



Volume 39 (2009)

Pennsylvania Bulletin
Repository

9-5-2009

September 5, 2009 (Pages 5223-5282)

Pennsylvania Legislative Reference Bureau

Follow this and additional works at: http://digitalcommons.law.villanova.edu/pabulletin_2009

Recommended Citation

Pennsylvania Legislative Reference Bureau, "September 5, 2009 (Pages 5223-5282)" (2009). *Volume 39 (2009)*. 36.
http://digitalcommons.law.villanova.edu/pabulletin_2009/36

This September is brought to you for free and open access by the Pennsylvania Bulletin Repository at Villanova University Charles Widger School of Law Digital Repository. It has been accepted for inclusion in Volume 39 (2009) by an authorized administrator of Villanova University Charles Widger School of Law Digital Repository. For more information, please contact Benjamin.Carlson@law.villanova.edu.

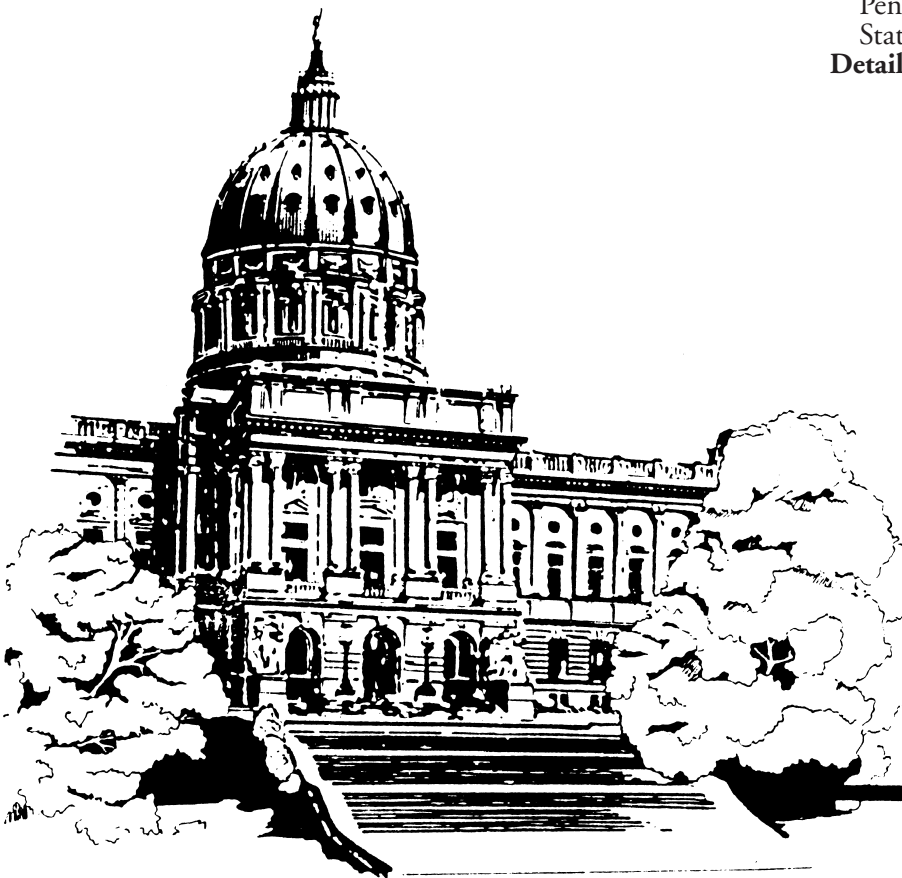
PENNSYLVANIA BULLETIN

Volume 39
Saturday, September 5, 2009 • Harrisburg, PA
Number 36
Pages 5223—5282

Agencies in this issue

The Courts
Delaware River Basin Commission
Department of Banking
Department of Environmental Protection
Department of Health
Independent Regulatory Review Commission
Insurance Department
Pennsylvania Public Utility Commission
State Conservation Commission

Detailed list of contents appears inside.



PRINTED ON 100% RECYCLED PAPER



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

No. 418, September 2009

CUT ON DOTTED LINES AND ENCLOSE IN AN ENVELOPE

CHANGE NOTICE

If information on mailing label is incorrect, please make changes in space provided below and mail to:

**FRY COMMUNICATIONS, INC.
Attn: *Pennsylvania Bulletin*
800 W. Church Rd.
Mechanicsburg, PA 17055-3198**

CUSTOMER NUMBER (6 digit number above name)

NAME OF INDIVIDUAL

OFFICE NAME—TITLE

ADDRESS (Number and Street)

(City) (State) (Zip Code)

TYPE OR PRINT LEGIBLY

PENNSYLVANIA



BULLETIN

(ISSN 0162-2137)

published weekly by Fry Communications, Inc. for the Commonwealth of Pennsylvania, Legislative Reference Bureau, 641 Main Capitol Building, Harrisburg, Pa. 17120, under the policy supervision and direction of the Joint Committee on Documents pursuant to Part II of Title 45 of the Pennsylvania Consolidated Statutes (relating to publication and effectiveness of Commonwealth Documents). Subscription rate \$82.00 per year, postpaid to points in the United States. Individual copies \$2.50. Checks for subscriptions and individual copies should be made payable to "Fry Communications, Inc." Periodicals postage paid at Harrisburg, Pennsylvania.

Postmaster send address changes to:

FRY COMMUNICATIONS
Attn: *Pennsylvania Bulletin*
800 W. Church Rd.
Mechanicsburg, Pennsylvania 17055-3198
(717) 766-0211 ext. 2340
(800) 334-1429 ext. 2340 (toll free, out-of-State)
(800) 524-3232 ext. 2340 (toll free, in State)

Orders for subscriptions and other circulation matters should be sent to:

Fry Communications, Inc.
Attn: *Pennsylvania Bulletin*
800 W. Church Rd.
Mechanicsburg, PA 17055-3198

Copyright © 2009 Commonwealth of Pennsylvania

Editorial preparation, composition, printing and distribution of the *Pennsylvania Bulletin* is effected on behalf of the Commonwealth of Pennsylvania by FRY COMMUNICATIONS, Inc., 800 W. Church Road, Mechanicsburg, Pennsylvania 17055-3198.

CONTENTS

THE COURTS

LOCAL COURT RULES

Butler County

- In re: local rule L543; AD-10-4-2009 5231
Regional booking fees; AD-10-5-2009 5231

Monroe County

- Amendment to rule of civil procedure 51; title and citation of rules..... 5231
Amendment to rule of civil procedure 1302; selection and compensation of arbitrators 5231

EXECUTIVE AGENCIES

DELAWARE RIVER BASIN COMMISSION

Notices

- Chesapeake Appalachia, LLC; Surface Water Withdrawal Project; notice of public hearing 5233

DEPARTMENT OF BANKING

Notices

- Actions on applications..... 5233

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices

- Applications, actions and special notices..... 5235
Availability of technical guidance 5276
Bid opportunity..... 5277
Pennsylvania's Energy Development Authority Board meeting..... 5277
Pennsylvania Sunshine Program; public meeting notice 5277

- Proposed revision to the State Implementation Plan of the Pittsburgh-Beaver Valley, Pennsylvania fine particulate nonattainment area; public hearing..... 5278
Solar Workgroup meeting 5278

DEPARTMENT OF HEALTH

Notices

- Human Immunodeficiency Virus (HIV) Community Prevention Planning Committee; public meeting..... 5278
Long-term care nursing facilities; request for exception 5279

INDEPENDENT REGULATORY REVIEW COMMISSION

Notices

- Action taken by the Commission..... 5279
Notice of filing of final rulemakings..... 5280

INSURANCE DEPARTMENT

Notices

- Independence Blue Cross and Highmark Blue Shield; nongroup major medical rate adjustment; filing no. 13-P-09; form 5210; rate filing..... 5281
Yuri Mandybur and Universal Delaware, Inc.; hearing..... 5281

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Notices

- Service of notice of motor carrier applications..... 5281

STATE CONSERVATION COMMISSION

Notices

- Action of Odor Management Plans for concentrated animal operations, and concentrated animal feeding operations and volunteers complying with Pennsylvania's Facility Odor Management Program..... 5282

Now Available Online at <http://www.pabulletin.com>

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.

**SUBSCRIPTION INFORMATION: (717) 766-0211
GENERAL INFORMATION AND FINDING AIDS: (717) 783-1530**

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.

Reproduction, Dissemination or Publication of Information

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

§ 3.44. General permission to reproduce content of Code and Bulletin.

Information published under this part, which information includes, but is not limited to, cross references, tables of cases, notes of decisions, tables of contents, indexes, source notes, authority notes, numerical lists and codification guides, other than the actual text of rules or regulations may be reproduced only with the written consent of the Bureau. The information which appears on the same leaf with the text of a rule or regulation, however, may be incidentally reproduced in connection with the reproduction of the rule or regulation, if the reproduction is for the private use of a subscriber and not for resale. There are no other restrictions on the reproduction of information published under this part, and the Commonwealth hereby consents to a reproduction.

List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2009.

4 Pa. Code (Administration)

Adopted Rules

6 406
191 2947

Statements of Policy

1 4760
9 ... 427, 1008, 1212, 1970, 2116, 3327, 3471, 4903, 5164

7 Pa. Code (Agriculture)

Adopted Rules

111 2573
113 2584
115 2577
130f 1859
143 308

Proposed Rules

59 4677, 5131
59a 4677, 5131

Statements of Policy

28 310

10 Pa. Code (Law)

Proposed Rules

44 2805, 2951

Statements of Policy

48 3172

12 Pa. Code (Commerce Trade and Local Government)

Proposed Rules

145 4423

Statements of Policy

31 1306

22 Pa. Code (Education)

Adopted Rules

14 17, 4750
711 4752

25 Pa. Code (Environmental Protection)

Adopted Rules

78 1982
93 2523, 2949
109 2334, 2661, 5119
218 1201
260a 201
261a 201
262a 201
263a 201
264a 201
265a 201
266a 201
266b 201
267a 201
269a 201
270a 201
806 19

Proposed Rules

78 838
93 3043
102 5131
121 1636
129 1636

130 1636
252 3050
301 3591
302 3591, 5015
303 3591
305 3591
806 3467
808 3467
901 4892

Statements of Policy

16 2543, 2594

31 Pa. Code (Insurance)

Adopted Rules

89 2086
139 996

Proposed Rules

147 841

34 Pa. Code (Labor and Industry)

Proposed Rules

13 4340, 5015
125 2331

37 Pa. Code (Law)

Adopted Rules

79 2780

Proposed Rules

411 2591

Statements of Policy

96 1674
96a 3067

40 Pa. Code (Liquor)

Adopted Rules

13 682

49 Pa. Code (Professional and Vocational Standards)

Adopted Rules

7 219
13 (correction) 414, 523
16 1625
18 1625
21 2103
25 4754
31 1985
47 417

Proposed Rules

5 1004
11 2208
13 2210
37 2218
39 1005
41 2211
43b 2205, 2206, 2345

51 Pa. Code (Public Officers)

Adopted Rules

31 2204
33 2204
35 2204
37 2204

39 2204
 41 2204
 43 2204
 45 2204
 51 1939
 53 1939
 55 1939
 57 1939
 59 1939
 61 1939
 63 1939
 65 1939
 67 1939
 69 1939

52 Pa. Code (Public Utilities)

Adopted Rules
 54 2707

Proposed Rules

56 925
 62 1657, 1870, 3461

Statements of Policy

69 1676, 3471

55 Pa. Code (Public Welfare)

Proposed Rules
 501 1114
 1187 4428
 1189 4428

Statements of Policy

1223 1991
 2600 26, 2346
 3270 1011, 2347
 3280 1011, 2347
 3290 1011, 2347
 6000 3174
 6200 2714

58 Pa. Code (Recreation)

Adopted Rules
 29 523
 51 1860
 53 1860
 56 1860
 61 1201
 63 1860
 65 1860
 69 1859, 1860
 75 1202, 1860, 3442
 101 1860
 113 1860
 131 2791
 135 5119, 5120, 5121
 139 2792
 141 1110, 2798, 2800, 2801, 5122
 143 1388, 1990, 2802
 147 1205, 1388, 2802, 5122, 5123
 401 2113
 401a 235, 2588, 3446
 403a 3446, 5125
 405a 3446
 431a 2588
 435a 2588, 5125
 437a 2588, 4891
 439a 1868, 2113
 441a 3451, 5125
 443a 21
 451a 2588

461a 4338, 4422, 5125
 463a 4338, 4422
 465a 1868, 2113, 2588, 5125
 491a 3446
 493a 3446
 494a 3446
 495a 3446
 497a 3446
 499a 3446
 511a 3446

Proposed Rules

53 1870
 61 3455
 73 3458
 91 1870
 97 1870
 101 1870
 105 1870
 109 1870
 111 1870
 131 1531
 135 2811, 2812, 2951
 139 1532, 5016
 141 1391, 1392, 1393, 1668, 2809, 5016, 5153
 143 1529, 5152
 147 1529, 2809, 2813, 5153, 5163
 401a 2113, 3459
 403a 418
 435a 418, 3459, 4894, 5018
 437a 1003, 4894
 439a 1662, 2113
 441a 418, 3459
 461a 418, 423, 1662, 5018
 463a 423, 1662, 5018
 465a 418, 1662, 2113, 5018, 5022
 499a 1662
 501a 5018

Statements of Policy

461b 685

61 Pa. Code (Revenue)

Proposed Rules
 53 1209
 151 1207
 153 1207

67 Pa. Code (Transportation)

Proposed Rules
 171 5016
 229 997
 231 999
 233 4435
 427 4104

201 Pa. Code (Judicial Administration)

Proposed Rules
 40 1293
 50 1293

204 Pa. Code (Judicial System General Provisions)

Adopted Rules
 71 2433
 81 1980, 3431
 83 1846, 1980, 2193, 2318, 4737, 4887
 85 4725
 87 2687
 89 4725
 91 2687, 4725
 93 2687, 4725

207 Pa. Code (Judicial Conduct)

Adopted Rules
 5 4419
 51 675

210 Pa. Code (Appellate Procedure)

Adopted Rules
 1 508, 1094
 9 508, 1094
 11 508, 1094
 19 508, 1094
 21 508, 1094
 25 508, 1094
 37 508, 1094
 65 1615

Proposed Rules

9 2693
 15 2691
 17 2691

225 Pa. Code (Rules of Evidence)

Adopted Rules
 ART. I 410

231 Pa. Code (Rules of Civil Procedure)

Adopted Rules
 200 304, 4738
 1000 676
 2950 304

Proposed Rules

200 4739
 1000 4740
 3000 1849
 4000 4742

234 Pa. Code (Rules of Criminal Procedure)

Adopted Rules
 1 829, 1106, 2434, 2567
 4 8
 10 2568

Proposed Rules

4 983, 2318, 2435, 4332
 5 991
 6 2324
 7 983, 4332
 9 2694
 10 2435

237 Pa. Code (Juvenile Rules)

Adopted Rules
 1 4743
 2 676
 3 676, 4743
 5 4743
 8 1614
 11 1614
 13 1614
 16 4887
 18 1614

Proposed Rules

3 3319
 4 1850
 8 3319
 16 (correction) 9, 1854, 1981

246 Pa. Code (Minor Court Civil Rules)

Proposed Rules
 100 1856

249 Pa. Code (Philadelphia Rules)

Unclassified . 189, 192, 830, 1199, 2327, 2571, 2929, 5115

252 Pa. Code (Allegheny County Rules)

Unclassified 994

255 Pa. Code (Local Court Rules)

Unclassified . . . 10, 16, 306, 306, 513, 514, 517, 520, 679, 680, 832, 833, 835, 994, 995, 1107, 1199, 1200, 1386, 1478, 1522, 1523, 1524, 1525, 1526, 1527, 1621, 1857, 1981, 2084, 2200, 2201, 2438, 2439, 2571, 2696, 2699, 2703, 2705, 2929, 2946, 3040, 3041, 3165, 3321, 4096, 4102, 4337, 4419, 4420, 4749, 4889, 5115, 5231

THE COURTS

Title 255—LOCAL COURT RULES

BUTLER COUNTY

In Re: Local Rule L543; AD-10-4-2009

Order of Court

And Now, this 18th day of August, 2009, It is hereby ordered that the above captioned Butler County Local Rule be adopted. This rule shall become effective thirty days after publication in the *Pennsylvania Bulletin*.

It is further ordered that the Butler County Court Administrator shall cause two certified paper copies of this rule, along with a computer diskette upon which the rule has been copied, to be forwarded to the Legislative Reference Bureau; shall file one certified copy of the local rule with the Administrative Office of the Pennsylvania Courts; shall publish the local rule on the Unified Judicial System's web site; and shall ensure that a copy of this rule is continuously available in the office of the Butler County Clerk of Courts and in the Butler County Law Library.

By the Court

THOMAS J. DOERR,
President Judge

L-543. Disposition of Case at Preliminary Hearing— Administrative Processing.

(A) When a defendant has appeared and has been held for court, the issuing authority shall at the conclusion of the Preliminary Hearing:

a. If the defendant has not submitted to the administrative processing and identification procedures as authorized by law and pursuant to Rule 510(c)(2), make compliance with these processing procedures a condition of bail.

b. Direct that the defendant, in order to come into compliance, shall appear forthwith at one of the Butler County Regional Booking Centers to complete the processing using CPIN and Livescan technology.

[Pa.B. Doc. No. 09-1654. Filed for public inspection September 4, 2009, 9:00 a.m.]

BUTLER COUNTY

Regional Booking Fees; AD-10-5-2009

Order of Court

And Now, this 18th day of August, 2009, on its own motion, the Court herewith directs that the Administrative Orders of Court CP-10-AD—2006 and CP-10-AD—2006, related to the above captioned matter are vacated.

The Court, having taken notice that the Butler County Regional Booking Policy has been approved by PCCD, further orders that, pursuant to Title 42 § 1725.5 and 1725.6, a fee of \$100.00 shall be assessed against any defendant who meets the requirements of that title.

It is further ordered that such assessment shall be levied by the Clerk of Courts according to the Act.

Magisterial District Judges shall assess the fee in those cases which are eligible and disposed of at the MDJ office.

This Order of Court shall take effect thirty days after publication in the *Pennsylvania Bulletin*.

By the Court

THOMAS J. DOERR,
President Judge

[Pa.B. Doc. No. 09-1655. Filed for public inspection September 4, 2009, 9:00 a.m.]

MONROE COUNTY

Amendment to Rule of Civil Procedure 51; Title and Citation of Rules

Order

And Now, this 20th day of August, 2009, Monroe County Rule of Civil Procedure 51 is hereby amended as indicated in the attachment (amendment noted in *Italics*) and shall become effective thirty (30) days after publication in the *Pennsylvania Bulletin*. The Court Administrator is directed to:

1. file seven (7) certified copies of the within Order and amended local rule with the Administrative Office of Pennsylvania Courts;

2. forward two (2) certified copies and a disk containing text of the amended local rule to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;

3. forward one (1) certified copy to the Civil Procedural Rules Committee of the Supreme Court of Pennsylvania;

4. forward one (1) copy to the *Monroe County Legal Reporter* for publication.

Copies shall be kept continuously available for public inspection in the Office of the Monroe County Prothonotary, the Office of the Court Administrator and the Monroe County Law Library.

By the Court

RONALD E. VICAN,
President Judge

Rule 51—Title and Citation of Rules.

These Rules shall be known as "Court of Common Pleas of Monroe County, 43rd Judicial District, Commonwealth of Pennsylvania, Rules of Civil Procedure" and may be cited as "Monroe Co.R.C.P. _____."

[Pa.B. Doc. No. 09-1656. Filed for public inspection September 4, 2009, 9:00 a.m.]

Amendment to Rule of Civil Procedure 1302; Selection and Compensation of Arbitrators

Order

And Now, this 20th day of August, 2009, Monroe County Rule of Civil Procedure 1302 is hereby amended as indicated in the attachment (amendment noted in

Italics) and shall become effective thirty (30) days after publication in the *Pennsylvania Bulletin*. The Court Administrator is directed to:

1. file seven (7) certified copies of the within Order and amended local rule with the Administrative Office of Pennsylvania Courts;
2. forward two (2) certified copies and a disk containing text of the amended local rule to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;
3. forward one (1) certified copy to the Civil Procedural Rules Committee of the Supreme Court of Pennsylvania;
4. forward one (1) copy to the *Monroe County Legal Reporter* for publication.

Copies shall be kept continuously available for public inspection in the Office of the Monroe County Prothonotary, the Office of the Court Administrator and the Monroe County Law Library.

By the Court

RONALD E. VICAN,
President Judge

Rule 1302—Selection and Compensation of Arbitrators.

1. The attorneys admitted to the Bar of the Court shall constitute a list of members qualified to act as arbitrators. The Court Administrator shall select from said list three (3) arbitrators for each action; the chairperson shall have been a member of the Bar of this Court for least five (5) years.
2. If any attorney wishes to be replaced as an arbitrator in any particular hearing, the attorney shall *request replacement by letter directed to the Court Administrator* at least seven (7) days before the scheduled hearing, except where excused by the Court for exigent circumstances. In the event that an attorney, without leave of

Court, fails to serve as an arbitrator after having been notified of his appointment by mail by the Court Administrator, the attorney may be subject to sanctions.

