill County**. Application received July 23, 2007.

*Noncoal Applications Received*

*Effluent Limits*—The following noncoal mining applications that include an NPDES permit application will be subject to, at a minimum, the following technology-based effluent limitations for discharges of wastewater to streams:

<i>Parameter</i>	<i>30-day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Suspended solids	35 mg/l	70 mg/l	90 mg/l
Alkalinity exceeding acidity* pH*		greater than 6.0; less than 9.0	

\* The parameter is applicable at all times.

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

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

**Permit No. 56950801. Three S Coal Company, P. O. Box 337, Stoystown, PA 15563, bond release on a small noncoal (industrial minerals) operation in Southampton Township, Somerset County, affecting 6.0 acres. Receiving stream: Rush Run. Application received June 11, 2007. Bond Released July 23, 2007.**

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

**4873SM1A1C10 and NPDES Permit No. PA0220451. LWB Refractories Company, P. O. Box 1189, York, PA 17405, renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in West Manchester Township, York County, receiving streams: UNT to Codorus Creek and UNT to Honey Run, classified for WWF and TSF. Application received July 24, 2007.**

**58980844. Samuel Clapper, R. R. 2, Box 714, Susquehanna, PA 18847, Stage I and II bond release from a quarry operation in Lanesboro Township, Susquehanna County, affecting 2.0 acres on property owned by Samantha Clapper. Application received July 23, 2007.**

**64000801. Joe's Rock Garden, 2243 Great Bend Turnpike, Honesdale, PA 18431, Stage I and II bond release from a quarry operation in Lebanon Township, Wayne County, affecting 5.0 acres on property owned by Joseph B. and Betty L. Hettich. Application received July 26, 2007.**

#### *Noncoal Applications Returned*

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

**25970306. Raymond D. Showman & Sons, Inc., 12851 Sharp Road, Edinboro, PA 16412. Revision to an existing sand and gravel operation to add 2.0 acres in LeBoeuf Township, Erie County. Receiving streams: UNT to French Creek. Application received July 25, 2005. Revision returned July 23, 2007.**

## **FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401**

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

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

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

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

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

#### **WATER OBSTRUCTIONS AND ENCROACHMENTS**

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

**E60-184. Dale L. Miller, 225 Highfields Lane, Lewisburg, PA 17937. Pedestrian Bridge, in Hartley Township, Union County, ACOE Baltimore District (Lewisburg, PA Quadrangle N: 1.7 inches; W: 3.9 inches).**

To construct, operate and maintain a 30-foot clear span pedestrian wood bridge with a 7.0-foot underclearance, concrete wall abutments and the associated clean fill earthen ramps for private recreational crossing of Turtle Creek, located 1,085 feet upstream of the Stein Lane Bridge. This project proposes to indirectly impact 45 linear feet of Turtle Run, which is classified as a WWF.

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

**E20-559. D & L Energy, Inc., 2761 Salt Springs Road, Youngstown, OH 44509. Cooper Well Pipeline, in West Fallowfield Township, Crawford County, ACOE Pittsburgh District (Conneaut Lake, PA Quadrangle N: 1.0 inch; W: 15.9 inches).**

The applicant proposes to construct a 2,190-foot long steel natural gas pipeline approximately 0.5 mile SE of the intersection of SR 18 and SR 3004 involving: 1) to construct and maintain three PEM wetland crossings of a wetland greater than 10 acres by horizontal directional boring having lengths of 268 feet, 144 feet and 112 feet respectively; and 2) to construct a maintain stream crossings of the Erie Extension Canal and a UNT tributary to Crooked Creek by directional boring. The Erie Extension Canal and the UNT to Crooked Creek are perennial streams classified as WWF.

**E20-513A. Lauderdale Estates Improvement Association, P. O. Box 5241, Conneaut Lake, PA 16316. Marina 1 and 2 Upgrade, in Summit Township, Crawford County, ACOE Pittsburgh District (Harmansburg, PA Quadrangle N: 3.2 inches; W: 7.75 inches).**

The applicant is proposing to amend Permit E20-513 which authorized the Lauderdale Estates Improvement Association to repair, operate and maintain walls, bulkheads, docks and other appurtenant structures, including maintenance dredging, associated with three boat docking areas for Lauderdale Estates located along the east side of a canal tributary to the north end of Conneaut Lake west of East Canal Drive (Harmonsburg, PA Quadrangle N: 3.2 inches; W: 7.75 inches) in Summit Township, Crawford County.

The applicant is proposing to amend Permit E20-513 to authorize the Lauderdale Estates Improvement Association to conduct the following activities in Lauderdale Estates ports 1–3 located along the east side of a canal tributary to the north end of Conneaut Lake west of East Canal Drive (Harmonsburg, PA Quadrangle N: 3.2 inches; W: 7.75 inches) in Summit Township, Crawford County: 1) replace the existing walls, bulkheads, walls and docks in ports 1 and 2 with vinyl sheet piling and floating docks; 2) to repair, operate and maintain the walls, bulkheads, walls and docks in ports 1–3; and 3) to conduct maintenance dredging of ports 1 and 2 (approx-

mately 1,000 cubic yards of material). Project includes construction of a temporary dewatering area for the dredged material located within the 100-year floodplain of Conneaut Lake on the Lauderdale Estates beach.

The canal tributary to Conneaut Lake is a perennial body of water classified as HQ-WWF. The project proposes to directly impact approximately 0.45 acre of canal tributary.

**E25-714. Mill Village Borough Council**, 14350 North Main Street, Mill Village, PA 16427. Depot Street Culvert, in the Borough of Mill Village, **Erie County**, ACOE Pittsburgh District (Millers Station, PA Quadrangle N: 22.5 inches; W: 12.8 inches).

The applicant proposes to remove the existing structure and to construct and maintain a 47-foot long concrete box culvert having a 20.7-foot-wide by 4.6-foot-high waterway opening in a UNT to French Creek on Depot Street approximately 1,000 feet SE of the intersection of SR 6 and South Main Street. The UNT to French Creek is a perennial stream classified as a WWF. The project proposes to directly impact approximately 80 feet of stream.

## ACTIONS

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

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

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

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

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

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

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

### I. NPDES Renewal Permit Actions

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N ?
PA0084484 (SEW)	Salisbury Township 5581 Old Philadelphia Pike Gap, PA 17257-9791	Lancaster County Salisbury Township	UNT Pequea Creek 7-K	Y
PA0088927 (CAFO)	John Keating 1620 Beans Cove Road Clearville, PA 15535	Bedford County South Hampton Township	Lost Run 13-A	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N ?
PA0007498 IW	Wise Foods, Inc. 228 Raseley Street Berwick, PA 18603	Berwick Borough Columbia County	Susquehanna River 5D	N

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N
PA0005037 Industrial Waste	EME Homer City Generation, LP 1750 Power Plant Road Homer City, PA 15748-8009	Indiana County Center Township	Tributaries of Two Lick, Cherry Run and Blacklick Creeks	N
PA0216739 Industrial Waste	Allegheny Ludlum Corporation, Inc. 100 River Avenue Brackenridge, PA 15014-1597	Westmoreland County Allegheny Township	UNT of the Allegheny River	Y
PA0218863 Industrial Waste	Duke Energy Ohio, Inc. 139 East 4th Street Cincinnati, OH 45202	Fayette County German Township	Monongahela River and UNT 41154	Y
PA0027219 Sewage	Greater Uniontown Joint Sewage Plant Authority 90 Romeo Lane Uniontown, PA 15401	Fayette County North Union Township	Redstone Creek	Y
PA0092363 Sewage	Fayette County Housing Authority 624 Pittsburgh Road Uniontown, PA 15401	Fayette County Washington Township	UNT of Downers Run	Y

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

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

**NPDES Permit No. PA0252522-A1**, Sewage, **Somerset Township Municipal Authority**, P. O. Box 247, 2209 North Center Avenue, Somerset, PA 15501-0247. This existing facility is located in Somerset Township, **Somerset County**.

Description of Proposed Action/Activity: Issuance of permit amendment to discharge treated sewage from Lavansville Sewage Treatment Plant to West Branch Coxes Creek.

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

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

**WQM Permit No. 1507404**, Sewerage, **Westtown School**, P. O. Box 1799, Westtown, PA 19395. This proposed facility is located in Westtown Township, **Chester County**.

Description of Action/Activity: Construction and operation of a new 10' force main to serve newly constructed high school.

**WQM Permit No. 4607403**, Sewerage, **Lower Salford Township Authority**, P. O. Box 243, 57 Main Street, Mainland, PA 19451. This proposed facility is located in Lower Salford Township, **Montgomery County**.

Description of Action/Activity: Replacement of existing sanitary interceptor sewer pipe with new PVC.

**WQM Permit No. WQG02230713**, Sewerage, **Middletown Township Sewer Authority**, P. O. Box 9, Lima, PA 19037-0009. This proposed facility is located in Middletown Township, **Delaware County**.

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

**WQM Permit No. 1506419**, Sewerage, **William Henry Apartments**, 1086 West King Road, Malvern, PA 19355. This proposed facility is located in East Whiteland Township, **Chester County**.

Description of Action/Activity: Construction and operation of a sewage treatment plant.

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

**WQM Permit No. WQG02220702**, Sewerage, **East Hanover Township**, 8848 Jonestown Road, Grantville, PA 17028. This proposed facility is located in East Hanover Township, **Dauphin County**.

Description of Proposed Action/Activity: Construction and operation of Main Stay Suites Pump Station.

**WQM Permit No. WQG02220704**, Sewerage, **South Hanover Township Authority**, 111 West Third Street, Hershey, PA 17033. This proposed facility is located in South Hanover Township, **Dauphin County**.

Description of Proposed Action/Activity: Construction and operation of sewer extension and Pump Station No. 1 to serve the proposed Middle Division student housing at Milton Hershey School and the Village of Sand Beach.

**WQM Permit No. WQG02220703**, Sewerage, **Milton Hershey School, MHS Central Operations Facility**, 1201 Homestead Lane, P. O. Box 830, Hershey, PA 17033-0830. This proposed facility is located in South Hanover Township, **Dauphin County**.

Description of Proposed Action/Activity: Construction and operation of sewer extension and Pump Station No. 1 to serve the proposed Middle Division student housing at Milton Hershey School and the Village of Sand Beach.

**WQM Permit No. WQG02210704**, Sewerage, **Silver Spring Township, Authority**, P. O. Box 1001, New Kingstown, PA 17072. This proposed facility is located in Silver Spring Township, **Cumberland County**.

Description of Proposed Action/Activity: Construction and operation of the Country Club Estates pump station and sewer extension.

**WQM Permit No. WQG02280701**, Sewerage, **Washington Township Municipal Authority**, 11102 Buchanan Trail East, Waynesboro, PA 17268. This proposed facility is located in Washington Township, **Franklin County**.

Description of Proposed Action/Activity: Construction and operation of the Glen Afton Estates sewer extension and pump station.

**WQM Permit No. 6707408**, Sewerage, **Bethanne V. Schott**, 9499 Brogueville Road, Felton, PA 17322. This proposed facility is located in Chanceford Township, **York County**.

Description of Proposed Action/Activity: Construction and operation of sewerage facilities consisting of a septic tank/Peat Filter sewage treatment system to serve their single-family residence.

**WQM Permit No. 6707406**, Sewerage, **Wrightsville Municipal Sewer Authority**, P. O. Box 187, Wrightsville, PA 17368. This proposed facility is located in Wrightsville Borough, **York County**.

Description of Proposed Action/Activity: Construction and operation of sewerage facilities consisting of a two-unit SBR, with a post equalization basin, a UV disinfection system, a centrifuge system and conversion of the existing contact stabilization tank to an aerobic digester.

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

**WQM Permit No. WQG026116**, Sewerage, **Ohio Township Sanitary Authority**, 1719 Roosevelt Road, Pittsburgh, PA 15237. This proposed facility is located in Ohio Township, **Allegheny County**.

Description of Proposed Action/Activity: Permit issuance for the construction and operation of low pressure force main and grinder pumps.

**WQM Permit No. 6507204**, Industrial Waste, **Latrobe Municipal Authority**, 104 Guerrier Road, Latrobe, PA 15650. This proposed facility is located in Derry Township, **Westmoreland County**.

Description of Proposed Action/Activity: Permit issuance for the construction and operation of a 363,000 gallon (120' L by 45' W by 13' D) precast concrete basin for treatment of membrane and 7,350 gallons (12' 8' L by 12' 8" W by 8' D) precast concrete neutralization tank. Process wastewater generated as a result of clean-in-place process will be neutralized in the neutralization tank and will be conveyed to the settling basin along with membrane filter backwash water for further treatment prior to discharge to the receiving stream.

**IV. NPDES Stormwater Discharges from MS4 Permit Actions***General Permit Type—PAG-12*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Harrison Township Potter County	PAG124824	Rodney E. Lane 750 Woodard Road Harrison Valley, PA 16927-9434	North Branch Cowanesque River CWF	Northcentral Regional Office Watershed Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-0529

**V. NPDES Waiver Stormwater Discharges from MS4 Actions****VI. NPDES Discharges of Stormwater Associated with Construction Activities Individual Permit Actions***Northeast Region: Watershed Management Program Manager; 2 Public Square, Wilkes-Barre, PA 18711-0790.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023906023	First Star Bank Corp. 418 West Broad Street Bethlehem, PA 18018	Lehigh	Heidelberg Township	Tributary to Jordan Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI033106006	Torrion Group, LP Thomas F. Songer, II 2601 Gateway Drive Suite 175 State College, PA 16801	Huntingdon	Huntingdon Borough	Standing Stone Creek HQ-CWF

*Northcentral Region: Water Management Program Manager; 208 West Third Street, Williamsport, PA 17701.**Centre County Conservation District: 414 Holmes Avenue, Suite 4, Bellefonte, PA 16823, (814) 355-6817.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041407001	Linn Auman Millheim Borough Council Wastewater System Improvements P. O. Box 421 Millheim, PA 16854	Centre	Penn Township	Elk Creek EV
PAI041407006	Richard and Andrea Grazzini Grazzini LDP 487 Nimitz Avenue State College, PA 16801	Centre	Benner Township	UNT to Buffalo Run HQ-CWF

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

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

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

PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities (PAR)
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges From Small Flow Treatment Facilities
PAG-5	General Permit for Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application

PAG-8	General Permit for Beneficial Use of Nonexceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)

*General Permit Type—PAG-02**Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Mahoning Township Carbon County	PAG2001307001	Prime Group Partnership c/o David Ceykovsky 831 Chestnut Street Emmaus, PA 18049	Mahoning Creek CWF	Carbon County Conservation District (610) 377-4894
City of Scranton Lackawanna County	PAG2003507021	City of Scranton 101 West Poplar Street Scranton, PA 18508	Lackawanna River CWF	Lackawanna County Conservation District (570) 281-9495
Lower Towamensing Township Carbon County	PAG2001307002	Palmerton Area School District P. O. Box 350 Palmerton, PA 18071	Mill Creek CWF	Carbon County Conservation District (610) 377-4894
Mahoning Township Carbon County	PAG2001307005	Vincent Maradeo 65 Streamside Place Lehighton, PA 18235	Mahoning Creek CWF	Carbon County Conservation District (610) 377-4894
East Norwegian Township Schuylkill County	PAG2005407007	Poly Flo, Inc. P. O. Box 309 St. Clair, PA 17970	Tributary to Mill Creek 25 feet CWF	Schuylkill County Conservation District (570) 622-3742
Ransom Township Lackawanna County	PAG2003507002	John Buranich 2421 Bald Mountain Road Clarks Summit, PA 18411	Tributary to Gardner Creek CWF	Lackawanna County Conservation District (570) 281-9495
West Penn Township Schuylkill County	PAG2005406030	J & L Revest Inc. Attn: James Deibert 606 Farmington Avenue Pottstown, PA 19464	Tributary to Trip Bo Lizard Creek 1,250 feet CWF	Schuylkill County Conservation District (570) 622-3742
Greenfield Township Blair County	PAG2000707016	ABCD Corporation Devorris Center 3900 Industrial Park Drive Altoona, PA 16602	Beaverdam Creek CWF	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 (814) 696-0877
West Manchester Township York County	PAG2006707045	US Home Corporation Lennar-Baltimore Land 10211 Wincopin Circle Suite 180 Columbia, MD 21044	Little Conewago Creek TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Carroll Township Lancaster County	PAR10Y599R	R2 Development 447 Granite Run Drive Lancaster, PA 17601	Fishers Run CWF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 (717) 299-5361
Franklin Township York County	PAG2006706083	Lester Kimmel P. O. Box 387 Dillsburg, PA 17019	UNT to North Branch Bermudian Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430



