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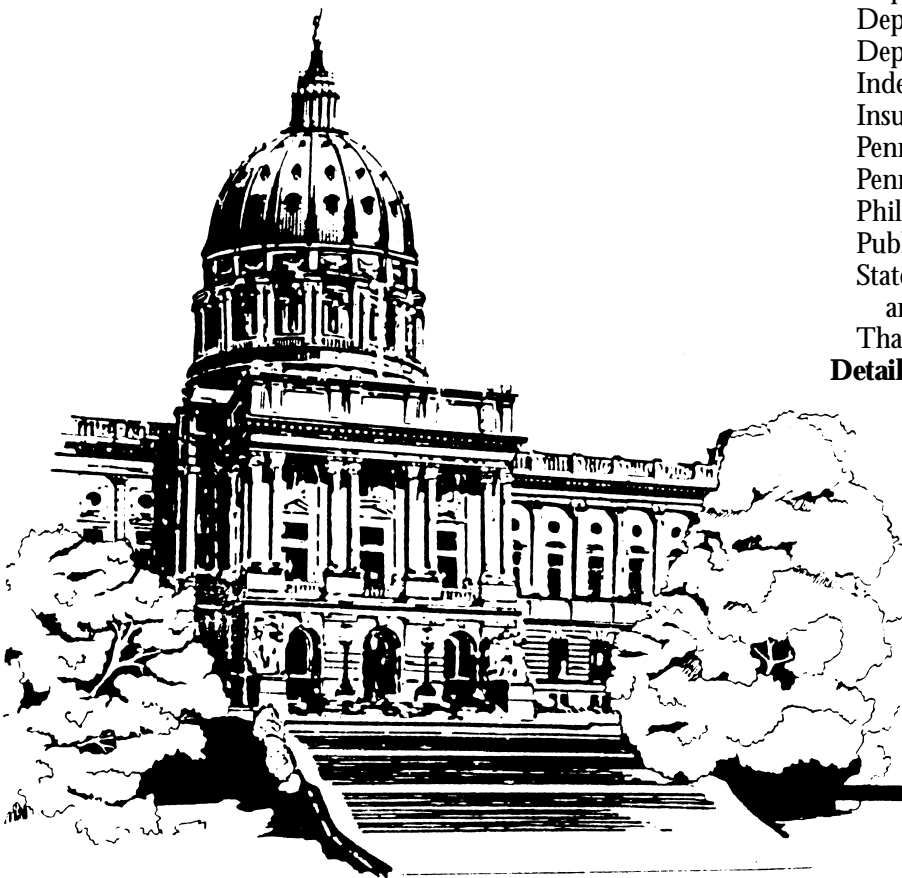
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PENNSYLVANIA BULLETIN

Volume 37
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State Board of Occupational Therapy Education
and Licensure
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**Latest Pennsylvania Code Reporter
(Master Transmittal Sheet):**

No. 393, August 2007

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READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND PENNSYLVANIA CODE

Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Documents

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

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

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

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Printing Format

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

Fiscal Notes

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

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

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THE COURTS

Title 231—RULES OF CIVIL PROCEDURE

PART I. GENERAL

[231 PA. CODE CH. 200]

Promulgation of Rule 229.2 Governing Petitions to Transfer Structured Settlement Payment Rights; No. 480 Civil Procedural Rules; Doc. No. 5

Amended Order

Per Curiam:

And Now, this 15th day of June, 2007, Pennsylvania Rule of Civil Procedure 229.2 is promulgated to read as follows.

This Order shall be processed in accordance with Pa.R.J.A. 103(b) and shall be effective September 1, 2007.

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 200. BUSINESS OF COURTS

Rule 229.2. Petition to Transfer Structured Settlement Payment Rights.

(a) Words used in this rule, which are defined by the Structured Settlement Protection Act, shall have the meaning set forth in the Act.

Official Note: See Section 2 of the Act, 40 P. S. § 4002, which defines numerous terms including “best interests,” “dependents,” “payee,” “structured settlement obligor,” and “structured settlement payment rights.”

(b) A petition to transfer structured settlement payment rights shall be filed in the county in which the payee is domiciled.

Official Note: See Section 4 of the Act, 40 P. S. § 4004, providing that the court of common pleas of the judicial district in which the payee is domiciled shall have jurisdiction over the petition.

(c) The parties to the petition shall be the payee and the transferee.

(d) The petition shall be verified by the transferee and shall contain:

(1) a statement setting forth the payment provisions of the structured settlement agreement and the payment rights that the payee seeks to transfer,

(2) separate paragraphs which in bold type set forth

(i) the net amount payable to the payee after deduction of all commissions, fees, costs, expenses, and charges, and

(ii) the following statement setting forth the interest rate:

“Based on the net amount that the payee will receive from this transaction (\$ _____) and the amounts and timing of the structured settlement payments that would be assigned, the payee is, in effect, paying interest at a rate of _____ % per year.”

(3) four attachments:

(i) a Payee’s Affidavit in Support of Petition, in the form prescribed by subdivision (f) as Attachment 1,

(ii) an initial order of court scheduling the hearing, in the form prescribed by subdivision (g),

(iii) a certification by an attorney for the transferee representing to the best of his or her knowledge, information and belief, formed after reasonable inquiry, that the transfer will comply with the requirements of the Act and will not contravene any other applicable federal or state statute or regulation or the order of any court or administrative authority, and

(iv) a final order of court granting the petition, in the form prescribed by subdivision (i).

Official Note: These four attachments are in addition to any other documents which are required to support the findings set forth in Section 3 of the Act, 40 P. S. § 4003.

Subdivision (d) requires that two documents be verified. As the two documents contain different information, each must be verified by a different person. The petition to transfer structured settlement payment rights must be verified by the transferee. The Payee’s Affidavit in Support of Petition must be verified by the payee. The transferee is not required to verify the information set forth in the Payee’s Affidavit.

(e)(1) If the petition and Payee’s Affidavit in Support of Petition meet the requirements of this rule and contain factual allegations which, if established, will support the findings set forth in Section 3 of the Act, the court shall promptly enter an order scheduling a hearing date. The transferee shall give notice of the hearing, in the form prescribed by subdivision (h), to the payee, the structured settlement obligor, the annuity issuer, the payee’s spouse and any person who receives child support, alimony or alimony pendente lite from the payee.

(2) If the petition is denied without a hearing for failure to meet the requirements of this rule or to contain necessary factual allegations, which will support the findings set forth in Section 3 of the Act, the court shall state reasons for the denial and the payee may file an amended petition as of course.

(f) The Payee’s Affidavit in Support of Petition shall be substantially in the following form:

(Caption)

Payee’s Affidavit in Support of Petition to Transfer Structured Settlement Rights

I, _____, the payee, verify that the statements below are true and correct:

1. **Payee’s name, address and age:** _____

2. **Marital Status:**

_____ Never Married; _____ Married;
_____ Separated; _____ Divorced

If married or separated, name of spouse: _____

3. **Minor children and other dependents:**

Names, ages, and places of residence: _____

4. **Income:**

(a) Payee’s monthly income and sources: _____

(b) If presently married, spouse's monthly income and sources: _____

5. Child support, alimony or alimony pendente lite:

Obligation to pay: _____ Yes _____ No

If yes, state the amount of the obligation, to whom payable, and whether there are arrearages: _____

6. Previous transfers:

Have you previously filed a petition to transfer payment rights under the structured settlement that is the subject of this petition? _____ Yes _____ No

If yes, for each petition that you filed,

(a) If the transfer was submitted for court approval, list the court, the case caption and case number, and state whether the court approved or disapproved the transfer: _____

(b) If the transfer was approved,

(i) State the name of the transferee and identify (listing due dates and payment amount(s)) the payments involved in the transfer: _____

(ii) State the amount of money and the manner in which the money was used: _____

(c) Have you ever transferred payments without court approval? If so, please explain: _____

7. Reasons for transfer:

Describe in detail your reasons for the proposed transfer, including an explanation as to why a sale of a lesser amount of the structured settlement amount will not better serve your interests: _____

8. Payment of debts:

If you seek the transfer in order to pay debts, list each debt, including the name of the creditor and the amount presently owed:

Debt	Creditor	Amount Owed
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____

Verification

I verify that the statements made in this affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.

DATE: _____ Signature _____

(g) The initial order of court shall be substantially in the following form:

(CAPTION)

Initial Order of Court

On this _____ day of _____, 2____, it is ordered that a hearing on this Petition to Transfer Structured Settlement Payment Rights will be held on _____, in Courtroom _____ at _____ o'clock. The payee shall bring income tax returns for the prior two (2) years to the hearing.

Within seven (7) days, the transferee shall give notice of the hearing date to the payee, the structured settlement obligor, the annuity issuer, the payee's spouse and any person receiving child support, alimony, or alimony pendente lite. The transferee shall attach a certificate of service to the notice of hearing date. A copy of the notice with the certificate of service shall be filed with the court prior to the hearing.

BY THE COURT:

J.

(h) The notice of hearing shall be substantially in the following form:

(CAPTION)

Notice of Hearing on Petition to

Transfer Structured Settlement Payment Rights

To: _____

You are hereby given notice that _____

(name of payee)

has filed a petition to transfer structured settlement payment rights. A hearing in this matter has been scheduled on _____, 2____ at _____ o'clock in courtroom no. _____, courthouse, .

(address)

You are entitled to support, oppose or otherwise respond to the payee's petition, either in person or by counsel, by filing written comments with the court prior to the hearing or by attending the hearing.

Date _____ Transferee _____

Address

Telephone Number

(i) The final order of court shall be substantially in the following form:

(CAPTION)

Final Order of Court

On this _____ day of _____, 2____, it is ordered that the Petition to Transfer of Structured Settlement Payment Rights is granted.

The court specifically finds that:

(1) the payee has established that the transfer is in the best interests of the payee or the payee's dependents;

(2) based on the certification by an attorney for the transferee, and the court having not been made aware of any statute, regulation or order that would be incompatible with the proposed transfer, the transfer will not contravene any applicable federal or state statute or regulation, or the order of any court or administrative authority;

(3) the transfer complies with the remaining requirements of the Structured Settlement Protection Act, including Sections 3(a)(2), 3(a)(4), 3(a)(5) and 3(a)(6);

(4) the payments that are to be transferred are designated as follows:

(5) the terms of this order shall survive the death of the payee and shall be binding on the payee's heirs, beneficiaries and assigns;

(6) the payee shall receive from the transferee, as of _____, the amount of \$ _____, from which no funds are owed for counsel fees, administrative fees, or other costs, fees or expenses.

BY THE COURT:

_____ J.

Official Note: The form of order does not preclude a court from adding additional language to the order as deemed appropriate in the individual circumstances of a case.

Explanatory Comment

In 2000, the General Assembly passed the Structured Settlement Protection Act, Act of February 11, 2000, P. L. 1, 40 P. S. § 4001 et seq., providing for, inter alia, the court of common pleas to permit the transfer of structured settlement payment rights only upon an express finding that the transfer is in the best interests of the payee. While the Act requires the disclosure of information to the payee concerning the transfer, it does not specify what factual allegations or other information must be included in the petition to enable the trial court to make its determination. New Rule 229.2 is intended to provide the additional information necessary for a trial court to determine whether a petition to transfer structured settlement payment rights satisfies the best interest standard.

Subdivision (c) of the rule identifies the parties to the petition as the payee and the transferee. The transferee is required to verify the petition and, in doing so, must set forth the circumstances surrounding the proposed transfer of structured settlement payment rights. The petition must contain averments that the requirements of the Act have been satisfied, e.g., the proper disclosures have been made to the payee. In contrast, the payee is required through the Payee's Affidavit in Support of Petition to provide the necessary information to enable the trial court to determine whether the transfer is in the best interests of the payee. The court will enter an order scheduling a hearing date only if the petition and the payee's affidavit meet the requirements of the rule and contain factual allegations, which, if established, satisfy the requirements of Section 3 of the Act, 40 P. S. § 4003.

By the Civil Procedural Rules Committee

R. STANTON WETTICK, Jr.,
Chair

[Pa.B. Doc. No. 07-1473. Filed for public inspection August 17, 2007, 9:00 a.m.]

Title 255—LOCAL COURT RULES

CAMBRIA COUNTY

Common Pleas Judges Sitting as Magisterial District Judges; Misc. No. 2007-3407

Administrative Order

And Now, this 1st day of January, 2006, it is hereby Ordered and Directed that any Common Pleas Judge

sitting in Cambria County shall be authorized to act as a Magisterial District Judge, and may conduct hearings on any and all matters, including those graded as felony charges. This shall be at the discretion of the Judge.

By the Court

GERARD LONG,
President Judge

[Pa.B. Doc. No. 07-1474. Filed for public inspection August 17, 2007, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Suspension

Notice is hereby given that Patrick Wager Geary having been suspended from the practice of law in the State of New Jersey for a period of 2 years by Order of the Supreme Court of New Jersey dated January 10, 2007, the Supreme Court of Pennsylvania issued an Order dated August 1, 2007, suspending Patrick Wager Geary from the practice of law in this Commonwealth consistent with the Order of the Supreme Court of New Jersey dated January 10, 2007. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

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

[Pa.B. Doc. No. 07-1475. Filed for public inspection August 17, 2007, 9:00 a.m.]

Notice of Suspension

Notice is hereby given that Gregory Gerald Hawn having been suspended from the practice of law in the District of Columbia for a period of 30 days by Order of the District of Columbia Court of Appeals filed March 1, 2007, the Supreme Court of Pennsylvania issued an Order dated August 1, 2007, suspending Gregory Gerald Hawn from the practice of law in this Commonwealth for a period of 30 days. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

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

[Pa.B. Doc. No. 07-1476. Filed for public inspection August 17, 2007, 9:00 a.m.]

RULES AND REGULATIONS

Title 7—AGRICULTURE

DEPARTMENT OF AGRICULTURE

[7 PA. CODE CHS. 11, 95, 123, 125 AND 128a]

Rescission of Outdated Regulations

The Department of Agriculture (Department) rescinds Chapters 11, Subchapters B and C, 95, 123, 125 and 128a. The chapters are rescinded because the regulations are outdated or unnecessary.

Statutory Authority

The rescission of Chapter 11, Subchapters B and C is authorized under 3 Pa.C.S. Chapter 23 (relating to Domestic Animal Law), which addresses subjects such as animal health and disease detection and eradication. Under 3 Pa.C.S. § 2305 (relating to keeping and handling of domestic animals), the Department is authorized to regulate as necessary to exclude or contain dangerous transmissible diseases of animals. The rescission of Chapter 11 is driven by new testing and procedures that obviate the need for these provisions. In addition, 3 Pa.C.S. Chapter 23 affords the Department adequate authority to quickly impose a quarantine to deal with any problems related to the presence of John's disease in an animal.

The rescission of Chapter 95 is authorized under the act of April 4, 1929 (P. L. 144, No. 148) (Act 148) (3 P. S. §§ 21—33), which addresses standards for farm products. Section 10 of Act 148 (3 P. S. § 30) authorizes the Department to regulate as necessary to carry out the provisions of that statute. Chapter 95 has long been obsolete, as the apple industry has moved on to other quality assurance standards and programs.

The rescission of Chapter 123 is authorized under sections 1 and 2 of the act of July 28, 1953 (P. L. 652, No. 193) (Act 193) (3 P. S. §§ 251 and 252), which addresses barberry bushes and stem rust disease. Section 1 of Act 193 authorizes the Department to regulate a program to reimburse counties for expenses relating to the eradication of rust from barberry bushes and stem rust disease in certain other plant species. The rescission of Chapter 123 is driven by the fact that the fiscal aid that had once been available for stem rust control has long been gone.

The rescission of Chapter 125 is authorized under the Plant Pest Act (3 P. S. §§ 258.1—258.27), which addresses plant diseases. Section 3 of the Plant Pest Act (3 P. S. § 258.3) authorizes the Department to regulate as necessary to carry out the provisions of the Plant Pest Act. The various plant pest quarantines addressed in Chapter 125 are no longer necessary. The Department retains the ability to quickly address the presence of plant pests by use of the quarantine authority provided it under the Plant Pest Act.

Although Chapter 128a was a statement of policy, rather than a regulation, and could be rescinded without going through the formal regulatory promulgation process, the Department included the rescission of this statement of policy in this final-form rulemaking. Chapter 128a was authorized under the Pennsylvania Pesticide Control Act of 1973 (act) (3 P. S. §§ 111.21—111.61), which addresses pesticide use and disposal. Section 7(b) of the act (3 P. S. § 111.27(b)) authorizes the Department to regulate as necessary to carry out the provisions of the

act. The rescission of Chapter 128a is driven by the fact that this chapter has been entirely supplanted by subsequent regulations in Chapter 128b (relating to CHEMSWEEP pesticide disposal program).

Purpose of the Final-Form Rulemaking

The final-form rulemaking rescinds outdated or unneeded regulatory provisions that are currently administered and enforced by the Department.

Comments and Responses

Notice of proposed rulemaking was published at 37 Pa.B. 951 (February 24, 2007), affording the public, the Legislature and the Independent Regulatory Review Commission (IRRC) the opportunity to offer comments. No objections, comments or recommendations were offered.

Fiscal Impact

Commonwealth. The final-form rulemaking imposes no costs and has no fiscal impact on the Commonwealth.

Political subdivisions. The final-form rulemaking imposes no costs and has no fiscal impact upon political subdivisions.

Private sector. The final-form rulemaking imposes no costs and has no fiscal impact on the private sector.

General public. The final-form rulemaking imposes no costs and has no fiscal impact on the general public.

Paperwork Requirements

The final-form rulemaking will not impact upon the paperwork generated by the Department or the regulated communities.

Effective Date

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

Contact Person

Individuals who need information about the final-form rulemaking should contact Angela M. Black, Department of Agriculture, Legal Office, 2301 North Cameron Street, Harrisburg, PA 17110-9408.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on February 13, 2007, the Department submitted a copy of the notice of proposed rulemaking, published at 37 Pa.B. 951, to IRRC and the Chairpersons of the House and Senate Standing Committees on Agriculture and Rural Affairs for review and comment.

Under section 5(c) of the Regulatory Review Act, IRRC and the Committees were provided with copies of the comments received during the public comment period, as well as other documents when requested. In preparing the final-form rulemaking, the Department has considered all comments from IRRC, the House and Senate Committees and the public.

Under section 5.1(j.2) of the Regulatory Review Act (71 P. S. § 745.5a(j.2)), on July 18, 2007, the final-form rulemaking was deemed approved by the House and Senate Committees. Under section 5(g) of the Regulatory Review Act, the final-form rulemaking was deemed approved by IRRC, effective July 18, 2007.

Findings

The Department finds that:

(1) Public notice of intention to adopt this final-form rulemaking has been given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) A public comment period was provided as required by law; and no comments were received were considered.

(3) No amendments were made to this final-form rulemaking, as no comments were offered with respect to the proposed rulemaking published at 37 Pa.B. 951.

(4) The adoption of the final-form rulemaking in the manner provided in this order is necessary and appropriate for the administration of the authorizing statute.

Order

The Department, acting under the authorizing statutes, orders the following:

(a) The regulations of the Department, 7 Pa. Code 11, 95, 123, 125 and 128a, are amended by deleting §§ 11.11—11.18, 11.21, 11.22, 95.1—95.7, 123.1—123.6, 125.1—125.8, 125.11, 125.12, 125.21—125.25, 125.31—125.33, 125.41—125.47, 125.51—125.56, 125.61—125.65, 125.71—125.78 and 125.131—125.137 to read as set forth at 37 Pa.B. 951.

(b) The statement of policy of the Department, 7 Pa. Code Chapter 128a, is amended by deleting §§ 128a.1—128a.18 to read as set forth at 37 Pa.B. 951.

(c) The Secretary of Agriculture shall submit this order and 37 Pa.B. 951 to the Office of General Counsel and the Office of Attorney General for approval as required by law.

(d) The Secretary of Agriculture shall certify and deposit this order and 37 Pa.B. 951 to the Legislative Reference Bureau as required by law.

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

DENNIS C WOLFF,
Secretary

(Editor's Note: For the text of the order of the Independent Regulatory Review Commission, relating to this document, see 37 Pa.B. 4411 (August 4, 2007).)

Fiscal Note: Fiscal Note 2-154 remains valid for the final adoption of the subject regulations.

[Pa.B. Doc. No. 07-1477. Filed for public inspection August 17, 2007, 9:00 a.m.]

The proposed rulemaking was published at 36 Pa.B. 5981 (September 30, 2006). Publication was followed by a 30-day public comment period. The Board did not receive comments from the public. The House Professional Licensure Committee (HPLC) voted to take no formal action until the final rulemaking was submitted, but did submit one comment on November 16, 2006. The Independent Regulatory Review Commission (IRRC) reported on November 29, 2006, that it had no objections, comments or recommendations. The Senate Consumer Protection and Professional Licensure Committee (SCP/PLC) did not comment on the proposed rulemaking.

Effective Date

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

Statutory Authority

Section 5(b) of the Occupational Therapy Practice Act (act) (63 P. S. § 1505(b)) authorizes the Board to promulgate and adopt rules and regulations it deems necessary for the performance of its duties and the proper administration of the act.

Summary of Comments and Responses to Proposed Rulemaking

The HPLC noted that the proposed rulemaking contained an inconsistency in the use of terminology regarding the individual who orders the services of an occupational therapist. The Board variously referred to the "responsible licensed physician, licensed optometrist or licensed podiatrist," the "practitioner" and the "ordering practitioner." The HPLC recommended that the Board be consistent in its terminology throughout the section. The Board adopted this recommendation and simply refers to the licensed physician, licensed optometrist or licensed podiatrist who issues the order for occupational therapy.

Fiscal Impact and Paperwork Requirements

The final-form rulemaking will not have a fiscal impact on, or create additional paperwork for, the regulated community or the political subdivisions of the Commonwealth.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on September 20, 2006, the Board submitted a copy of the notice of proposed rulemaking, published at 36 Pa.B. 5981, to IRRC and the Chairpersons of the HPLC and the SCP/PLC for review and comment.

Under section 5(c) of the Regulatory Review Act, IRRC, the HPLC and the SCP/PLC were provided with copies of the comments received during the public comment period, as well as other documents when requested. In preparing the final-form rulemaking, the Board has considered all comments from IRRC, the HPLC, the SCP/PLC and the public.

Under section 5.1(j.2) of the Regulatory Review Act (71 P. S. § 745.5a(j.2)), on June 27, 2007, the final-form rulemaking was approved by the HPLC. On July 18, 2007, the final-form rulemaking was deemed approved by the SCP/PLC. Under section 5.1(e) of the Regulatory Review Act, IRRC met on July 19, 2007, and approved the final-form rulemaking.

Additional Information

Additional information may be obtained by writing to Christine Stuckey, Board Administrator, State Board of

Title 49—PROFESSIONAL AND VOCATIONAL STANDARDS

STATE BOARD OF OCCUPATIONAL THERAPY EDUCATION AND LICENSURE

[49 PA. CODE CH. 42]

Orders

The State Board of Occupational Therapy Education and Licensure (Board) amends § 42.25 (relating to orders) to read as set forth in Annex A.

Occupational Therapy Education and Licensure, P. O. Box 2649, Harrisburg, PA 17105-2649.

Findings

The Board finds that:

(1) Public notice of intention to adopt this final-form rulemaking has been given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations promulgated thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) A public comment period was provided as required by law and comments were received.

(3) The amendments to the final-form rulemaking do not enlarge the original purpose of the proposed rulemaking published at 36 Pa.B. 5981.

(4) This final-form rulemaking is necessary and appropriate for the administration of the act.

Order

The Board therefore orders that:

(a) The regulations of the Board, 49 Pa. Code Chapter 42, are amended by amending § 42.25 to read as set forth in Annex A.

(b) The Board shall submit a copy of this order and Annex A to the Office of the Attorney General and the Office of General Counsel for approval as required by law.

(c) The Board shall certify this order and Annex A and shall deposit them with the Legislative Reference Bureau as required by law.

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

ELLEN L. KOLODNER,
Chairperson

(Editor's Note: For the text of the order of the Independent Regulatory Review Commission, relating to this document, see 37 Pa.B. 4411 (August 4, 2007).)

Fiscal Note: Fiscal Note 16A-676 remains valid for the final adoption of the subject regulation.

Annex A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 42. STATE BOARD OF OCCUPATIONAL THERAPY EDUCATION AND LICENSURE

MINIMUM STANDARDS OF PRACTICE

§ 42.25. Orders.

(a) *Written orders.* An occupational therapist shall accept a referral in the form of a written order from a licensed physician, licensed optometrist or licensed podiatrist.

(b) *Oral orders.*

(1) An occupational therapist may accept a referral in the form of an oral order if it is impractical for the licensed physician, licensed optometrist or licensed podiatrist to provide the order in writing.

(2) An occupational therapist receiving an oral order shall immediately transcribe the order in the patient's medical record, including the date and time the order was received, and sign the medical record.

(3) The occupational therapist in a private office setting who has received an oral order shall obtain the countersignature of the licensed physician, licensed optometrist or licensed podiatrist who issued the order within 5 days of receiving the order.

(4) If the occupational therapist who receives an oral order provides services in a setting that is independent of the prescriber's setting, the occupational therapist may accept the countersignature of the ordering licensed physician, licensed optometrist or licensed podiatrist on a written copy of the order that is mailed or faxed to the occupational therapist.

(5) If an occupational therapist provides services in a facility licensed by the Department of Health, the countersignature of the ordering licensed physician, licensed optometrist or licensed podiatrist shall be obtained in accordance with the applicable regulations of the Department of Health governing the facility, including 28 Pa. Code §§ 211.3 and 601.31 (relating to oral and telephone orders; and acceptance of patients, plan of treatment and medical supervision).

[Pa.B. Doc. No. 07-1479. Filed for public inspection August 17, 2007, 9:00 a.m.]

Title 58—RECREATION

PENNSYLVANIA GAMING CONTROL BOARD

[58 PA. CODE CHS. 491, 491a AND 492]

General Rules of Practice

The Pennsylvania Gaming Control Board (Board), under its general authority in 4 Pa.C.S. § 1202(b)(30) (relating to general and specific powers) and the specific authority in 4 Pa.C.S. § 1205 (relating to license or permit application hearing process; public input hearings), adopts Chapter 491a (relating to general rules of practice) and rescinds Chapters 491 and 492 to read as set forth in Annex A.

Purpose of the Final-form Rulemaking

Under the authority granted to the Board under 4 Pa.C.S. § 1203 (relating to temporary regulations), the Board initially adopted temporary regulations in Chapter 491 at 35 Pa.B. 4045 (July 16, 2005) and Chapter 492 at 36 Pa.B. 1578 (April 1, 2006). Under 4 Pa.C.S. § 1203(b), the temporary regulations expired on July 5, 2007.

The Board is adopting Chapter 491a to replace the temporary regulations with permanent regulations.

Explanation of Chapter 491a

This final-form rulemaking replaces temporary Chapters 491 and 492.

Chapter 491a contains general rules of practice and procedure that apply to persons appearing before the Board in a hearing. These regulations provide defined terms, general guidance as to the function of the Office of the Clerk, general requirements for filing pleadings and other documents with the Board, service requirements, procedure for hearings and prehearing conferences and the duties of hearing and presiding officers.

Comment and Response Summary

Notice of proposed rulemaking was published at 37 Pa.B. 23 (January 6, 2007).

The Board only received comments on the proposed rulemaking from the Independent Regulatory Review Commission (IRRC). Those comments were reviewed by the Board and are discussed as follows.

In § 491a.3(a)(2) (relating to Office of the Clerk), IRRC suggested that the Board's policy on electronic filings be added to the regulation.

This language was put in the regulation to leave the door open to electronic filing of documents at some point in the future. However, at this point in time, the Board is not using electronic filing of documents, so this language has been deleted. If the Board develops a system for electronic filing in the future, new provisions will be added.

In § 491a.5(c) (relating to service by the Board), IRRC suggested that the manner and form of providing proof of service be specified in the regulation.

The Board has not developed a specific form that must be used. For this reason, that phrase has been deleted. If in the future the Board determines that a standard form is needed, it will amend this chapter accordingly.

In § 491a.7(b)(1) (relating to presiding officers), IRRC recommended deleting "unless otherwise provided by the Board, as provided in § 494.1a(a) (relating to generally)" because the section cited has not been adopted as a final-form regulation yet.

The Board agrees and deleted this phrase. It will be added when the final-form version of Chapter 494a (relating to hearing procedure) is adopted.

In § 491a.8 (relating to hearings generally), IRRC suggested that the Board add examples of when documentary hearings would not be constitutionally permissible or add criteria the Board would use to determine when it would not be constitutionally permissible.

Generally, the Board intends to use documentary hearings when there are no material facts in dispute. The phrase "when constitutionally permissible" was included in the regulation because it appears in 4 Pa.C.S. § 1205. However, including the phrase in the regulation is unnecessary, because no agency would conduct hearings in a manner that is constitutionally impermissible. Accordingly, "when constitutionally permissible" has been deleted.

Additional Revisions

In addition to the changes made in response to the comments that were received from IRRC, the Board made two additional revisions to § 491a.8. These changes, in subsections (a) and (h), add revisions that were made to the Board's temporary regulations on December 4, 2006.

Affected Parties

This final-form rulemaking imposes requirements on individuals appearing before the Board in a hearing.

Fiscal Impact

Commonwealth. This final-form rulemaking will impose costs on the Board for the administration of a uniform filing, docketing and system of hearings and appeals, including compliance with practice and procedure requirements.

Political subdivisions. This final-form rulemaking will have no significant fiscal impact on political subdivisions of the Commonwealth.

Private sector. Applicants for or holders of a license, permit, registration or certification appearing before the

Board in a hearing will experience some costs to comply with the procedural requirements in Chapter 491a and the filing fees published by the Board.

General public. Individuals appearing before the Board in a hearing will experience some costs to comply with the procedural requirements in Chapter 491a and the filing fees published by the Board.

Paperwork Requirements

This final-form rulemaking does not impose new reporting or paperwork requirements on the affected parties under the Board's jurisdiction. This final-form rulemaking clarifies the form requirements for filings that are submitted to the Board by parties.

Effective Date

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

Contact Person

The contact person for questions about this final-form rulemaking is Richard Sandusky, Director of Regulatory Review, (717) 214-8111.

Regulatory Review

Under sections 5(a) and (f) of the Regulatory Review Act (71 P. S. §§ 745.5(a) and (f)), the Board submitted a copy of the proposed rulemaking, published at 37 Pa.B. 23, and a copy of the Regulatory Analysis Form to IRRC on December 19, 2006, and to the Chairpersons of the House Gaming Oversight Committee and the Senate Committee on Community, Economic and Recreational Development on February 12, 2007, for review and comment.

Under section 5(c) of the Regulatory Review Act, IRRC and the Committees were provided with copies of the comments received during the public comment period, as well as other documents when requested. In preparing the final-form rulemaking, the Board has considered comments received from IRRC and the public.

Under section 5.1(j.2) of the Regulatory Review Act (71 P. S. § 745.5a(j.2)), on July 18, 2007, the final-form rulemaking was deemed approved by the House and Senate Committees. Under section 5.1(e) of the Regulatory Review Act (71 P. S. § 745.5a(e)) IRRC met on July 19, 2007, and approved the final-form rulemaking.

Findings

The Board finds that:

(1) Public notice of intention to adopt these chapters was given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) The final-form rulemaking is necessary and appropriate for the administration and enforcement of 4 Pa.C.S. Part II (relating to gaming).

Order

The Board, acting under 4 Pa.C.S. Part II, orders that:

(a) The regulations of the Board, 58 Pa. Code, are amended by deleting §§ 491.1—491.3 and 492.1—492.8 and by adding §§ 491a.1—491a.10 to read as set forth in Annex A.

(b) The Chairperson of the Board shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

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

THOMAS A. DECKER,
Chairperson

(Editor's Note: For the text of the order of the Independent Regulatory Review Commission, relating to this document, see 37 Pa.B. 4411 (August 4, 2007).)

Fiscal Note: Fiscal Note 125-53 remains valid for the final adoption of the subject regulations.

Annex A

TITLE 58. RECREATION

PART VII. GAMING CONTROL BOARD

Subpart H. PRACTICE AND PROCEDURE

CHAPTER 491. (Reserved)

§§ 491.1—491.3. (Reserved).

CHAPTER 491a. GENERAL RULES OF PRACTICE

Sec.

491a.1.	Generally.
491a.2.	Definitions.
491a.3.	Office of the Clerk.
491a.4.	Filing generally.
491a.5.	Service by the Board.
491a.6.	Hearing officers.
491a.7.	Presiding officers.
491a.8.	Hearings generally.
491a.9.	Prehearing and other conferences.
491a.10.	Presentation and effect of stipulations.

§ 491a.1. Generally.

This subpart governs practice and procedure before the Board, and is intended to supplement 2 Pa.C.S. (relating to administrative law and procedure) and 1 Pa. Code, Part II (relating to General Rules of Administrative Practice and Procedure).

§ 491a.2. Definitions.

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

Adjudication—An order, decree, decision, determination or ruling by the Board affecting the personal or property rights, privileges, immunities, duties, liabilities or obligations of the parties to the proceeding in which the adjudication is made.

Complainant—The Bureau or other persons authorized by the Board to file a complaint.

Consent agreement—A voluntary agreement to an act or proposal based on specific terms which are entered into by all parties to a proceeding to resolve a disputed matter.

Documentary evidence—Any document or paper which is presented and accepted as evidence in a proceeding.

Documentary hearing—A proceeding limited to a review of documentary evidence submitted by the parties, including pleadings, documents, depositions, affidavits, interrogatories and transcripts.

Exception—A formal objection to a report or recommendation of a presiding officer.

Hearing—A proceeding, documentary or oral, initiated by the filing of a complaint, answer, petition, motion, exceptions or by order of the Board.

Hearing officer—An employee of the Board designated to conduct a hearing relating to a matter within the jurisdiction of the Board.

Intervener—A person who petitioned to intervene in a proceeding and who was admitted by the Board as a participant to the proceeding.

OHA—Office of Hearings and Appeals—A division of the Board charged with administrating and conducting hearings or other matters as the Board may direct.

Oral hearing—A proceeding wherein the parties may present sworn testimony, documents or other evidence, and of which a verbatim record is made.

Participant—A person admitted by the Board to limited participation in a proceeding.

Party—A person who is named in or admitted to a proceeding before the Board and who has a direct interest in the subject matter of the proceeding.

Prehearing conference—A proceeding to establish a schedule, discuss offers of settlement and identify other issues the Board or presiding officer may direct.

Presiding officer—

(i) A member of the Board, or other person designated by the Board to conduct a proceeding.

(ii) This definition supersedes 1 Pa. Code § 31.3 (relating to the definitions).

Respondent—A person subject to the jurisdiction of the Board to whom an order or notice is issued by the Board or the Bureau instituting a proceeding or investigation.

§ 491a.3. Office of the Clerk.

(a) The Board's Office of the Clerk (Clerk) will have the following duties:

(1) Provide information as to practice and procedure before the Board, under this subpart.

(2) Receive and docket pleadings and other documents required by the Board to be filed with the Clerk.

(b) Filings and requests for practice and procedure information should be directed to:

Office of the Clerk
Pennsylvania Gaming Control Board
P. O. Box 69060
Harrisburg, PA 17106-9060

(c) The Clerk will maintain a docket of proceedings. Each proceeding as initiated will be assigned a docket number. The docket will be available for inspection and copying by the public during the Board's office hours.

§ 491a.4. Filing generally.

(a) Pleadings and other documents required to be filed with the Board must clearly designate the docket number or similar identifying symbols, if any, employed by the Board, and set forth a short title. The identity of the individual making the submission, including name, mailing address and status (for example, party or attorney for a party) must appear on the document.

(b) Pleadings, including documents filed under this chapter, must also comply with Chapter 495a (relating to documentary filings).