3. The Court Administrator shall mail a copy of the notice of appointment to each attorney of record and to each arbitrator appointed. In the event that any party is not represented by an attorney, the Court Administrator shall send such copy to the party at his last known address. The address of the unrepresented party is to be furnished to the Court Administrator when the attorney files the praecipe for arbitration.

4. The President Judge or his designee shall have the power to grant continuances and all applications for continuances shall be in motion form as set forth in Rule 206.1(a) and 208.2(d) and filed at least seven (7) business days prior to the date of the hearing.

5. If a party fails to appear, no default judgment shall be entered. The arbitrators shall proceed to hear the case and enter an appropriate award upon the conclusion of the evidence. The arbitrators shall in all respects comply with Pa.R.C.P. 1303, 1304, 1305, 1306.

6. The compensation for each member of the Board of Arbitrators to be paid by the County shall be established from time to time by the Court. When more than one hearing becomes necessary, additional amounts may be allowed at the discretion of the Court upon petition by the Chairperson on behalf of the Board. If there is concurrence, the motion shall include a certification that all participants are in concurrence with the motion and shall set forth a hearing date mutually agreed upon by counsel, the parties and the arbitrators.

[Pa.B. Doc. No. 09-1657. Filed for public inspection September 4, 2009, 9:00 a.m.]

NOTICES

DELAWARE RIVER BASIN COMMISSION

Chesapeake Appalachia, LLC; Surface Water Withdrawal Project; Notice of Public Hearing

The Delaware River Basin Commission (Commission) will hold a public hearing on Wednesday, September 23, 2009, on revised proposed Docket No. D-2009-20-1 for Chesapeake Appalachia, LLC (Chesapeake). The hearing will be held at the PPL Corporation Wallenpaupack Environmental Learning Center, 126 PPL Drive, Hawley, PA 18428-0122. The hearing will begin at 10 a.m. and will continue until all those who wish to speak have had an opportunity to do so. No other Commission business will be conducted at the September 23, 2009, hearing.

Chesapeake Appalachia, LLC applied to the Commission for approval of a surface water withdrawal project to supply a maximum of 29.99 mg/30 days of water for the applicant's exploration and development of natural gas wells in the State of New York and this Commonwealth. Surface water is proposed to be withdrawn from the West Branch of the Delaware River at a location known as the Cutrone Site in Buckingham Township, Wayne County, PA. The project is located in the Delaware River Watershed within the drainage area of the section of the nontidal Delaware River known as the Upper Delaware, which is designated as Special Protection Waters.

The Commission held a public hearing on an initial draft of Docket D-2009-20-1 at its business meeting of July 15, 2009, in Bethlehem, PA. It heard testimony on the draft docket from approximately 40 witnesses on that date. Voluminous written comment was submitted on or

before the July 15 hearing. In light of the high level of public interest in the project, the Commission took no action on the docket on July 15, and on that date it extended the written comment period through July 29, 2009. Approximately 1,200 written comments (excluding petitions) were received on the docket by the close of the comment period. After review and consideration of these comments, the Commission and staff are developing a revised draft docket, which will be posted on the Commission's web site, <http://drbc.net>, on or before the close of business on Friday, September 11, 2009. Public comment is requested on those aspects of the docket that have been substantively modified. A list of these aspects will be provided on the Commission's web site at the time the revised draft is posted.

Additional public records relating to the draft Chesapeake docket are available for review consistent with Article 8 of the Commission's Rules of Practice and Procedure (RPP) governing public access to records and information. The RPP are also available on the Commission's web site.

Individuals in need of an accommodation as provided for in the Americans With Disabilities Act of 1990 who wish to attend the hearing should contact the Commission Secretary directly at (609) 883-9500, Ext. 203 or through the Telecommunications Relay Service at 711, to discuss how the Commission can accommodate their needs.

PAMELA M. BUSH,
Secretary

[Pa.B. Doc. No. 09-1658. Filed for public inspection September 4, 2009, 9:00 a.m.]

DEPARTMENT OF BANKING

Actions on Applications

The Department of Banking (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending August 25, 2009.

Under section 503.E of the Department of Banking Code (71 P. S. § 733-503.E), any person wishing to comment on the following applications, with the exception of branch applications, may file their comments in writing with the Department of Banking, Corporate Applications Division, 17 North Second Street, Suite 1300, Harrisburg, PA 17101-2290. Comments must be received no later than 30 days from the date notice regarding receipt of the application is published in the *Pennsylvania Bulletin*. The nonconfidential portions of the applications are on file at the Department and are available for public inspection, by appointment only, during regular business hours. To schedule an appointment, contact the Corporate Applications Division at (717) 783-2253. Photocopies of the nonconfidential portions of the applications may be requested consistent with the Department's Right-to-Know Law Records Request policy.

BANKING INSTITUTIONS

Interim Incorporations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
8-19-2009	The Victory Bank Interim Bank Royersford Montgomery County	Approved

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
	The purpose of The Victory Bank Interim Bank, Royersford, is to merge with The Victory Bank, Royersford, to facilitate the proposed reorganization of The Victory Bank into a bank holding company structure whereby The Victory Bank will become the wholly-owned subsidiary of The Victory Bancorp, Inc., a new holding company in formation.	

Consolidations, Mergers, and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
8-19-2009	The Victory Bank Royersford Montgomery County	Approved
	Approval to merge The Victory Bank Interim Bank, Royersford, with and into The Victory Bank, Royersford. The merger will facilitate the proposed reorganization of The Victory Bank into a bank holding company structure whereby The Victory Bank will become the wholly-owned subsidiary of The Victory Bancorp, Inc., a new holding company in formation.	

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
8-21-2009	Susquehanna Bank Lititz Lancaster County	1800 Dual Highway Hagerstown Washington County, MD	Filed
8-24-2009	Republic First Bank Philadelphia Philadelphia County	399 Route 70 East Cherry Hill Camden County, NJ	Withdrawn
8-24-2009	Republic First Bank Philadelphia Philadelphia County	5191 and 5192 Route 42 Turnersville Gloucester County, NJ	Withdrawn
8-25-2009	Beneficial Mutual Savings Bank Philadelphia Philadelphia County	545 West Street Road Warminster Bucks County	Filed

Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
8-17-2009	Fulton Bank Lancaster Lancaster County	<i>To:</i> 1427—1429 North 3rd Street Harrisburg Dauphin County <i>From:</i> 1401 North 3rd Street Harrisburg Dauphin County	Effective

Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
8-19-2009	Reliance Savings Bank Altoona Blair County	904 Blair Street Hollidaysburg Blair County	Approved

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

No activity.

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

STEVEN KAPLAN,
Secretary

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

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

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

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

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

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

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

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

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

I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0086223 (Sew)	Barton E. Short 5451 Division Highway Narvon, PA 17555	Lancaster County East Earl Township	UNT Conestoga River 7J	Y
PA0038130 (Sew)	Mont Alto Municipal Authority Box 430 Mont Alto, PA 17237-0430	Franklin County Mont Alto Borough	West Branch Antietam Creek 13-C	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>
PA0209686 (Sewage)	Thomas L. Harris, Sr. 9855 Curwensville-Tyrone Highway Curwensville, PA 16833	Pike Township Clearfield County	UNT to Little Clearfield Creek HQ-CWF, MF 8C	Y
PA0032441 (Sewage)	Department of Conservation and Natural Resources Black Moshannon State Park 4216 Beaver Road Philipsburg, PA 16866-9519	Rush Township Centre County	Black Moshannon Creek HQ-CWF, MF 8D	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>
PA0025461	South Watson Run STP 9868 South Watson Run Road Meadville, PA 16335	Vernon Township Crawford County	Watson Run 16-D	Y
PA0034592	Laurel School District 2497 Harlansburg Road New Castle, PA 16101-9705	Hickory Township Lawrence County	UNT to Big Run 20-A	Y
PA0000736	Keystone Powdered Metal 251 State Street Saint Marys, PA 15857-1661	City of Saint Marys Elk County	Iron Run and Elk Creek 015 17-A	Y
PA0222976	Albert R. Shouey 265 Lairds Crossing Road Worthington, PA 16262	Barnett Township Jefferson County	UNT Cathers Run 17-B	Y
PA0263532	Marsha and Stephen Walters 3329 Ivanhoe Road Sharpsville, PA 16150	South Pymatuning Township Mercer County	UNT to McCullough Run 20-A	Y

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

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

PA#0070483, Industrial, **Grand Central Sanitary Landfill, Inc.**, 910 West Pennsylvania Avenue, Pen Argyl, PA 18072. This proposed facility is located in Plainfield Township, **Northampton County**.

Description of Proposed Activity: Discharge of treated Industrial Wastewater.

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

The proposed effluent limits for Outfall 001 based on a design flow of 0.1 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>
CBOD ₅			25		75
Total Suspended Solids			27	88	
Total Dissolved Solids			1,000		
Oil and Grease			15	30	
Ammonia			3.0	6.0	
Color Pt. Co. Units			100		
Dissolved Oxygen			Minimum 6.0 at all times		
pH			6.0 to 9.0 Standard Units at all times		
Fecal Coliform			200 Geometric Mean		
Zinc			0.11	0.2	
Phenol			0.015	0.026	
Alpha-Terpinel			0.016	0.033	
Benzoic Acid			0.071	0.12	
P-Cresol			0.014	0.025	
Boron			4.1	6.4	
Total Residual Chlorine			0.7		1.5

The proposed effluent limits for Stormwater Outfalls 002—005, 007—009, 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, the permit contains the following major special conditions:

1. Stormwater, Chemical Additives.

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

Application No. PA 0086762, Industrial Waste, SIC Code 4953, **IESI Blue Ridge Landfill Corporation**, P. O. Box 399, Scotland, PA 17257. This facility is located in Greene Township, **Franklin County**.

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

The receiving stream, UNT to Phillaman Run, is in Watershed 13-C, and classified for CWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake is Hagerstown Water Authority located on the Potomac River. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 based on a design flow of < 0.1 mgd are:

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	Monitor and Report	Monitor and Report			
pH (Standard Units)				From 6.0 to 9.0 inclusive	
Benzene			0.001	0.002	0.0025
Tetrachloroethylene			0.0007	0.0014	0.0018
Total Dissolved Solids			500	1,000	1,250
Trichloroethylene			0.003	0.006	0.0075
Vinyl Chloride			0.00002	0.00004	0.00005

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.

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

PA0233846, CAFO, SIC 211 and 213, **Drew Remley Farm**, 1170 Salt Spring Road, Roaring Branch, PA 17765. This proposed facility is located in Liberty Township, **Tioga County**.

Description of Proposed Activity: A beef and swine operation near Liberty, PA. The farm consists of 25 cow/calf pairs, and 4,360 finishing hogs for a total of 574 Animal Equivalent Units. The farm consists of 45.3 owned crop and pasture acres and 95.2 rented cropland acres. The excess manure will be exported to farm operators as listed in the NMP on an additional 506.2 acres. The beef produce 403 tons of solid manure per year and the hogs produce 2.16 million gallons of liquid manure per year. The hog manure is stored in an underbarn concrete pit with 1.48 million gallons of useable storage. Beef manure is managed as a beef pack during the winter, and is pasture emitted during spring, summer and fall.

The receiving stream, Salt Spring Run, is in the State Water Plan Watershed 10A Lycoming Creek and is classified for: HQ-CWF.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 25-year/24-hour rain storms, the CAFO permit is a nondischarge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required. The permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the State narrative water quality standards.

PA0208779, Industrial Waste, SIC 3111, **Clearfield Leather, Inc.**, 120 Cooper Road, Curwensville, PA 16833-1542. This existing facility is located in Curwensville Borough, **Clearfield County**.

Description of Proposed Activity: This proposed action is for renewal of an NPDES permit for an existing discharge of treated industrial wastewater.

The receiving stream, West Branch Susquehanna River, is in the State Water Plan Watershed 8B and classified for: WWF. The nearest downstream public water supply intake for RRI Energy is located on West Branch Susquehanna River 16 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.125' mgd.

Parameter	Mass Units (lbs/day)			Concentration (mg/l)		
	Average Monthly	Maximum Daily	Minimum	Average Monthly	Daily Maximum	Instantaneous Maximum
Flow	Report	Report				
pH			6.0			9.0
5 Day BOD	69	150		Report	Report	165
Ammonia-N				Report	Report	
TSS	99	216		Report	Report	238
Oil and Grease	16	31		15	30	30
Total Chromium	1.5	3.8		Report	Report	4.8

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

PA0252654, Sewage, **Yough Sanitary Authority**, P. O. Box 9, Dawson, PA 15428. This application is for renewal of an NPDES permit to discharge treated sewage from Yough Sanitary Authority Wastewater Treatment Facility in Dunbar Township, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Youghiogheny River, which is classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Westmoreland County Municipal Authority.

Outfall 001: existing discharge, design flow of 0.21 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25	37.5		50
Suspended Solids	30	45		60
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)	200/100 ml as a Geometric Mean 2,000/100 ml as a Geometric Mean			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0092355, Sewage, **The Municipal Authority of the Borough of Belle Vernon**, P. O. Box 181, 10 Main Street, Belle Vernon, PA 15012. This application is for renewal of an NPDES permit to discharge treated sewage from Belle Vernon-North Belle Vernon Water Pollution Control Plant in Belle Vernon Borough, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Monongahela River, which are classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Charleroi Municipal Authority.

Outfall 001: existing discharge, design flow of 0.5 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25	37.5		50
Suspended Solids	30	45		60

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
Fecal Coliform (5-1 to 9-30)	200/100 ml as a Geometric Mean			
(10-1 to 4-30)	2,000/100 ml as a Geometric Mean			
Total Residual Chlorine	0.5			1.6
pH	not less than 6.0 nor greater than 9.0			

Other Conditions: The following effluent limitations will apply if/when the treatment plant is expanded to a flow of 0.95 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25	37.5		50
Suspended Solids	30	45		60
Fecal Coliform (5-1 to 9-30)	200/100 ml as a Geometric Mean			
(10-1 to 4-30)	2,000/100 ml as a Geometric Mean			
Total Residual Chlorine	0.5			1.6
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

PA0263559, Sewage, **Richard D. Pack SFTF**, 1300 Penn Avenue, Irwin, PA 15642. This proposed facility is located at 12486 East Lake Road in North East 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, Puraflow biofilter system 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 affected by this discharge.

The receiving stream is Lake Erie and is 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)

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

WQM Permit No. WQG02090909, Sewerage, **Richland Meadows**, 1590 Canary Road, Quakertown, PA 18951. This proposed facility is located in Richland Township, **Bucks County**.

Description of Action/Activity: Construction and operation of a manufactured home community with privately operated sewage collection treatment facilities. Pump station.

WQM Permit No. 4609407, Sewerage, **Upper Merion Municipal Utility Authority**, 175 West Valley Forge Road, King of Prussia, PA 19406. This proposed facility is located in Upper Merion Township, **Montgomery County**.

Description of Action/Activity: Upgrades to the existing pump station and installation of a new 16" force main.

WQM Permit No. 0909409, Sewerage, **Green Top Management, LLC**, P. O. Box 677, Morgantown, PA 19543. This proposed facility is located in West Rockhill Township, **Bucks County**.

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

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

WQM Permit No. 3109402, Sewerage, **Mount Union Municipal Authority**, 9 West Market Street, Mount Union, PA 17066. This proposed facility is located in Borough of Mount Union, **Huntingdon County**.

Description of Proposed Action/Activity: Replacement of the Liverpool Pumping Station and Force Main.

WQM Permit No. 2209403, Sewerage, **Lower Paxton Township Authority**, 425 Prince Street, Suite 139, Harrisburg, PA 17109. This proposed facility is located in Lower Paxton Township, **Dauphin County**.

Description of Proposed Action/Activity: Replacement of Asylum Run, Mini-Basin AR-A pipe enlargement only.

WQM Permit No. 0609401, Sewerage, **Maxatawny Township Municipal Authority**, 127 Quarry Road, Suite 1, Kutztown, PA 19530. This proposed facility is located in Maxatawny Township, **Berks County**.

Description of Proposed Action/Activity: Construction/operation of a new 0.14 mgd wastewater treatment plant to serve existing and planned developments.

WQM Permit No. WQG02670901, Sewerage, **Dillsburg Area Authority**, 98 West Church Street, Dillsburg, PA 17019. This proposed facility is located in Franklintown Borough, **York County**.

Description of Proposed Action/Activity: Construction/operation of a new pump station to serve the Conway Development made up of 186 town house units.

WQM Permit No. WQG02220901, Sewerage, **Lower Paxton Township Authority**, 425 Prince Street, Suite 139, Harrisburg, PA 17112. This proposed facility is located in Lower Paxton Township, **Dauphin County**.

Description of Proposed Action/Activity: Installation of two new submersible nonclog pumps in upgrading the Linglestown Road Pumping Station.

WQM Permit No. WQG02670902, Sewerage, **Manchester Township Municipal Authority**, 3200 Farmtrail Road, York, PA 17406. This proposed facility is located in Manchester Township, **York County**.

Description of Proposed Action/Activity: Installation of approximately 10,550 lineal feet of 8-inch diameter gravity sewer pipe, a pumping station and approximately 2,700 lineal feet of 4-inch diameter forcemain.

WQM Permit No. 3609203, Sewerage, **Kreider Farms**, 1461 Lancaster Road, Manheim, PA 17545. This proposed facility is located in Penn Township, **Lancaster County**.

Description of Proposed Action/Activity: Construction/Operation of a reinforced concrete manure reception pit for the existing Home Farm dairy barn.

WQM Permit No. 3601204, Amendment 09-1, Industrial Waste, **Cocalico Valley Poultry Farms, Robert and Raymond Eberly**, 1095 Mt. Airy Road, Stevens, PA 17578-9791. This proposed facility is located in West Cocalico Township, **Lancaster County**.

Description of Proposed Action/Activity: Modifications/Upgrades to increase wastewater treatment plant discharge rate to address current seasonal facility usage by improving wastewater treatment process.

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

WQM Permit No. 4109402, Sewerage Public, SIC 4952, **Lycoming County Water & Sewer Authority**, 216 Old Cement Road, Montoursville, PA, 17754. This proposed facility is located in Fairfield Township, **Lycoming County**.

Description of Proposed Action/Activity: The applicant proposes to replace the existing Wal-Mart pump station with a new package submersible pump station.

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

WQM Permit No. 465S123-A2, Industrial Waste, **Union Electric Steel Corporation**, P. O. Box 465, Carnegie, PA 15106. This existing facility is located in Smith Township, **Washington County**.

Description of Proposed Action/Activity: Application for permit amendment to replace existing chlorine disinfection system.

WQM Permit No. 5609408, Sewerage, **Somerset County General Authority**, 146 West Main Street, Somerset, PA 15501. This proposed facility is located in Somerset Township, **Somerset County**.

Description of Proposed Action/Activity: Application for the construction and operation of a sewer system and pump station.

WQM Permit No. 0209407, Sewerage, **Marshall Township**, 525 Pleasant Hill Road, P. O. Box 2094, Warrendale, PA 15086. This proposed facility is located in Marshall Township, **Allegheny County** and Economy Borough, **Beaver County**.

Description of Proposed Action/Activity: Application for the construction and operation of a gravity sanitary sewer system.

WQM Permit No. 6509405, Sewerage, **Penn Township Sewage Authority**, 1032 Nike Site Road, Irwin, PA 15642. This proposed facility is located in Penn Township, **Westmoreland County**.

Description of Proposed Action/Activity: Application for the construction and operation of sewer system.

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

WQM Permit No. 2509403, Sewerage, **Richard D. Pack**, 1300 Penn Avenue, Irwin, PA 15642. This proposed facility is located in North East Township, **Erie County**.

Description of Proposed Action/Activity: A single-residence sewage treatment plant.

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

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

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

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

Monroe County Conservation District: 8050 Running Valley Road, Stroudsburg, PA 18360, (570) 629-3060.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024509009	HJP Park and Open Space Commission Route 715 S P. O. Box 213 Reeders, PA 18352	Monroe	Jackson and Pocono Townships	UNT Pocono Creek HQ-CWF, MF Rocky Run HQ-CWF, MF

Northampton County Conservation District: 14 Gracedale Avenue, Greystone Building, Nazareth, PA 18064, (610) 746-1971.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024809007	David Weikel Wind Gap Holdings, LP 2300 Highland Avenue Bethlehem, PA 18020	Northampton	Plainfield Township	UNT to Little Bushkill Creek HQ-CWF, MF
PAI024804016R	Robert G. Ankaitis Township of Palmer 3 Weller Place P. O. Box 3039 Palmer Township, PA 18043-3030	Northampton	Palmer and Bethlehem Townships	Bushkill Creek HQ-CWF, MF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041409009	Northeastern ITS 6779 Engle Road Middleburg Heights, OH 44130-7926	Centre, Clarion, Clearfield, Jefferson, Lehigh, Mercer, Northampton, Northumberland, Schuylkill, Snyder, Union and Venango	Various	Numerous

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

Jefferson County Conservation District: 1514 Route 28, Brookville, PA 15825, (814) 849-7463.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI063309002	Delta Contractors & Design, Inc. 15870 Route 322 Suite 1 Clarion, PA 16214	Jefferson	Pine Creek Township	UNTs to North Fork of Redbank Creek HQ-CWF

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

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

STATE CONSERVATION COMMISSION

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

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

Based upon preliminary reviews, the State Conservation Commission (SCC), or County Conservation Districts (CCD) working under a delegation agreement with the SCC, have completed an administrative review of NMPs described. These NMPs are published as proposed plans for comment prior to taking final actions. The NMPs are available for review at the CCD office for the county where the agricultural operation is located. A list of CCD office locations is available at www.pacd.org/districts/directory.htm or can be obtained from the SCC at the office address listed or by calling (717) 787-8821.