<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Carroll Township York County	PAG2006705102	Steven Rydesky P. O. Box 357 Dillsburg, PA 17019	Stoney Run WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Manchester Township York County	PAG2006706128	Robert A. Kinsley Kinsley Equities III, LP 2700 Water Street York, PA 17403	UNT to Codorus Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Manchester Township York County	PAG2006706115	James Kohr 971 Church Road York, PA 17402	UNT to Little Conewago Creek TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Fairview Township York County	PAG2006706117	Vince Rogliano Rogliano Lupinetti Investment Group, LLC 501 Pawnee Drive Mechanicsburg, PA 17050	UNT to Bennetts Run WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Carroll Township York County	PAG2006706081	Michael R. Snare 410 Little John Drive Dillsburg, PA 17019	UNT to Stony Run CWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
West Manchester Township York County	PAG2006706112	West Manheim Township 31 Fairview Drive Hanover, PA 17331	Furnace Creek- UNTs to Furnace Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
North Newton Township Cumberland County	PAG2002107030	Solid Waste Authority of Cumberland County Tom Imphong 7 Irvine Row Carlisle, PA 17013	Conodoguinet Creek WWF	Cumberland County Conservation District 310 Allen Road Carlisle, PA 17013 (717) 240-7812
Mt. Pleasant Township Adams County	PAG2000107004	Thomas P. Gebhart 200 Wheatland Drive Gettysburg, PA 17325	Chicken Run, White Run and Rock Creek WWF	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 (717) 334-0636
Germany Township Adams County	PAG2000107010	Brian Bowers Bowers Custom Home Improvements, Inc. 3198 Uniontown Road Westminster, MD 21158	Piney Creek WWF	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 (717) 334-0636
Robesonia Borough Berks County	PAG2000606066	David Randler P. O. Box 205 Robesonia, PA 19551	Furnace Creek CWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657, Ext. 201
Tulpehocken Township Berks County	PAG2000607011	Louie Hurst Mount Aetna Developers, Inc. 530 West Trout Run Road Ephrata, PA 17522	UNT to Little Swatara Creek CWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657, Ext. 201

## NOTICES

4473

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
City of Reading Berks County	PAG2000607028(1)	Palle Rye Brentwood Industries, Inc. 610 Morgantown Road Reading, PA 19611-2012	Schuylkill River WWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657, Ext. 201
Swatara Township Dauphin County	PAG2002207044	Kevin Biggi 340 Meadow Trail Dillsburg, PA 17017	Spring Creek CWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018
Lower Paxton Township Dauphin County	PAG2002207034	Ken Tyndale TNP, Inc. 7604 Allentown Boulevard Harrisburg, PA 17112	Spring Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018
Middletown Borough Dauphin County	PAG2002207020	John D. Lipa Members1st Federal Credit Union 5000 Louise Drive Mechanicsburg, PA 17055	Swatara Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018
Longswamp Township Berks County	PAI030607006	Bill Gross Gross Equipment Company, Inc. 1200 Route 100 Bechtelsville, PA 19505	Toad Creek HQ-CWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657, Ext. 201
Bradford County North Towanda Township	PAG2000807005	Dennis Phelps Oak Ridge Townhouses Partnership Trehab at Oak Ridge, LLC 10 Public Avenue Montrose, PA 18801	UNT to Susquehanna River WWF	Bradford County Conservation District Stoll Natural Resource Center R. R. 5, Box 5030C Towanda, PA 18848 (570) 265-5539, Ext. 6
Centre County Huston Township	PAG2001404007(1)	David Lincoln Bald Eagle Site Phase II Site C West Wetlands Habitat Mgmt., Inc. 2525 Green Tech Drive Suite B State College, PA 16803	Bald Eagle Creek TSF	Centre County Conservation District 414 Holmes Avenue Suite 4 Bellefonte, PA 16823 (814) 355-6817
Clearfield County Decatur Township	PAG2001707009	Clearfield Creek Watershed Association 216 Beldin Hollow Road Ashville, PA 16613	Morgan Run and UNT to Morgan Run CWF	Clearfield County Conservation District 650 Leonard Street Clearfield, PA 16830 (814) 765-2629
Clearfield County Bigler Township Madera Borough	PAG2001707010	Houtzdale Municipal Authority 561 Kirk Street Houtzdale, PA 16651	Clearfield Creek WWF	Clearfield County Conservation District 650 Leonard Street Clearfield, PA 16830 (814) 765-2629
Lycoming County Loyalsock Township	PAG2004103006	Rick Hannan Hannan Development, LP 2029 Lycoming Creek Road Williamsport, PA 17701	Mill Creek TSW	Lycoming County Conservation District 542 County Farm Road Suite 202 Montoursville, PA 17754 (570) 433-3003

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

PAG2005907008

Richard J. Strauch  
2-B Waln Street  
Wellsboro, PA 16901Kelsey Creek and Boyden  
Brook  
WWFTioga County  
Conservation District  
50 Plaza Lane  
Wellsboro, PA 16901  
(570) 724-1801, Ext. 3Fayette County  
South Union  
Township

PAG2002607014

William Snoddy, Jr.  
P. O. Box 945  
Uniontown, PA 15401Coal Lick Run  
WWFFayette County CD  
(724) 438-4497Fayette County  
Upper Tyrone  
Township

PAG2002607016

Joseph Quinn  
P. O. Box 123  
Scottsdale, PA 15683UNT to Jacobs Creek  
WWFFayette County CD  
(724) 438-4497Washington County  
Cecil Township

PAG2006307018

Nicholas Brenlove  
401 Washington Avenue  
P. O. Box 36  
Bridgeville, PA 15017McPherson Creek  
WWFWashington County CD  
(724) 228-6774Butler County  
City of Butler

PAG2001007008

Timothy Kelly  
Level II  
Development Corp., LLC  
Suite 101  
Baymore II  
1603 Carmody Court  
Sewickley, PA 15143UNT Brush Creek  
WWFButler Conservation  
District  
(724) 284-5270Erie County  
Girard Borough

PAG2002507005

A. F. Dobler Hose and  
Ladder Co.  
34 West Main Street  
Girard, PA 16417Elk Creek  
Lake Erie  
WWF, MFErie Conservation District  
(814) 825-6403Erie County  
Millcreek Township

PAG2002507007

Erie Bank  
7200 Peach Street  
Erie, PA 16509Walnut Creek  
CWF, MFErie Conservation District  
(814) 825-6403Lawrence County  
Neshannock  
Township

PAG2003707005

Dr. Elbert Acosta/  
TPC Corporation  
3128 Wilmington Road  
(SR 18)  
New Castle, PA 16105UNT Shenango River  
WWFLawrence Conservation  
District  
(724) 652-4512*General Permit Type—PAG-3**Facility Location &  
Municipality**Permit No.**Applicant Name &  
Address**Receiving  
Water/Use**Contact Office &  
Phone No.*City of Sunbury  
Northumberland  
County

PAR224830

JELD-WEN  
215 Packer Street  
Sunbury, PA 17801Susquehanna River  
WWFNorthcentral Regional  
Office  
Water Management  
Program  
208 West Third Street  
Suite 101  
Williamsport, PA 17701  
(570) 327-3664Shamokin Township  
Northumberland  
County

PAR604836

Joe's Auto Parts  
R. R. 4, Box 127  
Sunbury, PA 17801UNT To Shamokin Creek  
CWFNorthcentral Regional  
Office  
Water Management  
Program  
208 West Third Street  
Suite 101  
Williamsport, PA 17701  
(570) 327-3664

*General Permit Type—PAG-4*

*Facility Location:  
Municipality &  
County*

*Permit No.*

*Applicant Name &  
Address*

*Receiving  
Water/Use*

*Contact Office &  
Phone No.*

Concord Township  
Delaware County

PAG040076

John and Pat Lynam  
148 Concord Meeting  
Road  
Glen Mills, PA 19342

UNT to West Branch  
Chester Creek  
Watershed 3G

Southeast Regional Office  
2 East Main Street  
Norristown, PA 19401

**PUBLIC WATER SUPPLY (PWS)  
PERMITS**

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

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

For individuals who wish to challenge an action, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board. Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

**SAFE DRINKING WATER**

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

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

**Permit No. 3540071, Operations Permit, Public Water Supply.**

Applicant **Aqua Pennsylvania, Inc.**  
762 West Lancaster Avenue  
Bryn Mawr, PA  
East Union Township  
County **Schuylkill**  
Type of Facility Public Water System  
(Oneida Well 2)  
Consulting Engineer CET Engineering Services  
1240 North Mountain Road  
Harrisburg, PA

Permit to Operate Issued July 18, 2007

**Permit No. 3480030, Operations Permit, Public Water Supply.**

Applicant **Aqua Pennsylvania, Inc.**  
762 West Lancaster Avenue  
Bryn Mawr, PA

County **Northampton**

Type of Facility Public Water System  
(Christian Springs Well 3)

Consulting Engineer CET Engineering Services  
1240 North Mountain Road  
Harrisburg, PA

Permit to Operate Issued July 19, 2007

**Permit No. 2660017, Operations Permit Public Water Supply.**

Applicant **Aqua Pennsylvania, Inc.**  
762 West Lancaster Avenue  
Bryn Mawr, PA

County **Wyoming**

Type of Facility Public Water System  
(Rivercrest Well 3)

Consulting Engineer CET Engineering Services  
1240 North Mountain Road  
Harrisburg, PA

Permit to Operate Issued July 24, 2007

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

**Permit No. 0607501, Public Water Supply.**

Applicant **United Mobile Homes, Inc.**

Municipality **Greenwich Township**  
County **Berks**

Type of Facility Upgrades to existing pump  
stations on both north and south  
side treatment facilities.

Consulting Engineer Karen Pollock, P. E.  
System Designs Engineering  
850 Park Road  
Wyomissing, PA 19610

Permit to Construct Issued July 20, 2007

**Operations Permit issued to Berks Properties, 3060004, Hereford Township, Berks County on July**

25, 2007, for the operation of facilities approved under Construction Permit No. 0605506.

**Operations Permit issued to Bear Valley Franklin County Pennsylvania Joint Authority**, Hamilton Township, **Franklin County** on July 26, 2007, for the operation of facilities approved under Construction Permit No. 2807501.

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

**Permit No. M. A.—MA-5984503—Operation**, Public Water Supply.

Applicant	<b>Municipal Authority of the Borough of Mansfield</b>
Township or Borough	Mansfield Borough
County	<b>Tioga</b>
Responsible Official	Ronald Weed Municipal Authority of the Borough of Mansfield 19 East Wellsboro Street Mansfield, PA 16933
Type of Facility	Public Water Supply—Operation
Consulting Engineer	Kirt L. Ervin, P. E. US Engineering, LLC 75 Jardin Circle Highland, IL 62249
Permit Issued Date	July 27, 2007
Description of Action	Operation of the 500,000 gallon Fourth Street Tank.

**Permit No. M. A.—5589504—Construction and Operation**, Public Water Supply.

Applicant	<b>Shamokin Dam Borough</b>
Township or Borough	Shamokin Dam Borough
County	<b>Snyder</b>
Responsible Official	Edward Hovenstine, Manager Shamokin Dam Borough 210 West Eighth Avenue Shamokin Dam, PA 17876
Type of Facility	Public Water Supply—Construction and Operation
Consulting Engineer	James Elliott, P. E. Gannett Fleming, Inc. 207 Senate Avenue Camp Hill, PA 17011
Permit Issued Date	July 27, 2007
Description of Action	Construction and Operation for physical removal of the previously abandoned second clarifier and the addition of Superfloc N1986 as a coagulant aid.

**Permit No. M. A.—5998502—Operation**, Public Water Supply.

Applicant	<b>Wellsboro Municipal Authority</b>
Township or Borough	Wellsboro Borough
County	<b>Tioga</b>

Responsible Official	John Orr, Chairperson Wellsboro Municipal Authority 28 Crafton Street Wellsboro, PA 16901
Type of Facility	Public Water Supply—Operation
Consulting Engineer	N/A
Permit Issued Date	July 27, 2007
Description of Action	Operation of an 810,000 gallon concrete finished water storage tank.

**Permit No. M. A.—4496031—Operation**, Public Water Supply.

Applicant	<b>Tulpehocken Spring Water Co., Inc.</b>
Township or Borough	Sugarloaf Township
County	<b>Columbia</b>
Responsible Official	Gary Troutman, Vice President Tulpehocken Spring Water Co., Inc. 750 Point Township Drive Northumberland, PA 17857
Type of Facility	Public Water Supply—Operation
Consulting Engineer	N/A
Permit Issued Date	July 27, 2007
Description of Action	Operation of a stainless steel waterline as your Sugarloaf Spring location.

*Southwest Region: Water Standards and Facility Regulation Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**Operations Permit issued to Greater Johnstown Water Authority**, 640 Franklin Street, Johnstown, PA 15907, (PWSID No. 4110014), Conemaugh Township, **Somerset County** on July 30, 2007, for the operation of facilities approved under Construction Permit No. 1101503A1.

**Operations Permit issued to Municipal Authority of the Borough of West View**, 210 Perry Highway, Pittsburgh, PA 15229, (PWSID No. 5020043), Stowe Township, **Allegheny County** on July 30, 2007, for the operation of facilities approved under Construction Permit No. 0206508.

**Permit No. 0407503MA, Minor Amendment**, Public Water Supply.

Applicant	<b>North Sewickley Township Municipal Authority</b> 590 Mercer Road Beaver Falls, PA 15010
Borough or Township	North Sewickley Township
County	<b>Beaver</b>
Type of Facility	Heights No. 2 water storage tank painting
Consulting Engineer	US Engineering, LLC 75 Jardin Circle Highland, IL 62249
Permit to Construct Issued	July 30, 2007

**Permit No. 0407502MA, Minor Amendment**, Public Water Supply.

Applicant	<b>North Sewickley Township Municipal Authority</b> 590 Mercer Road Beaver Falls, PA 15010	Type of Facility	Transfer of the Redstone Water Company Crescent Heights water storage standpipe.
Borough or Township	North Sewickley Township	Consulting Engineer	
County	<b>Beaver</b>	Permit to Operate Issued	July 30, 2007
Type of Facility	Heights No. 1 water storage tank painting	<b>Permit No. 5351-T2, Minor Amendment, Public Wa- ter Supply.</b>	
Consulting Engineer	US Engineering, LLC 75 Jardin Circle Highland, IL 62249	Applicant	<b>Pennsylvania American Water Company</b> 800 West Hersheypark Drive P. O. Box 888 Hershey, PA 17033
Permit to Construct Issued	July 30, 2007	Borough or Township	West Pike Run Township
<b>Permit No. 0407504MA, Minor Amendment, Public Water Supply.</b>		County	<b>Washington</b>
Applicant	<b>Beaver Falls Municipal Authority</b> 1425 8th Avenue P. O. Box 400 Beaver Falls, PA 15010	Type of Facility	Transfer of the Redstone Water Company Village of Daisytown distribution system.
Borough or Township	Patterson Township	Consulting Engineer	
County	<b>Beaver</b>	Permit to Operate Issued	July 30, 2007
Type of Facility	Patterson No. 2 water storage tank painting	<b>Permit No. 2357-T2, Minor Amendment, Public Wa- ter Supply.</b>	
Consulting Engineer	Michael Baker Jr., Inc. 4301 Dutch Ridge Road Beaver, PA 15009	Applicant	<b>Pennsylvania American Water Company</b> 800 West Hersheypark Drive P. O. Box 888 Hershey, PA 17033
Permit to Construct Issued	July 30, 2007	Borough or Township	Redstone Township
<b>Permit No. 2357A1-T2, Minor Amendment, Public Water Supply.</b>		County	<b>Fayette</b>
Applicant	<b>Pennsylvania American Water Company</b> 800 West Hersheypark Drive P. O. Box 888 Hershey, PA 17033	Type of Facility	Transfer of the Redstone Water Company Village of Allison distribution system.
Borough or Township	Village of Allison	Consulting Engineer	
County	<b>Fayette</b>	Permit to Operate Issued	July 30, 2007
Type of Facility	Transfer of the Redstone Water Company Village of Allison water storage standpipe.	<b>Permit No. 6592501-T1, Minor Amendment, Public Water Supply.</b>	
Consulting Engineer		Applicant	<b>Municipal Authority of Westmoreland County</b> P. O. Box 730 Greensburg, PA 15601
Permit to Operate Issued	July 30, 2007	Borough or Township	Ligonier Borough and Ligonier Township
<b>Permit No. 4461A1-T2, Minor Amendment, Public Water Supply.</b>		County	<b>Westmoreland</b>
Applicant	<b>Pennsylvania American Water Company</b> 800 West Hersheypark Drive P. O. Box 888 Hershey, PA 17033	Type of Facility	Transfer of the Ligonier Municipal Authority water treatment system.
Borough or Township	West Pike Run Township	Consulting Engineer	
County	<b>Washington</b>	Permit to Operate Issued	July 30, 2007

### SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

*Plan Location: Steve Lovell*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Weisenberg Township	2175 Seipstown Road Fogelsville, PA 18051-2022	Lehigh

*Plan Description:* The approved plan provides for a single-family residence on a 0.5 acre tract. This project proposes a small flow treatment facility to repair a malfunctioning cesspool system, which currently serves the residence. The proposed treatment facility will include a two-compartment septic tank with a Zabel Effluent filter, an Ecoflo ST650 Peat Filter, and an ultraviolet radiation disinfection unit. A 4 inch PVC discharge pipe from the UV Filter will discharge to Mill Creek. A private well supplies drinking water to the lot. The proposed development is located at 10371 Old Route 22, Weisenberg Township, Lehigh County. Any required NPDES Permits or WQM Permits must be obtained in the name of Stephen Lovell.