(c) If a pleading tendered for filing does not comply with this subpart, does not sufficiently set forth required material or is otherwise insufficient, the Board may decline to accept it for filing and may return it without filing, or the Board may accept it for filing and advise the person tendering it of the deficiency and require that the deficiency be corrected.

(d) The Board may require redundant, immaterial, obscene or otherwise inappropriate comments stricken from documents filed with it.

§ 491a.5. Service by the Board.

(a) *Applicability.* This section applies to service of an order, notice or other document originating with the Board and other documents designated by the Board, except when the Board specifically requires a different form of service.

(b) *Service of a document initiating a proceeding.*

(1) *Registered or certified mail.* Service may be made by registered or certified mail, return receipt requested, to the person to be served, addressed to the person designated in the initial pleading, submittal or notice of appearance at the person's residence, principal office or place of business.

(2) *Personal.* Service may be made personally by anyone authorized by the Board. Service will be made by personally delivering a copy:

(i) Directly to the person named in the notice, pleading or order.

(ii) At the residence of the person named in the notice, pleading or order, to an adult member of the family with whom the person named resides. If no adult member of the family is found, then to an adult person in charge of the residence.

(iii) At the residence of the person named in the notice, pleading or order, to the clerk or manager of the hotel, inn, apartment house, boarding house or other place of lodging at which the person named resides.

(iv) At any office or usual place of business of the person named in the notice, pleading or order, to his agent or to the person who for the time being is in charge thereof. For purposes of this subsection, the phrase "any office or usual place of business of the person named in the notice, pleading or order" will include the following locations:

(A) The licensed facility at which the person named is employed, licensed in connection therewith, or routinely performs his duties of employment.

(B) The office of the agent identified by the person named to receive service of process.

(c) *Proof of service.* Proof of service shall be evidenced by a return of service filed with the Office of the Clerk.

(d) *Subsequent service.* Service of any document made subsequent to the initial filing in a proceeding may be made by first class mail at the last known address of record of the person named in the notice, pleading or order.

(e) *Change of address.* It is the duty of a party to apprise the Board of changes to the party's current address.

(f) *Supersession.* Subsections (a)—(c) supersede 1 Pa. Code § 33.31 (relating to service by the agency).

§ 491a.6. Hearing officers.

(a) A hearing officer may be a presiding officer. Hearing officers shall be attorneys in good standing with the Supreme Court of Pennsylvania and shall be responsible for the timely disposition of assigned matters. Hearing officers are employed by the Board and may be discharged only for misconduct or good cause shown.

(b) Duties of the hearing officers may include:

(1) Conducting full and complete hearings, partial and bifurcated hearings.

(2) Taking testimony of witnesses.

(3) Presiding over or causing depositions to be taken.

(4) Submitting reports or recommendations to the Board.

(5) Other matters as the Board may direct.

(c) A hearing officer may withdraw when the hearing officer deems himself disqualified or a hearing officer may be withdrawn by the Board for good cause found after timely affidavits alleging personal bias or other disqualification have been filed and the matter has been heard by the Board or another presiding officer to whom the Board has delegated the matter for investigation and report.

(d) This section supersedes 1 Pa. Code § 35.186 (relating to disqualification of a presiding officer).

§ 491a.7. Presiding officers.

(a) When evidence is to be taken in a hearing, the Board or a presiding officer may conduct the hearing.

(b) The Board and presiding officers have the power and authority to:

(1) Regulate the course of hearings, including the scheduling thereof, and the recessing, reconvening and the adjournment thereof.

(2) Administer oaths and affirmations.

(3) Issue subpoenas.

(4) Rule upon offers of proof and receive evidence.

(5) Preside over or cause depositions to be taken.

(6) Hold conferences before or during hearings.

(7) Dispose of procedural matters, but not before a proposed report, if any, to dispose of motions made during hearings to dismiss proceedings or other motions which involve final determination of proceedings has been submitted to the Board.

(8) Certify any question to the Board for consideration and disposition, within the presiding officer's discretion, or upon direction of the Board.

(9) Submit proposed reports in accordance with this subpart.

(10) Take other action appropriate to the discharge of their duties as may be designated by the Board and authorized by the act.

(c) Except as authorized by law and by this subpart, a presiding officer may not, in a proceeding, consult with a person or party on a fact in issue unless notice and opportunity for parties to participate has been given.

(d) Presiding officers will conduct fair and impartial hearings and maintain order. Disregard by parties or counsel of rulings of the presiding officer on matters of order and procedure will be noted on the record, and if the presiding officer deems necessary, it will be made the subject of a special written report to the Board.

(e) If parties or counsel engage in disrespectful, disorderly or contumacious language or conduct in connection with any hearing, the presiding officer may immediately submit to the Board a report thereon, together with recommendations, and, in the presiding officer's discretion, suspend the hearing.

(f) Rulings of presiding officers may not be appealed during the course of a hearing or conference except in

extraordinary circumstances when a prompt decision by the Board is necessary. In this instance, the matter will be immediately referred by the presiding officer to the Board for determination.

(1) An offer of proof made in connection with an objection to a ruling of the presiding officer rejecting or excluding oral testimony must be a statement of the substance of the evidence which counsel contends would be adduced by the testimony. If the rejected or excluded evidence is in documentary or written form, a copy of the evidence shall be marked for identification and shall constitute the offer of proof.

(2) Unless the Board acts upon a question referred by a presiding officer for determination within 30 days, the referral will be deemed to have been denied.

(g) This section supersedes 1 Pa. Code §§ 35.185—35.190 (relating to presiding officers).

§ 491a.8. Hearings generally.

(a) Unless the Board hears the matter directly, all matters, except for hearings under § 441a.19 (relating to licensing hearings for slot machine licenses), will be assigned to the OHA. The Board may designate a member of the Board or other qualified person to serve as presiding officer in a particular matter.

(b) Hearings will be public, except as provided in section 1206 of the act (relating to Board minutes and records).

(c) Hearings will be documentary unless otherwise designated by the Board or presiding officer and may provide for:

- (1) Receipt of sworn testimony.
- (2) Receipt of all relevant documentary evidence.
- (3) Opportunity for parties to be heard.
- (4) A complete evidentiary record.
- (5) Submission of a report or recommendations to the Board.

(d) Unless required by this part or authorized by law, a party may not communicate directly or indirectly, in connection with any issue of law or any matter of fact which is disputed, with the Board or presiding officer, unless notice and opportunity for all parties to participate has been given.

(e) Hearings will be conducted in Harrisburg, Pennsylvania, unless otherwise directed by the Board.

(f) Written notice of hearings will be provided to all parties, and served by the Office of the Clerk (Clerk) by first class mail.

(g) Motions shall be filed with the Clerk and will be docketed and referred to the Board or presiding officer for disposition.

(h) Hearings will be scheduled by the OHA, except for hearings under § 441a.19 which will be scheduled as the Board may direct. Hearings for violations of the act or this part will be scheduled within 90 days of the initiation of action by the Bureau.

(i) Parties may waive the right to a hearing in which case the Board or presiding officer may dispose of the matter without a hearing on the basis of submittals, consent agreements and proposed orders.

(j) Hearing transcripts will be available for public inspection.

(k) This section supplements 1 Pa. Code, Part II, Subchapter B (relating to hearings and conferences).

§ 491a.9. Prehearing and other conferences.

(a) A prehearing conference may be scheduled by the Board or presiding officer at his discretion. The Board or a presiding officer may also schedule a prehearing conference at the request of one party or by agreement of the parties.

(b) When the Board or presiding officer directs that a prehearing conference be held, all parties shall appear at the time and place designated. Notice of the time and place of the conference will be given to all parties. At the discretion of the Board or presiding officer, the conferences may be conducted telephonically.

(c) The following matters will be considered at a prehearing conference:

(1) The possibilities for settlement of the proceeding, subject to the approval of the Board.

(2) The amount of hearing time which will be required to dispose of the proceeding and the establishment of a schedule of hearing dates.

(3) Other matters that may aid in expediting the orderly conduct and disposition of the proceeding and the furtherance of the public interest, including, but not limited to:

- (i) The simplification of the issues.
- (ii) The exchange and acceptance of service of exhibits proposed to be offered in evidence.
- (iii) The obtaining of admissions as to, or stipulations of, facts not remaining in dispute, or the authenticity of documents.
- (iv) The number of witnesses and any limitation imposed thereon.
- (v) The discovery or production of data.
- (vi) Other matters as may properly be dealt with to aid in expediting the orderly conduct and disposition of the proceeding.

(d) This section supplements 1 Pa. Code §§ 35.111—35.116 (relating to prehearing conferences).

§ 491a.10. Presentation and effect of stipulations.

(a) Independently of the orders or rulings issued by the Board or presiding officer relating to prehearing and other conferences, the parties may stipulate as to relevant matters of fact or the authenticity of relevant documents. The stipulations may be received in evidence at a hearing, and when received shall be binding on the parties with respect to the matters stipulated.

(b) This section supersedes 1 Pa. Code § 35.155 (relating to presentation and effect of stipulations).

CHAPTER 492. (Reserved)

§§ 492.1—492.8. (Reserved).

[Pa.B. Doc. No. 07-1478. Filed for public inspection August 17, 2007, 9:00 a.m.]

PROPOSED RULEMAKING

DEPARTMENT OF HEALTH

[28 PA. CODE CH. 611]

[Correction]

Home Care Agencies and Home Care Registries

The document which appeared at 37 Pa.B. 4431 (August 11, 2007) regarding home care agencies and home care registries was published under the incorrect signature and should have read "Calvin B. Johnson, M. D."

[Pa.B. Doc. No. 07-1395. Filed for public inspection August 3, 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 August 7, 2007.

BANKING INSTITUTIONS

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-28-07	Fulton Bank Lancaster Lancaster County	Lancaster	Effective
	Purchase of assets/assumption of liabilities of all branch offices of Lebanon Valley Farmers Bank, Lebanon, including the former main office. Both institutions are wholly-owned subsidiaries of Fulton Financial Corporation, Lancaster.		
8-2-07	Brentwood Bank Bethel Park Allegheny County	Bethel Park	Approved
	Purchase of assets/assumption of liabilities of one branch office of Community Bank, Carmichaels, located at:		
		3730 Brownsville Road Pittsburgh Allegheny County	

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-31-07	First Savings Bank of Perkasie Perkasie Bucks County	3969 Durham Road Buckingham Township Bucks County	Filed
7-31-07	First Savings Bank of Perkasie Perkasie Bucks County	380 West Butler Avenue New Britain Bucks County	Filed
8-2-07	Mercer County State Bank Sandy Lake Mercer County	712 West Main Street Grove City Mercer County	Filed
8-2-07	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	1777 Sentry Parkway West Blue Bell Montgomery County	Filed
8-2-07	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	1701 John F. Kennedy Boulevard Philadelphia Philadelphia County	Filed
8-2-07	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	31 West Ridge Pike Royersford Montgomery County	Approved

Branch Relocations/Consolidations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-27-07	AmeriServ Financial Bank Johnstown Cambria County	<i>Into:</i> 1404 Eisenhower Boulevard Johnstown Richland Township Cambria County	Effective
		<i>From:</i> 1213 Scalp Avenue Johnstown Richland Township Cambria County	

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
8-2-07	Brentwood Bank Bethel Park Allegheny County	<i>Into:</i> 3635 Brownsville Road Pittsburgh Allegheny County <i>From:</i> 3730 Brownsville Road Pittsburgh Allegheny County	Approved

Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-24-07	Republic First Bank Philadelphia Philadelphia County	1800 Lombard Street Philadelphia Philadelphia County	Filed
8-2-07	Community Bank Carmichaels Greene County	3730 Brownsville Road Pittsburgh Allegheny County	Approved

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

No activity.

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

VICTORIA A. REIDER,
Acting Secretary

[Pa.B. Doc. No. 07-1480. Filed for public inspection August 17, 2007, 9:00 a.m.]

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

Consolidated Plan Public Meeting Notice and Regional Housing Advisory Committee Meetings

The Department of Community and Economic Development (Department) is preparing the Commonwealth's Action Plan for Federal Fiscal Year (FFY) 2008 and the Program Year that begins January 1, 2008. The 2008 Action Plan is an update of the Commonwealth's Consolidated Plan for FFY 2004—2008. This document must be submitted to, and approved by, the United States Department of Housing and Urban Development (HUD) for the Commonwealth and organizations within this Commonwealth to receive funding under most HUD housing and community development programs. The Consolidated Plan creates a unified strategy for housing and community development programs, as well as the necessary linkages for building successful neighborhoods and communities.

The Commonwealth's 2004—2008 Consolidated Plan will address how the Commonwealth intends to allocate funds under the following programs: Community Development Block Grant, HOME Investment Partnerships, Emergency Shelter Grant and Housing Opportunities for People with AIDS.

Public Meeting

A public meeting will be conducted electronically by means of the Internet. The format will be more accessible

than in an in-person meeting because those who wish to make a comment or discuss policy may participate directly from their personal computer or from a computer location at their public library on Thursday, September 6, 2007. Access to the discussion by means of the Internet will occur between the hours of 10 a.m. and 12 p.m. This more widely available personal computer access will replace the usual public meeting.

Individuals or organizations may give testimony or comments by means of the Internet. Comments will be accepted about topics related to community development, housing, the content of the Commonwealth's Action Plan and the process by which the public input is gathered. The Commonwealth encourages public participation in this process.

Individuals who want to participate must register in advance, online by means of the Internet at the following website www.state.pa.us/chat/. If additional assistance is needed, call Karen Overly Smith at (717) 214-5340 to receive registration instructions for the Internet meeting at least 24 hours prior to the meeting date. Internet public meeting access will be open from 10 a.m. to 12 p.m. on Thursday, September 6, 2007. During the meeting, if support is required, call (866) 224-4890 and enter the "pin number" 9999 and then press the pound (#) sign.

Written Comments

Written testimony, in lieu of Internet testimony, must be submitted by 5 p.m., Friday, September 7, 2007. Submit comments to Karen Overly Smith, Department of Community and Economic Development, Center for Community Development, 400 North Street, 4th Floor, Commonwealth Keystone Building, Harrisburg, PA 17120-0225.

Regional Housing Advisory Committee Meetings

The Commonwealth has five Regional Housing Advisory Committees comprised of appointed members. Meetings of these committees are open to the public under 65 Pa.C.S. Chapter 7 (relating to the Sunshine Act). These committees advise the Department regarding housing and community development needs, as well as assist in fair housing planning. These meetings will be held as follows:

August 21, 2007

Cranberry Township Municipal Center
Council Chambers
2525 Rochester Road, Suite 400
Cranberry Township, PA 16066
1 p.m. to 4 p.m.

August 22, 2007

Erie-Western PA Port Authority
Center Conference Room
208 East Bayfront Parkway
Erie, PA 16507
9:30 a.m. to 12:30 p.m.

August 28, 2007

Schuylkill County Agricultural Building
Meeting Room
1202 Ag Center Drive
Pottsville, PA 17901
9:30 a.m. to 12:30 p.m.

August 29, 2007

Chester County Government Services Center
Room 171
601 Westtown Road
West Chester, PA 19380
9:30 a.m. to 12:30 p.m.

August 30, 2007

Bucknell University
Elaine Langone Center—Walls Lounge
701 Moore Street
Lewisburg, PA 17837
9:30 a.m. to 12:30 p.m.

Persons with a disability who wish to attend any of the Advisory Committee meetings and require an auxiliary aid, service or other accommodation to participate in the meetings, should contact Karen Overly Smith, Department of Community and Economic Development, Center for Community Development, 400 North Street, 4th Floor, Commonwealth Keystone Building, Harrisburg, PA 17120-0225, (717) 214-5340, to discuss how the Department may best accommodate their needs. Text telephone calls can be placed through the Pennsylvania Relay system at (800) 654-5984. Calls will be relayed to the Department's number listed previously.

DENNIS YABLONSKY,
Secretary

[Pa.B. Doc. No. 07-1481. Filed for public inspection August 17, 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 & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0032328 Sewage Nonmunicipal	Hickory Hills Mobile Home Community, LLC 121 Hickory Hills Drive Bath, PA 18014	Northampton County Moore Township	Tributary to East Branch Monocacy Creek Watershed 2C	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0209473 (Nonmunicipal)	North Centre Township 277B Nursery Road Berwick, PA 18603	Columbia County North Centre Township	West Branch Briar Creek 5C	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0034045	Greene Township Horseshoe Subdivision 9333 Tate Road Erie, PA 16509-6049	Greene Township Erie County	UNT to Four Mile Creek 15-FM	Y
PA0005622	Bessemer and Lake Erie Railroad 85 Ohl Street Greenville, PA 16125	Greenville Borough Mercer County	Shenango River 20-A	Y

PA0210196, Industrial Waste, **Seneca Landfill, Inc.**, P. O. Box 1080, Mars, PA 16046. This proposed facility is located in Jackson Township, **Butler County**.

Description of Proposed Activity: an existing discharge of treated industrial waste and stormwater.

The receiving water is Connoquenessing Creek. The receiving stream is in State Water Plan 20-C and is classified for the following uses: WWF, aquatic life, water supply and recreation. The nearest downstream potable water supply is the Beaver Falls Municipal Authority intake on the Beaver River, located at Eastvale, approximately 30 miles below the point of discharge.

INTERIM LIMITS (For Municipal Landfill Leachate)

The proposed effluent limits for Outfall 001 based on a design flow of 0.0432 mgd.

<i>Parameter</i>	<i>Loadings</i>		<i>Concentrations</i>		
	<i>Average Monthly (lb/day)</i>	<i>Maximum Daily (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (mgd)	XX	XX			
CBOD ₅	13.3	50.4	37	140	175
NH ₃ -N	1.8	3.6	4.9	10	12.5
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)				200/100 ml 2,000/100 ml	
TSS	9.7	31.7	27	88	110
Oil and Grease	XX		15		30
Aluminum		XX		0.55	0.69
Iron, Total		XX		7.0	8.8
Manganese		XX		2.0	2.5
Zinc	XX	XX	0.11	0.2	0.25
TRC			XX		
a-Terpineol	XX	XX	0.016	0.033	0.041
Benzoic Acid	XX	XX	0.071	0.12	0.15
p-Cresol	XX	XX	0.014	0.025	0.031
Phenol	XX	XX	0.015	0.026	0.032
pH	Within limits of 6.0 to 9.0 Standard Units at all times.				

FINAL LIMITS (For Centralized Waste Treatment—Multiple Wastestreams)

The proposed effluent limits for Outfall 001 based on a design flow of 0.085 mgd.

<i>Parameter</i>	<i>Loadings</i>		<i>Concentrations</i>		
	<i>Average Monthly (lb/day)</i>	<i>Maximum Daily (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (mgd)	XX	XX			
BOD ₅			53	163	163
TSS			11.3	29.6	29.6
Oil and Grease			15		30
Antimony			0.0132	0.111	0.111
Arsenic			0.0199	0.0993	0.0993
Cadmium			0.0102	0.0172	0.0255
Chromium			0.0522	0.167	0.167
Cobalt			0.0703	0.182	0.182
Copper			0.216	0.659	0.659
Lead			0.16	0.35	0.4
Mercury			0.000246	0.000641	0.000641
Nickel			0.309	0.794	0.794
Selenium			0.0698	0.176	0.176
Silver			0.0122	0.0318	0.0318
Tin			0.0367	0.0955	0.0955
Titanium			0.00612	0.0159	0.0159
Vanadium			0.0518	0.0628	0.1295
Zinc			0.252	0.657	0.657
Acetone			7.97	30.2	30.2
Acetophenone			0.0562	0.114	0.1405
Bis (2-ethylhexyl) phthalate			0.101	0.215	0.252
2-Butanone			1.85	4.81	4.81
Butylbenzyl phthalate			0.0887	0.188	0.222
Carbazole			0.276	0.598	0.69
o-Cresol			0.561	1.92	1.92
p-Cresol			0.205	0.698	0.698
n-Decane			0.437	0.948	1.092
Fluoranthene			0.0268	0.0537	0.067
n-Octadecane			0.302	0.589	0.755
Phenol			1.08	3.65	3.65
Pyridine			0.182	0.37	0.455
2,4,6-Trichlorophenol			0.106	0.155	0.265
Cyanide			178	500	500
pH	Within limits of 6.0 to 9.0 Standard Units at all times.				

Stormwater Outfalls 002—005
 XX—Monitor and Report
 Special Conditions: Stormwater Best Management Practices
 The EPA Waiver is in effect.

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.

PA0056332, Sewage, SIC 8811, **Edward J. Dobrydnia**, 47 Shelly Road, Quakertown, PA 18951. This proposed facility is located in Richland Township, **Bucks County**.

Description of Proposed Activity: Renewal of an NPDES permit to discharge 525 gpd of treated sewage into a UNT to Tohickon Creek.

The receiving stream, a UNT to Tohickon Creek, is in the State Water Plan Watershed 2D and is classified for: TSF. The nearest downstream public water supply intake for Pennsylvania American Water Company is located on the Delaware River and is 29.5 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 525 gpd.

Parameters	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum (mg/l)
CBOD ₅			10		20
Suspended Solids			20		40
Ammonia as N			20		40
Fecal Coliform			200 #/100 ml		
pH			6.0 Standard Units		9.0 Standard Units
Total Residual Chlorine			Monitor		Monitor

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 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.

Parameters	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Average Weekly	Average Monthly	Average Weekly	Instantaneous Maximum (mg/l)
Flow					
CBOD ₅					
(5-1 to 10-31)	4.2		10		20
(11-1 to 4-30)	6.2		15		30
Total Suspended Solids	6.2		15		30
Fecal Coliform			200/100 ml		1,000/100 ml
Dissolved Oxygen			6.0 (Minimum)		
pH (Standard Unit)			6.0 (Minimum)		9.0 (Maximum)
Ammonia as N					
(5-1 to 10-31)	1.2		3.0		6.0
(11-1 to 4-30)	1.9		4.5		9.0
Phosphorus as P	0.42		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.

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

PA0070483-A2, Industrial, **Grand Central Sanitary Landfill, Inc.**, 1963 Pen Argyl Road, Pen Argyl, PA 18072. This proposed facility is located in Plainfield, **Northampton County**.

The receiving stream, UNT to Little Bushkill Creek, is in the State Water Plan Watershed 1F and is classified for: HQ-CWF. The nearest downstream public water supply intake for City of Easton is located on Delaware River is 15 miles below the point of discharge.

The proposed effluent limits for Outfall 011 and 012.

Parameter	Mass (lb/day)		Concentration (mg/l)	
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily
CBOD ₅				Monitor and Report
Total Dissolved Solids				Monitor and Report
Oil and Grease				Monitor and Report
pH				Monitor and Report
Lead (Total)				Monitor and Report
Total Organic Carbon				Monitor and Report
Chromium (Total)				Monitor and Report
Mercury (Total)				Monitor and Report
Selenium (Total)				Monitor and Report
Silver (Total)				Monitor and Report
Ammonia				Monitor and Report
Cyanide (Total)				Monitor and Report
Magnesium (Dissolved)				Monitor and Report
Magnesium (Total)				Monitor and Report
Borium (Total)				Monitor and Report
Cadmium (Total)				Monitor and Report
Nitrite Plus Nitrate Nitrogen				Monitor and Report
Iron (Dissolved)				Monitor and Report

In addition to the effluent limits for 011 and 012, the permit contains the following major special conditions:

1. Stormwater.

PA0026476, Sewage, **Coaldale-Lansford-Summit Hill Sewer Authority**, 124 West Ridge Street, Lansford, PA 18232-1333. This existing facility is located in Coaldale Borough, **Schuylkill County**.

Description of Proposed Activity: Renewal of NPDES permit to discharge 1.65 mgd of treated sewage.

The receiving stream, Panther Creek, is in the State Water Plan Watershed 03A and is classified for: CWF. The nearest downstream public water supply intake for Pottstown Borough Water Authority is located on the Schuylkill River 60 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 1.65 mgd.

Parameter	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
Dissolved Oxygen	A minimum of 5.0 mg/l at all times.		
Fecal Coliform	200/100 ml as a geometric mean		
(5-1 to 9-30)	2,000/100 ml as a geometric mean		
(10-1 to 4-30)	6.0 to 9.0 Standard Units at all times.		
pH	6.0 to 9.0 Standard Units at all times.		
Total Residual Chlorine	0.9		2.2

Point sources 002—007 serve as combined sewer reliefs necessitated by stormwater entering the sewer system and exceeding the hydraulic capacity of the sewers and/or the treatment plant. In accordance with the Department of Environmental Protection's EPA approved CSO strategy, a special permit requirement is included in Part C of this permit.

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

Management and Control of Combined Sewer Overflows.

The EPA waiver is not in effect.

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

Application No. PA0054852, Industrial Waste, SIC Code 4953, **WBLF Acquisitions, LLC**, 256 Eagle View Boulevard, Exton, PA 19341. This facility is located in Cumru Township, **Berks County**.

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

The receiving stream, Schuylkill River, is in Watershed 3-C, and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake is Borough of Pottstown Water and Sewer Authority located on the Schuylkill River, approximately 15 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 based on a design flow of 0.04 mgd are:

<i>Parameter</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	Monitor and Report			
pH (Standard Units)				6.0 to 9.0	
TSS	Monitor and Report	Monitor and Report	27	60	75
BOD	Monitor and Report	Monitor and Report	37	140	175
Fecal Coliform					
(5-1 to 9-30)			200		
(10-1 to 4-30)			2,000		
NH ₃ -N	Monitor and Report	Monitor and Report	5		10
Total Residual Chlorine			0.5		2.5
Total Zinc	Monitor and Report	Monitor and Report	0.11	0.20	0.275
Phenol	Monitor and Report	Monitor and Report	0.015	0.026	0.037
p-Cresol	Monitor and Report	Monitor and Report	0.014	0.025	0.035
Alpha Terpineol	Monitor and Report	Monitor and Report	0.016	0.033	0.04
Benzoic Acid	Monitor and Report	Monitor and Report	0.071	0.120	0.177
TDS	2,568	5,137	7,700	15,400	19,250

Persons may make an appointment to review the Department of Environmental Protection's files on this case by calling the file review coordinator at (717) 705-4732.

The EPA waiver is in effect.

Application No. PA0248380, CAFO, Goss Family Farm, 123 Decatur Road, McClure, PA 17841.

Ronald and Tim Goss have submitted an NPDES permit application for renewal of NPDES permit for the Goss Family Farm, an existing swine and beef operation located in Decatur Township, **Mifflin County**. The existing operation includes two swine barns and one beef barn. The CAFO is situated near UNT of Jack's Creek (Watershed 12-A), which are classified as CWF. The CAFO has a target animal population of approximately 628 animal equivalent units consisting of 42,000 finishing swine, 20 fat feeder cows, 20 young feeder cows and 40 beef cows. There are two liquid manure storage facilities on the farm located below each of the two swine barns. A release or discharge to waters of this Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

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

The permit application and draft permit are on file at the Southcentral Regional Office of the Department. Persons may make an appointment to review the Department of Environmental Protection's files by calling the file review coordinator at (717) 705-4732.

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

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

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

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

PA0217093, Industrial Waste, SIC 3315, Johnstown Wire Technologies, Inc., 124 Laurel Avenue, Johnstown, PA 15906. This application is for renewal of an NPDES permit to discharge treated process water, stormwater, untreated cooling water and groundwater from its Johnstown Plant in the City of Johnstown, **Cambria County**.

The following effluent limitations are proposed for discharge to the receiving waters, Conemaugh River, classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing downstream potable water supply is Buffalo Township Municipal Authority, located in Freeport, PA, 75.5 miles below the discharge point.

Internal Outfall 613: existing discharge, average flow of 1.44 mgd, Interim Limits.

<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	375.27	808.07	31	60	75
Oil and Grease	275.97	361.62	26	52	
Cadmium			0.26	0.69	0.86
Chromium			1.71	2.77	3.46
Copper			2.07	3.38	4.23
Lead	3.08	5.96	0.43	0.69	0.86
Nickel			2.38	3.98	4.98
Silver			0.24	0.43	0.54
Zinc	10.56	17.20	1.48	2.61	3.26
Cyanide			0.65	1.20	1.50
Total Toxic Organics				2.13	
Iron			3.5	7.0	8.75
pH	not less than 6.0 nor greater than 10.0				

The EPA waiver is in effect.

Internal Outfall 613: existing discharge, average flow of 1.44 mgd, Final Limits.

<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	375.27	808.07	31	60	75
Oil and Grease	275.97	361.62	26	52	
Cadmium			0.021	0.042	0.053
Chromium			1.71	2.77	3.46
Copper			0.13	0.26	0.33
Lead	3.08	5.96	0.34	0.68	0.85
Nickel			2.38	3.98	4.98
Silver			0.062	0.12	0.16
Zinc	10.56	17.20	1.05	2.10	2.63
Cyanide			0.65	1.20	1.50
Total Toxic Organics				2.13	
Iron			3.5	7.0	8.75
pH	not less than 6.0 nor greater than 10.0				

Internal Outfalls 615 and 623: existing discharge, flow of varied mgd, emergency overflows, Interim Limits.

<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	375.27	808.07	31	60	75
Oil and Grease	275.97	361.62	26	52	
Cadmium			0.26	0.69	0.86
Chromium			1.71	2.77	3.46
Copper			2.07	3.38	4.23
Lead	3.08	5.96	0.43	0.69	0.86
Nickel			2.38	3.98	4.98
Silver			0.24	0.43	0.54
Zinc	10.56	17.20	1.48	2.61	3.26
Cyanide			0.65	1.20	1.50
Total Toxic Organics				2.13	
Iron			3.5	7.0	8.75
pH	not less than 6.0 nor greater than 10.0				

Other Conditions: Limits apply only in the case of an emergency overflow.

Internal Outfalls 615 and 623: existing discharge, flow of varied mgd, emergency overflows, Final Limits.

<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 (mdg)	Monitor and Report				
Total Suspended Solids	375.27	808.07	31	60	75
Oil and Grease	275.97	361.62	26	52	
Cadmium			0.021	0.042	0.053
Chromium			1.71	2.77	3.46
Copper			0.13	0.26	0.33
Lead	3.08	5.96	0.34	0.68	0.85
Nickel			2.38	3.98	4.98
Silver			0.062	0.12	0.16
Zinc	10.56	17.20	1.05	2.10	2.63
Cyanide			0.65	1.20	1.50
Total Toxic Organics				2.13	
Iron			3.5	7.0	8.75
pH	not less than 6.0 nor greater than 10.0				

Other Conditions: Limits apply in the case of an emergency overflow.

Outfall 603: existing discharge, average flow of 1.87 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 (mdg)	Monitor and Report				
Temperature (° F)				110	
Oil and Grease			15		30
Zinc			0.95	1.9	
Nitrate-Nitrite Nitrogen			Monitor and Report		
pH	not less than 6.0 nor greater than 9.0				

Internal Outfall 614: existing discharge, average flow of 0.08 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				
Temperature (° F)				110	
pH	not less than 6.0 nor greater than 9.0				

Internal Outfall 625: existing discharge, average flow of 0.034 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				
Temperature (° F)				110	
pH	not less than 6.0 nor greater than 9.0				

Internal Outfall 617: existing discharge, average flow of 0.05 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				
Temperature (° F)				110	
pH	not less than 6.0 nor greater than 9.0				

Outfalls 601, 602 and 604—607: existing discharge, flow of varied mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Zinc					
Nitrate-Nitrite Nitrogen					

The permittee must complete a Stormwater Pollution Prevention Plan for Outfalls 601—607.

Other Conditions: A Part C Condition requiring a Toxics Reduction Evaluation is included.

PA0218146, Industrial Waste, SIC 4922, **Texas Eastern Transmission Corporation**, 5400 Westheimer Court, Houston, TX 77056-5310. This application is for renewal of an NPDES permit to discharge treated process water and stormwater from the Armagh Compressor Station in West Wheatfield Township, **Indiana County**.

The following effluent limitations are proposed for discharge to the receiving waters, UNT to East Branch of Richards Run, 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, located at Freeport, 86.2 miles below the discharge point.

Outfall 001: existing discharge, design flow of 0.0013 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow	Monitor and Report				
Total Polychlorinated Biphenyl (PCB) Compounds			6.3×10^{-5}	1.24×10^{-4}	
Oil and Grease					
pH	not less than 6.0 nor greater than 9.0				

Other Conditions: Part C conditions concerning sludge disposal, floating materials, chemical additives and reporting requirements for effluent limits below detection level.

The EPA waiver is in effect.

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					
Chemical Oxygen Demand					
Total Suspended Solids					
Total Kjeldahl Nitrogen					
Total Phosphorous					
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.

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

PA0240036, Sewage. **Jack Brinling SFTF**, 7828 East Lake Road, Erie, PA 16511. This proposed facility is located at 7928 East Lake Road in Harborcreek Township, **Erie County**.

Description of Proposed Activity: The applicant requests an NPDES permit for the discharge of treated domestic sewage from an SFTF serving a single dwelling. Treatment consists of a septic tank with Zabel effluent filter, ECO FLO STB 650 peat filter and ultraviolet disinfection.

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride, phenolics, sulfate and chloride, there is no downstream potable water supply to consider between the discharge and Lake Erie.

The receiving stream, Lake Erie, is in the Lake Erie Watershed and classified for CWF.

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

Parameter	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
Flow	Monitor and Report		
CBOD ₅	10		20
Total Suspended Solids	20		40
Fecal Coliform	200/100 ml as a geometric average		
pH	6.0 to 9.0 Standard Units at all times		
Ultraviolet Light	Monitor and Report		

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)

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

WQM Permit No. 4507404, Sewerage, **Pocono Township Supervisors**, P. O. Box 197, Tannersville, PA 18372. This proposed facility is located in Paradise, Pocono, Hamilton and Stroud Townships, **Monroe County**.

Description of Proposed Action/Activity: This application covers Phase 1, identified as the Dry Sewer Main Project, and consists of the installation of approximately 4.5 miles of sewer main, highway borings, manholes, laterals and appurtenances in the Swiftwater and Scotrun areas of Pocono Township. This phase is considered a “dry sewer” as no properties will be connected for service at this time.

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

WQM Permit No. 5607403, Sewerage, **Christian Youth Crusade**, 293 Rich Road, Somerset, PA 15501. This proposed facility is located in Milford/Somerset Townships, **Somerset County**.

Description of Proposed Action/Activity: Application for the construction and operation of a sewage treatment plant to serve a church camp.

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

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

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

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAS10G523R	Nelson Realty Trust c/o The Vanguard Group P. O. Box 2600 Valley Forge, PA 19482	Chester	Uwchlan Township	Shamona/Pickering Creeks HQ-TSF
PAI011507033	Joseph Chambers 369 Icedale Road Honey Brook, PA 19344	Chester	Honey Brook Township	West Branch Brandywine Creek HQ-TSF-MF
PAI011507034	Wilmer N. Weaver 590 North Manor Road Elverson, PA 19520	Chester	East Nantmeal Township	UNT Marsh Creek HQ-TSF-MF
PAI012307003	ACTS Retirement-Life Communities, Inc. 375 Morris Road West Point, PA 19486	Delaware	Middletown Township	Chester Creek HQ-CWF-MF

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

Luzerne County Conservation District: Smith Pond Road, Lehman, PA 18627-7991, (570) 674-7991.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024007004	Kenneth Williams Villas at Waterwood, LLC 400 Third Avenue Suite 117 Kingston, PA 18704	Luzerne	Harvey's Lake Borough	Harvey's Creek HQ-CWF Beaver Run HQ-CWF

Wayne County Conservation District: 648 Park Street, Honesdale, PA 18431, (570) 253-0930.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI026407002	Alan Keisling P. O. Box 668 Clarks Summit, PA 18411	Wayne	Paupack Township	Tributary to Wallenpaupack Creek HQ-CWF

Carbon County Conservation District: 5664 Interchange Road, Lehighton, PA 18235-5114, (610) 377-4894.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI021307002	Indus Hospitalities, Inc. 1383 Treasure Lake DuBois, PA 15801	Carbon	Kidder Township	Black Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI032204001 (Minor Modification)	King Drive Corporation 550 Lakewood Drive Harrisburg, PA 17112	Dauphin	Middle Paxton Township	Fishing Creek WWF
PAI030607006	Bill Gross Gross Equipment Company, Inc. 1200 Route 100 Bechtelsville, PA 19505	Berks	Longswamp Township	Toad Creek HQ-CWF

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

Montour County Conservation District: 112 Woodbine Lane, Suite 2, Danville, PA 17821, (570) 271-1140.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAR104724R	Edward J. Rothermel Oakwood Estates 2223 Oakwood Drive Danville, PA 17821	Montour	Liberty Township	Beaver Run WWF

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

Allegheny County Conservation District, Lexington Technology Park, Building 1, Suite 102, 400 North Lexington Avenue, Pittsburgh, PA 15208, (412) 241-7645.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10A117R	Maronda Homes, Inc. 202 Park West Drive Pittsburgh, PA 15275	Allegheny	North Versailles Township	Jacks Run HQ

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

Erie Conservation District: 1927 Wager Road, Erie, PA 16509, (814) 825-6403.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI062507002	Department of Transportation Engineering District 1-0 255 Elm Street P. O. Box 398 Oil City, PA 16301	Erie County	Girard Township	Crooked Creek HQ, CWF, MF

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. 2307502, Public Water Supply.

