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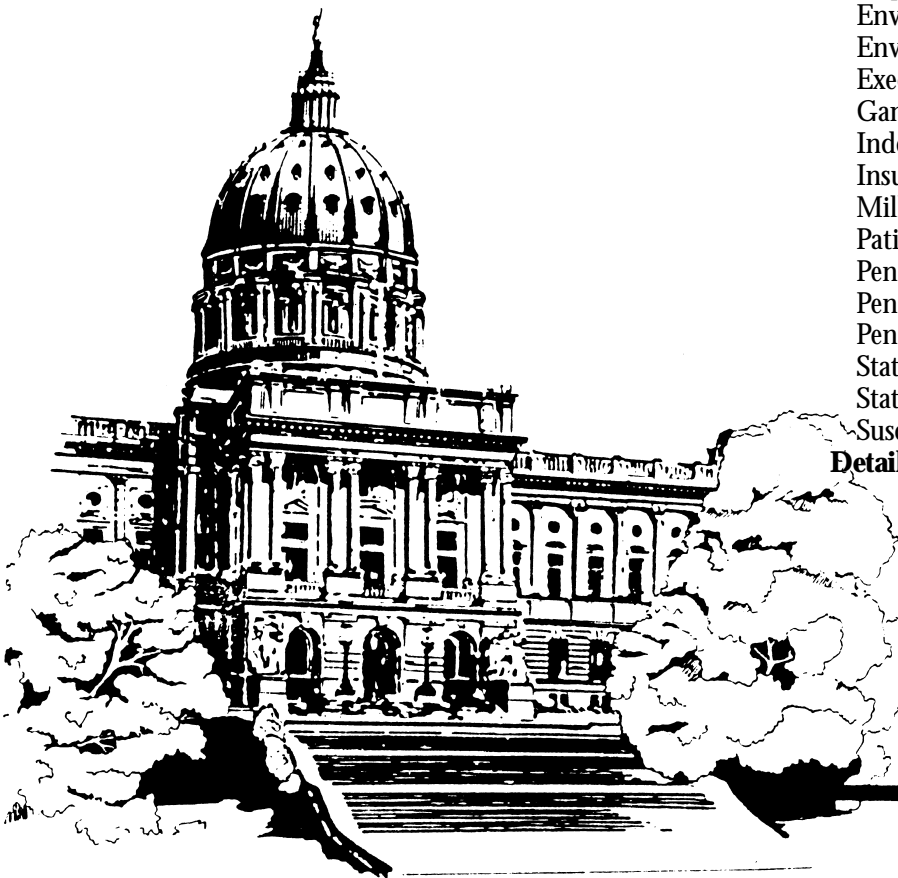
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Part I

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

No. 395, October 2007

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BULLETIN

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THE COURTS

Title 210—APPELLATE PROCEDURES

PART II. INTERNAL OPERATING PROCEDURES [210 PA. CODE CH. 67]

Amendment of Commonwealth Court Internal Operating Procedures

§ 67.41. General; Applicability of Appellate Jurisdiction Procedures.

Sections 67.14[—67.30 and 67.32—] through 67.34 (relating to preargument matters; applications, motions and petitions; preargument matters; arguments and evidentiary hearings; preargument matters; extensions of time; preargument matters; original record; briefs; advance reading; briefs; submission of cases on briefs; arguments; sessions; arguments; preparation of lists; arguments; number of cases; arguments; time allowed; decisions; conferences and assignments of draft opinions; decisions; circulation of draft opinions; decisions; concurrences and dissents; decisions; reassignments; decisions; objections; decisions; effect of disagreements; decisions; overruling previous decisions; decisions; informational circulation; decisions; notation of recusals; decisions; filing), **inclusive, of these Internal Operating Procedures under Chapter 2, Appellate Jurisdiction**, shall govern proceedings in original jurisdiction matters when those proceedings are before courts en banc and panels.

[Pa.B. Doc. No. 07-1830. Filed for public inspection October 5, 2007, 9:00 a.m.]

Title 231—RULES OF CIVIL PROCEDURE

PART I. GENERAL [231 PA. CODE CH. 4000]

Promulgation of Rule 4003.8 Governing Pre-Complaint Discovery; Promulgation of Notes to Rules 4001(c) Governing Scope of Discovery and 4007.1(c) Governing Depositions by Oral Examination; Amendment of Note to Rule 4005(a) Governing Written Interrogatories to a Party; No. 483 Civil Procedural Rules; Doc. No. 5

Order

Per Curiam:

And Now, this 20th day of September, 2007, the Pennsylvania Rules of Civil Procedure are amended as follows:

1. New Rule 4003.8 is promulgated to read as follows hereto,
2. Notes are added to Rules 4001(c) and 4007.1(c) to read as follows hereto, and
3. The Note to Rule 4005(a) is amended to read as follows hereto.

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

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 4000. DEPOSITIONS AND DISCOVERY

Rule 4001. Scope. Definitions.

* * * * *

(c) Subject to the provisions of this chapter, any party may take the testimony of any person, including a party, by deposition upon oral examination or written interrogatories for the purpose of discovery, or for preparation of pleadings, or for preparation or trial of a case, or for use at a hearing upon petition, motion or rule, or for any combination of the foregoing purposes.

Official Note: See Rule 4003.8 governing pre-complaint discovery.

* * * * *

Rule 4003.8. Pre-Complaint Discovery.

(a) A plaintiff may obtain pre-complaint discovery where the information sought is material and necessary to the filing of the complaint and the discovery will not cause unreasonable annoyance, embarrassment, oppression, burden or expense to any person or party.

(b) Upon a motion for protective order or other objection to a plaintiff's pre-complaint discovery, the court may require the plaintiff to state with particularity how the discovery will materially advance the preparation of the complaint. In deciding the motion or other objection, the court shall weigh the importance of the discovery request against the burdens imposed on any person or party from whom the discovery is sought.

Rule 4005. Written Interrogatories to a Party.

(a) Subject to the limitations provided by Rule 4011, any party may serve upon any other party written interrogatories to be answered by the party served or, if the party served is a public or private corporation or similar entity or a partnership or association, by any officer or agent, who shall furnish such information as is available to the party. Interrogatories may be served upon any party at the time of service of the original process or at any time thereafter. Interrogatories which are to be served prior to service of the complaint shall be limited to the purpose of preparing a complaint and shall contain a brief statement of the nature of the cause of action. Interrogatories shall be prepared in such fashion that sufficient space is provided immediately after each interrogatory or subsection thereof for insertion of the answer or objection.

Official Note: Rule 440 requires the party serving interrogatories upon any other party to serve a copy upon every party to the action.

See Rule 4003.8 governing pre-complaint discovery.

* * * * *

Rule 4007.1. Procedure in Deposition by Oral Examination.

* * * * *

(c) The purpose of the deposition and matters to be inquired into need not be stated in the notice unless the action has been commenced by writ of summons and the plaintiff desires to take the deposition of any person upon oral examination for the purpose of preparing a complaint. In such case the notice shall include a brief statement of the nature of the cause of action and of the matters to be inquired into.

Official Note: See Rule 4003.8 governing pre-complaint discovery.

* * * * *

Explanatory Comment

Case law governing pre-complaint discovery has not developed a general rule of application. In his opinion addressing pre-complaint discovery in *McNeil v. Jordan*, 894 A.2d 1260 (2006), Justice Baer stated in a footnote that the matter would be referred to the Civil Procedural Rules Committee to consider the adequacy of the existing rules and "to recommend any amendments that might clarify this vexing area of civil procedure."

New Rule 4003.8 has established in subdivision (a) a two-prong test for pre-complaint discovery: (1) the information sought must be material and necessary to the filing of the complaint and (2) "the discovery will not cause unreasonable annoyance, embarrassment, oppression, burden or expense to any person or party." The first prong incorporates the language of the opinion quoted above that the information sought be both "material and necessary" to the filing of a complaint in a pending action. The requirement of the opinion that there be "probable cause" that the information sought is material and necessary has not been included in the rule. The language of

the second prong that the discovery not cause "unreasonable annoyance, embarrassment, oppression, burden or expense" is taken verbatim from present Rule 4011(b) governing limitation of scope of discovery and deposition.

New Rule 4003.8(b) governs a motion for protective order or other objection to pre-complaint discovery. The court may require the plaintiff "to state with particularity how the discovery will materially advance the preparation of the complaint." The language "materially advance" is also derived from the opinion quoted above. The requirement set forth in the *McNeil* opinion of "probable cause for believing" the information will materially advance the pleading has not been retained.

Subdivision (b) confers discretion on the court in deciding a motion for protective order or other objection to pre-complaint discovery. It also incorporates the language of the opinion in the *McNeil* case, 894 A.2d at 1278-1279:

In practice, of course, a trial court addresses a discovery request not in abstract terms but in the context of the case at bar. In doing so, the court exercises significant discretion, weighing the importance of the request against the burdens imposed on the subject party to determine, as a practical matter, whether the discovery request should be permitted.

Rule 4001(c) refers to discovery for preparation of pleadings. Rules 4005(a) and 4007.1(c) refer, inter alia, to written interrogatories and depositions for the purpose of preparing a complaint. Notes have been added to these rules cross-referring to new Rule 4003.8.

*By the Civil Procedural
Rules Committee*

R. STANTON WETTICK, Jr.,
Chair

[Pa.B. Doc. No. 07-1831. Filed for public inspection October 5, 2007, 9:00 a.m.]

RULES AND REGULATIONS

Title 4—ADMINISTRATION

ENVIRONMENTAL QUALITY BOARD

[4 PA. CODE CH. 311]

Alternative Fuels Incentive Grant Fund Regulation

The Environmental Quality Board (Board) by this order amends 4 Pa. Code by rescinding Chapter 311 (relating to alternative fuels incentive grant fund) in its entirety as set forth in Annex A.

Notice of proposed rulemaking is omitted under section 204(1) and (3) of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. § 1204(1) and (3)) (CDL). Section 204(1) of the CDL provides that an agency may omit the notice of proposed rulemaking if the administrative regulation or change therein relates to Commonwealth property, loans, grants, benefits or contracts. Because Chapter 311 pertains exclusively to Commonwealth grants, notice of proposed rulemaking is not required.

Section 204(3) of the CDL provides that an agency may omit the notice of proposed rulemaking if the agency finds for good cause that notice of proposed rulemaking is impracticable, unnecessary or contrary to the public interest. In this case using the notice of proposed rulemaking procedure is unnecessary. Chapter 311 was adopted under 75 Pa.C.S. §§ 7201—7204 (relating to alternative fuels). On November 29, 2004, the Alternative Fuels Incentive Act (act) (73 P. S. §§ 1647.1—1647.7) repealed this statute and abrogated inconsistent regulations promulgated thereunder. Because the act provides a comprehensive structure with which to manage the Alternative Fuels Incentive Grant (AFIG) Program and the existing, inconsistent Chapter 311 regulations have been abrogated, the Board finds that the AFIG Program can be adequately and effectively administered utilizing the instructions contained in the act.

This order was adopted by the Board at its meeting of May 16, 2007.

A. Effective Date

The rescission will go into effect upon publication in the *Pennsylvania Bulletin* as final-form rulemaking.

B. Contact Persons

For further information contact David Althoff, Rachel Carson State Office Building, 15th Floor, 400 Market Street, P. O. Box 8772, Harrisburg, PA 17105-8772, (717) 705-0372; or Scott Perry, Assistant Counsel, Bureau of Regulatory Counsel, P. O. Box 8464, Rachel Carson State Office Building, Harrisburg, PA 17105-8464, (717) 787-7060. Persons with a disability may use the AT&T Relay Service by calling (800) 654-5984 (TDD users) or (800) 654-5988 (voice users). This final-omitted rulemaking is available on the Department of Environmental Protection's (Department) website: www.dep.state.pa.us.

C. Statutory Authority

This final-omitted rulemaking is being made under the authority of section 7 of the act (73 P. S. § 1647.7) which directs the Department to promulgate regulations necessary to carry out the purposes of the act, and section 1920-A of The Administrative Code of 1929 (71 P. S. § 510-20), authorizing and directing the Board to adopt regulations necessary for the proper performance of the work of the Department.

D. Background of the Amendments

Chapter 311 was adopted under the authority of 75 Pa.C.S. §§ 7201—7204 which created the AFIG Fund in December 1992. On November 29, 2004, the act repealed this statute, created a comprehensive structure with which to manage the AFIG Program and repealed the existing regulations to the extent that they are inconsistent with the act. The repeal of current AFIG regulations will eliminate conflicting requirements in the out-dated regulations and will allow the Department to use only the act so the Program will be effectively administered and reduce confusion to the public.

E. Summary of Final Rulemaking

This final-omitted rulemaking rescinds and deletes Chapter 311 in its entirety.

F. Benefits and Costs

This final-omitted rulemaking will be cost neutral.

Compliance Assistance Plan

No compliance assistance plan is necessary because the AFIG Program is a grant program and does not impose any compliance responsibilities on the public.

Paperwork requirements

No additional paperwork will be required as a result of this final-omitted rulemaking.

G. Regulatory Review

Under section 5(f) of the Regulatory Review Act (71 P. S. § 745.5(f)), on August 13, 2007, the Department submitted a copy of this final-omitted rulemaking with notice of proposed rulemaking omitted to the Independent Regulatory Review Commission (IRRC) and the Chairpersons of the House and Senate Environmental Resources and Energy Committees. On the same date, the Department also submitted this rulemaking to the Office of Attorney General for review and approval under the Commonwealth Attorneys Act (71 P. S. §§ 732-101—732-506). In addition to the final rulemaking, IRRC and the Committees were provided with a copy of a detailed Regulatory Analysis Form prepared by the Department.

Under section 5.1(j.2) of the Regulatory Review Act, on September 19, 2007, the final-omitted rulemaking was deemed approved by the House and Senate Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on September 20, 2007, and approved the final-omitted rulemaking.

H. Findings of the Board

The Board finds that:

(1) Use of the omission of notice of proposed rulemaking procedure is appropriate because the notice of proposed rulemaking procedure specified in sections 201 and 202 of the CDL (45 P. S. §§ 1201 and 1202) is not required and is unnecessary.

(2) The use of the notice of proposed rulemaking procedure is not required because Chapter 311 pertains exclusively to Commonwealth grants. Further, use of the notice of proposed rulemaking procedure is not necessary because the act abrogated inconsistent Chapter 311 regulations while providing a comprehensive structure with which to manage the AFIG Program so that the Program can be adequately and effectively administered utilizing the instructions contained in the act.

(3) This action is necessary and appropriate for administration of the authorizing acts identified in Section C of this Preamble and in the public interest.

I. Order of the Board

The Board, acting under the authorizing statutes, orders that:

(a) The regulations of the Department of Environmental Protection, 4 Pa. Code Chapter 311, are amended by deleting §§ 311.1, 311.11, 311.12, 311.31—311.33, 311.51—311.56, 311.71 and 311.72 to read as set forth in Annex A.

(b) The Chairperson shall submit this order and Annex A to the Office of General Counsel and the Office of Attorney General for approval and review as to legality and form as required by law.

(c) The Chairperson shall submit this order and Annex A to the Independent Regulatory Review Commission and the Senate and House Environmental Resources and Energy committees as required by the Regulatory Review Act.

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

(e) This order shall take effect immediately.

KATHLEEN A. MCGINTY,
Chairperson

(Editor's Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 37 Pa.B. 5447 (October 6, 2007).)

Fiscal Note: 7-415. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 4. ADMINISTRATION

PART XII. (Reserved)

CHAPTER 311. (Reserved)

§ 311.1. (Reserved)

§ 311.11. (Reserved)

§ 311.12. (Reserved)

§§ 311.31—311.33. (Reserved)

§§ 311.51—311.56. (Reserved)

§ 311.71. (Reserved)

§ 311.72. (Reserved)

[Pa.B. Doc. No. 07-1832. Filed for public inspection October 5, 2007, 9:00 a.m.]

Title 58—RECREATION

GAME COMMISSION

[58 PA. CODE CH. 141]

Hunting and Trapping; Muzzleloading Firearms

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its June 26, 2007, meeting, amended § 141.18 (relating to permitted devices) to permit the lawful use of muzzleloading firearms using an electronic impulse to trigger discharge and illuminated nocks for arrows and bolts.

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

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

Notice of proposed rulemaking was published at 37 Pa.B. 2838 (June 23, 2007).

1. Purpose and Authority

Each year the Commission is asked to review the potential permissive use of various devices for hunting or trapping purposes that are otherwise prohibited by statute or regulation. As part of the review process, the Commission generally considers to what degree the use of a given device might negatively impact principles of resource conservation, equal opportunity, fair chase or public safety. Two devices that have recently been presented to the Commission for consideration are: 1) muzzleloading firearms using an electronic impulse to trigger discharge; and 2) illuminated nocks for arrows and bolts. After thoughtful review of these devices, the Commission has determined that their use would have negligible impacts on the previously mentioned principles while still providing increased opportunity to hunters interested in using these devices. Therefore, the Commission amended § 141.18 to permit the lawful use of muzzleloading firearms using an electronic impulse to trigger discharge and illuminated nocks for arrows and bolts.

Section 2102(d) of the code (relating to regulations) authorizes the Commission to “promulgate regulations stipulating the size and type of traps, the type of firearms and ammunition and other devices which may be used, the manner in which and the location where the devices may be used, the species the devices may be used for and the season when the devices may be used.” Section 2102(a) of the code (relating to regulations) provides that “The Commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth.” The amendment to § 141.18 was adopted under this authority.

2. Regulatory Requirements

The final-form rulemaking amended § 141.18 to permit the lawful use of muzzleloading firearms using an electronic impulse to trigger discharge and illuminated nocks for arrows and bolts.

3. Persons Affected

Persons wishing to hunt through the use of muzzleloading firearms using an electronic impulse to trigger discharge or illuminated nocks for arrows and bolts, or both, will be affected by the final-form rulemaking.

4. Comment and Response Summary

There were no official comments received regarding this final-form rulemaking.

5. Cost and Paperwork Requirements

The final-form rulemaking should not result in any additional cost or paperwork.

6. *Effective Date*

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

7. *Contact Person*

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

Findings

The Commission finds that:

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

(2) The adoption of this amendment of the Commission in the manner provided in this order is necessary and

appropriate for the administration and enforcement of the authorizing statute.

Order

The Commission, acting under authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapter 141, are amended by amending § 141.18 to read as set forth at 37 Pa.B. 2838.

(b) The Executive Director of the Commission shall certify this order, 37 Pa.B. 2838 and deposit them with the Legislative Reference Bureau as required by law.

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

CARL G. ROE,
Executive Director

Fiscal Note: Fiscal Note 48-254 remains valid for the final adoption of the subject regulation.

[Pa.B. Doc. No. 07-1833. Filed for public inspection October 5, 2007, 9:00 a.m.]

PROPOSED RULEMAKING

ENVIRONMENTAL QUALITY BOARD

[25 PA. CODE CH. 130]

Consumer Products

The Environmental Quality Board (Board) is amending its proposed rulemaking published at 37 Pa.B. 5117 (September 15, 2007) to revise dates for the public comment period and public hearings for the Chapter 130, Subchapter B (relating to consumer products).

The proposed rulemaking will amend the Table of Standards to add volatile organic compound (VOC) content limits for an additional 11 categories of consumer products and amend the VOC content limits for one category of consumer products currently regulated. The proposed rulemaking also adds definitions for approximately 30 new terms, including those that relate to the new product categories that will be regulated, and amends definitions for approximately 110 existing terms to provide clarity. The proposed rulemaking, if adopted, will be submitted to the Environmental Protection Agency as a revision to the State Implementation Plan.

Public Comments

Written Comments. Interested persons are invited to submit comments, suggestions or objections regarding the proposed rulemaking to the Environmental Quality Board, P. O. Box 8477, Harrisburg, PA 17105-8477 (express mail: Rachel Carson State Office Building, 16th Floor, 400 Market Street, Harrisburg, PA 17101-2301). Comments submitted by facsimile will not be accepted. Comments, suggestions or objections must be received by the Board by December 7, 2007. Interested persons may also submit a summary of their comments to the Board. The summary may not exceed one page in length and must also be received by December 7, 2007. The one-page summary will be provided to each member of the Board in the agenda packet distributed prior to the meeting at which the final regulation will be considered.

Electronic Comments. Comments may be submitted electronically to the Board at RegComments@state.pa.us and must be received by the Board by December 7, 2007. A subject heading of the proposal and a return name and address must be included in each transmission.

Public Hearings

The Board will hold three public hearings for the purpose of accepting comments on the proposed rulemaking to amend Chapter 130, Subchapter B. The hearings will be held as follows:

November 7, Department of Environmental Protection
2007 Rachel Carson State Office Building
1 p.m. Room 105
400 Market Street
Harrisburg, PA 17105

November 7, Department of Environmental Protection
2007 Southwest Regional Office
1 p.m. Waterfront A and B Conference Room
400 Waterfront Drive
Pittsburgh, PA 15222

November 7, Department of Environmental Protection
2007 Southeast Regional Office
1 p.m. Delaware River Conference Room
2 East Main Street
Norristown, PA 19401

Persons wishing to present testimony at a hearing are requested to contact the Environmental Quality Board, P. O. Box 8477, Harrisburg, PA 17105-8477, (717) 787-4526 at least 1 week in advance of the hearing to reserve a time to present testimony. Oral testimony is limited to 10 minutes for each witness. Witnesses are requested to submit three written copies of their oral testimony to the hearing chairperson at the hearing. Organizations are limited to designating one witness to present testimony on their behalf at each hearing.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact the Board at (717) 787-4526 or through the Pennsylvania AT&T Relay Service, (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

KATHLEEN A. MCGINTY,
Chairperson

[Pa.B. Doc. No. 07-1834. Filed for public inspection October 5, 2007, 9:00 a.m.]

STATE ATHLETIC COMMISSION

[58 PA. CODE CH. 21]

Communicable Disease Testing

The State Athletic Commission (Commission) proposes to amend § 21.8 (relating to boxers) as it pertains to the testing of professional boxers for communicable diseases, to read as set forth in Annex A.

A. Effective Date

The amendment would be effective upon publication of the final-form rulemaking in the *Pennsylvania Bulletin*.

B. Statutory Authority

The amendment is authorized under 5 Pa.C.S. § 103(b)(1) (relating to duties of commission), which authorizes the Commission to establish policy and promulgate rules and regulations regarding professional boxing contests and exhibitions and all matters pertaining thereto. The amendment is further authorized by 5 Pa.C.S. § 501 (relating to Medical Advisory Board), which permits the Medical Advisory Board (Board) to recommend changes or additions to the health and safety rules and regulations of the Commission.

C. Background and Purpose

The Commission's present regulations require testing of professional boxers and kickboxers for human immunodeficiency virus and communicable diseases, including Hepatitis B and Hepatitis C. The current regulation requires that the testing have been initiated no more than 60 days prior to the date of an annual license

application. The proposed amendment would permit testing to be done up to 6 months prior to the date of an annual license application.

The change is based on the recommendation of the Board of the Commission, made in the fall of 2006, to change the time frame from 60 days to 6 months. The Commission adopts this recommendation and has determined that the current time period of 60 days is overly burdensome and unnecessary. Most Pennsylvania boxers compete in several of the surrounding states, many of which have testing requirements similar to those in this Commonwealth. Thus, boxers who regularly compete are tested often, with a cost of approximately \$50 to \$70 for the panel of tests including HIV, Hepatitis B and Hepatitis C. This proposed change is also in conformance with the Association of Boxing Commissions (ABC), which recommends that each boxer provide a negative test result for HIV and Hepatitis B and C to the regulating commission, with tests no older than 6 months from the date the blood was tested. The ABC states that most boxing commissions which are member states currently use the 6-month time frame for testing.