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

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

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

NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET—APPLICATIONS

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/New</i>
Troester Daily	Union	800	1,070.25	Dairy	Stony Run—HQ	New

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

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

Permit No. 3609507, Public Water Supply.

Applicant	Triple J. Mobile Home Park, Inc.
Municipality	Leacock Township
County	Lancaster

Responsible Official	Emanuel L. Lapp, President 169 Witmer Road Lancaster, PA 17602
Type of Facility	Public Water Supply
Consulting Engineer	Charles A. Kehew II, P. E. James R. Holley & Assoc., Inc. 18 South George Street York, PA 17401
Application Received	August 17, 2009
Description of Action	This project is for two new replacement wells (Wells No. 3 and 4) to serve as sources of supply for the Triple J Mobile Home Park.

WATER ALLOCATIONS

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

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

WA26-347C, Water Allocations. Pennsylvania American Water Company, 800 West Hersheypark Drive, P. O. Box 888, Hershey, PA 17033. The applicant is requesting the right to increase their withdrawal of water from the Monongahela River from 3.0 mgd to 3.1 mgd at their Brownsville District water system located in Brownsville, **Fayette County**.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 1

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

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use the Background Standard, Statewide Health Standard, the Site-Specific Standard or who intend to remediate a site as a special industrial area must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one, a combination of the cleanup standards or who receives approval of a special industrial area remediation identified under the act will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department. Furthermore, the person

shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

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

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

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

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

Clifford Residence, East Coventry Township, **Chester County**. Charles Burger, Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, Clare Erskine, Allstate Insurance Company, 1200 Atwater Drive, Suite 110, Malvern, PA 19355 on behalf of Karen Clifford, 367 Bethel Church Road, Spring City, PA 19475 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of No. 2 fuel oil. The future use of the site will remain the same.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

Permit Application No. 301626. White Pines Landfill, 515 SR 442, Millville, PA 17846. The application for the proposed expansion of the existing facility to construct a leachate storage impoundment, located in Pine Township, **Columbia County**, was submitted to the Williamsport regional office on August 18, 2009. A Local Municipal Involvement Process meeting will be scheduled.

Comments concerning the application should be directed to Lisa Houser, P. E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Persons interested in obtaining

more information about the permit application may contact the Williamsport Regional Office, (570) 327-3740. TDD users may contact the Department of Environmental Protection through the Pennsylvania AT&T Relay Service, (800) 654-5984.

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.

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

15-0078F: Centocor, Inc. (200 Great Valley Parkway, Malvern, PA 19355) for modification of two 16.8 mmBtu/hr boilers at the Centocor pharmaceutical research and development/manufacturing/biotechnological facility at 200 Great Valley Parkway, East Whiteland Township, **Chester County**. The permittee has requested to operate two existing boilers simultaneously which will result in an increase in NO_x, CO, PM, SO_x, VOC and HAP emission rates. The facility is a synthetic minor and operates under Operating Permit 15-00078. The permittee will take limitations to remain a synthetic minor facility for all pollutants. The Plan Approval will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

09-0211: Pennridge School District (1228 North 5th Street, Perkasio, PA 18944) to install three 12.4 mmBtu/hr hot water boilers at an existing facility in East Rockhill Township, **Bucks County**. The boilers will use natural gas and No. 2 fuel oil. The facility will comply with good air pollution control practices, monitoring and recordkeeping procedures designed to keep the facility operating within all applicable air quality requirements.

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

39-332-001: B Braun Medical, Inc. (901 Marcon Boulevard, Allentown, PA 18109) for re-activation of ETO sterilizer (source 109) at their existing facility in Hanover Township, **Lehigh County**.

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

59-00017A: Hitachi Metals Automotive Components USA, LLC (117 Gulick Street, Blossburg, PA 16912) to construct a phenolic urethane cold box core machine in Lawrence Township, **Tioga County**.

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

24-150A: PHB, Inc. (8150 West Ridge Road, Fairview, PA 16415) for installation of three paint booths at their facility in Fairview Township, **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.

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

ER-22-05051B: The Hershey Co. (1025 Reese Avenue, Hershey, PA 17033) for an Air Quality Emission Reduction Credit (ERC) approval of 37.0 tons of VOCs, 36.7 tons of PM₁₀, 8.0 tons of PM_{2.5}, 4.9 tons of CO and 4.0 tons of NO_x at their 19 East Chocolate Avenue facility located in Derry Township, **Dauphin County**. The ERCs being generated are a result of the July 2008 shutdown of the cocoa bean roasting operation, source IDs 116A, 145 and 199.

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

59-00002B: Dominion Transmission, Inc. (445 West Main Street, Clarksburg, WV 26301) for a plan approval (No. 58-00002B) for installation of oxidation catalysts (Control Devices C101 and C102) to control the CO, VOC and formaldehyde emissions from the two existing natural gas-fired compressor engines (Source ID P101 and P102) at their Tioga Compressor Station in Farmington Township, **Tioga County**. The respective facility is a major facility for which a Title V operating permit 59-00002 has been issued.

The Department of Environmental Protection's (Department) review of the information submitted by Dominion Transmission, Inc. indicates that the engines with an oxidation catalyst will meet all applicable air quality regulatory requirements pertaining to air contamination sources and the emission of air contaminants. In addition, the engines will meet the requirements of Subpart ZZZZ of the National Emission Standards for HAPs for Source Categories, 40 CFR Part 63 Subpart ZZZZ §§ 63.6580—63.6675. Based on these findings, the Department intends to approve the application and issue plan approval for the installation of oxidation catalysts on each engine. Additionally, if the Department determines that the engines with oxidation catalyst are operating in compliance with all plan approval conditions, the conditions established in the plan approval will be incorporated into Title V operating permit No. 59-00002 by means of an administrative amendment under 25 Pa. Code § 127.450.

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

1. All conditions as specified in Title V operating permit No. 59-00002 shall remain in effect unless superseded or amend by a condition contained herein. If there is a conflict between a condition contained in the Title V operating permit No. 59-00002 and a condition contained herein, the permittee shall comply with the condition contained herein rather than the conflicting condition contained in the Title V operating permit No. 59-00002.

2. Under the requirements of 40 CFR Part 63, Subpart ZZZZ, Control Devices C101 and C102 shall be capable of reducing the CO emissions by 93% from Source IDs P101 and P102, respectively.

3. Under the requirements of 40 CFR Part 63, Subpart ZZZZ, the permittee shall install instrumentation to monitor pressure drop across and the inlet gas temperature of Control Devices C101 and C102 on a continuous basis.

4. Source IDs P101 and shall not be operated without the simultaneous operation of Control Device C101 and C102, respectively.

5. Control Devices C101 and C102 shall control the air contaminant emissions from Source IDs P101 and P102, respectively.

6. The permittee shall perform CO and nonmethane hydrocarbon stack tests upon Source IDs P101 and P102 to verify compliance with the nonmethane hydrocarbon emission limitation and the CO removal efficiency requirements of Control Devices C101 and C102 associated with Source ID P101 and P102. Additionally, the permittee shall perform a formaldehyde stack test to determine

the formaldehyde emission rate from Control Devices C101 and C102 associated with Source IDs P101 and P102.

a. The stack test shall be performed within 90 days from the installation of Control Devices C101 and C102.

b. The stack tests shall consist of three separate test runs and each run shall last at least 1 hour in duration.

c. The testing of the inlet and outlet of Control Devices C101 and C102 shall be running simultaneously.

d. The inlet gas temperature of Control Devices C101 and C102 shall be recorded on a continuous basis during the test. The requirement for the temperature range may be established based upon the stack test report.

e. All testing is to be done using reference method test procedures acceptable to the Department and all testing is to be performed while Source IDs P101 and P102 are operating at +/- 10% of full load.

7. Source IDs P101 and P102 are subject to the requirements of Subpart ZZZZ of the National Emission Standards for HAPs as specified in 40 CFR 63.6580—63.6675. The permittee shall comply with all requirements of 40 CFR Part 63 Subpart ZZZZ.

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

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

11-00524A: United Industrial (163 Cramer Pike, Johnstown, PA 15906-1157) to allow the operation of a paint booth, which includes one air-assisted airless spray gun, at their facility in West Taylor Township, **Cambria County**.

In accordance with 25 Pa. Code §§ 127.44(b) and 127.45, the Department of Environmental Protection (Department) intends to issue Plan Approval PA-11-00524A to United Industrial to allow the operation of a paint booth, which includes one air-assisted airless spray gun, at their facility located in West Taylor Township, Cambria County.

Emissions from the facility are estimated to be 12.05 tons of VOCs and 2.19 tons of HAPs per year. The proposed source is subject to the applicable requirements of 25 Pa. Code Chapter 127, related to construction, modification, reactivation and operation of sources. The Department believes that the source will meet these requirements by complying with the following Plan Approval conditions:

Special Conditions

1. This Plan Approval is to allow the operation of the following air contamination sources by United Industrial at their plant located in West Taylor Township, Cambria County (25 Pa. Code § 127.12b):

- One Paint Booth (enclosed, control by fiber glass filers).

- One Graco, Model No. 700N, Air-Assisted Airless spray gun (or equivalent).

2. There shall be no fugitive emissions from the Facility contrary to 25 Pa. Code §§ 123.1 and 123.2.

3. The Owner/Operator may not permit the emission into the outdoor atmosphere of any malodorous air contaminants from any source, in such a manner that the malodors are detectable outside the property of the Facility (25 Pa. Code § 123.31).

4. The Owner/Operator shall not cause or permit the emission into the outdoor atmosphere of VOCs from a surface coating process category listed in Table I, unless one of the following limitations is met (25 Pa. Code § 129.52):

a. The VOC content of each as applied coating is equal to or less than the standard specified in Table I.

i. The VOC content of the as applied coating, expressed in units of weight of VOC per volume of coating solids, shall be calculated as follows:

$$\text{VOC} = (\text{W}_o) * (\text{D}_c) / \text{V}_n$$

Where:

VOC = VOC content in lb VOC/gal of coating solids

W_o = Weight percent of VOC (W_v—W_w—W_{ex})

W_v = Weight percent of total volatiles (100%—weight percent solids)

W_w = Weight percent of water

W_{ex} = Weight percent of exempt solvent(s)

D_c = Density of coating, lb/gal, at 25° C

V_n = Volume percent of solids of the as applied coating

TABLE I Emission Limit of VOCs in Surface Coatings by Process Category

Surface Coating Process Category	Weight of VOC per Volume of Coating Solids lbs VOC per gallon coating solids	kg VOC per liter coating solids
10(e). Air-dried coatings, Miscellaneous metal parts and products.	6.67	0.80

5. The Owner/Operator shall maintain the following daily records (25 Pa. Code § 129.12b):

a. The following parameters for each coating, thinner and other component as supplied:

i. The coating, thinner or component name and identification number.

ii. The application product from 25 Pa. Code § 129.52 Table I (that is, Miscellaneous metal parts and products—air-dried coatings).

iii. The volume used (gallons).

iv. The mix ratio.

v. The density or specific gravity.

vi. The weight percent of total volatiles (100%—weight percent solids).

vii. The weight percent of water, exempt solvents, and solids.

viii. The weight percent of VOC (weight percent of total volatiles—weight percent water—weight percent exempt solvents).

ix. The volume percent of solids.

x. The VOC and HAP content (pounds per gallon).

b. The VOC and HAP content (pounds per gallon) of each as applied coating.

6. The Owner/Operator shall use airless or air-assisted airless application technology, or application technology approved by the Department in writing, prior to use, to apply all surface coatings or primers which contain VOC (25 Pa. Code § 127.12b).

7. VOC emissions from the facility shall be limited to 12.1 tons in any consecutive 12-month period. HAP emissions shall be limited to 2.2 tons in any consecutive 12-month period. The Owner/Operator shall maintain records of the 12-month rolling total for VOC and HAP emissions (25 Pa. Code § 127.12b).

8. The Owner/Operator shall develop, maintain, and comply with a written Work Practice Implementation Plan (WPIP). The WPIP shall be made available for inspection by the Department upon request and shall consist of the following (25 Pa. Code § 127.12b):

a. Operator Training Program. New and existing personnel, including contract personnel, who are involved in coating or cleaning operations shall complete an operator training program.

1) New personnel shall be trained upon hiring.

2) Existing personnel shall be trained before source startup.

3) Personnel shall be given refresher training annually.

4) A copy of the written operator training program shall be maintained with the WPIP. The operator training program shall include the following:

i. A list of current personnel by name and job description that are required to be trained.

ii. An outline of the subjects to be covered in the initial and annual refresher training sessions for each position or group of personnel.

iii. The initial and annual refresher training sessions shall include, at a minimum, appropriate application techniques, appropriate cleaning procedures, appropriate equipment setup, adjustment to minimize coating usage and overspray, and appropriate management of cleanup wastes.

iv. Records of successful completion of the initial or annual refresher training sessions shall be maintained for each employee trained.

v. A record of the date each employee is trained.

b. Leak Inspection and Maintenance Plan. The Owner/Operator shall prepare and maintain as part of the WPIP a written leak inspection and maintenance plan which shall include the following:

1) A minimum visual inspection frequency of once per month for all equipment used to transfer or apply coatings.

2) An inspection schedule.

3) The methods for documenting the date and results of each inspection and any repairs that were made.

4) The time frame between identifying a leak and making the repair, which shall adhere to the following schedule:

i. A first attempt at repairs, including tightening of packing glands, shall be made within 5 working days after the leak is detected.

ii. Final repairs shall be made within 15 working days, unless the leaking equipment is to be replaced by a new purchase, in which case repairs shall be completed within 3 months.

c. Storage Requirements. The Owner/Operator shall use normally closed containers for storing coating and cleaning materials.

d. Line Cleaning, Equipment and Spray Gun Cleaning. The solvent used for cleaning shall be collected in normally closed containers.

9. The Owner/Operator shall perform a daily facility-wide inspection while the sources are in operation for the presence of any fugitive emissions or malodors at the property line. If fugitive emissions or malodors are apparent, the Owner/Operator shall take corrective action. Records of each inspection shall be maintained in a log and at the minimum include the date, time, name and title of the observer, along with any corrective action taken as a result (25 Pa. Code § 127.12b).

10. All logs and required records shall be maintained onsite for a minimum of 5 years and shall be made available to the Department upon request (25 Pa. Code § 127.12b).

11. Upon determination by the Owner/Operator that the sources covered by this Plan Approval are in compliance with all conditions of the Plan Approval the Owner/Operator shall contact the Department's reviewing engineer and schedule the Initial Operating Permit Inspection (25 Pa. Code § 127.12b).

12. Upon completion of Initial Operating Permit Inspection and determination by the Department that the sources covered by this Plan Approval are in compliance with all conditions of the Plan Approval the Owner/Operator shall submit a State-only Operating Permit application at least 60 days prior to the expiration date of the Plan Approval (25 Pa. Code § 127.12b).

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

General Conditions

1. Words and terms that are not otherwise defined in this plan approval shall have the meanings set forth in section 3 of the Air Pollution Control Act (APCA).

2. The issuance of this plan approval does not prevent the future adoption by the Department of any rules, regulations or standards, or the issuance of orders necessary to comply with the requirements of the Federal Clean Air Act (CAA) or the APCA, or to achieve or maintain ambient air quality standards. The issuance of

this plan approval shall not be construed to limit the Department's enforcement authority.

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

a. When construction, installation, modification or reactivation is being conducted, the permittee should provide written notice to the Department of the completion of the activity approved by this plan approval and the permittee's intent to commence operation at least 5 working days prior to the completion of said activity. The notice shall state when the activity will be completed and when the permittee expects to commence operation. When the activity involves multiple sources on different time schedules, notice is required for the commencement of operation of each source.

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

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

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

e. The notice submitted by the permittee under subpart a. previously, prior to the expiration date of the plan approval, shall modify the plan approval expiration date on page 1 of this plan approval. The new plan approval expiration date shall be 180 days from the date of commencement of operation.

4. The permittee shall maintain and operate the sources and associated air cleaning devices in accordance with good engineering practice as described in the plan approval application submitted to the Department.

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

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

this section prevents disclosure of the report, record or information to Federal, State or local representatives as necessary for purposes of administration of Federal, State or local air pollution control laws, or when relevant in a proceeding under the act.

6. This plan approval will be valid for a limited time, as specified by the expiration date contained on page 1 of this plan approval. Except as provided in §§ 127.11a and 127.215 (relating to reactivation of sources; and reactivation), at the end of the time, if the construction, modification, reactivation or installation has not been completed, a new plan approval application or an extension of the previous approval will be required.

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

1. A justification for the extension,
2. A schedule for the completion of the construction.

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

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

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

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

b. This plan approval is valid only for the specific source and the specific location of the source as described in the application.

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

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

b. Nothing in this plan approval condition shall limit the ability of the Environmental Protection Agency (EPA) to inspect or enter the premises of the permittee in accordance with section 114(a) or other applicable provisions of the CAA.

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

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

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

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

d. The EPA determines that this plan approval is not in compliance with the CAA or the regulations thereunder.

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

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

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

Regional Air Program Manager
Department of Environmental Protection
400 Waterfront Drive
Pittsburgh, PA 15222

13. If required by section 112(r) of the CAA, the permittee shall develop and implement an accidental release program consistent with requirements of the CAA, 40 CFR Part 68 (relating to chemical accident prevention provisions) and the Federal Chemical Safety Information, Site Security and Fuels Regulatory Relief Act.

14. A person may not cause or permit the operation of a source subject to § 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. 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.

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

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

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

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

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

For additional information you may contact Alan Binder at (412) 442-4168.

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.

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

65-00713: Greenridge Reclamation, LLC (234 Landfill Road, Scottdale, PA 15683-7762) for continued operation of their Greenridge Reclamation Landfill solid waste management facility in East Huntingdon Township, **Westmoreland County**. Landfill's design capacity makes it subject to the operating permit requirements of Title V of the Federal Clean Air Act, and 25 Pa. Code Chapter 127, Subchapter G. Proposed Title V Operating Permit contains applicable emission limits, as well as testing, monitoring, recordkeeping and reporting requirements. This is a renewal of the permit issued in 2001.

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

62-00136: Berenfield Containers, Inc. (31 Railroad Street, Clarendon, PA 16313) for reissuance of a Title V Permit to operate a metal barrels, drums and pails manufacturing facility in Clarendon Borough, **Warren County**. The facility's major emission sources include space and water heaters, paint roller coater, equipment clean up, No. 4 oven (roller coater), weld-seam strip coater, silk screening and cold cleaning degreaser. The facility is a major facility for Title V due to its potential to emit of VOC.

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

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

54-00053: Pine Grove Manufactured Homes, Inc. (2 Pleasant Valley Road, Pine Grove, PA 17963) for operation of wood cutting, trimming and adhesives, and sealants application lines in Pine Grove Township, **Schuylkill County**. This action is a renewal of the State-only (Synthetic Minor) Operating Permit for this facility.

39-00037: Nestle Purina PetCare Co. (2050 Pope Road, Allentown, PA 18104) a renewal State-only (Synthetic Minor) Operating Permit for a dog and cat food manufacturing facility in South Whitehall Township, **Lehigh County**. The sources at the facility include two natural gas/No. 2 fuel oil fired boilers, 33 natural gas

fired space heaters and three can plant stripping lines. The facility has the potential to emit SO_x above Title V emission thresholds. The permittee shall demonstrate compliance through a site level fuel restriction of No. 2 fuel oil along with recordkeeping and reporting. The proposed State-only (Synthetic Minor) Operating Permit contains applicable requirements for emissions limitations, monitoring, recordkeeping, reporting and work practice standards used to ensure facility compliance with Federal and State air pollution regulations.

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

22-03021: A.P. Green Refractories, Inc. (400 Fairway Drive, Moon Township, PA 15108) for operation of their refractory products facility at 105 North Wood Street in Middletown Borough, **Dauphin County**. This is a renewal of the State-only operating permit issued in June 2004.

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

04-00698: Hanson Aggregates PMA, Inc. (2200 Springfield Pike, Connellsville, PA 15425-6412) for renewal of the 2004 synthetic minor operating permit for the Thaddus Carr sand and gravel dredge and processing plant operating on the Ohio River in **Beaver County**. This notice was previously printed in error under the permit number 65-00143.