Applicant	Chester Water Authority
Township	Penn
County	Delaware
Responsible Official	Robert W. Naef 415 Welsh Street P. O. Box 467 Chester, PA 19016
Type of Facility	PWS
Consulting Engineer	CET 1240 North Mountain Road Harrisburg, PA 17112
Application Received Date	August 6, 2007

Description of Action For an polyaluminum chloride feed system for winter time cold weather coagulation, and treatment process at the Octoraro Water Treatment facility.

Permit No. 0907515, Public Water Supply.

Applicant	Bucks County Water and Sewer Authority
Township	Lower Southampton
County	Bucks
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	Schwenksville Borough Authority
Township	Schwenksville
County	Montgomery
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

Description of Action The replacement of an existing chlorine gas disinfection system with a new sodium hypochlorite disinfection system.

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

Application No. 4007505, Public Water Supply.

Applicant	Aqua Pennsylvania, Inc. Bear Creek Township Luzerne County
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Responsible Official Patrick R. Burke, Regional Manager
Aqua Pennsylvania, Inc.
50 East Woodhaven Drive
White Haven, PA 18661

Type of Facility Public Water System

Consulting Engineer William A. LaDieu, P. E.
CET Engineering Services
1240 North Mountain Road
Harrisburg, PA 17112

Application Received Date July 25, 2007

Description of Action Application proposed the construction of a replacement source, new well station with treatment facilities and appurtenances and new storage tank construction.

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

Permit No. 0607514, Public Water Supply.

Applicant **Brush Wellman, Inc.**

Municipality Shoemakersville Borough

County **Berks**

Responsible Official Brush Wellman, Inc.
Staff Manufacturing Engineer
P. O. Box 973
Reading, PA 19603

Type of Facility Public Water Supply

Consulting Engineer James C. Elliot, P. E.
Gannett Fleming, Inc.
P. O. Box 67100
Harrisburg, PA 17106-7100

Application Received: June 20, 2007

Description of Action Installation and operation of a potassium orthophosphate feed system for lead and copper corrosion control.

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

Application No. 2007505, Public Water Supply.

Applicant **Ames Mobile Home Park**

Township or Borough Oil Creek Township
Crawford County

Responsible Official Mark Ames, Manager

Consulting Engineer Steven R. Halmi, P. E.
Deiss & Halmi Engineering
105 Meadville Street
Edinboro, PA 1642

Application Received Date July 31, 2007

Description of Action Permit existing water supply, to include source, distribution and disinfection.

MINOR AMENDMENT

Applications Received under the Pennsylvania Safe Drinking Water Act

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

Application Minor Amendment, Public Water Supply.

Applicant **Mele Enterprises, Inc.**
Madison Township
Lackawanna County

Responsible Official Ralph Mele, President
Mele Enterprises, Inc.
R. R. 8
Box 8779
Moscow, PA 18444
(570) 689-3430/(570) 840-6197

Type of Facility Community Water System

Consulting Engineer NA

Application Received Date July 13, 2007

Description of Action Application to transfer of PWS construction permit No. 3505501, as issued to Ardito's Mobile Home Park on July 12, 2005, to Mele Enterprises, Inc.

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

Application No. 0307502MA, Minor Amendment.

Applicant **Worthington-West Franklin Joint Municipal Authority**
102 West Main Street
Worthington, PA 16262

Township or Borough West Franklin Township

Responsible Official Dwight Claypoole, Chairperson
Worthington-West Franklin Joint Municipal Authority
102 West Main Street
Worthington, PA 16262

Type of Facility Water storage tank

Consulting Engineer Bankson Engineers, Inc.
267 Blue Run Road
P. O. Box 200
Indianola, PA 15051

Application Received Date August 6, 2007

Description of Action Recoating the exterior of the existing 488,000 gallon water storage tank, including removal of residues from within the tank, water blasting and hand tool cleaning of the exterior of the tank.

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:

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

Former Artex, Inc. Property, Rush Township, **Schuylkill County**. Andrew K. Markoski, P. G., Patriot Environmental Management, LLC, P. O. Box 629, Douglassville, PA 19518 has submitted a Notice of Intent to Remediate (on behalf of his client, Hazleton Oil and Environmental, Inc., 300 South Tamaqua Street, Hazleton, PA 18201), concerning the remediation of soil and groundwater found to have been impacted by petroleum hydrocarbons as a result of a historical release. The applicant proposes to remediate the site to meet the Statewide Health Standard. The intended future use of the property will remain a bulk petroleum storage and distribution facility. A summary of the Notice of Intent to Remediate was published in *The Times News* on July 16, 2007.

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

Former SKF USA Inc. Facility, City of Altoona, **Blair County**. Environmental Standards, Inc., 1140 Valley Forge Road, Valley Forge, PA 19482-0810, on behalf of SKF USA, Inc., 1111 Adams Avenue, Norristown, PA 19403-2403, and 800 Logan Boulevard, LP, P. O. Box 2566, Altoona, PA 16603, submitted a Notice of Intent to Remediate site groundwater impacted by petroleum releases and chlorinated hydrocarbons from both onsite and offsite sources. The industrial manufacturing facility will be demolished and developed for commercial purposes. The applicant seeks to remediate the site to the Site-Specific Standard, and is enrolled in the One Cleanup Program between the Department of Environmental Protection and the Environmental Protection Agency.

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

Dominion Transmission Inc., Harrison Compressor Station, Harrison Township, **Potter County**. Dominion Resource Services, Inc., 501 Martindale Street, Suite 400, DL Clark Building, Pittsburgh, PA 15212-5817 has submitted a Notice of Intent to Remediate soil contaminated with ethylene glycol. The applicant proposes to remediate the site to meet the Statewide Health Standard. Land use is industrial as a natural gas compressor station and will continue for this use.

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

Metal Service Company Property Parcel B (Former), Apollo Borough, **Armstrong County**. Mary King, Civil and Environmental Consultants, Inc., 333 Baldwin Road, Pittsburgh, PA 15205 on behalf of John Ameno, Apollo Borough, 504 North Seventh Street, Apollo, PA 15613 has submitted a Notice of Intent to Remediate. Soil contamination stems from over 100 years of industrial use, mainly relating to iron and steel fabrication. The Metal Service Company structures were demolished in the early 1990s. Site characterization investigations identified lead-impacted soils in-situ and in two piles. The in-situ lead-impacted soils are confined within a building foundation approximately 200 by 150 feet in dimension to shallow (0 to 3 feet) soil. Demolition debris piles are estimated at 10,000 cubic yards. The proposed remedial measures consist of removal of lead-impacted soil piles and demolition debris for offsite disposal and the use of engineering and institutional controls for the in-situ lead-impacted soils.

Braddock Tire Processing Facility, Braddock Borough, **Allegheny County**. Richard W. Zollinger, P. E., R. W. Zollinger Consulting Engineers, Inc., 1408 Coraopolis Heights Road, Moon Township, PA 15108 on behalf of Michael Wezel, Liberty Tire Services of Ohio, LLC, 625 Liberty Avenue, Dominion Tower, Suite 3100, Pittsburgh, PA 15222, Brian Ritchie, Liberty Tire Services of Ohio, LLC, 100 Talbot Avenue, Braddock, PA 15104, and Joseph Kasper, Key Environmental, Inc., 200 Third Avenue, Carnegie, PA 15106 has submitted a Notice of Intent to Remediate. Recent environmental sampling at exterior portions of the facility indicated subsurface soil samples that exceeded trichloroethene, vinylchloride and benzene. Groundwater samples indicated trichloroethene, CIS-1,2-dichloroethene and vinylchloride exceeded SHS. The contamination is believed to be a result of past industrial uses of the property that included degreasing operations associated with repair of locomotive traction electrical motors. The intended future use of the property will continue to be industrial activity relating to waste tire processing. The site will be remediated using the Special Industrial Area provisions from within Act 2.

Lincoln Avenue at Deary Street Property, City of Pittsburgh, **Allegheny County**. Aike O. Okolo, P. E., Multi-Lynx Companies, Inc., 241 Fourth Avenue, Pittsburgh, PA 15222 on behalf of Mary Lou Tenenbaum, Manager, Real Estate, City of Pittsburgh, Department of Finance, 414 Grant Street, Pittsburgh, PA 15219 and Jay Gilmer, Lincoln Larimer Lemington Belmar Citizens Revitalization Development Corporation, P. O. Box 5455, 6508 Frankstown Avenue, Pittsburgh, PA 15206 has submitted a Notice of Intent to Remediate. Multi-Lynx Companies, Inc. conducted a phase II environmental site assessment of the property located at 1111–1113 Lincoln Avenue, between Apple and Deary Streets, in the Lincoln-Larimer neighborhood of the City of Pittsburgh. Two underground storage tanks were observed on the property. Both tanks contained liquid and a petroleum odor was detected. Soil borings near the tanks did not exceed the Statewide Health MCS's for nonresidential use. TCE and Benzene was detected in the groundwater above the MSC's for used aquifers, but none exceeded the Department of Environmental Protection's MSC's for nonuse aquifers.

Tri-State Petroleum Corp., Exxon #22369, City of Pittsburgh, **Allegheny County**. Heather W. Gawne, CORE Environmental Services, Inc., 4068 Mount Royal Boulevard, Allison Park, PA 15101 on behalf of Brian Clinton, Paradise Development Company, 115 Federal Street, Suite 200, Pittsburgh, PA 15212, and Colleen McGlenn, Tri-State Petroleum Corporation, North 27th and Vance Avenues, Wheeling, WV 26003 has submitted a Notice of Intent to Remediate. One unregulated 500 gallon underground storage tank was identified during the removal of registered UST's at the site. The unregulated UST was presumed to contain used oil. The intended future use of the property is nonresidential, as a development company purchased the property in March 2007, with the intentions of developing the property with a Walgreens. A Statewide Health Standard will be attained.

Schreiber Industrial Development Company Property, New Kensington City and Arnold City, **Westmoreland County**. Bruce Shaw, American Geosciences, Inc., 3925 Reed Boulevard, Suite 400, Murrysville, PA 15668 on behalf of David Schreiber, Schreiber Industrial Development Company, 5840 Ellsworth Avenue, Suite 100, Pittsburgh, PA 15232 has submitted a Notice of Intent to Remediate. The subject property encompasses

approximately 66 acres of land situated within two municipalities: City of New Kensington, to the south, and the City of Arnold, to the north. Historically, the site was owned and operated by ALCOA and its predecessor Pittsburgh Reduction Company. In 1971, ALCOA sold the property to Schreiber Industrial Development Company, which developed the site to provide leased space for light manufacturing, warehousing and distribution operations. Phases I and Phase II investigations have been performed on the subject site. Arsenic was detected above the direct contact MSC's in one surface soil sample where coal was believed to be stored. Tetrachloroethene, trichloroethene, CIS-1,2-dichloroethene and vinyl chloride were detected above their Act 2 MSCS groundwater samples collected from several monitoring wells across the property. The site is within a Special Industrial Area and will remain nonresidential.

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

Crossett Spill Site Allegheny Forest, Corydon Township, **McKean County**. Environmental Remediation and Recovery, Inc., 5719 Route 6N, Edinboro, PA 16412 on behalf of Crossett, Inc., P. O. Box 946, Warren, PA 16365 has submitted a Notice of Intent to Remediate. A May 17, 2004, traffic accident on undeveloped National Forest property (Allegheny National Forest) resulted in the release of approximately 6,000 gallons of Stoddard solvent. The following petroleum related chemicals are known constituents of concern associated with Stoddard solvent: 1,2,4 Trimethylbenzene (TMB), Ethylbenzene, 1,2 Dibromoethane, Benzene, Xylenes, Cumene, Toluene, 1,2 Dichloroethane and Naphthalene. The intended future use of the property is to remain undeveloped.

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.

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

01-05009A: United States Army—Ft. Detrick (201 Beasley Drive, Suite 100, Fort Detrick, MD 21702-9229) for construction of four internal combustion diesel generator sets at the Raven Rock Mountain Complex in Liberty Township, **Adams County**.

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

32-00320A: Penn Run Quarry No. 2 (456 Weston Road, Penn Run, PA 15765) to operate an industrial mineral processing plant at their Spruce Mine facility in Cherry Hill Township, **Indiana County**.

65-00982A: T. W. Phillips Gas and Oil Co. (205 North Main Street, Butler, PA 16001-4904) to operate a natural gas engine driven compressor and a TEG dehydrator for compressing natural gas production into a custody transfer point and finally into a storage field at the facility in Derry Township, **Westmoreland County**.

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

24-083M: Carbone of America (215 Stackpole Street, City of Saint Marys, PA 15857) for installation of an electric furnace with a thermal oxidizer control device at their facility site in the City of Saint Marys, **Elk County**. This is a Title V facility.

24-083L: Carbone of America Ind. Corp. (215 Stackpole Street, St. Marys, PA 15857) for construction of a new kiln (No. 36) with associated oxidizer and scrubber in St. Marys City, **Elk County**. This is a Title V facility.

25-1006B: Lake Erie Biofuels, LLC (1001 State Street, Erie, PA 16501-1814) for modification of the two previously permitted boilers in City of Erie, **Erie County**. This is a State-only facility.

24-131K: SGL Carbon, LLC (900 Theresia Street, St. Marys, PA 15857) for modification of plan approval 24-131J conditions for Reactors 6 and 7 and for the modification of conditions for Reactor 5 in City of St. Marys, **Elk County**. This is a Title V facility.

42-011B: International Waxes, Inc. (45 Route 446, Smethport, PA 16749) for construction of a new boiler (99.8 mmBtu/hr) to replace existing boiler No. 4 in Keating Township, **McKean County**. This source is subject to 40 CFR 60, Subpart Dc and 40 CFR 63, Subpart DDDDD. This is a Title V facility.

37-268B: Commercial Asphalt Supply, Inc. (161 Plain Grove Road, Slippery Rock, PA 16057-5923) for modification of a plan approval to burn Reclaimed fuel oil at their bituminous concrete production facility in Scott Township, **Lawrence County**. The facility currently has a Synthetic Minor Operating Permit No. 37-00268.

25-648D: NEPA Energy LP (South Lake Street, North East, PA 16428) for modification of an existing Zurn Boiler at the North East Plant, in the Borough of North East, **Erie County**.

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

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

46-0112D: Palmer International, Inc. (2036 Lucon Road, Skippack, PA 19474) for installation of a reactor and a mixer, which will replace two rocket vessels, at their facility located in Skippack Township, **Montgomery County**. This facility is a non-Title V facility. A newly installed condenser and an existing thermal oxidizer will control emissions from the reactor and mixer, with a minimum overall control efficiency of 99.5%. The reactor and mixer will have a potential-to-emit of 2.13 tons for VOCs and HAPs. The Plan Approval will contain recordkeeping and operating restrictions designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

09-0010: TEVA Pharmaceuticals USA, Inc. (650 Cathill Road, Sellersville, PA 18960) for installation and operation of a fluid bed dryer, cartridge dust collector and HEPA filter at existing facility. Monitoring and recordkeeping requirements were applied to the source and the control devices to determine compliance with applicable limits on particulate matter emissions. The facility is in West Rockhill Township, **Bucks County**.

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

48-399-056: Minrad, Inc. (3950 Sheldon Circle, Bethlehem, PA 18017) for construction and operation of pharmaceutical production equipment and associated air cleaning devices (thermal oxidizer followed by a packed tower scrubber) at their facility in Hanover Township, **Northampton County**. The facility is a non-Title V facility and has submitted the State-only Operating Permit Application No. 48-00085 currently under review by the Department of Environmental Protection. This project will result in annual emissions of 4.72 tpy of VOCs and 3.9 tpy of HAPs. The plan approval will contain emission

and operating restrictions, testing, monitoring, reporting, recordkeeping and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

35-399-044: Northeast Ethanol and Renewable Resources, LTD (1252 Mid Valley Drive, Jessup PA 18434) for construction and operation of an ethanol production facility with a 54 million gallons per year design capacity of ethanol, with a maximum production capacity of 60 million gallons per year of undenatured ethanol or 63 million gallons of denatured ethanol on an annual basis. Potential emissions from the facility will be PM 75.82 tpy, PM10 44.97 tpy, SO₂ 10.44 tpy, NO_x 73.41 tpy, VOCs 31.59 tpy, CO 91.79 tpy, Individual HAPs 8.47 and combined HAPs 11.50 tpy. The new ethanol facility will be a synthetic minor facility with respect to both Title V permitting and New Source Review. Emissions of all criteria pollutants will be less than 100 tpy with all proposed pollution control equipment in operation. Tanks at the facility will be subject to the New Source Performance Standards (NSPS) subpart Kb and will be internal floating roof tanks to comply with the NSPS requirements. The steam generating boilers will comply with NSPS subpart Dc for natural gas firing. The facility will employ a leak detection program for applicable components handling over 10% VOC by weight to comply with NSPS subpart VV. The emergency generator and fire pump will comply with NSPS subpart IIII manufacturer and operational standards. The facility will also comply with the BAT requirements as stated in 25 Pa. Code § 127.12. The company will operate the facility and maintain the sources in accordance with good engineering practices to assure proper operation of the plant equipment. The Plan Approval and Operating Permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

28-05002A: Letterkenny Army Depot (United States Department of Defense, Chambersburg, PA 17201) for construction of a new No. 2 fuel oil and natural gas fired, 28.6 mmBtu/hr firetube boiler at their facility in Greene and Letterkenny Townships, **Franklin County**. This project is subject to 40 CFR Part 60, Subpart Dc-Standards of Performance For Small Industrial-Commercial-Institutional Steam Generating Units. The operation of this boiler will increase potential SO_x, NO_x and CO by approximately 39, 18 and 11 tpy, respectively. Potential increases in HAPs and VOCs are less than 1 tpy. The plan approval and subsequent Title V operating permit will include the applicable 40 CFR Part 60, Subpart Dc provisions along with emission restrictions, work practice standards, monitoring, recordkeeping, reporting requirements and the Department's provisions for temporary operation of the new equipment authorized under the plan approval to ensure the facility complies with the applicable air quality regulations.

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

33-085A: SYMMCO Group, Inc. (40 South Park Street, Sykesville, PA 15865-0039) for construction of four Sintering Furnaces in Sykesville Borough, **Jefferson County**. This is a State-only facility. The public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. This plan approval

will, in accordance with 25 Pa. Code § 127.450, be incorporated into the State-only operating permit through an administrative amendment at a later date. The source shall comply with the following conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate BAT for the source:

- All four sintering furnaces have the following similar conditions:
 - Subject to 25 Pa. Code §§ 123.13 and 123.21 for PM and Sulfur Compound emissions
 - The permittee shall maintain a record of all preventative maintenance inspections of the control device. These records shall, at a minimum, contain the dates of the inspections, any problems or defects, the actions taken to correct the problem or defects, and any routine maintenance performed.
 - The permittee shall maintain a record of the following from the operational inspections:
 - Operational check was performed.
 - Afterburner temperature (Sources 197, 231 and 242).
 - The permittee shall perform a daily operational inspection of the source and control device.
 - (b) The permittee shall maintain a thermocouple or similar device to measure the afterburner temperature. (Sources 197, 231 and 242)
 - All gauges employed shall have a scale such that the expected normal reading shall be no less than 20% of full scale and be accurate within the manufacturer's accuracy specifications. (Sources 197, 231 and 242)
 - The facility shall maintain a minimum afterburner temperature as determined by the facility within the first 60 days of operation. The facility shall submit to the Department of Environmental Protection (Department) the minimum afterburner temperature, for Departmental approval, when requesting that the plan approval be administratively amended into their operating permit. (Sources 197, 231 and 242)
- The permittee shall operate the control device at all times that the source is in operation.
- The permittee shall maintain and operate the source and control device in accordance with the manufacturer's specifications and in accordance with good air pollution control practices.

10-281L: II-VI Incorporated (375 Saxonburg Boulevard, Saxonburg, PA 16056), for the modification of the hydrogen selenide/hydrogen sulfide emergency scrubber (potassium hydroxide scrubbing solution) installed under plan approval 10-281I in Saxonburg, **Butler County**. The scrubber's two columns will be lengthened so additional packing can be installed and will also be used to control the existing Cold Vault Storage room, the existing Gas Transfer process, and future DH process trains. The purpose of the scrubber is to prevent the emission of any accidental leak of hydrogen selenide or hydrogen sulfide. This is a State-only V facility. The public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the State-only operating permit through an administrative amendment at a later date. The source shall comply with the following conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate BAT for the source:

- All references to 40 CFR 60, Subpart XX (Bulk Gasoline Terminals) have been removed from the permit.

- The source is subject to the following:

- Subject to 25 Pa. Code §§ 123.1, 123.31 and 123.41 for Fugitive Matter, Odor and Visible Emissions.

- Subject to 25 Pa. Code § 123.13 for PM Emissions.

- The emergency vent scrubber shall be designed to reduce outlet concentrations to atmospheric emissions of 500 ppb or less of hydrogen selenide.

- The facility shall monitor the pH for the scrubber solution and the pressure drop across the scrubber, daily, whenever it is in operation.

- The permittee shall maintain a record of all preventative maintenance inspections of the control device. These records shall, at a minimum, contain the dates of the inspections, any problems or defects, the actions taken to correct the problem or defects, and any routine maintenance performed.

- The permittee shall maintain a record of the following from the operational inspections:

- Pressure drop across the scrubber.

- pH of the scrubber solution.

- The control device (C103C) shall be automatically activated upon detection of hydrogen selenide gas leak inside the hoods enclosing the existing DH process trains (Hoods No. 1 and No. 2), the proposed DH process trains (Hoods No. 3 and No. 4), the existing Cold Vault Storage room (Hood No. 6) and the existing Gas Transfer Process (Hood No. 5).

- The permittee shall perform a daily operational inspection of the control device.

- A magnehelic gauge or equivalent shall be permanently installed and maintained at a conveniently readable location to indicate the pressure drop across the scrubber.

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

42-111E: Ethan Allen Mfg. Corp.—Eldred Division (3289 Route 446, Eldred, PA 16731), for converting the current surface coating system (Booths 5—7, and Ovens E and F) from a two-pass system to a new one-pass system which will include new Booths 1—4, and Ovens A, B and C in Eldred Township, **McKean County**. This is a State-only facility. The public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the State-only operating permit through an administrative amendment at a later date. The source shall comply with the following conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate BAT for the source:

- The Natural gas-fired ovens (Source 105A) shall comply with the following:

- Subject to 25 Pa. Code §§ 123.13 and 123.21 for PM and Sulfur Emissions.

- The permittee shall only use natural gas as a fuel for this source.

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

- The Spray Booths (7) (Source 110) shall comply with the following:

- Subject to 25 Pa. Code § 123.13 for PM Emissions.

- Subject to 25 Pa. Code § 129.52 for Surface coating processes.

- Subject to 25 Pa. Code §§ 129.101—129.107 for Wood Furniture Manufacturing Operations.

- The permittee shall maintain a record of all preventative maintenance inspections of the control device. These records shall, at a minimum, contain the dates of the inspections, any problems or defects, the actions taken to correct the problem or defects and any routine maintenance performed.

- The permittee shall maintain a record of the following from the operational inspections:

- Pressure drop across the control device.

- The permittee shall perform a weekly operational inspection of the control device.

- The permittee shall maintain a manometer or similar device to measure the pressure drop across the control device. All gauges employed shall have a scale such that the expected normal reading shall be no less than 20% of full scale and be accurate within 2% of full scale reading.

- The permittee shall operate the control device at all times that the source is in operation.

- The source and control device shall be maintained and operated in accordance with the manufacturer's specifications and in accordance with good air pollution control practices.

- The facility shall comply with 25 Pa. Code § 127.25 as follows:

- A person may not cause or permit the operation of a source subject to 25 Pa. Code § 127.11 (relating to plan approval requirements), unless the source and air cleaning devices identified in the application for the plan approval and the plan approval issued to the source, are operated and maintained in accordance with specifications in the application and conditions in the plan approval issued by the Department of Environmental Protection. A person may not cause or permit the operation of an air contamination source subject to this chapter in a manner inconsistent with good operating practices.

- The facility shall incorporate the use of a finishing system of sealers and topcoats that complies with VOC content levels defined in the most current version of the United States Environmental Protection Agency's Guideline Series (CTG), "Control of Volatile Organic Compound Emissions from Wood Furniture Manufacturing Operations," or 25 Pa. Code § 129.52 Table 1(11), whichever is more restrictive. The April 1996 version of the CTG defines the use of a finishing system of sealers with a VOC content of no greater than 1.9 lb VOC/lb solids, as applied and topcoats with a VOC content of no greater than 1.8 lb VOC/lb solids, as applied.

- Work practice standards, compliance procedures and monitoring requirements, performance test methods and reporting requirements defined in the most current version of the "Control of Volatile Organic Compound Emissions from Wood Furniture Manufacturing Operations" CTG shall be incorporated by reference.

61-185E: Heath Oil Company (SR 8, Barkeyville, PA 16038), for the combustion of various fuels, in addition to oil and natural gas, in the heaters for Source 105 in Barkeyville Borough, **Venango County**. This is a State-only facility. The public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the State-only operating permit through an administrative amendment at a later date. The source shall comply with the following conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate BAT for the source:

- All conditions from plan approval 61-185B remain in effect unless changed as follows:

- The heaters may use the following fuels:

1. Natural gas supplied by a public utility or is certified pipeline quality or has been approved by the Department of Environmental Protection

2. Fuel oils that meet 25 Pa. Code § 123.22(a)(2).

3. Transmix with a maximum sulfur content of 0.5% by weight.

4. Bio-fuel with a maximum sulfur content of 0.5% by weight.

5. Reprocessed or recycled No. 2 fuel oil with a maximum sulfur content of 0.5% by weight.

6. The testing condition has been clarified to show it is only applicable when testing is required.

61-185D: Heath Oil Company (SR 8, Barkeyville, PA 16038), for the modification of plan approval 61-185C conditions with regards to NSPS Subpart XX for Bulk Gasoline Terminals in Barkeyville Borough, **Venango County**. This is a State-only facility. The public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the State-only operating permit through an administrative amendment at a later date. The source shall comply with the following conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate BAT for the source:

- All references to 40 CFR 60, Subpart XX (Bulk Gasoline Terminals) have been removed from the permit.

- The source is subject to the following:

- Subject to 25 Pa. Code §§ 123.1, 123.31 and 123.41 for Fugitive Matter, Odor and Visible Emissions.

- Subject to 25 Pa. Code §§ 123.13 and 123.21 for PM and Sulfur Emissions.

- Flares shall be designed for and operated with no visible emissions as determined by the methods specified, except for periods not to exceed a total of 5 minutes during any 2-consecutive hours.

- Flares shall be operated with a flame present at all times when the loading rack is in operation.

- Flares shall be used only with the net heating value of the gas being combusted being 11.2 MJ/scm (300 Btu/scf) or greater if the flare is steam-assisted or air-assisted; or with the net heating value of the gas being combusted being 7.45 MJ/scm (200 Btu/scf) or

greater if the flare is nonassisted. The net heating value of the gas being combusted shall be determined by the methods specified.

- Steam-assisted and nonassisted flares shall be designed for and operated with an exit velocity less than 18.3 m/sec (60 ft/sec).

- Steam-assisted and nonassisted flares designed for and operated with an exit velocity equal to or greater than 18.3 m/sec (60 ft/sec) but less than 122 m/sec (400 ft/sec) are allowed if the net heating value of the gas being combusted is greater than 37.3 MJ/scm (1,000 Btu/scf).

- Steam-assisted and nonassisted flares designed for and operated with an exit velocity less than the velocity, V_{max} and less than 122 m/sec (400 ft/sec) are allowed.

- Air-assisted flares shall be designed and operated with an exit velocity less than the velocity, V_{max} .

- Flares used to comply with this plan approval shall be steam-assisted, air-assisted or nonassisted.

- Owners or operators of flares shall monitor these control devices to ensure that they are operated and maintained in conformance with their designs.

- Flares used to comply with provisions of this plan approval shall be operated at all times when emissions may be vented to them.

- Reference Method 22 shall be used to determine the compliance of flares with the visible emission provisions of this subpart. The observation period is 2 hours and shall be used according to Method 22.

- The net heating value of the gas being combusted in a flare shall be calculated using the equation in 40 CFR 60.18(f)(3).

- The actual exit velocity of a flare shall be determined by dividing the volumetric flow rate (in units of standard temperature and pressure), as determined by Reference Methods 2, 2A, 2C or 2D as appropriate; by the unobstructed (free) cross sectional area of the flare tip.

- The maximum permitted velocity, V_{max} , for flares complying with paragraph (a)(4)(iii) shall be determined by the equation in 40 CFR 60.18(f)(5).

- The maximum permitted velocity, V_{max} , for air-assisted flares shall be determined by the equation in 40 CFR 60.18(f)(6).

- The permittee shall maintain a record of all preventative maintenance inspections of the control device. These records shall, at a minimum, contain the dates of the inspections, any problems or defects, the actions taken to correct the problem or defects and any routine maintenance performed.

- The permittee shall maintain a record of the following from the operational inspections:

- Flare has visible flame when loading gasoline.

- Flare temperature when loading gasoline. This record shall be maintained daily for the first three months after the plan approval is issued. If all the daily records are being maintained and all the flare temperatures are greater than 1200° F, then the facility may reduce this recordkeeping to weekly. Failure to record a weekly reading or a flare temperature less than 1,200° F will require the facility to return to daily recordkeeping.

- The permittee shall perform a daily operational inspection of the control device.
- The permittee shall maintain a thermocouple or similar device to measure the flare temperature.
- The permittee shall operate the control device at all times that the source is in operation.
- The permittee shall maintain and operate the source and control device in accordance with the manufacturer's specifications and in accordance with good air pollution control practices.
- Subject to 25 Pa. Code §§ 129.59 and 129.62 for Bulk Gasoline Terminals.

OPERATING PERMITS

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

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

67-05113: Graham Architectural Products Corp. (1551 Mt. Rose Avenue, York, PA 17403) for operation of their metal window and door manufacturing facility in Spring Garden Township, **York County**. The facility has the following annual potential emissions: 110 tons VOC and 44 tons toluene. The Title V operating permit will include emission restrictions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

46-00149: Armstrong-Americas-I, LLC (250 Hansen Access Road, King of Prussia, PA 19406) for renewal of air quality permit for two boilers in Upper Merion Township, **Montgomery County**. The permit is for a non-Title V (State-only) facility. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

06-03124: James Hardie Building Products, Inc. (Excelsior Industrial Park, 318 June Avenue, Blandon, PA 19510) for operation of their fiber cement siding manufacturing plant in Maiden Creek Township, **Berks County**. This facility has a potential to emit 33 tpy of VOCs. Actual emissions are expected to be 12 tpy of VOCs. The operating permit contains testing, monitoring, recordkeeping and reporting requirements, emission restrictions and work practice standards designed to keep the facility operating within all applicable air quality requirements.

36-05144A: Lancaster Leaf Tobacco Co. of PA, Inc. (198 West Liberty Street, P. O. Box 897, Lancaster, PA 17608-0897) for operation of their tobacco leaf processing plant at 207 Pitney Road in the City of Lancaster, **Lancaster County**. In keeping with their synthetic minor permit application, the facility emissions shall be less than 100 tpy of SO_x. The State-only operating permit will include monitoring, recordkeeping, reporting requirements, emission restrictions and work practice standards designed to keep the facility operating within all applicable air quality requirements.

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

63-00096: Union Electric Corp. (P. O. Box 465, Carnegie, PA 15106) for manufacturing and operation of blast furnaces and steel mills at their Harmon Creek Plant in Smith Township, **Washington County**. This is a State-only Operating Permit Renewal.

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

43-00324: John Flynn Funeral Home and Crematory, Inc.—Hermitage (2630 East State Street, Hermitage, PA 16148) for a Natural Minor Permit to operate a natural gas fueled crematory in the City of Hermitage, **Mercer County**. The significant sources are one crematory (primary chamber) and an afterburner.

37-00152: New Castle Refractories (915 Industrial Street, New Castle PA 16102-1329) for reissuance of a Natural Minor Operating Permit for a manufacturing facility that produces silicon-carbide refractory (nonclay) in the City of New Castle, **Lawrence County**. The facility's primary emissions sources include raw materials mixing, various mixers, natural gas fueled dryers, kilns, finish grinders and miscellaneous natural gas use for comfort heating.

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 ¹		greater than 6.0; less than 9.0	
Alkalinity greater than acidity ¹			

¹The 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.

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

Permit Number 10841302 and NPDES Permit No. PA0002780, Pristine Resources, Inc., 4020 Kinross Lakes Parkway, Richfield, OH 44286, to renew the permit and related NPDES permit for reclamation only and to revise the permit for the Fawn Mine No. 91 in Clinton Township, **Butler County** to install an aboveground pipeline for underground sludge disposal. Surface Acres Proposed 2.5. No additional discharges. Application received October 25, 2006.

Permit Number 30743702 and NPDES Permit No. NA, Consolidation Coal Company, One Bridge Street, Monongah, WV 26554, to renew the permit for the Blacksville No. 1 Mine Refuse Area in Wayne Township, **Greene County**. No additional discharges. Application received July 3, 2007.

Permit Number 30841312 and NPDES Permit No. PA0013790, Consolidation Coal Company, 1 Bridge Street, Monongah, WV 26554, to revise the permit for the Blacksville No. 2 Mine in Jackson Township, **Greene County** and related NPDES permit to add surface acreage to install the 16 West Bleeder Shaft. Surface Acres

Proposed 15.0. Receiving stream: UNT to Blockhouse Run, classified for the following use: WWF. Application received January 1, 2007.

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

24970102 and NPDES Permit No. PA0227501. Energy Resources, Inc., P. O. Box 259, Brockway, PA 15824. Renewal of an existing bituminous surface strip operation in Fox Township, **Elk County** affecting 230.5 acres. Receiving streams: Two UNTs to Brandy Camp Creek, one UNT to McCauley Run and McCauley Run, classified for the following use: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application for reclamation only. Application received July 27, 2007.

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

17070112 and NPDES No. PA0256617. Hepburnia Coal Company, P. O. Box 1, Grampian, PA 16838. Commencement, operation and restoration of a bituminous coal surface mine in Bell and Gaskill Townships, **Clearfield and Jefferson Counties**, affecting 495.0 acres. Receiving streams: UNTs to Bear Run and Whiskey Run, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received July 13, 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.