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

*Plan Location:* North side of Old Harrisburg Pike in Huntington Township, Adams County.

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Huntington Township	P. O. Box 247 York Springs, PA 17372	Adams County

*Plan Description:* The approved plan provides for the installation of a small flow treatment facility to serve a proposed residence on 12.66 acres. The facility will discharge into a UNT of Bermudian Creek. The name of the project is Robert Fletcher and the Department of Environmental Protection (Department) code number is A3-01920-158-3. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality, authority or owner as appropriate.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 2

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

Provisions of Chapter 3 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation

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

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

The Department has received the following plans and reports:

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

**Perles Residence**, Norristown Borough, **Montgomery County**. Richard Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18703 on behalf of Claire Perles, 712 Perles Stanbridge Street, Norristown, PA 19401 has submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standards.

**Exxon Station 2-1291**, Lower Merion Township, **Montgomery County**. Stephanie Rose, GES, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341, Serena L. Oldhouser, GES, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341 on behalf of Lou Basttiste, 637 East Lancaster Avenue, Wynnewood, PA 19096 has submitted a Final Report, Remedial Investigation Report, Cleanup Plan and Risk Assessment Report concerning remediation of site soil and groundwater contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Site-Specific Standards and Statewide Health Standards.

**Toth Residence**, Haverford Township, **Delaware County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18703 on behalf of Kevin M. Toth, 1214 Bon Air Avenue, Havertown, PA 19083 has submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standards.

**Glanzmann Subaru**, Jenkintown Borough, **Montgomery County**. Karl Pfizenmayer, Strob Environmental, Inc., 410 North Easton Road, Willow Grove, PA 19090 on behalf of James Glanzmann, 99 Old York Road,

Jenkintown, PA 19046 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with unleaded gasoline. The report is intended to document remediation of the site to meet the Statewide Health Standards.

**Hedley Street Philadelphia Republic**, City of Philadelphia, **Philadelphia County**. Walter H. Hungarter, III, RT Environmental Services, Inc., 215 West Church Road, Suite 301, King of Prussia, PA 19406 on behalf of Dean DiValerio, Republic Services of PA, LLC, 414 East Baltimore Pike, Media, PA 19063 has submitted a Cleanup Plan and Remedial Investigation Report concerning remediation of site soil contaminated with inorganics. The report is intended to document remediation of the site to meet the Site-Specific Standards.

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

**Shipley Group/Tom's Mobil-Shrewsbury**, Shrewsbury Township, **York County**. Alliance Environmental Services, Inc., 1820 Linglestown Road, Harrisburg, PA 17110, on behalf of Shipley Group, P. O. Box 1509, York, PA 17405, submitted a Final Report concerning remediation of site soils contaminated with diesel fuel released from a leaking tractor trailer fuel tank. The report is intended to document remediation of the site to the Statewide Health Standard, and was submitted within 90 days of the release.

**Garloff Residence**, North Lebanon Township, **Lebanon County**. Groundwater Sciences Corporation, 2601 Market Place Street, Suite 310, Harrisburg, PA 17110-9307, on behalf of Suburban Energy Services, 5793 Widewaters Parkway, Suite 100, Syracuse, NY 13214 and John Garloff, Sr., 1811 SR 72 North, Lebanon, PA 17046, submitted a final report concerning remediation of site soils and groundwater contaminated with No. 2 heating oil. The report is intended to document remediation of the site to the Statewide Health Standard.

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

**EMSOURCE St. Marys Hall Avenue**, St. Marys, **Elk County**. Hydrosystems Management, Inc., P. O. Box 789, Washington, PA 15301 on behalf of 441 Holdings, LLC, 111 Commercial Street, Suite 400, P. O. Box 17914, Portland, ME 04112-7914 has submitted a Revised Remedial Investigation and Final Report concerning remediation of site soils contaminated with tetrachloroethylene (PCE) and site groundwater contaminated with carbon tetrachloride, dichloroethane, 1,1-, dichloroethane, 1,2-, dichloroethylene, 1,1-, dichloroethylene, CIS-1,2-, tetrachloroethylene (PCE), trichloroethane, 1,1,1-, trichloroethylene (TCE), vinyl chloride. The reports are intended to document remediation of the site to meet the Site-Specific Standard.

**Honeywell Farmers Valley Wax Plant Main**, Farmers Valley, **McKean County**. MACTEC Engineering & Consulting, Inc., Carnegie Office Park, Building 4, 700 North Bell Avenue, Suite 200, Pittsburgh, PA 15106 on behalf of Honeywell Specialty Materials, 45 Route 446, Route 46 and 446, Smethport, PA 16749 has submitted a Remedial Investigation/Risk Assessment Report concerning remediation of site soil contaminated with benzene, toluene, ethylbenzene, xylene and other organic constituents of gasoline as well as lead and site groundwater contaminated with benzene, toluene, ethylbenzene, xylene and other organic constituents of gasoline as well as lead. The report is intended to document remediation of the site to meet the Site-Specific Standards.

**Honeywell Wax Mfg. Fac. OLD**, Emlenton, **Venango County**. MACTEC Engineering & Consulting, Inc., Carnegie Office Park, Building 4, 700 North Bell Avenue, Suite 200, Pittsburgh, PA 15106 on behalf of Honeywell, P. O. Box 660, 1001 Hill Street, Emlenton, PA 16373 has submitted a Remedial Investigation/Risk Assessment Report concerning remediation of site groundwater contaminated with benzene, toluene, ethylbenzene and xylene (BTEX) compounds and site soil contaminated with mercury, benzene, toluene and trimethylbenzene. The report is intended to document remediation of the site to meet the Site-Specific Standards.

**Ogden Manufacturing Co. (Chromalox Plt 2)**, Franklin Township, **Erie County**. WSP Environmental Strategies, LLC, 750 Holiday Drive, Suite 410, Pittsburgh, PA 15220 on behalf of Emerson, 8000 West Florissant, St. Louis, MO 63136 has submitted a Remedial Investigation Report and Final Report concerning remediation of site soils contaminated with dichloroethylene, 1,1-dichloroethylene, CIS-1,2-, trichloroethane, 1,1,1-, trichloroethylene (TCE) and site groundwater contaminated with acetone, benzene, carbon disulfide, dichloroethane, 1,1-, dichloroethane, 1,2-, dichloroethylene, 1,1-, dichloroethylene, CIS-1,2-, methyl chloride, toluene, trichloroethane, 1,1,1-trichloroethylene (TCE), vinyl chloride, xylenes (total). The reports are intended to document remediation of the site to meet the Statewide Health Standard.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

### PREAMBLE 3

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

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



quired by provisions of the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

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

The Department has received the following plans and reports:

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

**Ambler Boiler House**, Ambler Borough, **Montgomery County**. John Zaharchuk, Summit Realty Advisors, LLC, 621 Delaware Street, New Castle, DE 19720 on behalf of Walter H. III, RT Environmental Services, Inc. 215 West Church Road, King of Prussia, PA 19406 has submitted a Cleanup Plan and Remedial Investigation Report concerning the remediation of site soil contaminated with lead and inorganics. The Cleanup Plan and Remedial Investigation Report was approved by the Department on July 17, 2007.

**Boiler Erection & Repair Company Inc.**, Ambler Borough, **Montgomery County**. Jeffery Goudsward, Langan Engineering and Environmental Svc., P. O. Box 1569, Doylestown, PA 18901 on behalf of John Carey, Sr., Industrial Management Associates, Inc., 200 South Main Street, Ambler, PA 19002 has submitted a Remedial Investigation and Cleanup Plan concerning the remediation of site soil contaminated with PAH's. The Remedial Investigation and Cleanup Plan was approved by the Department on July 17, 2007.

**269 Canal Road Site**, Fall Township, **Bucks County**. Trevan J. Houser, QEP, Land Resource Solution, LLC, 1274 North Church Street, Moorestown, NJ 08057 on behalf of Anthony Cino, 269 Canal Road, LP, 301 Oxford Valley, Suite 702, Yardley, PA 19067 has submitted a Cleanup Plan and Remedial Investigations Report concerning the remediation of site soil and groundwater contaminated with inorganics, chlorinated solutions, PCB's and other organics. The Cleanup Plan and Remedial Investigation Report was approved by the Department on July 17, 2007.

**Southco Inc. Brandywine Facility**, Concordville Township, **Delaware County**. Pete Barringer, Services Env., Inc., 375 Morgan Street, Phoenixville, PA 19460 on behalf of David Gibson, Esq., Southco, Inc., 210 North Brinton Lake Road, Concordville, PA 19331 has submitted a Final Report concerning the remediation of site soil contaminated with organics. The Final Report demonstrated attainment of the Statewide Health Standards and was approved by the Department on July 18, 2007.

**Suburban West Chester Facility**, West Chester Borough, **Chester County**. J. Neil Ketchum, Groundwater Sciences Corp., 2601 Market Place Street, Suite 310

Harrisburg, PA 17110 on behalf of Richard D. Williams, Suburban PA Prop., Acquisitions, LLC, P. O. Box 4833, Syracuse, NY 13221-4833 has submitted a Remedial Investigation Report concerning the remediation of site soil and groundwater contaminated with No. 2 fuel oil. The Remedial Investigation Report was approved by the Department on July 19, 2007.

**Francis Freas Glass Works**, Conshohocken Borough **Montgomery County**. Richard C. Karr, P. G., MACTEC Engineering and Consulting, Inc., 5205 Militia Hill Road, Plymouth Meeting, PA 19462 on behalf of Douglas Marzella, Francis Freas Glass Works, 144-148 East 9th Avenue, Conshohocken, PA 19428 has submitted a Final Report concerning the remediation of site soil contaminated with chlorinated solvents. The Final Report demonstrated attainment of the Statewide Health Standards and was approved by the Department on July 18, 2007.

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

**Travis Leichssenring Residence**, City of Easton, **Northampton County**. Michael Raffoni, GemChem, Inc., P. O. Box 384, Lititz, PA 17543 submitted a Final Report on behalf of his client, Travis Leichssenring, 543 Line Street, Easton, PA 18042, concerning the remediation of soils found to have been impacted by No. 2 heating oil as a result of overflow to the unregulated storage tank. The report documented attainment of the Residential Statewide Health Standard for soils and was approved on July 6, 2007. The report was originally submitted within 90 days of the release.

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

**Messiah College, Schoolhouse Building**, Upper Allen Township, **Cumberland County**. United Environmental Services, Inc., 86 Hillside Drive, Drums, PA 18222, on behalf of Messiah College, 1 College Avenue, Grantham, PA 17027, submitted a final report concerning the remediation of site soils contaminated with No. 2 fuel oil. The final report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department on July 24, 2007.

**Brickstone Development—Wyomissing**, Borough of Wyomissing, **Berks County**. Ransom Environmental, 2127 Hamilton Avenue, Hamilton, NJ 08619, on behalf of JMH, Inc., 200 North Park Road, Suite 400, Wyomissing, PA 19610, The Brickstone Companies, Mellon Independence Center, 701 Market Street, Philadelphia, PA 19106 and Bozzuto Development Company, 7850 Walker Drive, Suite 400, Greenbelt, MD 10770-3203, prospective owner and developer, submitted a Remedial Investigation Report and Cleanup Plan concerning the remediation of site soils contaminated with arsenic. The report and plan were approved by the Department on July 25, 2007.

**Steven DePerrot Residence**, Lititz Borough, **Lancaster County**. GemChem, Inc., 53 North Cedar Street, P. O. Box 384, Lititz, PA 17543-0384, on behalf of Steven DePerrot, 201 South Locust Street, Lititz, PA 17543-2108 and K. E. Weaver Petroleum, Inc., 144 Church Road, Lititz, PA 17543, submitted a Final Report concerning the remediation of site soils contaminated with No. 2 fuel oil. The final report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department on July 26, 2007.

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

**Richard A. Rainey Property**, Mahaffey Borough, **Clearfield County**. Environmental Remediation and Recovery, Inc., 5719 Route 6N, Edinboro, PA 16412 on behalf of Richard A. Rainey, 1619 Stillwood Street, Chesapeake, VA 23320 has submitted a Remedial Investigation, Risk Assessment and Cleanup Plan concerning remediation of site soil and groundwater contaminated with BTEX and PHCs. The Remedial Investigation, Risk Assessment and Cleanup Plan were approved on July 24, 2007.

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

**Powder Metal Products**, St. Marys Borough, **Elk County**. GeoServices, Ltd., 1525 Cedar Cliff Drive, Camp Hill, PA 17001 on behalf of Metal Powder Products, 879 Washington Street, St. Marys, PA 15857 has submitted a Revised Remedial Investigation Report concerning the remediation of site soil and groundwater contaminated with chlorinated solvents, TCE and TCA, vinyl chloride, DCE and DCA. The Revised Remedial Investigation Report was approved by the Department on July 25, 2007.

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

**Permits 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.**

*Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**Permit ID No. 100434. Evergreen Landfill, Inc.**, P. O. Box 194, Route 119N, Coral, PA 15731. Operation of a Municipal Waste Landfill in Center and Brushvalley Townships, **Indiana County**. Phase III expansion issued in the Regional Office on July 26, 2007.

**Permit ID No. 301305, Calgon Carbon Corporation**, P. O. Box 717, Pittsburgh, PA 15230. Approval of a permit renewal application for a residual waste transfer facility located at 3000 Grand Avenue in Neville Township, **Allegheny County**. The permit renewal was issued in the Regional Office on July 27, 2007.

**Permit ID No. 300657. Route 356 Residual Waste Landfill**, 100 River Road, Brackenridge, PA 15014-1597, for operation of residual waste landfill in Allegheny Township, **Westmoreland County**. Permit modification revising the wastewater treatment system issued in the Regional Office on July 30, 2007.

#### 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, Thomas McGinley, New Source Review Chief, (484) 250-5920.*

**09-329-006GP: J.D.M. Materials Co., Inc.** (851 County Line Road, Huntington Valley, PA 19006) on July 30, 2007, to operate a fuel-fired internal combustion in Langhorne Borough, **Bucks County**.

*Northwest Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790, Mark Wejkszner, New Source Review Chief, (570) 826-2531.*

**40-310-071GP3: Hazleton Creek Properties, LLC** (580 Third Street, P. O. Box 1389, Kingston, PA 18704) on July 24, 2007, to construct and operate a Portable Crushing Operation with watersprays at their site in Hazleton, **Luzerne County**.

**40-329-003GP9: Hazleton Creek Properties, LLC** (580 Third Street, P. O. Box 1389, Kingston, PA 18704) on July 24, 2007, to the install and operate an Internal Combustion Engine at the site located in Hazleton, **Luzerne County**.

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

**GP2-21-05021A: Arnold Fuel Oil, Inc.** (P. O. Box 2621, Harrisburg, PA 17105-2621) on July 31, 2007, for Storage Tanks for Volatile Organic Liquids under GP2 in Silver Spring Township, **Cumberland County**.

**Plan Approvals Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.**

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

**09-0120A: BASF Construction Chemicals, LLC** (Route 13 and Beaverdam Road, Bristol, PA 19007) on July 31, 2007, to operate five mixer vents in Bristol Township, **Bucks County**.

*Northwest Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790, Mark Wejkszner, New Source Review Chief, (570) 826-2531.*

**66-318-005: Procter & Gamble Paper Products** (P. O. Box 32, Mehoopnay, PA 18629) on July 24, 2007, to modify their tissue/towel converting coremaking operation at their facility in Washington Township, **Wyoming County**.

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

**01-03017A: Premier Chemicals, LLC** (300 Barr Harbor Drive, Suite 250, West Conshohocken, PA 19428-2998) on July 26, 2007, to increase mineral throughput in their Aspers facility in Menallen Township, **Adams County**.

**05-05024A: JLG Industries, Inc.** (1 JLG Drive, McConnellsburg, PA 17233-9502) on July 23, 2007, to construct three spray booths and associated equipment at their Weber Lane Facility in Bedford Township, **Bedford County**.

**28-03022A: Valley Quarries, Inc.** (169 Quarry Road, Chambersburg, PA 17201-9099) on July 24, 2007, to construct of a sandstone primary crusher rated at 200 tph subject to NSPS Subpart OOO and associated equipment for rock crushing operation in Guilford Township, **Franklin County**.