D. Description of the Proposed Amendments

As a condition for initial licensure or annual renewal of a license as a professional boxer, an applicant is required to be tested for human immunodeficiency virus and communicable diseases as defined in § 1.1 (relating to definitions), which currently includes testing for Hepatitis B and Hepatitis C. The Commission is proposing that the time period for the initiation of testing be extended from no more than 60 days prior to the date of an annual license application to no more than 6 months prior to the date of an annual license application. The Commission does not intend to eliminate the requirement for testing as a condition of licensure, but simply to extend the period of time for which the completed tests may be utilized for licensure purposes. Under § 25.1 (relating to general provisions), this rulemaking would apply to professional kickboxers as well.

As part of its review, the Commission also afforded the opportunity for a 30-day predraft comment by forwarding an exposure draft of Annex A to a random selection of individuals from the following categories of individuals: all five physicians who are members of the Board and five additional physicians who are presently licensed as ring-side physicians by the Commission; eight professional boxing promoters; seven professional boxing managers; eight professional boxers; and four boxing seconds or trainers. The Commission also forwarded an exposure draft to the ABC. Only the ABC and one promoter commented on the draft. The Commission considered the two comments in drafting the proposed amendment.

E. Fiscal Impact and Paperwork Requirements

The proposed amendment will have no adverse fiscal impact on the Department of State or the Commission. The proposed amendment will also have no adverse fiscal impact on the Commonwealth or its political subdivisions and will not impose any additional paperwork requirements upon the Commonwealth, its political subdivisions or the private sector. The proposed amendment will have no adverse fiscal impact on the professional boxers the Commission regulates.

F. Sunset Date

The Commission and the Department monitor the regulations of the Commission on a continuing basis. Therefore, no sunset date has been assigned.

G. Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), the Commission submitted a copy of this proposed amendment on September 26, 2007, to the Independent Regulatory Review Commission (IRRC), the Senate State Government Committee and the House State Government Committee. In addition to submitting the proposed rulemaking, the Commission has provided IRRC and the Committees with a copy of a detailed Regulatory Analysis Form prepared by the Department. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act (71 P. S. § 745.5(g)), if IRRC has comments, recommendations or objections regarding any portion of the proposed rulemaking, it will notify the Commission within 30 days of the close of the public comment period. The notification will specify the regulatory review criteria that have not been met. The Regulatory Review Act specifies detailed procedures for review of comments, recommendations and objections by the Commission, the General Assembly, and the Governor prior to publication of the regulations.

H. Public Comment

Interested persons are invited to submit written comments, recommendations or objections regarding this proposed rulemaking to Gregory P. Sirb, Executive Director or the State Athletic Commission, 2601 North 3rd Street, Harrisburg, PA 17110, within 30 days following publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Please reference No. 16-37 (Communicable Disease Testing), when submitting comments.

CHARLES BEDNARIK,
Chairperson

Fiscal Note: 16-37. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART I. STATE ATHLETIC COMMISSION

Subpart B. BOXING

CHAPTER 21. PROFESSIONAL BOXING

§ 21.8. Boxers.

(a) Professional boxers shall be licensed by the Commission. The Commission will not license or renew the license of a professional boxer unless the license application is accompanied by a report from a Department of Health facility, a laboratory possessing a permit from the Department of Health under 28 Pa. Code § 5.11 (relating to permit, requirements, application and conditions) or a report from a laboratory licensed in another jurisdiction that meets the requirements to be issued a permit under 28 Pa. Code § 5.11, and is acceptable to the Commission, which indicates that the applicant has been tested for any virus, antibody, antigen or etiologic agent determined to cause or indicate the presence of human immunodeficiency virus and any other communicable disease and the results of those tests were negative. The tests shall have been initiated no more than **[60 days] 6 months** prior to the date of filing the application. A boxer whose application for license has been denied has the right to a hearing before the Commission under 2

Pa.C.S. §§ 501—508 (relating to practice and procedure of Commonwealth agencies). The applicant shall apply, in writing, to the Commission requesting a hearing. The Commission will conduct a hearing within 10 business days from the receipt of the written request.

* * * * *

[Pa.B. Doc. No. 07-1835. Filed for public inspection October 5, 2007, 9:00 a.m.]

STATEMENTS OF POLICY

Title 4—ADMINISTRATION

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

Reorganization of the Department of Agriculture

The Executive Board approved a reorganization of the Department of Agriculture effective September 24, 2007.

The organization chart at 37 Pa.B. 5383 (October 6, 2007) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 31.(a)(9) (relating to content of Code).

(Editor's Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) (relating to contents of Pennsylvania Code) as a document general and permanent in nature which shall be codified in the Pennsylvania Code.)

[Pa.B. Doc. No. 07-1836. Filed for public inspection October 5, 2007, 9:00 a.m.]

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

Reorganization of the Department of General Services

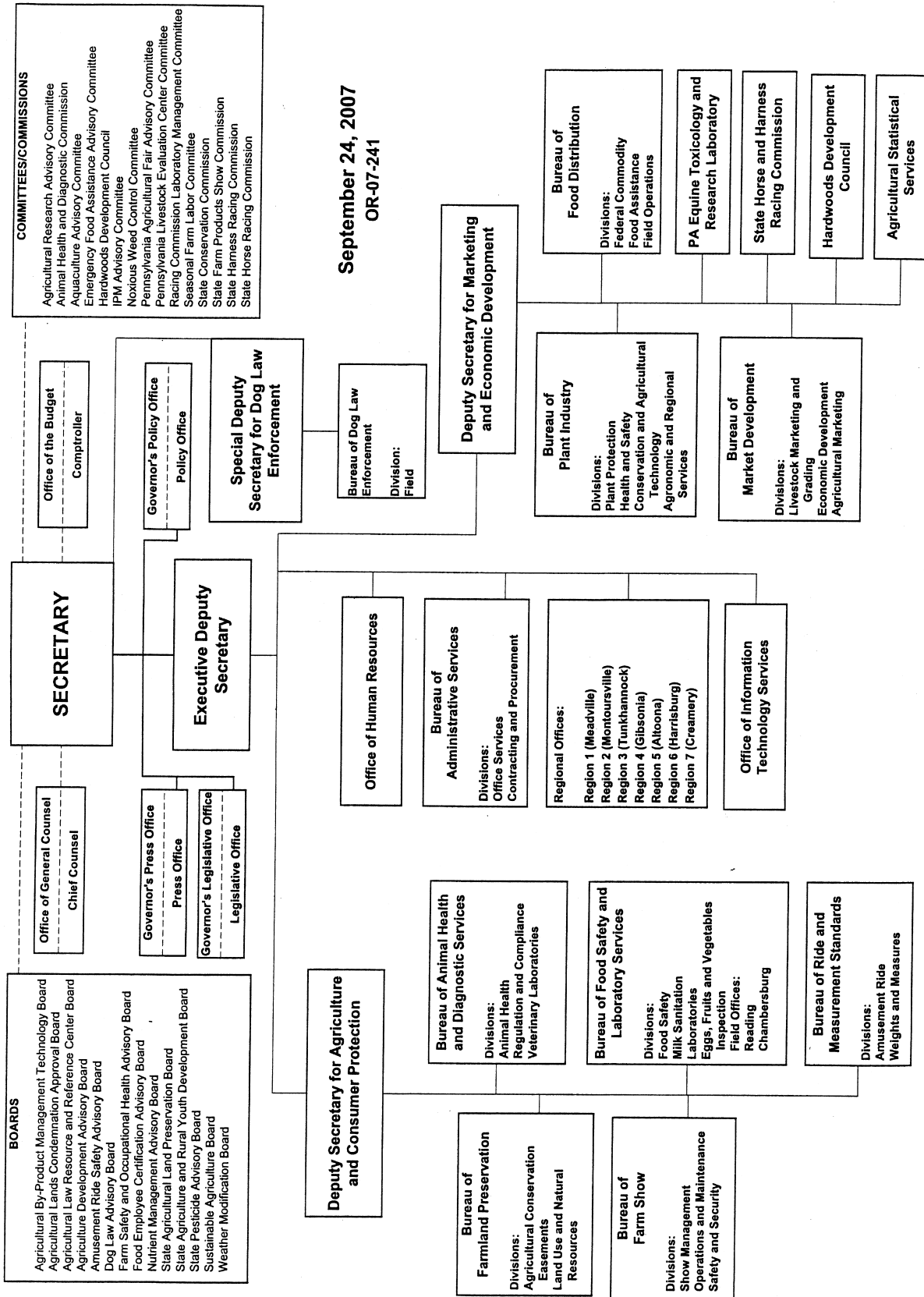
The Executive Board approved a reorganization of the Department of General Services effective August 24, 2007.

The organization chart at 37 Pa.B. 5384 (October 6, 2007) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 31.(a)(9) (relating to content of Code).

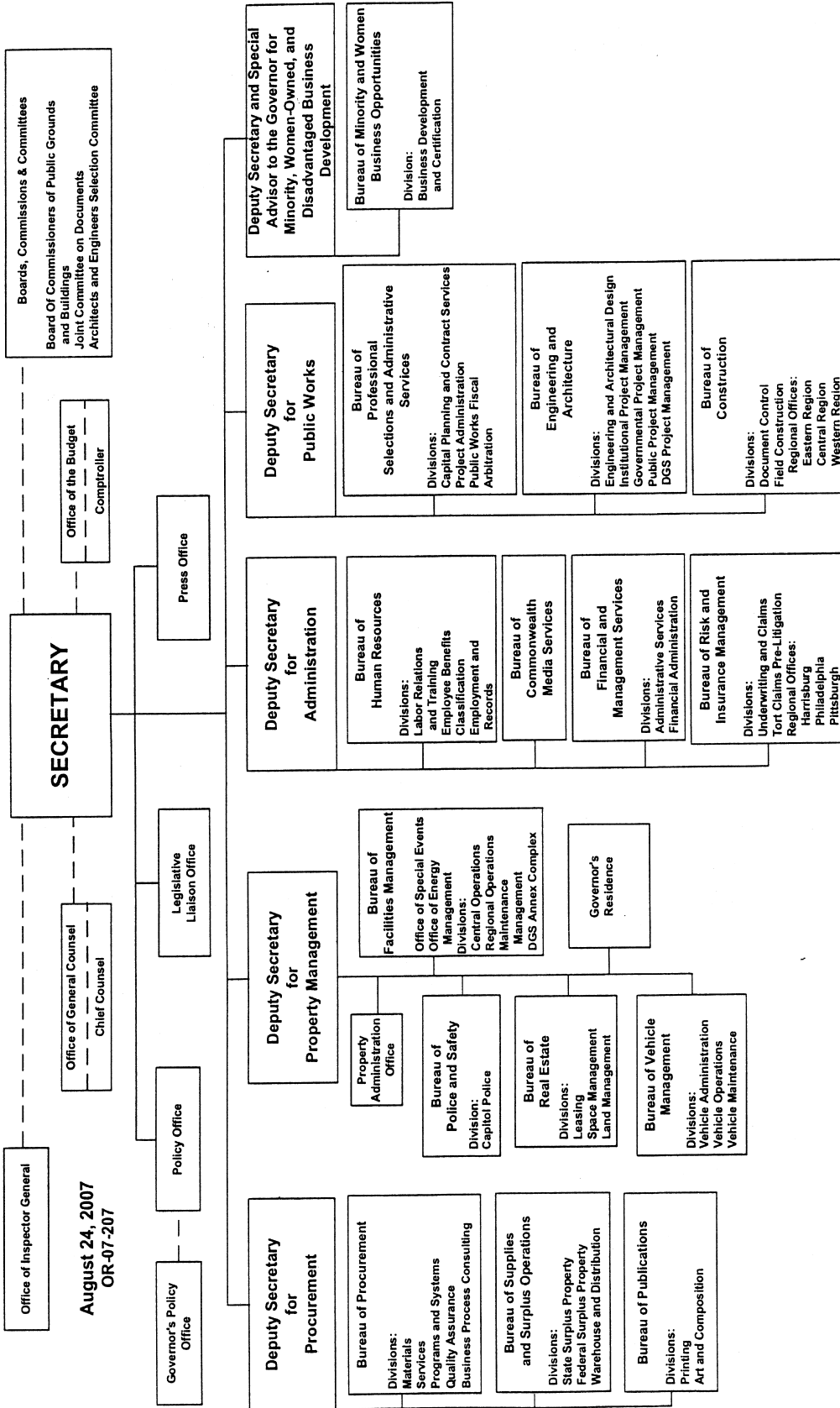
(Editor's Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) (relating to contents of Pennsylvania Code) as a document general and permanent in nature which shall be codified in the Pennsylvania Code.)

[Pa.B. Doc. No. 07-1837. Filed for public inspection October 5, 2007, 9:00 a.m.]

DEPARTMENT OF AGRICULTURE



DEPARTMENT OF GENERAL SERVICES



Title 58—RECREATION

PENNSYLVANIA GAMING CONTROL BOARD

[58 PA. CODE CH. 503b]

Disclosure of Information Related to Persons on the Self-Exclusion List

The Pennsylvania Gaming Control Board (Board), at its September 12, 2007, public meeting, adopted guidelines for the disclosure of information related to individuals on the Board's self-exclusion list. Section 1516(d) of the Pennsylvania Race Horse Development and Gaming Act, 4 Pa.C.S. § 1516(d) (relating to list of persons self excluded from gaming activities) provides that the Board's list of self-excluded persons may not be open to public inspection. However, since the creation of the Board's self-exclusion program, the Board has received a variety of requests for information relating to individuals who are or are not on the self-exclusion list. In an effort to provide reasonable transparency related to the self-exclusion list and to provide information regarding the efficacy of the self-exclusion program, the Board is adopting these guidelines as a statement of policy to provide guidance to the general public as to when information relating to individuals who are or are not on the self-exclusion list will be released. Consistent with its current practice, the Board will not disclose to the public the identity of individuals who are on the Board self-exclusion list.

Fiscal Impact

This statement of policy provides guidance on when the Board will release information related to persons who are on the Board's list of self-excluded individuals. Since these guidelines do not impose any additional duties or responsibilities, they do not impose any costs on the general public, entities regulated by the Board or the Board.

Contact Person

The contact persons for questions about this statement of policy are Nanette Horner, Director of the Office of Compulsive and Problem Gambling, (717) 346-2703 and Richard Sandusky, Director of Regulatory Review, (717) 214-8111.

Effective Date

This statement of policy took effect September 12, 2007.

MARY DIGIACOMO COLLINS,

Chairperson

(Editor's Note: Title 55 of the Pa. Code is amended by adding a statement of policy in § 503b.1 to read as set forth in Annex A.)

Fiscal Note: 125-73. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART VII. GAMING CONTROL BOARD

Subpart I. COMPULSIVE AND PROBLEM GAMBLING

CHAPTER 503b. DISCLOSURE OF INFORMATION RELATED TO PERSONS ON THE SELF-EXCLUSION LIST—STATEMENT OF POLICY

§ 503b.1. Disclosure of information related to persons on the self-exclusion list.

(a) The Board may periodically release to the public general data and demographics related to individuals on the self-exclusion list (such as the total number of individuals on the list, gender breakdown, age range, types of gambling engaged in, and the like).

(b) The Board may make selected data available, upon request, for the limited purpose of assisting in the proper administration of responsible gaming programs.

(c) The Board will not confirm or deny the existence of an individual's name or identity on the Board self-exclusion list.

[Pa.B. Doc. No. 07-1838. Filed for public inspection October 5, 2007, 9:00 a.m.]

NOTICES

DEPARTMENT OF BANKING

Actions on Applications

The Department of Banking (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 9, 2002 (P. L. 1572, No. 207), known as the Credit Union Code, has taken the following action on applications received for the week ending September 25, 2007.

BANKING INSTITUTIONS

Section 112 Applications

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
8-28-07	The PNC Financial Services Group, Inc., Pittsburgh, to acquire up to 19.9% of Bucks County Bank, Doylestown, in conjunction with the acquisition of Yardville National Bancorp, Hamilton, NJ, which currently owns 13.39% of the common shares of Bucks County Bank. Yardville National Bancorp has approval to own up to 19.9% of Bucks County Bank.	Pittsburgh	Filed
(Correction from Summary #37)			
9-13-07	S & T Bancorp, Inc., Indiana, to acquire up to 24.99% of Allegheny Valley Bancorp, Inc., Pittsburgh.	Indiana	Filed

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-13-07	Abington Savings Bank Jenkintown Montgomery County	420 South York Road Hatboro Montgomery County	Filed
9-14-07	PeoplesBank, A Codorus Valley Company York York County	11350 McCormick Road Suite 101 Hunt Valley Baltimore County, MD	Filed
9-19-07	Susquehanna Bank DV Bryn Mawr Montgomery County	2 Aquarium Drive Camden Camden County, NJ	Approved

Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-14-07	AmeriServ Financial Bank Johnstown Cambria County	900 Locust Street St. Michael Cambria County	Closed
9-20-07	Republic First Bank Philadelphia Philadelphia County	1800 Lombard Street Philadelphia Philadelphia County	Approved

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

No activity.

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

STEVEN KAPLAN,
Secretary

[Pa.B. Doc. No. 07-1839. Filed for public inspection October 5, 2007, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION**Applications, Actions and Special Notices****APPLICATIONS**

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

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

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

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

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

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

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

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

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

I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0062758	Shenandoah Borough Municipal Authority P. O. Box 110 Shenandoah, PA 17976	West Mahanoy Township Schuylkill County	Lost Creek 6B	Y
PA0062987	David J. Bell R. R. 1 Box 1190 Hallstead, PA 18822	Liberty Township Susquehanna County	UNT of Snake Creek 04E	Y
PA0034029 (Minor Sewage)	Lehigh County Authority P. O. Box 3348 Allentown, PA 18106	North Whitehall Township Lehigh County	UNT to Coplay Creek 2C	Y
PA0041009 (Minor Industrial Wastewater)	Global Companies, LLC (Chelsea Sandwich, LLC) P. O. Box 459 Shippers Lane Macungie, PA 18062	Lower Macungie Township Lehigh County	UNT to Little Lehigh Creek 2C	Y

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>
PA0246891 (IW)	Letterkenny Army Depot—Open Detonation Ground 2 One Overcash Avenue Chambersburg, PA 17201-4150	Franklin County Letterkenny Township	UNT Rocky Spring Branch 13-C	Y
PA0083089 (IW/GWCU)	Tyco Electronics Corporation—Glen Rock MS 140-042 P. O. Box 3608 Harrisburg, PA 17105-3608	York County Springfield Township	Larkin Pond to UNT Seaks Run 7-H	Y
PA0083305 (IW/GWCU)	Tyco Electronics Corporation—Brodbecks Building 06 MS 140-042 P. O. Box 3608 Harrisburg, PA 17105-3608	York County Codorus Township	UNT Krebs Valley Run 7-H	Y
PA0081566 (Sew)	York Haven Sewer Authority P. O. Box 394 York Haven, PA 17370	York County York Haven Borough	Conewago Creek 7-F	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>
PA0032816 (Nonmunicipal)	Department of Transportation Safety Rest Area Site 33 P. O. Box 2966 Harrisburg, PA 17105	Clinton County Greene Township	Fishing Creek 9C	Y

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

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

PA0050482, Amendment No. 1, Sewage, Freedoms Foundation at Valley Forge, 1601 Valley Forge Road, Valley Forge, PA 19482-0706. This existing facility is located in Schuylkill Township, **Chester County**.

Description of Proposed Activity: Amendment of NPDES permit to discharge treated sewage effluent from Freedoms Foundation STP. The existing permit contains a compliance schedule for upgrades to the treatment plant and collection system. This amendment includes modifications of the required upgrades and a revised schedule for completion of the upgrades. There are no changes to the limits from the existing permit.

The receiving stream, Jug Hollow, is in the State Water Plan Watershed 3F and is classified for: high quality waters, aquatic life, water supply and recreation. The nearest downstream public water supply intake for PA America Water Company, Norristown District is located on the Schuylkill River and is approximately 7.2 miles below the point of discharge.

PA0050202, Industrial Waste, SIC 482111, **National Railroad Passenger Corporation (Amtrak)**, 30th Street Station, 30th and Market Streets, Philadelphia, PA 19104-2898. This proposed facility is located in the City of Philadelphia, **Philadelphia County**.

Description of Proposed Activity: railroad servicing, fueling and lubrication.

The receiving stream, the Schuylkill River, is in the State Water Plan Watershed 3F and is classified for: WWF and MF. There is no downstream public water supply intake on the Schuylkill River.

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

<i>Parameters</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>
Total Suspended Solids					Monitor and Report
Oil and Grease					Monitor and Report
Dissolved Iron					Monitor and Report
Total Phosphorus					Monitor and Report
COD					Monitor and Report
Total Kjeldahl Nitrogen					Monitor and Report
pH (Standard Units)					Monitor and Report
PCBs, Total*					Monitor and Report

*Monitoring requirements are consistent with an approved PMP.

The proposed effluent limits for MP101 (Emergency Only) are as follows:

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow	Monitor and Report				
Total Suspended Solids			30	60	75
Oil and Grease			15		30
Dissolved Iron					7.0
Phenols, Total			5.9	11.8	14.8
Total Petroleum Hydrocarbons					Monitor and Report
pH (Standard Units)	Within the Limits of 6.0 to 9.0 Standard Units at all times				

This wastewater is normally discharged to Philadelphia's Southwest Water Pollution Control Plant.

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

1. Stormwater Requirements.
2. PCBs Requirements.

The EPA waiver is not in effect.

NPDES Permit No. PA0021512, Sewage, SIC 4952, **Royersford Borough STP**, 300 Main Street, Royersford, PA 19468-0188.

Description of Activity: Revoke and reissue of the NPDES Permit to incorporate plant expansion flow of 0.54 mgd to 0.70 mgd.

The receiving water, Schuylkill River, is in the State Water Plan Watershed 3E and is classified for: WWF, aquatic life, water supply and recreation. The nearest downstream public water supply intake for Aqua-PA is located on the Schuylkill River and is approximately 1 mile below the point of discharge.

The following effluent limits for Outfall 001 are based on an annual average flow of 0.54 mgd and are in effect from permit issuance through completion of plant upgrade and expansion:

<i>Parameters</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40		50
Total Suspended Solids	30	45		60
NH ₃ -N	20			40
Fecal Coliform	200 #/100 ml			1,000 col/100 ml
pH (Standard Units)	6.0 (Minimum)			9.0
Dissolved Oxygen	Monitor and Report			

<i>Parameters</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Residual Chlorine	0.5			1.2
PCBs	Monitor and Report			

The following effluent limits for Outfall 001 are based on an annual average flow of 0.70 mgd and will be in effect from completion of plant upgrade and expansion to expiration:

<i>Parameters</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	20	30		40
Total Suspended Solids	20	30		40
NH ₃ -N	6.0			12.0
Phosphorus, Total	2.0			4.0
Fecal Coliform	200 #/100 ml			1,000 col/100 ml
pH (Standard Units)	6.0 (Minimum)			9.0
Dissolved Oxygen	5.0 (Minimum)			
Total Residual Chlorine	0.5			1.2
PCBs	Monitor and Report			

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

1. Discharge must not cause nuisance.
2. Operator and Maintenance Plan.
3. Proper sludge disposal.
4. Schuylkill River TMDL for PCBs.
5. Ensure chlorine does not cause stream impact.
6. Certified Operator.