21070802. Warren M. Nolt, 34 Clugston Road, Newville, PA 17241, commencement, operation and restoration of a small noncoal (industrial minerals) operation in North Newton Township, **Cumberland County**, affecting 5.0 acres, receiving streams: UNT to Green Spring Creek. Application received July 25, 2007.

56070801. Shaffer Brothers Coal Company, Inc., 1 Jay Street, Windber, PA 15963, commencement, operation and restoration of a small noncoal (industrial minerals) operation in Paint Township, **Somerset County**, affecting 5.0 acres, receiving streams: UNT to Seese Run. Application received July 25, 2007.

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

25800306. Ronald T. 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.

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

06910301C3 and NPDES Permit No. PA0595420. Berks Products Corporation, P. O. Box 9000, Wyomissing, PA 19610, renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Ontelaunee Township, **Berks County**, receiving streams: Maiden Creek and Schuylkill River, classified for the following uses: WWF and MF. Application received July 25, 2007.

39970301C4 and NPDES Permit No. PA0223786. Lafarge North America, Inc., 5160 Main Street, Whitehall, PA 18052, renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Whitehall Township, **Lehigh County**, receiving streams: Coplay Creek and UNTs to Coplay Creek, classified for the following use: CWF. Application received July 25, 2007.

58050848. David W. Bishop, Sr., 430 First Street, Richmondale, PA 18421, Stage I and II bond release from a quarry operation in New Milford Township, **Susquehanna County** affecting 1.0 acre on property owned by Steve Roman. Application received August 2, 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

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

E46-1011. Donald Seifert, 825 Lantern Lane, Blue Bell, PA 19422, Whitpain Township, **Montgomery County**, ACOE Philadelphia District.

To construct and maintain a 91 linear-foot culvert in and along a UNT to Wissahickon Creek (TSF). The culvert will consist of a 36-inch by 58-inch CMPA with a weir wall on the upstream side for the purpose of

preventing erosion. This project is located approximately 750 feet southeast of the intersection Plymouth and Township Line Roads (Lansdale, PA USGS Quadrangle N: 8.9 inches; W: 1.4 inches).

E23-451. Corinthian Yacht Club, P. O. Box 366, Essington, PA 9029, Tinicum Township, **Delaware County**, ACOE Philadelphia District.

To modify marina facilities along a UNT to the Delaware Estuary (WWF) by performing the following water obstruction and encroachment activities:

1. To remove the solid fill crib structures.
2. To replace the existing timber bulkhead with a new sheet pile bulkhead.
3. To replace crib structures with two high-deck pier structures.
4. To construct and maintain two floating dock systems.
5. To construct and maintain a boat ramp.
6. To construct and maintain six floating mooring buoys.
7. To construct and maintain a fixed pier walkway.

This project is associated with an existing yacht club property. The yacht club property is located at Corinthian Avenue between 2nd Street and the Delaware River (Bridgeport, NJ-PA Quadrangle North: 20.1 inches; West: 7.9 inches).

E46-1009. Department of Transportation, 7000 Geerdes Boulevard, King of Prussia, PA 19406, Montgomery Township, **Montgomery County**, ACOE Philadelphia District.

This permit application is part of an overall project to construct, and maintain the proposed approximately 9-mile segment of SR 6202 Parkway. (Parkway) This project has been divided into three design/construction sections (701, 711 and 721). The limit for the entire project is between the existing Welsh Road (SR 0063) in Montgomery Township, Montgomery County (Ambler, PA USGS Quadrangle N: 17.0 inches; W: 14.75 inches) and the existing SR 0611 Bypass in Doylestown Township, Bucks County (Doylestown, PA USGS Quadrangle N: 7.5 inches; W: 2.5 inches) and traverses through Montgomery Township in Montgomery County and Warrington and Doylestown Townships in Bucks County. The Parkway includes a four-lane roadway between Welsh Road and Horsham Road (SR 0463) and a two-lane roadway between Horsham Road and the SR 0611 Bypass. In addition, a 12-foot shared-use path will be constructed within the right of way of the Parkway.

The project proposes to permanently impact a total of approximately 7.6 acres of wetland (PEM/PSS/PFO). The construction of a total of 9.5 acres of wetland replacement is proposed at the Kansas Road mitigation site, located near the intersection of County Line Road and Kansas Road, Warrington Township, Bucks County which will compensate for the permanent wetland impact.

This permit is for Section 701 and is the 1st submission for the SR 6202 construction project. The limit of work extends between Welsh Road (SR 0063) in Montgomery Township, Montgomery County (Ambler, PA USGS Quadrangle N: 17.0 inches; W: 14.75 inches) and Horsham Road (SR 0463) in Montgomery Township, Montgomery County (Ambler, PA USGS Quadrangle N: 20.75 inches; W: 14.25 inches).

The construction work in Section 701 includes the following water obstruction and encroachment activities:

1. To place fill in 0.27 acre of wetland (PEM) at Station 110+08 (Ambler, PA USGS Quadrangle N: 17.1 inches; W: 16.8 inches) associated with cut/fill for the Parkway and a stormwater management basin.
2. To place fill in 0.16 acre of wetland (PFO) at approximately Station 113+50 (Ambler, PA USGS Quadrangle N: 17.35 inches; W: 16.5 inches) associated with fill for the Parkway, shared-use path and associated piping to support wetland hydrology.
3. To modify and maintain numerous stormwater management facilities at various locations associated with fill for the Parkway and shared-use path.
4. To construct and maintain a 126-foot long, 28-foot wide by 7-foot rise bottomless precast arch enclosure across a UNT to Little Neshaminy Creek (WWF, MF, Tur₁) at Station 133+34 (Ambler, PA USGS Quadrangle N: 18.2 inches; W: 16.5 inches) and to place fill in 0.01 acre of wetland (PFO) associated with cut/fill for the Parkway and shared use path. This work also includes the construction and maintenance of a temporary stream crossing.
5. To construct and maintain a 54-foot long, 80-foot span by 3.8-foot minimum underclearance bridge across Little Neshaminy Creek (WWF, MF, Tur₁) at Station 147+15 (Ambler, PA USGS Quadrangle N: 18.6 inches; W: 15.8 inches) and to place fill in 0.03 acre of wetland (PEM) associated with cut/fill for the Parkway and shared-use path. This work also includes the construction and maintenance of a temporary stream crossing, and a storm water management facility along the stream.
6. To extend an existing enclosure by installing a 65-foot long, 36-inch RC enclosure at the upstream end, across a UNT to Little Neshaminy Creek (WWF, MF, Tur₁) along SR 0309 at Station 565+50 (Ambler, PA USGS Quadrangle N: 18.8 inches; W: 15.5 inches) associated with fill for Connector A.
7. To extend an existing RC arch culvert by installing an 11-foot long, 6-foot wide, 6-foot rise RC enclosure at the downstream end, across Little Neshaminy Creek (WWF, MF, Tur₁) along SR 0309 at Station 556+02 (Ambler, PA USGS Quadrangle N: 18.8 inches; W: 15.8 inches) associated with fill for Connector B.
8. To construct and maintain two 185-foot long, 54-inch RCPs across a UNT to Little Neshaminy Creek (WWF, MF, Tur₁) at Station 164+90 (Ambler, PA Quadrangle N: 19.3 inches; W: 15.7 inches) associated with fill for the Parkway, shared-use path, retaining walls and Connector B.
9. To place fill in 0.29 acre of wetland (PFO) at Station 160+00 (Ambler, PA Quadrangle N: 19.3 inches; W: 15.7 inches) associated with fill for the Parkway, shared-use path, Connector B, retaining walls and associated piping to support wetland hydrology.
10. To place fill in 0.37 acre of wetland (PEM) at Station 176+44 (Ambler, PA Quadrangle N: 19.8 inches; W: 14.8 inches) associated with cut/fill for the Parkway, and shared-use path.
11. To place fill in 0.16 acre of wetland (PSS) at Station 187+57 (Ambler, PA Quadrangle N: 19.6 inches; W: 14.9 inches) associated with fill for the Parkway, shared-use path, berm and storm water management facility.
12. To construct and maintain a 90-foot long, 32-foot wide, 7-foot rise bottomless arch culvert across a UNT to

Little Neshaminy Creek (WWF, MF, Tur₁) at Station 189+37 (Ambler, PA Quadrangle N: 20.2 inches; W: 14.8 inches) and to place fill in 0.44 acre of wetland (PFO) associated with fill for the Parkway, shared-use path, retaining walls and associated piping to support wetland hydrology. This work also includes the construction and maintenance of a temporary stream crossing, and a stormwater management facility along the stream.

13. To place fill in 0.35 acre of wetland (PFO) at Station 201+15 (Ambler, PA Quadrangle N: 20.5 inches; W: 14.2 inches) associated with fill for the Parkway, shared-use path, and associated piping to support wetland hydrology.

14. To place fill in the floodplain throughout the Little Neshaminy Creek basin (WWF, MF, Tur₁) associated with shared-use path.

15. To construct and maintain an outfall structure in the floodplain of a UNT to Little Neshaminy Creek (WWF, MF, Tur₁) at station 188+00.

16. To install and maintain fiber optic cable utility line stream crossings throughout the Little Neshaminy Creek basin (WWF, MF, Tur₁) at various locations.

E09-916. Department of Transportation, 7000 Geerdes Boulevard, King of Prussia, PA 10406, Warrington, New Britain, Doylestown Townships, Bucks County, ACOE Philadelphia District.

This application is part of an overall project to construct and maintain the proposed approximately 9-mile segment of SR 6202 Parkway. This project has been divided into three design/construction sections (701, 711 and 721). The limit for the entire project is between the existing Welsh Road (SR 0063) in Montgomery Township, Montgomery County (Ambler, PA USGS Quadrangle N: 17.0 inches; W: 14.75 inches) and the existing SR 0611 Bypass in Doylestown Township, Bucks County (Doylestown, PA USGS Quadrangle N: 7.5 inches; W: 2.5 inches) and traverses through Montgomery Township in Montgomery County and Warrington and Doylestown Townships in Bucks County. The parkway includes a four-lane roadway between Welsh Road and Horsham Road (SR 0463) and a two-lane roadway between Horsham Road and the SR 0611 Bypass. In addition, a 12-foot shared-use path will be constructed within the right of way of the Parkway. The project proposes to permanently impact a total of approximately 7.6 acres of wetland (PEM/PSS/PFO). The construction of a total of 9.5 acres of wetland replacement is proposed at the Kansas Road mitigation site, located near the intersection of County Line Road and Kansas Road, Warrington Township, Bucks County which will compensate for the permanent wetland impact.

This permit is for Section 701 and is the 1st submission for the SR 6202 construction project. The limit of work extends between Welsh Road (SR 0063) in Montgomery Township, Montgomery County (Ambler, PA USGS Quadrangle N: 17.0 inches; W: 14.75 inches) and Horsham Road (SR 0463) in Montgomery Township, Montgomery County (Ambler, PA USGS Quadrangle N: 20.75 inches; W: 14.25 inches).

The construction work in Section 701 includes the following water obstruction and encroachment activities:

1. To place fill in 0.14 acre of wetland (PEM) at the Kansas Road mitigation site (Ambler, PA USGS Quadrangle N: 17.8 inches; W: 3.7 inches) associated with cut/fill for the compensatory wetland mitigation.

E46-1012. Limerick Partnership 1 LLC, Meeting-house Business Center, Suite 120, Plymouth Meeting, PA 19462, Limerick Township, Montgomery County, ACOE Philadelphia District.

To relocate and maintain 956 linear feet of UNT of Mingo Creek (WWF) and to place fill within the abandoned channel to facilitate construction of a retail home center (Home Depot). The project is located on the west side of PA Route 100 approximately 1,900 feet southwest of Ridge Pike, west of Township Line (Phoenixville, PA Quadrangle N: 16.5 inches; W: 0.8 inch).

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

E22-518: Kenneth Gall, Hershey Trust Company, 100 East Mansion Road, Hershey, PA 17033-1359, Derry Township, Dauphin County, ACOE Baltimore District.

To construct and maintain a pedestrian foot bridge over a UNT to Spring Creek (WWF). The project is located northeast of the intersection of Fishburn Road (SR 743) and Cocoa Avenue (Hershey, PA quadrangle N: 3.4"; W: 3.2", Latitude 40° 16' 4"; Longitude 76° 38' 52") in Derry Township, Dauphin County.

E21-397: Messiah College, 1 College Avenue, Grantham, PA 17027, Upper Allen Township, Cumberland County, ACOE Baltimore District.

To construct and maintain: 1) approximately 395.0-foot long rock riprap protection along the right bank of Yellow Breeches Creek (HQ-CWF) located 800 feet downstream of Grantham Road bridge; 2) a total of approximately 140.0 foot long rock riprap protection along the right bank of Yellow Breeches Creek (HQ-CWF) located immediately downstream of Bridge Road bridge; 3) a 45.0-foot long rock riprap protection along the right bank of a UNT to Yellow Breeches Creek (Trout Run) (HQ-CWF) located at its confluence with the Yellow Breeches Creek; 4) a J-hook rock vane in Yellow Breeches Creek (HQ-CWF) located approximately 340 feet upstream of Bridge Road bridge; and 5) a 15-foot wide by 30-foot long boat ramp along the right bank of Yellow Breeches Creek (HQ-CWF) located about 35 feet downstream of Bridge Road bridge (Lemoyne, PA Quadrangle N: 5.48 inches; W: 16.15 inches, Latitude: 40° 09' 19"; Longitude: 76° 59' 26") in Upper Allen Township, Cumberland County.

E21-373: Community Refuse Service, Inc., 135 Vaughn Road, Shippensburg, PA 17257, Hopewell and North Newton Townships, Cumberland County, ACOE Baltimore District.

To conduct various activities as follows:

1. To construct and maintain a 10-foot wide by 8-foot high by 57-foot long concrete box culvert with a 2-foot depression in a UNT to Conodoguinet Creek (WWF) (Newburg, PA Quadrangle N: 2.98 inches; W: 0.62 inch, Latitude: 40° 08' 29"; Longitude: 77° 30' 16").

2. To fill in a total of 0.49 acre of three PEM wetlands (Newburg, PA Quadrangle N: 1.77 inches; W: 0.82 inch; Latitude: 40° 08' 05"; Longitude: 77° 30' 21"; N: 2.02 inches; W: 0.36 inch, Latitude: 40° 08' 10"; Longitude: 77° 30' 09"; N: 1.8 inches; W: 1.09 inch, Latitude: 40° 08' 06"; Longitude: 77° 30' 28").

3. To fill in 0.19 acre pond (Newburg, PA Quadrangle N: 2.02 inches; W: 1.2 inch, Latitude: 40° 08' 13"; Longitude: 77° 30' 31").

4. To rehabilitate and maintain a 40-foot and a 450-foot reaches of a stream channel of a UNT to Conodoguinet

Creek (WWF) (Newburg, PA Quadrangle N: 1.25 inches; W: 0.53 inch, Latitude: 40° 07' 55"; Longitude: 77° 30' 14" and N: 1.35 inches; W: 0.90 inch, Latitude: 40° 07' 57"; Longitude: 77° 30' 23").

5. To relocate 280-foot reach of a stream channel of a UNT to Conococheague Creek (WWF) (Newburg, PA Quadrangle N: 1.2 inches; W: 0.10 inch, Latitude: 40° 07' 54"; Longitude: 77° 30' 03").

All activities are for the expansion of the existing landfill located 2.5 miles east of Newburg Borough in Hopewell Township, Cumberland County. The applicant will provide a 0.80 acre of PEM/PSS replacement wetland.

E36-828: Department of Transportation Engineering, District 6-0, 7000 Geerdes Boulevard, King of Prussia, PA 19406-1525, Sadsbury Township, **Lancaster County** and West Sadsbury Township, **Chester County**, ACOE Baltimore District.

To widen SR 0041, Section ZOK between Siddonsburg and Zook Roads involving the following activities:

1. To construct and maintain a stream enclosure involving the connection of two existing 70-foot long, 36-inch RCPs with a 22-foot section and a 15-foot extension upstream in a UNT to Pine Creek (MF/TSF) at the Siddonsburg Road and SR 0041 intersection (Parkesburg, PA Quadrangle; N: 15.84 inches; W: 16.35 inches, Latitude: 39° 57' 44"; Longitude: 75° 59' 30"). This will result in 178 feet of cumulative impact to an ephemeral stream.

2. To remove an existing reinforced concrete T-beam bridge having a total span of 24.13 feet, a width of 38.14 feet and a minimum underclearance of 11.75 feet and to construct and maintain a precast spread box beam bridge having a total clear span of 65.0 feet, a width of 54.0 feet, and a minimum underclearance of 10.25 feet carrying SR 0041 over Pine Creek (MF/TSF) (Parkesburg, PA Quadrangle; N: 15.74 inches; W: 15.88 inches, Latitude: 39° 57' 42"; Longitude: 75° 59' 18").

3. To relocate 71 linear feet of a UNT to Pine Creek (MF/TSF) (Parkesburg, PA Quadrangle; N: 15.79 inches; W: 15.84 inches, Latitude: 39° 57' 43"; Longitude: 75° 59' 17").

4. To relocate 170 linear feet of a UNT to Pine Creek (MF/TSF) and enclose and maintain 96 feet of the tributary in a 30-inch RCP (Parkesburg, PA Quadrangle; N: 15.89 inches; W: 16.35 inches, Latitude: 39° 57' 45"; Longitude: 75° 59' 30"). The channel will increase in length by 183 linear feet.

5. To place and maintain fill in four exceptional value PEM wetlands involving:

a. 0.01 acre permanent and 0.04 acre temporary impact (Parkesburg, PA Quadrangle; N: 15.74 inches; W: 15.80 inches, Latitude: 39° 57' 42"; Longitude: 75° 59' 16").

b. 0.08 acre permanent impact (Parkesburg, PA Quadrangle; N: 15.79 inches; W: 15.76 inches, Latitude: 39° 57' 43"; Longitude: 75° 59' 15").

c. 0.14 acre permanent impact (Parkesburg, PA Quadrangle; N: 15.84 inches; W: 16.39 inches, Latitude: 39° 57' 44"; Longitude: 75° 59' 31").

d. 0.0001 acre permanent impact (Parkesburg, PA Quadrangle; N: 15.69 inches; W: 15.76 inches, Latitude: 39° 57' 41"; Longitude: 75° 59' 15").

The applicant is required to replace a minimum of 0.23 acre of wetland, and has proposed to create 0.32 acre of wetland near the Zook Road and SR 0041 intersection

(Parkesburg, PA Quadrangle; N: 15.69 inches; W: 15.76 inches, Latitude: 39° 57' 41"; Longitude: 75° 59' 15").

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

E41-577. Walter Casselberry, 31 South Main Street, Watsonstown, PA 17777. Water Obstruction and Encroachment Permit Application for private residential bridge, in Mill Creek Township, **Lycoming County**, ACOE Susquehanna River Basin District (Huntersville, PA Quadrangle N: 41° 17' 27"; W: 76° 46' 55").

To construct and maintain a single span steel I-beam with clear span of 40 feet, a width of 10 feet and a minimum underclearance of 5 feet on a skew of 90° over Carpenter's Run, located 1 mi. north of the intersection of SR 2051 along Tallow Bottom Road. This project proposes to permanently impact 10 linear feet of Carpenter's Run, which is designated a WWF and does not propose to impact any jurisdictional wetlands.

E55-215. Joel Hoffman, 5600 Route 104, Mt. Pleasant Mills, PA 17853. Bridge over Silver Creek, in Union Township, **Snyder County**, ACOE Baltimore District (Dalmatia, PA Quadrangle N: Latitude 40° 42' 16.5"; Longitude 76° 52' 36.5").

The applicant is applying for a Small Projects permit to construct, operate and maintain a single span private bridge structure over Silver Creek (WWF) in Union Township, Snyder County. The structure will be constructed utilizing two flatbed trailers supported by concrete abutments that span the entire creek. The structure is intended to have a clearance of 5 feet and a span of 40 feet. The approaches to the bridge will be dressed with stone to establish a smooth transition to the roadway. This project does not impact any wetlands and will impact approximately 50 feet of stream.

E59-482. Betterment Organization of Mansfield (BOOM), 46 North Academy Street, Mansfield, PA 16933. Water Obstruction and Encroachment Permit Application for commercial bridge associated with the Tioga County I-99 Business Park, in the Borough of Mansfield, **Tioga County**, ACOE Baltimore District (Mansfield, PA Quadrangle N: 41° 48' 5"; W: 77° 5' 15").

To construct and maintain a single span concrete arch culvert with clear span of 16 feet, a width of 112 feet and a minimum underclearance of 8 feet on a skew of 84° over Ellen Run. The project proposes to impact 0.651 acre of wetlands while impacting 120-feet of waterway. The project is located along the eastern right-of-way of SR 6015 approximately 1.0-mile east of SR 0006 and SR 0015 intersection.

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

E10-437. G. L. McKnight, Inc., P. O. Box 774, 600 Centreville Pike, Slippery Rock, PA 16057. Weathervane Hill Pedestrian Bridge, in Slippery Rock Township, **Butler County**, ACOE Pittsburgh District (Slippery Rock, PA Quadrangle N: 41° 02' 57"; W: 80° 01' 48").

To construct and maintain 4-foot wide timber bridge having for spans for a total of 83 feet and a maximum underclearance of about 10 feet across a tributary to Slippery Rock Creek (CWF) and adjoining wetlands for a scenic walkway connecting Phases 1 and 2 to Phase 3 of the Weathervane Hill residential development along Harmony Road (T-376) approximately 1,500 feet north of SR 173.

E42-334. Tuna Valley Trail Association. 20 Russell Boulevard, Bradford, PA 16701. Tuna Valley North Trail-Crook Farm Loop, in Foster Township, **McKean County**, ACOE Pittsburgh District (Bradford, PA Quadrangle N: 41° 59' 00"; W: 78° 37' 30").

To construct and maintain approximately 7,500 feet of pedestrian/bicycle trail measuring approximately 10 feet wide and constructed at grade along the east bank and within the 100-year floodway of Tunungwant Creek extending upstream from SR 356 to Tuna Cross Road including a steel beam bridge having a span of 75 feet and an underclearance of 12.6 feet across Foster Brook approximately 100 feet upstream of its confluence with Tunungwant Creek.

E61-279. William Jobs, 127 Jobs Lane, Polk, PA 16342-9803. Tributary to Little Sandy Creek Channel Realignment for Pond Bypass, in Frenchcreek Township, **Venango County**, ACOE Pittsburgh District (Utica, PA Quadrangle N: 41° 22' 50.9"; W: 79° 59' 55.9").

To realign approximately 800 feet of the channel of a tributary to Little Sandy Creek (HQ-CWF) extending upstream from Utica-Raymilton Road to bypass an existing dam and pond approximately 2.15 miles north of SR 62.

ENVIRONMENTAL ASSESSMENTS

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

EA59-001. Lycoming Creek Watershed Association, P. O. Box 173, Cogan Station, PA 17728. Environmental Assessment Application for stream restoration, in Union Township, **Tioga County**, ACOE Baltimore District (Ralston, PA Quadrangle N: 41° 33' 16"; W: 76° 57' 53").

To construct and maintain 2,100 feet of Roaring Branch. The project does not propose to impact any jurisdictional wetlands while impacting 2,100 linear feet of waterway. The project is located along the northern right-of-way of SR 2004 approximately 0.2 mile west of SR 0014 and SR 2004 intersection.

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

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0051675	Northampton Area School District 1617 Laubauch Avenue Northampton, PA 18067	Moore Township Northampton County	UNT to Hockendauqua Creek 2C	Y
PA0062693	Municipal Authority of the Township of Blythe 375 Valley Street New Philadelphia, PA 17959	Schuylkill Township Schuylkill County	Big Creek 3A	Y
PA0012963	Rock Tenn Company Paper Mill Road P. O. Box 770 Delaware Water Gap, PA 18327	Smithfield Township Monroe County	Brodhead Creek 1E	N

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0111414 Sewerage	McEwensville Municipal Authority P. O. Box 50 McEwensville, PA 17749-0050	Delaware Township Northumberland County	Warrior Run 10-D	Y
PA0115053 (Nonmunicipal)	Nicholas Wolff Foundation Camp Victory Road Millville, PA 17846	Columbia County Greenwood Township	Mud Run 5C	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0005860	Dairy Farmers of America, Inc. 925 SR 18 New Wilmington, PA 16142	Wilmington Township Lawrence County	Shenango River Outfall 001 and a UNT to Buchanan Run Outfall 002 20-A	Y
PA0103926	Component InterTechnologies, Inc. 2426 Perry Highway Hadley, PA 16130-2998	Perry Township Mercer County	UNT to the Little Shenango River 20-A	Y
PA0103373	Foxburg Area Water and Sewer Authority P. O. Box 2 Foxburg, PA 16036	Borough of Foxburg Clarion County	Allegheny River 17B	Y

II. New or Expanded Facility Permits, Renewal of Major Permits and EPA Nonwaived Permit Actions**III. WQM Industrial Waste and Sewerage Actions under The Clean Streams Law (35 P. S. §§ 691.1—691.1001)**

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

WQM Permit No. 2507404, Sewerage, **Jack Brinling**, 7928 East Lake Road, Erie, PA 16511. This proposed facility is located in Harborcreek Township, **Erie County**.

Description of Proposed Action/Activity: The applicant requests an NPDES permit for the discharge of treated domestic sewage from an SFTF serving a single dwelling. Treatment consists of a septic tank with Zabel effluent filter, ECO FLO STB 650 peat filter and ultraviolet disinfection.

NPDES Permit No. WQG028309, Sewage, **Washington Township**, 11800 Edinboro Road, Edinboro, PA 16412. This proposed facility is located in Washington Township, **Erie County**.

Description of Proposed Action/Activity: Department of Transportation has contracted with Washington Township to construct a pump station, force main and gravity sewer extension to serve the existing rest areas on I-79 approximately 2.5 miles south of the Edinboro Exit in Cussewago Township.

IV. NPDES Stormwater Discharges from MS4 Permit Actions**V. NPDES Waiver Stormwater Discharges from MS4 Actions****VI. NPDES Discharges of Stormwater Associated with Construction Activities Individual Permit Actions**

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI010906012	Stevenson Builders P. O. Box 336 Bedminster, PA 18910	Bucks	Solebury Township	Tributary Aquetong Creek HQ-CWF
PAI011503065A2	Lincoln University 1570 Old Baltimore Pike MSC-197 P. O. Box 179 Lincoln University, PA 19352	Chester	Lower Oxford Township	UNT Big Elk Creek HQ-TSF-MF
PAI011506030	Sharon Savings Bank 3 Chester Pike Darby, PA 19023-1504	Chester	Westtown Township	UNT Hunter Run/Ridley Creek HQ
PAI011506059	Harlan Corporation 214 Pond View Drive Chadds Ford, PA 19317	Chester	East Goshen Township	UNT Ridley Creek HQ-TSF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI011507018	Benco Associates 625 Todd Road Honey Brook, PA 19344	Chester	Honey Brook Township	West Branch Brandywine Creek HQ-TSF-MF
PAI024806004	Nordel, LP 623 Selvaggio Drive Suite 200 Nazareth, PA 18064	Northampton	Bushkill Township	East Branch Sobers Run HQ-CWF
PAI023907006	Jaindl Land Co. 3150 Coffeetown Road Orefield, PA 18069	Lehigh	Upper Macungie Township	Schaefer Run HQ-CWF Iron Run HQ-CWF
PAI021305012	Turnpike Commission P. O. Box 67676 Harrisburg, PA 17106-7676	Carbon	Kidder Township	Lehigh River HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI035007003	John McCrea R. R. 1 Box 233 East Waterford, PA 17021	Perry	Toboyne Township	Horse Valley Run HQ-CWF

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

Fayette County Conservation District, 10 Nickman Plaza, Lemont Furnace, PA 15456, (724) 438-4997.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI052607001	Fort Necessity National Battlefield 1 Washington Parkway Farmington, PA 15437	Fayette	Wharton Township	UNT to Meadow Run HQ-CWF

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

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

List of NPDES and/or Other General Permit Types

PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities (PAR)
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges From Small Flow Treatment Facilities
PAG-5	General Permit for Discharges From Gasoline Contaminated Groundwater Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Nonexceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)

General Permit Type—PAG-2

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Wrightstown Township Bucks County	PAG2000907052	Landtrust Properties, Inc. 721 Old State Road Berwyn, PA 19312	UNT Mill Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Riegelsville Borough Bucks County	PAG2000905032	Patrick S. Johnson 1027 Lavera Road Warminster, PA 18974-4617	Delaware River WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Buckingham Township Bucks County	PAG200090051251	Deluca Homes, Inc. 107 Floral Vale Boulevard Yardley, PA 19067	UNT Mill Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Springfield Township Bucks County	PAG2000907062	Gerald Spear P. O. Box 37 Quakertown, PA 18951	Tohickon Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Nockamixon Township Bucks County	PAG2000907044	Matt Benedict 2519 Church Road Kintnersville, PA 18930	UNT Mill Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Nockamixon Township Bucks County	PAG2000905146	Spring Properties 1630 Meetinghouse Road Hartsville, PA 18974	Haycock Creek CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Bristol Township Bucks County	PAG2000906176	De-Little Corporation P. O. Box 946 Bensalem, PA 19020	Delaware River WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Bensalem Township Bucks County	PAR10D675R1	The Villas of Regent's Glen, LP 721 Dresher Road Horsham, PA 19423	Neshaminy Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Plumstead Township Bucks County	PAG2000907056	Gerald Bachinsky 3113 Edison Furlong Road Furlong, PA 18925	Geddes Run CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900

NOTICES

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<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Haycock Township Bucks County	PAG2000907064	Richard Bartsch 3820 Lehnenberg Road Riegelsville, PA 18077	UNT Kimples Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
West Rockhill Township Bucks County	PAG2000907074	West Rockhill Township 1028 Ridge Road Sellersville, PA 18960	East Branch Perkiomen Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Bensalem Township Bucks County	PAG2000906109	Squire Home Builders 134 Redstone Drive Warrington, PA 18976	Poquessing Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Chester Delaware County	PAG2002307011	Teres Holding, LLC Two Penn Center Plaza 1600 JFK Boulevard Philadelphia, PA 19102-1721	Chester Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Bethel Township Delaware County	PAG2002307017	Booth's Corner Realty Company 1362 Naaman's Corner Boothwyn, PA 19061	Naaman's Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Hazle Township Luzerne County	PAG2004006055	W. Kevin O'Donnell CAN-DO, Inc. One South Church Street Hazleton, PA 18201	Stony Creek CWF	Luzerne County Cons. Dist. (570) 674-7991
Plains Township Luzerne County	PAG2004007004	Atlas Center, LLC 1550 Highway 315 Suite 100 Wilkes-Barre, PA 18702	Gardner Creek CWF	Luzerne County Cons. Dist. (570) 674-7991
Palmer Township Northampton County	PAG2004807012	Nicholas J. Pugliese NJP Construction, Inc. 1072 Grand Street Phillipsburg, NJ 08865	Lehigh River WWF	Northampton County Cons. Dist. (610) 746-1971
City of Scranton Lackawanna County	PAG2003507015	Martin Langan University of Scranton Claver Hall Mulberry Street Scranton, PA 18510-4583	Municipal Storm Sewer Lackawanna River CWF	Lackawanna County Cons. Dist. (570) 281-9495
Jackson Township York County	PAG2006707027	P.H. Glatfelter Company 228 South Main Street Spring Grove, PA 17362	Codorus Creek-Bunch Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Codorus Township York County	PAG2006707017	Michael L. Sacilotto 1274 Line Road Delta, PA 17314	UNT to South Branch Codorus Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Allegheny Township Blair County	PAG2000707004	Leonard S. Fiore, Inc. 5506 Sixth Avenue Rear Altoona, PA 16602	Beaverdam Branch Juniata River TSF	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 (814) 696-9981, Ext. 5
Saville and Northeast Madison Townships Perry County	PAG2035007008	Karen Smith 235 Colonial Lodge Road Loysville, PA 17047	UNT to Sherman's Creek CWF	Perry County Conservation District 31 West Main Street New Bloomfield, PA 17068 (717) 582-3771

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Manchester Township York County	PAG2006707019	Gary Stewart, Jr. Stewart Associates, Inc. 950 Smile Way York, PA 17404	Willis Run WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Upper Allen Township Cumberland County	PAG2002104025	Farinelli Construction Arborfield Lot 25 3 Kacey Court Mechanicsburg, PA 17055	UNT Yellow Breeches Creek CWF	Cumberland County Conservation District 43 Brookwood Avenue Carlisle, PA 17013 (717) 240-7812
Upper Allen Township Cumberland County	PAG2002107023	Upper Allen Township Glaize-Beamer Park Phase II 100 Gettysburg Road Mechanicsburg, PA 17055	Yellow Breeches Creek CWF	Cumberland County Conservation District 43 Brookwood Avenue Carlisle, PA 17013 (717) 240-7812
Jackson Township Lebanon County	PAG2003807013	John S. Brown, III Myerstown Water Authority 601 Stracks Dam Road Myerstown, PA 17067	Tulpehocken Creek TSF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 (717) 272-3908, Ext. 4
Union Township Lebanon County	PAG2003807014	Stephen Lum S & S Enterprises P. O. Box 780 Jonestown, PA 17038	Swatara Creek WWF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 (717) 272-3908, Ext. 4
Heidelberg Township Berks County	PAG2000607035	Carl Hurst 427 Bunker Hill Road Robesonia, PA 19551	UNT to Tulpehocken Creek TSF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657, Ext. 201
Richmond Township Berks County	PAG2000607026	Rubin Nolt Church of God in Christ Mennonite, Inc. 632 Kohler Hill Road Kutztown, PA 19530	Maidencreek Subwatershed No. 45 TSF	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
Lycoming and Montour Counties	PAG2044107011	US Gypsum 60 PPL Road Danville, PA 17821	Penn, Franklin and Moreland Townships Lycoming County Derry and Anthony Townships Montour County	Lycoming County Conservation District 542 County Farm Road Suite 202 Montoursville, PA 17754 (570) 433-3003
Montour County Valley Township	PAG2004706009	Jason Williams 514 Rear Walnut Street Danville, PA 17821	UNT to Mause Creek CWF	Montour County Conservation District 112 Woodbine Lane Suite 2 Danville, PA 17821 (570) 271-1140

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<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Montour County Mahoning Township	PAG2004707004	Geisinger System Services 100 North Academy Avenue Danville, PA 17822	Mahoning Creek WWF	Montour County Conservation District 112 Woodbine Lane Suite 2 Danville, PA 17821 (570) 271-1140
Union County East Buffalo Township	PAG2006007003	Frederick D. Kessler Windsor Property Holdings, LLC 8 North Third Street Lewisburg, PA 17837	UNT to West Branch Susquehanna River WWF	Union County Conservation District Union County Government Center 155 North 15th Street Lewisburg, PA 17837 (570) 524-3860
Allegheny County Pine Township	PAR10A3102	North Way Christian Community, Inc. 12121 Perry Highway Wexford, PA 15090	Wexford Run CWF	Allegheny County CD (412) 241-7645
Allegheny County Pittsburgh	PAR10A606R	Urban Redevelopment Authority of Pittsburgh 200 Ross Street Pittsburgh, PA 15219	Monongahela River WWF	Allegheny County CD (412) 241-7645
Allegheny County Richland Township	PAG20002050222	Echo Richland Associates, LP 701 Alpha Drive Pittsburgh, PA 15238	Deer Creek CWF	Allegheny County CD (412) 241-7645
Allegheny County Shaler Township	PAG20002050581	Shaler Area School District 1800 Mt. Royal Boulevard Pittsburgh, PA 15209	Girtys Run WWF	Allegheny County CD (412) 241-7645
Allegheny County Ohio Township	PAG20002060461	Cobblestone Manor Associates 772 Pine Valley Drive Pittsburgh, PA 15239	Bear Run TSF	Allegheny County CD (412) 241-7645
Allegheny County Pine Township	PAG2000206065	Pine Ridge Commons, LP 3468 Brodhead Road Monaca, PA 15061	Kaufman Run WWF	Allegheny County CD (412) 241-7645
Allegheny County Castle Shannon Borough	PAG2000206079	Greicon Construction & Development Co., LLC 8 Alice Street Pittsburgh, PA 15205	Sawmill Run WWF	Allegheny County CD (412) 241-7645
Allegheny County Ohio Township	PAG2000207001	Department of Transportation 45 Thoms Run Road Bridgeville, PA 15017	Bear Run TSF	Allegheny County CD (412) 241-7645
Allegheny County Bradford Woods, Franklin Park and Glenfield Boroughs, Neville, Collier, Robinson, Kilbuck, Ohio, Pine, South Fayette, Marshall and McCandless Townships	PAG2000207004	Equitrans, LP 200 Allegheny Center Mall Pittsburgh, PA 15212	Robinson Run Moon Run Trib. Moon Run Ohio River Trib. Toms Run Toms Run WWF Bear Run Trib. Lowries Run Lowries Run TSF Wexford Run Trib. Wexford Run Pine Creek CWF	Allegheny County CD (412) 241-7645