**38-05019C: AES Ironwood, LLC** (305 Prescott Road, Lebanon, PA 17042-9178) on July 26, 2007, to add a definition for load change periods to the existing approval

for the combustion turbine generating plant in South Lebanon Township, **Lebanon County**.

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

**59-00021A: Phoenix Resources, Inc.** (782 Antrim Road, Wellsboro, PA 16901) on July 16, 2007, to modify construction and demolition of waste landfill by expansion of the landfill and by increasing the average daily waste volume from 1,250 tpd to 2,000 tpd at the Phoenix Resources Landfill located in Duncan Township, **Tioga County**.

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

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

**23-0001W: Sunoco, Inc.—R and M** (P. O. Box 426, Marcus Hook, PA 19061-0426) on July 24, 2007, to operate a desulphurize gasoline (tier II) in Marcus Hook Borough, **Delaware County**.

**23-0001Z: Sunoco, Inc.—R and M** (P. O. Box 426, Marcus Hook, PA 19061-0426) on July 27, 2007, to operate four auxiliary boilers in Marcus Hook Borough, **Delaware County**.

**09-0163: Blooming Glen Quarry—Div. Of Haines** (P. O. Box 196, 2052 Lucon Road, Skippack, PA 19474) on July 27, 2007, to operate an existing screen in Hilltown Township, **Bucks County**.

**23-0089: FPL Energy Marcus Hook, LP** (P. O. Box 426, Delaware Avenue and Green Street, Marcus Hook, PA 19061) on July 30, 2007, to operate a 750 megawatt (MW) combined cycle in Marcus Hook Borough, **Delaware County**.

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

**19-00019A: Dillon Floral Corp.** (933 Columbia Boulevard, Bloomsburg, PA 17815) on July 9, 2007, to perform PM and NOx stack tests upon exhaust of Boiler and Steam Systems Model 24-6 CYT multiclone collector associated with Advanced Recycling wood fired boiler in Bloomsburg, **Columbia County** by no later than November 14, 2007. The plan approval has been extended.

**19-00023A: Impress USA, Inc.** (536 Barracuda Street, Terminal Island, CA 90731) on July 24, 2007, to operate two can side stripe coating lines on a temporary basis until November 21, 2007, in South Centre Township, **Columbia County**. The plan approval has been extended.

**14-00014C: Glenn O. Hawbaker, Inc.** (711 East College Ave., Bellefonte, PA 16823) on July 24, 2007, to decrease the allowable throughput for an asphalt plant from 980,000 tons of asphalt concrete per year to 800,000 tpy, to increase the NOx emission limitation for the asphalt plant from .0345 pound per ton of asphalt concrete to .044 pound per ton when firing No. 2 fuel oil and .052 pound per ton when firing No. 5 or No. 6 fuel oil or recycled/reprocessed oil, to decrease the NOx emission limitation for the asphalt plant from .0345 pound per ton of asphalt concrete to .024 pound per ton when firing

natural gas, to increase the CO emission limitation for the asphalt plant from .0735 pound per ton of asphalt concrete to .082 pound per ton when firing natural gas, .098 pound per ton when firing No. 2 fuel oil and .109 pound per ton when firing No. 5 or No. 6 fuel oil or recycled/reprocessed oil, to decrease the VOC emission limitation for the asphalt plant from .0420 pound per ton of asphalt concrete to .03 pound per ton when firing natural gas and .032 pound per ton when firing No. 2, No. 5 or No. 6 fuel oil or recycled/reprocessed oil, to decrease the SOx emission limitation for the asphalt plant from .16 pound per ton of asphalt concrete to .08 pound per ton when firing No. 2 fuel oil and .078 pound per ton when firing No. 5 or No. 6 fuel oil or recycled/reprocessed oil, to increase the PM emission limitation for the asphalt plant from .0056 grain per dry standard cubic foot to .02 grain per dry standard cubic foot, to increase the allowable throughput for a primary stone crushing operation from 2,780,000 tpy to 3,200,000 tpy, to decrease the allowable throughput for a secondary stone crushing operation from 3,504,000 tpy to 1,600,000 tpy, to increase the PM emission limitation for two fabric collectors associated with the secondary stone crushing operation from .0091 and .0109 grain per dry standard cubic foot to .02 grain per dry standard cubic foot, to decrease the required frequency of stack testing on the asphalt plant and secondary stone crushing operation fabric collectors from once per year to one test prior to June 20, 2007, and another between March 31, 2011, and September 30, 2011, and to correct an error in a condition specifying the fugitive air contaminant emission requirements of 25 Pa. Code Section 123.1 in Spring Township, Centre County.

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

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*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701, Muhammad Zaman, Facilities Permitting Chief, (570) 327-3637.*

**08-00001: Tennessee Gas Pipeline** (Nine Greenway Plaza, 1626B, Houston, TX 77046) on July 23, 2007, to issue a renewal Title V Operating Permit, for their natural gas transmission Station No. 319 in Wyalusing Township, **Bradford County**. The facility's main sources include two natural gas fired compressor turbines, one natural gas fired emergency generator and associated pipeline flanges and valves. The two compressor turbines are subject to 40 CFR Part 60, Subpart GG, 60.330—60.335. The renewal Title V operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

**59-00008: Tennessee Gas Pipeline Co.** (1001 Louisiana Street, Houston, TX 77002) on July 20, 2007, to issue a renewal Title V Operating Permit for their Wellsboro facility in Charleston Township, **Tioga County**. The facility's sources include one natural gas-fired compressor turbine, four storage tanks, two space heaters, one boiler, one emergency generator and associated pipeline flanges and valves. The renewal Title V operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

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*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, Edward Jurdones Brown, Facilities Permitting Chief, (484) 250-5920.*

**15-00071: Gourmet Delight Mushroom Co.** (704 Garden Station Road, Avondale, PA 19311) on July 30, 2007, for a non-Title V Facility, State-only, Natural Minor Permit in London Grove Township, **Chester County**. Gourmet Delights is a mushroom growing and manufacturing facility. The sources of emissions include boilers and emergency generators. Monitoring, recordkeeping 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, Mark Wejkszner, New Source Review Chief, (570) 826-2531.*

**48-00080: Belyea Co., Inc.** (2200 Northwood Avenue, Easton, PA 18045-2208) on July 25, 2007, to issue a State-only (Synthetic Minor) Operating Permit for operation of paint spray booth and associated air cleaning devices at their facility in Palmer Township, **Northampton County**.

**64-00003: Cherry Ridge Veterinary Clinic** (328 Wanoka Road, Honesdale, PA 18431) on July 30, 2007, to issue a State-only (Natural Minor) Operating Permit for operation of an animal crematory in Cherry Ridge Township, **Wayne County**.

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

**06-03043: Wolf Technologies, LLC** (551 Old Swede Road, Douglassville, PA 19518) on July 23, 2007, to operation of an investment castings facility in Amity Township, **Berks County**. This is a renewal of the State-only operating permit.

**06-05023: Stroehmann Bakeries LC** (640 Park Avenue, Reading, PA 19611-1926) on July 26, 2007, for operate a bread bakery in the City of Reading, **Berks County**. This is a renewal of the State-only operating permit.

**07-03002: PPG Industries, Inc.** (P. O. Box 307, Tipton, PA 16684-0307) on July 27, 2007, to operate glass screen printing, bending and tempering equipment at the company's Tipton Works plant in Antis Township, **Blair County**.

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

**17-00046: HPM Industries, Inc.** (P. O. Box P, DuBois, PA 15801-0319) on July 24, 2007, to issue a renewal State-only Operating Permit for their facility in DuBois, **Clearfield County**. This facility manufactures sintered metal parts. The facility's main sources include five sintering furnaces, 14 space heaters, two oil impregnators, one electric drying oven, one metal powdered parts dip sizing operation and one parts washer. The State-only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and report conditions.

**55-00009: Conestoga Wood Specialties** (441 West Market Street, Beavertown, PA 17813) on July 20, 2007, to issue a renewal State-only (Synthetic Minor) Operating Permit for their facility in the Borough of Beavertown,

**Snyder County**. The facility's sources include six wood working systems, three wood chip and sawdust loading operations, two boilers, one spray booth, one natural gas fired emergency generator, one diesel-fired fire sprinkler system pump and one parts washer. The State-only (Synthetic Minor) operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and report conditions.

**55-00019: Professional Building Systems, Inc.** (72 East Market Street, Middleburg, PA 17842) on July 20, 2007, to issue a State-only Operating Permit for their Middleburg facility in the Borough of Middleburg, **Snyder County**. The facilities main source includes the modular home manufacturing operations. Additional sources include four No. 2 fuel oil fired boilers, three storage tanks and two propane fired heater. The State-only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and report conditions.

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

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*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, Edward Jurdones Brown, Facilities Permitting Chief, (484) 250-5920.*

**09-00019: Miller and Son Paving, Inc.** (887 Mill Creek Road, Rushland, PA 18956) on July 30, 2007, for an Administrative Amendment to State-only Operating Permit No. 09-00019 for their facility in Wrightstown Township, **Bucks County**. The Administrative Amendment incorporates the requirements of Plan Approval No. 09-0019B for a batch hot mix asphalt (HMA) plant and associated cyclone and baghouse. The following changes have been addressed in the amended State-only Operating Permit (SOOP):

The permit maps for Source IDs C03 and C04 have been removed from Section A, of the SOOP.

Exceptions for emission into the outdoor atmosphere of fugitive air contaminants from certain types of open burning operations and from blasting in pit mines have been added as Condition No. 002(f) and (g), Section C, of the SOOP, respectively.

The fugitive emission opacity requirements of 40 CFR 60.672(b), (c) and (e) have been streamlined into Condition No. 002, Section C, of the SOOP.

References to Source IDs 103 and 110—115 have been removed from, and a reference to Source ID C03, which was inadvertently omitted from the initial SOOP, has been added to, Condition No. 005, Section C, of the SOOP.

A requirement to maintain records of all of the facility's emission increases has been added as Condition No. 018, Section C, of the SOOP.

Condition No. 024(b), Section C, of the initial SOOP, has been removed.

The compliance milestones of Condition Nos. 028—032, Section C, of the initial SOOP, have been removed.

The PM emission requirement of 25 Pa. Code § 123.13(b) has been streamlined into Condition No. 001, Section D (under Source ID 101), of the SOOP.

All conditions relating to the fugitive emission opacity requirements of 40 CFR 60.672(b), (c) and (e), including testing, recordkeeping and reporting conditions, have been removed from Section D (under Source IDs 103 and 110—115), of the SOOP.

A requirement to maintain records of all of the facility's emission increases has been added as Condition No. 013, Section C, of the SOOP.

An additional requirement stating that Source ID C03 is subject to 40 CFR 60, Subpart OOO, has been added as Condition No. 012, Section D (under Source ID C03), of the SOOP.

References to Source IDs 110—115 have been removed from, and references to Condition No. 002, Sections C and D (under Source ID C03), of the SOOP, have been added to, Condition Nos. 001 and 006, Section D (under Source ID C04), of the SOOP.

A reference to Method 22 testing has been added to Condition No. 001, Section D (under Source ID C04), of the SOOP.

A provision indicating which operation and equipment of Source ID 103 is subject to the PM emission restriction of 0.04 gr/dscf (25 Pa. Code § 123.13(c)(1)(i)) has been added to Section F (under Source ID 103), of the SOOP.

Administrative Amendment of SOOP No. 09-00019 is issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450.

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

**36-05117: Dart Container Corp.** (110 Pitney Road, Lancaster, PA 17602-2616) on July 23, 2007, to operate their expandable polystyrene cup manufacturing facility in East Lampeter Township, **Lancaster County**. This Title V operating permit was administratively amended to incorporate Plan Approval 36-05117A. This is revision No. 1.

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

**41-00013: JW Aluminum Co.** (2475 Trenton Avenue, Williamsport, PA 17701) on July 26, 2007, in accordance with the administrative amendment requirements of 25 Pa. Code § 127.450, to identify a change of ownership for a cold aluminum rolling and coil coating facility from Coastal Aluminum Rolling Mills, Inc. to JW Aluminum Company in the City of Williamsport, **Lycoming County**.

**59-00002: Dominion Transmission, Inc.** (445 West Main Street, Clarksburg, WV 26301) on July 26, 2007, in accordance with the minor operating permit modification requirements of 25 Pa. Code § 127.462, to increase the CO emission limitation for each of two 4,200 horsepower natural gas-fired reciprocating internal combustion compressor engines from 18.51 pounds per hour to 19.42 pounds per hour at the Tioga Compressor Station in Farmington Township, **Tioga County**.

## ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

### *Coal Permits Actions*

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

**Permit Number 56841608 and GP12-56841608-R6, PBS Coals, Inc.**, 1576 Stoystown Road, P. O. Box 260, Friedens, PA 15541, to revise the permit for the Cambria Fuel Preparation Plant in Stonycreek Township, **Somerset County** to establish emission controls for installation and operation of coal processing equipment and facilities at plant site. No additional discharges. Application received October 2, 2006. Permit issued July 23, 2007.

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

**56930107 and NPDES No. PA0212466, Future Industries, Inc.**, P. O. Box 157, Meyersdale, PA 15552, revision of an existing bituminous surface mine for land use change from pastureland and wildlife habitat to cropland in Brothersvalley Township, **Somerset County**, affecting 70.3 acres. Receiving streams: UNT to Buffalo Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received May 8, 2007. Permit issued July 25, 2007.

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

**24030101. Tamburlin Bros. Coal Co., Inc.**, P. O. Box 1419, Clearfield, PA 16830. Revision to an existing bituminous strip operation to add blasting in Horton Township, **Elk County**. Receiving streams: Little Toby Creek. Application received May 25, 2007. Permit Issued July 20, 2007.

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

**17050108 and NPDES No. PA0256277. King Coal Sales, Inc.**, P. O. Box 712, Philipsburg, PA 16866, revision of an existing bituminous surface mine for an incidental boundary correction in Graham and Morris Townships, **Clearfield County**, affecting 84.3 acres. Receiving streams: UNT to Moravian Run, to Moravian Run (CWF); to West Branch Susquehanna River (WWF). There are no potable water supply intakes within 10 miles downstream. Application received May 24, 2007. Permit issued July 20, 2007.

*Noncoal Permits Actions*

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

**4975SM5 and NPDES Permit No. PA0612430. Glen-Gery Corporation**, Route 61, Box 340, Shoemakersville, PA 19555, renewal of NPDES Permit, Oxford Township, **Adams County**. Receiving streams: UNT South Branch Conewago Creek classified for the following use: WWF. The first downstream potable water supply intake from the point of discharge is New Oxford Municipal Authority, South Branch Conewago Creek. Application received June 1, 2007. Permit issued July 24, 2007.

**Permit No. 4975SM3 and NPDES Permit No. PA0612235, Glen-Gery Corporation**, Route 61, Box 340, Shoemakersville, PA 19555, renewal of NPDES Permit, Hamilton Township, **Adams County**. Receiving streams: Muncy Run classified for the following use: WWF. There are no potable water supply intakes within 10 miles downstream. Application received June 1, 2007. Permit issued July 24, 2007.

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

**25800306. Ronald T. Bole and Susan J. Bole** (9696 Old Route 99, McKean, PA 16426. Transfer of an existing sand and gravel operation from Sibleyville Land and Gravel Company in McKean Township, **Erie County** affecting 25.7 acres. Receiving streams: UNT to Elk Creek, classified for the following uses: CWF, MF. There are no potable surface water supply intakes within 10 miles downstream. Application received July 25, 2007.

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

**08970821. Jeff Taylor**, R. R. 2, Box 60, Wysox, PA 18854. Transfer of an existing small noncoal (bluestone) operation from Thomas J. Bolles in Warren Township, **Bradford County**, affecting 5.0 acres. Receiving streams: Wappasening Creek, tributary to Susquehanna River. Application received March 21, 2007. Permit issued July 10, 2007.

**08070805. John Preston**, R. R. 1, Box 20, Wyalusing, PA 18853. Transfer of an existing small noncoal (bluestone) operation from Johnson Quarries, Inc., in Wilnot Township, **Bradford County**, affecting 4.0 acres. Receiving streams: UNT to Sugar Run Creek. Application received May 14, 2007. Permit issued July 10, 2007.

**14060301 and NPDES No. PA0256323. Glenn O. Hawbaker, Inc.**, 1952 Waddle Road, State College, PA 16803, commencement, operation and restoration of a large, noncoal (sandstone) surface mine in Rush Township, **Centre County**, affecting 102.79 acres. Receiving streams: Moshannon Creek, UNTs to Moshannon Creek, classified for the following uses: TSE, CWF. No public or private supplies are present in the vicinity. Application received March 9, 2006. Permit issued July 20, 2007.