The EPA waiver is not in effect.

PA0030023, Sewage, SIC 4952, **Bryn Athyn Borough**, P. O. Box 683, 2835 Buck Road, Bryn Athyn, PA 19009. This proposed facility is located in Bryn Athyn Borough, **Montgomery County**.

Description of Proposed Activity: This application is for renewal of an NPDES permit to discharge treated sewage from the Academy of the New Church STP in Bryn Athyn Borough, Montgomery County. This is an existing discharge to a UNT to Huntingdon Valley Creek.

The receiving stream, UNT to Huntingdon Valley Creek, is in the State Water Plan Watershed 3J and is classified for: TSF, aquatic life, water supply and recreation. The nearest downstream public water supply intake for Aquapennsylvania is located on Pennypack Creek and is about 8 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.065 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅			
(5-1 to 10-31)	6.8	10.2	13.6
(11-1 to 4-30)	13.6	20.4	27.2
Total Suspended Solids	10	15	20
Ammonia (as N)			
(5-1 to 10-31)	2.8		5.6
(11-1 to 4-30)	8.4		16.8
Total Residual Chlorine	0.4		0.9
Fecal Coliform	# 200/100 ml		# 1,000/100 ml
Dissolved Oxygen		minimum of 5.0 mg/l at all times	
pH		Within limits of 6.0 to 9.0 Standard Units at all times	

The EPA waiver is in effect.

PA0036978, Amendment No. 1, Sewage, SIC 4952, **Telford Borough Authority**, 122 Penn Avenue, P. O. Box 209, Telford, PA 18969-0209. This facility is located in Franconia Township, **Montgomery County**.

Description of Proposed Activity: Discharge of treated sewage from Telford Borough Wastewater Treatment Plant. Amended permit reflects revision to Copper limitation as a result of approved Water Effect Ratio study performed by Telford Borough Authority.

The receiving stream, Indian Creek, is in the State Water Plan, Watershed 3E Perkiomen Creek Basin, and is classified for: TSF. The nearest downstream public water supply intake for Philadelphia Suburban Water Company is located on Perkiomen Creek and is 20.99 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.1 mgd.

<i>Parameters</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅				
(5-1 to 10-31)	15	23		30
(11-1 to 4-30)	20	30		40
Total Suspended Solids	20	30		40
NH ₃ -N				
(5-1 to 10-31)	1.5			3.0
(11-1 to 4-30)	3.0			6.0
Phosphorous as P	1.0			2.0
Dissolved Oxygen	6.0 minimum			
Fecal Coliform	200 # Col/100 ml			
pH (Standard Units)	6.0 minimum			9.0
Total Dissolved Solids	Monitor	Monitor		Monitor
Total Residual Chlorine	0.01			0.03
Copper, Total	0.078			0.122
Copper, Dissolved	Monitor			Monitor
Aluminum, Total	Monitor	Monitor		Monitor

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

1. Remedial Measures.
2. Sewage Sludge Disposal.
3. Whole Effluent Toxicity Tests at Renewal.
4. TMDL/WLA Analysis.
5. Operations and Maintenance Plan.
6. Laboratory Certification.
7. Effluent and Downstream Hardness Monitoring.
8. Stormwater Outfall.
9. High Flow Maintenance Plan.
10. Chlorine Minimization.
11. Infiltration/Inflow Abatement Program.
12. Stream Inspection For Presence of Solids.

PA0026603, Sewage, SIC 4952, **Borough of Ambler**, 122 East Butler Avenue, Ambler, PA 19002-4476. This existing facility is located in Upper Dublin Township, **Montgomery County**.

Description of Proposed Activity: Issuance of NPDES renewal permit for an existing discharge of treated sewage. The permit was issued November 7, 2005. The permit was appealed and, as a result of stipulation of settlement, the phosphorus limits and compliance dates are revised.

The receiving stream, Wissahickon Creek, is in the State Water Plan Watershed 3F and is classified for: TSE, MF, aquatic life, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Philadelphia Water Department is located on the Schuylkill River and is approximately 12.95 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 6.5 mgd.

<i>Parameters</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅				
(5-1 to 10-31)	10	15		20
(11-1 to 4-30)	20	30		40
Total Suspended Solids	30	45		60
NH ₃ -N				
(5-1 to 10-31)	1.5			3.0
(11-1 to 04-30)	4.5			9.0
Dissolved Oxygen	7.0, I-minimum			
pH (STD Units)	6.0, I-minimum			9.0
Fecal Coliform (# col/100 ml)	200			
Total Residual Chlorine	0.1			0.3
Ortho-phosphorus as P:				
(12-1-08 through Expiration: 11-1 to 3-31)	4.0			8.0
(4-1-09 through Expiration: 4-1 to 10-31)	1.0			2.0
Aluminum, Total	Monitor		Monitor	
Copper, Total	Monitor		Monitor	
Chromium, Hexavalent	Monitor		Monitor	
Chromium, Total	Monitor		Monitor	
Silver, Total	Monitor		Monitor	

<i>Parameters</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Lead, Total	Monitor		Monitor	
Arsenic, Total	Monitor		Monitor	
Cadmium, Total	Monitor		Monitor	
Mercury, Total	Monitor		Monitor	
Nickel, Total	Monitor		Monitor	
Zinc, Total	Monitor		Monitor	
Cyanide, Free	Monitor		Monitor	
Selenium, Total	Monitor		Monitor	
Phenolics, Total	Monitor		Monitor	
Hardness as CaCO ₃	Monitor		Monitor	
(NO ₂ +NO ₃) as N	Monitor		Monitor	

The proposed effluent limits for Stormwater Outfall 006 are based on a design flow of an average storm event:

<i>Parameters</i>	<i>Average Annual (mg/l)</i>	<i>Average Semi-Annual (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	Monitor		Monitor	
COD	Monitor		Monitor	
Oil and Grease	Monitor		Monitor	
pH	Monitor		Monitor	
Total Suspended Solids	Monitor		Monitor	
Total Kjeldahl Nitrogen	Monitor		Monitor	
Total Phosphorus	Monitor		Monitor	
Iron, Dissolved	Monitor		Monitor	
Fecal Coliform (# col/100 ml)	Monitor		Monitor	

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

1. Stormwater Requirements.
2. Pretreatment Program.
3. Upstream Monitoring.
4. Specification of Test Methods.
5. Definition of Average Weekly.
6. Remedial Measures if Public Nuisance.
7. No Stormwater to Sanitary Sewers.
8. Necessary Property Rights.
9. Instantaneous Maximum Limitations.
10. Proper Sludge Handling.
11. Whole Effluent Toxicity Testing with Renewal.
12. Notification of Designation of Responsible Operator.

The EPA waiver is not in effect.

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

PA0062219, Sewage, **Frackville Area Municipal Authority**, 41 North Lehigh Avenue, P. O. Box 471, Frackville, PA 17931. This facility is located in Butler Township, **Schuylkill County**.

The receiving stream, Little Mahanoy Creek, is in the State Water Plan Watershed 06B and is classified for: CWF. The nearest downstream public water supply intake for Ashland Area Municipal Authority is located on Little Mahanoy Creek 2 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 1.4 mgd.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>
CBOD ₅	10.0	15.0	20.0
Total Suspended Solids	30.0	45.0	60.0
NH ₃ -N			
(5-1 to 10-31)	2.5	3.5	5.0
(11-1 to 4-30)	7.5	11.0	15.0
Phosphorus as "P"	1.0	1.5	2.0
Dissolved Oxygen	A minimum of 6.0 mg/l at all times.		
Fecal Coliform			
(5-1 to 9-30)	200/100 ml as a Geometric Mean		
(10-1 to 4-30)	2,000/100 ml as a Geometric Mean		
pH	6.0 to 9.0 Standard Units at all times.		
NO ₂ plus NO ₃ -N	11.0	16.0	22.0
Whole Effluent Toxicity	Less than 1.14 Chronic Toxicity Units		

Chesapeake Bay Tributary Strategy Nutrient Requirements

<i>Parameter</i>	<i>Concentration (mg/l)</i>		<i>Mass (lbs)</i>
	<i>Monthly Average</i>	<i>Monthly Load</i>	<i>Annual Load</i>
Ammonia-N	Report	Report	Report**
Kjeldahl-N	Report	Report	
Nitrate-Nitrate as N	Report	Report	
Total Nitrogen	Report	Report	Report
Total Phosphorus	Report	Report	Report
Net Total Nitrogen		Report	25,570
Net Total Phosphorus		Report	3,409

* This permit contains conditions which authorize the permittee to apply nutrient reduction credits to meet the Net Total Nitrogen and the Net Total Phosphorus effluent mass limits, under the Department of Environmental Protection's (Department) Trading of Nutrients and Sediment Reduction Credits Policy and Guidelines (Document No. 392-0900-001, December 30, 2006). The condition includes the requirement to report the application of these credits in Supplemental Discharge Monitoring Reports (DMRs) submitted to the Department.

* The compliance date for Net Total Nitrogen and Net Total Phosphorus will begin on October 1, 2010. Since these reporting requirements are annual loads, the reporting on compliance with the annual limitations will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2011. This facility is required to monitor and report for Net Total Nitrogen and Net Total Phosphorus from the effective date of the permit until September 30, 2010.

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

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

1. Whole Effluent Toxicity Testing and Chesapeake Bay Nutrient Requirements.

PA0026361, Sewage, **Lower Lackawanna Valley Sanitary Authority**, P. O. Box 2067, Coxton Road, Duryea, PA 18642-2067. This facility is located in Duryea Borough, **Luzerne County**.

The receiving stream, Lackawanna River, is in the State Water Plan Watershed 5B and is classified for: WWF. The nearest downstream public water supply intake is for Danville Borough located on North Branch Susquehanna River.

The proposed effluent limits for Outfall 001 based on a design flow of 6.0 mgd.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
Dissolved Oxygen	A minimum of 5.0 mg/l at all times.		
Fecal Coliform (5-1 to 9-30)	200/100 ml as a Geometric Mean		
(10-1 to 4-30)	2,000/100 ml as a Geometric Mean		
pH	6.0 to 9.0 Standard Units at all times.		
Total Residual Chlorine	1.0		

Chesapeake Bay Tributary Strategy Nutrient Requirements

<i>Parameter</i>	<i>Concentration (mg/l)</i>		<i>Mass (lbs)</i>
	<i>Monthly Average</i>	<i>Monthly Load</i>	<i>Annual Load</i>
Ammonia-N	Report	Report	Report**
Kjeldahl-N	Report	Report	
Nitrate-Nitrate as N	Report	Report	
Total Nitrogen	Report	Report	Report
Total Phosphorus	Report	Report	Report
Net Total Nitrogen		Report	109,588
Net Total Phosphorus		Report	14,612

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

* The compliance date for Net Total Nitrogen and Net Total Phosphorus will begin on October 1, 2010. Since these reporting requirements are annual loads, the reporting on compliance with the annual limitations will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2011. This facility is required to monitor and report for Net Total Nitrogen and Net Total Phosphorus from the effective date of the permit until September 30, 2010.

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

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

1. Combined Sewer Overflow and Chesapeake Bay Nutrient Requirements.

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

Application No. PA0085235, SIC Code 5812, Sewage, **DeGrazia, LLC**, 604 Memorial Drive, Fleetwood, PA 19522. This facility is located in Robeson Township, **Berks County**.

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

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

The proposed Interim effluent limits for Outfall 001 for a design flow of 0.0012 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25		50
Total Suspended Solids	30		60
NH ₃ -N	20		40
Total Residual Chlorine	1.5		25
Dissolved Oxygen		Minimum of 5.0 at all times	
pH		From 6.0 to 9.0 inclusive	
Fecal Coliform		200/100 ml as a Geometric Average	
(5-1 to 9-30)		10,000/100 ml as a Geometric Average	
(10-1 to 4-30)			

The proposed Final effluent limits for Outfall 001 for a design flow of 0.0012 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25		50
Total Suspended Solids	30		60
NH ₃ -N	20		40
Total Residual Chlorine	0.5		1.64
Dissolved Oxygen		Minimum of 5.0 at all times	
pH		From 6.0 to 9.0 inclusive	
Fecal Coliform		200/100 ml as a Geometric Average	
(5-1 to 9-30)		2,000/100 ml as a Geometric Average	
(10-1 to 4-30)			

Individuals 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 not in effect.

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

PA0022292, Sewage, **Municipal Authority of the Borough of Ebensburg**, 300 West High Street, Ebensburg, PA 15931. This application is for renewal of an NPDES permit to discharge treated sewage from Ebensburg Wastewater Treatment Plant in Cambria Township, **Cambria County**.

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

Outfall 001: existing discharge, design flow of 1.25 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25	37.5		50
Suspended Solids	30	45		60
Ammonia Nitrogen				
(5-1 to 10-31)	2.0	3.0		4.0
(11-1 to 4-30)	3.5	5.3		7.0

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
Phosphorus	1.5	2.3		3.0
Fecal Coliform (5-1 to 9-30)	200/100 ml as a Geometric Mean			
(10-1 to 4-30)	2,000/100 ml as a Geometric Mean			
Total Residual Chlorine	0.08			0.27
Dissolved Oxygen	not less than 6.0 mg/l			
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 2.0 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25	37.5		50
Suspended Solids	30	45		60
Ammonia Nitrogen (5-1 to 10-31)	2.0	3.0		4.0
(11-1 to 4-30)	3.5	5.3		7.0
Phosphorus	1.5	2.3		3.0
Fecal Coliform (5-1 to 9-30)	200/100 ml as a Geometric Mean			
(10-1 to 4-30)	2,000/100 ml as a Geometric Mean			
Dissolved Oxygen	not less than 6.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is not in effect.

PA0026751, Sewage, **Borough of Indiana**, 80 North 8th Street, Suite 102, Indiana, PA 15701-1702. This application is for renewal of an NPDES permit to discharge treated sewage from Indiana Borough Wastewater Treatment Plant in Center Township, **Indiana County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Two Lick Creek, which are classified as a TSF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the PA American Water Company.

Outfall 001: existing discharge, design flow of 8.2 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25	38		50
Suspended Solids	30	45		60
Ammonia Nitrogen (5-1 to 10-31)	4.0	6.0		8.0
(11-1 to 4-30)	11.0	16.5		22.0
Fecal Coliform (5-1 to 9-30)	200/100 ml as a Geometric Mean			
(10-1 to 4-30)	2,000/100 ml as a Geometric Mean			
Dissolved Oxygen	not less than 6.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is not in effect.

PA0027456, Sewage, **Greater Greensburg Sewage Authority**, P. O, Box 248, Greensburg, PA 15601-0248. This application is for renewal of an NPDES permit to discharge treated sewage from the Greater Greensburg STP in Hempfield Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Jacks Run, 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 Westmoreland County Municipal Authority, McKeesport Plant, on the Youghiogheny River.

Outfall 001: existing discharge, design flow of 6.75 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅ (5-1 to 10-31)	15	23		30
(11-1 to 4-30)	25	38		50
Suspended Solids	30	45		60
Ammonia Nitrogen (5-1 to 10-31)	2.2	3.3		4.4
(11-1 to 4-30)	4.2	6.3		8.4
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	0.043			0.14
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

Other Conditions: Outfalls 002, 004—018, 021—030 and 032—042, which discharge to the receiving waters known as Jacks Run, Zellers Run and Coal Tar Run, serve as combined sewer overflows necessitated by stormwater entering the sewer system and exceeding the hydraulic capacity of the sewers and/or the treatment plant. These outfalls are permitted to discharge only for such reason. There are at this time no specific effluent limitations on the outfalls. Each discharge shall be monitored for cause, frequency, duration and quantity of flow.

Outfalls 051 and 052, which discharge to the receiving waters known as Jacks Run, serve as stormwater discharges from areas in and around the treatment plant. There are at this time no effluent limitations on these outfalls. These stormwater discharges shall meet the requirements in the NPDES permit, Part C—Requirements Applicable to Stormwater Outfalls.

The EPA waiver is not in effect.

PA0204854, Sewage, **D'Atri, Inc.**, 320 Sunset Drive, Baden, PA 15005. This application is for renewal of an NPDES permit to discharge treated sewage from Knob Vue Estates Mobile Home Park STP in New Sewickley Township, **Beaver County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as a UNT of Pine Run, 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 NOVA Chemicals, Beaver Valley Plant on the Ohio River.

Outfall 001: existing discharge, design flow of 0.0145 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen (5-1 to 10-31)	2.0			4.0
(11-1 to 4-30)	6.0			12.0
Fecal Coliform (5-1 to 9-30)	200/100 ml as a Geometric Mean			
(10-1 to 4-30)	2,000/100 ml as a Geometric Mean			
Total Residual Chlorine	0.15			0.35
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0205087, Sewage, **Scottyland Camping Resort**, 1618 Barron Church Road, Rockwood, PA 15557. This application is for renewal of an NPDES permit to discharge treated sewage from Scottyland Camping Resort STP in Middlecreek Township, **Somerset County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Lost Creek, which are classified as a HQ-CWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Ohiopyle Borough Municipal Water Works.

Outfall 001: existing discharge, design flow of 0.0102 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	10			20
Suspended Solids	25			50
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	1.4			3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0217727, Sewage, **Rices Landing Borough**, P. O. Box 185, 100 Water Street, Rices Landing, PA 15357. This application is for renewal of an NPDES permit to discharge treated sewage from Rices Landing Borough Sewage Treatment Plant in Rices Landing Borough, **Greene 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 Tri-County Joint Municipal Authority.

Outfall 001: existing discharge, design flow of 0.08 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25			50
Suspended Solids	30			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	1.4			3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0219371, Sewage, **Frank and Leona Van Scoyoc**, 7480 Prim Rose Drive, Mentor on the Lake, OH 44060. This application is for renewal of an NPDES permit to discharge treated sewage from Van Scoyoc Single Residence Sewage Treatment Facility in Dean Township, **Cambria County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Drainage Swale Tributary to Clearfield Creek, which are classified as a CWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Amsbry Water Authority.

Outfall 001: existing discharge, design flow of 0.0004 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	10			20
Suspended Solids	10			20
Ammonia Nitrogen (5-1 to 10-31)	3.0			6.0
(11-1 to 4-30)	9.0			18.0
Fecal Coliform (5-1 to 9-30)	200/100 ml as a Geometric Mean			
(10-1 to 4-30)	2,000/100 ml as a Geometric Mean			
Color	Monitor and Report			
Total Residual Chlorine	1.4			3.3
Dissolved Oxygen	not less than 3 mg/l			
pH	not less than 6.0 nor greater than 9.0			

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. 2307201, Sewerage, **Cott Beverage**, 1 Alden Avenue, P. O. Box 626, Concordville, PA 19331. This proposed facility is located in Concord Township, **Delaware County**.

Description of Action/Activity: Addition of a 100,000 gallon equalization tank at the head of the WWTP expandable to 177,000.

WQM Permit No. 4607409, Sewerage, **Upper Gwynedd Towamencin Municipal Authority**, 2225 Kriebel Road, Lansdale, PA 19446. This proposed facility is located in Towamencin Township, **Montgomery County**.

Description of Action/Activity: Construction of approximately 1,250 feet of parallel 20" sanitary sewer and 7 manholes.

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

WQM Permit No. 2207403, Sewerage, **Susquehanna Area Regional Airport Authority**, Harrisburg International Airport, One Terminal Drive, Suite 300, Middletown, PA 17057-5048. This proposed facility is located in Lower Swatara Township, **Dauphin County**.

Description of Proposed Action/Activity: Seeking authorization for construction/operation of new wastewater treatment plant to replace existing facility.

WQM Permit No. 0107404, Sewerage, **Cumberland Township Authority**, 1370 Fairfield Road, Gettysburg, PA 17325. This proposed facility is located in Cumberland Township, **Adams County**.

Description of Proposed Action/Activity: Seeking authorization for the construction/operation of the Old Mill Road sewer extension and pumping station.

WQM Permit No. 0107202, CAFO, Hillandale Gettysburg, LP, 370 Spicer Road, Gettysburg, PA 17325. This proposed facility is located in Tyrone Township, **Adams County**.

Description of Proposed Action/Activity: Requesting approval to expand layer operation and egg processing facility.

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

WQM Permit No. WQG016153, Sewerage, **Donna Lee I. Loughman**, 241 Minton Run Road, Prosperity, PA 15329. This proposed facility is located in West Finley Township, **Washington County**.

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

WQM Permit No. 6507403, Sewerage, **Mount Pleasant Township Municipal Authority**, 2 Clawson Avenue, Youngwood, PA 15697. This proposed facility is located in Mount Pleasant Township, **Westmoreland County**.

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

WQM Permit No. 6307402, Sewerage, **Lower Ten Mile Joint Sewer Authority**, 144 Chartiers Road, Jefferson, PA 15344. This proposed facility is located in East Bethlehem/Jefferson Townships, **Washington County** and Morgan Township, **Greene County**.

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

WQM Permit No. WQG016154, Sewerage, **Joseph A. and Joyce A. Smida**, 845 Chateau Drive, Elwood City, PA 16117. This proposed facility is located in Franklin Township, **Beaver County**.

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI011507042	Linda Creighton 476 Auburn Road Landenberg, PA 19350	Chester	Lower Oxford Township	West Branch Big Elk Creek HQ-TSF-MF

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI014607004	Jeffery Clemens 531 Main Street Harleysville, PA 19438-1305	Chester	Upper Salford Township	UNT Unami Creek HQ-TSF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI034405003(1)	Edgewood Estates, Inc. 289 Walnut Street Belleville, PA 17004	Mifflin	Brown Township	Kishacoquillas Creek HQ-CWF

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

Lycoming County Conservation District: 542 County Farm Road, Suite 202, Montoursville, PA 17754, (570) 433-3003.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI044107003	James Kalp Department of Conservation and Natural Resources 400 Market Street P. O. Box 8451 Harrisburg, PA 17105	Lycoming	Cummings Township	Lower Pine Bottom Run HQ-CWF

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>
PAI050207002	Department of Transportation District 11-0	Allegheny	White Oak Borough	Jack's Run WWF

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

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

PUBLIC WATER SUPPLY (PWS) PERMIT

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

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

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

The permit application and any related documents are on file at the office listed before the application and are

available for public review. Arrangements for inspection and copying information should be made with the office listed before the application.

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

SAFE DRINKING WATER

Applications Received under the Pennsylvania Safe Drinking Water Act

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

Permit No. 3607510 , Public Water Supply.	
Applicant	Strasburg Borough Authority—Lancaster County
Municipality	Strassburg Borough
County	Lancaster

Responsible Official Strasburg Borough
Authority—Lancaster County,
Borough Authority President
145 Percision Lane
Strasburg, PA 17579

Type of Facility Public Water Supply

Consulting Engineer Anthony G. Elberti, P. E.
Herbert, Rowland & Grubic, Inc.
1846 Charter Lane
Lancaster, PA 17601

Application Received: May 29, 2007

Description of Action Construction of a new water
treatment plant to replace the
existing aging treatment plant.
The project will also include the
construction of a 750,000-gallon
finished water storage tank.

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

Permit No. 1807503—Construction, Public Water Supply.