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Allegheny County Moon Township	PAG2000207008	Foltz Development Corporation 1064 Surry Woods Drive Canonsburg, PA 15317	Flaugherty Run WWF	Allegheny County CD (412) 241-7645
Allegheny County Robinson Township	PAG2000207012	Orion Development 4125 Freedom Way Weirton, WV 16062	Campbells Run WWF	Allegheny County CD (412) 241-7645
Allegheny County Neville Township	PAG2000207019	Pittsburgh Terminals Corp. P. O. Box 2621 Harrisburg, PA 17105	Ohio River WWF	Allegheny County CD (412) 241-7645
Allegheny County West Deer Township	PAG2000207024	WCC Construction, Inc. 200 Tarentum-Culmerville Road Tarentum, PA 15084	Little Deer Creek WWF	Allegheny County CD (412) 241-7645
Allegheny County Moon Township	PAG2000207025	Washington Avenue Properties, LLC 534 Washington Avenue Carnegie, PA 15106	Narrows Run WWF	Allegheny County CD (412) 241-7645
Allegheny County Sharpsburg Borough	PAG2000207026	Sampson-Morris Group 2500 Eldo Road Monroeville, PA 15146	Guyasuta Run WWF	Allegheny County CD (412) 241-7645
Allegheny County Forest Hills Borough	PAG2000207030	Rite Aid Corporation 251 West Garfield Road Aurora, OH 44202	Turtle Creek WWF	Allegheny County CD (412) 241-7645
Allegheny County Pittsburgh	PAG2000207034	Sports and Exhibition Authority 425 Sixth Avenue Pittsburgh, PA 15219 Lemieux Development One Chatham Center Pittsburgh, PA 15219	Monongahela River WWF	Allegheny County CD (412) 241-7645
Allegheny County Pittsburgh	PAG2000207035	Pittsburgh Public School District 1305 Muriel Street Pittsburgh, PA 15203	Allegheny River WWF	Allegheny County CD (412) 241-7645
Allegheny County Richland Township	PAG2000207036	Richland Township 4011 Dickey Road Gibsonia, PA 15044	Willow Run TSF	Allegheny County CD (412) 241-7645
Allegheny County Elizabeth Township	PAG2000207039	Elizabeth Township Sanitary Authority 2420 Greenock Buena Vista Road McKeesport, PA 15135	Youghiogheny River WWF	Allegheny County CD (412) 241-7645
Allegheny County Pittsburgh	PAG2000207044	Bakery Square, LP 5500 Walnut Street Suite 300 Pittsburgh, PA 15232	Allegheny River WWF	Allegheny County CD (412) 241-7645
Allegheny County Pittsburgh	PAG2000207048	Union Electric Steel Corporation 726 Bell Avenue Carnegie, PA 15106	Whiskey Run WWF	Allegheny County CD (412) 241-7645
Allegheny County West Mifflin Borough	PAG2000207053	Wal-Mart Real Estate Business Trust 2001 SE 10th Street Bentonville, AR 72716	Monongahela River WWF	Allegheny County CD (412) 241-7645
Allegheny County Shaler Township	PAG2000207057	Sara Joan Palka 1125 Middle Road Glenshaw, PA 15116	Little Pine Creek CWF	Allegheny County CD (412) 241-7645

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<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Allegheny County Moon Township	PAG2000207060	Moon Area School District 8353 University Boulevard Coraopolis, PA 15108	Montour Run TSF	Allegheny County CD (412) 241-7645
Allegheny County West Homestead Borough	PAG2000207064	Sandcastle Water Park, LP 1000 Sandcastle Drive Homestead, PA 15120 Live Nation 125 West Station Square Pittsburgh, PA 15219	Monongahela River WWF	Allegheny County CD (412) 241-7645
Allegheny County Monroeville	PAG2000207065	Monroeville Christian Judea Foundation 4363 Northern Pike Monroeville, PA 15146	Turtle Creek WWF	Allegheny County CD (412) 241-7645
Allegheny County West Deer Township	PAG2000207075	Deer Lakes School District P. O. Box 10 East Union Road Russelton, PA 15076	Little Deer Creek TSF	Allegheny County CD (412) 241-7645
Beaver County Hopewell Township	PAG2000403003R	Matthew Dickun True Line Corp. 470 Old Frankstown Road Monroeville, PA 15146	UNT to Ohio River WWF	Beaver County CD (724) 378-1701
Greene County Whiteley Township	PAG2003007007	Columbia Gas Transmission Corporation 950 Manifold Road Washington, PA 15301	Mt. Phoebe Run TSF UNT to Dutch Run TSF	Greene County CD (724) 852-5278
Washington County North Strabane Township	PAG2006307025	North Strabane Lodging, LLC 4209 Persimmon Woods Drive Morgantown, WV 26508	UNT to Chartiers Creek WWF	Washington County CD (724) 228-6774
Westmoreland County Derry Township	PAG2006506008	Joseph Szczur Department of Transportation District 12 825 Gallatin Avenue Uniontown, PA 15401	UNT to Conemaugh River CWF	Westmoreland County CD (724) 837-5271
Westmoreland County Murrysville	PAG2006506027	Kim Miller DeMill Development Co. 281 Wolfake Road New Alexandria, PA 15670	UNT to Turtle Creek WWF	Westmoreland County CD (724) 837-5271
Westmoreland County Penn Township	PAG2006506052	Scott J. Mains Building Visions, Inc. 504 Harrison Avenue Jeannette, PA 15644	UNT to Brush Creek TSF	Westmoreland County CD (724) 837-5271
Westmoreland County Trafford Borough	PAG2006507013	HET Corporation 144 Dexter Drive Monroeville, PA 15146	Turtle Creek WWF	Westmoreland County CD (724) 837-5271
Westmoreland County Hempfield Township	PAG2006507016	David Petroni Weatherwood Place 4334 Glendale Milford Road Cincinnati, OH 45242	Little Sewickley Creek TSF	Westmoreland County CD (724) 837-5271

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Westmoreland County Penn Township	PAG2006507019	Dave McCormik New Life Presbyterian Church 326 Faymaley Road Harrison City, PA 15626	Bushy Run Creek TSF	Westmoreland County CD (724) 837-5271
Westmoreland County Penn Township	PAG2006507021	John Beacom, Jr. R. D. 2 Box 313 Irwin, PA 15642	Turtle Creek WWF	Westmoreland County CD (724) 837-5271
Westmoreland County Unity Township	PAG2006507029	George Heskey EFR Limited Partnership P. O. Box 472 Latrobe, PA 15650	UNT to Ninemile Run WWF	Westmoreland County CD (724) 837-5271
Butler County Cranberry Township	PAG2001007006	Timothy Hughes Marshall North Boundary Properties, LLC 108 Plunkett Road Zelienople, PA 16063	Brush Creek WWF	Butler Conservation District (714) 284-5270
Mercer County Jefferson and Lackawannock Townships	PAG2004307004	Jefferson Township Supervisors	UNT Magargee Run WWF UNT Daley Run WWF and UNT Neshannock Creek TSF	Mercer Conservation District (724) 662-2242

General Permit Type—PAG-3

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Lehigh Township Northampton County	PAR122209	Conagra Foods Treichlers Facility 321 Breadfruit Drive Treichlers, PA 18086	Lehigh River	DEP—NERO Water Mgmt. Program 2 Public Square Wilkes-Barre, PA 18711-2511 (570) 826-2511
Berwick Borough Columbia County	PAR234816	Consolidated Container Company, LP 910 Seventh Avenue Berwick, PA 18603	Storm Drain To Susquehanna River WWF	Water Management Program Manager 208 West Third Street Williamsport, PA 17701 (570) 327-3664

General Permit Type—PAG-4

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Blair County Logan Township	PAR503504	Waste Management of Pennsylvania, Inc. R. D. 7 Box 925-A Altoona, PA 16602	UNT to Little Juniata River WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Rayne Township Indianan County	PAG046264	Robert Immekus 4792 Route 286 Highway East Indiana, PA 15701	Krooked Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

General Permit Type—PAG-5

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
York County Springettsbury Township	PAG053536	Exxon Mobil Corporation (Former Mobil Station 15D5H) 7715 Crittenden Street No. 309 Philadelphia, PA 19118	Storm sewer leading to Mill Creek WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Blair County Allegheny Township	PAG053593	United Refining Company of Pennsylvania P. O. Box 688 15 Bradley Street Warren, PA 16365-3221	UNT to Beaver Dam Creek WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

General Permit Type—PAG-8

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
North Annville Township Lebanon County	PAG083504	Annville Township P. O. Box 320 Annville, PA 17003-0320	Annville Township Wastewater Treatment Plant	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (7) 705-4707
East Hempfield Township Lancaster County	PAG083509	Kline's Services, Inc. 5 Holland Street Salunga, PA 17538	Kline's Services, Inc.	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707
Route 11, Danville Montour County	PAG084802	Borough of Danville 235 Mill Street Danville, PA 17821	Danville WWTP Borough of Danville Montour County	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3664

General Permit Type—PAG-8 (SSN)

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Peach Bottom Township York County	PAG080002 PAG080003 PAG080004 PAG080006 PAG080008 PAG080018 PAG082201 PAG082203 PAG082211 PAG083501 PAG083502 PAG083506 PAG083515 PAG083517 PAG083518 PAG083522 PAG083535 PAG083540 PAG083542 PAG083547 PAG083551 PAG083556 PAG083565 PAG083567 PAG083596 PAG083600 PAG083825 PAG089903 PAG089904 PAG089905	Synagro 1605 Dooley Road P. O. Box B Whiteford, MD 21160	Ruth Robinson Farm	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Chanceford Township York County	PAG083550	Wrightsville Borough Municipal Authority 723 Water Street Wrightsville, PA 17368	Wrightsville Farm #1	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707
<i>General Permit Type—PAG-9</i>				
<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Southampton Township Franklin County	PAG093510	Chamberlin & Wingert Sanitary Services, LLC 535 Lurgan Avenue Shippensburg, PA 17257	Chamberlin & Wingert Sanitary Services, LLC	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707
Metal Township Franklin County	PAG093541	Art Beidel Enterprises, LLC 11468 Creek Road Fannettsburg, PA 17221	Art Beidel Enterprises, LLC	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707
East Hanover Township Dauphin County	PAG093504	Walters Services, Inc. 463 Manada Gap Road P. O. Box 400 Grantville, PA 17028	Walters Services, Inc.	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707

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. 3906505 , Public Water Supply.	
Applicant	City of Bethlehem 10 East Church Street Bethlehem, PA 18018 City of Bethlehem
County	Lehigh County
Type of Facility	PWS
Consulting Engineer	Robert J. Velekei, P. E. Liberty Engineering, Inc. 7535 Windsor Drive Suite B-203 Allentown, PA 18195
Permit to Construct Issued	July 26, 2007
Permit No. 2409002 , Operations Permit, Public Water Supply.	
Applicant	Pennsylvania American Water 800 West Hersheypark Drive Hershey, PA 17033 Jackson, Hanover and Wilkes-Barre Townships and Sugar Notch Borough
County	Luzerne
Type of Facility	PWS

Consulting Engineer N/A
 Permit to Operate July 3, 2007
 Issued

Permit No. 2359008, Operations Permit, Public Water Supply.

Applicant **Pennsylvania American Water**
 800 West Hersheypark Drive
 Hershey, PA 17033
 Roaring Brook Township

County **Lackawanna**

Type of Facility PWS

Consulting Engineer N/A

Permit to Operate July 10, 2007
 Issued

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

Permit No. 2106505, Public Water Supply.

Applicant **Newville Borough Water and Sewer Authority**

Municipality West Pennsboro Township

County **Cumberland**

Type of Facility Permit is requesting permission to install an infiltration gallery intake on Big Spring Creek in West Pennsboro Township, Cumberland County.

Consulting Engineer Janet R. McNally, P. E.
 William F. Hill & Assoc., Inc.
 207 Baltimore Street
 Gettysburg, PA 17325

Permit to Construct August 3, 2007
 Issued

Permit No. 0607507, Public Water Supply.

Applicant **Pennsylvania American Water**

Municipality Exeter Township

County **Berks**

Type of Facility Demolition of existing wooden-roofed finished water storage reservoirs (two), construction of new ground level 300,000 gallon finished water storage tank, construction of new underground booster pump station to replace existing station on golf course.

Consulting Engineer Paul J. Mourt, P. E.
 Hatch Mott MacDonald
 27 Bleeker Street
 Millburn, NJ 07041

Permit to Construct August 2, 2007
 Issued:

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

Permit No. M. A.—MA-5974501—Operation, Public Water Supply.

Applicant **Blossburg Municipal Authority**

Township or Borough Bloss Township

County **Tioga**

Responsible Official Frank Wasowicz
 Blossburg Municipal Authority
 245 Main Street
 Blossburg, PA 16912

Type of Facility Public Water Supply—Operation

Consulting Engineer William S. Bray, P. E.
 Civil Engineering
 P. O. Box 535
 Wellsboro, PA 16901

Permit Issued Date August 2, 2007

Description of Action THM-R and potassium permanganate as additional treatment chemicals.

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

Permit No. 6507502, Public Water Supply.

Applicant **Rolling Rock Farms**
 P. O. Box 717
 Ligonier, PA 15658

Borough or Township Ligonier Township

County **Westmoreland**

Type of Facility Water system

Consulting Engineer The EADS Group, Inc.
 450 Aberdeen Drive
 Somerset, PA 15501

Permit to Construct August 7, 2007
 Issued

Operations Permit issued to Indiana County Municipal Services Authority, 602 Kolter Drive, Indiana, PA 15701, (PWSID No. 5320007) Cherry Tree Borough, Indiana County on August 8, 2007 for the operation of facilities approved under Construction Permit No. 3204505T1.

Permit No. 6507507MA, Minor Amendment, Public Water Supply.

Applicant **Municipal Authority of Westmoreland County**
 Southwest Corner US Route 30
 West and South Greengate Road
 P. O. Box 730
 Greensburg, PA 15601

Borough or Township Ligonier Township

County **Westmoreland**

Type of Facility Furnace Run water treatment plant

Consulting Engineer

Permit to Construct August 7, 2007
 Issued

Permit No. 6507506MA, Minor Amendment, Public Water Supply.

Applicant **Municipal Authority of Westmoreland County**
Southwest Corner US Route 30
West and South Greengate Road
P. O. Box 730
Greensburg, PA 15601

Borough or Township East Huntingdon Township

County **Westmoreland**

Type of Facility Water storage tank, transmission line and bypass line

Consulting Engineer

Permit to Construct Issued August 7, 2007

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

Permit No. 364W14-MA3, Minor Amendment, Public Water Supply.

Applicant **Hawthorn Area Water Authority**

Borough or Township Hawthorn Borough and Redbank Township

County **Clarion and Armstrong Counties**

Type of Facility PWS

Consulting Engineer Michael C. Malak, P. E.
Senate Engineering Company
U-PARC
420 William Pitt Way
Pittsburgh, PA 15238-1330

Permit to Construct Issued July 27, 2007

Operations Permit issued to Miracle Mountain Ranch Mission, Inc., PWSID No. 6620371, Spring Creek Township, **Warren County.** Permit issued July 24, 2007, for the operation of Well No. 1 as the sole source of potable water supply at the children's camp, as constructed and permitted under construction Permit Number 6206501, approved September 26, 2006.

Operations Permit issued to Pennsylvania American Water Company, PWSID No. 6160001, Clarion Township, **Clarion County.** Permit issued August 1, 2007, for the operation of the Clarion Township Tank located in Corsica, PA, after rehabilitation (blasting and repainting,) as permitted under construction permit Number 8771-W-T1-MA2, approved December 14, 2006.

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

Plan Location:

Borough or Township	Borough or Township Address	County
Ruscombmanor Township	204 Oak Lane Fleetwood, PA 19522	Berks

Plan Description: The approved plan provides for the following: 1) the construction of a sewage collection and conveyance system to serve the Pricetown area as defined in the Plan. Sewage will be conveyed to the Golden Oaks WWTP that will be expanded from the current capacity of 25,000 to 50,000 gpd with discharge to Furnace Creek (Chapter 93—CWF); 2) The construction of a sewage collection and conveyance system to serve the "Houck Road/Route 662" areas defined in the Plan. Sewage will be conveyed to a proposed 20,000 gpd WWTP with discharge to Willow Creek (Chapter 93—CWF); 3) the construction of a sewage collection and conveyance system to serve the Breezy Corners area as defined in the Plan. Sewage will be conveyed to a proposed 30,000 gpd WWTP with discharge to a UNT of Little Manatawny Creek (Chapter 93—CWF); 4) the adoption of an Onlot Sewage Disposal System Management Ordinance under the establishment of an OLDS Management Program; 5) the adoption of an ordinance requiring the completion of a preliminary hydrogeologic study for all subdivisions proposing the use of OLDS. The Department of Environmental Protection's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority 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.

Vacant Lot Philadelphia, City of Philadelphia, **Philadelphia County**. Emily Cleaver, Kleinfelder, 800 East Washington Street, West Chester, PA 19380, Matt Overbaugh, 800 East Washington Street, West Chester, PA 19380 on behalf of Craig Pierre, Presby's Inspired Life, 2000 Joshua Road, Lafayette Hill, PA 19444 has submitted a Final Report concerning remediation of site soil contaminated with lead and PAH. The report is intended to document remediation of the site to meet the Statewide Health Standards.

Fitzpatrick & Son and Joseph Massino, Abington Township, **Montgomery County**. Staci Cottone, J & J Spill Svc. & Supplies, Inc., P. O. Box 370, Blue Bell, PA 19422 on behalf of James Fitzpatrick, 2542 Jenkintown Road, Glenside, PA 19038, Joseph Masino, 475 Tyson Avenue, Glenside, PA 19038 has submitted a Final Report concerning remediation of site soil contaminated with unleaded gasoline. The report is intended to document remediation of the site to meet the Statewide Health Standards.

Toll Integrated System, Morrisville Borough, **Bucks County**. Mark Fortna, DelVal Soil & Environmental Consultants, Inc., Sky Run II, Suite A1, 4050 Skyron Drive, Doylestown, PA 18901 on behalf of Brian Hunter, Toll Integrated Systems, 449 South Pennsylvania Avenue, Yardley, PA 19067 has submitted a Remedial Investigation Report concerning the remediation of site soil contaminated with inorganics. The report is intended to document remediation of the site to meet the Site-Specific Standards.

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

David Cardona Property, Lehigh Township, **Northampton County**. Donald Rood, J. Rockwood & Associates, Inc., P. O. Box 1006, Easton, PA 18044-1006 has submitted a Final Report (on behalf of his client David Cardona, 3737 Lehigh Drive, Northampton, PA 18067), concerning the remediation of soils and groundwater found or suspected to have been impacted by fuel oil as a result of an accidental release. The report was submitted to document attainment of the Statewide Health Standard. The future use of the property will remain residential. A public notice regarding the final report's submission is expected to be published in a local newspaper serving the general area sometime in the near future.

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

Clay's Service Station/Former Exxon Station No. 2-3303, Mechanicsburg Borough, **Cumberland County**. Groundwater & Environmental Services, Inc., 400 Creamery Way, Suite 500, Exton, PA 19341, on behalf of James Clay, Clay's Service Center, 138 West Main Street, Mechanicsburg, PA 17055-6229 and Exxon Mobil Corporation, 7715 Crittenden Street, No. 309, Philadelphia, PA

19118-4421, submitted a Remedial Investigation Report, Risk Assessment and a Cleanup Plan concerning remediation of site soils and groundwater contaminated with BTEX. The reports and plan are intended to document remediation of the site to the Site-Specific and Statewide Health Standards.

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

PIDA—(Former Branch Motor Express Co.), Delaware Township, **Northumberland County**. Gannett Fleming, 207 Senate Avenue, Camp Hill, PA 17011 on behalf of PIDA, 400 North Street, 4th Floor, Commonwealth Keystone Building, Harrisburg, PA 17120 has submitted a Final Report concerning remediation of site soil contaminated with cumene, ethyl benzene, fluorene, naphthalene and phenanthrene and groundwater contaminated with benzene, cumene, ethyl benzene, fluorene, naphthalene, phenanthrene, toluene and xylenes. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

National Torch Tips (Former), O'Hara Township, **Allegheny County**. Charlene R. Drake, React Environmental Professional Services Group, Inc., P. O. Box 5377, 6901 Kingsessing Avenue, Suite 201, Philadelphia, PA 19142-0377 (on behalf of Peter Sukernek, Howard Hanna Company, Koppers Building, Pittsburgh, PA 15219, and Jonathan Kamin, 50 Freeport Partners, 101 Freeport Road, Pittsburgh, PA 15215) has submitted a Remedial Investigation Report, Risk Assessment Report and a Cleanup Plan concerning remediation of site soil and groundwater contaminated with chlorinated solvents, TCE, PCE, CIS-Dichloroethylene. The reports are intended to document remediation of the site to meet the Site-Specific Standard.

Edgewater Steel Property, Borough of Oakmont, **Allegheny County**. Frank W. Benacquista, P. G., KU Resources, Inc., 22 South Linden Street, Duquesne, PA 15110 (on behalf of Maureen Ford, RIDC, 425 Sixth Avenue, Suite 500, Pittsburgh, PA 15219) has submitted a combined Risk Assessment Report/Cleanup Plan concerning remediation of site soil and groundwater contaminated with lead, heavy metals, solvents and SVOCs. The reports are intended to document remediation of the site to meet the Site-Specific Standard.

Tri-State Petroleum Corp., Exxon No. 22369, City of Pittsburgh, **Allegheny County**. Heather W. Gawne, CORE Environmental Services, Inc., 4068 Mount Royal Boulevard, Allison Park, PA 15101 (on behalf of Brian Clinton, Paradise Development Company, 115 Federal Street, Suite 200, Pittsburgh, PA 15212 and Colleen McGlinn, Tri-State Petroleum Corporation, North 27th and Vance Avenues, Wheeling, WV 26003) has submitted a Final Report concerning remediation of site soil contaminated with PAHs. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

ARG Refinery, City of Bradford, **McKean County**. Conestoga-Rovers & Associates, 651 Colby Drive, Waterloo, Ontario, Canada N2V 1C2, on behalf of ARG Refining Group, Inc., 77 North Kendall Avenue, Bradford, PA 16701 has submitted Risk Assessment and Remedial Investigation Reports concerning remediation of site soils

contaminated with petroleum refining related compounds including, but not limited to, benzene, toluene, ethyl benzene, xylenes, benzo(a)pyrene, arsenic, cadmium, lead and site groundwater contaminated with petroleum refining related compounds including, but not limited to, benzene, toluene, ethyl benzene, xylenes, arsenic, iron, aluminum, cadmium, lead and chlorinated hydrocarbons. The reports are intended to document remediation of the site to meet the Site-Specific Standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

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

For further information concerning the plans and reports, contact the Environmental Cleanup Program manager in the Department regional office before which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the Community Relations Coordinator at the appropriate regional office. TDD users may telephone the Department through the 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.

Malvern Preparatory School, Malvern Borough, **Chester County**. Richard Werner, Environmental Consulting, Inc., 500 East Washington Street, Norristown, PA 19401, Tom McMenamin, Monster Fuel, LLC, P. O. Box 100, Blue Bell, PA 19422 on behalf of Ted Caniglia, Malvern Preparatory School, 418 South Warren Avenue has submitted a Final Report concerning the remediation of site soil contaminated with diesel fuel. The Final report demonstrated attainment of the Statewide Health Standards and was approved by the Department of Environmental Protection on July 27, 2007.

Millcraft Shade Shop Property, Lower Merion Township, **Montgomery County**. Mark Irani, Land Recycling Solution, LLC, 3101 Mt. Carmel Avenue, Suite 3, Glenside, PA 19038 on behalf of William Kraft, Millcraft Shade Shop Inc., 455 Penn Avenue, Glenside, PA 19038 has submitted a Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standards and was approved by the Department of Environmental Protection on July 30, 2007.

Toll Integrated System, Morrisville Borough, **Bucks County**. Mark Fortna, DelVal Soil & Environmental Consultants, Inc., Sky Run II, Suite A1, 4050 Skyron Drive, Doylestown, PA 18901 on behalf of Brian Hunter, Toll Integrated Systems, 449 South Pennsylvania Avenue, Yardley, PA 19067 has submitted a Remedial Investigation Report concerning the remediation of site soil contaminated with inorganic. The Remedial Investigation Report was approved by the Department of Environmental Protection on July 31, 2007.

Twin Silo Farm, Plumstead Township, **Bucks County**. Jeffery Walsh, Penn Env. & Remediation Inc., 2755 Bergery Road, Hatfield, PA 19440 on behalf of Jonathan Reiss, Plumstead Township, 5186 Sump Road, Plumsteadville, PA 18949 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with No. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standards and was approved by the Department of Environmental Protection on July 31, 2007.

Bridgeview Site, Borough of Montgomery, **Montgomery County**. Jonathan Spergel, Manko, Gold, Kathcher & Fox, LLP, 401 City Line Avenue, Suite 500, Bala Cynwyd, PA 19004 on behalf of Brain Finnegan, Bridgeview Development, LP, 2701 Renaissance Boulevard, 4th Floor, King of Prussia, PA 19406 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with leaded gasoline. The Final report did not demonstrate attainment of the Site-Specific Standards and was disapproved by the Department of Environmental Protection on July 31, 2007.

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

Pirone Residence, City of Allentown, **Lehigh County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073 submitted a Response Package Report (on behalf of his clients, Richard and Olga Pirone, 1037 North 21st Street, Allentown, PA 18104) concerning the remediation of soils impacted with No. 2 fuel oil as a result of a filter connection error on the No. 2 fuel oil heating system. The report docu-

mented attainment of the Residential Statewide Health Standard for soils and was approved on July 30, 2007.

Bud Friend, Inc., Emmaus Borough, **Lehigh County**. Brian Evans, B & B Diversified Enterprises, Inc., P. O. Box 188, Gwynedd, PA 19436 submitted a Final Report (on behalf of his clients, Arland and Judith Friend, 700 Chestnut Street, Emmaus, PA 18049), concerning the remediation of soil found to have been impacted by used motor oil as a result of drum storage and petroleum, that was related to an unregulated storage tank. The report documented attainment of the Statewide Health Standard for soils and was approved on August 3, 2007. Soil liability release applies only to those parameters tested.

George Hochwarter Residence, Palmer Township, **Northampton County**. Thomas J. Martinelli, JMT Environmental Technologies, Inc., P. O. Box 22044, Lehigh Valley, PA 18002-2044 submitted a Final Report (on behalf of his client, George Hochwarter, 104 Old Orchard Drive, Easton, PA 18048), concerning the remediation of soils found to have been impacted by No. 2 Heating Oil as a result of an overflow to an unregulated storage tank. The report documented attainment of the Residential Statewide Health Standard for soils and was approved on July 27, 2007.

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

Seedway, Inc.—Spring Garden Facility, Spring Garden Township, **York County**. Groundwater Sciences Corporation, 2601 Market Place Street, Suite 310, Harrisburg, PA 17110, on behalf of Growmark F.S., Inc., 1701 Towanda Avenue, P. O. Box 2500, Bloomington, IL 61702-2500, submitted a combined Remedial Investigation and Final Report concerning the remediation of site soils and groundwater contaminated with herbicide spilled from a rail car. The final report demonstrated attainment of the Site-Specific Standard, and was approved by the Department of Environmental Protection on July 31, 2007.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

RecOil, Inc., Bedford Township, **Bedford County**, Permit No. 301343. This is a major permit modification to Solid Waste Permit No. 301343 for the operation of RecOil, Inc., issued in accordance with Article V of the Solid Waste Management Act, 35 P. S. § 6018.101, et seq. This modification approves an increase in storage capacity and an increase in daily waste acceptance. Compliance with the terms and conditions set forth in the permit is mandatory. Individuals have the right to file an appeal as to those terms and conditions.

RESIDUAL WASTE GENERAL PERMIT

General Permit Renewal 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 Residual Waste Regulations for a General Permit to Operate Residual

Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash.

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

General Permit No. WMGR028. The Department of Environmental Protection (Department), Bureau of Waste Management has renewed the Statewide residual waste General Permit WMGR028. The WMGR028 was renewed for the beneficial use of baghouse fines and scrubber pond precipitates, generated by hot mixed asphalt plants, as (i) an aggregate in roadway construction, (ii) an ingredient or component in cement or asphalt products, (iii) a soil additive and (iv) a soil conditioner. The proposed renewal of WMGR028 was published in the 37 Pa. B., 2318 (May 19, 2007). The WMGR028 has been finalized and renewed as a Statewide residual waste general permit. The general permit renewal was issued by the Central Office on August 1, 2007.

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

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.

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

48-310-071GP3: Brandenburg Industries Service Co. (2217 Spillman Drive, Bethlehem, PA 18015) on July 31, 2007, to construct and operate a Portable Crushing Operation with watersprays at their site in Bethlehem, **Northampton County**.

48-329-004GP9: Brandenburg Industries Service Co. (2217 Spillman Drive, Bethlehem, PA 18015) on July 31, 2007, to install and operate a Diesel I/C Engine at their site in Bethlehem, **Northampton 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.

46-0264: Caddick Construction Co., Inc. (7147 Camp Hill Road, Fort Washington, PA 19034) on August 1, 2007, to operate a new nonmetallic mineral processing plant in Whitemarsh Township, **Montgomery County**.

46-0198L: Blommer Chocolate Co. (1101 Blommer Drive, East Greenville, PA 18041) on August 7, 2007, to

operate an aspiration box and baghouse in Upper Hanover Township, **Montgomery County**.

15-0037B: Oberthur Card System, Inc. (523 James Hance Court, Exton, PA 19341) on August 7, 2007, to operate two replacement screen presses in West Whiteland Township, **Chester County**.

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

18-315-002B: First Quality Products, Inc. (P. O. Box 270, McElhattan, PA 17748) on July 3, 2007, to construct two adult brief machines in Wayne Township, **Clinton County**.

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

37-264G: Ellwood Quality Steels Co. (700 Moravia Street, New Castle, PA 16101) on August 1, 2007, to increase production at their Melt Shop facility in the City of New Castle, **Lawrence County**. This plan approval is subject to the Prevention of Significant Deterioration requirements for CO.

10-309D: MultiServ (Route 8 South, Butler, PA 16003) on August 1, 2007, to install a torch cutting operation exhausted to a 50,000 ACFM fabric filter at the AK Steel site in South Butler, **Butler County**. This is not a Title V facility.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

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

09-0134C: Reed Minerals (P. O. Box 8888, Camp Hill, PA 17001) on August 2007, to operate a replacement dust collector in Falls Township, **Bucks County**.

46-0180: Transicoil Corp. (9 Iron Bridge Drive, Collegeville, PA 19426) on August 1, 2007, to operate a three solvert vapor degreasers in Perkiomen Township, **Montgomery County**.

46-0180A: Transicoil Corp. (9 Iron Bridge Drive, Collegeville, PA 19426) on August 1, 2007, to operate a methanol glass cleaning in Perkiomen Township, **Montgomery County**.

46-0242A: BAE Systems Information and Electronics Systems Integration, Inc. (305 Richardson Road, Lansdale, PA 19446) on July 30, 2007, to operate on a F E Emission Cap/NOx in Montgomery Township, **Montgomery County**.

09-0007B: Waste Management Disposal Services of PA, Inc. (1000 New Ford Mill Road, Morrisville, PA 19067) on August 1, 2007, to operate a flare to back-up control device in Falls Township, **Bucks County**.

09-0024E: Waste Management Disposal Services of PA, Inc. (1000 New Ford Mill Road, Morrisville, PA 19067) on August 1, 2007 to operate a flare to back-up control device in Tullytown Borough, **Bucks County**.

23-0003E: ConocoPhillips Co. (1400 Park Avenue, Linden, NJ 07036) on August 1, 2007, to operate a gasoline and diesel desulfurization in Trainer Borough, **Delaware County**.

46-0091: Sunoco Partners Marketing and Terminal, LP (525 Fritztown Road, Sinking Springs, PA 19608) on August 7, 2007 to operate a vapor combustion unit in Upper Moreland Township, **Montgomery County**.

09-0048C: Haines and Kibblehouse—H and K Materials Div. (P. O. Box 196, 2052 Lucon Road, Skippack, PA 19474) on August, 3, 2007, for operation of a Hot Mix Asphalt in Hilltown Township, **Bucks County**.

15-0004F: Alcoa Packaging, LLC (520 Lincoln Avenue, Downingtown, PA 19335) on July 31, 2007, to operate a replacement of unwind stand in Downingtown Borough, **Chester County**.

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

36-03075A: City of Lancaster AWWTP (120 North Duke Street, Lancaster, PA 17608-1599) on August 1, 2007, to install a lime stabilization system at their wastewater treatment facility in Lancaster Township, **Lancaster County**. This plan approval was extended.

36-05019G: Anvil International, Inc. (1411 Lancaster Avenue, Columbia, PA 17512-1939) on August 6, 2007, to construct a new molding line at their foundry in Columbia Borough, **Lancaster County**. This plan approval was extended.

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

10-345B: Allegheny Mineral Corporation—Murrinsville Plant (102 Van Dyke Road, Harrisville, PA 16038) on July 31, 2007, to modify plan approval 10-345A conditions with regards to the rated capacity and the facility throughput limitation in Marion Township, **Butler County**.

16-132C: Clarion Boards, Inc. (143 Fiberboard Road, Box 340, Shippensburg, PA 16245) on July 31, 2007, to replace an existing prefilter with a TurboVenturi Scrubber in Paint Township, **Clarion County**. The facility is a Title V Facility.

61-185C: Heath Oil Co. (SR 8, Barkeyville, PA 16038) on July 31, 2007, for post construction approval of the bulk storage terminal, tank wagon loading rack and vapor balancing and burn off system in Barkeyville Borough, **Venango County**. This is a State-only facility.

16-132E: Clarion Boards, Inc. (143 Fiberboard Road, Shippensburg, PA 16254) on July 31, 2007, to install a finishing line in Paint Township, **Clarion County**.

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

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

15-00027: Johnson Matthey, Inc. (456 Devon Park Drive, Tredyffrin Township, PA 19087) on August 7, 2007, for renewal of the Title V Operating Permit in Tredyffrin Township, **Chester County**. The initial permit was issued on October 24, 2001. The company manufactures inserts for automotive and industrial catalytic converters. As a result of potential emissions of NOx and VOC, the facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments, and is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The proposed

Title V Operating Renewal does not reflect any change in air emissions from the facility. The facility is subject to the Compliance Assurance Monitoring regulation under 40 CFR Part 64. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting.

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

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

06-03140: McNeilus Truck and Manufacturing, Inc. (941 Hemlock Road, P.O. Box 219, Morgantown, PA 19543) on August 1, 2007, to operate a heavy duty truck coating operation controlled by dry filters in Caernarvon Township, **Berks County**.