30-00086: Golden Eagle Construction Co., Inc. (P. O. Box 945, Uniontown, PA 15401-0945) for operation of a hot mix asphalt plant at their Carmichaels Plant in Cumberland Township, **Greene County**. This application is for renewal of the synthetic-minor operating permit issued in 2005.

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

25-00941: McDonald Sand & Gravel (9856 Drury Road, Girard, PA 16417) to issue a new State-only Operating Permit for the sand and gravel screening operations at their facility in Girard Township, **Erie County**. The facility is a Natural Minor. The primary sources at the facility include the wet sand and gravel screening (75 tph), conveyors, and a 171 hp diesel engine to provide power for the screening operations.

61-00211: Schake Industries, Inc. (673 Colbert Avenue, Oil City, PA 16301-2288) for issuance of the referenced Natural Minor Operating Permit for this abrasive blasting and surface coating operation, in Oil City, **Venango County**.

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

S09-012: Philadelphia Condominiums (2401 Pennsylvania Avenue, Philadelphia, PA 19130) for operation of a condominium in the City of Philadelphia, **Philadelphia County**. The facility's air emission source includes two 600 hp boilers and two 200 hp boilers.

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

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

PLAN APPROVALS

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

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

PA: 48-399-062: Dixie Consumer Products, LLC (605 Kuebler Road, Easton, PA 18040-9282) for construction and operation of three new cup forming machines at their facility to be in Forks Township, **Northampton County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (Department) has received and intends to issue a Plan Approval to Dixie Consumer Products, LLC (605 Kuebler Road, Easton, PA 18040-9282) for their facility to be located in Forks Township, Northampton County. This Plan Approval No. 48-399-062 will be incorporated into the companies Synthetic Minor Permit 48-00031 through an administrative amendment at a later date.

Plan Approval No. 48-399-062 is for the construction and operation of three new cup forming machines at the facility. PM emissions will be controlled by the use of two existing cyclones. These limits will meet BAT requirements for this source. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, the Department's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711.

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

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

Identification of the proposed permit No.: 48-399-062.

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

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

48-399-063: Lamtec Corp. (700 Bartley-Chester Road, P. O. Box 37, Flanders, NJ 07836-0037) for construction and operation of a laminating process for their facility to be in Upper Mount Bethel Township, **Northampton County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (Department) has received and intends to issue a Plan Approval to Lamtec Corp. (700 Bartley-Chester Road, P. O. Box 37, Flanders, NJ 07836-0037) for their facility to be located in Upper Mount Bethel Township, Northampton County. This Plan Approval No. 48-399-063 will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 48-399-063 is for the construction and operation of a laminating process at the facility. VOC emissions from the plant will remain under 50 tpy, 12-month rolling sum. Total HAP emissions from the facility will be under 25 tpy, 12-month rolling sum. Single HAP emissions will be under 10 tpy, 12-month rolling sum. PM emissions will be controlled by the use of a baghouse, which is limited to 0.02 gr/dscf. These limits will meet BAT requirements for this source. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, the Department's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711.

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

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

Identification of the proposed permit No.: 48-399-063.

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

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

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

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

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

When a National Pollutant Discharge Elimination System (NPDES) number is listed, the mining activity permit

application was accompanied by an application for an individual NPDES permit. The Department has made a tentative determination to issue the NPDES permit in conjunction with the mining activity permit, but the issuance of the NPDES permit is contingent upon the approval of the associated mining activity permit.

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

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

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

The procedures for determining the final effluent limits, using a mass-balance equation or model, are found in Technical Guidance Document 362-0600-001, NPDES Program Implementation-Memorandum of Understanding Concerning Water Quality Management, NPDES Program Implementation and Related Matters. Other specific factors to be considered include public comments and Total Maximum Daily Loads (TMDLs).

Persons wishing to comment on an NPDES permit application should submit a statement to the Department at the address of the district mining office indicated previously each application within 30 days of this public notice. Comments received within the comment period will be considered in the final determinations regarding the NPDES permit applications. Comments must include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

The Department will also accept requests or petitions for a public hearing on NPDES permit applications, as provided in 25 Pa. Code § 92.61. The request or petition for a public hearing shall be filed within 30 days of this public notice and shall contain the name, address, telephone number and the interest of the party filing the request, and shall state the reasons why a hearing is warranted. A public hearing may be held if the Department considers the public interest significant. If a hearing is scheduled, a notice of the hearing on the NPDES permit application will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. In the case where a public hearing is held, the Department will consider comments from the public hearing in the final determination on the NPDES permit application.

Coal Applications Received

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

Parameter	30-Day Average	Daily Maximum	Instantaneous Maximum
Iron (Total)	1.5 to 3.0 mg/l	3.0 to 6.0 mg/l	3.5 to 7.0 mg/l
Manganese (Total)	1.0 to 2.0 mg/l	2.0 to 4.0 mg/l	2.5 to 5.0 mg/l
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Aluminum (Total)	0.75 to 2.0 mg/l	1.5 to 4.0 mg/l	2.0 to 5.0 mg/l
pH 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: surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas; active areas disturbed by coal refuse disposal activities; and mined areas backfilled and revegetated; and drainage (resulting from a precipitation event of less than or equal to a 1-year 24-hour event) from coal refuse disposal piles.

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

11031301 and NPDES Permit No. PA0235539, AMFIRE Mining Company, LLC, (One Energy Place, Latrobe, PA 15650), to revise the permit for the Madison Mine in Croyle and Jackson Townships, **Cambria County** to expand the subsidence control plan area. Subsidence Control Plan Acres Proposed 381.8. The first downstream potable water supply intake from the point of discharge is the Greater Johnstown Water Authority—Saltlick Reservoir and intake Saltlick Run. Application received April 27, 2009.

56091301 and NPDES Permit No. PA0235865, Rosebud Mining Company, (301 Market Street, Kittanning, PA 15201), to operate the Stonycreek Mine in Quemahoning Township, **Somerset County** a new underground mine and related NPDES permit. Surface Acres Proposed 85.0, Underground Acres Proposed 1,403.0, Subsidence Control Plan Acres Proposed 804.5. Receiving streams: Beaverdam Creek and a UNT to Beaverdam Creek, both classified for the following use: HQ-CWF. The first downstream potable water supply intake from the point of discharge is Hooversville Municipal Authority, and intake Stonycreek River. Application received March 30, 2009.

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

16090102 and NPDES Permit No. PA0258776. Reichard Contracting, Inc. (212 Olean Trail, New Bethlehem, PA 16242). Commencement, operation and restoration of a bituminous surface strip operation in Porter Township, **Clarion County** affecting 40.0 acres. Receiving streams: Four UNTs to Leisure Run and Leisure Run, classified for the following use: CWF. The first downstream potable water supply intake from the point of discharge is New Bethlehem Borough (Redbank Valley Municipal Authority). Application received August 12, 2009.

1542-16090102-E-1. Reichard Contracting, Inc. (212 Olean Trail, New Bethlehem, PA 16242). Application for a stream encroachment to construct and maintain a haul road within 100 feet of tributary 3 to Leisure Run for the purpose of using this haul road as access to the permitted area in Porter Township, **Clarion County**. Receiving

streams: Four UNTs to Leisure Run and Leisure Run, classified for the following use: CWF. The first downstream potable water supply intake from the point of discharge is New Bethlehem Borough (Redbank Valley Municipal Authority). Application received August 12, 2009.

1542-16090102-E-2. Reichard Contracting, Inc. (212 Olean Trail, New Bethlehem, PA 16242). Application for a stream encroachment to construct and maintain a haul road over UNT 6 to Leisure Run for the purpose of using this haul road as access to the permitted area in Porter Township, **Clarion County**. Receiving streams: Four UNTs to Leisure Run and Leisure Run, classified for the following use: CWF. The first downstream potable water supply intake from the point of discharge is New Bethlehem Borough (Redbank Valley Municipal Authority). Application received August 12, 2009.

33060104 and NPDES Permit No. PA0258229. MSM Coal Company, Inc. (P. O. Box 234, DuBois, PA 15801). Revision to an existing bituminous surface strip operation in Knox Township, **Jefferson County** affecting 38.9 acres. Receiving streams: UNTs to Five Mile Run to Five Mile Run, classified for the following use: CWF. There are no potable surface water supply intakes within 10 miles downstream. Revision to add blasting. Application received August 19, 2009.

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

14050101 and NPDES No. PA0256242. R. H. Carmen, LLC (94 Spruce Street, Indiana, PA 15701), permit renewal for the continued operation and restoration of a bituminous surface mine in Rush Township, **Centre County**, affecting 34.0 acres. Receiving streams: Wolf Run, UNT to Moshannon Creek and Moshannon Creek, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received July 24, 2009.

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

54683045T3. Keystone Anthracite Co., Inc. (132 East Main Street, Girardville, PA 17935), transfer of an existing anthracite surface mine, coal refuse reprocessing and disposal operation from Penn Equipment Corp. in Butler, Union and West Mahanoy Townships, **Schuylkill County** affecting 743.0 acres, receiving stream: none. Application received August 17, 2009.

54803203C3 and NPDES Permit No. PA0123862. Rausch Creek Land, LP, (978 Gap Street, Valley View, PA 17983), correction to reactivate an existing coal refuse

reprocessing operation and stream encroachment in Hegins Township, **Schuylkill County** affecting 76.0 acres, receiving stream: East Branch Rausch Creek, classified for the following use: CWF. Application received August 19, 2009.

Noncoal Applications Received

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

<i>Parameter</i>	<i>Table 2</i>		
	<i>30-day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
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.

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

08090304 and NPDES No. PA0257206. M. R. Dirt, Inc. (R. R. 2, Box 147, Towanda, PA 18848). Commencement, operation and restoration of a bituminous surface noncoal mine in Wysox Township, **Bradford County**, affecting 49.8 acres. Receiving stream: UNTs to Wysox Creek, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received August 11, 2009.

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

64072807. Keystone Bluestone, Inc., (36 Exchange Street, Susquehanna, PA 18847), Stages I and II bond release from a quarry operation in Scott Township, **Wayne County** affecting 2.0 acres on property owned by Charles Ficarro. Application received August 19, 2009.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

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

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E66-146. Department of Transportation, Engineering District 4-0, 55 Keystone Industrial Park, Dunmore, PA 18512, Forkston Township, **Wyoming County**, United States Army Corps of Engineers, Baltimore District.

To remove the existing structure and to construct and maintain a two-span, concrete box beam bridge having a total normal clear span of 159 feet and a minimum underclearance of 11 feet over Mehoopany Creek (HQ-CWF). The project is located at SR 0087, Segment 0130, Offset 1502, approximately 600 feet east of the intersection of SR 0087 and SR 3001 (Meshoppen, PA Quadrangle Latitude: 41° 32' 01" N; Longitude: -76° 07' 24" W) in Forkston Township, Wyoming County.

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

E07-428: Logan Township, 800 39th Street, Altoona, PA 16602 in Logan Township, **Blair County**, United States Army Corps of Engineers, Baltimore District.

To construct and maintain 18 cross rock vanes, a 170-foot long and a 70-foot long rock riprap protection, planting trees, shrubs and live sticks in, along the banks, and floodplain of Mill Run (WWF) to rehabilitate the eroded banks located at a point starting from the downstream area of the Allegheny Reservoir and continuing downstream for about 3,000 feet (Altoona, PA Quadrangle from N: 1.48 inches; W: 8.72 inches, Latitude: 40° 30' 29"; Longitude: 78° 26' 16" to N: 0.65 inch; W: 7.50 inches, Latitude: 40° 30' 13"; Longitude: 78° 25' 44") in Logan Township, Blair County.

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

E41-598. Chief Gathering, LLC, 6051 Wallace Road Extension, Suite 210, Wexford, PA 15090. Water Obstruction and Encroachment Joint Permit, in Mifflin and Anthony Townships, and Salladasburg Borough, **Lycoming County**, United States Army Corps of Engineers, Susquehanna River Basin District (Salladasburg, PA Quadrangle N: 41° 17' 08"; W: 77° 13' 37").

To construct and maintain approximately 10.01 miles of natural gas pipeline in southern Mifflin and Anthony Townships and Salladasburg Borough, Lycoming County. The pipeline travels through forested areas into rural residential areas under roads, streams and through wetlands. The pipeline travels in a general southwest to northeast direction. The 10.01 mile pipeline will have impacts at nine wetland locations and 21 stream locations as is indicated in the chart as follows. Impacts were avoided when possible.

Stream Information		Wetland Impact		Riparian Buffer		Stream		Total Impact	
Local_Waterway	Waters_Name	SQFT.	ACRES	SQFT.	ACRES	SQFT	ACRES	SQFT	ACRES
STR #1	UT First Fork Larrys Creek	N/A				AVOIDED			
Wetland O	Wetland O	AVOIDED				N/A			
STR #2	First Fork Larrys Creek	BORE				BORE			
Wetland P	Wetland P	BORE				BORE			
STR #3	UT First Fork Larrys Creek	BORE				BORE			
Wetland R	Wetland R	133.87 SQFT	0.003 AC.			N/A			
Wetland Q	Wetland Q	807.72 SQFT	0.019 AC.			N/A			
STR #4	UT First Fork Larrys Creek	N/A		4088.51 SQFT	0.094 AC.	159.30 SQFT	0.004 AC.	4247.81 SQFT	0.10 AC.
STR #5	UT First Fork Larrys Creek	N/A		3007.17 SQFT	0.069 AC.	180.05 SQFT	0.004 AC.	3187.22 SQFT	0.07 AC.
STR #6	UT First Fork Larrys Creek	N/A		3121.73 SQFT	0.072 AC.	124.79 SQFT	0.003 AC.	3246.52 SQFT	0.07 AC.
STR #7	UT First Fork Larrys Creek	N/A		3008.95 SQFT	0.069 AC.	174.94 SQFT	0.004 AC.	3183.89 SQFT	0.07 AC.
Wetland H	Wetland H	AVOIDED				N/A			
Wetland I	Wetland I	AVOIDED				N/A			
Wetland M	Wetland M	AVOIDED				N/A			
STR #8	UT First Fork Larrys Creek	N/A		N/A	N/A	133.21 SQFT	0.003 AC.	133.21 SQFT	0.00 AC.
Wetland N	Wetland N	AVOIDED				N/A			
Wetland S	Wetland S	2274.19 SQFT	0.05 AC.			N/A			
STR #9	Second Fork Larrys Creek	N/A				BORE			
Wetland B	Wetland B	BORE				N/A			
STR #10	UT Second Fork Larrys Creek	N/A				BORE			
Wetland C	Wetland C	AVOIDED				N/A			
Wetland D	Wetland D	AVOIDED				N/A			
Wetland E	Wetland E	BORE				N/A			
STR #11A	Larrys Creek (braided)	N/A				BORE			
STR #11B	Larrys Creek (braided)	N/A				BORE			
STR #11	Larrys Creek (braided)	N/A				BORE			
Wetland F	Wetland F	BORE				N/A			
Wetland G	Wetland G	AVOIDED				N/A			
STR #12	UT Larrys Creek	N/A				BORE			
STR #13	Larrys Creek	N/A		2296.08 SQFT	0.053 AC.	695.67 SQFT	0.016 AC.	2991.75 SQFT	0.07 AC.
STR #14	Larrys Creek	N/A		147.42 SQFT	0.003 AC.	BORE		147.42 SQFT	0.00 AC.
STR #14A	UT to Larrys Creek	N/A				BORE			
Wetland J	Wetland J	BORE		5418.10 SQFT	0.124 AC.	N/A	N/A	5418.10 SQFT	0.12 AC.
STR #15	UT Larrys Creek	N/A		3395.06 SQFT	0.08 AC.	411.86 SQFT	0.009 AC.	3806.92 SQFT	0.09 AC.
STR #16	UT Larrys Creek	N/A		7217.00 SQFT	0.17 AC.	839.52 SQFT	0.019 AC.	8056.52 SQFT	0.18 AC.
Wetland K	Wetland K	2527.87 SQFT	0.058 AC.			N/A			
Wetland L	Wetland L	AVOIDED				N/A			
STR #17	UT Larrys Creek	N/A		N/A	N/A	312.02 SQFT	0.007 AC.	312.02 SQFT	0.01 AC.
STR #18	UT Larrys Creek	N/A		3804.58 SQFT	0.09 AC.	306.27 SQFT	0.007 AC.	4110.85 SQFT	0.09 AC.
STR #19	Stony Gap Run	N/A				BORE			

<i>Stream Information</i>		<i>Designation</i>	<i>Stream Crossing</i>	<i>Location (NAD 83)</i>	
Local_Waterway	Waters_Name	Water Quality	Linear (ft)	Latitude	Longitude
STR #1	UT First Fork Larrys Creek	HQ-CWF	AVOIDED	41° 16' 34"	77° 15' 49"
Wetland O	Wetland O	EV	AVOIDED	41° 16' 37"	77° 15' 49"
STR #2	First Fork Larrys Creek	HQ-CWF, WTS	BORE	41° 16' 39"	77° 15' 49"
Wetland P	Wetland P	EV	BORE	41° 16' 40"	77° 15' 50"
STR #3	UT First Fork Larrys Creek	HQ-CWF	BORE	41° 16' 40"	77° 15' 49"
Wetland R	Wetland R	EV	24 FT	41° 16' 51"	77° 15' 21"
Wetland Q	Wetland Q	EV	51 FT	41° 16' 52"	77° 15' 20"
STR #4	UT First Fork Larrys Creek	HQ-CWF	4 FT	41° 16' 51"	77° 15' 20"
STR #5	UT First Fork Larrys Creek	HQ-CWF	6 FT	41° 16' 49"	77° 15' 3"
STR #6	UT First Fork Larrys Creek	HQ-CWF	4 FT	41° 16' 43"	77° 14' 49"
STR #7	UT First Fork Larrys Creek	HQ-CWF	3 FT	41° 16' 52"	77° 14' 31"
Wetland H	Wetland H	EV	AVOIDED	41° 16' 58"	77° 14' 34"
Wetland I	Wetland I	EV	AVOIDED	41° 16' 59"	77° 14' 35"
Wetland M	Wetland M	EV	AVOIDED	41° 16' 59"	77° 14' 32"
STR #8	UT First Fork Larrys Creek	HQ-CWF	4 FT	41° 16' 51"	77° 14' 30"
Wetland N	Wetland N	EV	AVOIDED	41° 16' 55"	77° 14' 30"
Wetland S	Wetland S	N/A	43 FT	41° 17' 5"	77° 13' 36"
STR #9	Second Fork Larrys Creek	HQ-CWF	BORE	41° 17' 8"	77° 13' 31"
Wetland B	Wetland B	EV	BORE	41° 17' 8"	77° 13' 30"
STR #10	UT Second Fork Larrys Creek	HQ-CWF	BORE	41° 17' 9"	77° 13' 29"
Wetland C	Wetland C	EV	AVOIDED	41° 17' 17"	77° 13' 26"
Wetland D	Wetland D	EV	AVOIDED	41° 17' 16"	77° 13' 27"
Wetland E	Wetland E	EV	BORE	41° 17' 7"	77° 12' 50"
STR #11A	Larrys Creek (braided)	HQ-CWF, WTS	BORE	41° 17' 7"	77° 12' 48"
STR #11B	Larrys Creek (braided)	HQ-CWF, WTS	BORE	41° 17' 7"	77° 12' 48"
STR#11	Larrys Creek (braided)	HQ-CWF, WTS	BORE	41° 17' 7"	77° 12' 48"
Wetland F	Wetland F	EV	BORE	41° 17' 5"	77° 12' 43"
Wetland G	Wetland G	EV	AVOIDED	41° 17' 6"	77° 12' 38"
STR #12	UT Larrys Creek	HQ-CWF	13 FT	41° 17' 31"	77° 12' 7"
STR #13	Larrys Creek	HQ-CWF, WTS	BORE	41° 17' 38"	77° 12' 6"
STR #14	Larrys Creek	HQ-CWF, WTS	BORE	41° 17' 46"	77° 11' 58"
STR#14A	UT to Larrys Creek	HQ-CWF	BORE	41° 17' 46"	77° 11' 57"
Wetland J	Wetland J	EV	BORE	41° 17' 45"	77° 11' 56"
STR #15	UT Larrys Creek	HQ-CWF	11 FT	41° 17' 51"	77° 11' 33"
STR #16	UT Larrys Creek	HQ-CWF	12 FT	41° 17' 59"	77° 11' 31"
Wetland K	Wetland K	EV	30 FT	41° 17' 59"	77° 11' 31"
Wetland L	Wetland L	EV	AVOIDED	41° 18' 27"	77° 11' 8"
STR #17	UT Larrys Creek	HQ-CWF	4 FT	41° 18' 29"	77° 11' 7"
STR #18	UT Larrys Creek	HQ-CWF	10 FT	41° 18' 45"	77° 11' 17"
STR #19	Stony Gap Run	HQ-CWF	BORE	41° 20' 9"	77° 10' 10"

Crossings are achieved by way of directional boring and open cut. All in-stream construction, repair and maintenance work shall be conducted in dry work conditions by boring, dam and pumping, fluming or diverting stream flow around work areas. No construction or future repair work shall be done in or along the channels of wild trout streams between October 1 and December 31 without prior written approval from the Fish and Boat Commission. This permit also authorizes the construction, operation, maintenance and removal of temporary stream diversions, flumes, cofferdams, roadways and causeways necessary for pipeline construction and repair. The project proposes to permanently impact 2,528 square-feet (0.06 acre) of forested wetland habitat by converting the forested habitat into a cleared and maintained emergent wetland habitat. All other impacts incurred for activities authorized herein shall be temporary, and the permittee shall perform all activities strictly in accordance with the maps, plans, profiles, specifications provided for this authorization. If upon investigation the Department of Environmental Protection (Department) determines the activities authorized by this permit are serving to degrade any streams or associated wetlands, the permittee shall develop and implement a corrective action plan that fully abates the degradation. The permittee shall submit all corrective action plans to the Department for review and approval prior to implementation. The pipeline will intersect from southwest to northeast First Fork Road, Flook Road, SR 287, SR 973, Jobs Run Road, Daffodil Lane, Quenshukeny Road, Windy Ridge Road and SR 973. Construction will involve clearing and grubbing a width of 60-feet for almost the entire length of the pipeline. A 30-foot wide permanent right of way will be reserved for operation and maintenance of said pipeline. This project also includes the construction of a 0.6 mile access road on lands of Robert and Richard Hess. Approximate disturbance area of 93.1 acres is expected from this project. The ultimate purpose of the natural gas pipeline is to transfer natural gas from the Poor Shot natural gas well sites to the existing Spotts-Canoe Run natural gas pipeline. The project area is located north of Salladasburg, PA (Salladasburg, PA Quadrangle N: 41° 17' 08"; W: 77° 13' 37") in Mifflin and Anthony Townships, and Salladasburg Borough, Lycoming County.