Applicant **Suburban Lock Haven Water Authority**

Township or Borough Lamar Township

County **Clinton**

Responsible Official Jack Peters, Chairperson
Suburban Lock Haven Water
Authority
326 Main Street
Mill Hall, PA 17751

Type of Facility Public Water
Supply—Construction

Consulting Engineer Stuart W. Sibold, P. E.
The EADS Group, Inc.
1126 Eighth Avenue
Altoona, PA 16602

Permit Application Date September 20, 2007

Description of Action Construction of a new 850,000
gallon water tank and
modifications to the existing
Salona water booster pump
station.

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

Permit No. 5687504A1, Public Water Supply.

Applicant **Garrett Borough**
307 Municipal Road
Garrett, PA 15542

Township or Borough Summit Township

Responsible Official Ron Duerring, President
Garrett Borough
307 Municipal Road
Garrett, PA 15542

Type of Facility Water treatment plant

Consulting Engineer The EADS Group, Inc.
1126 Eighth Avenue
Altoona, PA 16602

Application Received Date September 24, 2007

Description of Action Construction of a 154,000 gallon
well water influent tank and
potassium permanganate
addition.

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

Application No. 1007503, Public Water Supply.

Applicant **Eastern Management Assoc., Inc.**
Mason Mobile City

Township or Borough Conewango Township
Warren County

Responsible Official David Straight, Manager

Consulting Engineer Catherine M. Lee, Project
Manager
Stone Consulting & Design, Inc.
P. O. Box 306
Warren, PA 16365

Application Received Date September 24, 2007

Description of Action Installation of new treatment
system for the removal of
arsenic, iron and manganese.
New system consists of a solid
phase manganese dioxide media
in conventional pressure tanks
for the contaminant removal.

Central Office: Bureau Director, Water Standards and Facility Regulation, P. O. Box 8467, Harrisburg, PA 17105-8467.

Permit No. 9996489, Public Water Supply.

Applicant **Spring Hill Farm Dairy, Inc.**

Township or Borough Ward Hill, Massachusetts

Responsible Official Marcia Rogers, Co-owner

Type of Facility Out of State Bottled Water
System

Application Received Date September 24, 2007

Description of Action Applicant requesting a major
permits amendment to sell a
new distilled water product in
PA. Bottled water to be sold in
PA under the brand names;
Spring Hill Spring Water, Shur
Fine Spring Water, Spring Hill
Distilled Water, Shur Fine
Distilled Water, 365 Spring
Water, 365 Distilled Water,
Cloverfield Spring Water and
Hannaford Spring Water.

MINOR AMENDMENT

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

Application No. 0407509MA, Minor Amendment.

Applicant **Borough of Glasgow**
178 Route 68
Midland, PA 15059

Township or Borough	Plum Borough
Responsible Official	Gary Craig, Council President Borough of Glasgow 178 Route 68 Midland, PA 15059
Type of Facility	Water treatment plant
Consulting Engineer	Daniel C. Baker Associates, Inc. 6056 Tuscarawas Road Beaver, PA 15009-9552
Application Received Date	September 19, 2007
Description of Action	Clean and paint a 30,300 gallon steel water storage tank and install ladder guard.

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.

WA26-1003, Water Allocations, **Pennsylvania-American Water Company**, 300 Galley Road, McMurray, PA 15317, **Fayette County**. The applicant is requesting the right to purchase 100,000 gallons per day from Tri-County Joint Municipal Authority.

WA26-1003A, Water Allocations, **Pennsylvania-American Water Company**, 300 Galley Road, McMurray, PA 15317, **Fayette County**. The applicant is requesting the right to purchase 4,500 gallons per day from Southwestern Pennsylvania Water Authority.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 1

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

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

of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

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

For further information concerning the content of a Notice of Intent to Remediate, contact the environmental cleanup program manager in the Department regional office before which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the 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.

905 Louis Drive Property, Warminster Township, **Bucks County**. Val Britton, Penn E & R, Inc., 27555 Bergey Road, Hatfield, PA 19440, Michael Nines, Manko, Gold, Katcher & Fox, LLP, 401 City Avenue, Suite 500, Bala Cynwyd, PA 19004 on behalf of Kevin Kroiz, 905 Louis Associates, LP, 505 West Germantown Pike, Suite 200, Plymouth Meeting, PA 19462 has submitted a Notice of Intent to Remediate. Groundwater at the site has been impacted with release of chlorinated solvents. The future use of the site will be nonresidential commercial use. A summary of the Notice to Intent to Remediate was reported to have been published in the *Bucks County Courier Times* on July 25, 2007.

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

Francis D. Raub Middle School, Allentown City, **Lehigh County**. Mark T. Smith, Spotts, Stevens, and McCoy, Inc., P. O. Box 6307, 1047 North Park Road, Reading, PA 19610 has submitted a Notice of Intent to Remediate (on behalf of his client, Allentown City School District, P. O. Box 328, 31 South Penn Street, Allentown, PA 18105-0328), concerning the remediation of soils found or suspected to have been impacted by No. 2 fuel oil as a possible result from tank overflow or from product piping overlying the underground storage tank. The applicant proposes to remediate the site to meet the Statewide Health Standard. The property will continue to be used as a Middle School by the Allentown City School District. A summary of the Notice of Intent to Remediate is

expected to be published in a local newspaper serving the general area sometime in the near future.

Mt. Laurel Motel, Hazle Township, **Luzerne County**. Paul Nachlas, Alliance Environmental Services, Inc., 1820 Linglestown Road, Harrisburg, PA 17110 has submitted a Notice of Intent to Remediate (on behalf of his client, Ravapuri, Inc., 1039 South Church Street, Hazleton, PA 18201), concerning the remediation of soil and groundwater found or suspected to have been impacted No. 2 heating oil as a result of an accidental release during the removal of an underground storage tank. The applicant proposes to remediate the site to meet the Site-Specific Standard for soils and the Statewide Health Standard for groundwater. A summary of the Notice of Intent to Remediate is expected to be published in a local newspaper serving the general area sometime in the near future.

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

Nguyen Tran Residence, City of Lancaster, **Lancaster County**. Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, on behalf of Nguyen Tran, 618 East End Avenue, Lancaster, PA 17602-3712 and State Farm Insurance, P. O. Box 13, Concordville, PA 19331, submitted a Notice of Intent to Remediate site soils contaminated with No. 2 fuel oil released into a basement by means of an unconnected fill pipe. The property is and will remain a private residence. The applicant seeks to remediate to the Residential Statewide Health Standard.

Shipleigh Oil/Ward Trucking Camp Hill, Lower Allen Township, **Cumberland County**. Alliance Environmental Services, Inc., 1820 Linglestown Road, Harrisburg, PA 17110, on behalf of Ward Trucking, Inc., P. O. Box 1553, Altoona, PA 16603 and Shipleigh Group, P. O. Box 1509, York, PA 17405, submitted a Notice of Intent to Remediate site soils contaminated with diesel fuel during a refueling operation. The property is and will remain a truck terminal. The applicant is seeking to remediate to the Statewide Health Standard.

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.

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

43-270F: CCL Container (One Llodio Drive, Hermitage, PA 16148-9015) for modification of conditions associated with the thermal oxidizer established in previous plan approvals in Hermitage City, **Mercer County**. This is a Title V facility.

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

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

01-03034A: Texas Eastern Transmission, LP—Heidelberg Compressor Station (3975 Oxford Road, Gettysburg, PA 17325) for construction of a natural gas compressor station with electric compressor, which is exempt from permitting in Tyrone Township, **Adams County**. However, the fugitive VOC emissions worst case potential is approximately 35 tpy including about 28 tons intermittently from pipes, valves and flanges during scheduled or unscheduled repair or maintenance. The source is controlled with good engineering practice, and monitoring, recordkeeping and reporting.

06-05007E: Carpenter Technology Corporation (P. O. Box 14662, Reading, PA 19612-4662) for the transfer of emission reduction credits (ERC) to offset the cumulative net increased emissions of NOx and VOC at their facility in the City of Reading and Muhlenberg

Township, **Berks County**. The ERC transfers include 71 tons of NO_x from Lehigh Valley Industrial Park, Inc. and 48 tons of VOC from Alcoa, Inc. The approval includes all of the requirements of 25 Pa. Code Chapter 127, Subchapter E (New Source Review) concerning the transfer of ERC. The facility's presently covered by the Title V operating Permit No. 06-05007. The plan approval will be incorporated into the permit in accordance with 25 Pa. Code § 127.450 (Administrative Amendment).

21-05031C: Community Refuse Service, Inc. (135 Vaughn Road, Shippensburg, PA 17257-9727) to expand the existing landfill and the landfill gas collection system at their Cumberland County Landfill in Hopewell and North Newton Townships, **Cumberland County**. The landfill is subject to the requirements of 25 Pa. Code Chapter 127 Subchapter G (Title V Operating Permits), the applicable provisions of the 40 CFR 60, Subpart WWW—Standards of Performance for Municipal Solid Waste Landfills, and 40 CFR Part 63—National Emissions Standards for Hazardous Air Pollutants for Source Categories, Subpart AAAA—Municipal Solid Waste Landfills. This expansion is anticipated to increase landfill gas generation rates. This facility's annual emissions will be approximately 83.7 tons of CO, 35.9 tons of NO_x, 25.6 tons of PM₁₀, 16.8 tons of VOC, 11.5 tons of SO_x, 6.5 tons of HCl and 3.1 tons of HAPs. This plan approval will be incorporated into the existing Title V Permit at a later date. This plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the sources operating within all applicable air quality requirements.

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

11-00241: State Correctional Institution (P. O. Box 598, Camp Hill, PA 17001) for construction of a wood fired boiler rated at 28.7 mmBtu/hr at the State Correctional Institution in Cresson Township, **Cambria County**.

Under 25 Pa. Code § 127.44(a), the Department of Environmental Protection (Department) intends to issue a Plan Approval for construction of a wood fired boiler rated at 28.7 mmBtu/hr at the State Correctional Institution in Cresson Township, Cambria County. The boiler is manufactured by George K. Moss Company, Inc. (model MG600-150) and can be operated 24 hours per day, 7 days per week or approximately 8,760 hours per year. It is intended to use this unit as the primary source of heat at the facility and have the existing boilers serve as back-ups.

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

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

1. This Plan Approval is for the construction of a wood fired boiler rated at 28.7 mmBtu/hr at the State Correctional Institution facility at Cresson, Cambria County. The following is a list of equipment that will be added to this facility. (25 Pa. Code § 127.12b)

- (i) One GK-Moss 28.7 mmBtu/hr Boiler.
- (ii) One GK-Moss MCD-20 multiclone collector system.

1. The emissions from the wood fired boiler shall be limited to the following: (25 Pa. Code § 127.12b)

<i>Pollutant</i>	<i>Pounds per mmBtu</i>	<i>Pounds per Hour</i>	<i>Tons per Year</i>
PM	0.20	5.74	25.14
CO		17.2	75.4
NO _x		6.31	27.6

1. The owner/operator shall keep monthly records of operational hours and fuel usage for each source at this facility. These records shall be used to calculate NO_x, CO and PM emissions for the sources at this facility, and shall be used to determine compliance with annual emission limitations. The records and calculations shall be kept onsite for a period of 5 years and be made available to the Department upon request. (25 Pa. Code § 127.12b)

2. This source is subject to Subpart Dc of the Standards of Performance for New Stationary Sources and shall comply with all applicable requirements of this Subpart. 40 CFR 60.4 requires submission of copies of all requests, reports, applications, submittals and other communications to both EPA and the Department. The EPA copies shall be forwarded to the Director; Air, Toxics and Radiation Division, US EPA, Region III, 841 Chestnut Building, Philadelphia, PA 19107.

3. This source is subject to 25 Pa. Code §§ 123.1, 123.31 and 123.41 for fugitive, odor and visible emissions, respectively.

4. SO₂ emissions are limited to 4 lbs/mmBtu under 25 Pa. Code § 123.22(a)(1). Compliance with this limit shall be demonstrated through the use of a low sulfur fuel such as wood.

5. Stack testing shall be conducted to determine the following emission rates from the Wood-fired Boiler stack PM, CO and NO_x (as NO₂). (25 Pa. Code Chapter 139)

6. Stack testing shall be performed within 180 days of start-up or within 60 days of achieving maximum normal production rate, whichever comes first. Stack tests shall be conducted in accordance with 25 Pa. Code Chapter 139 regulations and the Department's Source Testing Manual. (25 Pa. Code Chapter 139)

7. Two copies of a pretest protocol shall be submitted to the Department for review at least 30 days prior to the performance of the stack test. (25 Pa. Code Chapter 139)

8. The Department shall be notified at least 2 weeks prior to the stack test of the date and time of the test so that an observer may be present. (25 Pa. Code Chapter 139)

9. Two copies of the stack test results shall be supplied to the Department for review within 60 days of completion of the testing. (25 Pa. Code Chapter 139)

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

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

b. Operation of the sources covered by this Plan Approval is authorized only to facilitate the start-up and shutdown of sources and air cleaning devices, to permit operations pending the issuance of an Operating Permit,

and to permit the evaluation of the source for compliance with all applicable regulations and requirements.

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

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

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

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

Any person wishing to provide the Department with additional information that they believe should be considered prior to the issuance of the Plan Approval may submit the information to the Department of Environmental Protection at the address shown. A 30-day comment period, from the date of this publication, will exist for the submission of comments. Each written comment must contain the following:

- Name, address and telephone number of the person submitting the comments.
- Identification of the proposed Plan Approval (specify the Plan Approval number).
- Concise statements regarding the relevancy of the information or objections to issuance of the Plan Approval. Written comments should be directed to Mark A. Wayner, P. E., Regional Air Quality Program Manager, Commonwealth of Pennsylvania, Department of Environmental Protection, Southwest Region—Field Operation, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

For additional information you may contact the following at the same address:

Tom Joseph, P. E.
Air Quality Engineer
(412) 442-4336

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

25-179A: Erie City Sewer Authority (68 Port Access Road, Erie, PA 16507) for authorization to cease operation of the afterburners as a control device associated with their sewage sludge incinerators in the City of Erie, **Erie County**.

Under 25 Pa. Code §§ 127.44(a) and 127.424(b), the Department of Environmental Protection (Department) intends to issue a Plan Approval, No. 25-179A, for their wastewater treatment plant in City of Erie, Erie County. This plan approval will authorize the applicant to cease operation of the afterburners as a control device associated with their sewage sludge incinerators as described in the applicant's application of June 14, 2007, with addendums dated July 26, 2007, and August 16, 2007. The Plan Approval will subsequently be incorporated into the company's Title V Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Based on the information provided by the applicant and the Department's own analysis, operation of the afterburner is not a necessary control device needed to keep emissions below the permit limits established in the Title V Operating Permit. The Erie Sewer Authority provided a detailed BAT analysis on operating and not operating the afterburner. The analysis determined that while the afterburners do control THC emissions these emissions are maintained below 100 ppm, as established in 40 CFR Part 503, without operating the afterburner. The economic analysis of the BAT also showed that operating the afterburner would cost about \$326,000 per year. The cost of not operating the afterburner would be zero. The facility will still be subject to all restriction, testing, monitoring and recordkeeping requirements of the Title V Operating Permit not applicable to afterburner operation.

Copies of the application, the Department's analysis and other documents used in the evaluation are available for public inspection between 8 a.m. and 4 p.m. weekdays at the address shown. To make an appointment, contact Records Management at (814) 332-6340 for an appointment.

Anyone wishing to provide the Department with additional information they believe should be considered may submit the information to the address shown. Comments must be received, by the Department, within 30 days of the last day of publication. Written comments should include the following:

1. Name, address and telephone number of the person submitting comments.
2. Identification of the proposed Plan Approval; No. 25-179A.
3. Concise statement regarding the relevancy of the information or any objections to issuance of the Plan Approval.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted on the comments received during the public comment period. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in a local newspaper of general circulation 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 John Guth, Regional Air Quality Manager, Department of Environmental Protection, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335, (814) 332-6940.

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

AMS 07093: Philadelphia University (School House Lane and Henry Avenue, Philadelphia, PA 19122) for installation and operation of nine natural gas fired heating units each less than 1.2 mmBtu/hr, 12 natural gas fired hot water heaters each less than or equal to 0.75 mmBtu/hr, eight natural gas fired boilers each less than or equal to 1.7 mmBtu/hr, eight No. 2 oil fired boilers each less than or equal to 2.52 mmBtu/hr, 10 No. 2 oil or natural gas fired boilers each less than or equal to 5.32 mmBtu/hr and two No. 2 oil fired emergency generator. There will be a potential emission increase 37.35 tpy of NOx for the facility but the facility is taking restriction of 25 tpy of NOx. The plan approval will contain operating and recordkeeping requirements to ensure operation within all applicable requirements.

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.

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

40-00046: Wilkes-Barre General Hospital (575 North River Street, Wilkes-Barre, PA 18764-0001) for a Title V Operating Permit to operate three Natural Gas Boilers and a Medical Waste Incinerator in the City of Wilkes-Barre, **Luzerne County**. The facility's major source of emissions is NOx and HAPs.

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

05-05010: Texas Eastern Transmission—Grantville Compressor Station (P. O. Box 1642, Houston, TX 77251-1642) for renewal of the Title V Operating Permit issued in April 2003 in East Hanover Township, **Dauphin County**. The facility's major sources of emissions include four natural gas fired gas turbines, which primarily emit NOx.

06-05034: Texas Eastern Transmission—Bechtelsville Compressor Station (P. O. Box 1642, Houston, TX 77251-1642) for renewal of the Title V Operating Permit issued in April 2003 in Washington Township, **Berks County**. The facility's major sources of emissions include four natural gas fired gas turbines, which primarily emit NOx.

50-05001: Texas Eastern Transmission—Shermansdale Compressor Station (P. O. Box 1642, Houston, TX 77251-1642) for renewal of the Title V Operating Permit issued in March 2003 in Carroll Township, **Perry County**. The facility's major sources of emissions include two natural gas fired GE gas turbines, which primarily emit NOx.

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

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

09-0007: Fairless Iron & Metal, LLC (300 South Steel Road, Morrisville, PA 19067-3614) for operation of

their metal recycling facility in Falls Township, **Bucks County**. The permit is for a non-Title V (State-only) facility. Major sources of air emissions include a hammermill and air classifier, conveyors, stockpiles and a wet suppression system. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

46-00251: Anders Detweiler Funeral Home (130 East Broad Street, Souderton, PA 18964) for a human crematory in Souderton Borough, **Montgomery County**. The initial operating permit is for a non-Title V (State-only) facility. The source of emissions is a dual chamber crematory unit fired by natural gas and designed with BAT. The permit contains emission restrictions on visible emissions, odors and PM. Anders Detweiler will follow good air pollution control practices, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

09-00021: MRI Flexible Packaging, Inc. (122 Penns Trail, Newtown, PA 18940) for renewal of the State-only Operating Permit in Newtown Township, **Bucks County**. The initial permit was issued on December 3, 2002. MRI operates four flexographic printing presses at their Newtown facility.

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

40-00084: Lacey Memorial (1000 South Church Street Rear, Hazelton, PA 18201) for operation of a pet crematory facility in Hazel Township, **Luzerne County**. The State-only operating permit will include emissions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements. This is an initial State-only operating permit.

40-00047: Geisinger Health Group Dallas (1000 East Mountain Drive, Wilkes-Barre, PA 18711-0027) for a Facility State-only Natural Minor Operating Permit for operation of a natural gas fired boilers in Plains Township, **Luzerne County**.

40-00067: Wyoming Valley Sanitary Authority (P. O. Box 33A, Wilkes-Barre, PA 18703-1333) for a Facility State-only Synthetic Minor Operating Permit for operation of an incinerator and scrubber in Hanover Township, **Luzerne County**.

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

67-03001: Frito-Lay, Inc. (3553 Gillespie Drive, York, PA 17404) for operation of their snack manufacturing facility in West Manchester Township, **York County**. This is a renewal of the facility's State-only operating permit issued in 2002.

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

42-00194: Glenn O. Hawbaker, Inc.—Shinglehouse Plant (497 Horse Run Road, Shinglehouse, PA 16748) for operation of the facility's air contamination sources consisting of: two crushers, three feeders, four screening operations and 11 conveyor transfers in Ceres Township, **McKean County**. This facility is subject to 40 CFR Part 60, Subpart OOO for the sand and gravel process.

61-00200: Webco Industries, Inc. (363 Seneca Street, Oil City, PA 16301) for operation of the facility's air contamination sources consisting of an annealing furnace, two 8.0 mmBtu/hr space heaters, gas generator, emergency generators and a cold lube draw tank in Oil City, **Venango County**. The facility manufactures boilers and mechanical tubing.

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

Written comments, objections or requests for informal conferences on applications may be submitted by any person or any officer or head of any Federal, State or local government agency or authority to the Department at the district mining office indicated before an application within 30 days of this publication, or within 30 days

after the last publication of the applicant's newspaper advertisement, as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34.

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

Written comments or objections should contain the name, address and telephone number of the person submitting comments or objections; the application number; and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based. Requests for an informal conference must contain the name, address and telephone number of requestor; the application number; a brief summary of the issues to be raised by the requestor at the conference; and a statement whether the requestor wishes to have the conference conducted in the locality of the proposed mining activities.

Coal Applications Received

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

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

¹The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/l applied to: (1) surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas; active areas disturbed by coal refuse disposal activities; and mined areas backfilled and revegetated; and (2) drainage (resulting from a precipitation event of less than or equal to a 1-year 24-hour event) from coal refuse disposal piles.

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

56070110 and NPDES No. PA0262498. PBS Coals, Inc. (P. O. Box 260, Friedens, PA 15541) Commencement, operation and restoration of a bituminous surface auger mine in Stonycreek Township, **Somerset County**, affecting 282.4 acres. Receiving streams: Schrock Run; UNT No. 2 to Glades Creek classified for the following use:

CWF. There are no potable water supply intakes within 10 miles downstream. The application also includes several variance requests: First, to relocate approximately 1,780 feet of a UNT to Glades Creek. The relocation will begin at the headwaters and discharge to Schrock Run. This relocation will allow the stream to contribute to Schrock Run instead of pooling in an abandoned surface pit. The second variance request is to reestablish a stream channel that has been affected by previous surface mining activities. The UNT to Glades Creek will be reconstructed during reclamation of Phase II, returning the channel to its original location. The reconstruction will begin at its headwaters and continue for approximately 1,430 feet. The third variance request is for a General permit BMR-GP-102 to install a stream crossing on Schrock Run. The crossing location will be approximately 2,030 feet downstream of the headwaters of

Schrock Run. The fourth variance request is to conduct mining activities within the 100 foot right-of-way of two Township Roads: T-650 and T-531. T-531 will be temporarily closed from its intersection with SR 1001 to the intersection with SR 1003. T-650 will be temporarily closed beginning at a point approximately 800 feet south of its intersection with SR 1001 and continuing south to its intersection with T-530. Application received September 10, 2007.

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

33-07-12 and NPDES Permit No. PA0258415. P. and N. Coal Co., Inc. (P. O. Box 332, Punxsutawney, PA 15767) Proposal to enter into a Governmental Financed Reclamation Construction Contract on a 19.5 acre site in Winslow Township, **Jefferson County**. The proposal includes total reclamation of 7.8 acres of abandoned mine lands as well as 7.8 acres of coal removal incidental and necessary to the reclamation activities. Receiving streams: UNT to Fehley Run and Fehley Run, classified for the following use: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received September 18, 2007

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

17860144 and NPDES No. PA0115711. Junior Coal Contracting, Inc. (2330 Six Mile Road, Philipsburg, PA 16866) Permit renewal for the continued operation and restoration of a bituminous surface mine in Decatur Township, **Clearfield County**, affecting 324.0 acres. Receiving stream: Shimmel Run and UNT to Moshannon Creek, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received September 12, 2007.