**57070801. Mark E. Beegle**, R. R. 2, Box 2292, Dushore, PA 18614, commencement, operation and restoration of a bluestone quarry in Cherry Township, **Sullivan County**, affecting 3.0 acres. Receiving stream: UNT to Little Loyalsock Creek. Application received June 18, 2007. Permit issued July 20, 2007.

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

**7776SM1A3C4 and NPDES Permit No. PA0611883. Martin Stone Quarries, Inc.**, P. O. Box 297, Bechtelsville, PA 19505, renewal of existing NPDES Per-

mit for discharge of treated mine drainage from a quarry operation in Colebrookdale Township, **Berks County**, receiving stream: UNT to Swam Creek. Application received June 13, 2007. Renewal issued July 26, 2007.

#### ACTIONS ON BLASTING ACTIVITY APPLICATIONS

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

*Blasting Permits Actions*

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

**21074151. Dyno Nobel, Inc.**, 1320 Galiffa Drive, Donora, PA 15033, blasting activity permit issued for commercial development in Silver Spring Township, **Cumberland County**. Blasting activity permit end date is July 30, 2008. Permit issued July 18, 2007.

**28074141. Newville Construction Svc., Inc.**, 408 Mohawk Road, Newville, PA 17241-9424, blasting activity permit issued for agricultural development in Southampton Township, **Franklin County**. Blasting activity permit end date is July 30, 2008. Permit issued July 18, 2007.

**21074152. Douglas Explosives, Inc.**, P. O. Box 77, Philipsburg, PA 16866-0077, blasting activity permit issued for residential development in Upper Allen Township, **Cumberland County**. Blasting activity permit end date is July 15, 2008. Permit issued July 19, 2007.

**21074154. Warrens Excavating and Drilling, Inc.**, P. O. Box 1022, Honey Brook, PA 19344-0902, blasting activity permit issued for residential development in Silver Spring Township, **Cumberland County**. Blasting activity permit end date is July 15, 2008. Permit issued July 20, 2007.

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

**06074119. Newville Construction Services, Inc.**, 408 Mohawk Road, Newville, PA 17241, construction blasting for Berks Power Line in Spring and East Cocalico Townships, **Berks and Lancaster Counties** with an expiration date of July 30, 2008. Permit issued July 23, 2007.

**09074116. Ed Wean Drilling and Blasting, Inc.**, 112 Ravine Road, Stewartsville, NJ 08886, construction blasting for Neshaminy Garden Drainage Improvements in Warrington Township, **Bucks County** with an expiration date of July 16, 2008. Permit issued July 23, 2007.

**09074117. American Rock Mechanics, Inc.**, 7531 Chestnut Street, Zionsville, PA 18092, construction blasting for a home in Milford Township, **Bucks County** with an expiration date of September 1, 2008. Permit issued July 23, 2007.

**35074115. Hayduk Enterprises, Inc.**, 257 Riverside Drive, Factoryville, PA 18419, construction blasting for The Preserve in Greenfield Township, **Lackawanna County** with an expiration date of July 31, 2008. Permit issued July 23, 2007.

**36074178. Keystone Blasting Service**, 381 Reifsnnyder Road, Lititz, PA 17543, construction blasting

for Stone Mill Estates in Manheim Township, **Lancaster County** with an expiration date of December 30, 2008. Permit issued July 23, 2007.

**36074179. Gerlach's Drilling & Blasting**, (172 Bender Mill Road, Lancaster, PA 17603), construction blasting for Sauder Farm, LLC in West Hempfield Township, **Lancaster County** with an expiration date of December 31, 2007. Permit issued July 23, 2007.

**36074180. Abel Construction Co., Inc.**, (P. O. Box 476, Mountville, PA 17554), construction blasting for The Falls at Old Mill in East Lampeter Township, **Lancaster County** with an expiration date of July 23, 2008. Permit issued July 23, 2007.

**67074135. J. Roy's, Inc.**, (Box 125, Bowmansville, PA 17507), construction blasting for Hanover Arch Products in Jackson Township, **York County** with an expiration date of July 15, 2008. Permit issued July 23, 2007.

**67074136. Douglas Explosives, Inc.**, (P. O. Box 77, Philipsburg, PA 16866), construction blasting for Brownstone Manor in Dover Township, **York County** with an expiration date of July 18, 2008. Permit issued July 23, 2007.

**23074001. Explo-Craft, Inc.**, (P. O. Box 1332, West Chester, PA 19380), construction blasting at Storage World in Edgmont Township, **Delaware County** with an expiration date of December 31, 2007. Permit issued July 24, 2007.

**36074004. Abel Construction Co., Inc.**, (P. O. Box 476, Mountville, PA 17554), construction blasting at Watson Run Phase II in Leacock Township, **Lancaster County** with an expiration date of July 31, 2008. Permit issued July 24, 2007.

**22074119. John W. Gleim, Jr., Inc.**, (625 Hamilton Street, Carlisle, PA 17013), construction blasting for Arondale Development in West Hanover Township, **Dauphin County** with an expiration date of December 15, 2007. Permit issued July 24, 2007.

**22074120. Douglas Explosives, Inc.**, (P. O. Box 77, Philipsburg, PA 16866), construction blasting for Venice Development in South Hanover Township, **Dauphin County** with an expiration date of July 25, 2008. Permit issued July 24, 2007.

**06074120. J. Roy's, Inc.**, (Box 125, Bowmansville, PA 17507), construction blasting for Green Valley Estates in Lower Heidelberg Township, **Berks County** with an expiration date of July 30, 2008. Permit issued July 26, 2007.

**09074118. Ed Wean Drilling & Blasting, Inc.**, (112 Ravine Road, Stewartsville, NJ 08886), construction blasting for Pennland Farm in Bedminster Township, **Bucks County** with an expiration date of August 1, 2008. Permit issued July 26, 2007.

**67074006. Explosives Experts, Inc.**, (P. O. Box 879, Sparks, MD 21152), construction blasting at Northfield Development in West Manheim Township, **York County** with an expiration date of October 31, 2007. Permit issued July 27, 2007.

## FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

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

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

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

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

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

### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E35-401. North Pocono School District**, 701 Church Street, Moscow, PA 18444, Covington Township, **Lackawanna County**, United States Army Corps of Engineers Baltimore District.

To construct and maintain the following water obstructions and encroachments associated with the North Pocono High School project:

1. (Crossing A) A road crossing of a tributary to Roraring Brook (HQ-CWF), consisting of a 52-foot long, 8-foot by 4-foot concrete box culvert with concrete wingwalls, depressed approximately 6-inches below streambed elevation.

2. (Crossing B) A road crossing of a tributary to Roaring Brook (HQ-CWF), consisting of a 53-foot long, 30-inch diameter corrugated metal aluminized type 2 pipe with a riprap apron and a concrete headwall and endwall.

3. (Crossing C) A road crossing of a tributary to Roaring Brook (HQ-CWF) and 0.02 acre of adjacent EV

wetlands consisting of a 53-foot long, 30-inch diameter corrugated metal aluminized type 2 pipe with a riprap apron and a concrete headwall and endwall.

4. (Crossing D) A road crossing of a tributary to Roaring Brook (HQ-CWF), consisting of a 66-foot long, 36-inch diameter corrugated metal aluminized type 2 pipe with a riprap apron and a concrete headwall and endwall.

5. (Crossing E) A road crossing of 0.02 acre of EV wetlands within the Roaring Brook Watershed.

6. (Crossing F) A road crossing of a tributary to Roaring Brook (HQ-CWF), consisting of a 73-foot long, 18-inch diameter reinforced concrete pipe.

7. (Crossing G) A road crossing of a tributary to Roaring Brook (HQ-CWF), consisting of a 74-foot long, 15-inch smooth-lined corrugated plastic pipe with a riprap apron.

8. A sanitary sewer line crossing under each of the above culverts carrying tributaries to Roaring Brook.

9. An overhead electric line crossing of 112 feet of EV wetlands and various tributaries to Roaring Brook.

The project is located on the east side of SR 0435 and SR 0502 intersection (Moscow, PA Quadrangle N: 10.8 inches; W: 1.0 inch) in Covington Township, Lackawanna County.

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

**E08-443. Howard W. Mahady**, R. R. 3, Box 213, Columbia Cross Roads, PA 16914. Water Obstruction and Encroachment Permit for private residential bridge, in Ridgebury Township, **Bradford County**, ACOE Susquehanna River Basin District (Bentley Creek, PA Quadrangle N: 8.70 inches; W: 9.7 inches).

To construct and maintain a single span steel I-beam with clear span of 58 feet, a width of 12 feet and a minimum underclearance of 8 feet 9 inches on a skew of 90° over Bentley Creek, located 0.25 mi. south of the intersection of SR 4018 and SR 4013 along SR 4013. This project proposes to permanently impact 60 linear feet of UNT to Bentley Creek, which is, designated a WWF and

does not propose to impact any jurisdictional wetlands. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

**E30-218. Department of Transportation**, Engineering District 12-0, P. O. Box 459, Uniontown, PA 15401. To construct a bridge on the border of Waynesburg Borough and Franklin Township, Greene County, Pittsburgh ACOE District (Waynesburg, PA Quadrangle, N: 2.85 inches; W: 8.5 inches, Latitude: 39° 53' 30"; Longitude: 80° 11' 15"). To construct and maintain a 41.4 ft. wide, 595 ft. long, seven span bridge and railroad overpass with a stream underclearance of 33.9 ft. to replace the existing SR 0218, 38 ft. wide, 106 ft. long, two span bridge with an underclearance of 17.9 ft. over South Fork Ten Mile Creek (WWF) with a drainage area of 117.4 square miles. The project is located on the border between Waynesburg Borough and Franklin Township.

**E63-587. The Foundry at South Strabane, LLC**, 5252 East 82nd Street, Suite 300, Indianapolis, IN 46250. To place and maintain fill in wetlands in South Strabane Township, **Washington County**, Pittsburgh ACOE District (Washington East PA Quadrangle, N: 12.11"; W: 13.31", Latitude 40° 11' 30"; Longitude 80° 13' 13"). To place and maintain fill in 0.935 acre of wetlands, to place and maintain fill in three UNTs to (UNTs 1—3) to Chartiers Creek, (WWF) each having a drainage area of less than 100 acres; for a total of 2375'; to operate and maintain a geosynthetic reinforced embankment wall within portions of the floodway of tributary No. 2 (a.k.a. UNT 4) of Chartiers Creek; and to construct and maintain various outfalls. To compensate for these impacts, the permittee will construct approximately 1.1 acres of replacement wetlands, and will provide stream mitigation in accordance with the special conditions on Page 5 of this permit. The proposed impacts are for the purpose of constructing a multiple structure, retail and service complex known as the Foundry at South Strabane. The project is located at the south corner of the intersection of Manifold Road and US Route 19.

## SPECIAL NOTICE

### Certification to Perform Radon-Related Activities in Pennsylvania

In the month of July 2007, the Department of Environmental Protection, under the Radon Certification Act (63 P. S. §§ 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240 (relating to radon certification), has certified the persons listed to perform radon-related activities in this Commonwealth. The period of certification is 2 years. For a complete list of persons currently certified to perform radon-related activities in this Commonwealth and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P. O. Box 8469, Harrisburg, PA 17105-8469, (800) 23RADON.

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Harold E. Beers H.E. Beers, Co.	2421 Fishing Creek Valley Road Harrisburg, PA 17112	Mitigation
Matthew Beinhour Harris Environmental, Inc.	600 Stone House Road Clarion, PA 16214	Testing
Jeffrey Calta	106 Vensel Lane Chicora, PA 16025	Laboratory
Scott Coslett	332 East 11th Street Berwick, PA 18603	Testing
D-TECH	P. O. Box 902 Blue Bell, PA 19422	Testing



<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Delta Inspection Services, Inc.	P. O. Box 586 Yardley, PA 19067	Testing
Thomas Dietrich	610 Northampton Street Hellertown, PA 18058	Testing
Joseph Dunlap	115 Heather Drive Monaca, PA 15061	Testing
Nathan Feldwieser	1341 North Delaware Avenue Suite 205 Philadelphia, PA 19125	Testing
Stephen Gazzo	780 Pierson Run Road Pittsburgh, PA 15239	Testing
Stephen Genzale, P. E.	417 East Beil Avenue Nazareth, PA 18064	Testing
Harriet Goldstein	1341 North Delaware Avenue Suite 205 Philadelphia, PA 19125	Testing
Richard Haag Safe Shelter Environmental	346 North Pottstown Pike Exton, PA 19341	Testing and Mitigation
Patrick Kelly	601 South Irving Avenue Scranton, PA 18505	Testing
George Kerr	3650 Concorde Parkway Chantilly, VA 21051	Testing
Kevin Kerwood	1341 North Delaware Avenue Suite 205 Philadelphia, PA 19125	Testing
Robert Krause	1318 Dorothy Street Scranton, PA 18504	Testing
David Lanzer Clean Air Pro	174 Penn Lear Drive Monroeville, PA 15146	Mitigation
Eugene Lubben	390 Wild Acres Drive Dingmans Ferry, PA 18328	Testing
James Makara	146 South Marmic Drive Holland, PA 18966	Testing
Joseph Miloser, Jr.	160 Rustic Ridge Fombell, PA 16123	Testing
Joseph Molony	220 Doherer Road Lenhartsville, PA 19534	Testing
Lewis Nelson First Choice Radon Testing Company, Inc.	P. O. Box 830 Huntingdon Valley, PA 19006	Testing
Val Sarko	317 Melrose Avenue Reading, PA 19606	Testing
Eric Schardinger	1341 North Delaware Avenue Suite 205 Philadelphia, PA 19125	Testing
Troy Scheidt	1432 Saucony Road Kutztown, PA 19530	Mitigation
Jerome Smith	332 Prospect Avenue Scranton, PA 18505	Mitigation
Edward Verna, Sr.	1703 South 5th Avenue Lebanon, PA 17042	Mitigation
William Webb	4640 Rockdale Road Greencastle, PA 17225	Testing
Rodney Williams	4296 Limeport Pike Coopersburg, PA 18036	Testing

[Pa.B. Doc. No. 07-1433. Filed for public inspection August 10, 2007, 9:00 a.m.]

## Bid Opportunities

**BOGM 07-5, Cleaning out and plugging seven abandoned and orphan gas wells (Thomas H. Coffey and Robin L. Brown, Harborcreek Township, Rent-A-Center, Heller Group, Mr. and Mrs. John Martin and The Erie Federal Credit Union Properties), Lake City, City of Erie, Millcreek and Harborcreek Townships, Erie County.** The principal items of work and approximate quantities include cleaning out and plugging seven abandoned gas wells, estimated to be 800 feet each in depth, to Department of Environmental Protection specifications, preparing and restoring well sites and mobilizing and demobilizing plugging equipment. This project issues on August 10, 2007, and bids will be opened on September 11, 2007, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. A prebid conference is planned for this project but a date has not been set. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@state.pa.us for more information on this bid.

KATHLEEN A. MCGINTY,  
*Secretary*

[Pa.B. Doc. No. 07-1434. Filed for public inspection August 10, 2007, 9:00 a.m.]

## Radiation Protection Advisory Committee; Special Meeting

The Radiation Protection Advisory Committee will hold a special meeting on August 21, 2007, from 9 a.m. to approximately 12 p.m. in the 14th floor conference room of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting is a continuation of the July 19, 2007, meeting of the Committee. Draft proposed changes to fees charged for radiation sources and service providers in 25 Pa. Code Chapter 218 (relating to fees) as well as the fees for radon services in 25 Pa. Code Chapter 240 (relating to radon certification) will be discussed. A proposed final rulemaking on Radiological Health Amendments (25 Pa. Code Chapters 215, 221, 225, 230 and 240), published as proposed at 36 Pa.B. 7028 (November 18, 2006), will also be presented.

The agenda and meeting materials for the August 21, 2007, meeting will be available through the Public Participation Center on the Department of Environmental Protection's (Department) website at [www.depweb.state.pa.us](http://www.depweb.state.pa.us). (DEP Keywords: Public Participation, Participate). Questions concerning the August 21, 2007, meeting can be directed to Ray Urciuolo at (717) 783-9730 or [lruciuolo@state.pa.us](mailto:lruciuolo@state.pa.us).

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Donielle Skelton at (717) 787-3720 or through the

Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) to discuss how the Department may accommodate their needs.

KATHLEEN A. MCGINTY,  
*Secretary*

[Pa.B. Doc. No. 07-1435. Filed for public inspection August 10, 2007, 9:00 a.m.]

## Small Business Advantage Grant Program

The Department of Environmental Protection (Department) announces an open opportunity to apply for funding in the 4th year of the Commonwealth's Small Business Advantage Grant Program for pollution prevention and energy efficiency projects. Small Business Advantage is a grant program providing up to 50% matching grants, to a maximum of \$7,500, to enable a small business in this Commonwealth to adopt or acquire equipment or processes that result in energy efficiency or pollution prevention. Well-designed energy efficient or pollution prevention projects can help small businesses cut costs and reduce the risk of potential regulatory problems, while simultaneously protecting the environment.