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

E02-679-A1. Allegheny County Department of Public Works, 501 County Office; 542 Forbes Avenue, Pittsburgh, PA 15219-2904. To reissue, amend and extend the time on Permit E02-679 in Ross Township, **Allegheny County**, United States Army Corps of Engineers, Pittsburgh District (Glenshaw, PA Quadrangle N: 2.2 inches; W: 16.1 inches, Latitude: 40° 30' 44"; Longitude: 79° 59' 27"). To reissue, amend and extend the time on Permit No. E02-679 to remove the existing structure (Thompson Run Bridge No. 2 (TN02)) and to construct and maintain a box culvert having a span of 12.0 feet with an

underclearance of 4.0 feet in the channel of Thompson Run (WWF), to remove Thompson Run Bridge No. 3 (TN03) and to relocate and maintain approximately 290.0 linear feet of said stream for the purpose of improving highway safety. The project is located just north from the intersection of Thompson Run Road and Babcock Boulevard and will impact approximately 290.0 linear feet of stream channel.

E26-353. Department of Conservation and Natural Resources, P. O. Box 8451, 400 Market Street, Harrisburg, PA 17105. To remove the existing visitor area buildings in Ohiopyle Borough, **Fayette County**, United States Army Corps of Engineers, Pittsburgh District (Ohiopyle, PA Quadrangle: N: 18.16 inches; W: 16.8 inches, Latitude: 39° 51' 00"; Longitude: 79° 29' 41"). To remove the existing visitor area buildings and to construct and maintain a new visitor center with associated site utilities and parking in the floodplain of the Youghigheny River (HQ-CWF) within the Ohiopyle State Park. The project includes construction of an overhang structure with caisson and pier support on the Riverbank.

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

E25-733, Millcreek Township School District, 3740 West 26th Street, Erie, PA 16506-2096. Asbury Woods Nature Center Boardwalk, in Millcreek Township, **Erie County**, United States Army Corps of Engineers, Pittsburgh District (Swanville, PA Quadrangle N: 42° 3' 9"; W: 80° 10' 47.1").

The applicant proposes to construct and maintain an approximately 230-foot long by 7-foot wide elevated boardwalk on helical piers over PEM/PSS wetland (0.022 acre of aerial coverage and < 0.022 acre impact) and a UNT Walnut Creek (drainage area < 100 acres) in the location of an existing pedestrian nature trail at the Asbury Woods Greenway approximately 0.75 mile SE of the intersection of Millfair Road and West 38th Street. UNT Walnut is a perennial stream classified as an MF and a CWF.

ENVIRONMENTAL ASSESSMENTS

Cambria District: Environmental Program Manager, 286 Industrial Pike Road, Ebensburg, PA 15931-4119.

EA3709-001. Department of Environmental Protection, Bureau of Abandoned Mine Reclamation, Division of Mine Hazards, P. O. Box 8476, Harrisburg, PA 17105. Abandoned Mine Land Reclamation Project, in Slippery Rock Township, **Lawrence County**, United States Army Corps of Engineers, Pittsburgh District.

The applicant proposes to backfill an abandoned surface mine, which includes a total of 3,100 linear feet of dangerous highwalls. The project will include the backfilling of 1.0 acre of PSS/PEM wetlands and 2.5 acres of waterbodies that have developed within the open surface mine pits (Portersville, PA Quadrangle N: 12.0 inches; W: 16.0 inches).

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 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

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

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

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

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

I. NPDES Renewal Permit Actions

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
A0053708 (Sew)	James Gaffney—Hawk Mountain B and B 223 Stony Run Valley Road Kempton, PA 19529	Berks County Albany Township	Stoney Run 3-B	Y
PA0246611 (Sew)	Borough of Strausstown P. O. Box 325 Strausstown, PA 19559	Berks County Upper Tulpehocken Township	Jackson Creek 3-C	Y
PA0021644 (Sew)	Dover Borough 46 Butter Road Dover, PA 17315	York County Dover Borough	Fox Run 7-F	Y
PA0034011 (Sew)	Beford Materials Co, Inc. 7676 Allegheny Road Manns Choice, PA 15550	Bedford County Napier Township	UNT to Raystown Branch Juniata River 11-C	Y
PA0010511 (IW)	Spring Glen Fresh Foods, Inc. 314 Spring Glen Drive Ephrata, PA 17522	Lancaster County Ephrata Township	UNT to the Conestoga River 7-J	Y
PA0082457 (IW)	Alexandria Borough Water Co. P. O. Box 336 Alexandria, PA 16611	Huntingdon County Porter Township	Robinson Run 11-A	Y

<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>
PA0082571 (Sew)	West Penn District—Grace Brethren Men, Inc. 2671 Camp Lane Saxton, PA 16678-0095	Huntingdon County Todd Township	UNT to Tatman Run 11-D	Y
PA0082741 (IW)	Elizabethtown Area Water Authority Five Municipal Drive Elizabethtown, PA 17022	Lancaster County Mount Joy Township	UNT to Conoy Creek 7-G	Y
PA0044059 (IW)	Fish and Boat Commission 450 Robinson Lane Bellefonte, PA 16823-9620	Bedford County East Saint Clair Township	Dunning Creek 11-C	Y

Public Notice of Permit Issuance

Permit for National Pollutant Discharge Elimination System (NPDES) to Discharge to State Waters

Southcentral Region: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4707.

Final Notice is hereby given that the Department of Environmental Protection, after public notice, has on August 21, 2009 issued a National Pollutant Discharge Elimination System Permit to:

Permit No. PA 0044059. Fish and Boat Commission, 450 Robinson Lane, Bellefonte, PA 16823-9620.

This notice reflects changes from the notice published in the *Pennsylvania Bulletin*.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Daily Maximum (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Suspended Solids	10	20	25

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.

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>
PA0239330	Coventina Day Spa, Inc. 10747 Route 19 Waterford, PA 16441	Waterford Township Erie County	UNT to LeBoeuf Creek 16-A	Y
PA0209988	Department of Public Welfare 1401 North 7th Street P. O. Box 2675 Harrisburg, PA 17105-3451	Polk Borough Venango County	Little Sandy Creek 16-G	Y
PA0035696	Travelodge 6101 Wattsburg Road Erie, PA 16509-4037	Millcreek Township Erie County	UNT to Mill Creek 15	Y
PA0032905	Sunnyview MHP 90 Shenango Park Road Transfer, PA 16154	Pymatuning Township Mercer County	UNT to Brush Run 20-A	Y
PA0222313	Gene P. Kidder P. O. Box 106 Route 36 Sigel, PA 15860	Barnett Township Jefferson County	UNT to Cathers Run 16-B	Y

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

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

NPDES Permit No. PA0026441, Sewage, Lemoyne Borough, Three Lowther Street, Lemoyne, PA 17043. This proposed facility is located in Lemoyne Borough, **Cumberland County**.

Description of Proposed Action/Activity: Authorization to discharge to the Susquehanna River in 7-E.

NPDES Permit No. PA0260207, CAFO, Michael Jasienski, Felton Pig Farm, 1068 Main Street Extended, Felton, PA 17322. This proposed facility is located in Chanceford Township, **York County**.

Description of Size and Scope of Proposed Operation/Activity: Termination of Permit.

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

NPDES Permit No. PA0254126, Sewage, **Charles Hensel**, 115 Hamel Lane, Johnstown, PA 15905. This proposed facility is located in Upper Yoder Township, **Cambria County**.

Description of Proposed Action/Activity: Permit issuance for the operation of small flow treatment facility.

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

NPDES Permit No. PAS608301, Industrial Waste, **Harsco Corporation**, 350 Poplar Church Road, Camp Hill, PA 17011. This proposed facility is located in Winfield, **Butler County**.

Description of Proposed Action/Activity: Issuance of an amended NPDES Permit for existing and new discharges of stormwater associated with industrial activities and stormwater from construction activities.

NPDES Permit No. PA0026174, Sewage, **The General Authority of the City of Franklin**, 430 13th Street, Franklin, PA 16323-1317. This proposed facility is located in Franklin City, **Venango County**.

Description of Proposed Action/Activity: Issuance of a renewed NPDES permit, including adding three newly discovered CSO outfalls (008-010) to the permit and removing milestones from the previous CSO special condition.

NPDES Permit No. PA0028223, Sewage, **Municipal Authority of the City of Corry**, 36 West Main Street, Corry, PA 16407. This proposed facility is located in City of Corry, **Erie County**.

Description of Proposed Action/Activity: Issuance of a renewed NPDES permit to discharge treated sewage.

III. WQM Industrial Waste and Sewerage Actions 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. 3909403, Sewerage, **Upper Macungie Township Authority**, 8330 Schantz Road, Breinigsville, PA 18031. This proposed facility is located in Upper Macungie Township, **Lehigh County**.

Description of Proposed Action/Activity: Issuance of Water Quality Management Permit.

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

WQM Permit No. WQG02060902, Sewage, **Washington Township Municipal Authority**, 120 Barto Road, Box 156, Barto, PA 19504. This proposed facility is located in Washington Township, **Berks County**.

Description of Proposed Action/Activity: Permit approval for the construction/operation of sewer extension (West Tract PRD).

WQM Permit No. 275260, Sewage, **Bedford Materials Company**, 7676 Allegheny Road, Manns Choice, PA 15550. This proposed facility is located in Napier Township, **Bedford County**.

Description of Proposed Action/Activity: Permit approval for the construction/operation of sewerage facilities consisting of a 2,000-gallon septic tank, a 1,600-gallon recirculation/blend tank with Biotube pump, AdvanTex filter basin with absorbent textile filter sheets, UV disinfection, 2,000-gallon post aeration tank, and a discharge pump unit and additionally an existing sand filter.

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

WQM Permit No. WQG016175, Sewerage, **David Calderone**, 162 A Hufnagel Drive, Clinton, PA 15026. This proposed facility is located in Robinson Township, **Washington County**.

Description of Proposed Action/Activity: Permit issuance for the construction and operation of a single-residence sewage treatment plant.

WQM Permit No. 0209403, Sewerage, **Bell Acres Municipal Authority**, 1151 Camp Meeting Road, Sewickley, PA 15143. This proposed facility is located in Bell Acres Borough, **Allegheny County**.

Description of Proposed Action/Activity: Permit issuance for the construction and operation of four package sewage treatment plant replacements with pump stations and existing pump station upgrade.

WQM Permit No. 0209401, Sewerage, **Municipality of Penn Hills**, 12245 Frankstown Road, Penn Hills, PA 15235-3494. This proposed facility is located in Penn Hills Township, **Allegheny County**.

Description of Proposed Action/Activity: Permit issuance for the construction and operation of sanitary sewer line repairs, relocation and upsizing.

WQM Permit No. 6309404, Sewerage, **Chartiers Township**, 2 Buccaneer Drive, Houston, PA 15342. This proposed facility is located in Chartiers and Canton Townships, **Washington County**.

Description of Proposed Action/Activity: Permit issuance for the construction and operation of a sewage interceptor and collector system.

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

Description of Proposed Action/Activity: Permit issuance for the construction and operation of sanitary sewers, pressure sewers and a pump station.

WQM Permit No. 6309401, Sewerage, **North Strabane Township Municipal Authority**, 1929B Route 519 South, Canonsburg, PA 15317. This proposed facility is located in North Strabane Township, **Washington County**.

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

WQM Permit No. 1109402, Sewerage, **Charles Hensel**, 115 Hamel Lane, Johnstown, PA 15909. This proposed facility is located in Upper Yoder Township, **Cambria County**.

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

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

WQM Permit No. 3775401, Sewerage, **New Wilmington Borough**, 134 High Street, New Wilmington, PA 16142-1104. This proposed facility is located in New Wilmington Borough, **Lawrence County**.

Description of Proposed Action/Activity: Issuance of a permit approving the organic rerating of sewerage wastewater facilities.

WQM Permit No. WQG018705, Sewerage, **Kenneth L. VanHooser**, 11492 US Route 19, Waterford, PA 16441. This proposed facility is located in Waterford Township, **Erie County**.

Description of Proposed Action/Activity: Issuance of a single-residence sewage treatment plant.

WQM Permit No. WQG018706, Sewerage, **James D. and Lori A. S. Lang**, 8526 Tamarack Drive, Meadville, PA 16335. This proposed facility is located in West Mead Township, **Crawford County**.

Description of Proposed Action/Activity: Issuance of a single-residence sewage treatment plant.

WQM Permit No. WQG018697, Sewerage, **Harold D. Pickens**, 9576 Griffey Road, Albion, PA 16401. This proposed facility is located in Conneaut Township, **Erie County**.

Description of Proposed Action/Activity: Issuance of a single-residence sewage treatment plant.

WQM Permit No. 2009402, Sewerage, **Vernon Township Sanitary Authority**, 16678 McMath Avenue, Meadville, PA 16335-6588. This proposed facility is located in Vernon Township, **Crawford County**.

Description of Proposed Action/Activity: Issuance of a permit for the South Watson Run Sewage Treatment Plant which is correcting an organic overload by replacement of the existing coarse bubble diffusers in the aeration tanks with fine bubble diffusers and an organic loading rerating.

WQM Permit No. 2495405, Sewerage, **Highland Township Municipal Authority**, James City Sewage Treatment Plant, P. O. Box 143, James City, PA 16734. This proposed facility is located in Highland Township, **Elk County**.

Description of Proposed Action/Activity: Issuance of a minor amendment to the sewage treatment facility which would install a comminutor prior to the lift station.

WQM Permit No. WQG018704, Sewerage, **Donald Schmitt**, 3508 Canoe Ripple Road, Sligo, PA 16255. This proposed facility is located in Licking Township, **Clarion County**.

Description of Proposed Action/Activity: Issuance of a single-residence sewage treatment plant.

WQM Permit No. 2592403, Sewerage, **YMCA of Greater Erie**, 31 West 10th Street, Erie, PA 16501-1401. This proposed facility is located in Girard Township, **Erie County**.

Description of Proposed Action/Activity: Issuance of a permit for modification of the treatment plant to add sludge holding facilities, a dedicated sludge tank blower and document an existing feed of sodium aluminate.

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

WQM Permit No. 1501417, Amendment 1, Sewerage, **Nantmeal Warwick Sewer Company**, 26 East Main Street, P. O. Box 20, Elverson, PA 19520. This proposed facility is located in Warwick Township, **Chester County**.

Description of Action/Activity: Amending operations of aerated lagoon STP with spray discharge.

WQM Permit No. WQG010029, Sewerage, **Robert J. and Dawn L. Gaskill**, 2368 Schaffer Road, Pottstown, PA 19464. This proposed facility is located in New Hanover Township, **Montgomery County**.

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

WQM Permit No. 0909405, Sewerage, **Patricia Benson, c/o DelVal Soil and Environmental Consultants, Inc.**, 4050 Skyron Drive, Suite A1, Doylestown, PA 18902. This proposed facility is located in West Rockhill Township, **Bucks County**.

Description of Action/Activity: Construction and operation of a small flow sewage treatment facility.

WQM Permit No. 0997402, Transfer, Sewerage, **Kevin M. Bergey**, 215 Augustine Road, Sellersville, PA 18960. This proposed facility is located in West Rockhill Township, **Bucks County**.

Description of Action/Activity: Transfer of the original sewage treatment plant permit.

WQM Permit No. 4608413, Sewerage, **Lower Frederick Township**, 53 Spring Mount Road, P. O. Box 253, Zieglerville, PA 19492. This proposed facility is located in Lower Frederick Township, **Montgomery County**.

Description of Action/Activity: Installation of an ultra-effluent discharge piping.

WQM Permit No. 4604403, Sewerage, **Amendment 1, Lower Salford Township Authority**, P. O. Box 243, Harleysville, PA 19438. This proposed facility is located in Lower Salford Township, **Montgomery County**.

Description of Action/Activity: To replace parallel mains with approximately 911 LF of 8" PVC, 7 LF 16" PVC, 832 LF 24" PVC and 465 LF 24" dip, relocate existing sanitary sewer.

WQM Permit No. 4693430, Sewerage, **Amendment 2, Bucks County Water and Sewer Authority**, 1275 Almshouse Road, Warrington, PA 18976-1413. This proposed facility is located in Upper Dublin Township, **Montgomery County**.

Description of Action/Activity: To add a ferric chloride chemical feed system to an existing treatment plant.

WQM Permit No. 1509403, Sewerage, **Bruce Shepherd, Owner, Hibernia Homes**, 1009 Telegraph Road, Coatesville, PA 19320-1001. This proposed facility is located in West Caln Township, **Chester County**.

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

WQM Permit No. 1509404, Sewerage, **Bruce Shepherd, Owner, Hibernia Homes**, 1009 Telegraph Road, Coatesville, PA 19320-1001. This proposed facility is located in West Caln Township, **Chester County**.

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

WQM Permit No. 1509405, Sewerage, **Bruce Shepherd, Owner, Hibernia Homes**, 1009 Telegraph Road, Coatesville, PA 19320-1001. This proposed facility is located in West Caln Township, **Chester County**.

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

WQM Permit No. 0906201, Sewerage, **Amendment 1, Waste Management Disposal Services of PA, Inc.**, 1000 New Ford Mill Road, Morrisville, PA 19067. This proposed facility is located in Falls Township, **Bucks County**.

Description of Action/Activity: New leachate treatment system.