17990103 and NPDES No. PA0238244. River Hill Coal Co., Inc. (Memorial Street, P. O. Box 141, Kylertown, PA 16847) Permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Bigler Township, **Clearfield County**, affecting 228.8 acres. Receiving streams: Alexander Run, UNT to Upper Morgan Run and Upper Morgan Run, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received September 10, 2007.

Noncoal Applications Received

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

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

* The parameter is applicable at all times.

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

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

31020301 and NPDES Permit No. PA0249190. United States Silica Company (12942 Oriskany Road, Mapleton Depot, PA 17052) Renewal of NPDES Permit, Brady Township, **Huntingdon County**. Receiving stream: Mill Creek, classified for the following use: TSF. There are no potable water supply intakes within 10 miles downstream. Application received September 17, 2007.

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

37960304. ESSROC Cement Corp. (P. O. Box 779, Bessemer, PA 16112) Renewal of NPDES Permit No. PA0227307, North Beaver Township and Bessemer Borough, **Lawrence County**. Receiving stream: Hickory Run Creek, classified for the following use: TSF. The first downstream potable water supply intake from the point of discharge is Bessemer Public Water System. NPDES Renewal application received September 19, 2007.

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

4874SM2T2 and NPDES Permit No. PA0123544. Oldcastle Industrial Minerals, Inc. (550 South

Biesecker Road, Thomasville, PA 17364) Transfer of an existing quarry operation and NPDES Permit for discharge of treated mine drainage from Oldcastle Stone Products in Jackson Township, **York County** affecting 214.8 acres, receiving stream: Little Conewago Creek. Application received September 11, 2007.

67000301T2 and NPDES Permit No. PA0224065. Oldcastle Industrial Minerals, Inc. (550 South Biesecker Road, Thomasville, PA 17364, transfer of an existing quarry operation and NPDES Permit for discharge of treated mine drainage from Oldcastle Stone Products in Jackson Township, **York County** affecting 288.75 acres, receiving stream: Little Conewago Creek. Application received September 11, 2007.

7775SM6C6 and NPDES Permit No. PA0119121. Glen-Gery Corporation (P. O. Box 7001, Wyomissing, PA 19610) Renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Perry Township, **Berks County**, receiving stream: UNT to Schuylkill River, classified for the following use: WWF. Application received September 13, 2007.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department of Environmental Protection (Department). Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) requires the State to certify that the involved projects will not violate the applicable provisions of sections 301—303, 306 and 307 of the FWPCA (33

U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as relevant State requirements. Persons objecting to approval of a request for certification under section 401 of the FWPCA or to the issuance of a Dam Permit, Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment must submit comments, suggestions or objections within 30 days of the date of this notice, as well as questions, to the regional office noted before the application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

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

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

Applications received under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27) and section 302 of the 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

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

E46-1013. Signature Living at New Hanover LP, 2500 York Road, Jamison, PA 18929, New Hanover Township, **Montgomery County**, ACOE Philadelphia District.

To perform the following activities located in, across and under Swamp Creek (TSF, MF), its tributaries and associated wetlands:

1. To construct and maintain 80 linear feet of triple 24-inch diameter culverts for a road crossing of a tributary to Swamp Creek and wetlands. The proposed road will impact 0.34 acre of wetlands (PFO, PEM). To construct and maintain a 12-inch water main under the same.

2. To construct and maintain 53 linear feet of triple 15-inch diameter culverts for a road crossing of wetlands. The proposed road will impact 0.09 acre of wetlands (PFO). To construct and maintain a 12-inch water main and an 8-inch sanitary sewer main under the same.

3. To fill wetlands for a road crossing. The proposed road will impact 0.04 acre of wetlands (PFO). To construct and maintain a 12-inch water main, an 8-inch sanitary sewer main and a 24-inch storm sewer under the same.

4. To construct and maintain a 12-inch water main under Swamp Creek, two tributaries to Swamp Creek, and adjacent wetlands. The water main will temporarily impact 0.04 acre of wetlands (PFO).

5. To replace, construct, and maintain a road crossing across Swamp Creek. This involves the removal of an existing culvert. The proposed culvert will be 18 linear feet in length and consist of triple 36-inch diameter culverts for emergency access road crossing. The proposed road will impact 0.01 acre of wetlands (PFO). To construct and maintain an 8-inch sanitary sewer main under the same.

6. To construct and maintain a 14-inch sanitary sewer main under Swamp Creek.

The proposed project includes a multilot residential subdivision named "Hanover Meadows." This project is associated with roadway improvements within Department of Transportation right-of-way (permit application E46-1014). The previously listed sanitary sewer main and water main crossings may qualify for Chapter 105 General Permit 5's (GP-5) as GP054607340 and GP054607341, respectively, and associated temporary road crossings GP-8's as GP084607313 and GP084607314, respectively.

The project is located east of State Highway 663, south of State Highway 73 and west of Church Road (Sassamansville, PA Quadrangle North: 12.0 inches; West: 8.4 inches).

E46-1014. Department of Transportation, 7000 Geerdes Boulevard, King of Prussia, PA 19406, New Hanover Township, **Montgomery County**, ACOE Philadelphia District.

To perform the following activities located in and across a tributary to Swamp Creek (TSF, MF) and associated wetlands:

1. To fill wetlands for a road widening (SR 73). The proposed widening will impact 0.02 acre of wetlands (PEM).

2. To construct and maintain 64 linear feet of double 19-inch by 30-inch elliptical culverts for a road crossing (proposed SR 663 connector) across a tributary to Swamp Creek.

The proposed project includes roadway improvements within Department of Transportation right-of-way associated with a multilot residential subdivision (permit application E46-1013). The project is located along State Highway 73, east of State Highway 663 and west of Church Road (Sassamansville, PA Quadrangle North: 12.0 inches; West: 8.4 inches).

E46-1015. New Hanover Township, 2943 North Charlotte Street, Gilbertsville, PA 19525, New Hanover Township, **Montgomery County**, ACOE Philadelphia District.

To perform the following water obstruction and encroachment activities associated with the Westwood Maguire Tract Stream Relocation Project:

1. To relocate 240 linear feet of a UNT to the West Branch of Swamp Creek under a roadway-widening project associated with the construction of an adjacent residential subdivision situated southeast of Rhoads Road.

2. Work will include the placement of fill and associated grading with the existing stream and to excavate and perform grading associated with the construction of the new relocated stream.

The site is located on the east side of Rhodes Road and ends where to the road crosses over the West Branch of

Swamp Creek in New Hanover Township, Montgomery County (Sassamansville, PA Quadrangle N: 5.04 inches; W: 13.02 inches).

E46-1016. Heritage Building Group, 2500 York Road, Jamison, PA 18929, New Hanover Township, **Montgomery County**, ACOE Philadelphia District.

Permit Description E46-1016

To perform the following water obstruction and encroachment activities in and along a UNT of Minister Creek (TSF-MF) associated with the proposed D'Amico Residential Subdivision:

1. To place fill within 0.13 acre of wetland (PEM and PSS) associated with construction of the proposed Penn Woods Road, Garnet Drive and associated utility line crossings within the same fill area.

2. To place fill within a 0.03-acre wetland (PEM) associated with construction of Lot-15 and Lot-16.

3. The applicant proposes 0.17-acre of onsite replacement wetlands (PEM/PSS/PFO).

The site is located approximately 2,500 feet northeast from the intersection of the Swamp and Dotter Roads (Sassamansville, PA USGS Quadrangle N: 10.7 inches; W: 12.0 inches).

E09-920. Waterside Bensalem Development, Inc., 2310 Terwood Road, Huntingdon Valley, PA 19006, Bensalem Township, **Bucks County**, ACOE Philadelphia District.

PA Description E09-920

To construct and maintain the following water obstructions and encroachments associated with a proposed Waterside Mixed-use, Residential and Retail Redevelopment proposed along the Delaware River Waterfront (WWF-MF).

1. To place fill within 0.321 acre of wetland (PFO1) associated with the construction of the proposed Dock Street Road and elevated boardwalk around the eastern portion of the proposed development.

2. To place fill within an approximately 415 linear-foot long drainage channel located on the center of the property and to divert stream flows through the proposed stormwater collection system.

3. To construct and maintain a boat dock and associated mooring area situated riverward of the existing bulkhead within the Delaware River. The work consists of a series of floating docks and precast concert block sections.

4. Work also includes the construction of stormwater management facilities and associated outfalls at several locations along the Delaware River.

The project will impact 415 linear feet of watercourse and 0.321 acre of wetlands. Compensation will consist of 0.34 acre of wetland replacement and 0.45 acre of wetland restoration. The project is located at a former industrial site on the east side of State Road (Beverly, PA Quadrangle N: 12.4 inches; W: 9.4 inches).

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

E21-399: Fish and Boat Commission, Bureau of Engineering and Development, 450 Robinson Lane, Bellefonte, PA 16823-9616, Penn Township, **Cumberland County**, ACOE Baltimore District.

To construct and maintain a 4-inch diameter and a 30-inch diameter outfall pipes along the right bank of Yellow Breeches Creek (HQ-CWF) for the purpose of improving the water quality along the Hunt Dale Fish Culture Station located in Hunt Dale Village (Dickinson, PA Quadrangle N: 18.89 inches; W: 7.88 inches, Latitude: 40° 06' 14"; Longitude: 77° 18' 23" and N: 18.10 inches; W: 7.13 inches, Latitude: 40° 05' 59"; Longitude: 77° 18' 04") in Penn Township, **Cumberland County**.

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

E47-088. Geisinger Health System, 100 North Academy Avenue, Culvert repairs, in Mahoning Township, **Montour County**, ACOE Baltimore District (Danville, PA Quadrangle Latitude 40° 57' 57.2"; Longitude 76° 36' 12.7").

The applicant proposes to replace a 74-inch by 63-inch culvert with a 9 foot by 5 foot 3 inch precast reinforced concrete box culvert in a UNT to Sechler Run, CWF. This culvert is located in the center of an expansive enclosure. The new culvert is designed for the 100 year storm in accordance to the Chapter 105 regulations and as a precautionary measure for future replacement of the remaining portions of the system. This project is located at the intersection of Bloom Road and North Academy Avenue. Stream impacts will be limited to the work area and no wetlands are located within the limits of construction.

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

E26-346. Turnpike Commission, P. O. Box 67676, Harrisburg, PA 17106. To construct Section 51A-1 of the Mon/Fayette Expressway, North Union Township, **Fayette County**, Pittsburgh ACOE District. The applicant proposes to construct the following:

1. A 136 foot long, 60-inch RC pipe stream enclosure of a UNT to Redstone Creek (WWF) located at Ramp 119S-N, Station 55+55 (Uniontown, PA Quadrangle N: 7.75 inches; W: 14.0 inches, Latitude: 39° 55' 03"; Longitude: 79° 43' 29"). This stream enclosure includes 940 feet of stream channel relocation. The existing stream channel consists of 410 feet of concrete lined channel.

2. A 99 foot long, 24-inch RC pipe stream enclosure of a UNT to Redstone Creek (WWF) located at Ramp 119N-N, Station 28+50 (Uniontown, PA Quadrangle N: 6.6 inches; W: 15.5 inches, Latitude: 39° 54' 51"; Longitude: 79° 43' 54"). This stream enclosure includes 386 feet of stream channel relocation.

3. A 3-span bridge on SR 0119 southbound across Redstone Creek (WWF) and having spans of 73.0 feet, 94.0 feet and 73 feet, SR 0119, Station 560+220 (Uniontown, PA Quadrangle N: 7.8 inches; W: 13.4 inches, Latitude: 39° 55' 5.39"; Longitude: 79° 43' 13.00"). This structure includes a stream crossing of said stream.

4. A 3-span bridge on SR 0119 northbound across Redstone Creek (WWF) and having spans of 73.0 feet, 94.0 feet and 73.0 feet, SR 0119, Station 560+20 (Uniontown, PA Quadrangle N: 7.8 inches; W: 13.4 inches, Latitude: 39° 55' 5.39"; Longitude: 79° 43' 13.00"). This structure includes a stream crossing of said stream.

5. The Mon/Fayette Expressway; Uniontown to Brownsville, Section 51A1, Transportation Project will impact 0.14 acre of wetlands (Uniontown, PA Quadrangle N: 7.8 inches; W: 13.4 inches, Latitude: 39° 55' 5.39"; Longitude: 79° 43' 13.00").

ENVIRONMENTAL ASSESSMENTS

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

D67-481EA. Woodhaven Building & Development, Inc., 4175 Hanover Pike, Manchester, MD 21102. Penn and West Manheim Townships, **York County**, ACOE Baltimore District.

Project proposes to breach and remove an unnamed dam across Indian Run (WWF) for the purpose of eliminating a threat to public safety and restoring the stream to a free flowing condition. The project will restore approximately 550 lineal feet of stream channel. The dam is located approximately 1,300 feet northwest of the intersection of Blue Hill and Beck Mill Roads (Hanover,

PA Quadrangle Latitude: 39° 45' 48"; Longitude: 76° 58' 54").

DAM SAFETY

Central Office: Bureau of Waterways Engineering, 400 Market Street, Floor 3, P. O. Box 8554, Harrisburg, PA 17105-8554.

D64-190. Terrance Campbell, 5 Pine Street, Honesdale, PA 18431. To modify, operate and maintain Rosner Pond Dam across a tributary to the Lackawaxen River (HQ-CWF), with no proposed impacts to wetlands or the stream channel, for the purpose of rehabilitating the existing dam and increasing spillway capacity to ensure compliance with Commonwealth Regulations (Aldenville, PA Quadrangle N: 4.7 inches; W: 14.4 inches) in Clinton Township, **Wayne County**.

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

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

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

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

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

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

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

I. NPDES Renewal Permit Actions

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0063517	Bonhan's Nursing Center 477 Bonnieville Road Stillwater, PA 17878	Huntington Township Luzerne	Pine Creek 5C	Y
PA0070491	Mahoning Valley Nursing and Rehabilitation Center 397 Hemlock Drive Lehigh, PA 18235	Mahoning Township Carbon County	Stewart Creek CWF 2B	Y
PA0031071	St. Pius X Seminary 1000 Seminary Road Dalton, PA 18414-9547	West Abington Township Lackawanna County	Wet Weather Channel to Ackerly Creek TSF 4G	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0209473 (Nonmunicipal)	North Centre Township 277B Nursery Road Berwick, PA 18603	Columbia County North Centre Township	Fester Hollow 5C	Y
PAS604801 IW	Abramson Auto Wrecking 3149 Nittany Valley Drive Howard, PA 16841	Walker Township Centre County	Little Fishing Creek 9C	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0041602 Industrial Waste	Pittsburgh Terminals Corp. 900 Eisenhower Boulevard Harrisburg, PA 17105	Allegheny County City of Pittsburgh	Ohio River	Y
PA0217093 Industrial Waste	Johnstown Wire Tech., Inc. 124 Laurel Avenue Johnstown, PA 15906-2246	Cambria County City of Johnstown	Conemaugh River	N

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>
PA0026301	Erie Sewer Authority and the City of Erie 68 Port Access Road Erie, PA 16507-2202	City of Erie Erie County	Lake Erie (Outer Erie Harbor and Presque Isle Bay) for Outfalls 001, 001A and 043, Mill Creek for Outfalls 002, 003, 008, 014 and 030 and Garrison Run for Outfalls 903—908 in Watershed 15	N
PA0240036	Jack Brinling 7928 East Lake Road Erie, PA 16511	Harborcreek Township Erie County	Lake Erie Watershed 15	Y

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

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

WQM Permit No. WQG010017, Sewerage, **Stephen Takach and Kimberly Pacitto**, 5167 Valley Park Road, R. D. 5, Doylestown, PA 18901. This proposed facility is located in Plumstead Township, **Bucks County**.

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

WQM Permit No. WQG02460720, Sewerage, **Lower Gwynedd Township Municipal Authority**, 1130 North Bethlehem Pike, P. O. Box 625, Spring House, PA 19477. This proposed facility is located in Lower Gwynedd Township, **Montgomery County**.

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

WQM Permit No. WQG010020, Sewerage, **Judy Schimpf**, 1650 Fels Road, Pennsburg, PA 18073. This proposed facility is located in Milford Township, **Bucks County**.

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

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

WQM Permit No. 0207403, Sewerage, **Leetsdale Borough Municipal Authority**, 5 Sixth Street, Leetsdale, PA 15056. This proposed facility is located in Leetsdale Borough, **Allegheny County**.

Description of Proposed Action/Activity: Permit issuance for the construction and operation of a new 24" diameter relief sewer through Leetsdale Industrial Park.

WQM Permit No. 0274469-A7, Sewerage, **ALCOSAN**, 3300 Preble Avenue, Pittsburgh, PA 15233. This existing facility is located in the City of Pittsburgh, **Allegheny County**.

Description of Proposed Action/Activity: Permit amendment issuance to install dechlorination facilities.

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

WQM Permit No. WQG018571, Sewerage, **Debra Raybuck and William Fleming**, 1087 Forest Drive, Summerville, PA 15864. This proposed facility is located in Limestone Township, **Clarion County**.

Description of Proposed Action/Activity: A single Residence Sewage Treatment Plant.

WQM Permit No. WQG018574, Sewerage, **Holly K. and Martin A. Coe**, 519 Rockland Nickelville Road, Kennerdell, PA 15864. This proposed facility is located in Rockland Township, **Venango County**.

Description of Proposed Action/Activity: A single Residence Sewage Treatment Plant.

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

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

IV. NPDES Stormwater Discharges from MS4 Permit Actions

V. NPDES Waiver Stormwater Discharges from MS4 Actions

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10G523R	Nelson Realty Trust c/o The Vanguard Group P. O. Box 2600 Valley Forge, PA 10482	Chester	Uwchlan Township	Shamona Creek HQ-CWF-MF
PAI012307003	Acts Retirement—Life Communities, Inc. 375 Morris Road West Point, PA 19486	Delaware	Middletown Township	Chester Creek HQ-CWF-MF
<i>Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.</i>				
<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023506004	JSB Enterprises R. R. 7 Box 7260 Moscow, PA 18444-8709	Lackawanna	Spring Brook Township	Spring Brook HQ-CWF
PAI025206001	Girl Scouts of Southeastern Pennsylvania P. O. Box 27540 Philadelphia, PA 19118	Pike	Lehman Township	Tributary to Delaware River HQ-CWF
PAI021307001	Coast to Coast Home Buyers, Inc. 1525 S.E. Pratt Street Port Saint Lucie, FL 34983-4042	Carbon	Penn Forest Township	Mud Run HQ-CWF
PAI024506017	Mark Styczen 1786 Spruce Street Saylorburg, PA 18353	Monroe	Pocono Township	Pocono Creek HQ-CWF

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI026406003	Department of Transportation Engineering District 4-0 55 Keystone Industrial Park Dunmore, PA 18512	Wayne	Dyberry Township	Big Brook HQ-CWF Dyberry Creek HQ-CWF
PAI023907011	Northwestern Lehigh Elementary School 6493 Route 309 New Tripoli, PA 18066	Lehigh	Weisenberg Township	Lyon Creek HQ-CWF, MF
PAI024804006(1)	Jaindl Land Company 3150 Coffeetown Road Allentown, PA 18069	Northampton	East Allen, Hanover and Lower Nazareth Townships	Monocacy Creek HQ-CWF
PAI023907016	MRF Real Estate, LLC S. Douglas Barcza 4301 Mill Road Emmaus, PA 18049	Lehigh	Upper Milford Township	Swabia Creek HQ-CWF Little Lehigh Creek HQ-CWF
PAI021304001 (Subsequent Phase)	Big Boulder Corporation Route 940 and Moseywood Road Blakeslee, PA 18624	Carbon	Kidder Township	Tunkhannock Creek HQ-CWF
PAI025804001	Dunn Lake, LLC 103 Indian Springs Road Kennett Square, PA 19348	Susquehanna	Ararat Township	East Branch Lackawanna River HQ-CWF

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

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

List of NPDES and/or Other General Permit Types

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

General Permit Type—PAG-02

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
West Sadsbury Township Chester County	PAG2001507025	Samuel J. Pilotti 1800 East Lancaster Avenue Paoli, PA 19301	Officers Run TSF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
West Goshen Township Chester County	PAG2001507036	Zarelli Group, LLC 1322 West Chester Pike West Chester, PA 19382	UNT Taylor Run TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Nether Providence Township Delaware County	PAG2002307013	Wallingford-Swarthmoore School District 200 South Providence Road Wallingford, PA 19086	Crum Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG2015107019	Overbrook School for the Blind 6333 Malvern Avenue Philadelphia, PA 19151	Schuylkill River WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Pittston City Luzerne County	PAG2004007023	City of Pittston 35 Broad Street Pittston, PA 18640	Susquehanna River WWF	Luzerne Co. Cons. Dist. (570) 674-7991
Lehigh Township Northampton County	PAG2004807005	Timothy Pitts 3738 Bayberry Drive Danielsville, PA 18038	Tributary to Bertsch Creek CWF Lower Lehigh Waterway CWF	Northampton Co. Cons. Dist. (610) 746-1971
Moosic Borough Lackawanna County	PAG2003507019	Bruce Smallacombe Lackawanna County 200 Adams Avenue Scranton, PA 18503	Spring Brook CWF	Lackawanna Co. Cons. Dist. (570) 281-9495
Washington Township Schuylkill County	PAG2005406034	Willow Springs Builder Attn: Robert L. Deeds 1217 White Bear Road Birdsboro, PA 19508	Upper Swatara Creek CWF Lower Swatara Creek CWF	Schuylkill Co. Cons. Dist. (570) 622-3742
Abington Township Lackawanna County	PAG2003507016	Parker Hill Community Church P. O. Box 194 Clarks Summit, PA 18411	Tributary to Ackerly Creek CWF	Lackawanna Co. Cons. Dist. (570) 281-9495
Union Township Adams County	PAG2000106038	Paul Burkentine Stone Ridge Development 1500 Baltimore Pike Hanover, PA 17331	UNT to South Branch Conewago Creek WWF	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 (717) 334-0636
Littlestown Borough Adams County	PAG2000107027	Scott R. Lang McDonald's USA, LLC 3025 Chemical Road Suite 100 Plymouth Meeting, PA 19462-1743	Piney Creek WWF	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 (717) 334-0636
Franklin Township Adams County	PAG2000107020	Jonathan Patrono, Esq. Hauser Family Farms, LLC 30 West Middle Street Gettysburg, PA 17325	UNT to Marsh Creek CWF	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 (717) 334-0636
Germany Township Adams County	PAG2000107017	Larry D. Piper 1523 Marburg Road Spring Grove, PA 17362	UNT to Piney Creek WWF	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 (717) 334-0636
Bedford Township Bedford County	PAG2000504008(2)	Bette Slayton 1 Corporate Drive Suite 101 Bedford, PA 15522	UNT to Brush Creek UNT to Dunning Creek WWF	Bedford County Conservation Dist. 702 West Pitt Street Fairlawn Court Suite 4 Bedford PA, 15522 (814) 623-7900