An eligible applicant must be a for-profit small business owner whose business or facility is located within this Commonwealth. All small businesses in this Commonwealth are eligible, including manufacturers, retailers, service providers, mining businesses and agricultural concerns. The project to which the grant will apply must be located within the applicant's Commonwealth facility and save the business at least 10% annually in energy or pollution related expenses.

For questions regarding the eligibility of projects, contact Dave Barnes, Office of Energy and Technology Deployment, Small Business Ombudsman's Office, (717) 783-8411, [epadvantagegrant@state.pa.us](mailto:epadvantagegrant@state.pa.us) before submitting an application. The Department will begin accepting applications on August 13, 2007.

Applications are available by contacting the Department of Environmental Protection, Office of Energy and Technology Deployment, 15th Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8772, Harrisburg, PA 17105-8772, (717) 783-8411. Applications are also available on the Department's website at [www.depweb.state.pa.us](http://www.depweb.state.pa.us) (DEP Keywords: SBAdvantage). The application package contains the materials and instructions necessary for applying for a grant.

The Department will accept applications for the program if postmarked or hand delivered by 4 p.m. on September 28, 2007. The Department will not accept application submitted by means of fax or by other electronic means. Early submittal of applications is encouraged, as grants will be awarded to eligible applicants on a continuing basis until program funding is exhausted.

KATHLEEN A. MCGINTY,  
*Secretary*

[Pa.B. Doc. No. 07-1436. Filed for public inspection August 10, 2007, 9:00 a.m.]

### Stream Redesignation Evaluation of Bear Run; Water Quality Standards Review

#### Basin, Source to Confluence with South Branch Bear Run

Under 25 Pa. Code § 93.4d (relating to processing of petitions, evaluations and assessments to change a designed use) the Department of Environmental Protection (Department) gives notice that an evaluation will be conducted on the stream section listed to determine the proper aquatic life use designation in this Commonwealth's Water Quality Standards.

<i>Stream Name</i>	<i>County</i>	<i>Tributary To</i>	<i>Current</i>	<i>Requested Designated Use</i>
Bear Run—Basin, source to confluence with South Branch Bear Run	Indiana Jefferson	West Branch Susquehanna River	CWF	HQ-CWF

Persons who have technical data concerning the water quality, instream habitat or biological condition of this stream section are encouraged to make it available to the Department for consideration in the assessment. This assessment may lead to a recommendation to the Environmental Quality Board (Board) for redesignation.

Data should be submitted to Tony Shaw, Division of Water Quality Standards, Bureau of Water Standards and Facility Regulation, P. O. Box 8467, Harrisburg, PA 17105-8467, tshaw@state.pa.us. Data should be submitted no later than September 10, 2007. Questions concerning this evaluation can be directed to Tony Shaw at (717) 787-9637.

This assessment is being conducted in response to a rulemaking petition submitted to the Board by the Ken Sink Chapter of Trout Unlimited. On September 19, 2006, the Board accepted the rulemaking petition for study under 25 Pa. Code Chapter 23 (relating to Environmental Quality Board Policy for Processing Petitions—Statement of Policy). The Bear Run basin is currently designated Cold Water Fishes (CWF), as identified in 25 Pa. Code § 93.9l (relating to Drainage List L). The petitioner is requesting the Bear Run basin, from its source to the confluence with South Branch Bear Run, be redesignated to High Quality—Cold Water Fishes (HQ-CWF).

The petition is available to the public by contacting the Environmental Quality Board, P. O. Box 8477, Harrisburg, PA 17105-8477, (717) 787-4526 and is also accessible on the Department's website at [www.depweb.state.pa.us](http://www.depweb.state.pa.us) (DEP Keywords: EQB (EQB Meeting Agendas/Handouts/Minutes; 2006; September 19, 2006)).

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Tony Shaw directly at (717) 787-9637 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

KATHLEEN A. MCGINTY,  
*Secretary*

[Pa.B. Doc. No. 07-1437. Filed for public inspection August 10, 2007, 9:00 a.m.]

### Stream Redesignation Evaluation of Grinnage Run; Water Quality Standards Review

#### Basin, Source to Confluence with Grays Fork

Under 25 Pa. Code § 93.4d (relating to processing of petitions, evaluations and assessments to change a designed use) the Department of Environmental Protection (Department) gives notice that an evaluation will be conducted on the stream section listed to determine the proper aquatic life use designation in this Commonwealth's Water Quality Standards.

<i>Stream Name</i>	<i>County</i>	<i>Tributary To</i>	<i>Current</i>	<i>Requested Designated Use</i>
Grinnage Run—Basin, source to confluence with Grays Fork	Greene	Grays Fork South Fork Tenmile Creek	HQ-WWF	WWF

Persons who have technical data concerning the water quality, instream habitat or biological condition of this stream section are encouraged to make it available to the Department for consideration in the assessment. This assessment may lead to a recommendation to the Environmental Quality Board (Board) for redesignation.

Data should be submitted to Tony Shaw, Division of Water Quality Standards, Bureau of Water Standards and Facility Regulation, P. O. Box 8467, Harrisburg, PA 17105-8467, tshaw@state.pa.us. Data should be submitted no later than September 10, 2007. Questions concerning this evaluation can be directed to Tony Shaw at (717) 787-9637.

This assessment is being conducted in response to a rulemaking petition submitted to the Board by Civil and Environmental Consultants, Inc., on behalf of Consol Pennsylvania Coal Company. On October 17, 2006, the Board accepted the rulemaking petition for study under 25 Pa. Code Chapter 23 (relating to Environmental Quality Board policy for processing petitions—statement of policy). The Grinnage Run basin is currently designated High Quality-Warm Water

Fishes (HQ-WWF), as identified in 25 Pa. Code § 93.9v (relating to Drainage List V). The petitioner is requesting that the Grinnage Run basin, from its source to the confluence with Grays Fork, be redesignated as WWF.

The referenced petition is available to the public by contacting the Environmental Quality Board, P. O. Box 8477, Harrisburg, PA 17105-8477, (717) 787-4526, and is also accessible on the Department's website [www.depweb.state.pa.us](http://www.depweb.state.pa.us) (DEP Keywords: EQB (EQB Meeting Agendas/Handouts/Minutes; 2006; October 17, 2006)).

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Tony Shaw directly at (717) 787-9637 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

KATHLEEN A. MCGINTY,  
*Secretary*

[Pa.B. Doc. No. 07-1438. Filed for public inspection August 10, 2007, 9:00 a.m.]

## Stream Redesignation Evaluation of Halter Creek; Water Quality Standards Review

### Basin, Source to Confluence with Frankstown Branch Juniata River

Under 25 Pa. Code § 93.4d (relating to processing of petitions, evaluations and assessments to change a designed use) the Department of Environmental Protection (Department) gives notice that an evaluation will be conducted on the stream section listed to determine the proper aquatic life use designation in this Commonwealth's Water Quality Standards.

<i>Stream Name</i>	<i>County</i>	<i>Tributary To</i>
Halter Creek—Basin, source to confluence with Frankstown Branch Juniata River	Blair Bedford	Frankstown Branch Juniata River

Persons who have technical data concerning the water quality, instream habitat or biological condition of this stream section are encouraged to make it available to the Department for consideration in the assessment. This assessment may lead to a recommendation to the Environmental Quality Board for redesignation.

Data should be submitted to Tony Shaw, Division of Water Quality Standards, Bureau of Water Standards and Facility Regulation, P. O. Box 8467, Harrisburg, PA 17105-8467, [tshaw@state.pa.us](mailto:tshaw@state.pa.us). Data should be submitted no later than September 10, 2007. Questions concerning this evaluation can be directed to Tony Shaw at (717) 787-9637.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Tony Shaw directly at (717) 787-9637 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

KATHLEEN A. MCGINTY,  
*Secretary*

[Pa.B. Doc. No. 07-1439. Filed for public inspection August 10, 2007, 9:00 a.m.]

## Stream Redesignation Evaluation of Hotland Run; Water Quality Standards Review

### Basin Source to Confluence with Crum Creek

Under 25 Pa. Code § 93.4d (relating to processing of petitions, evaluations and assessments to change a designed use) the Department of Environmental Protection (Department) gives notice that an evaluation will be conducted on the stream section listed to determine the proper aquatic life use designation in this Commonwealth's Water Quality Standards.

<i>Stream Name</i>	<i>County</i>	<i>Tributary To</i>
Hotland Run—Basin, source to confluence with Crum Creek	Delaware	Crum Creek Delaware River

Persons who have technical data concerning the water quality, instream habitat or biological condition of this stream section are encouraged to make it available to the Department for consideration in the assessment. This assessment may lead to a recommendation to the Environmental Quality Board for redesignation.

Data should be submitted to Tony Shaw, Division of Water Quality Standards, Bureau of Water Standards and Facility Regulation, P. O. Box 8467, Harrisburg, PA 17105-8467, tshaw@state.pa.us. Data should be submitted no later than September 10, 2007. Questions concerning this evaluation can be directed to Tony Shaw at (717) 787-9637.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Tony Shaw directly at (717) 787-9637 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

KATHLEEN A. MCGINTY,  
*Secretary*

[Pa.B. Doc. No. 07-1440. Filed for public inspection August 10, 2007, 9:00 a.m.]

## Stream Redesignation Evaluation of Sherman Creek; Water Quality Standards Review

### Mainstem; from Cisna Run to Confluence with Susquehanna River

Under 25 Pa. Code § 93.4d (relating to processing of petitions, evaluations and assessments to change a designed use) the Department of Environmental Protection (Department) gives notice that an evaluation will be conducted on the stream section listed to determine the proper aquatic life use designation in this Commonwealth's Water Quality Standards.

<i>Stream Name</i>	<i>County</i>	<i>Tributary To</i>	<i>Current</i>	<i>Requested Designated Use</i>
Sherman Creek—Mainstem; from Cisna Run to confluence with Susquehanna River	Perry	Susquehanna River	WWF	EV

Persons who have technical data concerning the water quality, instream habitat or biological condition of this stream section are encouraged to make it available to the Department for consideration in the assessment. This assessment may lead to a recommendation to the Environmental Quality Board (Board) for redesignation.

Data should be submitted to Tony Shaw, Division of Water Quality Standards, Bureau of Water Standards and Facility Regulation, P. O. Box 8467, Harrisburg, PA 17105-8467, tshaw@state.pa.us. Data should be submitted no later than September 10, 2007. Questions concerning this evaluation can be directed to Tony Shaw at (717) 787-9637.

This assessment is being conducted in response to a rulemaking petition submitted to the Board by the Shermans Creek Conservation Association, Inc. On October 17, 2006, the Board accepted the rulemaking petition for study under 25 Pa. Code Chapter 23 (relating to Environmental Quality Board Policy for Processing Petitions—Statement of Policy). The Sherman Creek mainstem from Cisna Run to its confluence with Susquehanna River is currently designated Warm Water Fishes (WWF), as identified in 25 Pa. Code § 93.9o (relating to Drainage List O). The petitioner is requesting that this section of the Sherman Creek mainstem be redesignated as Exceptional Value waters (EV).

The petition is available to the public by contacting the Environmental Quality Board, P. O. Box 8477, Harrisburg, PA 17105-8477, (717) 787-4526 and is also accessible on the Department's website at [www.depweb.state.pa.us](http://www.depweb.state.pa.us) (DEP Keywords: EQB (EQB Meeting Agendas/Handouts/Minutes; 2006; October 17, 2006)).

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Tony Shaw directly at (717) 787-9637 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

KATHLEEN A. MCGINTY,  
*Secretary*

[Pa.B. Doc. No. 07-1441. Filed for public inspection August 10, 2007, 9:00 a.m.]

## DEPARTMENT OF LABOR AND INDUSTRY

### Prevailing Wage Appeals Board Public Meeting

The Prevailing Wage Appeals Board will hold a public meeting on Tuesday, August 21, 2007, at 10 a.m. in the Capitol Associates Building, 901 North Seventh Street, 3rd Floor Conference Room, Harrisburg, PA.

The Americans With Disability Act contact is Gina Meckley, (717) 783-9276.

STEPHEN M. SCHMERIN,  
*Secretary*

[Pa.B. Doc. No. 07-1442. Filed for public inspection August 10, 2007, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Finding Venango County

Under section 2002(b) of The Administrative Code of 1929 (71 P. S. § 512(b)), the Acting Director of the Bureau of Design makes the following written finding:

The Department of Transportation plans to replace the existing Scrubgrass Creek Bridge, carrying SR 3005 over Scrubgrass Creek in Clinton Township, Venango County. The existing Scrubgrass Creek Bridge has been determined eligible for the National Register of Historic Places. The effect of this project on the said Scrubgrass Creek Bridge will be mitigated by the measures to minimize harm to the historic resource outlined in the Categorical Exclusion Evaluation/Section 2002 Evaluation prepared for the subject project.

The environmental, economic, social and other effects of the proposed project as enumerated in section 2002 of The Administrative Code of 1929 have been considered. It has concluded that there is no feasible and prudent alternative to the project as designed, and all reasonable steps have been taken to minimize the effect.

No adverse environmental effect is likely to result from the replacement of this bridge.

BRIAN G. THOMPSON, P. E.,  
*Acting Director, Bureau of Design*

[Pa.B. Doc. No. 07-1443. Filed for public inspection August 10, 2007, 9:00 a.m.]

## ENVIRONMENTAL QUALITY BOARD

### Meeting Cancellation

The August 21, 2007, meeting of the Environmental Quality Board (Board) is cancelled. The next meeting of the Board is scheduled for September 18, 2007, at 9 a.m. in Room 105 of the Rachel Carson State Office Building,

400 Market Street, Harrisburg, PA. An agenda and meeting materials for the September 18, 2007, meeting will be available on the Department of Environmental Protection's website at [www.depweb.state.pa.us](http://www.depweb.state.pa.us) (DEP Keywords: EQB).

Questions concerning the Board's next scheduled meeting may be directed to Michele Tate at (717) 783-8727 or [mtate@state.pa.us](mailto:mtate@state.pa.us).

KATHLEEN A. MCGINTY,  
*Secretary*

[Pa.B. Doc. No. 07-1444. Filed for public inspection August 10, 2007, 9:00 a.m.]

## HEALTH CARE COST CONTAINMENT COUNCIL

### Meetings Scheduled

The following meetings of the Health Care Cost Containment Council have been scheduled: Executive Committee Meeting at 11 a.m. on Thursday, August 16, 2007, and the reconvening and continuation of the July 12, 2007, Council meeting at 12 p.m. on Thursday, August 16, 2007. The meetings will be held in the conference room at the Council Office, 225 Market Street, Suite 400, Harrisburg, PA 17101. The public is invited to attend. Persons who need accommodation due to a disability and want to attend the meetings should contact Cherie Elias, Health Care Cost Containment Council, 225 Market Street, Harrisburg, PA 17101 or call (717) 232-6787 at least 24 hours in advance so that arrangements can be made.

MARK P. VOLAVKA,  
*Executive Director*

[Pa.B. Doc. No. 07-1445. Filed for public inspection August 10, 2007, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Notice of Comments Issued

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

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

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
7-411	Environmental Quality Board Clean Air Interstate Rule 37 Pa.B. 2063 (April 28, 2007)	7/2/07	8/1/07

**Environmental Quality Board  
Regulation #7-411 (IRRC #2607)  
Clean Air Interstate Rule  
August 1, 2007**

We submit for your consideration the following comments on the proposed rulemaking published in the April 28, 2007 *Pennsylvania Bulletin*. Our comments are based on criteria in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the Environmental Quality Board (Board) to respond to all comments received from us or any other source.

**1. Variation from EPA regulations.—Consistency with existing federal regulations; Fiscal impact; Need; Reasonableness; Clarity.**

The Environmental Protection Agency, Region III (EPA) cited several concerns in its comments on this proposed regulation. It noted that although certain flexibilities are afforded to states that participate in the EPA-administered Clean Air Interstate Rule (CAIR) trading program, this regulation contains requirements that go beyond those flexibilities. Specifically, EPA stated “. . . the proposed rule must be revised to be consistent with the requirements for States participating in the EPA-administered CAIR trading program” in order for the corresponding State Implementation Plan amendments to be approved. We share EPA’s comments, concerns and questions and incorporate them into the Commission’s comments on this proposed regulation. The Board should carefully review EPA’s comments and work closely with it to make the necessary amendments that will bring this regulation into compliance with the federal program.

Other commentators urged the Board to “minimize the number and extent of variations” from the federal Nitrogen Oxide (NOx) and Sulfur Dioxide (SO<sub>2</sub>) trading programs. They also cited concerns that deviations from the federal model trading programs could place Pennsylvania businesses at a competitive disadvantage. Further, these commentators noted that having consistent programs from state to state would simplify compliance and minimize costs for affected businesses. The Board should explain the need for variations and how the proposed variations from the federal programs will not put Pennsylvania businesses at a competitive disadvantage with businesses operating in other states which more closely follow the federal model rules.