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023909010	Trexlerstown FC Associates, LP 633 West Germantown Pike Suite 205 Plymouth Meeting, PA 19462	Lehigh	Lower Macungie Township	Little Lehigh Creek HQ-CWF, MF
PAI023908028	Lehigh County Authority P. O. Box 3348 1053 Spruce Street Allentown, PA 18106	Lehigh	Upper Macungie and Lower Macungie Townships	Iron Run Creek HQ-CWF, MF Spring Creek HQ-CWF, MF Little Lehigh Creek HQ-CWF, MF
PAI023908023	Mark Getz 10635 Hamilton Boulevard Breinigsville, PA 18031	Lehigh	Upper Macungie Township	Schaefer Creek HQ-CWF, MF

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>
PAI050209004	Timothy Felt Quaker Valley Recreation Association, Inc. P. O. Box 74 Leetsdale, PA 15056	Allegheny	Bell Acres Borough	Little Sewickley Creek HQ-TSF

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

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

List of NPDES and/or Other General Permit Types

PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities (PAR)

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

General Permit Type—PAG-2

Facility Location:

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
City of Scranton Lackawanna County	PAG2003509011	Daniel R. Siegel 1436 East Elizabeth Avenue Linden, NJ 07036	Tributary to Lackawanna River CWF	Lackawanna County Conservation District (570) 281-9495
Plymouth Borough Luzerne County	PAG2004009013	Wyoming Valley West School District Michael Garzella 450 North Maple Avenue Kingston, PA 18704	Susquehanna River WWF	Luzerne County Conservation District (570) 674-7991
West Hanover Township Dauphin County	PAG2002209025	Neil Patel Dayakanta Enterprises, LLC 7100 Allentown Boulevard Harrisburg, PA 17112	Beaver Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018
Lower Paxton Township Dauphin County	PAG2002209009	Diocese of Harrisburg 4800 Union Deposit Road Harrisburg, PA 17111	Spring Creek CWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018
Centre County Benner Township	PAG2001409003	SCI Benner Elizabeth O'Reilly Department of General Services 18th and Herr Streets Harrisburg, PA 17125	UNT to Spring Creek CWF UNT to Logan Branch CWF	Centre County Conservation District 414 Holmes Avenue Suite 4 Bellefonte, PA 16823 (814) 355-6817
Lycoming County Muncy Township	PAG2004109002	Blaise Alexander 125 Allendale Drive Montoursville, PA 17754	Twin and Turkey Runs to West Branch of Susquehanna River WWF	Lycoming County Conservation District 542 County Farm Road Suite 202 Montoursville, PA 17754 (570) 433-3003
Lycoming County City of Williamsport	PAG2004109006	Mark Austin Department of Military and Veteran Affairs Building 0-10 Ft. Indiantown Gap Annville, PA 17003	McClures Run WWF	Lycoming County Conservation District 542 County Farm Road Suite 202 Montoursville, PA 17754 (570) 433-3003

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Tioga County Charleston Township	PAG2005909007	Craig West 90 Bodine Street Wellsboro, PA 16901	UNT Charleston Creek WWF	Tioga County Conservation District 50 Plaza Lane Wellsboro, PA 16901 (570) 724-1801, Ext. 3
Tioga County Ward Township	PAG2005909008	Pine Hill Landfill P. O. Box 62 Bloomsburg, PA 16912	Fall Brook CWF	Tioga County Conservation District 50 Plaza Lane Wellsboro, PA 16901 (570) 724-1801, Ext. 3
Westmoreland County Mount Pleasant Township	PAG2006509017	Roy W. Leukhardt, III 1000 Commercial Court Irwin, PA 15642	UNT to Wilson Run WWF	Westmoreland County Conservation District (724) 837-5271
Butler County Cranberry Township	PAG2001009008	Chatham Commons at Cranberry Daniel Mancosh Chatham Commons at Cranberry LP 310 Seven Fields Boulevard Suite 350 Seven Fields, PA 16046	UNTs to Brush Creek WWF	Butler County Conservation District (727) 284-5270
Butler County Slippery Rock Township	PAG2091009003	Bureau of Abandoned Mine Reclamation Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119	UNT to Glade Run to Slippery Rock Creek WWF	DEP Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119 (814) 472-1800
Indiana County East Mahoning and Grant Townships	PAG2093209004	Bureau of Abandoned Mine Reclamation Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119	UNT to the Dixon Run to Two Lick Creek CWF	DEP Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119 (814) 472-1800
Hazle Township Luzerne County	PAG2-1140- 08-001	DEP Bureau of Abandoned Mine Reclamation 2 Public Square Fifth Floor Wilkes-Barre, PA 18711-0790	Cranberry Creek CWF	DEP Bureau of Abandoned Mine Reclamation 2 Public Square Fifth Floor Wilkes-Barre, PA 18711-0790 (570) 826-2371

General Permit Type—PAG-3

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
York County Lower Windsor Township	PAR603588	WM Recycle America, LLC 4555 Mount Pisgah Road York, PA 14702	UNT Kreutz Creek WWF	DEP—SCRO—WQ 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Piatt Township Lycoming County	PAR604823	Louis and Wade Shetty Auto Sales 1545 Devils Elbow Road Jersey Shore, PA 17740	Seeley Run WWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3664

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Decatur Township Clearfield County	PAR604819	D C Enterprises P. O. Box 406 Philipsburg, PA 16866	UNT To Little Laurel Run CWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3664
East Huntingdon Township Westmoreland County	PAR606212	Marsh Automotive, Inc. 258 Ruffsedale Road Ruffsedale, PA 15679	UNT to Buffalo Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Greene Township Mercer County	PAR808350	Greenville Borough 125 Main Street Greenville, PA 16125	UNT to the Shenango and Little Shenango Rivers	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Sugarcreek Borough Venango County	PAR608344	Steven Baker, d/b/a Eakin Auto 230 Patchel Run Road Franklin, PA 16323	Sugar Creek	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Sugarcreek Borough Venango County	PAR608330	Steven Baker, d/b/a Eakin Auto 230 Patchel Run Road Franklin, PA 16323	Patchel Run	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

General Permit Type—PAG-4

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Robinson Township Washington County	PAG046406	David Calderone 162 A Hufnagel Drive Clinton, PA 15026	UNT of Little Raccoon Run	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Waterford Township Erie County	PAG049528	Kenneth L. VanHooser 11492 US Route 19 Waterford, PA 16441	UNT to LeBoeuf Creek 16A	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
West Mead Township Crawford County	PAG049529	James D. and Lori A. S. Lang 8526 Tamarack Drive Meadville, PA 16335	UNT to Tamarack Lake 16-D	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Conneaut Township Erie County	PAG049519	Harold D. Pickens 9576 Griffey Road Albion, PA 16401	Storm tributary to Ashtabula Creek 15	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Licking Township Clarion County	PAG049527	Donald Schmitt 3508 Canoe Ripple Road Sligo, PA 16255	Clarion River 17-B	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

*Facility Location:
Municipality &
County*Pine Grove
Township
Warren CountyPermit No.
PAG048431*Applicant Name &
Address*
Dennis L. Thompson
2390 Route 957
Russell, PA 16345-3522*Receiving
Water / Use*
Johnny Run
16-B*Contact Office &
Phone No.*
DEP—NWRO
Water Management
230 Chestnut Street
Meadville, PA 16335-3481
(814) 332-6942*General Permit Type—PAG-5**Facility Location:
Municipality &
County*Monroeville
Borough
Allegheny CountyPermit No.
PAG056236*Applicant Name &
Address*
Sunrise Sunoco
12000 Frankstown Road
Suite 104
Pittsburgh, PA 15235*Receiving
Water / Use*
Abers Creek*Contact Office &
Phone No.*
Southwest Regional Office
Water Management
Program Manager
400 Waterfront Drive
Pittsburgh, PA
15222-4745
(412) 442-4000*General Permit Type—PAG-8 (SSN)**Facility Location:
Municipality &
County*West Franklin Township
Armstrong County*Applicant Name &
Address*
Worthington West Franklin
Joint Municipal Authority
102 West Main Street
Worthington, PA 16262*Site Name*
Claypoole Farm*Contact Office &
Phone No.*
Southwest Regional Office
Water Management
Program Manager
400 Waterfront Drive
Pittsburgh, PA 15222-4745
(412) 442-4000Young Township
Indiana County*Applicant Name &
Address*
Synagro
3239 Route 981
New Alexandria, PA 15670*Site Name*
Bieda Farm*Contact Office &
Phone No.*
Southwest Regional Office:
Water Management
Program Manager
400 Waterfront Drive
Pittsburgh, PA 15222-4745
(412) 442-4000**STATE CONSERVATION COMMISSION****NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR
NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES)
PERMITS FOR CONCENTRATED ANIMAL FEEDING OPERATIONS (CAFO)**

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

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

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

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

CAFO PUBLIC NOTICE SPREADSHEET—ACTIONS

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA) Clover Creek—HQ</i>	<i>Approved or Disapproved</i>
Kulp Family Dairy R. D. 2 Box 142B Martinsburg, PA 16662	Blair	2,610.7	3,651.25	Dairy		Approved
Robert Gochenaur Stone Chimney Hollow 3449 Delta Road Airville, PA 17302	York	27.1	441.19	Swine Turkey Deer Calves	NA	Approved
Aaron Hawbaker 6842 Buttermilk Road Waynesboro, PA 17268	Franklin	185.6	114.8	Duck	NA	Approved

PUBLIC WATER SUPPLY (PWS) PERMITS

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

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

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

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

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act

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

Permit No. 6709504 MA, Minor Amendment, Public Water Supply.

Applicant **United Water Pennsylvania**

Municipality Newberry Township
 County **York**
 Type of Facility Conley Pump Station Clearwell Lining
 Consulting Engineer Steven Metzler, P. E.
 United Water Pennsylvania
 4211 East Park Circle
 Harrisburg, PA 17111
 Permit to Construct Issued September 20, 2009

Operations Permit issued to **Cornwall Borough Authority**, 7380007, Cornwall Borough, **Lebanon County** on August 20, 2009, for the operation of facilities approved under Construction Permit No. 3809506 MA.

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

Permit No. MA-1893501, Construction, Public Water Supply.

Applicant **Central Clinton Co. Water Filtration Authority**
 Township or Borough Wayne Township
 County **Clinton**
 Responsible Official Jack D. Peters, Chairperson
 Central Clinton County Water Filtration Authority
 70 Filtration Drive
 Lock Haven, PA 17745
 Type of Facility Public Water Supply—Construction
 Consulting Engineer David M. Swisher, P. E.
 474 Windmere Drive
 Suite 100
 State College, PA 16801
 Permit Issued Date August 19, 2009
 Description of Action Addition of sodium permanganate and polyaluminum chloride.

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

Permit No. 0409502, Public Water Supply.
 Applicant **Creswell Heights Joint Authority**
 101 South Jordan Street
 Box 301
 South Heights, PA 15081
 Borough or Township South Heights Borough
 County **Beaver**
 Type of Facility Well No. 7
 Consulting Engineer Rabosky and Associates, Inc.
 104 Wynview Drive
 Moon Township, PA 15108
 Permit to Construct August 13, 2009
 Issued

Permit No. 0209506, Public Water Supply.
 Applicant **Pittsburgh Water and Sewer Authority**
 1200 Penn Avenue
 2nd Floor
 Pittsburgh, PA 15222-4204
 Borough or Township City of Pittsburgh
 County **Allegheny**
 Type of Facility Water treatment plant
 Consulting Engineer
 Permit to Construct August 20, 2009
 Issued

Operations Permit issued to **Conemaugh Township Municipal Authority**, Box 429, 113 South Main Street, Davidsville, PA 15928, (PWSID No. 4560048) Jenner Township, **Somerset County** on August 13, 2009, for the operation of facilities approved under Construction Permit No. 5608501MA.

Operations Permit issued to **Municipal Authority of the Borough of West View**, 210 Perry Highway, Pittsburgh, PA 15229, (PWSID No. 5020043) Franklin Park Borough and Neville Township, **Allegheny County** on August 22, 2009, for the operation of facilities approved under Construction Permit No. 0208508.

Operations Permit issued to **Pittsburgh Water and Sewer Authority**, 1200 Penn Avenue, 2nd Floor, Pittsburgh, PA 15222-4204, (PWSID No. 5020038) City of Pittsburgh, **Allegheny County** on August 22, 2009, for the operation of facilities approved under Construction Permit No. 0206509.

Permit No. 0209514MA, Minor Amendment, Public Water Supply.

Applicant **Monroeville Municipal Authority**
 219 Speelman Lane
 Monroeville, PA 15146
 Borough or Township Monroeville
 County **Allegheny**
 Type of Facility Illini and Foxwood water storage tanks
 Consulting Engineer Chester Engineers
 260 Airside Drive
 Moon Township, PA 15108
 Permit to Construct August 13, 2009
 Issued

Permit No. 0209503MA, Minor Amendment, Public Water Supply.

Applicant **Moon Township Municipal Authority**
 1700 Beaver Grade Road
 Suite 200
 Coraopolis, PA 15108-3193
 Borough or Township Moon Township
 County **Allegheny**
 Type of Facility Air Force water storage tank
 Consulting Engineer KLH Engineers, Inc.
 5173 Campbells Run Road
 Pittsburgh, PA 15205
 Permit to Operate August 22, 2009
 Issued

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

Permit No. 2507503-MA1, Public Water Supply.

Applicant **Saint Boniface School**
 Township or Borough Greene Township
 County **Erie County**
 Type of Facility Public Water Supply
 Consulting Engineer Mark J. Corey, P. E.
 Mark J. Corey and Associates
 5845 Jordan Road
 Erie, PA 16510
 Permit to Construct August 19, 2009
 Issued

Operations Permit issued to **Fryburg Water Company**, PWSID No. 6162230, Washington Township, **Clarion County**, August 19, 2009, to utilize a single tank truck to provide bulk water as an emergency source of finished water for customers of the Fryburg Water Company. Finished water will be hauled from the Venango Water Company (PWSID No. 6610014), Venango County. Emergency II Permit will expire November 18, 2009.

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

Plan Location:

Borough or Township	Borough or Township Address	County
Sandy Township	Sandy Township Supervisors 12th Street and Chestnut Avenue P. O. Box 267 Dubois, PA 15801	Clearfield

Plan Description: The approved plan provides for two sewer extensions from the end of the existing sewer at the intersection of South Main Street and Kiwanis Trail. The first will extend south along South Main Street to just south of Gardner Avenue and will include Nelson Nursery Lane and Gardner Avenue. The second will extend west along Kiwanis Trail and include Cardinal, Wren, Blue Jay, Red Oak, Wild Cherry, and Burnt Hemlock Drives, as well as White Pine, Black Walnut, Old Woods and Beech Tree Roads. A pump station is

proposed at the southwest end of Wild Cherry Drive. 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.

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

Plan Location: Located at 770 Conodoguinet Avenue Extended, Carlisle, in North Middleton Township, Cumberland County.

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
North Middleton Township	2051 Spring Road Carlisle, PA 17013	Cumberland

Plan Description: Approval of a revision to the Official Sewage Plan of North Middleton Township, Cumberland County. The approved plan provides for a Small Flow Treatment Facility (SFTF) to serve a proposed single-family residence on the existing 27.7 acre property owned by Ross Garner on the west side of Hoy Road, .3 mile south of SR 944. The proposed 500 gpd SFTF will have a treated discharge to Wertz Run. The Department of Environmental Protection's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Hopewell Township	R. R. 1 Box 95 James Creek, PA 16657	Huntingdon

Plan Description: The approved plan provides for the construction of two Small Flow Treatment Facilities (SFTF). The SFTF will each serve two single-family dwellings. The SFTF will be located on Upper Ridge Road, in Hopewell Township, Huntingdon County and will discharge to dry swales leading to Shy Beaver Creek. The Department of Environmental Protection's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal.

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 se-

lecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, shall also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a Site-Specific Standard remediation. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media; benefits of refuse of the property and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

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

The Department has received the following plans and reports:

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

Kotzen Residence, Hatboro Borough, Montgomery County. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, P. O. Box 11, Concordville, PA 19331 on behalf of Jeffery Kotzen, 118 South Linden Avenue, Hatboro, PA 19049, have submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

4950 Pine Street Property, City of Philadelphia, Philadelphia County. Thomas Jones, Penn Environmental and Remediation, Inc., 2755 Bergey Road, Hatfield, PA 19440, on behalf of Bettie Purdy, Neighborhood Preservation & Development Fund, LP, 240 New York Drive, Suite 1, Fort Washington, PA 19034, has submitted a Final Report concerning remediation of site groundwater and soil contaminated with heating oil. The report is intended to document remediation of the site to meet the Site-Specific Standard.

(Revised) CRC Chemical Industrial, Inc., Warminster Township, Bucks County. Peter Beyer, P. G. Environmental Resources Management, Inc., 350 Eagleview Boulevard, Suite 200, Exton, PA 19341 and Michelle Rudnick, CRC Industrial, Inc., 885 Louis Drive, Warminster, PA 18974 on behalf of Adam Selisker, CRC Industries, Inc., 885 Louis Drive, Warminster, PA 18974, have submitted a Remedial Investigation Report concerning remediation of site groundwater contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the Site-Specific Standard.

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

Tower 80 81, LLC, 231 Tracey Lane, Butler Township, Luzerne County. Pierre O. MaCoy, CMX, 1555 Bustard

Road, Suite 50T, Lansdale, PA 19446 has submitted a Final Report, on behalf of his client, Tower 80 81, LLC, 680 Kindermack Road, River Edge, NJ 07661, concerning the remediation of soil found to have been impacted by heating oil as a result of a release from an unregulated 275-gallon, aboveground storage tank. The report was submitted to document attainment of the Residential Statewide Health Standard. A public notice regarding the submission of the Final Report was published in *The Standard Speaker* on July 31, 2009.

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

Logos Academy, City of York, **York County**. GeoServices, Ltd., 1525 Cedar Cliff Drive, Camp Hill, PA 17011, on behalf of Logos Academy, 340 East Market Street, York, PA 17403 and Johnston Construction, 4331 Fox Run Road, Dover, PA 17315-2737, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil from underground storage tanks. The report is intended to document remediation of the site to meet the Nonresidential Statewide Health Standard.

Little Mountain Estates Lot 43, Marysville Borough, **Perry County**. Herbert, Rowland, and Grubic, Inc., 1820 Linglestown Road, Harrisburg, PA 17110, on behalf of Property Management, Inc., P. O. Box 622, Lemoyne, PA 17043 and Doryann Evans, 398 Kings Highway, Lot 43, Marysville, PA 17053, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil. The report was submitted within 90 days of the release and is intended to document remediation of the site to meet the Residential Statewide Health Standard. The site will remain residential.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

Provisions of 25 Pa. Code § 250.8, administration of the Land Recycling and Environmental Remediation Standards Act (act), require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by provisions of the act for compliance with selection of remediation to a Site-Specific Standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media, benefits of refuse of the property and, in some circumstances, a fate and transport analysis. If required, a risk

assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by provisions of the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

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

The Department has received the following plans and reports:

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

Whitemarsh Township Landfill, Whitemarsh Township, **Montgomery County**. Ed Layton, Blazosky Associates, Inc., 649 North Lewis Road, Suite 215, Royersford, PA 19468 on behalf of Marc Zaid, Joshua Hill, Inc., 920 Matsonford Road, West Conshohocken, PA 19428, has submitted a Final Report concerning the remediation of site groundwater contaminated with leaded gasoline and inorganic. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on August 18, 2009.

Blosinenski Farm, Brandywine Township, **Chester County**. Michael Welsh, Applied Environmental Management, Inc., 16 Chester County Commons, Malvern, PA 19355 and Charlie Davis, Gambone Brothers Development Company, 1030 West Germantown Pike, Norristown, PA 19403 on behalf of David Dratch, Heatherwynd East Community Associates, Inc., 1030 West Germantown Pike, P. O. Box 287, Norristown, PA 19403, have submitted a Final Report concerning the remediation of site soil contaminated with glass, metal and ash. The Final report did not demonstrate attainment of the Site-Specific Standard and was disapproved by the Department of Environmental Protection on August 18, 2009.

Yost Property, New Britain Borough, **Bucks County**. Donald Coleman, Marshall Miller and Associates, Inc., 3913 Hartsdale Drive, Suite 1306, Camp Hill, PA 17011 and Rob Self, Jr., Self Heating and Cooling, Inc., 219 Keith Valley Road, Horsham, PA 19044 on behalf of Katherine Yost, 43 Evergreen Drive, New Britain, PA 18901 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 Standard and was approved by the Department of Environmental Protection on August 17, 2009.

Rite Aid Store No. 4932, City of Philadelphia, **Philadelphia County**. Scott Trehern, BL Companies, 213 Market Street, 6th Floor, Harrisburg, PA 17101 and Keith

Yoder, BL Companies, 213 Market Street, 6th Floor, Harrisburg, PA 17101, on behalf of Robert Lerner, Rite Aid Corporation, 30 Hunter Lane, Camp Hill, PA 17011, has submitted a Final Report concerning the remediation of site groundwater and soil contaminated with chlorinated solvents. The Final report demonstrated attainment of the Background Standard and was approved by the Department of Environmental Protection on August 13, 2009.

665-6784 Ridge Avenue, City of Philadelphia, **Philadelphia County**. Justin Lautebach, RT Environmental Services, Inc., 510 Heron Drive, Bridgeport, NJ 08014, Samantha Linton, RT Environmental Services, Inc., 510 Heron Drive, Bridgeport, NJ 08014, on behalf of Michael Cooley, Switchback Ridge, III, LP, 795 East Lancaster Avenue, Building 2, Villanova, PA 19085, has submitted a Final Report concerning the remediation of site soil contaminated with lead and inorganic. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on August 12, 2009.

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

Hidden Meadows/Werley Road Property, 600 Werley Road, Upper Macungie Township, **Lehigh County**. Mark Fortna, Del Val Soil and Environmental Consultants, Inc., Sky Run II, 4050 Skyron Drive, Suite A-1, Doylestown, PA 18902 submitted a Final Report, on behalf of his client, Upper Macungie Group, 104 Old Mill Road, Sellersville, PA 18960, concerning the remediation of soil found to have been impacted by No. 2 fuel oil, benzene and PCE as a result of a release from aboveground and underground storage tanks located on the property. The report documented attainment of Residential Statewide Health Standard and was approved on August 18, 2009. The report was originally submitted within 90 days of the release.

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.

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

GP1-67-03158: York Container Co. (138 Mt. Zion Road, York, PA 17401-0008) on August 18, 2009, for a Small Gas and No. 2 Oil fired Combustion Unit under GP1 in Springettsbury Township, **York County**.

GP3-21-03091: Pennsy Supply, Inc. (1001 Paxton Street, Harrisburg, PA 17105-3331) on August 18, 2009, for a Portable Nonmetallic Mineral Processing Plant under GP3 in Silver Spring Township, **Cumberland County**.

GP9-21-03091: Pennsy Supply, Inc. (1001 Paxton Street, Harrisburg, PA 17105-3331) on August 18, 2009, for a Diesel or No. 2 Fuel-fired Internal Combustion Engine under GP9 in Silver Spring Township, **Cumberland County**.