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<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
City of Reading Berks County	PAG2000607062	Theodore Bassano Reading Area Community College 10 South Second Street P. O. Box 1706 Reading, PA 19603-1706	Schuylkill River CWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657, Ext. 201
Centre County Ferguson Township	PAG2001407014	Todd Erdley Videon Central 2175 Sandy Drive State College, PA 16803	Big Hollow CWF	Centre County Conservation District 414 Holmes Avenue Suite 4 Belleville, PA 16823 (814) 355-6817
Clearfield County Decatur Township	PAG2001707005	Clearfield Creek Watershed Association 216 Beldin Hollow Road Ashville, PA 16613	Morgan Run CWF	Clearfield County Conservation District 650 Leonard Street Clearfield, PA 16830 (814) 765-2629
Lycoming County Muncy Township Revision	PAG2004106002	Eastern Lycoming YMCA 1500 Sycamore Road Montoursville, PA 17754	Turkey Run WWF	Lycoming County Conservation District 542 County Farm Road Suite 202 Montoursville, PA 17754 (570) 433-3003
Lycoming County Muncy Township	PAG2004107013	Christine Maggi Lycoming County Water and Sewer Authority 216 Old Cement Road Montoursville, PA 17754	West Branch Susquehanna River WWF	Lycoming County Conservation District 542 County Farm Road Suite 202 Montoursville, PA 17754 (570) 433-3003
Lycoming County Loyalsock Township	PAG2004107014	Justin Blakeney Department of Transportation Engineering District 3 715 Jordan Avenue Montoursville, PA 17754	Millers Run, McClures Run and Bull Run WWF Loyalsock Creek TSF	Lycoming County Conservation District 542 County Farm Road Suite 202 Montoursville, PA 17754 (570) 433-3003
Northumberland County Lower Augusta Township	PAG2004907007	Susquehanna Railworks R. R. 3 Box 104 Sunbury, PA 17801	Susquehanna River WWF	Northumberland County Conservation District R. R. 3 Box 238-C Sunbury, PA 17801 (570) 286-7114, Ext. 4
Beaver County Brighton Township	PAG2000407004	Willis Branthoover 460 Berkley Hill Road Beaver, PA 15009	Four Mile Run WWF	Beaver County CD (724) 378-1701
Greene County Morgan and Jefferson Townships East Bethel Township in Washington County	PAG2003007009	Lower Ten Mile Joint Sewer Authority 144 Chartiers Road Jefferson, PA 15344	South Fork of Ten Mile Creek WWF	Greene County CD (724) 852-5278
Indiana County White Township	PAG20032060161	Todd Heming Indiana County Jimmy Stewart Airport 398 Airport Road Indiana, PA 15701	UNT Two Lick Creek TSF UNT Ramsey Run CWF Ramsey Run CWF Two Lick Creek TSF	Indiana County CD (724) 463-8547
Erie County Summit Township	PAG2002507012	Scott's Development Company 8040 Peach Street Erie, PA 16509	Walnut Creek CWF; MF	Erie Conservation District (814) 825-6403

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Erie County Waterford Township	PAG2002507018	Bryan R. Kowalczyk 1357 Lane Road Waterford, PA 16441	Trib Elk Creek CWF; MF; WWF	Erie Conservation District (814) 825-6403
Butler County Cranberry Township	PAG2001006033	Beaver Falls Butler County US Army Reserve Center United States Army Corp of Engineers P. O. Box 59 Louisville, KY 40201-0259	Trib Brush Creek WWF	Butler Conservation District (724) 284-5270
<i>General Permit Type—PAG-3</i>				
<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Clearfield County Bell Township	PAR224837	Roy G. Miller 444 Newtonburg Road Mahaffey, PA 15757	UNT to West Branch Susquehanna River CWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3664
Centre Township Snyder County	PAR214801	Advanced Concrete Systems, Inc. 55 Advanced Lane Middleburg, PA 17842	UNT to Tuscarora Creek CWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3664
Cecil Township Washington County	PAR206137	Miller Centrifugal Casting Company P. O. Box 456 Cecil, PA 15321-0456	Millers Run Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Darlington Township Beaver County	PAR806223	Nulfco, Inc. P. O. Box 26 East Palestine, OH 44413	UNT to Leslie Run	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Pittsfield Township Warren County	PAR608341	West End Auto Parts R. D. 1 Route 6 Youngsville, PA 16371	Brokenstraw Creek (Outfall 001, 002) and a UNT to Brokenstraw Creek (Outfall 003)	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Summit Township Crawford County	PAG049361	Alan M. Ladner 15087 South Norrisville Road Meadville, PA 16335	UNT to Watson Run 16-D	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Limestone Township Clarion County	PAG049370	Debra Raybuck and William Fleming 1087 Forest Drive Summerville, PA 15864	UNT to Poe Run 17-B	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Rockland Township Venango County	PAG049373	Holly K. and Martin A. Coe 519 Rockland Nickelville Road Kennerdell, PA 16374	UNT to Shull Run 16-G	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Jefferson Township Mercer County	PAG048758	Kevin J. and Lori A. Grace 94 Troutman Road Hermitage, PA 16148-5022	UNT to Magaree Run 20-A	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

General Permit Type—PAG-9

<i>Facility Location & County/Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
West St. Clair Township Bedford County	PAG093509	Lang Septic Services 4995 Cortland Road New Paris, PA 15554	Lang Septic Services 4995 Cortland Road New Paris, PA 15554	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707

PUBLIC WATER SUPPLY (PWS) PERMITS

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

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

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

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

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act

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

Permit No. 6407501, Public Water Supply.	
Applicant	Aqua Pennsylvania Inc. (Wayne County Prison) HCR 6 Box 6040 Hawley, PA 18428 Texas Township
County	Wayne County
Type of Facility	Public Water System
Consulting Engineer	Entech Engineering, Inc. 4 South Fourth Street P. O. Box 32 Reading, PA
Permit to Construct Issued	September 4, 2007
Permit No. 2520085, Operations Permit, Public Water Supply.	
Applicant	Three Lane Utilities, Inc. 302 East Broad Street 2nd Floor West Field, NJ 07090 Westfall Township
County	Pike County
Type of Facility	PWS
Consulting Engineer	Michael E. Gable, P. E. RKR Hess Associates, Inc. 961 Marcon Boulevard Suite 425 Allentown, PA 18064
Permit to Operate Issued	September 18, 2007
Permit No. 3407501 MA, Minor Amendment, Public Water Supply.	
Applicant	Port Royal Municipal Authority
Municipality	Port Royal Borough
County	Juniata

Type of Facility Approves repairs and coating of the existing 0.427-mg finished water reservoir.

Consulting Engineer James California, P. E.
Buchart-Horn, Inc.
1200 West College Avenue
State College, PA 168014

Permit to Construct Issued July 17, 2007

Permit No. 2806509, Public Water Supply.

Applicant **Bear Valley Franklin County Pennsylvania Joint Authority**

Municipality Hamilton Township, St. Thomas
County **Franklin**

Type of Facility Application is for the construction of a membrane filtration facility to replace the existing filtration equipment at the Broad Run Treatment plant.

Consulting Engineer David R. Knapton, P. E.
Gannett Fleming, Inc.
601 Holiday Drive
Pittsburgh, PA 15220

Permit to Construct Issued July 26, 2007

Operations Permit issued to Pepe's Pizza, 7360746, Clay Township, Lancaster County on August 3, 2007 for the operation of facilities approved under Construction Permit No. 3606517.

Operations Permit issued to Ephrata Area Joint Authority, 7360045, Ephrata Borough, Lancaster County on July 25, 2007 for the operation of facilities approved under Construction Permit No. 3605508.

Operations Permit issued to Elizabethtown Area School District, Mount Joy Borough, Lancaster County on August 3, 2007 for the operation of facilities approved under Construction Permit No. 3606511.

Operations Permit issued to Krishna Ventures LLC, Antrim Township, Franklin County on August 3, 2007 for the operation of facilities approved under Construction Permit No. 2806506 MA.

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

Permit No. MA-5395502—Construction, Public Water Supply.

Applicant **Charles Cole Memorial Hospital**

Township or Borough Eulalia Township
County **Potter**

Responsible Official Melvin Blake
Charles Cole Memorial Hospital
1001 East Second Street
Coudersport, PA 16915

Type of Facility Public Water
Supply—Construction

Consulting Engineer Daniel Guss, P. E.
Uni-Tec Consulting Engineers,
Inc.
2007 Cato Avenue
State College, PA 16801

Permit Application Date September 24, 2007

Description of Action Rehabilitation and interior and exterior repainting of the existing 200,000 gallon steel finished water storage tank.

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
East Penn Township	167 Municipal Road Lehighton, PA 18235	Carbon

Plan Description: The Plan Revision called for construction of a sanitary sewer system in the West Bowmanstown area. Up to 40,000 gpd (maximum monthly average) of sewage from the proposed service area will be treated at the Bowmanstown Borough's existing wastewater treatment plant prior to discharging to the Lehigh River. 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.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Butler Township	415 West Butler Drive Drums, PA 18222	Luzerne

Plan Description: The Plan Revision called for extending the implementation schedule to implement the previous (2001 and 2004) Official Plan Revisions and to update the costs of the selected treatment and sewer alternatives evaluated in the previous Official Plan Revisions. 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.

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Grove City Borough	123 West Main Street Grove City, PA 16127	Mercer

Plan Description: The approved plan provides for the need to replace aging equipment at the WWTP as well as expand the existing treatment plant for the anticipated growth in the surrounding communities served by the

Borough of Grove City. 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.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Millcreek Township	3608 West 26th Street Erie, PA 16506	Erie

Plan Description: The approved plan provides for the extension of sanitary sewers to serve six existing residential homes located along the north side of Zimmerly Road.

SEWAGE FACILITIES ACT PLAN DISAPPROVAL

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

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Mount Joy Township	159 Merts Drive Elizabethtown, PA 17022	Lancaster County

Plan Description: The proposed plan revision proposed a new building lot of 2.07 acres proposing onlot disposal. The proposed subdivision is located near the northeast corner of the intersection of Cloverleaf and Milton Grove Roads in Mount Joy Township. The plan was disapproved because the preliminary hydrogeologic study inaccurately characterized the background nitrate-nitrogen concentration in the groundwater under the proposed subdivision. The two offsite wells used in the study are too far from the proposed subdivision to be considered representative of the site. The Department of Environmental Protection's code number is A3-36942-329-2.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 2

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

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

cleanup standard selected. Submission of plans and reports, other than the final report, shall also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a Site-Specific Standard remediation. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media; benefits of refuse of the property and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

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

The Department has received the following plans and reports:

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

The Twins at Frankford Creek, City of Philadelphia, **Philadelphia County**. Charlene Drake, React Environmental Professional Services Group, 6901 Kingessing Avenue, Suite 201, Philadelphia, PA 19142 on behalf of Michael Schurr, OKKS Development, LP, 3333 Street Road, Suite 101, Bensalem, PA 19020 has submitted a Remedial Investigation Report/Cleanup Plan and Final Report concerning remediation of site groundwater and soil contaminated with chlorinated soil. The report is intended to document remediation of the site to meet the Site-Specific Standards.

961 Layfield Road Property, New Hanover Township, **Bucks County**. Jason Pero, DelVal Soil & Environmental Consultants, Inc., 4050 Skyrun Drive, Doylestown, PA 18901 on behalf of David Orff, 195 Papermill Road, Barto, PA 19504 has submitted a Final Report concerning remediation of site soil contaminated with inorganics. The report is intended to document remediation of the site to meet the Statewide Health Standards.

Cotton Residence, Upper Southampton Township, **Bucks County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pottsville, PA 18073, Clark Miller, State Farm, P. O. Box 13, Concordville, PA 19331 on behalf of Ralph and Beth Cotton, 1074 Manor Lane, Southampton, PA 18966 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standards.

Smith Property, Bensalem Township, **Bucks County**. Jason Free, PT Consultants, Inc., 120 North Delsea Drive, Suite 2, Westville, NJ 08093, David Carlson, Cemco, P. O. Box 212, Hainesport, NJ 08036 on behalf of Michael Smith, The GST Group, 2291 Bristol Pike, Bensalem, PA 19020, has submitted a Final Report concerning remediation of site groundwater and soil contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standards.

Marlin Residence, Lower Providence Township, **Montgomery County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, Debbie Alesi, State Farm, P. O. Box 13, Concordville, PA 19331 on behalf of James Marlin, 3962 Township Line Road, Collegetown, PA 19426, Mitch Gorman, 351 Linda Lane, Collegetown, PA 19426, Antonio Adonnad, 347 Linda Lane, Collegetown, PA 19426, Tim Grimm, 342 Collegetown, PA 19426, Anthony Guerrero, 338, Collegetown, PA 19426 has submitted a Final Report concerning remediation of site groundwater and soil contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standards.

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

Nguyen Tran Residence, City of Lancaster, **Lancaster County**. Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, on behalf of Nguyen Tran, 618 East End Avenue, Lancaster, PA 17602-3712 and State Farm Insurance, P. O. Box 13, Concordville, PA 19331, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil released into a basement by means of an unconnected fill pipe. The report is intended to document remediation of the site to the Residential Statewide Health Standard.

Former Domestic Linens/HACC Midtown Site, City of Harrisburg, **Dauphin County**. BL Companies, Inc., 213 Market Street, Harrisburg, PA 17101, on behalf of City of Harrisburg, Department of Building and Housing Development, 10 North 2nd Street, Harrisburg, PA 17101-1677, submitted a Remedial Investigation Report concerning remediation of site soils and groundwater contaminated with VOCs and SVOCs. The report is intended to document remediation of the site to both the Statewide Health and Site-Specific Standards.

General Electric Services, Parcel B, Lebanon City, **Lebanon County**. Groundwater Environmental Services, 430 Creamery Way, Suite 500, Exton, PA 19341, on behalf of General Electric Environmental Services, Inc., One River Road, Building 43, 2nd Floor, Room 243, Schenectady, NY 12345, submitted a Final Report concerning remediation of site soils contaminated with PCBs and lead. The report is intended to document remediation of the site to the Statewide Health Standard.

Miller Optical, Inc., City of Lancaster, **Lancaster County**. GemChem, Inc., 53 North Cedar Street, P. O. Box 384, Lititz, PA 17543-0384, on behalf of Miller Optical, Inc., 845 Columbia Avenue, Lancaster, PA 17603-3224, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil released from an aboveground storage tank due to vandalism. The report is intended to document remediation of the site to the Residential Statewide Health Standard and was submitted within 90 days of the release. The property is and will remain to be used commercially.

Shipleigh Oil/Ward Trucking Camp Hill, Lower Allen Township, **Lancaster County**. Alliance Environmental Services, Inc., 1820 Linglestown Road, Harrisburg, PA 17110, on behalf of Ward Trucking, Inc., P. O. Box 1553, Altoona, PA 16603 and Shipleigh Group, P. O. Box 1509, York, PA 17405, submitted a Final Report concerning remediation of site soils contaminated with diesel fuel leaked during a refueling operation. The report is intended to document remediation of the site to the Statewide Health Standard.

JerrDan Facility, Antrim Township, **Franklin County**. Richenderfer & Associates, Inc., 63 Ladnor Lane,

Carlisle, PA 17013 and STS Consultants, 558 North Main Street, Oshkosh, WI 54901, on behalf of JerrDan Corporation, 1080 Hykes Road, Greencastle, PA 17225, submitted a Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated with lead, chromium and VOCs. The report is intended to document remediation of the site to the Site-Specific Standard.

Army National Guard Tyrone Armory, Tyrone Borough, **Blair County**. Converse Consultants, 2738 West College Avenue, State College, PA 16801, on behalf of Department of Military and Veteran Affairs, Environmental Sections, Building 0-11, Fort Indiantown Gap, Annaville, PA 17003-5002, submitted a Final Report concerning remediation of site soils contaminated with heating oil. The report is intended to document remediation of the site to the Statewide Health Standard.

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

Cooper Cameron Fac., City of Corry, **Erie County**. MACTEC Engineering and Consulting, Inc., 700 North Bell Avenue, Suite 200, Pittsburgh, PA 15106 on behalf of Corry Industrial Benefit Association, 1524 Enterprise Road, Corry, PA 16407 has submitted a Notice of Intent to Remediate on May 8, 2006, and a Final Report on September 24, 2007, concerning remediation of site groundwater contaminated with tetrachloroethylene, trichloroethylene and vinyl chloride. The report is intended to document remediation of the site to meet the Nonresidential, Nonuse Aquifer Statewide Health Standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

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

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

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

The Department has received the following plans and reports:

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

Casadoni Homes, Inc., Plumstead Township, **Bucks County**. Andrew Gutshall, EarthRes Group, Inc., P. O. Box 468, Pipersville, PA 18947 has submitted a Final Report concerning the remediation of site soil contaminated with chlorinated solvents. The Final Report demonstrated attainment of the Statewide Health Standards and was approved by the Department of Environmental Protection on September 17, 2007.

ADE Associates, LP/Retail Center, City of Philadelphia, **Philadelphia County**. Daniel Lewis, Spotts, Stevens and McCoy, Inc., 1047 North Park Road, Reading, PA 19610 on behalf of John Hlis, ADE Associates, LP, 4500 Perkiomen Avenue, Reading, PA 19606 has submitted a Final Report concerning the remediation of site soil contaminated with No. 6 fuel oil. The Final Report demonstrated attainment of the Statewide Health Standards and was approved by the Department of Environmental Protection on August 28, 2007.

Hedley Street Philadelphia Republic, City of Philadelphia, **Philadelphia County**. Walter H. Hungarter, III, RT Environmental Services, Inc., 215 West Church Road, Suite 301, King of Prussia, PA 19406 on behalf of Dean DiValerio, Republic Services of PA, LLC, 414 East Baltimore Pike, Media, PA 19063 has submitted a Remedial Investigation Report/Cleanup Plan concerning the remediation of site soil contaminated with inorganics. The Remedial Investigation Report/Cleanup Plan report demonstrated attainment of the Statewide Health Standards and was approved by the Department of Environmental Protection on September 18, 2007.

Harvey Gray, Inc., Upper Makefield Township, **Bucks County**. Tarek Selim Penn & ER, 2755 Bergey Road, Hatfield, PA 19440 on behalf of Harvey Gray, Harvey Gray, Inc., 921 Creamery Road, Newtown, PA 18940 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with PCB. The Final report demonstrated attainment of the Statewide Health Standards and was approved by the Department of Environmental Protection on August 28, 2007.

Britsch Residence, West Rockhill Township, **Bucks County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, Ty Gawlik, State Farm Insurance, P. O. Box 13, Concordville, PA 19331 on behalf of JF Britsch, 504 Clymer Avenue, Sellersville, PA 18960 has submitted a Final Report concerning the remediation of site groundwater and soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Statewide Health Standards was approved by the Department of Environmental Protection on August 28, 2007.

Deboer Residence, Bridgeton Township, **Bucks County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, Christine Dimming, State Farm, P. O. Box 13, Concordville, PA 19331 on behalf of Laurie DeBoer, 1358 Lonely Cottage Road, Upper Black Eddy, PA 18972 has submitted a Final Report concerning the remediation of site soil contaminated with No 2 fuel oil. The Final Report demonstrated attainment of the Statewide Health Standards and was approved by the Department of Environmental Protection on August 30, 2007.

Schimek Residence, Towamencin Township, **Montgomery County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, Jay Derestus, State Farm, P. O. Box 13, Concordville, PA 19331 on behalf of Richard Schimerk, 2085 Creek Way, Lansdale, PA 19446, PA has submitted a Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Statewide Health Standards and was approved by the Department of Environmental Protection on September 14, 2007.

Exxon Station 21291, Lower Merion Township, **Montgomery County**. Stephanie Rose, GES, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341, Serena L. Oldhouser, GES, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341 on behalf of Lou Basttiste, 637 East Lancaster Avenue, Wynnewood, PA 19096 has submitted a Remedial Investigation, Risk Assessment, Cleanup Plan and Final Report concerning the remediation of site soil and groundwater contaminated with No. 2 fuel oil. The Remedial Investigation, Risk Assessment, Cleanup Plan and Final Report was approved by the Department of Environmental Protection on August 28, 2007.

Wasserman Property, City of Philadelphia, **Philadelphia County**. Kurt Spiess, EMG Remediation Services, 5066R West Chester Pike, Edgemont, PA 19028 on behalf of T. Warresman, 550 Pinetown Road, Suite 440, Fort Washington, PA 19034 has submitted a Baseline Environmental Report concerning the remediation of site soil and groundwater contaminated with chlorinated solvents. The Baseline Environmental Report was approved by the Department of Environmental Protection on August 31, 2007.

US Steel Fairless Works, 10-Arce Parcel, Lot No. 5, Phase 3, Falls Township, **Bucks County**. Jeffery Smith, Langan Engineering & Environmental Services, Inc., 30 South 17th Street, Suite 1300, Philadelphia, PA 19103 on behalf of Kathleen Mayher, United States Steel Corp. Inc., 600 Grant Street, Pittsburgh, PA 15219 has submitted a Remedial Investigation/Final Report concerning the remediation of site soil contaminated with other organics. The Remedial Investigation/Final Report was approved by the Department of Environmental Protection on August 30, 2007.

WaWa Store No. 134, New Hanover Township, **Montgomery County**. Jeff Brudereck, GES, Inc., 440 Cream-

ery Way, Suite 500, Exton, PA 19341 on behalf of Matthew Winters, WaWa, Inc., 260 West Baltimore Pike, WaWa, PA 19063 has submitted a Final Report concerning the remediation of site soil contaminated with unleaded gasoline. The Final Report demonstrated attainment of the Site-Specific Standards and was approved by the Department of Environmental Protection on August 23, 2007.

7401 State Road, City of Philadelphia, **Philadelphia County**. Michael Christie, Penn Env. & Remediation, Inc., 2755 Bergey Road, Hatfield, PA 19440, Rose Hoover, Ampco-Pittsburgh, Corp., 600 Grant Street, Suite 4600, Pittsburgh, PA 15129 on behalf of William Nolan, State Road, Storage LLP, 4541 Bellaire Drive, Suite 100, Fort Worth, TX 76109 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with PAHs and chlorinated solvents. The Final Report did not demonstrate attainment of the Statewide Health Standards and was disapproved by the Department of Environmental Protection on September 4, 2007.

Imperial Specialty, Inc., Borough of Pottstown, **Montgomery County**. Paul White, Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19382 on behalf of Nelly Savage, Imperial Specialty, Inc., 1153 Sembling Avenue, Pottstown, PA 19468 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with PAH and chlorinated solvents. The Final Report demonstrated attainment of the Statewide Health Standards and was approved by the Department of Environmental Protection on September 12, 2007.

Perles Residence, Norristown Borough, **Montgomery County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18703 on behalf of Clarie Perles, 712 Perles Stanbridge Street, Norristown, PA 19401 has submitted a Final Report concerning the remediation of site No. 2 fuel oil contaminated with No. 3 fuel oil. The Final Report demonstrated attainment of the Statewide Health Standards and was approved by the Department of Environmental Protection on August 30, 2007.

Fitzpatrick & Son and Joseph Masino, Abington Township, **Montgomery County**. Staci Cottone, J&J Spill Svc. & Supplies, Inc., P. O. Box 370, Blue Bell, PA 19422 on behalf of James Fitzpatrick, 2542 Jenkintown Road, Glenside, PA 19038, Joseph Masino, 475 Tyson Avenue, Glenside, PA 19038 has submitted a Final Report concerning the remediation of site soil contaminated with unleaded gasoline. The Final Report demonstrated attainment of the Statewide Health Standards and was approved by the Department of Environmental Protection on August 30, 2007.