**2. Section 145.101. Transition requirements for non-electric generating units.—Reasonableness.**

This section provides options for nonelectric generating units (non-EGUs) to transition from the NOx Budget Trading Program to the CAIR NOx Ozone Season Trading Program. The option provided in Subsection (b)(2) would allocate NOx emission allowances to new non-EGUs. However, commentators note that the Board is not pro-

posing to increase the emission budgets to account for the inclusion of these new sources. They are concerned that without an increase, the effect of this provision would be an inappropriate reduction in the emission budgets for EGUs. We request the Board further explain the basis for this option and its impact on the EGU’s ability to meet their emission limitations.

**3. Section 145.202. Definitions.—Consistency with Federal regulations.**

The definition of “Ozone Season” is inconsistent with 40 CFR Part 58, Appendix D. The federal regulation defines the ozone monitoring season for Pennsylvania as April through October. This definition should be amended to be consistent with the federal ozone monitoring season for Pennsylvania.

**4. Section 145.205. Emission reduction credit provisions.—Need; Fiscal impact.**

The Electric Power Generation Association and Reliant Energy comment that the intent of this section is to prevent double emissions. However, they also assert that the provision requiring the surrender of NOx allowances will result in emission reduction credits (ERCs) that are too expensive for non-affected sources to procure. We request that the Board explain the need for this section and its impact on the cost of ERCs.

**5. Section 145.212. CAIR NOx allowance allocations.—Need; Fiscal impact; Clarity.**

*Subsection (f)(1)*

This subsection would allocate annual CAIR NOx allowances to renewable energy qualifying resources and demand-side management qualifying resources. The Board has asked for comment on this provision.

Allocation of NOx allowances as proposed in this regulation could encourage the development of these resources. However, commentators have questioned the proposed allocation, noting that renewable energy sources do not emit NOx and thus have no need for the allowances; tax incentives already exist to subsidize their operations; and unlimited allocation to these sources will increase the cost of compliance to CAIR-affected sources which must surrender the allowances. If the Board proceeds with the provisions in this subsection, commentators suggest that a limit be imposed on the number of allowances issued to these qualifying resources. Similar concerns apply to Section 145.222(f)(1).

We request that the Board explain the impact of Subsection (f)(1) and Section 145.222(f)(1) on the compliance costs of NOx emitting sources. We also recommend that the Board consider imposing a cap on the number of allowances allocated to non-emitting qualifying resources. If the Board declines to impose such a cap, we request the Board explain why a cap is unnecessary.

Additionally, under this subsection, certified quantities of electric energy production, useful thermal energy and energy equivalent value of the measures approved under the Alternative Energy Portfolio Standard will be converted to “equivalent thermal energy.” The number of allowances allocated to the qualifying resource will be based on this “equivalent thermal energy.” However, the method of this conversion is not included. The methods for conversion should be set forth in the final-form regulation. A similar concern applies to Section 145.222(f)(1).

*Subsection (f)(2)(i)*

This subsection authorizes the owner or operator to apply for "a cost equivalent additional amount of CAIR NOx allowances . . ." The final-form regulation should specify when applications must be received and how cost equivalency will be determined.

ARTHUR COCCODRILLI,  
*Chairperson*

[Pa.B. Doc. No. 07-1446. Filed for public inspection August 10, 2007, 9:00 a.m.]

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### Notice of Filing of Final Rulemaking

The Independent Regulatory Review Commission (Commission) received the following regulation. It is scheduled to be considered on the date noted. The Commission's public meetings are held at 333 Market Street, 14th Floor, in Harrisburg at 10:30 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.

This schedule is tentative. Contact the Commission at (717) 783-5417 or check our website at [www.irrc.state.pa.us](http://www.irrc.state.pa.us) for updates.

*Final-Form*

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
7-395	Environmental Quality Board Administration of the Storage Tank and Spill Prevention Act	7/27/07	9/6/07

ARTHUR COCCODRILLI,  
*Chairperson*

[Pa.B. Doc. No. 07-1447. Filed for public inspection August 10, 2007, 9:00 a.m.]

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## INSURANCE DEPARTMENT

### Allstate Fire and Casualty Insurance Company; Private Passenger Automobile Rate and Rule Revisions; Rate Filing

On July 25, 2007, the Insurance Department (Department) received from Allstate Fire and Casualty Insurance Company a filing for rate level changes for private passenger automobile insurance.

The company requests an overall 4.2% increase amounting to \$4.616 million annually, to be effective November 19, 2007, for new business and December 20, 2007, for renewal business.

Unless formal administrative action is taken prior to September 23, 2007, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Department's website at [www.ins.state.pa.us](http://www.ins.state.pa.us). Under the Quick Links section, click on the link "Rate Filings Published in the PA Bulletin."

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 comments, suggestions or objections to Michael P. McKenney, Insurance Department, Insurance Product Regulation and Market Enforcement, 1311 Strawberry Square, Harrisburg, PA 17120, [mmckenney@state.pa.us](mailto:mmckenney@state.pa.us), within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 07-1448. Filed for public inspection August 10, 2007, 9:00 a.m.]

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### Allstate Property and Casualty Insurance Company; Private Passenger Automobile Rate and Rule Revisions; Rate Filing

On July 25, 2007, the Insurance Department (Department) received from Allstate Property and Casualty Insurance Company a filing for rate level changes for private passenger automobile insurance.

The company requests an overall 5.1% increase amounting to \$9.472 million annually, to be effective November 19, 2007, for new business and December 20, 2007, for renewal business.

Unless formal administrative action is taken prior to September 23, 2007, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Department's website at [www.ins.state.pa.us](http://www.ins.state.pa.us). Under the Quick Links section, click on the link "Rate Filings Published in the PA Bulletin."

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 comments, suggestions or objections to Michael P. McKenney, Insurance Department, Insurance Product Regulation and Market Enforcement, 1311 Strawberry Square, Harrisburg, PA 17120, [mmckenney@state.pa.us](mailto:mmckenney@state.pa.us), within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 07-1449. Filed for public inspection August 10, 2007, 9:00 a.m.]

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### Application for Acquisition of a Controlling Interest of a Domestic Insurance Company

Columbia Insurance Company, a Nebraska insurance corporation, has filed an application to acquire control of The Pennsylvania Reinsurance Company. The initial filing was received on July 26, 2007, and 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 grounds of public or private interest in this acquisition are invited to submit a written statement to the Insurance Department (Department) within 30 days



from the date of publication of this notice in the *Pennsylvania Bulletin*. Each written statement must include the 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 details and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Cressinda Bybee, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, cbybee@state.pa.us.

JOEL SCOTT ARIO,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 07-1450. Filed for public inspection August 10, 2007, 9:00 a.m.]

### Export List of Insurance Coverages; Request for Comments

The Insurance Commissioner (Commissioner) published a notice at 37 Pa.B. 2668 (June 9, 2007) soliciting comments to the export list published at 36 Pa.B. 2346 (May 13, 2006). Consideration was given to all comments received. The Commissioner proposes to amend the May 13, 2006, list to add "firework sales/manufacturing" and "hunting clubs" and to delete "employment related practices liability."

Persons wishing to comment on the Commissioner's proposal are invited to submit a written statement within 15 days from the date of this publication. Written statements must include sufficient detail and relevant facts to inform the Insurance Department of the exact basis of the statement. Written statements should be directed to Cressinda Bybee, Office of Regulation of Companies, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, cbybee@state.pa.us. Formal notification of any changes will be published in the *Pennsylvania Bulletin* after the 15-day comment period, or a notice will be published stating that the May 13, 2006, list remains in effect.

JOEL SCOTT ARIO,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 07-1451. Filed for public inspection August 10, 2007, 9:00 a.m.]

### Great Northern Insurance Company; Homeowners Insurance Rate and Rule Revision; Rate Filing

On July 26, 2007, the Insurance Department (Department) received from Great Northern Insurance Company a filing for a proposed rate level and rule change for homeowners insurance.

The company requests an overall 4.0% decrease amounting to \$2,114,000 annually, to be effective upon the Department approval.

Unless formal administrative action is taken prior to September 24, 2007, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Department's website at [www.ins.state.pa.us](http://www.ins.state.pa.us). Under the Quick Links section, click on the link "Rate Filings Published in the PA Bulletin."

A copy of the filing is also available for public inspection, by appointment, during normal working hours at the Department's office in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to Xiaofeng Lu, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, xlu@state.pa.us, within 15 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 07-1452. Filed for public inspection August 10, 2007, 9:00 a.m.]

### Highmark Blue Cross Blue Shield; Filing No. 1A-CPE-07-HBCBS; Direct Pay ClassicBlue Hospital Plan (Western Region); Rate Filing

On July 27, 2007, Highmark, Inc., d/b/a Highmark Blue Cross Blue Shield submitted a filing for approval to restructure rates for its Direct Pay ClassicBlue Hospital Plan (Western Region). The restructuring will affect about 2,100 contract holders and does not produce any additional premium income. However, some contractholders will receive rates increases while others will receive rate decreases. The requested effective date of change is January 1, 2008.

A copy of the filing is available on the Insurance Department's (Department) website at [www.ins.state.pa.us](http://www.ins.state.pa.us). Under the Quick Links section, click on the link "Rate Filings Published in the PA Bulletin."

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comment's, suggestions or objections to Rashmi Mathur, Actuary, Bureau of Accident and Health Insurance, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 07-1453. Filed for public inspection August 10, 2007, 9:00 a.m.]

### Highmark Blue Cross Blue Shield; Filing No. 1A-DPMS-07-HBCBS; Direct Pay ClassicBlue Medical Surgical Plan (Western Region); Rate Filing

On July 27, 2007, Highmark, Inc., d/b/a Highmark Blue Cross Blue Shield submitted a filing for approval to restructure rates for its Direct Pay ClassicBlue Medical Surgical Plan (Western Region). The restructuring will affect about 2,100 contractholders and does not produce any additional premium income. However, some contract holders will receive rates increases while others will receive rate decreases. The requested effective date of change is January 1, 2008.

A copy of the filing is available on the Insurance Department's (Department) website at [www.ins.state.pa.us](http://www.ins.state.pa.us).

pa.us. Under the Quick Links section, click on the link "Rate Filings Published in the PA Bulletin."

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to Rashmi Mathur, Actuary, Bureau of Accident and Health Insurance, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 07-1454. Filed for public inspection August 10, 2007, 9:00 a.m.]

**Highmark Blue Cross Blue Shield; Filing No. 1A-PMM-07-HBCBS; Direct Pay ClassicBlue Major Medical Plan (Western Region); Rate Filing**

On July 27, 2007, Highmark, Inc., d/b/a Highmark Blue Cross Blue Shield submitted a filing for approval to restructure rates for its Direct Pay ClassicBlue Major Medical Plan (Western Region). The restructuring will affect about 1,600 contract holders and does not produce any additional premium income. However, some contract holders will receive rates increases while others will receive rate decreases. The requested effective date of change is January 1, 2008.

A copy of the filing is available on the Insurance Department's (Department) website at [www.ins.state.pa.us](http://www.ins.state.pa.us). Under the Quick Links section, click on the link "Rate Filings Published in the PA Bulletin."

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to Rashmi Mathur, Actuary, Bureau of Accident and Health Insurance, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 07-1455. Filed for public inspection August 10, 2007, 9:00 a.m.]

**Highmark Blue Cross Blue Shield; Guaranteed Issue Preferred Blue Individual PPO Plan (Western Region); Rate Filing**

By filing No. 1A-GI-INGPPO-07-HBCBS, Highmark Blue Cross Blue Shield (HBCBS) requests approval to increase rates for its Guaranteed Issue Preferred Blue Individual PPO Plan. The filing requests an average rate change of 6.9% or \$34.66 per contract per month. This will affect about 4,600 contract-holders and will produce additional income of about \$1.91 million annually. The requested effective date of the change is January 1, 2008.

Unless formal administrative action is taken prior to October 24, 2007, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) website at [www.ins.state.pa.us](http://www.ins.state.pa.us). Under the Quick Links section, click on the link "Rate Filings Published in the PA Bulletin."

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to Cherri Sanders-Jones, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, [csandersjo@state.pa.us](mailto:csandersjo@state.pa.us), within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 07-1456. Filed for public inspection August 10, 2007, 9:00 a.m.]

**Highmark Blue Shield; Direct Pay Guaranteed Issue PPO High Deductible Health Plans (Central Region); Rate Filing**

By filing No. 1A-HDHP/CDP/GI-07-HBS, Highmark Blue Shield requests approval to increase rates for its Direct Pay Guaranteed Issue PPO High Deductible Health Plan. The filing requests an average rate change of 15% or \$63.45 per contract per month. This will affect about 900 contractholders and will produce additional income of about \$696,000 annually. The requested effective date of the change is January 1, 2008.

Unless formal administrative action is taken prior to October 24, 2007, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) website at [www.ins.state.pa.us](http://www.ins.state.pa.us). Under the Quick Links section, click on the link "Rate Filings Published in the PA Bulletin."

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to Cherri Sanders-Jones, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, [csandersjo@state.pa.us](mailto:csandersjo@state.pa.us), within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 07-1457. Filed for public inspection August 10, 2007, 9:00 a.m.]

**Highmark Blue Shield; Guaranteed Issue PPO High Deductible Health Plans (Western Region); Rate Filing**

By filing No. 1A-HDHP/WDP/GI-07-HBCBS, Highmark Blue Shield requests approval to increase rates for its Guaranteed Issue PPO High Deductible Health Plan. The filing requests an average rate change of 15% or \$76.01 per contract per month. This will affect about 1,700 contractholders and will produce additional income of

about \$1.56 million annually. The requested effective date of the change is January 1, 2008.

Unless formal administrative action is taken prior to October 24, 2007, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) website at [www.ins.state.pa.us](http://www.ins.state.pa.us). Under the Quick Links section, click on the link "Rate Filings Published in the PA Bulletin."

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to Cherri Sanders-Jones, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, [csandersjo@state.pa.us](mailto:csandersjo@state.pa.us), within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 07-1458. Filed for public inspection August 10, 2007, 9:00 a.m.]

**Highmark, Inc., d/b/a Highmark Blue Cross Blue Shield; Filing No. 1-MGP(AA)-07-HBCBS; Application for Approval of Revised Rates for Attained Age Nongroup MedigapBlue Plans for The Western Pennsylvania Region, Providing Standardized Benefit Packages E and I; Rate Filing**

Highmark, Inc. has filed for approval revised rates for its nongroup MedigapBlue Program. The aggregate rate increase requested is 14.6%. The requested effective date of the revised rates is January 1, 2008. The most recent prior rate adjustment for this program took effect on September 1, 2005. The current and requested rates for age 65—69 issues, and the requested rate adjustments are as follows:

<i>Standardized Benefit Plan</i>	<i>Policy Number</i>	<i>Current Rate</i>	<i>Proposed Rate</i>	<i>Rate Adjustment</i>
Plan E—Region 1	MB/W-E	\$131.45	\$151.15	15.0%
Plan E—Region 2	MB/W-E	\$117.55	\$135.20	15.0%
Plan I—Region 1 w/Rx	MB/W-I	\$200.05	\$214.45	7.2%
Plan I—Region 2 w/Rx	MB/W-I	\$178.95	\$191.85	7.2%
Plan I—Region 1 w/o Rx	MB/W-I	\$143.65	\$165.20	15.0%
Plan I—Region 2 w/o Rx	MB/W-I	\$128.50	\$147.75	15.0%

Region 1 consists of the following counties: Allegheny, Armstrong, Beaver, Butler, Cambria, Fayette, Greene, Indiana, Lawrence, Washington and Westmoreland. All other counties in the western Pennsylvania region are in Region 2.

These rate adjustments would affect approximately 9,052 members and would produce approximately \$2.4 million in additional premium annually.

Unless formal administrative action is taken prior to October 25, 2007, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) website at [www.ins.state.pa.us](http://www.ins.state.pa.us). Under the Quick Links section, click on the link "Rate Filings Published in the PA Bulletin."

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's offices in Harrisburg and Pittsburgh.

Interested parties are invited to submit written comments, suggestions or objections to Michael Gurgiolo, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, [mgurgiolo@state.pa.us](mailto:mgurgiolo@state.pa.us), within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 07-1459. Filed for public inspection August 10, 2007, 9:00 a.m.]