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

GP14-41-620: LBV Professional Services (350 Spruce Street, Montoursville, PA, 17754) on August 18, 2009, to operate a human crematory under the General Plan Approval and General Operating Permit for Human Crematories (BAQ-GPA/GP-14), in the Borough of Montoursville, **Lycoming County**.

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

GP-33-182A: Texas Keystone, Inc.—Shaffer Compressor Station (130 Raymond Drive, Indiana, PA 15701) on August 18, 2009, to operate a natural gas fired compressor engine (BAQ-GPA/GP-5) at their facility in Rose Township, **Jefferson 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, Sachin Shankar, New Source Review Chief, (484) 250-5920.

09-0196B: Abington Reldan Metals, LLC (550 Old Bordertown Road, Fairless Hills, PA 19030) on August 20, 2009, to construct nine electric melt furnaces and five natural gas-fired melt furnaces exhausting to three baghouses at a new precious metal recovery facility, in Falls Township, **Bucks County**. This facility is a non-Title V facility. This construction will result in PM emitted into the atmosphere. The Plan Approval will contain recordkeeping requirements, monitoring requirements, operating conditions and performance testing requirements designed to keep the facility operating within the allowable emission limitations and all applicable air quality requirements.

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

07-05041A: Diversapack, LLC (13985 South Eagle Valley Road, Tyrone, PA 16686-7905) on August 19, 2009, to install a flexographic printing operation and regenerative thermal oxidizer in Snyder Township, **Blair County**.

38-05003F: Carmeuse Lime, Inc. (3 Clear Spring Road, Annville, PA 17003-0160) on August 14, 2009, for use of glycerin as a fuel in the three lime kilns at the Millard lime plant in North Londonderry Township, **Lebanon County**.

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

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

23-0003I: ConocoPhillips Co. (4101 Post Road, Trainer, PA 19061) on August 19, 2009, to operate two new boilers in Trainer Borough, **Delaware County**.

23-0014F: Kimberly-Clark Corp. (Front Street and Avenue of the States, Chester, PA 19103) on August 18, 2009, to operate a ventilation system in City of Chester, **Delaware County**.

46-0180: Transicoil, LLC (9 Iron Bridge Drive, Collegeville, PA 19426) on August 19, 2009, to operate three solvent vapor degreasers in Perkiomen Township, **Montgomery County**.

46-0180A: Transicoil, LLC (9 Iron Bridge Drive, Collegeville, PA 19426) on August 19, 2009, to operate a methanol glass cleansing in Perkiomen Township, **Montgomery County**.

09-189A: Eureka Stone Quarry, Inc. (P. O. Box 249, Chalfont, PA 18914) on August 19, 2009, to operate a new crusher in Warrington Township, **Bucks County**.

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

19-00006C: Del Monte Corp. (6670 Low Street, Bloomsburg, PA 17815) on August 5, 2009, to authorize the construction and operation of a pet food manufacturing line until January 30, 2010, in Bloomsburg, **Columbia County**. The plan approval has been extended.

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

24-083M: Carbone of America (215 Stackpole Street, City of Saint Marys, PA 15857) on August 31, 2009, to install 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.

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

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

24-00123: Veolia ES Greentree Landfill, LLC (635 Toby Road, Kersey, PA 15846-1033) on August 18, 2009, for an Administrative Amendment of the Title V Operating Permit, to incorporate the conditions of Plan Approval No. 24-123F at their facility located in Fox Township, **Elk County**.

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

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

09-00176: Metal Improvement Co., LLC (3434 State Road, Bensalem, PA 19020) on August 21, 2009, for issuance of a State-only Operating Permit to operate aerospace chromium anodizing process, sulfuric anodizing process, phosphoric anodizing process, boric sulfuric anodizing process, five coating booths, two boilers, blast cabinet, process heaters and dryer ovens at 450 Winks

Lane, Bensalem Township, **Bucks County**. The facility is synthetic minor for VOC. The following Plan Approvals and Operating Permits, 09-0176A and 09-312-026GP are being incorporated into the facility synthetic minor operating permit, 09-00176. This Operating Permit shall include monitoring, and recordkeeping designed to ensure this facility complies with all applicable air quality regulations.

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

38-03033: East Indies Coffee & Tea Co. (7 Keystone Drive, Lebanon, PA 17042-9791) on August 18, 2009, for their coffee roasting facility in South Lebanon Township, **Lebanon 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.

53-00010: National Fuel Gas Supply Corp. (1100 State Street, Erie, PA 16512) on August 18, 2009, to operate a natural gas compressor station in Portage Township, **Potter County**.

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

10-00287: Minteq International, Inc. (395 Grove City Road, Slippery Rock, PA 16057) on August 18, 2009, for a Synthetic Minor Permit to operate non-clay refractories at the facility in Slippery Rock Township, **Butler County**. Emissions sources associated with this facility include line mixers 1, 2 and 4, batching mixer, nine dryers, three kilns, five line mixers and mold shop. The facility has taken a restriction on VOC emission from the facility. The VOC emission shall not exceed 49 tpy. Thus, the facility is now synthetic minor.

De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.

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

25-00920: Waste Management of PA, Inc.—Lakeview Landfill (851 Robison Road East, Erie, PA 16509) for its facility located in Summit Township, **Erie County**. The De minimis emission increases are related to installation of a temporary flare. In addition, this source is exempt from plan approval as it complies with **Cumberland County**. In addition to the De minimis emission increase the Department of Environmental Protection (Department) also previously exempted a solar vent flare to control minor emission from a leachate collection manhole at the landfill. The source was exempted from plan approval and was used for approximately 6 months. The Department hereby approves the De minimis emission increase. The following table is a list of the De minimis increases as required by 25 Pa. Code § 127.449(i). This list includes the De minimis increases since the Title V Operating Permit issuance on May 26, 2005.

Date	Source	PM10 (tons)	SOx (tons)	NOx (tons)	VOC (tons)	CO (tons)
June 7, 2005	Solar Vent Flare	0.018	0.015	0.061	0.14	0.33
August 18, 2009	Temporary Utility Flare	0.2	0.3	0.73	0.06	3.99
Total Reported		0.218	0.315	0.791	0.2	4.32
Increases Allowable		0.6 ton/source 3 tons/facility	1.6 tons/source 8 tons/facility	1 ton/source 5 tons/facility	1 ton/source 5 tons/facility	4 tons/source 20 tons/facility

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the request for 401 Water Quality Certification and the NPDES permit application. Mining activity permits issued in response to the applications will also address the application permitting requirements of the following statutes: the Air Quality Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

Coal Permits Actions

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

17841607 and NPDES Permit No. PA0100803, Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201), to transfer the permit and related NPDES permit for the Bigler Coal Preparation Plant in Bradford Township, **Clearfield County** to Rosebud Mining Company from Energy Resources, Inc. No additional discharges. Application received August 22, 2008. Permit issued August 20, 2009.

17841607 and GP12-17841607-R9, Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201), to revise the permit for the Bigler Coal Preparation Plant in Bradford Township, **Clearfield County** to establish an emission inventory for operation of a coal preparation plant with conveyors, crushers, screens, stockpiles, haulroads, storage bins, truck loading, and single rail car load-out based on 4,704 operating hpy processing 1,200,000 raw coal tpy. Approval is authorized under General Permit BAQ-GPA/Gp12 and is required to meet all applicable limitations, terms, and conditions for Authorization GP12-17841607-R9. No additional discharges. Application received September 9, 2008. Permit issued August 20, 2009.

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

11020202 and NPDES No. PA0249254, Ebensburg Power Company, 2840 New Germany Road, P. O. Box 845, Ebensburg, PA 15931, permit renewal for the continued operation and restoration of a bituminous surface mine in Nanty Glo Borough and Jackson Township, **Cambria County**, affecting 41.4 acres. Receiving

streams: tributary to south branch Blacklick Creek to Blacklick Creek to Two Lick Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received May 14, 2009. Permit issued August 17, 2009.

56040102 and NPDES No. PA0249564, Mountaineer Mining Corporation, 1010 Garrett Shortcut Road, Berlin, PA 15530, permit renewal for the continued operation and restoration of a bituminous surface mine in Brothersvalley Township, **Somerset County**, affecting 51.3 acres. Receiving streams: UNTs to/and Swamp Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received May 26, 2009. Permit issued August 17, 2009.

31070101 and NPDES No. PA0262315, Ferlitch Construction Company, Inc., 62 Woodland Terrace, Duncansville, PA 16635, revision of an existing bituminous surface mine to change total SMP acres from 41.0 to 57.2 acres, in Wood Township, **Huntingdon County**, affecting 41.0 acres. Receiving streams: UNT to Great Trough Creek, Roaring Run Basin classified for the following uses: TSF, HQ-CWF. There are no potable water supply intakes within 10 miles downstream. Application received March 30, 2009. Permit issued August 19, 2009.

56080105 and NPDES No. PA0262633, Hoffman Mining, Inc., 118 Runway Road, Friedens, PA 15541, commencement, operation and restoration of a bituminous surface and auger mine in Ogle and Paint Townships, **Somerset County**, affecting 380.7 acres. Receiving streams: Clear Shade Creek and UNTs to/and Shade Creek classified for the following uses: HQ-CWF and CWF. There are no potable water supply intakes within 10 miles downstream. Application received April 11, 2008. Permit issued August 18, 2009.

56090102 and NPDES No. PA0262722, Fieg Brothers, 3070 Stoystown Road, Stoystown, PA 15563, commencement, operation and restoration of a bituminous surface and auger mine in Somerset Township, **Somerset County**, affecting 83.5 acres. Receiving streams: Wells Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received January 30, 2009. Permit issued August 20, 2009.

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

03010103 and NPDES Permit No. PA0202991, Britt Energies, Inc. (P. O. Box 515, Indiana, PA 15701-1515). Transfer of permit formerly issued to Rosebud Mining Company for continued operation and reclamation of a bituminous surface mining site located in Kiskiminetas Township, **Armstrong County**, and Conemaugh Township, **Indiana County**, affecting 145.6 acres. Receiving

streams: UNTs to Long Run and Sulfur Run to Kiskiminetas River, and UNTs to/and Kiskiminetas River. Application received February 21, 2008. Transfer permit issued August 18, 2009.

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

17860135 and NPDES No. PA0115622. Strishock Coal Company (220 Hillcrest Drive, DuBois, PA 15801), revision of an existing bituminous surface mine to add 6.2 acres in Union, Brady and Sandy Townships, **Clearfield County**, affecting 361.4 acres. Receiving streams: Laborde Branch, Sugar Camp Run to Luthersburg Branch to Laborde Branch, tributaries to Stony Run to Laborde Branch to Sandy Lick Creek to Redbank Creek to Allegheny River, classified for the following uses: CWF and WWF. There are no potable water supply intakes within 10 miles downstream. Application received February 4, 2009. Permit issued August 3, 2009.

17050106 and NPDES No. PA0256222. Gator Coal LP (P. O. Box 418, Elderton, PA 15736), transfer of an existing bituminous surface mine from Lee Coal Contracting, Inc. (1395 German Road, Drifting, PA 16834), located in Cooper Township, **Clearfield County**, affecting 33.4 acres. Receiving stream: UNT to Moshannon Creek, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received March 4, 2009. Permit issued July 30, 2009.

17663136 and NPDES No. PA0126870. EnerCorp, Inc. (1686 Allport Cutoff, Morrisdale, PA 16858), permit renewal for the continued operation and restoration of a bituminous surface mine in Graham Township, **Clearfield County**, affecting 202.0 acres. Receiving streams: Flat Run and Mons Run to Alder Run to West Branch Susquehanna, classified for the following uses: CWF and WWF. There are no potable water supply intakes within 10 miles downstream. Application received April 22, 2009. Permit issued August 12, 2009.

Noncoal Permits Actions

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

11070801. Beyer Trucking and Excavating, LLC, 1605 Frankstown Road, Summerhill, PA 15958, commencement, operation and restoration of a small noncoal (industrial minerals) operation in Croyle Township, **Cambria County**, affecting 6.8 acres, receiving streams South Fork Little Conemaugh River. Application received July 6, 2007. Permit issued August 19, 2009.

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

3172SM4 and NPDES Permit PA0203289. Darlington Brick and Clay Products Co., LLC (P. O. Box 346, Darlington, PA 16115). Permit renewal issued for reclamation only of a large noncoal (shale) surface mining site located in South Beaver Township, **Beaver County**, affecting 146.0 acres. Application received June 16, 2009. Reclamation-only renewal issued August 17, 2009.

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

58080824. Clarence Pifcho, Jr., (P. O. Box 55, Lawton, PA 18828), commencement, operation and restoration of a quarry operation in Rush Township, **Susquehanna County** affecting 5.0 acres, receiving stream: none. Application received April 7, 2008. Permit issued August 20, 2009.

58090813. Timothy W. Ross, (P. O. Box 168, Susquehanna, PA 18847), commencement, operation and restoration of a quarry operation in Oakland Township, **Susquehanna County** affecting 5.0 acres, receiving stream: none. Application received May 1, 2009. Permit issued August 20, 2009.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Actions on applications under the Explosives Acts of 1937 and 1957 (43 P.S. §§ 151—161); and 25 Pa. Code § 211.124 (relating to blasting activity permits). Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.

Blasting Permits Actions

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

21094133. John W. Gleim, Jr., Inc., 625 Hamilton Street, Carlisle, PA 17013-1925, blasting activity permit issued for residential development in Carlisle Borough, **Cumberland County**. Blasting activity permit end date is April 15, 2010. Permit issued August 11, 2009.

21094134. Warrens Excavating & Drilling, Inc., P. O. Box 214, Myerstown, PA 17067-0214, blasting activity permit issued for single dwelling development in Hampden Township, **Cumberland County**. Blasting activity permit end date is August 4, 2010. Permit issued August 11, 2009.

28094113. R & M Excavating, 403 Hilltop Road, Newburg, PA 17240-9202, blasting activity permit issued for commercial development in Antrim Township, **Franklin County**. Blasting activity permit end date is December 7, 2009. Permit issued August 11, 2009.

28094115. Geological Tech, Inc., P. O. Box 70, Falling Waters, WV 25419-0070, blasting activity permit issued for church development in Quincy Township, **Franklin County**. Blasting activity permit end date is August 11, 2010. Permit issued August 13, 2009.

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

26094006. Jerry Sayre (6718 Pucker Street, Conesus, NY 14435). Blasting activity permit for the German 3D seismic survey, located in German Township, **Fayette County**. The duration of blasting is expected to be for 1 year. Blasting activity permit issued August 21, 2009.

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

20094005. Great Lakes Geophysical, Inc. (P. O. Box 127, Williamsburg, MI 49690). Blasting activity permit for well exploration in Conneaut and Summerhill Townships, **Crawford County**. This blasting activity permit will expire on December 31, 2009. Application received August 13, 2009. Permit Issued August 17, 2009.

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

35094105. Hayduk Enterprises, Inc., (257 Riverside Drive, Factoryville, PA 18419), construction blasting for a single dwelling in Benton Township, **Lackawanna County** with an expiration date of August 31, 2010. Permit issued August 18, 2009.

40094112. Explosive Services, Inc., (7 Pine Street, Bethany, PA 18431), construction blasting for a single dwelling in Kingston Township, **Luzerne County** with an expiration date of August 14, 2010. Permit issued August 18, 2009.

58094103. Meshoppen Blasting, Inc., (P. O. Box 127, Meshoppen, PA 18630), construction blasting for Hunsinger Well Site in Dimock Township, **Susquehanna County** with an expiration date of September 30, 2009. Permit issued August 19, 2009.

58094013. Gregory General Contracting, (P. O. Box 2237, Pulaski, VA 24301) and Michael N. Neary, (16 North Center Street, Frackville, PA 17931), construction blasting for the Chesapeake Midstream 16"—20" Natural Gas Pipeline in Auburn Township, **Susquehanna County** with an expiration date of July 27, 2010. Permit issued August 20, 2009.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department of Environmental Protection (Department) has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with the applicable provisions of sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute

provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and The Clean Streams Law (35 P. S. §§ 691.1—691.702) and Notice of Final Action for Certification under section 401 of the FWPCA (33 U.S.C.A. § 1341).

Permits, Environmental Assessments and 401 Water Quality Certifications Issued:

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E30-223. Consol Pennsylvania Coal Company, LLC, 1525 Pleasant Grove Road, Claysville, PA 15323. To operate and maintain a relocated channel in Richhill Township, **Greene County**, United States Army Corps of Engineers, Pittsburgh District (New Freeport, PA Quadrangle 21.61 inches North; 13.68 inches West, Latitude: 39° 52' 8.43" N; Longitude: 80° 28' 21" W). To operate and maintain a 135-foot long relocated channel of a UNT to South Fork Dunkard Fork (TSF) that was constructed on September 4, 2008 under the Department of Environmental Protection's Emergency Permit No. EP3008210 to address a land slide into the stream. The project includes shrub and tree planting along the new stream and the hill slope. The project is located at Bailey Mine.

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

E43-348, City of Sharon, Municipal Building, 155 West Connelly Boulevard, Sharon, PA 16146. SR 62/Budd Street Stormwater Outfall to Shenango River, in City of Sharon, **Mercer County**, United States Army Corps of Engineers, Pittsburgh District (Sharon West, PA Quadrangle 41° 13' 38" N; 80° 30' 31" W).

Construct and maintain a 60-inch-diameter spiral rib CMP storm sewer outfall with concrete endwall and rock riprap outlet protection along the left (east) bank of the Shenango River approximately 78 feet north of the SR 0062 bridge over the existing Norfolk Southern railroad tracks conveying stormwater runoff from the East Budd and South Dock Streets (SR 0060) area.

STORAGE TANKS

SITE-SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site-Specific Installation Permits, under the authority of the Storage Tank Spill Prevention Act (35 P. S. §§ 6021.304, 6021.504, 6021.1101 and 6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C, have been issued by the Bureau of Waste Management, Director, P. O. Box 8763, Harrisburg, PA 17105-8763.

<i>SSIP Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
09-25-003	Interstate Chemical Company, Inc. 2797 Freedland Road Hermitage, PA 16148 Attention: Al Puntureri	Erie	Erie City	8 ASTs storing hazardous substances	217,000 gallons total

SPECIAL NOTICE

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

Approval of Registration/Application under General Permit for Short-Term Construction Project BMR-GP-103:

59091001. Glenn O. Hawbaker, Inc. (2801 Canfield Lane, Montoursville, PA 17754), authorization to extract noncoal (industrial minerals) in Sullivan Township, **Tioga County** to supply fill material for Amy E. Stanley/RES Wind Turbines. Receiving stream: Gaffers Creek, tributary to Elk Run, to Mill Creek. Authorization approved August 4, 2009.

Notice of Action on First Application of Nonexceptional Value Sewage Sludge under General Permit PAG-8

41098001. Kyler Environmental Services, LTD (1269 Piedmont Road, Somerset, PA 15501), biosolids processing and land mine reclamation in Pine Township, **Lycoming County**, affecting 650.1 acres. Receiving streams: Buckeye Run to Otter Run to Little Pine Creek, Shingle Mill Run to Little Pine Creek to Pine Creek, to West Branch Susquehanna River, classified for the following uses: CWF and WWF. There are no potable water supply intakes within 10 miles downstream. Application received June 25, 2009. Permit issued August 13, 2009.

41098002. Kyler Environmental Services, LTD (1269 Piedmont Road, Somerset, PA 15501), biosolids processing and land mine reclamation in Pine Township, **Lycoming County**, affecting 57.0 acres. Receiving streams: Otter Run to Little Pine Creek to Pine Creek to West Branch Susquehanna River, classified for the following uses: CWF and WWF. There are no potable water supply intakes within 10 miles downstream. Application received June 25, 2009. Permit issued August 13, 2009.

[Pa.B. Doc. No. 09-1660. Filed for public inspection September 4, 2009, 9:00 a.m.]

Availability of Technical Guidance

Technical guidance documents are available on the Department of Environmental Protection's (Department) web site at <http://www.depweb.state.pa.us> (DEP Keywords: "Technical Guidance"). The "Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final technical guidance

documents are posted. The "Draft Technical Guidance" heading is the link to the Department's draft technical guidance documents.

The Department will continue to revise its nonregulatory documents, as necessary, throughout 2009.