Secane Dry Cleaners, Upper Darby Township, **Delaware County**. Douglas Schoot, Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19382 on behalf of Avi Nechemia, 4346 Frankford Avenue, 417 Callowhill Street, Philadelphia, PA 19123 has submitted a Remedial Investigation/Final Report concerning the remediation of site soil and groundwater contaminated with chlorinated solvents. The Final Report demonstrated attainment of the Statewide Health Standards and was approved by the Department on September 5, 2007.

Pembroke North Redevelopment, Radnor Township, **Delaware County**. Chuck Reed, Kleinfelder East, Inc., 800 East Washington Street, West Chester, PA 19380 on behalf of Micelle Beaman, Razak Company, One South Broad Street, Philadelphia, PA 19107 has submitted a

Final Report concerning the remediation of site soil contaminated with lead. The Final Report demonstrated attainment of the Statewide Health Standards and was approved by the Department of Environmental Protection on Statewide Health Standards.

Hafer Farm Property, New Hanover Township, **Montgomery County**. Richard Ley, MARCOR Remediation, Inc., 540 Trestle Place, Downingtown, PA 19335 on behalf of Maren Troxel, National Penn Investors Trust, 2201 Ridgewood Road, No. 180, Wyomissing, PA 19610 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with unleaded gasoline. The Final Report demonstrated attainment of the Statewide Health Standards and was approved by the Department of Environmental Protection on September 6, 2007.

Cambridge Square Condominiums, Lower Merion Township, **Montgomery County**. Andrew Gutsahll, EarthRes Group, Inc., P. O. Box 468, Pipersville, PA 18947 on behalf of Stephan Brower, Environmental Standards, Inc., 1140 Valley Forge Road, P. O. Box 810, Valley Forge, PA 19482 has submitted a Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Statewide Health Standards and was approved by the Department of Environmental Protection on September 13, 2007.

PECO Orland Former MGP, Springfield Township, **Montgomery County**. Douglas Kier, URS Corp., 335 Commerce Drive, Suite 300, Fort Washington, PA 19034 on behalf of Benjamin Henry, PECO Energy Co., 2301 Market Street, S9-1, Philadelphia, PA 19101 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with other organics. The Final Report demonstrated attainment of the Site-Specific Standards and was approved by the Department of Environmental Protection on September 14, 2007.

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

Garloff Residence, North Lebanon Township, **Lebanon County**. Groundwater Sciences Corporation, 2601 Market Place Street, Suite 310, Harrisburg, PA 17110-9307, on behalf of Suburban Energy Services, 5793 Widewaters Parkway, Suite 100, Syracuse, NY 13214 and John Garloff, Sr., 1811 SR 72 North, Lebanon, PA 17046, submitted a final report concerning remediation of site soils and groundwater contaminated with No. 2 heating oil. The Final Report demonstrated attainment of the Residential Statewide Health Standard and was approved by the Department of Environmental Protection on September 21, 2007.

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

Honeywell Wax Mfg. Facility OLD, Emlenton, **Venango County**. MACTEC Engineering & Consulting, Inc., 700 North Bell Avenue, Suite 200, Carnegie, PA 15106 on behalf of Honeywell, P. O. Box 660, 1001 Hill Street, Emlenton, PA 16373 has submitted a Remedial Investigation/Risk Assessment Report concerning the remediation of site groundwater contaminated with benzene, toluene, ethylbenzene and xylene compounds and site soil contaminated with mercury, benzene, toluene and trimethylenbenzene. The Remedial Investigation/Risk Assessment Report was disapproved by the Department of Environmental Protection on September 11, 2007.

AIR QUALITY

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

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

39-310-037GP3: HB Mellott Estate, Inc. (100 Mellott Drive, Suite 100, Warfordsburg, PA 17267) on September 17, 2007, to construct and operate a Portable Crushing Operation with watersprays at their site at Eastern Industries Whitehall Quarry in Whitehall Township, **Lehigh County**.

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

GP3-36-03171A: Brandenburg Industrial Service Co. (2217 Spillman Drive, Bethlehem, PA 18015) on September 24, 2007, for Portable Nonmetallic Mineral Processing Plants under GP3 in East Donegal Township, **Lancaster County**.

GP4-67-05032: Harley-Davidson Motor Company Operations, Inc. (1425 Eden Road, York, PA 17402) on September 24, 2007, Burn Off Ovens under GP4 in Springettsbury Township, **York County**.

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

32-00391: The CNX Gas Co., LLC (100 Evergreen Drive, Waynesburg, PA 15370) on September 18, 2007, to operate the following equipment under the provisions of General Permit No. 5, "Natural Gas Production Facilities" at the Nittany IP Station in Young Township, **Indiana County**.

- One 145 bhp Caterpillar lean burn, natural gas-fired engine, model no. 3306NA.
- One 400 bhp Waukesha lean burn, natural gas-fired engine, model no. F18GL-VGS-LE.

32-00392: The CNX Gas Co., LLC (100 Evergreen Drive, Waynesburg, PA 15370) on September 24, 2007, to operate the following equipment under the provisions of General Permit No. 5, "Natural Gas Production Facilities" at the Nittany HP Station in Young Township, **Indiana County**.

- One 194 bhp Caterpillar lean burn, natural gas-fired engine, model no. TA LCR.
- One 400 bhp Waukesha lean burn, natural gas-fired engine, model no. F18GL-GL-VGS LE.

65-00955: Dominion Resources Services, Inc. (1201 Pitt Street, Pittsburgh, PA 15212) on September 20, 2005, to operate one 633 bhp Caterpillar lean burn natural gas-fired compressor engine, Model No. G3508TALE, at the Merwin Compressor Station in Washington Township, **Westmoreland County**.

Plan Approvals Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.

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

46-0166A: M & M Stone Co. (460 Indian Creek Road, Harleysville, PA 19438) on September 20, 2007, to operate a replacement baghouse in Lower Salford Township, **Montgomery County**.

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

01-05016I: ISP Minerals, Inc. (P. O. Box O, Blue Ridge Summit, PA 17214-0914) on September 17, 2007, to operate a stone crushing and coloring facility in Hamiltonban Township, **Adams County**.

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

65-00982A: T. W. Phillips Gas and Oil Co. (205 North Main Street, Butler, PA 16001) on September 24, 2007, to operate the Elder Farm natural gas compressor station in Derry Township in **Westmoreland County**.

32-00266B: Evergreen Landfill, Inc. (P. O. Box 195, Route 119N, Luciousboro Road, Coral, PA 15731) on September 25, 2007, for the Phase III landfill expansion project to increase capacity by 4.56 million tons up to 7.3 million tons in Center and Brush Valley Townships, **Indiana County**.

The Department of Environmental Protection has issued a Plan Approval to Evergreen Landfill, Inc. for the Phase III landfill expansion project at the Evergreen as currently configured. Evergreen landfill has a waste capacity of approximately 2.75 million tons. The Phase III expansion is expected to increase that capacity by 4.56 million tons up to 7.3 million tons. Though the landfill will be larger, Evergreen has not forecasted an increase in the rate at which waste is accepted at the Landfill in Center and Brush Valley Townships, Indiana County.

65-00980A: Delmont Quality Limestone, LLC (200 Neville Road, Pittsburgh, PA 15225-0347) on September 25, 2007, for a plan approval issued effective September 25, 2007, to allow the construction and operation of a Nonmetallic Mineral Processing Plant to be located in Washington Township, **Westmoreland County**.

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

62-017P: United Refining Co. (15 Bradley Street, Warren, PA 16365) on September 18, 2007, to modify Boiler No. 4 to install flue gas recirculation in City of Warren, **Warren County**. This is a Title V facility.

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

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

09-0188: Gamesa Wind PA, LLC (400 Gamesa Drive, Fairless Hills, PA 19030) on September 17, 2007, to operate a new wind generator in Falls Township, **Bucks County**.

15-0078D: Centocor, Inc. (200 Great Valley Parkway, Malvern, PA 19355) on September 18, 2007, to operate an electric generator in East Whiteland Township, **Chester County**.

23-0024D: Hanson Aggregates PA, Inc. (P. O. Box 231, Easton, PA 18044) on September 18, 2007, to operate two baghouses in Middletown Township, **Delaware County**.

15-0078B: Centocor, Inc. (200 Great Valley Parkway, Malvern, PA 19355) on September 18, 2007, to operate two natural gas fired boilers in East Whiteland Township, **Chester County**.

15-0078C: Centocor, Inc. (200 Great Valley Parkway, Malvern, PA 19355) on September 18, 2007, to operate two emergency generators in East Whiteland Township, **Chester County**.

09-0102B: Clean Earth of Southeast Pennsylvania, Inc. (7 Steel Road East, Morrisville, PA 19067) on September 19, 2007, to operate an increase of the limits on emission in Falls Township, **Bucks County**.

9-0102A: Clean Earth of Southeast Pennsylvania, Inc. (7 Steel Road East, Morrisville, PA 19067) on September 19, 2007, to operate a diesel driven screen in Falls Township, **Bucks County**.

09-0180: White Engineering Surfaces Corp. (One Pheasant Run, Newtown, PA 18940) on September 21, 2007, to operate a batch degreaser in Newtown Township, **Bucks County**.

09-0180A: White Engineering Surfaces Corp. (One Pheasant Run, Newtown, PA 18940) on September 21, 2007, to operate a dust collector in Newtown Township, **Bucks County**.

46-0161B: Reading Materials, Inc. (2052 Lucon Road/P. O. Box 1467, Skippack, PA 19474) on September 21, 2007, to operate a hot asphalt Plant in Lower Pottsgrove Township.

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

48-306-012: Northampton Generating Co., LP (1 Horwith Drive, Northampton, PA 18067) on September 18, 2007, to utilize tire-derived fuel in the existing circulating fluidized bed boiler in Northampton Borough, **Northampton County**.

48-399-056: Minrad, Inc. (3950 Sheldon Circle, Bethlehem, PA 18017) on September 18, 2007, to construct pharmaceutical production equipment and associated air cleaning devices (thermal oxidizer followed by a packed tower scrubber) in Hanover Township, **Northampton County**.

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

07-03049A: A.P. Green Refractories, Inc. (400 Fairway Drive, Moon Township, PA 15108) on September 24,

2007, to operate a refractory manufacturing facility in Greenfield Township, **Blair County**. This plan approval was extended.

38-05004A: Kountry Kraft, Inc. (P. O. Box 570, Newmanstown, PA 17073-0570) on May 7, 2007, to install a new spray booth to apply stains at the existing custom cabinet manufacturing facility in Millcreek Township, **Lebanon County**. This plan approval was extended.

67-05079A: York Building Products Company, Inc. (1020 North Hartley Street, P. O. Box 1708, York, PA 17405) on August 24, 2007, to replace the existing fabric filter baghouse at their existing asphalt plant in Jackson Township, **York County**. This plan approval was extended.

67-05083: Conectiv Mid-Merit, LLC (P. O. Box 6066, 92 DC 72, Newark, DE 19714-6066) for construction of a combined cycle electric generating facility to be in Peach Bottom Township, **York County**, off Atom Road, along Pikes Peak Road, approximately 1 mile northeast of the Borough of Delta.

Plan Approval 67-05083 was originally issued on January 5, 2007. The plan approval has been modified as follows:

Fuel Oil Sulfur Content

The liquid distillate fuel oil fired in the combustion turbines is required to be ultra low sulfur diesel (ULSD) with a maximum sulfur content of 15 ppm (as defined by ASTM Standard D975 Table 1). The original air quality modeling was done using low sulfur diesel (0.05 wt% S) and predicted possible impacts on the Class I areas during firing of fuel oil. A plan approval condition had been included to limit maximum daily fuel oil firing to prevent visibility impacts at the Class I areas. The requirement to use ULSD (0.0015 wt% S) allows increased daily firing of fuel oil. The daily maximum fuel oil firing limits have been changed to reflect the use of ULSD. The annual limit for oil-fired operation has not changed.

40 CFR Part 60 Subpart KKKK Standards of Performance for Stationary Combustion Turbines

The requirements of 40 CFR Part 60, Subpart KKKK had been incorporated into the plan approval. The NOx limit for natural gas firing was incorrectly designated as 25 ppm and has now been corrected to 15 ppm. The NOx limits in the plan approval modification are as follows:

<i>Fuel type</i>	<i>NOx Emission Limit</i>
Natural Gas	15 ppm at 15% O ₂ or 0.43 lb/MW-hr of useful output
Oil	42 ppm at 15% O ₂ or 1.3 lb/MW-hr of useful output

Ammonia Slip

The 5 ppmvd 1-hour limit restriction in the plan approval has been replaced with a 5 ppmvd 24-hour rolling block average and a 7 ppmvd 3-hour rolling block average, volume corrected to 15% oxygen. Conectiv is proposing to use a continuous emissions monitor to ensure compliance with the ammonia slip limit.

EMISSIONS TESTING

Section E, SG01, Condition No. 018 has been revised as follows:

Within 60 days after achieving the maximum firing rate, but not later than 180 days after start-up and, if warranted and requested by the Department based

on the results of initial testing, each subsequent year of temporary operation thereafter, the permittee shall demonstrate compliance with each of the emission limits established in Conditions No. 001, No. 002, No. 009 and No. 010 above and opacity, as per 25 Pa. Code Chapter 139, 40 CFR Part 60 and Title IV.

Further testing will be required in the operating permit. The schedule will be determined based on the emissions testing and CEM data collected during temporary operation.

SUBPART GG

Subpart GG has been replaced by the requirements of 40 CFR Part 60, Subpart KKKK. Section E, Condition No. 026 has been revised to remove reference to Subpart GG.

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

19-320-005A: Press Enterprise, Inc. (3185 Lackawanna Avenue, Bloomsburg, PA 17815) on September 18, 2007, to extend the authorization to operate an eight color heatset web offset lithographic printing press on a temporary basis to January 16, 2008, in Scott Township, **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.

10-062C: Slippery Rock University (1 Morrow Way, Maintenance Center, Slippery Rock, PA 16057) on September 30, 2007, to modify boiler No. 3, in Slippery Rock Borough, **Butler County**.

10-349B: Recmix of PA, Inc.—Ivy Wood Plant (725 Saxonburg Boulevard, Saxonburg, PA 16056) on September 30, 2007, to construct a natural gas fired thermal heater and dryer, in Clinton Township, **Butler County**.

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

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790, Norman Frederick, Facilities Permitting Chief, (570) 826-2531.

39-00004: Mack Trucks, Inc. (7000 Alburtis Road, Macungie, PA 18062) on September 18, 2007, to administratively amend the respective operating permit to incorporate the sources and conditions established in Plan Approval No. 39-318-117 at their facility in Lower Macungie Township, **Lehigh County**.

48-00009: Victaulic Co.—America (4901 Kesslersville Road, Easton, PA 18042) on September 12, 2007, to operate a Facility Title V Operating Permit in Forks Township, **Northampton 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, Edward Jurdones Brown, Facilities Permitting Chief, (484) 250-5920.

09-00091: Columbia Lighting, Inc. (1119 Beaver Street, Bristol, PA 19007) on September 20, 2007, for renewal of a State-only, Natural Minor Operating Permit in Bristol Borough, **Bucks County**. The facility manufac-

tures, powder coats and assembles commercial lighting fixtures. Monitoring, recordkeeping and reporting requirements have been added to the permit to address applicable limitations.

23-00095: Norquay Technology, Inc. (800 West Front Street, Chester, PA 19016) on September 20, 2007, for renewal of a State-only, Synthetic Minor Operating Permit in City of Chester, **Delaware County**. The facility manufactures custom and specialty chemicals. Monitoring, recordkeeping and reporting requirements have been added to the permit to address applicable limitations.

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

39-00077: Puritan Products, Inc. (2290 Avenue A, Bethlehem, PA 18017) on September 1, 2007, to issue a State-only (Natural Minor) Operating Permit for operation of a chemical blending and packaging operation at their facility in the City of Bethlehem, **Lehigh County**.

35-00003: General Dynamics OTS (156 Cedar Avenue, Scranton, PA 18505) on September 21, 2007, to issue a State-only (Synthetic Minor) Operating Permit for operation of boilers, furnaces and paint spray booths at their facility in the City of Scranton, **Lackawanna County**.

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

06-03124: James Hardie Building Products, Inc. (318 June Avenue, Excelsior Industrial Park, Blandon, PA 19510-9566) on September 19, 2007, to operate their fiber cement siding manufacturing plant in Maidencreek Township, **Berks County**.

06-05090: Chiyoda America, Inc. (P. O. Box 470, Morgantown, PA 19543-0470) on September 18, 2007, to operate a graphic arts printing operation controlled by two thermal oxidizers in Caernarvon Township, **Berks County**. This is a renewal of the State-only operating permit.

36-05144A: Lancaster Leaf Tobacco Company of PA, Inc. (198 West Liberty Street, P. O. Box 897, Lancaster, PA 17608-0897) on September 19, 2007, to operate their tobacco leaf processing plant in the City of Lancaster, **Lancaster County**.

67-03136: Service Tire Truck Center, Inc. (3403 Concord Road, York, PA 17402) on September 20, 2007, to operate a truck retreading process in Springettsbury Township, **York County**.

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

65-00946: Dominion Peoples (D. L. Clark Building, Suite 400, 501 Martindale Street, Pittsburgh, PA, 15212) on August 30, 2007, for a compressor engine for natural gas transmission and fugitive VOC emissions at their West Fairfield Station in Fairfield Township, **Westmoreland County**.

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

25-00943: Serv All Concrete, Inc. (P. O. Box 1438, Erie, PA 16512) on September 17, 2007, to issue an amendment of a State-only Operating Permit to change the name of permit contact and responsible official,

change the tax identification and to correct a typographical error related to recordkeeping in the City of Erie, **Erie County**.

43-00324: John Flynn Funeral Home & Crematory, Inc.—Hermitage (2630 East State Street, Hermitage, PA 16148) on September 19, 2007, for a Natural Minor Permit to operate a natural gas fueled crematory in the City of Hermitage, **Mercer County**. The significant sources are one crematory (primary chamber) and an afterburner.

Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

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

09-00001: Avery Dennison—Fasson Roll Division (35 Penn AM Drive, Quakertown, PA 18951-2434) on September 20, 2007, an administrative amendment of the Title V Operating Permit to incorporate Plan Approval 09-0001A in Richland Township, **Bucks County**. One coater (Source 116) from the plan approval has been installed and will be incorporated into the operating permit. Administrative Amendment of Title V Operating Permit issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

Coal Permits Actions

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

56040103 and NPDES No. PA0249581. Fieg Brothers, 3070 Stoystown Road, Stoystown, PA 15563, revision of an existing bituminous surface mine to request a variance to conduct mining and blasting activities within 100 feet of T-311 and for a permit boundary correction to add 19.0 acres for additional mining. Total SMP acres go from 55.8 to 74.8 in Southampton Township, **Somerset County**. Receiving streams: UNTs to North Branch Jennings Run classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received March 15, 2007. Permit issued September 14, 2007.

56970103 and NPDES No. PA0234524. Marquise Mining Corporation, 3889 Menoher Boulevard, Johnstown, PA 15905, permit renewal for reclamation only of a bituminous surface auger mine in Shade Township, **Somerset County**, affecting 308.9 acres. Receiving streams: UNT to Stonycreek River; UNT to Fallentimber Run; Fallentimber Run classified for the following uses: all CWF. The first downstream potable water supply intake from the point of discharge is Hooversville Borough Municipal Authority. Application received August 17, 2007. Permit issued September 12, 2007.

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

Amerikohl Mining, Inc., 202 Sunset Drive, Butler, PA 16001. Revision permit to add a variance for Rensel Road (TR 632) to an existing bituminous surface mine, located in Madison Township, **Armstrong County**, affecting 288 acres. Receiving streams: Mahoning Creek and UNTs to Mahoning Creek. Revision application received July 18, 2007. Revision permit issued September 21, 2007.

26970106 and NPDES Permit No. PA0202061. T. L. Hill Coal Company, R. D. 3, Box 690A, Uniontown, PA 15401. Permit renewal issued for continued operation and reclamation of a bituminous surface/auger mine located in Georges Township, **Fayette County**, affecting 243.0 acres. Receiving streams: UNTs to York Run, York Run, Georges Creek, Monongahela River. Application received July 13, 2007. Renewal issued September 21, 2007.

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

33990101 and NPDES Permit No. PA0227951. Amerikohl Mining, Inc., 202 Sunset Drive, Butler, PA 16001. Renewal of an existing bituminous strip operation in Winslow Township, **Jefferson County** affecting 127.8 acres. Receiving streams: UNT to Soldier Run and Soldier Run. Application received July 24, 2007. Permit Issued September 13, 2007.

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

17070104 and NPDES No. PA0256501. Forcey Coal, Inc., P. O. Box 225, Madera, PA 16661. Commencement, operation and restoration of a bituminous surface mine in Bigler and Beccaria Townships, **Clearfield County**, affecting 50.0 acres. Receiving streams: Banian Run and UNT to Banian Run to Muddy Run, classified for the following use: WWF. There are no potable water supply intakes within 10 miles downstream. Application received February 8, 2007. Permit issued September 11, 2007.

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

49860102R3 and NPDES Permit No. PA0224413. Farragut Anthracite Company, 100 Lehigh Avenue, Mt. Carmel, PA 17851, renewal of an existing anthracite surface mine, coal refuse reprocessing and disposal operation in Coal and Zerbe Townships, **Northumberland County** affecting 814.6 acres, receiving stream: Shamokin Creek. Application received September 19, 2006. Renewal issued September 17, 2007.

Noncoal Permits Actions

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

43050801. Advanced Contracting & Cartage, Inc., 4572 Greenville-Sandy Lake Road, Stoneboro, PA 16153. Transfer of an existing small noncoal operation from Ron

Wagler Excavating in Lake Township, **Mercer County** affecting 5.0 acres. Receiving stream: Little Shenango River. Application received August 22, 2007. Permit Issued September 17, 2007.

33070805. Edward B. Hoffman, 2376 Egypt Road, Brockway, PA 15824. Commencement, operation and restoration of a small noncoal operation in Warsaw Township, **Jefferson County** affecting 5.0 acres. Receiving stream: Bushley Run. Application received August 7, 2007. Permit Issued September 17, 2007.

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

58060869. Jason W. Rozell, P. O. Box 78, South Montrose, PA 18843, commencement, operation and restoration of a quarry operation in Franklin Township, **Susquehanna County** affecting 5.0 acres, receiving stream: none. Application received October 4, 2006. Permit issued September 19, 2007.

52072801. Schmalzle Construction Co., Inc., 109 Alex Road, Hawley, PA 18428, commencement, operation and restoration of a quarry operation in Blooming Grove Township, **Pike County** affecting 5.0 acres, receiving stream: none. Application received June 15, 2007. Permit issued September 19, 2007.

58070837. Jerry Knight, R. R. 3, Box 88, Montrose, PA 18801, commencement, operation and restoration of a quarry operation in Franklin Township, **Susquehanna County** affecting 5.0 acres, receiving stream: none. Application received June 21, 2007. Permit issued September 19, 2007.

58070838. Robert A. Stankiewicz, R. R. 2, Box 147, Kingsley, PA 18826, commencement, operation and restoration of a quarry operation in Bridgewater Township, **Susquehanna County** affecting 5.0 acres, receiving stream: none. Application received June 27, 2007. Permit issued September 19, 2007.

58070839. Levi A. Ransom, R. R. 1, Box 1177, Nicholson, PA 18446, commencement, operation and restoration of a quarry operation in Lenox Township, **Susquehanna County** affecting 5.0 acres, receiving stream: none. Application received July 2, 2007. Permit issued September 19, 2007.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

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

Blasting Permits Actions

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

21074162. Douglas Explosives, Inc., P. O. Box 77, Philipsburg, PA 16866-0077, blasting activity permit issued for residential development in Silver Spring Township, **Cumberland County**. Blasting activity permit end date is September 12, 2008. Permit issued September 11, 2007.