**Highmark, Inc., d/b/a Highmark Blue Cross Blue Shield; Filing No. 1-MGP (IA)-07-HBCBS; Application for Approval of Revised Rates for Issue Age Nongroup MedigapBlue Plans for The Western Pennsylvania Region, Providing Standardized Benefit Packages A, B, C and H; Rate Filing**

Highmark, Inc. has filed for approval revised rates for its nongroup MedigapBlue Program. The aggregate rate increase requested is about 9.6%. The requested effective date of the revised rates is January 1, 2008. The most recent prior rate adjustment for this program took effect on September 1, 2005. The current and requested rates for First Eligible issues, and the requested rate adjustments are as follows:

<i>Standardized Benefit Plan</i>	<i>Policy Number</i>	<i>Current Rate</i>	<i>Proposed Rate</i>	<i>Rate Adjustment</i>
Plan A	MB/W-A	\$106.60	\$106.60	0.0%
Plan B	MB/W-B	\$133.70	\$147.05	10.0%
Plan C	MB/W-C	\$165.60	\$182.15	10.0%
Plan H w/ Rx	MB/W-H	\$208.30	\$209.15	0.4%
Plan H w/o Rx	MB/W-H	\$147.20	\$161.90	10.0%

These rate adjustments would affect approximately 46,567 members and would produce approximately \$8.1 million in additional premium annually.

Unless formal administrative action is taken prior to October 25, 2007, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) website at [www.ins.state.pa.us](http://www.ins.state.pa.us). Under the Quick Links section, click on the link "Rate Filings Published in the PA Bulletin."

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's offices in Harrisburg and Pittsburgh.

Interested parties are invited to submit written comments, suggestions or objections to Michael Gurgiolo, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, [mgurgiolo@state.pa.us](mailto:mgurgiolo@state.pa.us), within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 07-1460. Filed for public inspection August 10, 2007, 9:00 a.m.]

**Highmark, Inc., d/b/a Highmark Blue Shield; ClassicBlue Comprehensive Major Medical Plan (Central Region); Filing No. 1A-CMM-07-HBS; Rate Filing**

On June 27, 2007, the Insurance Department (Department) received from Highmark Blue Shield a filing for a rate increase for ClassicBlue Comprehensive Major Medical Plan (Central Region).

The company requests a 15% increase or \$58.70 per contract per month on average. This will affect about 6,500 contractholders and will produce additional income of about \$380,000 annually. The requested effective date of the change is January 1, 2008. The filing also adjusts the relativities between contract types to be consistent with Highmark's other programs thus contractholders may receive rate adjustments that are less than or greater than the average. The requested effective date of the change January 1, 2008.

Unless formal administrative action is taken prior to October 25, 2007, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Department's website at [www.ins.state.pa.us](http://www.ins.state.pa.us). Under the Quick Links section, click on the link "Rate Filings Published in the PA Bulletin."

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Sabater, Insurance Department, Insurance Product Regulation and

Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, [jsabater@state.pa.us](mailto:jsabater@state.pa.us), within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 07-1461. Filed for public inspection August 10, 2007, 9:00 a.m.]

**Highmark, Inc., d/b/a Highmark Blue Shield; ClassicBlue Hospital, Medical/Surgical and Major Medical Plans (Central Region); Filing No. 1A-TRAD-07-HBS; Rate Filing**

On June 27, 2007, the Insurance Department (Department) received from Highmark Blue Shield a filing for a rate increase for ClassicBlue Hospital, ClassicBlue Medical/Surgical and ClassicBlue Major Medical Plans (Central Region).

The company requests a 10% increase or \$79.12 per contract per month on average. This will affect about 325 contractholders and will produce additional income of about \$25,600 annually. The requested effective date of the change is January 1, 2008. The filing also adjusts the relativities between contract types to be consistent with Highmark's other programs thus some contractholders may receive rate adjustments that are less than or greater than the average. The requested effective date of the change January 1, 2008.

Unless formal administrative action is taken prior to October 25, 2007, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Department's website at [www.ins.state.pa.us](http://www.ins.state.pa.us). Under the Quick Links section, click on the link "Rate Filings Published in the PA Bulletin."

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Sabater, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, [jsabater@state.pa.us](mailto:jsabater@state.pa.us), within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 07-1462. Filed for public inspection August 10, 2007, 9:00 a.m.]

**Highmark, Inc., d/b/a Highmark Blue Shield; Filing No. 1-MGP (AA)-07-HBS; Application for Approval of Revised Rates for Attained Age Nongroup MedigapBlue Plans for the Central Pennsylvania Region, Providing Standardized Benefit Packages E and I; Rate Filing**

Highmark, Inc. has filed for approval revised rates for its nongroup MedigapBlue Program. The aggregate rate increase requested is about 14.5%. The requested effective

date of the revised rates is January 1, 2008. The most recent prior rate adjustment for this program took effect on September 1, 2005. The current and requested rates for age 65–69 issues, and the requested rate adjustments are as follows:

<i>Standardized Benefit Plan</i>	<i>Policy Number</i>	<i>Current Rate</i>	<i>Proposed Rate</i>	<i>Rate Adjustment</i>
Plan E	MB/C-E	\$92.65	\$106.55	15.0%
Plan I w/Rx	MB/C-I	\$154.10	\$147.15	-4.5%
Plan I w/o Rx	MB/C-I	\$99.90	\$114.90	15.0%

These rate adjustments would affect approximately 18,382 members and would produce approximately \$3.4 million in additional premium annually.

Unless formal administrative action is taken prior to October 25, 2007, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) website at [www.ins.state.pa.us](http://www.ins.state.pa.us). Under the Quick Links section, click on the link "Rate Filings Published in the PA Bulletin."

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's office in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to Michael Gurgiolo, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, [mgurgiolo@state.pa.us](mailto:mgurgiolo@state.pa.us), within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 07-1463. Filed for public inspection August 10, 2007, 9:00 a.m.]

**Highmark, Inc., d/b/a Highmark Blue Shield; Filing No. 1-MGP (IA)-07-HBS; Application for Approval of Revised Rates for Issue Age Nongroup MedigapBlue Plans for the Central Pennsylvania Region, Providing Standardized Benefit Packages A, B, C and H; Rate Filing**

Highmark, Inc. has filed for approval revised rates for its nongroup MedigapBlue Program. The aggregate rate increase requested is about 10.2%. The requested effective date of the revised rates is January 1, 2008. The most recent prior rate adjustment for this program took effect on September 1, 2005. The current and requested rates for First Eligible issues, and the requested rate adjustments are as follows:

<i>Standardized Benefit Plan</i>	<i>Policy Number</i>	<i>Current Rate</i>	<i>Proposed Rate</i>	<i>Rate Adjustment</i>
Plan A	MB/C-A	\$80.15	\$80.15	0.0%
Plan B	MB/C-B	\$110.70	\$113.25	2.3%
Plan C	MB/C-C	\$136.85	\$157.40	15.0%

<i>Standardized Benefit Plan</i>	<i>Policy Number</i>	<i>Current Rate</i>	<i>Proposed Rate</i>	<i>Rate Adjustment</i>
Plan H w/Rx	MB/C-H	\$200.30	\$199.80	-0.2%
Plan H w/o Rx	MB/C-H	\$139.55	\$160.50	15.0%

These rate adjustments would affect approximately 28,952 members and would produce approximately \$4.6 million in additional premium annually.

Unless formal administrative action is taken prior to October 25, 2007, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) website at [www.ins.state.pa.us](http://www.ins.state.pa.us). Under the Quick Links section, click on the link "Rate Filings Published in the PA Bulletin."

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to Michael Gurgiolo, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, [mgurgiolo@state.pa.us](mailto:mgurgiolo@state.pa.us), within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 07-1464. Filed for public inspection August 10, 2007, 9:00 a.m.]

**PMSLIC Insurance Company Rate and Rule Filing; Rate Filing**

On July 25, 2007, the Insurance Department (Department) received from PMSLIC Insurance Company a filing for rate level changes for physicians and surgeons professional liability insurance. The company requests an overall rate level decrease of 11.0% to be effective January 1, 2008. The filing includes the following revisions:

- Changes to manual base rates.
- Changes to five class relativities.
- Changes to three territory relativities.
- Movement of 17 specialties from one class to another.
- Movement of eight counties from one territory to another.

Unless formal administrative action is taken prior to September 8, 2007, the rates within the subject filing may be deemed into use upon the effective date, January 1, 2008, by operation of law.

A copy of the filing is available on the Department's website at [www.ins.state.pa.us](http://www.ins.state.pa.us). Under the Quick Links section, click on the link "Rate Filings Published in the PA Bulletin."

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 comments, suggestions or objections to Gang (Eric) Zhou, Insurance Department, Insurance Product Regulation and Market Enforcement, 1311 Strawberry Square, Harrisburg, PA 17120, gzhou@state.pa.us, within 15 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 07-1465. Filed for public inspection August 10, 2007, 9:00 a.m.]

## OFFICE OF THE BUDGET

### Commonwealth Financing Authority Certification

I, Michael J. Masch, Secretary of the Budget, hereby certify in accordance with and as required by section 1543(e) of the act of April 1, 2004 (P. L. 163, No. 22), 64 Pa.C.S. § 1543(e), that:

(1) sufficient surplus revenue will exist in the General Fund for Commonwealth Fiscal Years 2008-2009 and 2009-2010 to pay any liabilities which will be incurred by the Commonwealth during those Fiscal Years if the Commonwealth Financing Authority incurs and additional \$250,000,000 of indebtedness; and,

(2) the aggregate amount of liabilities which will be incurred by the Commonwealth for its Fiscal Years 2008-2009 and 2009-2010 as a result of the activities of the Commonwealth Financing Authority are \$92,718,000 and \$102,148,000 respectively.

MICHAEL J. MASCH,  
*Secretary*

[Pa.B. Doc. No. 07-1466. Filed for public inspection August 10, 2007, 9:00 a.m.]

## PATIENT SAFETY AUTHORITY

### Public Meeting

The Patient Safety Authority (Authority), established by section 303 of the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. § 1303.303), enacted on March 20, 2002, will hold a meeting of the Authority's 11 member Board of Directors on Tuesday, September 11, 2007, at 10:30 a.m. in the Wildwood Conference Center, Harrisburg Area Community College, One HAAC Drive, Harrisburg, PA.

Individuals having questions regarding this meeting, which is open to the public, should contact the Authority at (717) 346-0469.

MICHAEL C. DOERING,  
*Executive Director*

[Pa.B. Doc. No. 07-1467. Filed for public inspection August 10, 2007, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by September 4, 2007. 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-00123920 (Corrected). A Vital Response, Inc.** (550 State Road, Suite 105, Bensalem, Bucks County, PA 19020)—persons in paratransit service from points in the Counties of Bucks, Montgomery, Philadelphia and Chester, to points in Pennsylvania, and return. *Attorney:* John M. Kenney, 308 Oxford Valley Road, Langhorne, PA 19030.

**A-00124006. Bucks Cab Co.** (405 Gravel Hill Station, Southampton, Bucks County, PA 18966)—a limited liability company of the Commonwealth—persons in paratransit service, between points within the boundaries starting at the intersection of Countyline Road and PA Route 532 extending Northward bound on PA Route 532 to Eastward bound on the Newtown Bypass to North on Lindenhurst Road to Eastbound on Stoopville Road to Northward bound PA Route 413 merging onto Northward bound PA Route 232 merging onto Northward bound PA Route 32 to Southward bound on US Route 202 to Northwestern bound on PA Route 313 to Southward bound on PA Route 611 to Countyline Road heading East ending at the intersection of Countyline Road and PA Route 532.

#### **Application of the following for *amendment* to the certificate of public convenience approving the operation of motor vehicles as *common carriers* for transportation of *persons* as described under the application.**

**A-00122951, F.1, Am-A. Jetway Transport, Inc., t/a Main Line Taxi Company** (908 DeKalb Street, Bridgeport, Montgomery County, PA 19405)—a corporation of the Commonwealth, for amendment to its common carrier certificate, to transport, inter alia, by motor vehicle, persons, upon call or demand the Townships of Tredyffrin, Easttown, Willistown, East Whiteland, West Whiteland, Charlestown, East Goshen and the Borough of Malvern, all located in Chester County, and the Township of Upper Merion, Montgomery Counties: *So As To Permit* the transportation of persons upon call or demand in the Borough of Phoenixville, Chester County; the Borough of Swarthmore and the Townships of Havertown and

Springfield, Delaware County; and the Borough of Collegeville, and the Township of Plymouth, Montgomery County.

**Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under each application.**

**A-00124003. Daniel Reichard, t/a Reichard's Move It** (1523 Bloomingrove Road, Apartment D, Williamsport, Lycoming County, PA 17701)—household goods in use, from points in the Counties of Lycoming, Clinton, Luzerne and Union, to points in Pennsylvania, and vice versa.

*Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Edward Lee Bradshaw; Doc. No. A-00123000C*

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 Edward Lee Bradshaw, respondent, maintains his principal place of business at 301 Wilson Drive, Pittsburgh, PA 15235.
2. That respondent was issued a certificate of public convenience by this Commission on August 21, 2006, at Application Docket No. A-00123000.
3. That respondent, by Commission Secretarial letter dated August 1, 2006, was informed to submit a copy of a current satisfactory safety rating from the U.S. Department of Transportation or another state, within 180 days, or complete a safety fitness review by a Commission enforcement officer. On January 24, 2007, Enforcement Officer Caliani, of the Commission's Pittsburgh District Office, scheduled the last of four unsuccessful attempts to complete carrier's mandatory safety fitness review with no success. Carrier has consistently failed to either be present for the scheduled reviews, or has canceled the scheduled reviews due to a lack of preparedness. As required by Public Utility Commission regulation, a satisfactory safety fitness rating must be achieved by the respondent in order to maintain a certificate of public convenience to operate as a common carrier of property between points in the Commonwealth of Pennsylvania.
4. That respondent, by failing to submit his company to a safety fitness review, violated 66 Pa.C.S. § 501(c) and, for failure to maintain adequate, efficient and safe service and facilities, violated 66 Pa.C.S. § 1501.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission revoke the certificate of public convenience of Edward Lee Bradshaw at A-00123000.

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 that the Bureau will be able to prove 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, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty, which will include the revocation of your Certificate of Public Convenience.

C. 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 an Order imposing a penalty, which may include the cancellation of your Certificate of Public Convenience.

D. 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.

E. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 07-1468. Filed for public inspection August 10, 2007, 9:00 a.m.]

**Telecommunications**

**A-311281F7005. North Pittsburgh Telephone Company and Citynet Pennsylvania, LLC**, Joint petition of North Pittsburgh Telephone Company and Citynet Pennsylvania, LLC for approval of adoption of an interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

North Pittsburgh Telephone Company and Citynet Pennsylvania, LLC, by its counsel, filed on July 31, 2007, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of adoption of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

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

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

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 07-1469. Filed for public inspection August 10, 2007, 9:00 a.m.]

**Water Service**

**A-210104F0081. Aqua Pennsylvania, Inc.** Application of Aqua Pennsylvania, Inc. for approval to begin to offer, render, furnish and supply water service to the public in a portion of Texas Township, Wayne County, PA.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities), on or before August 27, 2007. 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. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

*Applicant:* Aqua Pennsylvania, Inc.

*Through and by Counsel:* Thomas T. Niesen, Esquire, Thomas, Thomas, Armstrong & Niesen, 212 Locust Street, Suite 500, Harrisburg, PA 17108-9500

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 07-1470. Filed for public inspection August 10, 2007, 9:00 a.m.]

**Water Service**

**A-210129. Stone Ridge Water Company.** Application of Stone Ridge Water Company for a certificate of public convenience to offer, render, furnish or supply water service to the public in a portion of Robeson Township, Berks County, PA.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities), on or before August 27, 2007. 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. The documents filed in support of the application are available for inspection

and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

*Applicant:* Stone Ridge Water Company

*Through:* Scott M. Rights, P. E., Steckbeck Engineering & Surveying, Inc., 279 North Zinns Mill Road, Suite A, Lebanon, PA 17042

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 07-1471. Filed for public inspection August 10, 2007, 9:00 a.m.]

**PUBLIC SCHOOL  
EMPLOYEES' RETIREMENT  
BOARD**

**Hearings Scheduled**

Hearings have been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's (System) denial of Claimants' requests concerning the indicated accounts.

The hearings will be held before a hearing examiner at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

September 19, 2007	Albert Andrews (Purchase of Service)	1 p.m.
October 3, 2007	Clyde E. Ellsworth (Purchase of Service)	1 p.m.
October 17, 2007	Thomas A. Kline (Class T-D)	1 p.m.
October 31, 2007	Paula Harte-Bielecki (Multiple Service)	1 p.m.
November 7, 2007	Martha O. Swartz Michelle R. Zehala (Purchase of Service)	1 p.m.
November 14, 2007	Frank J. Stavish (Multiple Service)	1 p.m.

Persons with a disability, who wish to attend the listed hearings and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Marilyn Fuller-Smith, Assistant to the Executive Director, at (717) 720-4921 to discuss how the System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

JEFFREY B. CLAY,  
*Executive Director*

[Pa.B. Doc. No. 07-1472. Filed for public inspection August 10, 2007, 9:00 a.m.]