38-03044: Conrad Enterprises, Inc. (P.O. Box 656, Cornwall, PA 17016-0656) on July 31, 2007, to operate of a roll-off waste container fabrication facility in Cornwall Borough, **Lebanon County**.

36-05087: Morgan Corporat (35 Thousand Oaks Boulevard, Morgantown, PA 19543-8838) on July 31, 2007, to operate their truck body manufacturing facility in Ephrata Borough, **Lancaster County**. This is a renewal of the State-only operating permit.

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

53-00013: C.A. Elliott Lumber Co., Inc. (P.O. Box 260, Roulette, PA 16746) on July 3, 2007, to operate a lumber manufacturing facility in Roulette Township, **Potter County**.

41-00070: PMF Industries, Inc. (2601 Reach Road, Williamsport, PA 17701) on July 3, 2007, to operate a metal parts fabrication facility in the City of Williamsport, **Lycoming County**.

14-00036: Gensimore Trucking, Inc.—Happy Valley Blended Products, LLC (P.O. Box 5303, Pleasant Gap, PA 16823) on July 5, 2007, to operate a bulk cement blending facility in Spring Township, **Centre County**.

60-00012: Ritz-Craft Corp. of PA, Inc. (15 Industrial Park Road, Mifflinburg, PA 17844) on July 10, 2007, to operate a mobile/modular home manufacturing facility in Mifflinburg Borough, **Union County**.

19-00030: Sokol Quarries, Inc. (P.O. Box 366, Bloomsburg, PA 17815) on July 10, 2007, to operate a sand and gravel plant in Fishing Creek Township, **Columbia County**.

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

32-00101: Halliburton Energy Services (10200 Bellaire Boulevard, Houston, TX 77072) on July 23, 2007, for State-only Operating Permit for a facility that supplies the oil and gas industry with specially blended cements used in the completion of oil and gas well drilling operations. The facility operates sand silos, cement tanks, hydrochloric acid tanks and is equipped with dust collectors and small scrubbers in Homer City, PA, **Indiana County**.

32-00230: Texas Eastern Transmission, LP (P.O. Box 1642, Houston, TX 77251) on July 24, 2007, for a compressor station operating a turbine, emergency generator and a small natural gas fired heater. The facility recompresses and moves natural gas through transmission pipelines. The facility is taking a restriction of 25 tons of NOx per the ozone season at the facility. This along with other yearly limits established in the operating permit will restrict the facility from being considered a major source thus a synthetic minor. Armagh Compressor Station is in New Florence, PA, **Indiana County**.

11-00325: Maple Coal Co. (2591 Wexford-Bayne Road, Suite 204, Sewickley, PA 15143) on August 3, 2007, for a State-only operating permit to operate the Colver Refuse Processing Plant in Barr and Blacklick Townships, **Cambria County**.

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

10-00030: Concast Metal Products Co. (131 Myoma Road, Mars, PA 16046) on July 25, 2007, to reissue a Natural Minor Permit to operate a secondary nonferrous metal melting and casting facility in Adams Township, **Butler County**. The significant emitting sources include induction furnaces 1 and 2 and associated casters, etc., No. 3 electric furnace with two associated casters, machine shop and diesel emergency generator.

33-00085: Symmco Inc.—Sykesville (101 South Park Street, Sykesville, PA 15865-0039) on July 16, 2007, for reissuance of a Natural Minor Operating Permit, to operate a primary metal products manufacturing facility in Sykesville Borough, **Jefferson County**. The significant source included 20" iron sintering furnace, steam treater, pusher type heat treat furnace. The facility is natural minor because the emission is less than Title V threshold.

20-00268: Tedes Co. (614 Baldwin Street, Meadville, PA 16335-1611) on July 24, 2007, to reissue of a Natural Minor Operating Permit to operate a cremator in the City of Meadville, **Crawford County**. The facility's primary emission source is an incinerator that is fueled using natural gas.

43-00152: Sharon Tube Co.—Sharon Facility (134 Mill Street, Sharon, PA) on July 24, 2007, to reissue a Synthetic Minor Permit to operate a Steel Pipe and Tubing Manufacturing Plant in the City of Sharon, **Mercer County**.

Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

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

06-03011: Giles and Yeckley Funeral Home and Crematorium, Inc. (21 Chestnut Street, Mohnton, PA 19540-1926) on August 1, 2007, to operate two human crematories controlled by secondary combustion chambers in Mohnton Borough, **Berks County**. This operating permit was administratively amended due to a change of ownership. This is revision No. 1.

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 30831303 and NPDES Permit No. PA0013511, Cumberland Coal Resources, LP, 158 Portal Road, P. O. Box 1020, Waynesburg, PA 15370, to revise the permit for the Cumberland Mine in Center, Franklin and Wayne Townships, **Greene County** to add acreage for the west longwall expansion. Pursley Creek and Turkey Hollow Creek may be affected by this mining. Underground Acres Proposed 3,005.0, Subsidence Control Plan Acres Proposed 4,341.0. No additional discharges. Application received August 8, 2005. Permit issued July 13, 2009.

Permit Number 63831302 and NPDES Permit No. PA0213608, Eighty Four Mining Company, P. O. Box J, 1525 Pleasant Grove, Claysville, PA 15323, to revise the permit for the Mine No. 84 in West Bethlehem Township, **Washington County** to add surface acreage to install the 12B bleeder shaft facility. Surface Acres Proposed 16.3. No additional discharges. Application received October 19, 2006. Permit issued August 2, 2007.

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

56663069 and NPDES No. PA0120944. Action Mining, Inc., 1117 Shaw Mines Road, Meyersdale, PA 15552-7228, revision of an existing bituminous surface auger-limestone removal mine to amend an existing variance on the 100 foot stream barrier of a UNT to the Casselman River and revise the reclamation plan to include a variance to approximate original contour backfilling on a portion of the site in Elk Lick and Summit Townships, **Somerset County**, affecting 3040.0 acres. Receiving streams: UNT of/and to the Casselman River; UNT of/and to Elk Lick Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received August 2, 2006. Permit issued July 31, 2007.

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

61970101 and NPDES Permit No. PA0227358. Ben Hal Mining Company, 389 Irishtown Road, Grove City, PA 16127, renewal of an existing bituminous strip operation in Irwin Township, **Venango County** affecting 66.5

acres. Receiving streams: Four UNTs to Scrubgrass Creek. Application received May 9, 2007. Permit issued August 1, 2007.

33010105 and NPDES Permit No. PA0242004. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001, renewal of an existing bituminous strip and auger operation in Young and McCalmont Townships, **Jefferson County** affecting 204.6 acres. This renewal is issued for reclamation only. Receiving stream: Elk Run. Application received June 4, 2007. Permit issued August 2, 2007.

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

17910114 and NPDES No. PA0206628. River Hill Coal Co, Inc., P. O. Box 141, Kylertown, PA 16847, revision of an existing bituminous surface mine to reduce acreage in Karthaus Township, **Clearfield County**, affecting 4.0 acres. Receiving streams: UNT to Dutch Hollow Run to Mosquito Creek to West Branch Susquehanna River, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received July 16, 2007. Permit issued July 26, 2007.

Noncoal Permits Actions

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

26042802. Mon River Energy Corporation, P. O. Box 466, Brier Hill, PA 15415, permit revised to authorize a stream variance to conduct mining activities within 100 feet of a UNT to Saltlick Run at an existing small noncoal mining operation located in Redstone and Menallen Townships, **Fayette County**, affecting 10 acres. Receiving streams: Saltlick Run to Dunlap Creek. Application received May 31, 2007. Revised permit issued July 31, 2007.

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

10040301. Raducz Stone Corporation, 284 Rockdale Road, Butler, PA 16001, revision to an existing shale and sandstone operation to add 6.5 in Penn Township, **Butler County**. New SMP acreage is 33.5 acres. Receiving streams: UNT to Thorn Creek. Application received May 26, 2006. Permit issued July 31, 2007.

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

58070810. Christopher Fiorentino, P. O. Box 226, South Montrose, PA 18843, commencement, operation and restoration of a quarry operation in Springville Township, **Susquehanna County** affecting 3.0 acres, receiving stream: None. Application received February 2, 2007. Permit issued August 1, 2007.

58070827. Thomas D. Stepniak, R. R. 7, Box 7410, Montrose, PA 18801, commencement, operation and restoration of a quarry operation in Bridgewater Township, **Susquehanna County** affecting 5.0 acres, receiving stream: none. Application received April 3, 2007. Permit issued August 1, 2007.

52070802. Matthew G. Martin, HC 1, Box 1305, Tafton, PA 18464, commencement, operation and restoration of a quarry operation in Blooming Grove Township, **Pike County** affecting 5.0 acres, receiving stream: none. Application received April 20, 2007. Permit issued August 1, 2007.

35070803. Robert Schneider, R. R. 2, Box 2390, Factoryville, PA 18419, commencement, operation and

restoration of a quarry operation in Benton Township, **Lackawanna County** affecting 5.0 acres, receiving stream: none. Application received May 2, 2007. Permit issued August 1, 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.

28074142. M & J Explosives, Inc., P. O. Box 608, Carlisle, PA 17013-0608, blasting activity permit issued for pool/pond development in Greencastle Borough, **Franklin County**. Blasting activity permit end date is July 31, 2008. Permit issued July 23, 2007.

21074153. David H. Martin Excavating, Inc., 4961 Cumberland Highway, Chambersburg, PA 17201-9655, blasting activity permit issued for commercial development in Southampton Township, **Cumberland County**. Blasting activity permit end date is December 18, 2008. Permit issued July 24, 2007.

21074155. John W. Gleim, Jr., Inc., 625 Hamilton Street, Carlisle, PA 17013-1925, blasting activity permit issued for utility development in South Middleton Township, **Cumberland County**. Blasting activity permit end date is December 15, 2007. Permit issued July 24, 2007.

21074156. David H. Martin Excavating, Inc., 4961 Cumberland Highway, Chambersburg, PA 17201-9655, blasting activity permit issued for residential development in Silver Spring Township, **Cumberland County**. Blasting activity permit end date is December 30, 2008. Permit issued July 24, 2007.

28074143. Warrens Excavating & Drilling, Inc., P. O. Box 1022, Honey Brook, PA 19344-0902, blasting activity permit issued for residential development in Greene Township, **Franklin County**. Blasting activity permit end date is July 15, 2008. Permit issued July 26, 2007.

11074004. Laurel Management Company, 111 Roosevelt Boulevard, Johnstown, PA 15907, blasting activity permit issued for building site development in Richland Township, **Cambria County**. Blasting activity permit end date is June 30, 2008. Permit issued August 1, 2007.

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

02074009. Kesco, Inc., P. O. Box 95, Adrian, PA 16210, blasting activity permit for the Cobble Stone site development, located in Ohio Township, **Allegheny County**, with an expected duration of 180 days. Permit issued July 30, 2007.

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

09074119. Rock Work, Inc., 1257 DeKalb Pike, Blue Bell, PA 19422, construction blasting for Preserve at

Warrington in Warrington Township, **Bucks County** with an expiration date of August 1, 2008. Permit issued July 30, 2007.

13074104. Hayduk Enterprises, Inc., 257 Riverside Drive, Factoryville, PA 18419, construction blasting for Laurelwoods at Big Boulder in Kidder Township, **Carbon County** with an expiration date of July 31, 2008. Permit issued July 30, 2007.

22074121. 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 30, 2007.

36074181. John W. Gleim, Jr., Inc., 625 Hamilton Street, Carlisle, PA 17013, construction blasting for ALCOA Rail Spur in Manheim Township, **Lancaster County** with an expiration date of December 15, 2007. Permit issued July 30, 2007.

36074183. Keystone Blasting Service, 381 Reifsnyder Road, Lititz, PA 17543, construction blasting for Willow Valley Medical Center in West Lampeter Township, **Lancaster County** with an expiration date of October 30, 2007. Permit issued July 30, 2007.

45074146. Hayduk Enterprises, Inc., 257 Riverside Drive, Factoryville, PA 18419, construction blasting for Kettle Ridge Estates in Hamilton Township, **Monroe County** with an expiration date of July 31, 2008. Permit issued July 30, 2007.

46074115. Douglas Explosives, Inc., P. O. Box 77, Philipsburg, PA 16866, construction blasting for The Village at Valley Forge in Upper Merion Township, **Montgomery County** with an expiration date of July 30, 2008. Permit issued July 30, 2007.

67074137. J. Roy's, Inc., Box 125, Bowmansville, PA 17507, construction blasting for North American Stainless in Hellam Township, **York County** with an expiration date of July 20, 2008. Permit issued July 30, 2007.

36074116. Hayduk Enterprises, Inc., 257 Riverside Drive, Factoryville, PA 18419, construction blasting for Greenwood Estates in Moosic Borough, **Lackawanna County** with an expiration date of July 31, 2008. Permit issued July 31, 2007.

36074117. Hayduk Enterprises, Inc., 257 Riverside Drive, Factoryville, PA 18419, construction blasting for Ed Swartz Road Cut in LaPlume Township, **Lackawanna County** with an expiration date of July 31, 2008. Permit issued July 31, 2007.

36074182. Warren's Excavating & Drilling, Inc., P. O. Box 1022, Honey Brook, PA 19344, construction blasting for a single dwelling on Wickersham Road in East Hempfield Township, **Lancaster County** with an expiration date of July 15, 2008. Permit issued July 31, 2007.

36074184. American Rock Mechanics, Inc., 7531 Chestnut Street, Zionsville, PA 18092, construction blasting for Lancaster Airport in Manheim Township, **Lancaster County** with an expiration date of December 31, 2008. Permit issued July 31, 2007.

36074185. Warren's Excavating & Drilling, Inc., P. O. Box 1022, Honey Brook, PA 19344, construction blasting for a single dwelling on Colebrook Road in East Donegal Township, **Lancaster County** with an expiration date of July 15, 2008. Permit issued July 31, 2007.

38074115. Warren's Excavating & Drilling, Inc., P. O. Box 1022, Honey Brook, PA 19344, construction

blasting for The Meadows at Southfield in South Lebanon Township, **Lebanon County** with an expiration date of July 15, 2008. Permit issued July 31, 2007.

48074113. Warren's Excavating & Drilling, Inc., P. O. Box 1022, Honey Brook, PA 19344, construction blasting for Monocacy Farms in Hanover Township, **Northampton County** with an expiration date of July 15, 2008. Permit issued July 31, 2007.

15074111. Warren's Excavating & Drilling, Inc., P. O. Box 1022, Honey Brook, PA 19344, construction blasting for The Fields at Creekview in East Coventry Township, **Chester County** with an expiration date of July 15, 2008. Permit issued August 1, 2007.

15074112. Warren's Excavating & Drilling, Inc., P. O. Box 1022, Honey Brook, PA 19344, construction blasting for Coventry Glen in East Coventry Township, **Chester County** with an expiration date of July 15, 2008. Permit issued August 1, 2007.

36074186. Warren's Excavating & Drilling, Inc., P. O. Box 1022, Honey Brook, PA 19344, construction blasting for Summers Hill in Upper Leacock Township, **Lancaster County** with an expiration date of July 15, 2008. Permit issued August 1, 2007.

36074187. Warren's Excavating & Drilling, Inc., P. O. Box 1022, Honey Brook, PA 19344, construction blasting for Watson Run Subdivision in Leacock Township, **Lancaster County** with an expiration date of July 15, 2008. Permit issued August 1, 2007.

06074121. Warren's Excavating & Drilling, Inc., P. O. Box 1022, Honey Brook, PA 19344, construction blasting for a single dwelling on Sunshine Road in Bern Township, **Berks County** with an expiration date of July 15, 2008. Permit issued August 2, 2007.

39074123. Austin Powder Company, 25800 Science Park Drive, Cleveland, OH 44122, construction blasting for Farmington Development in Lower Macungie and Lower Mt. Bethel Townships, **Lehigh and Northampton Counties** with an expiration date of July 25, 2008. Permit issued August 2, 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.

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).

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.

E35-402. Scranton-Lackawanna Industrial Building Company, 222 Mulberry Street, Scranton, PA 18501-0431. City of Scranton, **Lackawanna County**, United States Army Corps of Engineers Baltimore District.

To fill 0.13-acre of PEM wetlands for the purpose of constructing the Mount Pleasant Corporate Center Commercial Development. The permittee is required to provide 0.13 acre of replacement wetlands. The project is located on the west side of the North Scranton Expressway near the 7th Avenue exit ramp (Scranton, PA Quadrangle N: 7.5 inches; W: 6.2 inches).

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

E07-405: Altoona Blair County Development Corporation, Devorris Center, 39900 Industrial Park, Altoona, PA 16602, Greenfield Township, **Blair County**, ACOE Baltimore District

To fill in a 0.655 acre of a wetland in order to construct the proposed Walter Business Park and related improvements located in Sproul village about 1,800 feet southwest of the US 220 and T-312 intersection (Roaring Spring, PA Quadrangle N: 5.42 inches; W: 12.2 inches, Latitude: 40° 16' 47"; Longitude: 78° 27' 45") in Greenfield Township, Blair County. The applicant will provide 1.31 acres of replacement wetland located 4,000 feet northeast of site.

E38-151: Twin Grove Campground, Inc., 1445 Suedberg Road, Pine Grove, PA 17963, Union Township, **Lebanon County**, ACOE Baltimore District

To construct and maintain: 1.) a 7.5-foot wide pedestrian bridge with a span of 79.0-feet and an average minimum underclearance of 0.65 foot; 2.) a 7.5-foot wide pedestrian bridge with a span of 112.0 feet and an

average minimum underclearance of 0.85 foot; 3.) a 7.5-foot wide pedestrian bridge with a span of 69.0 feet and an average minimum underclearance of 0.65 foot; 4.) a 7.5-foot wide wooden pedestrian bridge with a span of 80.0 feet and an average minimum underclearance of 0.75 foot; 5.) a 6.0-inch outfall pipe; 6.) a 8.0-inch sanitary sewer line crossing; to maintain: 1.) an existing 18.0-inch stream enclosure with a length of 460.0 feet; 2.) an existing 12.0-inch outfall pipe; 3.) four existing 18.0-inch outfall pipes; 4.) an existing 41.0-foot long, 36.0-inch pipe stream crossing; to rehabilitate, operate and maintain a deck of an existing bridge; to remove an existing 36.0-inch pipe and construct and maintain a 5.75-foot by 8.17-foot pipe arch for the purpose of facilitating the development of Twin Grove Campground. All activities are located in and along UNTs to Swatara Creek (CWF). The project is located along Route 443 North of Lickdale and west of the Schuylkill County line (Tower City, PA Quadrangle N: 3.1 inches; W: 1.7 inches, Latitude: 40° 30' 54"; Longitude: 76° 30' 47") in Union Township, Lebanon County.

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

E17-434. Clearfield Creek Watershed Association, 216 Bedlin Hollow Road, Ashville, PA 16613. Morgan Run TUFF Acid Mine Drainage Treatment Project in Decatur Township, **Clearfield County**, ACOE Baltimore District (Wallaceton, PA Quadrangle Latitude: 40° 52' 52.6"; Longitude: 78° 21' 14.9").

The applicant proposes to construct, operate and maintain a: (1) passive treatment acid mine drainage treatment system; (2) two dams for flow diversion; (3) two road crossings and (4) two rock outfalls in Morgan Run and associated wetlands for acid mine drainage abatement. The concrete dams constructed for flow diversion shall not exceed a maximum height of 2.5-feet and width of 12.0-feet. The permittee has proposed to construct two replacement wetlands that shall result in 1.65-acres of mitigation for the Morgan Run TUFF, Morgan Run FROG, and Morgan Run No. 7 acid mine drainage treatment projects. The Morgan Run TUFF Acid Mine Drainage Treatment Project permanently impacts 01.61-acres of wetland, for which the permittee has agreed to include in the construction of a 1.65-acre replacement

wetland to mitigate the 1.61-acres of impact. Construction of the 1.65-acre replacement wetland shall commence prior to the construction activities authorized by this permit. The permittee shall operate and maintain the acid mine treatment system, so that significant water quality improvement shall be achieved downstream in 2,640-feet of Morgan Run. The project is located along 1.4 stream miles south of the point where SR 2012 crosses Morgan Run.

E47-087. US Gypsum Company, 60 PPL Road, Danville, PA 17821. Supply Gas Line and Rail Siding, in Penn, Franklin and Moreland Townships, **Lycoming County** and Derry and Anthony Townships, **Montour County**, ACOE Baltimore District (Washingtonville, PA Quadrangle Latitude 41° 03' 29"; Longitude 76° 39' 51").

To construct, operate and maintain a 17-mile natural gas pipeline, a new railroad spur off of the Norfolk Southern main line and a 2-inch sanitary sewer line to support operations at a new gypsum wallboard plant. All stream impacts associated with the gas pipeline and the sanitary sewer are intended to be temporary. One permanent stream impact is associated with the railroad spur and will consist of replacement of an existing Culvert Crossing. Wetland impacts associated with this project are as follows: Natural gas pipeline impacts total 4.51 acres of forested, emergent, forested/scrub shrub and open water. These impacts are intended to be constructed in such a manner as to not create secondary impacts associated with these locations. Rail spur wetland impacts total 1.74 acres of permanent impacts and 3.33 acres of estimated indirect impacts associated with forested, scrub shrub and emergent wetland complexes. The sanitary sewer line proposes one emergent temporary wetland impact totaling 0.04 acre. This project spans a multi county, multitownship alignment and is intended to support the minimum permanent impacts to any wetland and stream impacts. The drainage basins involved with this project are as follows UNT to Sugar Run (CWF), Derr Run (CWF), Jakes Run (CWF), Little Muncy Creek (CWF), Laurel Run (CWF), West Branch of Chillisquaue Creek (WWF), Middle Branch Chillisquaue Creek (WWF), Mud Creek (WWF) and UNTs to these Streams. The following tables detail the impacts along with the location of the individual impact:

Natural Gas Pipeline Wetland Impacts

Sheet #	Wetland ID	Classification	Acres in 75' Impact	Impact	Construction Method	Lat.	Long.	Stationing
4	A	open water	113 sq. ft.	Habitat Modification	No Direct Impact	41° 14' 18"	76° 37' 49"	118+79
4	B	forested	0.12	No Direct Impact	HDD 130+60 - 139+00	41° 14' 04"	76° 37' 49"	133+52
6	C	emergent	0.04	Temporary	Open Cut	41° 13' 06"	76° 38' 01"	212+37
7	D	emergent	0.08	Temporary	Open Cut	41° 12' 56"	76° 38' 13"	226+96
10	E	forested/scrub shrub	0.23	No Direct Impact	HDD 332+00 - 338+25	41° 11' 25"	76° 38' 52"	337+44
12	F	forested	0.01	Habitat Modification	Open Cut	41° 10' 43"	76° 39' 22"	394+96
12	G	forested/scrub shrub	0.08	Habitat Modification	Open Cut	41° 10' 42"	76° 39' 24"	391+69
18	H	emergent	188 sq. ft.	Temporary	Open Cut	41° 07' 55"	76° 40' 02"	602+95

NOTICES

Sheet #	Wetland ID	Classification	Acres in 75' Impact	Impact	Construction Method	Lat.	Long.	Stationing
19	I	emergent	0.05	Temporary	Open Cut	41° 07' 11"	76° 40' 02"	648+50
19	J	emergent	0.01	Temporary	Open Cut	41° 07' 12"	76° 40' 03"	648+74
20	K	emergent	48 sq. ft.	Temporary	Open Cut	41° 06' 59"	76° 40' 09"	662+00
20	L	emergent	0.09	Temporary	Open Cut	41° 06' 57"	76° 40' 09"	663+59
21	M	emergent	0.13	Temporary	Open Cut	41° 06' 35"	76° 40' 09"	687+03
21	N	emergent	0.04	Temporary	Open Cut	41° 06' 32"	76° 40' 11"	690+71
21	O	emergent	0.09	Temporary	Open Cut	41° 06' 11"	76° 40' 12"	718+64
23	P	emergent	0.13	Temporary	Open Cut	41° 05' 37"	76° 40' 35"	763+06
24	Q	emergent	1.55	Temporary	Open Cut	41° 04' 58"	76° 40' 42"	805+35
24	R	emergent	0.01	Temporary	Open Cut	41° 04' 50"	76° 40' 48"	815+19
24	S	emergent	0.20	No Direct Impact	Bore 816+50 - 818+50	41° 04' 48"	76° 40' 48"	817+33
25	T	emergent/forested	1.53	No Direct Impact	HDD 829+50 - 845+50	41° 04' 33"	76° 40' 49"	831+27
26	U	emergent	0.01	Temporary	Open Cut	41° 04' 09"	76° 40' 31"	859+02
4	V	forested	63 sq. ft.	No Direct Impact	HDD 130+60 - 139+00	41° 14' 04"	76° 37' 50"	134+45
12	W	forested	0.10	Habitat Modification	Open Cut	41° 10' 36"	76° 39' 33"	407+92
						wetland impact area:	2.43 acres	
						habitat modification:	0.19 acres	
TOTAL						wetland avoidance area:	2.08 acres	

Sanitary Sewer Line Wetland Impacts

Sheet #	Wetland ID	Classification	Impact Acreage	Impact Type	Lat.	Long.
WPA31036	HH	Emergent	0.21	Temporary	41° 03' 15"	76° 40' 08"

Estimated Indirect Impacts (Rail Spur)

Sheet #	Wetland ID	Classification	Acres of Direct Impact	Acres of Fragmented Impact	Lat.	Long.	GP Eligibility
WPA31045	T	Forested	0.08	0.18	41° 04' 23"	76° 38' 59"	N/A
WPA31045	R	Forested	0.03	0.36	41° 04' 18"	76° 38' 55"	N/A
WPA31045	S	Forested	0.01	0.03	41° 04' 22"	76° 38' 59"	N/A
WPA31044	R/DD	Forested	0.73	2.76	41° 04' 18"	76° 38' 55"	N/A
WPA31044	CC	Scrub Shrub	0.11	0.00	41° 04' 11"	76° 38' 59"	N/A
WPA31044	Q	Emergent	0.04	0.00	41° 04' 13"	76° 39' 02"	N/A
WPA31044	P	Emergent	0.01	0.00	41° 04' 11"	76° 39' 02"	N/A
WPA31044	O	Emergent	0.01	0.00	41° 04' 10"	76° 39' 04"	N/A
WPA31044	N	Emergent	0.03	0.00	41° 04' 09"	76° 39' 06"	N/A
WPA31044	M	Emergent	0.06	0.00	41° 04' 09"	76° 39' 07"	N/A
WPA31044	L	Emergent	0.02	0.00	41° 04' 09"	76° 39' 09"	N/A
WPA31043	K	Emergent	0.02	0.00	41° 04' 08"	76° 39' 10"	N/A
WPA31042	H	Emergent	0.03	0.00	41° 03' 51"	76° 39' 20"	N/A
WPA31041	PW/F/G/MK	Forested	0.23	0.00	41° 03' 40"	76° 39' 23"	N/A
WPA31041	B	Emergent	0.33	0.00	41° 03' 36"	76° 39' 31"	N/A

NOTICES

4577

Sheet #	Wetland ID	Classification	Acres of Direct Impact	Acres of Fragmented Impact	Lat.	Long.	GP Eligibility
		TOTAL	1.74 acres	3.33 acres			
		APPLIED RATIO	2.93 acres	3.33 acres			

Natural Gas Pipeline Stream Impacts

Watercourse Name	Classification	75' Impact (SF)	Construction Method	Lat.	Long.
UNT to Sugar Run	CWF	900	Open Cut	41° 15' 54"	76° 38' 19"
UNT to Sugar Run	CWF	900	Culvert Construction	41° 15' 54"	76° 38' 19"
Derr Run	CWF	525	Open Cut	41° 15' 24"	76° 38' 13"
Spring (to Derr Run)	CWF	450	Open Cut	41° 15' 23"	76° 38' 08"
Derr Run	CWF	No Impact	HDD 130+60 - 139+00	41° 14' 04"	76° 37' 50"
UNT to Derr Run	CWF	1125	Open Cut	41° 13' 55"	76° 38' 01"
Jakes Run	CWF	No Impact	HDD 200+50 - 203+50	41° 13' 11"	76° 37' 52"
UNT to Jakes Run	CWF	375	Open Cut	41° 13' 06"	76° 38' 03"
UNT to Jakes Run	CWF	600	Open Cut	41° 12' 56"	76° 38' 14"
UNT to Little Muncy Creek	CWF	1275	Open Cut	41° 11' 50"	76° 38' 34"
Little Muncy Creek	CWF	No Impact	HDD 332+00 - 338+25	41° 11' 29"	76° 38' 54"
Laurel Run	CWF	2850	Open Cut	41° 10' 46"	76° 39' 14"
Laurel Run overflow channel	CWF	1125	Open Cut	41° 10' 45"	76° 39' 16"
UNT to Laurel Run	CWF	600	Open Cut	41° 10' 45"	76° 39' 18"
UNT to Laurel Run	CWF	No Impact	Auger	41° 10' 42"	76° 39' 34"
UNT to Little Muncy Creek	CWF	900	Open Cut	41° 10' 01"	76° 40' 06"
UNT to Little Muncy Creek	CWF	825	Open Cut	41° 09' 53"	76° 40' 10"
UNT to WB Chillisquaque Creek	WWF	600	Open Cut	41° 09' 19"	76° 40' 02"
UNT to WB Chillisquaque Creek	WWF	1800	Open Cut	41° 08' 49"	76° 40' 00"
UNT to WB Chillisquaque Creek	WWF	675	Open Cut	41° 08' 46"	76° 40' 01"
UNT to WB Chillisquaque Creek	WWF	675	Open Cut	41° 08' 38"	76° 40' 02"

Rail Spur Stream Impacts

Sheet #	Name	Ordinary High Water Mark	Type	Classification	Impact SF	Impact Type	Lat.	Long.
WPA31041	UNT to Mud Creek	16'	Intermittent	WWF	3568	Culvert Replacement	41° 03' 37"	76° 39' 31"

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

E02-1560. Department of Transportation, District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017. To construct a retaining wall in Castle Shannon Borough, **Allegheny County**, Pittsburgh ACOE District (Bridgeville, PA Quadrangle N: 21.3 inches; W: 2.0 inches, Latitude: 40° 22' 2"; Longitude: 80° 0' 53"). To construct and maintain a 242 ft. long, 10 ft. high, concrete retaining wall and stream bank stabilization to replace an existing 90 ft. long retaining wall in Saw Mill Run (WWF). This project is intended to stabilize slope failure and stream bank erosion in conjunction with minor road improvements of SR 88. The project is located approximately 6 miles south of Pittsburgh and approximately 150 ft. down stream of the SR 88 intersection with Grove Road.

E02-1561. Department of Transportation, District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017. To construct a concrete culvert in South Park Township, **Allegheny County**, Pittsburgh ACOE District (Glassport, PA Quadrangle, N: 6.7 inches; W: 17.0 inches, Latitude: 40° 17' 14"; Longitude: 79° 59' 47"). To construct and maintain a 82 ft. long, 32 ft. span, 9 ft. underclearance, open bottom concrete culvert to replace the existing 30 ft. long, 28.5 ft. span, 5 ft. minimum underclearance, SR 3013 bridge over Piney Fork Creek (TSF). The project is located approximately 6 miles west of Clairton.

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

E20-555, Department of Transportation, District 1-0, P. O. Box 398, Oil City, PA 16301. Houghton Wetland Mitigation Bank, in Beaver Township, **Crawford County**, ACOE Pittsburgh District (Beaver Center U.S.G.S., PA Quadrangle N: 41° 49' 22"; W: 80° 29' 22.4").

To place fill within 0.4 acre of PEM wetlands and to construct and maintain 7.4 acres of PEM/PSS/PFO wetlands on a 14 acres site located adjacent to SR 4012 between T-308 and T-320 and draining towards Middle Branch Conneaut Creek (CWF).

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

EA40-010NE. Dallas Township, P. O. Box 518, Dallas, PA 18612, Dallas Township, **Luzerne County**, United States Army Corps of Engineers Baltimore District.

To remove an abandoned bridge along a tributary to Leonard Creek adjacent to the Kunkle Fire Department at the intersection of SR 0309 and Kunkle Road (Centermoreland, PA Quadrangle N: 0.5 inch; W: 14.75 inches).

ENVIRONMENTAL ASSESSMENTS

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

E63-004A. Molycorp, Incorporated, 1217 West Wayne Street, Washington, PA 15301. To permanently impact 0.71 acre of wetland during waste removal in Canton Township, **Washington County**, Pittsburgh ACOE District (Washington West, PA Quadrangle N: 7.8 inches; W: 3.6 inches, Latitude: 40° 10' 07"; Longitude: 80° 16' 33"). To amend an already approved Environmental Assessment (EA63-004), which approved the following activities: permanently impacting 0.71 acre of PEM/PSS

wetlands during waste removal and regrading, restoring and stabilizing 800 linear feet of stream bank along Chartiers Creek (WWF), removing an abandoned concrete obstruction in Chartiers Creek (WWF) and constructing and maintaining approximately 2,600 linear feet of temporary sheet piling and earthen berms along the eastern bank of Chartiers Creek (WWF). The amendment requests additional permanent impacts to 0.28 acre of PEM/PSS wetlands during remedial activities related to the excavation of manufactured gas plant tar, the removal of fill from the installation of an earthen access ramp on the eastern bank of Chartiers Creek (WWF) north of the Caldwell Avenue Bridge, and the installation of a set of wooden stairs in the same general location to provide access to sampling point designated SS02. The applicant contributed \$6,500 to the Pennsylvania Wetland Replacement Fund as a form of mitigation for their 0.28 acre of additional wetland impact. The project is located in the vicinity of Caldwell Avenue, near the Jessop exit from I-70.

SPECIAL NOTICES

Notice of Public Hearing for NPDES Permit Application No. PAI023907002

Notice is hereby provided that the Department of Environmental Protection (Department) will hold a public hearing to accept comment on Individual National Pollutant Discharge Elimination System (NPDES) Permit Application No. PAI023907002 for the discharge of stormwater from construction activities at the proposed Brookshire Subdivision, in Upper Milford and Hereford Townships, Lehigh and Berks Counties.

The public hearing will be conducted on September 26, 2007, at 7 p.m. in the Upper Milford Township Municipal Building at 5831 Kings Highway South, Old Zionsville, PA 18068-0210, by the Department, Watershed Management Program, Permitting and Technical Services Section, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511. The hearing is in response to an application submitted by Brookshire Partners, LP, 1750 Walton Road, Blue Bell, PA 19422. The NPDES permit application proposes the discharge of stormwater from construction activities to Perkiomen Creek (HQ-CWF).

The Department requests that individuals wishing to testify at the hearing submit a written notice of such intent to: Brookshire Subdivision NPDES Public Hearing, Department of Environmental Protection, Watershed Management Program, 2 Public Square, Wilkes-Barre, PA 18711. The Department will accept notices up to the day of the hearing. The Department requests that individuals limit their testimony to 10 minutes so that all individuals have the opportunity to testify. The Department can only review comments made with regard to the NPDES Permit Application No. PAI023907002. Written copies of oral testimony are requested. Relinquishing time to others will not be allowed. All individuals attending the hearing will have the opportunity to testify if they so desire, however, individuals who preregister to testify will be given priority on the agenda.

Persons with a disability who wish to testify and require an auxiliary aid; service or other accommodation should contact Christine Domashinski of the Department at (570) 826-2511 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department can meet their needs.

The NPDES permit application is available for review at the Lehigh County Conservation District Office located in the Lehigh County Agricultural Center, Suite 102, 4184 Dorney Park Road, Allentown, (610)-391-9583.

For further information, contact Mark Carmon of the Department's Northeast Regional Office at (570) 826-2511.