Ordering Paper Copies of Department Technical Guidance

The Department encourages the use of the Internet to view and download technical guidance documents. When this option is not available, persons can order a paper copy of any of the Department's draft or final technical guidance documents by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

Changes to Technical Guidance Documents

Following is the current list of recent changes. Persons who have questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

Interim Final Technical Guidance

DEP ID: 580-0100-001. Title: Accident Reporting Requirements. Description: Technical guidance document 580-0100-001 contains guidelines relative to the reporting of accidents underground bituminous coal mine site. Underground bituminous coal mining is highly specialized, technical and complex, and requires frequent review, refinement, and improvement of standards to protect the health and safety of miners. It is the purpose of the Bituminous Mine Safety Act (Act) (52 P. S. §§ 690-101—690708) to use the full extent of the Commonwealth's powers to protect the lives, health, and safety of miners and others in and about underground bituminous mines, and to enable the Commonwealth to respond as necessary and appropriate to accidents and other emergencies at underground bituminous coal mines. It is the policy of the department for mine operators to report all accidents as both generally defined and specifically delineated in Act and to encourage mine operators to report unanticipated incidents if there is any doubt that it may fall within the scope of an "accident" as that term is defined in section 104 (definitions: accident) and used in section 109 (accident) of the Act. This technical guidance will be published as interim final with an additional 30-day comment period. Written Comments: Interested persons may submit written comments on this draft technical guidance document by October 5, 2009. The Department will accept

comments submitted by e-mail, but comments submitted by facsimile will not be accepted. A return name and address must be included in each e-mail transmission. Written comments should be submitted to Joseph Sbaffoni, at jsbaffoni@state.pa.us or by U.S.P.S. at the Department of Environmental Protection, Bureau of Mine Safety, Fayette County Health Center, 100 New Salem Road, Room 167, Uniontown, PA 15401. Contact: Questions regarding the technical guidance document should be directed to Joseph Sbaffoni at jsbaffoni@state.pa.us or (724) 439-7469. Interim Final Effective Date: September 5, 2009.

Interim Final Guidance—Substantive Revision

DEP ID: 381-5511-014. Title: Guidance on the Solicitation of Disadvantaged Business Enterprise (DBE) Firms. Description: Technical guidance document 381-5511-014 contains guidelines for all recipients of United States Environmental Protection Agency (EPA) funding for water and wastewater infrastructure improvements under the Special Appropriations Assistance Program and the Clean Water and Drinking Water State Revolving Loan Fund and recipients of State funding from the Pennsylvania Infrastructure Investment Authority. The purpose of this document is to establish procedures for the solicitation of disadvantaged business enterprises as defined by the EPA for the construction and upgrade of the Commonwealth's water infrastructure. Substantive revisions are proposed to the guidance to facilitate a more streamlined process for the implementation and documentation of this solicitation effort to ensure compliance with new EPA regulations and guidelines. These revisions include the elimination of the requirement to submit to the Department the entire documentation effort on the use of the Department of General Services web site for the identification of eligible DBE firms. Written Comments: Interested persons may submit written comments on this guidance document by November 5, 2009. The Department will accept comments submitted by e-mail however, submissions by facsimile will not be accepted. A return name and address must be included in each e-mail transmission. Written comments should be submitted to Monique Pollard, Department of Environmental Protection, Bureau of Water standards and facility regulation, Rachel Carson State Office Building, 11th Floor, P. O. Box 8467, Harrisburg, PA 17105-8467, mpollard@state.pa.us. Contact: Questions regarding the draft technical guidance document should be directed to Monique Pollard at (717) 787-0122 or mpollard@state.pa.us. Interim Final Effective Date: September 5, 2009.

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 09-1661. Filed for public inspection September 4, 2009, 9:00 a.m.]

Bid Opportunity

BOGM 09-5, cleaning out and plugging seven orphan oil wells, (Fred Lorenzo, Michael Bachakas, Community Hospital of Kane (c/o Gary Rhodes) and Energy Conversion Systems (c/o Mike Smith) Properties, Kane Borough, McKean County. The principal items of work include cleaning out and plugging seven orphan oil wells, estimated to be 2,400 feet in depth, to the Department of Environmental Protection's specifications, preparing and restoring well sites and mobilizing and demobilizing plugging equipment. This project issues

on September 4, 2009, and bids will be opened on October 6, 2009, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. A prebid conference is planned for this project but a date has not been set. Contact the Construction Contracts Section (717) 787-7820 or joelmiller@state.pa.us, for more information on this bid.

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 09-1662. Filed for public inspection September 4, 2009, 9:00 a.m.]

Pennsylvania's Energy Development Authority Board Meeting

A meeting of the Pennsylvania Energy Development Authority Board is scheduled to be held on Wednesday, October 14, 2009, at 10 a.m. in Room 105 of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning the agenda can be directed to Thomas C. Bell at (717) 783-8411 or e-mail at tbell@state.pa.us.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Angela Rothrock at (717) 772-8911 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department of Environmental Protection may accommodate their needs.

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 09-1663. Filed for public inspection September 4, 2009, 9:00 a.m.]

Pennsylvania Sunshine Program; Public Meeting Notice

The Department of Environmental Protection (Department) announces a public meeting to discuss improvements to the Pennsylvania Sunshine Program (Program). On September 18, 2009, the Department will host a public discussion on the Program guidelines. This meeting will be held from 10 a.m.—12 p.m. in Room 105 of the Rachel Carson State Office Building, 400 Market Street Harrisburg, PA 17105. RSVP for this meeting by e-mailing arothrock@state.pa.us or calling Angela Rothrock at (717) 772-8911.

This incentive program is for homeowners and small businesses undertaking solar energy projects. In May 2009, the Program began to provide \$100 million in rebates, to Commonwealth homeowners and small businesses to purchase and install solar photovoltaic and solar hot water systems. The Department is seeking suggestions for ways to improve upon the existing program. The existing Program guidelines are available on the Department's web site at www.depweb.state.pa.us/pasunshine.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Angela Rothrock at (717) 772-8911 or through the

Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 09-1664. Filed for public inspection September 4, 2009, 9:00 a.m.]

Proposed Revision to the State Implementation Plan for the Pittsburgh-Beaver Valley, Pennsylvania Fine Particulate Nonattainment Area; Public Hearing

Particulate matter (PM) includes both solid and liquid particles suspended in the air. Fine particle pollution describes PM that is less than or equal to 2.5 micrometers in diameter (PM_{2.5}). PM_{2.5} concentrations above the Federal health-based standard pose a serious human health threat. Health studies have shown a significant association between exposure to fine particles and premature death from heart or lung disease. In 1997, the United States Environmental Protection Agency (EPA) established an annual primary (health-based) and secondary (welfare-based) PM_{2.5} standard of 15.0 micrograms per cubic meter (µg/m³), based on the 3-year average of annual mean PM_{2.5} concentrations. The EPA also established a primary and secondary 24-hour standard of 65 µg/m³ determined by the 3-year average of the 98th percentile of 24-hour concentrations. Implementation of the standard was delayed due to legal challenges. In this Commonwealth, the EPA designated eight areas comprised of all or parts of 18 counties as PM_{2.5} nonattainment areas for the annual standard. For each nonattainment area, the Commonwealth is required to develop a State Implementation Plan (SIP) revision that demonstrates how the area will attain the standard by the prescribed attainment date, April 5, 2010.

The Department of Environmental Protection (Department) is seeking public comment on the SIP revision for the Pittsburgh-Beaver Valley PM_{2.5} nonattainment area (Pittsburgh-Beaver Valley Area). The proposed SIP revision contains information on PM_{2.5} trends and emissions to demonstrate that the Pittsburgh-Beaver Valley Area meets all requirements necessary for an approvable SIP revision. The proposed SIP revision demonstrates how the area will attain the PM_{2.5} standard by April 5, 2010, by presenting evidence from air quality modeling, emission trends, regional pollutant transport impacts and emission reductions through state and Federal control measures. In addition, the proposed revision to the SIP contains the base year 2002 emissions inventory, mobile source emission budgets for purposes of transportation conformity and a contingency plan to bring the area back into attainment should future violations of the standard occur. After consideration of comments received, the SIP revision will be finalized and submitted to the EPA for approval.

The proposed PM_{2.5} SIP revision for the Pittsburgh-Beaver Valley Area is available on the Department's web site at www.depweb.state.pa.us (choose "Air Topics") or through the contact persons listed. Notice of the proposed SIP revision will also be published in newspapers of general circulation in the affected area.

The Department will hold a public hearing to receive comments on the proposal on October 6, 2009, at 1 p.m.

at the Department's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA. Persons wishing to present testimony at the hearing should contact Yvette House, P. O. Box 8468, Harrisburg, PA 17105, (717) 787-9495 or yhouse@state.pa.us to reserve a time. Persons who do not reserve a time will be able to testify as time allows. Witnesses should keep testimony to 10 minutes and should provide two written copies of their statement at the hearing.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceeding should contact Yvette House at (717) 787-9495 or yhouse@state.pa.us. TDD users may contact the Pennsylvania AT&T Relay Service at (800) 654-5984 to discuss how the Department can best accommodate their needs.

The Department must receive comments no later than October 9, 2009. Written comments should be sent to the attention of Arleen Shulman, Division of Air Resource Management, Bureau of Air Quality, P. O. Box 8468, Harrisburg, PA 17105-8468, ashulman@state.pa.us. Use "Pittsburgh PM_{2.5} SIP" in the subject line.

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 09-1665. Filed for public inspection September 4, 2009, 9:00 a.m.]

Solar Workgroup Meeting

The Solar Workgroup will hold a meeting on September 11, 2009, at 10 a.m. in the 2nd Floor Training Room of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

The agenda and materials for the September 11, 2009, meeting will be available at the meeting. Questions concerning this meeting should be directed to Becky Campbell, Pennsylvania Energy Development Authority, 400 Market Street, Harrisburg, PA 17101, (717) 772-8907, recampbell@state.pa.us.

Persons with a disability who require accommodations to attend the September 11, 2009, meeting should contact Angela Rothrock at (717) 772-8911 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department of Environmental Protection may accommodate their needs.

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 09-1666. Filed for public inspection September 4, 2009, 9:00 a.m.]

DEPARTMENT OF HEALTH

Human Immunodeficiency Virus (HIV) Community Prevention Planning Committee; Public Meeting

The Statewide HIV Community Prevention Planning Committee, established by the Department of Health (Department) under sections 301(a) and 317(b) of the Public Health Service Act (42 U.S.C.A. §§ 241(a) and

247(b)), will hold a public meeting on Wednesday, September 16, 2009, at the Harrisburg Holiday Inn West, 5401 Carlisle Pike, Mechanicsburg, PA 17050 from 9 a.m. until 4 p.m.

For additional information, contact Kenneth McGarvey, Department of Health, Bureau of Communicable Diseases, Room 1010, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-0572.

Persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should contact Kenneth McGarvey at the previously listed number or at V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

The Department reserves the right to cancel this meeting without prior notice.

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 09-1667. Filed for public inspection September 4, 2009, 9:00 a.m.]

Long-Term Care Nursing Facilities; Request for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.18(e) (relating to management).

Presbyterian Center for Continuing Care
39th and Market Streets
Philadelphia, PA 19104
FAC ID 421102

This request is 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, 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 15 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 09-1668. Filed for public inspection September 4, 2009, 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 20, 2009, and announced the following:

Regulations Deemed Approved under section 5(g) of the Regulatory Review Act—Effective August 19, 2009:

Pennsylvania Gaming Control Board #125-99: Junkets; Slot Machines; and Practice and Procedures; Omnibus Amendments (amends 58 Pa. Code Chapters 439a, 461a, 463a, 465a and 499a)

Action Taken—Regulations Approved:

Department of Labor and Industry #12-84: Special Rules of Administrative Practice and Procedure Before the Workers' Compensation Appeals Board; Special Rules of Administrative Practice and Procedure Before the Workers' Compensation Judges (amends 34 Pa. Code Chapters 111 and 131)

Pennsylvania Gaming Control Board #125-97: Vendor Permission to Conduct Business Prior to Certification or Registration (amends 58 Pa. Code § 437a.9)

Insurance Department #11-238: Annual Audited Insurers' Financial Report Required (amends 31 Pa. Code Chapter 147)

Insurance Department #11-241: Military Sales Practices (adds 31 Pa. Code Chapter 146d)

Approval Order

Public Meeting held
August 20, 2009

Commissioners Voting: Arthur Coccodrilli, Chairperson; George D. Bedwick, Vice Chairperson; Silvan B. Lutkewitte III, Abstained; John F. Mizner, Esq.

Department of Labor and Industry—Special Rules of Administrative Practice and Procedure Before the Workers' Compensation Appeals Board; Special Rules of Administrative Practice and Procedure Before the Workers' Compensation Judges;
Regulation No. 12-84 (#2721)

On August 26, 2008, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Labor and Industry (Department). This rulemaking amends 34 Pa. Code Chapters 111 and 131. The proposed regulation was published in the September 6, 2008 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on July 13, 2009.

This regulation amends Chapters 111 and 131 to clarify and provide additional guidance for practice and procedure before the Workers' Compensation Appeals Board, the Office of Adjudication, and workers' compensation judges. It addresses changes made in workers' compensation practice since the Rules were last reviewed and amended in 2002, including statutory amendments enacted in 2006.

We have determined this regulation is consistent with the statutory authority of the Department found in the Workers' Compensation Act (77 P. S. §§ 710 and 991(a) and (c)) (c) and The Administrative Code of 1929 (71 P. S. § 565), and the intention of the General Assembly. Having considered all of 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.

—
Approval Order

Public Meeting held
August 20, 2009

Commissioners Voting: Arthur Coccodrilli, Chairperson; George D. Bedwick, Vice Chairperson; Silvan B. Lutkewitte III, Abstained; John F. Mizner, Esq.

*Pennsylvania Gaming Control Board—Vendor
Permission to Conduct Business Prior to
Certification or Registration;
Regulation No. 125-97 (#2748)*

On February 11, 2009, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Gaming Control Board (Board). This rulemaking amends 58 Pa. Code § 437a.9. The proposed regulation was published in the February 21, 2009 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on July 15, 2009.

This regulation amends an existing provision to allow the Board's Bureau of Licensing to rescind the permission that allows unregistered or uncertified vendor applicants to temporarily do business with slot machine licensees.

We have determined this regulation is consistent with the statutory authority of the Board (4 Pa.C.S. §§ 1202(b)(30) and 1321) and the intention of the General Assembly. Having considered all of 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.

—
Approval Order

Public Meeting held
August 20, 2009

Commissioners Voting: Arthur Coccodrilli, Chairperson; George D. Bedwick, Vice Chairperson; Silvan B. Lutkewitte III, Abstained; John F. Mizner, Esq.

*Insurance Department—Annual Audited Insurers'
Financial Report Required;
Regulation No. 11-238 (#2740)*

On February 3, 2009, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Insurance Department (Department). This rulemaking amends 31 Pa. Code Chapter 147. The proposed regulation was published in the February 14, 2009 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on July 20, 2009.

This regulation updates existing Chapter 147 also known as the "CPA Audit Rule." The chapter sets forth procedures and standards for certified public accountants performing annual audits of insurers' year-end financial

statements. The intent of this rulemaking is to bring Chapter 147 into consistency with the 2006 amendments to the "Annual Financial Reporting Model Regulation" (Model Regulation 205) of the National Association of Insurance Commissioners.

We have determined this regulation is consistent with the statutory authority of the Department (71 P. S. §§ 66, 186, 411 and 412; and 40 P. S. §§ 443, 764a, 967, 991.2452, 1303.731, 1561, 1564, 1600.205, 1600.206, 3207, 3225, 6125, 6331 and 6701) and the intention of the General Assembly. Having considered all of 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.

—
Approval Order

Public Meeting held
August 20, 2009

Commissioners Voting: Arthur Coccodrilli, Chairperson; George D. Bedwick, Vice Chairperson; Silvan B. Lutkewitte III, Abstained; John F. Mizner, Esq.

*Insurance Department—Military Sales Practices;
Regulation No. 11-241 (#2709)*

On July 18, 2008, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Insurance Department (Department). This rulemaking adds 31 Pa. Code Chapter 146d. The proposed regulation was published in the August 2, 2008 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on July 20, 2009.

This regulation establishes standards to protect active duty service members of the United States Armed Forces from dishonest and predatory insurance sales practices.

We have determined this regulation is consistent with the statutory authority of the Department (71 P. S. § 186, implementing the Unfair Insurance Practices Act) and the intention of the General Assembly. Having considered all of 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. 09-1669. Filed for public inspection September 4, 2009, 9:00 a.m.]

—
Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulations. They are scheduled to be considered on the date noted. The Commission's public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10:30 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or you can obtain a copy from our web site, www.irrc.state.pa.us.

Final-Form

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
54-63	Pennsylvania Liquor Control Board License Application and Management Contracts	8/20/09	10/1/09
10-184	Department of Health Home Care Agencies and Home Care Registries	8/24/09	10/1/09

ARTHUR COCCODRILLI,
Chairperson

[Pa.B. Doc. No. 09-1670. Filed for public inspection September 4, 2009, 9:00 a.m.]

INSURANCE DEPARTMENT

Independence Blue Cross and Highmark Blue Shield; Nongroup Major Medical Rate Adjustment; Filing No. 13-P-09; Form 5210; Rate Filing

On August 20, 2009, the Insurance Department (Department) received from Independence Blue Cross a filing for a rate adjustment for Nongroup Major Medical products.

The company requests a rate increase of 11.30%. This will affect about 1,400 contract holders and will produce additional income of about \$438,000 annually. The requested effective date of the change is January 1, 2010.

Unless formal administrative action is taken prior to November 19, 2009, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Department's web site at www.ins.state.pa.us. 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 Regional office.

Interested parties are invited to submit written comments, suggestions or objections to James Sabater, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, jsabater@state.pa.us by no later than November 25, 2007.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-1671. Filed for public inspection September 4, 2009, 9:00 a.m.]

Yuri Mandybur and Universal Delaware, Inc.; Hearing

Appeal of Yuri Mandybur and Universal Delaware, Inc. under the Storage Tank and Spill Prevention Act; Underground Storage Tank Indemnification Fund; USTIF File No. 2008-0033(S); Doc. No. UT09-08-016

The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the

Administrative Agency Law); 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and any other relevant procedure provisions of law.

A prehearing telephone conference shall be held on October 21, 2009, at 9:30 a.m. A hearing shall occur on November 4, 2009, at 9:30 a.m., in the Administrative Hearings Office, Room 200, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA 17102. Motions preliminary to those at hearing, protests, petitions to intervene, notices of appearance or notices of intervention, if any, must be filed with the Hearings Administrator at the previously listed address on or before October 6, 2009. Answers to petitions to intervene, if any, shall be filed on or before October 20, 2009.

On or before October 6, 2009, each party shall file with the Administrative Hearings Office a prehearing statement which shall contain: (1) a comprehensive statement of undisputed facts to be stipulated between the parties; (2) a statement of additional contended facts; (3) names and address of witnesses along with the specialties of experts to be called; (4) a list of documents to be used at the hearing; (5) special evidentiary or other legal issues; and (6) the estimated time for the party's case. Contemporaneously with service of the prehearing statement on the opposing party, each party shall supply the other with a copy of any report generated by an expert witness designated on the prehearing statement. Any report subsequently received from a party's expert witness prior to hearing shall be supplied to the other party within 2 business days. Copies of expert reports need not be filed with the Administrative Hearings Office. Experts will be permitted to testify only on matters substantially contemplated by reports supplied to the other party in accordance with this paragraph.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, contact Donna R. Fleischauer, Human Resources Director, at (717) 705-4194.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-1672. Filed for public inspection September 4, 2009, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by September 21, 2009. Documents filed in support of the applications are available for inspection and copying at the Office of the

Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

Application of the following for approval to begin operating as a broker for transportation of persons as described under the application.

A-2009-2125839. ACCESS2CARE, LLC, 6200 South Syracuse Way, Suite 200, Greenwood Village, CO 80111—brokerage license—for the transportation of persons between points in Pennsylvania, which is to be a transfer of the right authorized under the certificate issued at

A-2008-2079919 to American Medical Response Mid-Atlantic, Inc., subject to the same limitations and conditions. *Attorney:* William A. Gray, Vuono & Gray, LLC, Suite 2310 Grant Building, 310 Grant Street, Pittsburgh, PA 15219-2382.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 09-1673. Filed for public inspection September 4, 2009, 9:00 a.m.]

STATE CONSERVATION COMMISSION

Action on Odor Management Plans for Concentrated Animal Operations, and Concentrated Animal Feeding Operations and Volunteers Complying with Pennsylvania's Facility Odor Management Program

The State Conservation Commission has taken the following actions on previously received applications for Odor Management Plans under 3 Pa.C.S. Chapter 5 (relating to nutrient management and odor management).

Persons aggrieved by any action may appeal under 3 Pa.C.S. § 517 (relating to appealable actions), section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law) to the Environmental Hearing Board, Second Floor, Rachael Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

Odor Management Plan—Public Notice Spreadsheet—Actions

<i>Agricultural Operation Name, Address</i>	<i>County/Township</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>New or Amended</i>	<i>Action Taken</i>
Flintrock Farms 16 East Brubaker Valley Road Lititz, PA 17543	Lancaster County Elizabeth Township	210	Broilers	New	July 31, 2009
Noah W. Kreider and Sons 525 Indian Village Road Manheim, PA 17545	Lancaster County Penn Township	4,089.5	Cattle and Layers	Amended	July 31, 2009
Joel H. Rutt 1178 White Oak Road Manheim, PA 17545	Lancaster County Ralpho Township	153.1	Broilers	New	July 31, 2009
Sperry Farms, Inc. 11420 Sperry Road Atlantic, PA 16111	Crawford County East Fallowfield Township	473.6	Layers	New	August 4, 2009

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 09-1674. Filed for public inspection September 4, 2009, 9:00 a.m.]