Special Notice

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

Act 181 Solicitation Notice

Under Act 181 of 1984, the Department of Environmental Protection solicits letters of interest/reclamation proposals from landowners, licensed mine operators, and/or eligible reclamation contractors for the reclamation of the following abandoned strip mine project:

<i>Project</i>	<i>Municipality</i>	<i>County</i>	<i>Acres</i>
Cambria Mills Co., Inc. Lyncroft Mine SMP: 17803034	Beccaria	Clearfield	100

Letters of interest must be received by Tom Koptchak, Geologic Specialist at the Moshannon District Office, Department of Environmental Protection, 186 Enterprise Drive, Philipsburg, PA 16866, no later than 4 p.m., local time, September 15, 2007, to be considered.

Telephone inquiries shall be directed to Tom Koptchak, Moshannon at (814) 342-8140.

Project Overview: Reclamation of site includes regrading to eliminate two sedimentation ponds, two coal stockpile areas, planting of trees on 100 acres, backfilling and grading of two pit areas (~67 acres), reclamation of preexisting haul road, removal and disposal of on site trash, and the construction of one drainage channel measuring 700 ft. in length. Actual activities may vary depending on property owner preferences.

PUBLIC NOTICE

Department of Environmental Protection to Withdraw the Nutrient TMDLs for Neshaminy Creek Watershed

Department of Environmental Protection (Department) intends to withdraw, subject to United States Environmental Protection Agency (EPA) approval, the established nutrient Total Maximum Daily Loads (TMDLs) for the Neshaminy Creek Watershed. The Department developed, and EPA approved, nutrient TMDLs for the Neshaminy Creek Watershed on December 9, 2003. EPA proposes to establish, by June 30, 2008, TMDLs to replace the withdrawn TMDLs. The revised TMDLs will be based on an additional scientific evaluation of the nutrient-algal growth relationship as well as additional water quality modeling evaluations.

The Rationale for Withdrawal document can be accessed at www.dep.state.pa.us, DEP keyword: TMDL. Select Neshaminy Creek TMDL by name.

Direct any questions about the Neshaminy Creek TMDL withdrawal to Bill Brown at (717) 783-2951 or willbrown@state.pa.us.

[Pa.B. Doc. No. 07-1482. Filed for public inspection August 17, 2007, 9:00 a.m.]

Availability of Technical Guidance

Technical guidance documents are available on the Department of Environmental Protection's (Department) website at www.depweb.state.pa.us (DEP Keywords: Technical Guidance). The "Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final technical guidance documents are posted. The "Draft Technical Guidance" heading is the link to the Department's draft technical guidance documents.

The Department will continue to revise its nonregulatory documents, as necessary, throughout 2007.

Ordering Paper Copies of Department Technical Guidance

The Department encourages the use of the Internet to view and download technical guidance documents. When this option is not available, persons can order a paper copy of any of the Department's draft or final technical guidance documents by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

Changes to Technical Guidance Documents

Following is the current list of recent changes. Persons who have questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

Final Technical Guidance

DEP ID: 562-3000-102. Title: Coal and Industrial Mineral Mining Inspections. Description: This guidance document (formerly titled "Inspection") defines the content and frequency of inspections of coal and industrial minerals mining activities by inspectors of the Department's Bureau of District Mining Operations. Substantive revisions were made to the guidance in order to eliminate the requirement for monthly inspections for mining permits issued under 25 Pa. Code Chapter 87, Subchapter F or 25 Pa. Code Chapter 88, Subchapter G (relating to surface coal mines: minimum requirements for remining areas with pollutional discharges; and anthracite surface mining activities and anthracite bank removal and reclamation activities: minimum requirements for remining areas with pollutional discharges). In addition, a revision was also made to the document to ensure consistency with Federal regulations. Previously, the document identified that inspections would not be conducted after the bond for a mine site is collected. However, since Federal regulations require that inspections continue after collection of the bond, the inconsistency in the guidance was rectified.

Notice advertising the substantive revisions to the technical guidance document was published at 37 Pa.B. 2142 (May 5, 2007). A 30-day public comment period was provided, which concluded on June 4, 2007. One comment was received from the Federal Office of Surface Mining Reclamation and Enforcement. In response to the comment submitted, the guidance was revised in Section II.F.3 to include the statement that inspection frequency may be reduced to quarterly inspections on forfeited sites, if the sites are backfilled and stabilized with at least 70% overall ground cover, have effective erosion and sediment control structures which are preventing off site impacts, have no discharges that require treatment or which

exhibit a degradational trend, and do not present public health or safety hazards or environmental concerns. In response to this noted change, the Department also added Section II.G. to the guidance to elaborate on the priority order for which site inspections will be carried out by the Department. In addition to these changes, the Department has also clarified in the guidance that large industrial mineral mine sites should be inspected four times per year, whereas small sites may be inspected two times per year. Contact: William S. Allen, Jr., Department of Environmental Protection, Bureau of Mining and Reclamation, P. O. Box 8461, Harrisburg, PA 17105-8461, (717) 787-5103, wallen@state.pa.us. Effective Date: August 18, 2007.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 07-1483. Filed for public inspection August 17, 2007, 9:00 a.m.]

DEPARTMENT OF HEALTH

Application of Albert Einstein Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Albert Einstein Medical Center has requested an exception to the requirements of 28 Pa. Code § 139.12 (relating to neonatal care units).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

Those persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-1484. Filed for public inspection August 17, 2007, 9:00 a.m.]

Application of Drexel Center for Digestive Health for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Drexel Center for Digestive Health has requested an exception to the requirements of 28 Pa. Code § 555.31 (relating to principle).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-1485. Filed for public inspection August 17, 2007, 9:00 a.m.]

Application of Edgewood Surgical Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Edgewood Surgical Hospital has requested an exception to the requirements of 28 Pa. Code § 123.25(2) (relating to regulations for control of anesthetic explosion hazards).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

The facility is requesting a waiver of the comment period, as set forth in 28 Pa. Code § 51.33(c).

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone numbers or for speech and/or hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-1486. Filed for public inspection August 17, 2007, 9:00 a.m.]

Application of Frick Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Frick Hospital has requested an exception to the requirements of 28 Pa. Code §§ 107.11 and 146.1(a) (relating to principle).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-1487. Filed for public inspection August 17, 2007, 9:00 a.m.]

Application of The Good Samaritan Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that The Good Samaritan Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.3.2.2 (relating to patient holding).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact Director, Division of Acute and Ambulatory Care at (717) 783-8980 or for speech and/or

hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-1488. Filed for public inspection August 17, 2007, 9:00 a.m.]

Application of Grove City Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Grove City Medical Center has requested an exception to the requirements of 28 Pa. Code § 51.23 (relating to positron emission tomography).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-1489. Filed for public inspection August 17, 2007, 9:00 a.m.]

Application of Jameson Memorial Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Jameson Memorial Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.1.1.5 (handwashing stations), 2.1.1.6 (toilet room), 2.1.1.7 (patient wardrobe), 2.1.3.10 (soiled workroom), 3.2.1.2 (equipment) and 5.6.1 (housekeeping).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact Director, Division of Acute and Ambulatory Care at (717) 783-8980 or for speech and/or hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-1490. Filed for public inspection August 17, 2007, 9:00 a.m.]

Application of Latrobe Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Latrobe Hospital has requested an exception to the requirements of 28 Pa. Code §§ 107.11 and 146.1(a) (relating to principle).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

Those persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 or for speech and/or hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-1491. Filed for public inspection August 17, 2007, 9:00 a.m.]

Application of Lower Bucks Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Lower Bucks Hospital has requested an exception to the requirements of 28 Pa. Code § 138.1 (relating to principle).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of

Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone numbers or for speech and/or hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-1492. Filed for public inspection August 17, 2007, 9:00 a.m.]

Application of Ludwick Laser and Surgery Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Ludwick Laser and Surgery Center has requested an exception to the requirements of 28 Pa. Code § 571.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exemption from the following standards contained in this publication: 9.5.F3c (relating to recovery stations).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

Those persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so, should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 or for speech and/or hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

CALVIN B. JOHNSON, M. D., M.P.H.,

[Pa.B. Doc. No. 07-1493. Filed for public inspection August 17, 2007, 9:00 a.m.]

Application of Mt. Airy Ambulatory Endoscopy Surgery Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Mt. Airy Ambulatory Endoscopy Surgery Center has requested an exception to the requirements of 28 Pa. Code § 551.3 (relating to definitions).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-1494. Filed for public inspection August 17, 2007, 9:00 a.m.]

Application of Main Line Endoscopy Center, East for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Main Line Endoscopy Center, East has requested an exception to the requirements of 28 Pa. Code § 551.3 (relating to definitions).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980

or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-1495. Filed for public inspection August 17, 2007, 9:00 a.m.]

Application of Montgomery County Advanced Medical Imaging, LLC for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Montgomery County Advanced Medical Imaging, LLC has requested an exception to the requirements of 28 Pa. Code § 51.23 (relating to positron emission tomography).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-1496. Filed for public inspection August 17, 2007, 9:00 a.m.]

Application of Mountain Laurel Surgery Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Mountain Laurel Surgery Center has requested an exception to the requirements of 28 Pa. Code § 551.3 (relating to definitions).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be

reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-1497. Filed for public inspection August 17, 2007, 9:00 a.m.]

Application of Ohio Valley General Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Ohio Valley General Hospital has requested an exception to the requirements of 28 Pa. Code § 123.25(2) (relating to regulations for control of anesthetic explosion hazard).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

The facility is requesting a waiver of the comment period, as set forth in 28 Pa. Code § 51.33(c).

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone numbers or for speech and/or hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-1498. Filed for public inspection August 17, 2007, 9:00 a.m.]

Application of Pinnacle Health @ West Hanover Imaging Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Pinnacle Health @ West Hanover Imaging Center has requested an exception to the requirements of 28 Pa. Code § 51.23 (relating to positron emission tomography).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-1499. Filed for public inspection August 17, 2007, 9:00 a.m.]

Application of Riddle Memorial Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Riddle Memorial Hospital has requested an exception to the requirements of 28 Pa. Code § 138.18(b) (relating to EPS).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone numbers or for speech and/or hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-1500. Filed for public inspection August 17, 2007, 9:00 a.m.]

Application of St. Luke's Miners Memorial Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that St. Luke's Miners Memorial Hospital has requested an exception to the requirements of 28 Pa. Code § 123.25(2) (relating to regulations for control of anesthetic explosion hazards).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of

Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

The facility is requesting a waiver of the comment period, as set forth in 28 Pa. Code § 51.33(c).

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone numbers or for speech and/or hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-1501. Filed for public inspection August 17, 2007, 9:00 a.m.]

Application of Select Specialty Hospital—Central Pennsylvania for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Select Specialty Hospital—Central Pennsylvania has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 9.2.3.1 (relating to elevator size).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact Director, Division of Acute and Ambulatory Care at (717) 783-8980 or for speech and/or hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-1502. Filed for public inspection August 17, 2007, 9:00 a.m.]

Application of Sharon Regional Health System for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives

notice that Sharon Regional Health System has requested an exception to the requirements of 28 Pa. Code § 127.32 (relating to written orders).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 or for speech and/or hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-1503. Filed for public inspection August 17, 2007, 9:00 a.m.]

Application of SmartHealth Norwin Hills Outpatient Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that SmartHealth Norwin Hills Outpatient Center has requested an exception to the requirements of 28 Pa. Code §§ 553.1, 555.1, 557.1, 563.1, 563.12 and 567.2.

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

Those persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 or for speech and/or hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-1504. Filed for public inspection August 17, 2007, 9:00 a.m.]

Application of Surgical Center of York for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Surgical Center of York has requested an exception to the requirement of 28 Pa. Code § 569.35 (relating to general safety precautions).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

The facility is requesting a waiver of the comment period, as set forth in 28 Pa. Code § 51.33(c).

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone numbers or for speech and/or hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-1505. Filed for public inspection August 17, 2007, 9:00 a.m.]

Application of Troy Community Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Troy Community Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exception from the following standard contained in this publication: 2.1.5.3.3.3(1) (relating to phase II recovery).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact Director, Division of Acute and Ambulatory Care at (717) 783-8980 or for speech and/or

hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-1506. Filed for public inspection August 17, 2007, 9:00 a.m.]

Application of UPMC Northwest Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that UPMC Northwest Hospital has requested an exception to the requirements of 28 Pa. Code § 107.61 (relating to written orders).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone numbers or for speech and/or hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-1507. Filed for public inspection August 17, 2007, 9:00 a.m.]

Application of WellSpan Endoscopy Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that WellSpan Endoscopy Center has requested an exception to the requirements of 28 Pa. Code § 551.31 (relating to licensure).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-1508. Filed for public inspection August 17, 2007, 9:00 a.m.]

Application of Westmoreland Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Westmoreland Hospital has requested an exception to the requirements of 28 Pa. Code §§ 107.11 and 146.1(a) (relating to principle).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-1509. Filed for public inspection August 17, 2007, 9:00 a.m.]

Human Immunodeficiency Virus (HIV) Integrated Council; Public Meeting

The Statewide Integrated HIV Planning Council, established by the Department of Health (Department) under sections 301 and 317 of the Public Health Service Act (42 U.S.C.A. §§ 241(a) and 247(b)), will hold a public meeting on Tuesday, September 11, 2007, from 9 a.m. to 2 p.m. at the Harrisburg Holiday Inn West, 5401 Carlisle Pike, Mechanicsburg, PA, 17050.

For additional information, contact Joseph Pease, Department of Health, Bureau of Communicable Diseases, Room 1010, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-0572.

Persons with a disability who desire to attend the meeting and require an auxiliary aid, service or other

accommodation to do so should contact Joseph Pease at the previous number or at V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Services at (800) 654-5984 (TT).

The Department reserves the right to cancel this meeting without prior notice.

CALVIN B. JOHNSON, M. D., M.H.P.,
Secretary

[Pa.B. Doc. No. 07-1510. Filed for public inspection August 17, 2007, 9:00 a.m.]

Long-Term Care Nursing Facilities; Request for Exception

The following long-term care nursing facilities are seeking an exception to 28 Pa. Code § 205.6(a) (relating to function of building).

Baptist Homes of Western Pennsylvania
489 Castle Shannon Boulevard
Pittsburgh, PA 15234

Mt. Macrina Manor
520 West Main Street
Uniontown, PA 15401

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, paexcept@health.state.pa.us.

Those persons who wish to comment on this exception request may do so by sending a letter by mail, e-mail or facsimile to the division and address listed previously.

Comments received by the Department within 15 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who require an alternative format of this document or who desire to comment in an alternative format (for example, large print, audiotape, Braille), should contact the Division of Nursing Care Facilities at the address or phone numbers listed previously or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

CALVIN B. JOHNSON, M. D., M.H.P.,
Secretary

[Pa.B. Doc. No. 07-1511. Filed for public inspection August 17, 2007, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Boo Koo Bucks Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Boo Koo Bucks.

2. *Price:* The price of a Pennsylvania Boo Koo Bucks instant lottery game ticket is \$1.

3. *Play Symbols:* Each Pennsylvania Boo Koo Bucks instant lottery game ticket will contain one play area featuring a "LUCKY SYMBOL" area and a "YOUR GHOSTLY SYMBOLS" area. The play symbols and their captions located in the "LUCKY SYMBOL" area are: Hat symbol (HAT), Pumpkin symbol (PUMKIN), Spider symbol (SPIDER), Skull symbol (SKULL), Candle symbol (CANDLE), Frog symbol (FROG), Snake symbol (SNAKE), Cat symbol (CAT) and a Witch symbol (WITCH). The play symbols and their captions located in the "YOUR GHOSTLY SYMBOLS" area are: Hat symbol (HAT), Pumpkin symbol (PUMKIN), Spider symbol (SPIDER), Skull symbol (SKULL), Candle symbol (CANDLE), Frog symbol (FROG), Snake symbol (SNAKE), Cat symbol (CAT), Witch symbol (WITCH) and \$\$ symbol (DBLS).

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR GHOSTLY SYMBOLS" area are: FREE (TICKET), \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20\$ (TWENTY), \$40\$ (FORTY), \$100 (ONE HUN), \$400 (FOR HUN) and \$1,000 (ONE THO).

5. *Prizes:* The prizes that can be won in this game are: Free \$1 Ticket, \$1, \$2, \$5, \$10, \$20, \$40, \$100, \$400 and \$1,000. A player can win up to 5 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 9,360,000 tickets will be printed for the Pennsylvania Boo Koo Bucks instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "YOUR GHOSTLY SYMBOLS" play symbols matches the "LUCKY SYMBOL" play symbol and a prize symbol of \$1,000 (ONE THO) appears under the matching "YOUR GHOSTLY SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(b) Holders of tickets upon which any one of the "YOUR GHOSTLY SYMBOLS" play symbols matches the "LUCKY SYMBOL" play symbol and a prize symbol of \$400 (FOR HUN) appears under the matching "YOUR GHOSTLY SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$400.

(c) Holders of tickets upon which any one of the "YOUR GHOSTLY SYMBOLS" play symbols matches the "LUCKY SYMBOL" play symbol and a prize symbol of \$100 (ONE HUN) appears under the matching "YOUR GHOSTLY SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(d) Holders of tickets upon which any one of the "YOUR GHOSTLY SYMBOLS" is a \$\$ symbol (DBLS), and a prize symbol of \$40\$ (FORTY) appears under the \$\$ symbol (DBLS), on a single ticket, shall be entitled to a prize of \$80.

(e) Holders of tickets upon which any one of the "YOUR GHOSTLY SYMBOLS" play symbols matches the "LUCKY SYMBOL" play symbol and a prize symbol of \$40\$ (FORTY) appears under the matching "YOUR GHOSTLY SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(f) Holders of tickets upon which any one of the "YOUR GHOSTLY SYMBOLS" is a \$\$ symbol (DBLS), and a prize symbol of \$20\$ (TWENTY) appears under the \$\$ symbol (DBLS), on a single ticket, shall be entitled to a prize of \$40.

(g) Holders of tickets upon which any one of the "YOUR GHOSTLY SYMBOLS" play symbols matches the "LUCKY SYMBOL" play symbol and a prize symbol of \$20\$ (TWENTY) appears under the matching "YOUR GHOSTLY SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(h) Holders of tickets upon which any one of the "YOUR GHOSTLY SYMBOLS" is a \$\$ symbol (DBLS), and a prize symbol of \$10⁰⁰ (TEN DOL) appears under the \$\$ symbol (DBLS), on a single ticket, shall be entitled to a prize of \$20.

(i) Holders of tickets upon which any one of the "YOUR GHOSTLY SYMBOLS" play symbols matches the "LUCKY SYMBOL" play symbol and a prize symbol of \$10⁰⁰ (TEN DOL) appears under the matching "YOUR GHOSTLY SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(j) Holders of tickets upon which any one of the "YOUR GHOSTLY SYMBOLS" is a \$\$ symbol (DBLS), and a prize symbol of \$5⁰⁰ (FIV DOL) appears under the \$\$ symbol (DBLS), on a single ticket, shall be entitled to a prize of \$10.

(k) Holders of tickets upon which any one of the "YOUR GHOSTLY SYMBOLS" play symbols matches the "LUCKY SYMBOL" play symbol and a prize symbol of \$5⁰⁰ (FIV DOL) appears under the matching "YOUR GHOSTLY SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(l) Holders of tickets upon which any one of the "YOUR GHOSTLY SYMBOLS" play symbols matches the "LUCKY SYMBOL" play symbol and a prize symbol of \$2⁰⁰ (TWO DOL) appears under the matching "YOUR GHOSTLY SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$2.

(m) Holders of tickets upon which any one of the "YOUR GHOSTLY SYMBOLS" is a \$\$ symbol (DBLS), and a prize symbol of \$1⁰⁰ (ONE DOL) appears under the \$\$ symbol (DBLS), on a single ticket, shall be entitled to a prize of \$2.

(n) Holders of tickets upon which any one of the "YOUR GHOSTLY SYMBOLS" play symbols matches the "LUCKY SYMBOL" play symbol and a prize symbol of \$1⁰⁰ (ONE DOL) appears under the matching "YOUR GHOSTLY SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$1.

(o) Holders of tickets upon which any one of the "YOUR GHOSTLY SYMBOLS" play symbols matches the "LUCKY SYMBOL" play symbol and a prize symbol of FREE (TICKET) appears under the matching "YOUR GHOSTLY SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of one Pennsylvania Boo Koo Bucks instant game ticket or one Pennsylvania Lottery instant game ticket of equivalent sale price which is currently on sale.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

When Any Of Your Ghostly Symbols Match The Lucky Symbol, Win With Prize(s) Of:

	Win:	Approximate Odds of 1 In:	Approximate No. Of Winners Per 9,360,000 Tickets
FREE	FREE \$1 TICKET	10.71	873,600
\$1	\$1	150	62,400
\$1 × 2	\$2	50	187,200
\$1 w/\$\$	\$2	50	187,200
\$2	\$2	50	187,200
\$1 × 5	\$5	75	124,800
\$5	\$5	75	124,800
\$2 × 5	\$10	300	31,200
\$5 × 2	\$10	300	31,200
\$5 w/\$\$	\$10	300	31,200
\$10	\$10	300	31,200
\$5 × 4	\$20	1,500	6,240
\$10 × 2	\$20	1,500	6,240
\$10 w/\$\$	\$20	750	12,480
\$20	\$20	1,500	6,240
\$10 × 4	\$40	4,800	1,950
\$20 × 2	\$40	4,800	1,950
\$20 w/\$\$	\$40	4,800	1,950
\$40	\$40	4,800	1,950
\$20 × 5	\$100	15,000	624
(\$40 w/\$\$) + \$20	\$100	13,333	702
\$100	\$100	15,000	624
\$100 × 4	\$400	80,000	117
\$400	\$400	80,000	117
\$1,000	\$1,000	624,000	15

\$\$ (DBL\$) = Win double the prize shown under it automatically.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Boo Koo Bucks instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Boo Koo Bucks, prize money from winning Pennsylvania Boo Koo Bucks instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Boo Koo Bucks instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Boo Koo Bucks or through normal communications methods.

THOMAS W. WOLF,
Secretary

[Pa.B. Doc. No. 07-1512. Filed for public inspection August 17, 2007, 9:00 a.m.]

Pennsylvania Electric 8's Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Electric 8's.

2. *Price:* The price of a Pennsylvania Electric 8's instant lottery game ticket is \$2.

3. *Play Symbols:* Each Pennsylvania Electric 8's instant lottery game ticket will contain one play area. The play symbols and their captions printed in black ink, located in the play area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 19 (NINTN), 20 (TWENT) and 8 (BKEGT). The play symbols and their captions printed in red ink, located in the play area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 19 (NINTN), 20 (TWENT) and 8 (REGT).

4. *Prize Symbols:* The prize symbols and their captions, located in the 10 "prize" areas are: FREE (TICKET), \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$8⁰⁰ (EGT DOL), \$10⁰⁰ (TEN DOL), \$20\$ (TWENTY), \$40\$ (FORTY), \$100 (ONE HUN), \$400 (FOR HUN), \$1,000 (ONE THO) and \$28,000 (TWYEGTTHO).

5. *Prizes:* The prizes that can be won in this game are: Free \$2 Ticket, \$1, \$2, \$4, \$5, \$8, \$10, \$20, \$40, \$100, \$400, \$1,000 and \$28,000. The player can win up to 10 times on the ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 7,200,000 tickets will be printed for the Pennsylvania Electric 8's instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets with a play symbol of 8 (BKEGT), with the symbol and caption printed in black ink, and a prize symbol of \$28,000 (TWYEGTTHO) appearing in the "prize" area to the right of that 8 (BKEGT) play symbol, on a single ticket, shall be entitled to a prize of \$28,000.

(b) Holders of tickets with a play symbol of 8 (BKEGT), with the symbol and caption printed in black ink, and a prize symbol of \$1,000 (ONE THO) appearing in the "prize" area to the right of that 8 (BKEGT) play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets with a play symbol of 8 (BKEGT), with the symbol and caption printed in black ink, and a prize symbol of \$400 (FOR HUN) appearing in the "prize" area to the right of that 8 (BKEGT) play symbol, on a single ticket, shall be entitled to a prize of \$400.

(d) Holders of tickets with a play symbol of 8 (REGT), with the symbol and caption printed in red ink, and a prize symbol of \$40\$ (FORTY) appearing in the "prize" area to the right of that 8 (REGT) play symbol, on a single ticket, shall be entitled to a prize of \$320.

(e) Holders of tickets with a play symbol of 8 (BKEGT), with the symbol and caption printed in black ink, and a prize symbol of \$100 (ONE HUN) appearing in the "prize" area to the right of that 8 (BKEGT) play symbol, on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets with a play symbol of 8 (REGT), with the symbol and caption printed in red ink, and a prize symbol of \$10⁰⁰ (TEN DOL) appearing in the "prize" area to the right of that 8 (REGT) play symbol, on a single ticket, shall be entitled to a prize of \$80.

(g) Holders of tickets with a play symbol of 8 (BKEGT), with the symbol and caption printed in black ink, and a prize symbol of \$40\$ (FORTY) appearing in the "prize" area to the right of that 8 (BKEGT) play symbol, on a single ticket, shall be entitled to a prize of \$40.

(h) Holders of tickets with a play symbol of 8 (REGT), with the symbol and caption printed in red ink, and a prize symbol of \$5⁰⁰ (FIV DOL) appearing in the "prize" area to the right of that 8 (REGT) play symbol, on a single ticket, shall be entitled to a prize of \$40.

(i) Holders of tickets with a play symbol of 8 (REGT), with the symbol and caption printed in red ink, and a prize symbol of \$4⁰⁰ (FOR DOL) appearing in the "prize" area to the right of that 8 (REGT) play symbol, on a single ticket, shall be entitled to a prize of \$32.

(j) Holders of tickets with a play symbol of 8 (BKEGT), with the symbol and caption printed in black ink, and a prize symbol of \$20\$ (TWENTY) appearing in the "prize" area to the right of that 8 (BKEGT) play symbol, on a single ticket, shall be entitled to a prize of \$20.

(k) Holders of tickets with a play symbol of 8 (REGT), with the symbol and caption printed in red ink, and a prize symbol of \$2⁰⁰ (TWO DOL) appearing in the "prize" area to the right of that 8 (REGT) play symbol, on a single ticket, shall be entitled to a prize of \$16.

(l) Holders of tickets with a play symbol of 8 (BKEGT), with the symbol and caption printed in black ink, and a prize symbol of \$10⁰⁰ (TEN DOL) appearing in the "prize" area to the right of that 8 (BKEGT) play symbol, on a single ticket, shall be entitled to a prize of \$10.

(m) Holders of tickets with a play symbol of 8 (BKEGT), with the symbol and caption printed in black ink, and a prize symbol of \$8⁰⁰ (EGT DOL) appearing in the "prize" area to the right of that 8 (BKEGT) play symbol, on a single ticket, shall be entitled to a prize of \$8.

(n) Holders of tickets with a play symbol of 8 (REGT), with the symbol and caption printed in red ink, and a prize symbol of \$1⁰⁰ (ONE DOL) appearing in the "prize" area to the right of that 8 (REGT) play symbol, on a single ticket, shall be entitled to a prize of \$8.

(o) Holders of tickets with a play symbol of 8 (BKEGT), with the symbol and caption printed in black ink, and a prize symbol of \$5⁰⁰ (FIV DOL) appearing in the "prize" area to the right of that 8 (BKEGT) play symbol, on a single ticket, shall be entitled to a prize of \$5.

(p) Holders of tickets with a play symbol of 8 (BKEGT), with the symbol and caption printed in black ink, and a prize symbol of \$4⁰⁰ (FOR DOL) appearing in the "prize" area to the right of that 8 (BKEGT) play symbol, on a single ticket, shall be entitled to a prize of \$4.

(q) Holders of tickets with a play symbol of 8 (BKEGT), with the symbol and caption printed in black ink, and a prize symbol of \$2⁰⁰ (TWO DOL) appearing in the "prize" area to the right of that 8 (BKEGT) play symbol, on a single ticket, shall be entitled to a prize of \$2.

(r) Holders of tickets with a play symbol of 8 (BKEGT), with the symbol and caption printed in black ink, and a prize symbol of \$1⁰⁰ (ONE DOL) appearing in the "prize" area to the right of that 8 (BKEGT) play symbol, on a single ticket, shall be entitled to a prize of \$1.

(s) Holders of tickets with a play symbol of 8 (BKEGT), with the symbol and caption printed in black ink, and a prize symbol of FREE (TICKET) appearing in the "prize" area to the right of that 8 (BKEGT) play symbol, on a single ticket, shall be entitled to a prize of one Pennsylvania Electric 8's instant game ticket or one Pennsylvania Lottery instant game ticket of equivalent sale price which is currently on sale.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

<i>Find A Black "8" Symbol, Win With Prize(s) Of:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. of Winners Per 7,200,000 Tickets</i>
FREE	FREE \$2 TICKET	12.50	576,000
\$1 × 2	\$2	50	144,000
\$2	\$2	50	144,000
\$1 × 4	\$4	60	120,000
\$4	\$4	60	120,000

<i>Find A Black "8" Symbol, Win With Prize(s) Of:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. of Winners Per 7,200,000 Tickets</i>
\$1 × 5	\$5	150	48,000
\$5	\$5	150	48,000
\$1 × 8	\$8	375	19,200
\$1 w/RED 8	\$8	375	19,200
\$2 × 4	\$8	375	19,200
\$4 × 2	\$8	375	19,200
\$8	\$8	375	19,200
\$1 × 10	\$10	375	19,200
(\$1 w/RED 8) + \$2	\$10	375	19,200
\$2 × 5	\$10	375	19,200
\$5 × 2	\$10	375	19,200
\$10	\$10	375	19,200
\$2 × 10	\$20	750	9,600
(\$2 w/RED 8) + (\$2 × 2)	\$20	750	9,600
\$5 × 4	\$20	750	9,600
\$10 × 2	\$20	750	9,600
\$20	\$20	750	9,600
\$4 × 10	\$40	1,500	4,800
(\$4 w/RED 8) + (\$4 × 2)	\$40	1,500	4,800
\$5 w/RED 8	\$40	1,500	4,800
\$10 × 4	\$40	1,500	4,800
\$40	\$40	1,500	4,800
\$10 × 10	\$100	3,000	2,400
\$20 × 5	\$100	3,000	2,400
(\$10 w/RED 8) + (\$10 × 2)	\$100	3,000	2,400
(\$40 × 2) + (\$10 × 2)	\$100	3,000	2,400
\$100	\$100	3,000	2,400
\$40 × 10	\$400	20,000	360
(\$40 w/RED 8) + (\$40 × 2)	\$400	20,000	360
\$100 × 4	\$400	20,000	360
\$400	\$400	20,000	360
\$100 × 10	\$1,000	20,000	360
\$1,000	\$1,000	20,000	360
\$28,000	\$28,000	720,000	10

RED 8 (REGT) = Win 8 times the prize shown to the right of that symbol.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Electric 8's instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Electric 8's, prize money from winning Pennsylvania Electric 8's instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Electric 8's instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets

from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Electric 8's or through normal communications methods.

THOMAS W. WOLF,
Secretary

[Pa.B. Doc. No. 07-1513. Filed for public inspection August 17, 2007, 9:00 a.m.]

Pennsylvania Jack O' Lantern Cash '07 Instant Lottery Game

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Jack O' Lantern Cash '07.

2. *Price:* The price of a Pennsylvania Jack O' Lantern Cash '07 instant lottery game ticket is \$5.

3. *Play Symbols:* Each Pennsylvania Jack O' Lantern Cash '07 instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions located in the "WINNING NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THR TN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR) and 24 (TWYFOR). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THR TN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR) and a Cat symbol (CAT).

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: FREE (TICKET), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20\$ (TWENTY), \$40\$ (FORTY), \$50\$ (FIFTY), \$100 (ONE HUN), \$400 (FOR HUN), \$500 (FIV HUN), \$1,000 (ONE THO) and \$50,000 (FTY THO).

5. *Prizes:* The prizes that can be won in this game are: Free \$5 Ticket, \$5, \$10, \$20, \$40, \$50, \$100, \$400, \$500, \$1,000 and \$50,000. A player can win up to 10 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 4,320,000 tickets will be printed for the Pennsylvania Jack O' Lantern Cash '07 instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50,000 (FTY THO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50,000.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Cat symbol (CAT), and a prize symbol of \$1,000 (ONE THO) appears under the Cat symbol (CAT), on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Cat symbol (CAT), and a prize symbol of \$500 (FIV HUN) appears under the Cat symbol (CAT), on a single ticket, shall be entitled to a prize of \$500.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$400 (FOR HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$400.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Cat symbol (CAT), and a prize symbol of \$400 (FOR HUN) appears under the Cat symbol (CAT), on a single ticket, shall be entitled to a prize of \$400.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Cat symbol (CAT), and a prize symbol of \$100 (ONE HUN) appears under the Cat symbol (CAT), on a single ticket, shall be entitled to a prize of \$100.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50\$ (FIFTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Cat symbol (CAT), and a prize symbol of \$50\$ (FIFTY) appears under the Cat symbol (CAT), on a single ticket, shall be entitled to a prize of \$50.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$40\$ (FORTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Cat symbol (CAT), and a prize symbol of \$40\$ (FORTY) appears under the Cat symbol (CAT), on a single ticket, shall be entitled to a prize of \$40.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$20\$ (TWENTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(o) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Cat symbol (CAT), and a prize symbol of \$20\$ (TWENTY) appears under the Cat symbol (CAT), on a single ticket, shall be entitled to a prize of \$20.

(p) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10⁰⁰ (TEN DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(q) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Cat symbol (CAT), and a prize symbol of \$10⁰⁰ (TEN DOL) appears under the Cat symbol (CAT), on a single ticket, shall be entitled to a prize of \$10.

(r) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$5⁰⁰ (FIV DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(s) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Cat symbol (CAT), and a prize symbol of \$5^{.00} (FIV DOL) appears under the Cat symbol (CAT) on a single ticket, shall be entitled to a prize of \$5.

(t) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of FREE (TICKET) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of one Pennsylvania Jack O' Lantern Cash '07 instant game ticket or one Pennsylvania Lottery instant game ticket of equivalent sale price which is currently on sale.

(u) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Cat symbol (CAT), and a prize symbol of FREE (TICKET) appears under the Cat symbol (CAT), on a single ticket, shall be entitled to a prize of one Pennsylvania Jack O' Lantern Cash '07 instant game ticket or one Pennsylvania Lottery instant game ticket of equivalent sale price which is currently on sale.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

When Any Of Your Numbers Match Any Of The Winning Numbers, Win With Prize(s) Of:

	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 4,320,000 Tickets</i>
FREE w/CAT	FREE \$5 TICKET	20	216,000
FREE	FREE \$5 TICKET	20	216,000
\$5 w/CAT	\$5	120	36,000
\$5	\$5	120	36,000
\$5 × 2	\$10	60	72,000
\$10 w/CAT	\$10	30	144,000
\$10	\$10	60	72,000
\$20 w/CAT	\$20	60	72,000
\$20	\$20	60	72,000
\$5 × 8	\$40	600	7,200
\$10 × 4	\$40	600	7,200
\$20 × 2	\$40	600	7,200
\$40 w/CAT	\$40	600	7,200
\$40	\$40	600	7,200
\$5 × 10	\$50	600	7,200
\$10 × 5	\$50	600	7,200
(\$20 × 2) + (\$5 × 2)	\$50	600	7,200
\$50 w/CAT	\$50	600	7,200
\$50	\$50	600	7,200
\$10 × 10	\$100	1,200	3,600
\$20 × 5	\$100	1,200	3,600
\$50 × 2	\$100	1,200	3,600
\$100 w/CAT	\$100	1,200	3,600
\$100	\$100	1,200	3,600
\$40 × 10	\$400	12,000	360
\$100 × 4	\$400	12,000	360
\$400 w/CAT	\$400	12,000	360
\$400	\$400	12,000	360
\$50 × 10	\$500	15,000	288
\$100 × 5	\$500	15,000	288
\$500 w/CAT	\$500	20,000	216
\$500	\$500	15,000	288
\$1,000 w/CAT	\$1,000	12,000	360
\$1,000	\$1,000	12,000	360
\$50,000	\$50,000	360,000	12

CAT (CAT) = Win prize shown under it automatically.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Jack O' Lantern Cash '07 instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Jack O' Lantern Cash '07, prize money from winning Pennsylvania Jack O' Lantern Cash '07 instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Jack O' Lantern Cash '07 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will

expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Jack O' Lantern Cash '07 or through normal communications methods.

THOMAS W. WOLF,
Secretary

[Pa.B. Doc. No. 07-1514. Filed for public inspection August 17, 2007, 9:00 a.m.]

Pennsylvania Stacks Of Cash Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Stacks Of Cash.

2. *Price:* The price of a Pennsylvania Stacks Of Cash instant lottery game ticket is \$10.

3. *Play Symbols:* Each Pennsylvania Stacks Of Cash instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions located in the "WINNING NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN) and 30 (THIRTY). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), Safe symbol (SAFE), 10X symbol (10TIMES) and a Star symbol (STAR).

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$15\$ (FIFTN), \$20\$ (TWENTY), \$25\$ (TWY FIV), \$50\$ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO), \$20,000 (TWY THO), \$250,000 (TWHNFYTH) and \$500,000 (FIVHUNTHO).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$15, \$20, \$25, \$50, \$100, \$200, \$500, \$1,000,

\$10,000, \$20,000, \$250,000 and \$500,000. The player can win up to 15 times on the ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 6,000,000 tickets will be printed for the Pennsylvania Stacks Of Cash instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$500,000 (FIVHUNTHO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500,000.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$250,000 (TWHNFYTH) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$250,000.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$20,000 (TWY THO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20,000.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10,000 (TEN THO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Safe symbol (SAFE), and a prize symbol of \$500 (FIV HUN) appears under the Safe symbol (SAFE), on a single ticket, shall be entitled to a prize of \$500.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 10X symbol (10TIMES), and a prize symbol of \$50\$ (FIFTY) appears under the 10X symbol (10TIMES), on a single ticket, shall be entitled to a prize of \$500.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Star symbol (STAR), and a prize symbol of \$25\$ (TWY FIV) appears in ten of the "prize" areas, and a prize symbol of \$50\$ (FIFTY) appears in five of the "prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$200 (TWO HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$200.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol

of \$100 (ONE HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Safe symbol (SAFE), and a prize symbol of \$100 (ONE HUN) appears under the Safe symbol (SAFE), on a single ticket, shall be entitled to a prize of \$100.

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 10X symbol (10TIMES), and a prize symbol of \$10⁰⁰ (TEN DOL) appears under the 10X symbol (10TIMES), on a single ticket, shall be entitled to a prize of \$100.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Star symbol (STAR), and a prize symbol of \$5⁰⁰ (FIV DOL) appears in ten of the "prize" areas, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in five of the "prize" areas, on a single ticket, shall be entitled to a prize of \$100.

(o) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50\$ (FIFTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(p) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Safe symbol (SAFE), and a prize symbol of \$50\$ (FIFTY) appears under the Safe symbol (SAFE), on a single ticket, shall be entitled to a prize of \$50.

(q) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 10X symbol (10TIMES), and a prize symbol of \$5⁰⁰ (FIV DOL) appears under the 10X symbol (10TIMES), on a single ticket, shall be entitled to a prize of \$50.

(r) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$25\$ (TWY FIV) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$25.

(s) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Safe symbol (SAFE), and a prize symbol of \$25\$ (TWY FIV) appears under the Safe symbol (SAFE), on a single ticket, shall be entitled to a prize of \$25.

(t) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$20\$ (TWENTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(u) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$15\$ (FIFTN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$15.

(v) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Safe symbol (SAFE), and a prize symbol of \$15\$ (FIFTN) appears under the Safe symbol (SAFE), on a single ticket, shall be entitled to a prize of \$15.

(w) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10⁰⁰ (TEN DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(x) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Safe symbol (SAFE), and a prize symbol of \$10⁰⁰ (TEN DOL) appears under the Safe symbol (SAFE), on a single ticket, shall be entitled to a prize of \$10.

(y) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$5⁰⁰ (FIV DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

When Any Of Your Numbers Match Any Of The Winning Numbers, Win With Prize(s) Of:

<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 6,000,000 Tickets</i>
\$5 × 2	\$10	19.35
\$10 w/SAFE	\$10	14.63
\$5 × 3	\$15	100
\$15 w/SAFE	\$15	42.86
\$5 × 4	\$20	150
\$10 × 2	\$20	60
\$20	\$20	30
\$5 × 5	\$25	150
\$5 × 3 + \$10	\$25	150
\$15 + \$10	\$25	150
\$25 w/SAFE	\$25	75
\$5 × 10	\$50	300
\$10 × 5	\$50	600
\$25 × 2	\$50	600
\$5 w/10X	\$50	200
\$50 w/SAFE	\$50	200
\$10 × 10	\$100	489.80
\$50 × 2	\$100	489.80

When Any Of Your Numbers
Match Any Of The Winning
Numbers, Win With Prize(s)
Of:

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 6,000,000 Tickets
\$10 w/10X	\$100	489.80	12,250
STAR w/(\$5 × 10) + (\$10 × 5)	\$100	489.80	12,250
\$100 w/SAFE	\$100	489.80	12,250
\$50 × 10	\$500	8,000	750
\$100 × 5	\$500	8,000	750
\$50 w/10X	\$500	8,000	750
\$500 w/SAFE	\$500	8,000	750
STAR w/(\$25 × 10) + (\$50 × 5)	\$500	10,000	600
\$100 × 10	\$1,000	10,000	600
\$200 × 5	\$1,000	12,000	500
\$500 × 2	\$1,000	10,000	600
\$1,000	\$1,000	10,000	600
\$10,000	\$10,000	60,000	100
\$20,000	\$20,000	240,000	25
\$250,000	\$250,000	1,000,000	6
\$500,000	\$500,000	1,000,000	6

SAFE (SAFE) = Win prize shown under it automatically.
10X (10TIMES) = Win 10 times the prize shown under it.
STAR (STAR) = Win all 15 prizes shown.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Stacks Of Cash instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Stacks Of Cash, prize money from winning Pennsylvania Stacks Of Cash instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Stacks Of Cash instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Stacks Of Cash or through normal communications methods.

THOMAS W. WOLF,
Secretary

[Pa.B. Doc. No. 07-1515. Filed for public inspection August 17, 2007, 9:00 a.m.]

Pennsylvania Triple Payout Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Triple Payout.

2. *Price:* The price of a Pennsylvania Triple Payout instant lottery game ticket is \$1.

3. *Play Symbols:* Each Pennsylvania Triple Payout instant lottery game ticket features a play area and a "TRIPLER BONUS" area. The play area will contain "LINE 1," "LINE 2," "LINE 3" and "LINE 4." Each "LINE" is played separately. The prize play symbols and their captions located in the play area are: FREE (TICKET), \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$3⁰⁰ (THR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20\$ (TWENTY), \$30\$ (THIRTY), \$100 (ONE HUN), \$300 (THR HUN), \$1,000 (ONE THO) and \$3,000 (THR THO). The play symbols located in the "TRIPLER BONUS" area are: 3X (3TIMES), TRY (AGAIN) and NO (BONUS).

4. *Prizes:* The prizes that can be won in this game are: Free \$1 Ticket, \$1, \$2, \$3, \$5, \$10, \$20, \$30, \$100, \$300, \$1,000 and \$3,000. The player can win up to 4 times on a ticket.

5. *Approximate Number of Tickets Printed For the Game:* Approximately 9,600,000 tickets will be printed for the Pennsylvania Triple Payout instant lottery game.

6. *Determination of Prize Winners:*

(a) Holders of tickets with three matching prize play symbols of \$3,000 (THR THO) in the same "LINE," on a single ticket, shall be entitled to a prize of \$3,000.

(b) Holders of tickets with three matching prize play symbols of \$1,000 (ONE THO) in the same "LINE," on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets with three matching prize play symbols of \$300 (THR HUN) in the same "LINE," on a single ticket, shall be entitled to a prize of \$300.

(d) Holders of tickets with three matching prize play symbols of \$100 (ONE HUN) in the same "LINE," and a 3X (3TIMES) play symbol appears in the "TRIPLER BONUS" area to the right of that "LINE," on a single ticket, shall be entitled to a prize of \$300.

(e) Holders of tickets with three matching prize play symbols of \$100 (ONE HUN) in the same "LINE," on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets with three matching prize play symbols of \$30\$ (THIRTY) in the same "LINE," and a 3X (3TIMES) play symbol appears in the "TRIPLER BONUS" area to the right of that "LINE," on a single ticket, shall be entitled to a prize of \$90.

(g) Holders of tickets with three matching prize play symbols of \$30\$ (THIRTY) in the same "LINE," on a single ticket, shall be entitled to a prize of \$30.

(h) Holders of tickets with three matching prize play symbols of \$10^{.00} (TEN DOL) in the same "LINE," and a 3X (3TIMES) play symbol appears in the "TRIPLER BONUS" area to the right of that "LINE," on a single ticket, shall be entitled to a prize of \$30.

(i) Holders of tickets with three matching prize play symbols of \$20\$ (TWENTY) in the same "LINE," on a single ticket, shall be entitled to a prize of \$20.

(j) Holders of tickets with three matching prize play symbols of \$5^{.00} (FIV DOL) in the same "LINE," and a 3X (3TIMES) play symbol appears in the "TRIPLER BONUS" area to the right of that "LINE," on a single ticket, shall be entitled to a prize of \$15.

(k) Holders of tickets with three matching prize play symbols of \$10^{.00} (TEN DOL) in the same "LINE," on a single ticket, shall be entitled to a prize of \$10.

(l) Holders of tickets with three matching prize play symbols of \$3^{.00} (THR DOL) in the same "LINE," and a

3X (3TIMES) play symbol appears in the "TRIPLER BONUS" area to the right of that "LINE," on a single ticket, shall be entitled to a prize of \$9.

(m) Holders of tickets with three matching prize play symbols of \$2^{.00} (TWO DOL) in the same "LINE," and a 3X (3TIMES) play symbol appears in the "TRIPLER BONUS" area to the right of that "LINE," on a single ticket, shall be entitled to a prize of \$6.

(n) Holders of tickets with three matching prize play symbols of \$5^{.00} (FIV DOL) in the same "LINE," on a single ticket, shall be entitled to a prize of \$5.

(o) Holders of tickets with three matching prize play symbols of \$3^{.00} (THR DOL) in the same "LINE," on a single ticket, shall be entitled to a prize of \$3.

(p) Holders of tickets with three matching prize play symbols of \$1^{.00} (ONE DOL) in the same "LINE," and a 3X (3TIMES) play symbol appears in the "TRIPLER BONUS" area to the right of that "LINE," on a single ticket, shall be entitled to a prize of \$3.

(q) Holders of tickets with three matching prize play symbols of \$2^{.00} (TWO DOL) in the same "LINE," on a single ticket, shall be entitled to a prize of \$2.

(r) Holders of tickets with three matching prize play symbols of \$1^{.00} (ONE DOL) in the same "LINE," on a single ticket, shall be entitled to a prize of \$1.

(s) Holders of tickets with three matching prize play symbols of FREE (TICKET) in the same "LINE," on a single ticket, shall be entitled to a prize of shall be entitled to a prize of one Pennsylvania Triple Payout instant game ticket or one Pennsylvania Lottery instant game ticket of equivalent sale price which is currently on sale.

7. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

*Match 3 Like Amounts In
The Same Line, Win That
Amount. Win With Prize(s)
Of:*

<i>Of:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 9,600,000 Tickets</i>
FREE	FREE \$1 TICKET	11.54	832,000
\$1	\$1	75	128,000
\$1 × 2	\$2	37.50	256,000
\$2	\$2	37.50	256,000
\$1 × 3	\$3	300	32,000
\$1 w/3X	\$3	60	160,000
\$1 + \$2	\$3	300	32,000
\$3	\$3	300	32,000
(\$1 w/3X) + \$2	\$5	100	96,000
\$5	\$5	300	32,000
(\$2 w/3X) + (\$2 × 2)	\$10	428.57	22,400
(\$3 × 2) + (\$2 × 2)	\$10	1,000	9,600
(\$3 w/3X) + \$1	\$10	428.57	22,400
\$10	\$10	1,000	9,600
\$5 × 4	\$20	1,500	6,400
(\$5 w/3X) + \$5	\$20	750	12,800
\$10 × 2	\$20	1,500	6,400
\$20	\$20	1,500	6,400
(\$5 w/3X) + (\$5 × 3)	\$30	2,182	4,400
\$10 × 3	\$30	2,667	3,600
\$10 w/3X	\$30	2,182	4,400
\$30	\$30	2,553	3,760

Match 3 Like Amounts In
The Same Line, Win That
Amount. Win With Prize(s)
Of:

(\$30 w/3X) + (\$5 × 2)
(\$30 w/3X) + \$10
\$100
\$100 w/3X
\$100 × 3
\$300
\$1,000
\$1,000 × 3
\$3,000

Win:

\$100
\$100
\$100
\$300
\$300
\$300
\$1,000
\$3,000
\$3,000

Approximate
Odds Are 1 In:

16,000
16,000
16,000
48,000
48,000
48,000
60,000
240,000
240,000

Approximate No.
Of Winners Per
9,600,000 Tickets

600
600
600
200
200
200
160
40
40

3X (3TIMES) in Tripler Bonus = Win triple the prize won for that Line.

Prizes, including top prizes, are subject to availability at the time of purchase.

8. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Triple Payout instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

9. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Triple Payout, prize money from winning Pennsylvania Triple Payout instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Triple Payout instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

10. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

11. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Triple Payout or through normal communications methods.

THOMAS W. WOLF,
Secretary

[Pa.B. Doc. No. 07-1516. Filed for public inspection August 17, 2007, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Local Transportation Organization Base Operating Allocations

The Department of Transportation (Department), as required by the act of July 18, 2007 (P.L. 169, No. 44) (act) is publishing the base operating allocation for each local transportation organization. The act defines the base operating allocation as the total amount of State operating assistance, reimbursement in lieu of fares for senior passengers and other assistance which was used for

operating assistance as determined by the Department in Fiscal Year 2005-2006. The base operating allocation for each local transportation organization is as follows:

Local Transportation Organization	Base Operating Allocation
Southeastern Pennsylvania Transportation Authority (SEPTA)	\$334,301,732
*Borough of Conshohocken	\$6,699
*Bucks County Transportation Management Association, Inc.	\$13,376
*Central Philadelphia Transportation Management Association	\$67,264
*Krapf's Coaches, Inc.	\$31,332
*The Partnership TMA of Montgomery County	\$10,988
*Township of Abington	\$22,088
*Township of Cheltenham	\$25,154
*Transportation Management Association of Chester County	\$11,931
*Upper Merion Township	\$16,654
Port Authority of Allegheny County (PAAC)	\$122,559,000
Altoona Metro Transit (AMTRAN)	\$1,461,332
Beaver County Transit Authority (BCTA) (Urban)	\$1,493,044
Berks Area Reading Transportation Authority (BARTA)	\$3,718,679
Borough of Pottstown	\$522,796
Cambria County Transit Authority (CCTA) (Urban)	\$2,836,279
Capital Area Transit (CAT)	\$3,402,113
** Capitol Bus Company	\$89,018
Centre Area Transportation Authority (CATA)	\$1,786,432
City of Hazleton (HPT)	\$945,188
City of Sharon (SVSS)	\$413,497
City of Washington	\$697,217
*G. G. & C. Bus Company, Inc.	\$23,389
City of Williamsport (RVT)	\$1,828,741
County of Fayette (FACT)	\$308,089
County of Lackawanna Transit System (COLTS)	\$3,698,206
County of Lebanon Transit Authority (COLT)	\$765,763

<i>Local Transportation Organization</i>	<i>Base Operating Allocation</i>
Erie Metropolitan Transit Authority (EMTA)	\$3,654,618
Lehigh and Northampton Transportation Authority (LANTA)	\$6,155,649
Luzerne County Transportation Authority (LCTA)	\$2,833,163
*Frank Martz Coach Company	\$13,222
Mid Mon Valley Transit Authority (MMVTA)	\$1,193,067
*George Kessler t/d/b/a Hill Top Bus Lines	\$73,885
Red Rose Transit Authority (RRTA)	\$2,347,736
Westmoreland County Transit Authority (WCTA) (Urban)	\$853,573
York County Transportation Authority (YCTA) (Urban)	\$1,936,577
Area Transportation Authority of North Central PA (ATA)	\$1,702,749
Beaver County Transit Authority (BCTA) (Rural)	\$126,815
Borough of Mount Carmel (LATS)	\$155,770
Butler Transit Authority (BTA)	\$326,218
Cambria County Transit Authority (CCTA) (Rural)	\$840,519
County of Carbon (CTS)	\$153,318
County of Schuylkill (STS)	\$715,653
County of Venango	\$141,680
Crawford Area Transportation Authority (CATA)	\$264,867
DuFAST Joint Transportation Authority (DuFAST)	\$247,423
Endless Mountains Transportation Authority (EMTA)	\$292,240
Indiana County Transit Authority (ICTA)	\$541,913
Mid-County Transit Authority (Town & Country Transit)	\$273,026
Monroe County Transportation Authority (MCTA)	\$942,224
New Castle Area Transit Authority (NCATA)	\$2,055,132
Transit Authority of Warren County (TAWC)	\$279,315
Westmoreland County Transit Authority (WCTA) (Rural)	\$506,965
York County Transportation Authority (YCTA) (Rural)	\$182,472

* Public transportation service providers within the transit authority service area

** Capitol Bus base allocation includes all operating assistance

ALLEN D. BIEHLER, P. E.,
Secretary

[Pa.B. Doc. No. 07-1517. Filed for public inspection August 17, 2007, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Action Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10:30 a.m., Thursday, August 2, 2007, and announced the following:

Regulation Approved:

Department of Transportation #18-402: School Bus Drivers (amends 67 Pa. Code §§ 71.2 and 71.3).

Approval Order

Public Meeting held
August 2, 2007

Commissioners Voting: Arthur Coccodrilli, Chairperson; Alvin C. Bush, Vice Chairperson; David J. DeVries, Esq., by Proxy; John F. Mizner, Esq.

*Department of Transportation—School Bus Drivers;
Regulation No. 18-402 (#2482)*

On May 13, 2005, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Transportation (Department). This rulemaking amends 67 Pa. Code §§ 71.2 and 71.3. The proposed regulation was published in the May 28, 2005 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on June 25, 2007.

This regulation adds “chiropractor” to the existing list of health care professionals who are authorized to conduct physical examinations and issue the required certificates for school bus driver endorsements. This is consistent with amendments to the Vehicle Code in Act 76 of 2004.

We have determined this regulation is consistent with the statutory authority of the Department (75 Pa.C.S.A. §§ 1508.1 and 1509) and the intention of the General Assembly. Having considered all the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

ARTHUR COCCODRILLI,
Chairperson

[Pa.B. Doc. No. 07-1518. Filed for public inspection August 17, 2007, 9:00 a.m.]

INSURANCE DEPARTMENT

Application and Request for a Certificate of Authority

Davis Nursing Home, Inc. has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Davis Manor in Mountain Top, PA. The initial filing was received on August 2, 2007, and was made under the Continuing Care Provider Registration and Disclosure Act (40 P.S. §§ 3201—3225). Persons wishing to comment on the grounds of public or private

interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, by fax (717) 787-8557 or syerger@state.pa.us.

JOEL SCOTT ARIO,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-1519. Filed for public inspection August 17, 2007, 9:00 a.m.]

Blue Cross of Northeastern Pennsylvania; Blue Care Nongroup Cooperative (Nongroup Conversion and Direct Enrollment); Rate Filing

By filing No. 1365-BCNGCOOP-1/1/08 Blue Cross of Northeastern Pennsylvania requests approval to increase rates for its Nongroup Cooperative Program (Nongroup Conversion and Direct Enrollment). The filing requests a rate increase of 25%. This will affect about 7,730 subscribers and will produce additional revenue of about \$2.03 million annually. The requested effective date of the change is January 1, 2008.

Unless formal administrative action is taken prior to November 1, 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. 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, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-1520. Filed for public inspection August 17, 2007, 9:00 a.m.]

Blue Cross of Northeastern Pennsylvania; Filing No. 1362-BCSEC65-1/1/08; Application for Approval of Revised Rates for Nongroup Medigap Hospitalization Program (Security 65); Rate Filing

Blue Cross of Northeastern Pennsylvania has filed for approval revised rates for its Nongroup Medigap Security 65 Hospitalization Program. The requested effective date

of the revised rates is January 1, 2008. The most recent prior rate adjustment for this program took effect on October 1, 2005. The current and requested rates for new entrants age 65—69, and the requested rate adjustments, are as follows:

	<i>Current Rate</i>	<i>Proposed Rate</i>	<i>Rate Adjustment</i>
Security 65 Package A	\$35.62	\$35.62	0.00%
Security 65 Package B	\$56.54	\$59.38	5.02%
Security 65 Package C	\$69.89	\$77.58	11.01%
Security 65 Package H w/o Rx	\$69.17	\$76.82	11.06%
Security 65 Package H with Rx	\$128.31	\$128.31	0.00%

The composite impact of these proposed rate adjustments is approximately 9.80%. These changes would impact approximately 38,536 subscribers and would produce approximately \$3.16 million in additional premium annually.

Unless formal administrative action is taken prior to November 1, 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. 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, Philadelphia 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, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-1521. Filed for public inspection August 17, 2007, 9:00 a.m.]

Blue Cross of Northeastern Pennsylvania; Nongroup Special Care; Rate Filing

By filing No. 1363-BCSP-1/1/08, Blue Cross of Northeastern Pennsylvania requests approval to increase rates for its Nongroup Special Care Program. The filing requests a rate increase of 9.8%. This will affect about 5,214 members and will produce additional revenue of about \$0.304 million annually. The requested effective date of the change is January 1, 2008.

Unless formal administrative action is taken prior to November 1, 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.

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, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-1522. Filed for public inspection August 17, 2007, 9:00 a.m.]

Blue Cross of Northeastern Pennsylvania; Nongroup Student Plan; Filing No. 1366-BCST-1/1/08; Rate Filing

On August 2, 2007, the Insurance Department (Department) received from Blue Cross of Northeastern Pennsylvania a filing for a rate increase for its Nongroup Student Plan.

The company requests a 15% increase or \$5.76 per member per month. This will affect about 610 contractholders and will produce additional income of about \$42,220 annually. The requested effective date of the change is January 1, 2008.

Unless formal administrative action is taken prior to November 1, 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. 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 in Harrisburg.

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, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-1523. Filed for public inspection August 17, 2007, 9:00 a.m.]

Conseco Senior Health Insurance Company; 25% Rate Increase Filing for Several LTC Policy Forms; Rate Filing

Conseco Senior Health Insurance Company is requesting approval to increase the premium 25% on several Long-Term Care policy forms. The company is requesting a 25% increase on the following forms which were

originally issued by American Travelers: ATL-NCP-88, ATL-NHP-1, ATL-CIS-85, ATL-CSN-78, SNH and GMA. The company is requesting a 25% increase on the following forms which were originally issued by Great Republic: UW-LTC-100-89, UW-SNC and UW-LTC-100-88. The company is requesting a 25% increase on the following forms which were originally issued by American Independent Group: AI-NH and AIG-NH. Finally, the company is requesting a 25% increase on the following form which was originally issued by World Life: WORLD-NH. A total of 2,085 Commonwealth policyholders will be affected by this rate adjustment.

Unless formal administrative action is taken prior to November 1, 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. 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 in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@state.pa.us, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-1524. Filed for public inspection August 17, 2007, 9:00 a.m.]

Highmark Blue Cross Blue Shield; Filing No. 1A-SSC-07-HBCBS; Request to Increase Rates for the Direct Pay Special Care Hospital Plan (Western Region); Rate Filing

By filing No. 1A-SSC-07-HBCBS, Highmark, Inc., d/b/a Highmark Blue Cross Blue Shield, requests approval to increase its premium rates for its Direct Pay Special Care Hospital Plan (western region). The filing requests an average increase of 15% or \$13.55 per contract per month. This will affect about 11,600 contractholders and produce additional premium income of about \$1,884,000 per year. The filing also adjusts the relativity's 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 is January 1, 2008.

Unless formal administrative action is taken prior to November 1, 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. 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 and Pittsburgh office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Insur-

ance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@state.pa.us, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-1525. Filed for public inspection August 17, 2007, 9:00 a.m.]

Highmark Blue Shield; Filing No. 1A-SSC-07-HBS; Request to Increase Rates for the Direct Pay Special Care Hospital Plan (Central Region); Rate Filing

By filing No. 1A-SSC-07-HBS, Highmark, Inc., d/b/a Highmark Blue Shield, requests approval to increase its premium rates for its Direct Pay Special Care Hospital Plan (central region). The filing requests an increase of 8.2% or \$7.46 per contract per month. This will affect about 2,300 contractholders and produce additional premium income of about \$207,600 per year. The filing also adjusts the relativities between contract types to be consistent with Highmark's other programs; thus some contract-holders may receive rate adjustments that are less than or greater than the average. The requested effective date of the change is January 1, 2008.

Unless formal administrative action is taken prior to November 1, 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. 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 in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@state.pa.us, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-1526. Filed for public inspection August 17, 2007, 9:00 a.m.]

Highmark, Inc.; Filing No. 1A-SCMS-07-HI; Requesting Approval to Increase Rates for Special Care Medical Surgical Plans; Rate Filing

By filing No. 1A-SCMS-07-HI, Highmark, Inc., d/b/a Highmark Blue Cross Blue Shield and Highmark Blue Shield, requests approval to revise premium rates for its Special Care Medical/Surgical programs in the Central region, Western Pennsylvania region, and Northeastern Pennsylvania region.

<i>Region</i>	<i>Percentage Increase</i>	<i>Additional Premium per Month</i>	<i>Number of Contracts</i>
Central Region	15.0%	\$18,000	2,300
Western Region	15.0%	\$95,000	11,600
Blue Cross of Northeastern PA	15.0%	\$24,000	3,600
All Regions Combined	15.0%	\$137,000	17,500

The filing requests an average increase of 15.0% or \$7.81 per contract per month. This will affect about 17,500 contractholders and produce additional premium income of about \$1,644,000 per year. For the Central and Highmark Blue Cross Blue Shield regions only, 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 is January 1, 2008.

Unless formal administrative action is taken prior to November 1, 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. 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 Insurance Department's Harrisburg office and Pittsburgh office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@state.pa.us, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-1527. Filed for public inspection August 17, 2007, 9:00 a.m.]

Independence Blue Cross; Special Care Application; Form Filing

On July 27, 2007, Independence Blue Cross (IBC) submitted a filing that proposes to modify its Special Care application form and process. Currently, IBC's Special Care application form requires that all applicant children be screened automatically for Pennsylvania's Children's Health Insurance Program (CHIP) and Medical Assistance (MA) eligibility, unless a parent opts out and specifically requests Special Care coverage. In its filing, the IBC proposes to continue to automatically screen all applicant children for CHIP and MA eligibility; however, parents will no longer be offered the election to opt out of the process. Accordingly, only those children ineligible for CHIP or MA would be enrolled in Special Care.

A copy of the filing is available on the Insurance Department's (Department) website at www.ins.state.pa.us. Under the Quick Links section, click on the link "Rate Filings Published in the PA Bulletin." Copies of this

filing are also available for public inspection during normal working hours, by appointment, at the Insurance Department's offices in Harrisburg and Philadelphia.

Interested parties are invited to submit written comments, suggestions or objections to Richard Stoner, Accident and Health Bureau, 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. 07-1528. Filed for public inspection August 17, 2007, 9:00 a.m.]

Lincoln Benefit Life Insurance Company; Rate Increase Filing for Several LTC Forms; Rate Filing

Lincoln Benefit Life is requesting approval to increase the premium an average of 31% on the following Long-Term Care policy forms: LB-6301-P-PA(Q), LB-6301-P-PA(NQ), LB-6302-P-PA(Q), LB-6302-P-PA(NQ), LB-6303-P-PA(Q), LB-6303-P-PA(NQ), LB-6304-P-PA(Q), LB-6304-P-PA(NQ), LB-6305-P-PA(Q), LB-6305-P-PA(NQ), LB-6306-P-PA(Q) and LB-6306-P-PA(NQ). A total of 983 Pennsylvania policyholders will be affected by this rate adjustment. The company wants to make three rate adjustments on these forms: the first increase which averages 31% will occur in 2007, the second increase of 25% is scheduled for 2010 and the third increase of 22% is scheduled for 2013.

Unless formal administrative action is taken prior to November 1, 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. 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 in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@state.pa.us, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-1529. Filed for public inspection August 17, 2007, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Natural Gas Service

A-123100F0040. UGI Utilities, Inc. Application of UGI Utilities, Inc., for approval to begin to offer, render, furnish or supply natural gas distribution services to the

public in the additional territories of Tatamy Borough, Northampton County; East Union Township, Schuylkill County; Dickinson Township, Cumberland County; Portions of Hollenback Township, Luzerne County and the Borough of New Morgan, Berks County, PA.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before September 4, 2007. 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: UGI Utilities, Inc.

Through and By Counsel: Mark C. Morrow, Esquire, 460 North Gulph Road, King of Prussia, PA 19406

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 07-1530. Filed for public inspection August 17, 2007, 9:00 a.m.]

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by September 10, 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.

Application of the following for approval to begin operating as common carrier for transportation of persons as described under each application.

A-00124025. Sones Transport, Inc. (139 Terry Street, Philipsburg, Centre County, PA 16866)—persons in paratransit service, from points in the Counties of Centre and Clearfield, to points in Pennsylvania, and return.

Applications of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of persons by transfer of rights as described under each application.

A-00124027. Limo Today, Inc. (3600 Street Road, Bensalem, Bucks County, PA 19020), a corporation of the Commonwealth—persons in limousine service, between points in Pennsylvania, excluding the right to transport between points in Allegheny County; which is to be a transfer of all the right authorized under the certificate issued at A-00114297, F.3 to Limo Today.Com, Inc., t/a Hollywood Limo and Transportation, subject to the same limitations and conditions. *Attorney:* Michael Ira Stump, 119 East Main Street, Macungie, PA 18062.

Application of the following for approval of the additional right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under each application.

A-00120024, F7. Scott Scoleri, t/a Ramsey's Moving Company (4 Man-O-War Drive, Media, Delaware County, PA 19063)—household goods in use, from points in the Counties of Philadelphia and Delaware to points in Pennsylvania, and vice versa.

Application of the following for the approval of the right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under the application.

A-00121451. Gary Harmon, t/a Harmon's Jitney (P. O. Box 3, Lewistown, Mifflin County, PA 17044)—discontinuance of service—persons, in group and party service, using vehicles with a seating capacity of 11 to 15 passengers, including the driver, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, between points in the Borough of Lewistown, Mifflin County and within 75 statute miles of said borough.

A-00122935. Carl E. Hackman (14 Brookside Circle, Myerstown, Lebanon County, PA 17067)—discontinuance of service—persons, in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the borough of Myerstown and within an airline distance of 10 statute miles of said borough to points in Pennsylvania and return.

Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Hanlon, Michael t/a Lehigh Transportation Services; Doc. No. A-00120409 C0701

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 all authority issued to Hanlon, Michael (respondent) is under suspension effective 07/14/2005 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at Hanlon, Michael, t/a Lehigh Transportation Services, P. O. Box 90082, Allentown, PA 18109.
3. That respondent was issued a Certificate of Public Convenience by this Commission on 2/11/2004 at Application Docket No. A-00120409.
4. That respondent has failed to maintain evidence of bodily injury and property damage liability insurance and cargo insurance on file with this Commission.
5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Transportation and Safety Prosecutory Staff will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at Docket No. A-00120409 for failure to maintain evidence of current insurance on file with the Commission, (2) orders such other remedy as the Commission may deem to be appropriate, which may include a fine and the suspension of a vehicle registration and (3) imposes an additional fine on the respondent.

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 of the date of service, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty. Pursuant to 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the revocation of your Certificate of Public Convenience, or any other remedy as may be appropriate. Each day you continue to violate any regulation, direction, requirement, determination or Order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations within twenty (20) days of the date of service of this Complaint. The proof of insurance must be filed with the

Compliance Office, Bureau of Transportation
and Safety
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Upon receipt of the evidence of insurance from your insurer, the Complaint proceeding shall be closed. *Acord Certificates of Insurance and Faxed Form Es and Hs Are Unacceptable as Evidence of Insurance.*

D. If you file an Answer which admits or fails to deny the allegations of the Complaint, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty, which may include the cancellation of your Certificate of Public Convenience. Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

F. 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. 07-1531. Filed for public inspection August 17, 2007, 9:00 a.m.]

Water Service

A-210104F0082. Aqua Pennsylvania, Inc. Application of Aqua Pennsylvania, Inc., for approval to offer, render, furnish or supply water service to the public in an additional portion of Charlestown Township, Chester County, PA.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before September 4, 2007. 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. 07-1532. Filed for public inspection August 17, 2007, 9:00 a.m.]

Water Service

A-210104F0083. Aqua Pennsylvania, Inc. Application of Aqua Pennsylvania, Inc., for approval to offer, render, furnish or supply water service to the public in an additional portion of East Marlborough Township, Chester County, PA.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before September 4, 2007. 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. 07-1533. Filed for public inspection August 17, 2007, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project #07-091.1, until 2 p.m. on Thursday, September 13, 2007. The bid documents can be obtained from the Director of Procurement, PRPA, 3460 North Delaware Avenue, 2nd Floor, Philadelphia, PA 19134, (215) 426-2600 and will be available August 18, 2007. Additional information and project listings may be found at www.philaport.com. The cost of the bid document is \$35 (includes 7% PA Sales Tax). The cost is nonrefundable. PRPA is an equal opportunity employer. Contractor must comply with all applicable EEO laws. Bidders must provide to the Procurement Department in writing (24 hours prior to the meeting), the names of individuals that will be attending. Fax to (215) 426-6800, Attn: Procurement Department.

Mandatory prebid job site meeting will be held August 30, 2007, 10 a.m. at PRPA, 3460 North Delaware Avenue, 2nd Floor, Philadelphia, PA 19134.

JAMES T. MCDERMOTT, Jr.,
Executive Director

[Pa.B. Doc. No. 07-1534. Filed for public inspection August 17, 2007, 9:00 a.m.]

PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

Hearing Scheduled

A hearing has 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 claimant's requests concerning the indicated accounts.

The hearing will be held before a hearing examiner at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

September 12, 2007 Sandra N. Lapcevic (D) 1 p.m.
(Death Benefit)

Persons with a disability, who wish to attend the hearing, and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Marilyn Fuller-Smith Assistant to the Executive Director, (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 General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

JEFFREY B. CLAY,
Executive Director

[Pa.B. Doc. No. 07-1535. Filed for public inspection August 17, 2007, 9:00 a.m.]

THADDEUS STEVENS COLLEGE OF TECHNOLOGY

Request for Bids

Thaddeus Stevens College of Technology is soliciting bids for Project 07-0002 for a quantity of 12—16 gauge hollow metal doors with steel reinforcements. Other items for the doors will be needed. For a complete list, bid documents can be obtained from Nancy Froeschle, Thaddeus Stevens College, 750 East King Street, Lancaster, PA 17602, (717) 299-7787, froeschle@stevenscollege.edu, fax (717) 391-1360. End date for bid requests will be August 28, 2007.

DR. WILLIAM E. GRISCOM,
President

[Pa.B. Doc. No. 07-1536. Filed for public inspection August 17, 2007, 9:00 a.m.]