01074115. Newville Construction Services, Inc., 408 Mohawk Road, Newville, PA 17241-9424, blasting activity permit issued for pool/pond development in Free-

dom Township, **Adams County**. Blasting activity permit end date is September 11, 2008. Permit issued September 13, 2007.

01074116. Newville Construction Services, Inc., 408 Mohawk Road, Newville, PA 17241-9424, blasting activity permit issued for utility development in Tyrone Township, **Adams County**. Blasting activity permit end date is September 11, 2008. Permit issued September 13, 2007.

28074147. M & J Explosives, Inc., P. O. Box 608, Carlisle, PA 17013-0608, blasting activity permit issued for residential development in Antrim Township, **Franklin County**. Blasting activity permit end date is September 30, 2008. Permit issued September 13, 2007.

56074002. Spangler Explosives Company, 740 Brush Creek Road, Fairhope, PA 15538, blasting activity permit issued for windmill construction in Northampton Township, **Somerset County**. Blasting activity permit end date is December 30, 2007. Permit issued September 17, 2007.

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

42074006. Minard Run Oil Co., Inc., P. O. Box 18, 609 South Avenue, Bradford, PA 16701-3977. Blasting activity permit for gas and oil exploration in Corydon Township, **McKean County**. This blasting activity permit will expire on September 19, 2008. Application received September 18, 2007. Application issued September 19, 2007.

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

17074017. Triangle Construction, 1076 East Bishop Street, Bellefonte, PA 16823, construction blasting for Phoenix Paradise Hills M & W Project located in Benner Township, **Centre County**. Permit issued September 17, 2007. Permit expires October 17, 2007.

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

15074118. Horst Drilling & Blasting, Inc., 141 Ranck's Church Road, New Holland, PA 17557, construction blasting for Charlestown Meadows Development in Charlestown Township, **Chester County** with an expiration date of December 10, 2007. Permit issued September 19, 2007.

15074119. M & J Explosives, Inc., P. O. Box 608, Carlisle, PA 17013, construction blasting for Eagle View Lot 10 and 11 Development in Upper Uwchlan Township, **Chester County** with an expiration date of September 30, 2008. Permit issued September 19, 2007.

360741100. Keystone Blasting Service, 381 Reifsnnyder Road, Lititz, PA 17543, construction blasting for Summit of Stone Mill Development in West Donegal Township, **Lancaster County** with an expiration date of December 30, 2008. Permit issued September 19, 2007.

39074126. Austin Powder Company, 25800 Science Park Drive, Cleveland, OH 44122, construction blasting for Carpenter Building Addition in Upper Macungie Township, **Lehigh County** with an expiration date of September 18, 2008. Permit issued September 19, 2007.

45074152. Explosive Services, Inc., 7 Pine Street, Bethany, PA 18431, construction blasting for Castle Rock Acres Development in Middle Smithfield Township, **Monroe County** with an expiration date of September 30, 2008. Permit issued September 19, 2007.

45074153. Explosive Services, Inc., 7 Pine Street, Bethany, PA 18431, construction blasting for hole for septic tank at Lake Valhala in Smithfield Township, **Monroe County** with an expiration date of September 17, 2008. Permit issued September 19, 2007.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

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

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

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

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

Permits, Environmental Assessments and 401 Water Quality Certifications Issued

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E64-250. Department of Transportation, Engineering District 4-0, P. O. Box 111, Scranton, PA 18501.

Dyberry Township, **Wayne County**, United States Army Corps of Engineers Philadelphia District.

To remove the existing temporary structure and to construct and maintain a single-span prestressed concrete spread box beam bridge, having a clear normal span of 56.6 feet and an underclearance of 8.0 feet, across Big Brook (HQ-CWF, MF). The previous flood-damaged structure was removed and the temporary bridge was constructed under Emergency Permit EP6403401. The project is located along SR 0191, Section 673, Segment 0640, Offset 0799, approximately 1 mile upstream of the confluence of Big Brook and Dyberry Creek (Aldenville, PA Quadrangle N: 4.0 inches; W: 2.0 inches).

E64-269. Evgueni A. Sosunov and Natalia N. Egorova, 126 Gordon Avenue, Dumont, NJ 07628. Damascus Township, **Wayne County**, United States Army Corps of Engineers Philadelphia District.

To modify and maintain an existing 0.05-acre pond with work consisting of increasing the depth to a maximum of 10-feet and expanding the surface area to approximately 0.29 acre. The work will include the construction of a nonjurisdictional dam. The project is located on the west side of Church Road approximately 0.5 mile north of its intersection with Galilee Road (Galilee, PA Quadrangle N: 21.6 inches; W: 2.9 inches). (Subbasin: 01A)

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

E21-387: Department of Transportation Engineering District 8-0, 2140 Herr Street, Harrisburg, PA 17103, Monroe Township, **Cumberland County** and Carroll Township, **York County**, ACOE Baltimore District.

To replace the SR 2011 bridge over the Yellow Breeches Creek involving the following:

(1) To remove a three span bridge, having a total span of 142 feet and an underclearance of 8 feet, to construct and maintain a three span bridge, having a total span of 200-feet and an underclearance of 6.5 feet, carrying SR 2011, Section 005 over Yellow Breeches Creek (CWF) at a point located just downstream of the existing SR 2011 Bridge Crossing of the Yellow Breeches Creek (Mechanicsburg, PA Quadrangle; N: 4.14 inches; W: 4.04 inches, Latitude 40° 08' 52"; Longitude 77° 01' 44") in Monroe Township, Cumberland County and Carroll Township, York County. This permit also authorizes the installation of a temporary causeway for the purpose of constructing the new bridge and removing the old bridge.

(2) To remove an existing 30 lineal-foot box culvert having a span of 16.0 feet and an underclearance of 5.5-feet, to construct and maintain 55 lineal-foot box culvert, having a width of 14.3 feet and an underclearance of 4.0 feet, carrying SR 2011, Section 005 over a mill race of the Yellow Breeches Creek (CWF) at a point located approximately 50 feet downstream of the existing box culvert under SR 2011 (Mechanicsburg, PA Quadrangle N: 4.05 inches; W: 4.08 inches, Latitude 40° 08' 51"; Longitude 77° 01' 46") in Monroe Township, Cumberland County and Carroll Township, York County.

(3) The project will result in 0.09-acre of permanent wetland impact (0.03 acre PFO, 0.03 acre PEM/PSS and 0.03-acre PEM/PFO), which will be mitigated through the creation of a minimum of 0.015-acre of replacement wetlands. An additional 0.05 acre of wetlands will be temporarily impacted by causeway construction and silt

fence installation. These temporary impacts will be restored upon completion of the project.

E22-507: Palm Development, Inc. 10 West Chocolate Avenue, Hershey, PA 17033-1472, "Wilshire Estates" in Lower Paxton Township, **Dauphin County**, ACOE Baltimore District.

To construct and maintain a 8.42' by 6.25' CAP arch culvert over a UNT to Nyes Run (tributary to Beaver Creek-WWF) for public street "Hampden Court;" a 24' circular TP culvert through PEM wetlands associated with UNT to Nyes Run for "Royal Avenue (north);" a 23' by 8' CAP low profile arch open bottom culvert over UNT to Nyes Run for "Royal Avenue (south);" a 31'9" by 10'2" CAP arch culvert over UNT to Nyes Run for "Royal Court;" to fill in .108 acre PEM wetlands for "Gallo Way" crossing; to fill in .033 acre PEM wetlands for "Pamela Road" crossing; a 42' circular TP culvert through UNT to Nyes Run for "Gallo Way (east);" to fill in .027 acre PEM wetlands for sanitary sewer pump station (northeast corner of development); and to temporarily impact .003 acre PEM wetlands for sewer connection on Gallo Way. Total permanent wetland impact to .554 acre; total temporary wetland impact to .169 acre. Onsite mitigation is proposed for 1.16 acre (PFO).

E44-130: John J. Peachey, 209 Sawmill Road, Reedsville, PA 17084 in Armagh Township, **Mifflin County**, ACOE Baltimore District.

To construct and maintain a 13.3-foot wide single span bridge having a normal span of 50.0-feet, an underclearance of 4.8-feet and a hydraulic opening of 234-square feet across Laurel Creek (HQ-CWF); and to install and maintain 175-feet of 6-foot high rock gabion baskets along the bank of Laurel Creek (HQ-CWF). The project is located off of Old 322 West towards Mt. Pleasant, on Little Valley Road at the end of the roadway (Burnham, PA Quadrangle N: 18.88 inches; W: 16.19 inches, Latitude: 40° 43' 40"; Longitude: 77° 36' 42") in Armagh Township, **Mifflin County**.

E21-398: Hampden Township Sewer Authority, 230 South Sporting Hill Road, Mechanicsburg, PA 17050, Hampden Township, **Cumberland County**, ACOE Baltimore District.

To remove the existing pump station and then to construct and maintain a 25-foot long by 20-foot wide new pump station building and associated improvements in order to improve the condition located along the left bank's floodplain of Conodoguinet Creek (Harrisburg, West, PA Quadrangle N: 0.75 inch; W: 13.3 inches, Latitude: 40° 15' 07"; Longitude: 76° 58' 01") in Hampden Township, **Cumberland County**.

E07-416: Department of Transportation Engineering District 9-0, 1620 North Juniata Street Hollidaysburg, PA 16648, Logan Township, **Blair County**, ACOE Baltimore District

To realign and widen approximately 5,100 feet of SR 1021 (Park Avenue), Section PAI between SR 0036 (Logan Boulevard) and SR 1009 (Frankstown Road) involving the following activities associated with Brush Run (WWF) and UNTs to Brush Run (WWF), all in Logan Township, **Blair County**:

1. To remove an existing single span reinforced concrete slab bridge having a total span of 25.0 feet, a width of 43.0 feet and a minimum underclearance of 4.0 feet (Hollidaysburg, PA Quadrangle N: 16.50 inches; W: 2.82 inches, Latitude: 40° 27' 57.0"; Longitude: 78° 23' 43.0") carrying Pine Street over Brush Run;

2. To construct and maintain a single span prestressed concrete spread box beam bridge having a total span of 85.7 feet, a width of 94.5 feet and a minimum underclearance of 6.3 feet (Hollidaysburg, PA Quadrangle N: 16.6 inches; W: 2.9 inches, Latitude: 40° 27' 59.6"; Longitude: 78° 23' 43.9") carrying SR 1021, Section PAI over Brush Run at a location approximately 260 feet upstream of the Pine Street crossing of Brush Run;

3. To relocate and maintain a UNT to Brush Run in a 300-foot long channel and to construct and maintain two minor road crossings of the UNT with one 48-inch by 50-foot long RCP and one 42-inch by 74-foot long RCP (Hollidaysburg, PA Quadrangle N: 16.7 inches; W: 2.8 inches, Latitude: 40° 28' 0.1"; Longitude: 78° 23' 41.9") resulting in 338 feet of perennial stream impact;

4. To remove approximately 556 linear feet of existing pipe in a UNT to Brush Run and replace and maintain it with one 21-inch by 74-foot long CMP and one 36-inch by 918-foot long CMP (Hollidaysburg, PA Quadrangle N: 16.9 inches; W: 2.5 inches, Latitude: 40° 28' 4.9"; Longitude: 78° 23' 33.9");

5. To relocate and maintain a UNT to Brush Run in an 18-inch by 26-foot long RCP connecting to a proposed stormwater sewer (Hollidaysburg, PA Quadrangle N: 16.9 inches; W: 2.5 inches, Latitude: 40° 28' 5.5"; Longitude: 78° 23' 33.3") resulting in 148 feet of perennial stream impact;

6. To relocate and maintain a UNT to Brush Run in a 140-foot long channel and to enclose and maintain 368 linear feet of it in an 18-inch by 31-foot long RCP, a 24-inch by 173-foot long RCP, a 33-inch by 55-foot long RCP, a 36-inch by 29-foot long RCP and a 36-inch by 80-foot long RCP (Hollidaysburg, PA Quadrangle N: 17.1 inches; W: 2.4 inches, Latitude: 40° 28' 8.4"; Longitude: 78° 23' 32.6") resulting in 249 feet of perennial stream impact;

7. To relocate and maintain two UNT's to Brush Run in a 780-foot long channel and a 34-inch by 53-inch 228-foot long elliptical RCP (Hollidaysburg, PA Quadrangle N: 18.0 inches; W: 2.6 inches, Latitude: 40° 28' 27"; Longitude: 78° 23' 36.3" and Hollidaysburg, PA Quadrangle N: 18.3 inches; W: 2.6 inches, Latitude: 40° 28' 33.2"; Longitude: 78° 23' 37.2") resulting in 222 feet of perennial stream impact;

8. To remove a 30-inch by 644-foot long and a 30-inch by 65-foot long enclosure on a UNT to Brush Run (Hollidaysburg, PA Quadrangle N: 18.0 inches; W: 2.6 inches, Latitude: 40° 28' 27"; Longitude: 78° 23' 36.3");

9. To remove a 24-inch by 51-foot long and a 36-inch by 222-foot long enclosure on a UNT to Brush Run (Hollidaysburg, PA Quadrangle N: 18.3 inches; W: 2.6 inches, Latitude: 40° 28' 33.2"; Longitude: 78° 23' 37.2");

10. To remove an existing 24-inch by 97-foot long CMP and to construct and maintain 30-inch by 194-foot long RCP within a UNT to Brush Run (Hollidaysburg, PA Quadrangle N: 18.5 inches; W: 2.6 inches, Latitude: 40° 28' 36"; Longitude: 78° 23' 36.6") resulting in 117 feet of perennial stream impact;

11. To relocate and maintain a UNT to Brush Run in a 202-foot long channel (Hollidaysburg, PA Quadrangle N: 18.6 inches; W: 2.5 inches, Latitude: 40° 28' 38.2"; Longitude: 78° 23' 35") resulting in 179 feet of perennial stream impact;

12. To extend and maintain an existing 54-inch RCP within a UNT to Brush Run by 63 lineal feet for a total

length of 185 feet (Hollidaysburg, PA Quadrangle N: 18.6 inches; W: 2.5 inches, Latitude: 40° 28' 38.8"; Longitude: 78° 23' 33.8");

13. To relocate and maintain a UNT to Brush Run in a 306-foot long channel and a 48-inch by 56-foot long RCP (Hollidaysburg, PA Quadrangle N: 18.7 inches; W: 2.4 inches, Latitude: 40° 28' 40.3"; Longitude: 78° 23' 32.8") resulting in 405 feet of perennial stream impact;

14. To construct and maintain an 18-inch by 46-foot long CMP within a UNT to Brush Run (Hollidaysburg, PA Quadrangle N: 18.8 inches; W: 2.5 inches, Latitude: 40° 28' 42.7"; Longitude: 78° 23' 33.8");

15. To permanently impact two wetland areas: 0.02 acre of exceptional value PEM (Hollidaysburg, PA Quadrangle N: 18.6 inches; W: 2.5 inches, Latitude: 40° 28' 38.9"; Longitude: 78° 23' 33.4") and 0.34 acre of exceptional value PSS (Hollidaysburg, PA Quadrangle N: 18.5 inches; W: 2.6 inches, Latitude: 40° 28' 36.6"; Longitude: 78° 23' 35.8").

The permittee is required to replace 0.36 acre of wetlands. The wetlands will be replaced at the Mowry Advanced Wetland Compensation Site (Frankstown, PA Quadrangle Latitude: 40° 26' 56.4"; Longitude: 78° 20' 21.1").

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

E18-422. Lester E. Robinson, 26 Franek Lane, Mill Hall, PA 17751. Construction of Recreational Pavilion in Floodway Project in Woodward Township, **Clinton County**, ACOE Baltimore District (Lock Haven, PA Quadrangle Latitude: 41° 09' 10.5"; Longitude: 77° 27' 57.7").

The project is to construct, operate and maintain 20-foot wide by 30-foot long by 10-foot high open sided recreational pavilion in the 100-year floodway of the West Branch Susquehanna River. Construction of the open sided pavilion shall be on an existing asphalt pad and shall be done in accordance with applicable municipal regulations and/or requirements associated with building in the 100-year floodplain and floodway. The permittee shall not expand any dimension of the structures authorized by this permit beyond those dimensions illustrated in the drawings submitted for the review and approval of the permit. The project is located at 130 Monsey Drive, which is approximately 2,455-feet southeast of Farrandville and Croak Hollow Road intersection along the southern right-of-way of Farrandville Road.

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

E63-598. Michael R. and Georgetta V. Williamson, 1029 Nevada Street, Washington, PA 15301. To place and maintain fill in the floodway in Canton Township, **Washington County**, Pittsburgh ACOE District (Washington West, PA Quadrangle N: 12.68 inches; W: 6.22 inches, Latitude: 40° 11' 42"; Longitude: 80° 17' 40"). Consent given to excavate material in the right bank in the floodway of a UNT to Wolfdale Run (WF) for the purpose of constructing the Clubhouse Drive. The project includes surfacing of a walking trail by placement of several inches of gravel in the floodway of Wolfdale Run located in the proposed Brick Ridge Estates, along Jefferson Avenue (SR 884).

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

E25-617A, Erie Yacht Club. Amendment to Remove/Replace Wall, in City of Erie, **Erie County**, ACOE Pittsburgh District (Swanville PA Quadrangle N: 22.2 inches; W: 0.8 inch).

To conduct the following improvements to the existing Erie Yacht Club Marina in Presque Isle Bay, Lake Erie, at the foot of Ravine Drive approximately 1 mile east of the base of the Presque Isle Peninsula:

1) To dredge 6 areas of the existing marina basin removing a total of approximately 25,000 cubic yards of sediment and shale to establish and maintain bed elevations ranging from 560.0 feet USGS to 564.0 feet USGS;

2) To install and maintain a 370-foot-long by 6-foot-wide pile anchored floating dock along and parallel to the western side of the western marina jetty;

3) To remove the portion of the existing wall in front of the Erie Yacht Club clubhouse and to construct and maintain an approximately 157-foot-long steel sheet piling wall with sheet panels each having a height of 10 feet, a width of 6.83 feet and a thickness of 0.03 feet. The project includes removal of sediment to an elevation approximately 10 feet below the top of the wall and installation of 18.5-foot-long pipe piles embedded approximately 8.5 feet into the shale bottom;

4) To install and maintain a floating wave attenuator system having a total length 2,849 linear feet and a width of 14 feet and approximately 358 dead weight anchors covering a submerged area of approximately 8,622 square feet;

5) To extract existing piles and to construct and maintain new piles to be augered into shale resulting in a net reduction of 211 piles;

6) To removing the existing sailing school dock, bulkhead and embankment having an area of approximately 7,254 square feet;

7) To widen and maintain the "O" dock by placing approximately 6,354 square feet of fill material and to place and maintain 260 square feet of fill at the "A" dock;

8) To construct and maintain a revetment by placing rip-rap or concrete from existing "O" and "A" docks, to be entirely submerged and having an area of approximately 7,992 square feet and

9) To remove various fixed docks and to construct and maintain 5,700 square feet of floating main docks and 6,000 square feet of floating finger docks.

E42-330, Hancock Timberland VII QRS Trust, P. O. Box 3304, Smethport, PA 16749-0604. Hancock Timberland VII QRS Trust Twomile Creek Stream Crossing, in Annin Township, **McKean County**, ACOE Pittsburgh District (Roulette, PA Quadrangle N: 41° 52' 1"; W: 78° 14' 50.5").

To operate and maintain a 50-foot-long, 48-inch-diameter plastic pipe culvert in Twomile Creek (CWF) on an access road serving as access for timber management extending northwest from Two Mile Road approximately 3.5 miles east of SR 155.

E43-340. Thiel College, 75 College Avenue, Greenville, PA 16125. Thiel College Ball Fields, in Hempfield Township and Greenville Borough, **Mercer County**, ACOE Pittsburgh District (Greenville West, PA Quadrangle N: 41° 24' 51"; W: 80° 23' 21").

To fill 0.17 acre of wetland (PSS) and to relocate approximately 605 feet of a tributary to the Shenango River (WWF), having a drainage area of less than 100

acres for the construction of a new baseball field north of the end of Roy Johnson Drive at Thiel College. Project includes creation of 0.9 acre of replacement wetland along the approximately 1,100 foot long relocated stream channel.

WATER QUALITY CERTIFICATIONS

Southeast Region: Water Management Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and The Clean Streams Law (35 §§ 691.1—691.702) and Notice of Final Action for Certification under section 401 of the FWPCA (33 U.S.C.A. § 1341(a)). (Note: Water Obstruction and Encroachment Permits issued for Small Projects do not include 401 Certification, unless specifically stated in the description).

Permits Issued and Actions on 401 Certifications:

<i>Parameter</i>	<i>Average Monthly Limit</i>	<i>Maximum Daily Limit</i>	<i>Instantaneous Maximum Limit</i>
Flow (mgd)	Monitor and Report	Monitor and Report	
Total Suspended Solids	3,000		4,500
pH	6 to 9 units at all times		
Arsenic, Total	0.08	0.12	
Antimony, Total	0.023	0.035	
Cadmium, Total	0.0036	0.0054	
Copper, Total	0.015	0.023	
Chromium, Hexavalent	0.017	0.026	
Lead, Total	0.0041	0.0062	
Zinc, Total	0.198	0.297	
Cobalt	0.031	0.047	
Mercury	Not Detectable Using EPA Method 1631		
Selenium	0.0076	0.0114	
Thallium	0.0028	0.0042	
Vanadium	0.165	0.248	
Chlordane	Monitor and Report	Monitor and Report	
4, 4' DDT	Not Detectable Using EPA Method 608 (GC/ECD)		
4, 4' DDD	Not Detectable Using EPA Method 608 (GC/ECD)		
4, 4' DDE	Not Detectable Using EPA Method 608 (GC/ECD)		
PCBs, Total	Not Detectable Using EPA Method 608 (GC/ECD)		
PCBs—209 Congeners	Monitor and Report Using EPA Method 1668A		

Final Action on Request: Certification granted.

SPECIAL NOTICES

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

Request for Comment and Notice of Public Meeting For the Proposed Total Maximum Daily Load (TMDL) for the Scrubgrass Creek Watershed in Butler and Venango Counties

The Department of Environmental Protection (Department) is holding a public meeting to discuss and accept comments on a proposed TMDL for the Scrubgrass Creek Watershed in Venango and Butler Counties. The meeting will be held on October 30, 2007, beginning at 10:30 a.m. at the Knox District Office in Knox, PA. The proposed TMDL was developed in accordance with the require-

Final Actions Pursuant To Section 401 of the Federal Water Pollution Control Act

Certification Request Initiated By:

Department of the Army
Philadelphia District
Corps of Engineers
Wanamaker Building
100 Penn Square East
Philadelphia, PA 19107-3390

1. 401 Water Quality Certification: Department of the Army, Philadelphia District, Corps of Engineers, Wanamaker Building, 100 Penn Square East, Philadelphia, PA 19107-3390.

This project involves the discharge of supernatant from the Fort Mifflin dredge disposal area resulting from the maintenance dredging of the lower Schuylkill River navigation channel. Approximately 400,000 cubic yards of sediment will be removed and placed in the disposal area located at the confluence of the Schuylkill and Delaware Rivers. Sediments will settle out in the basin and the supernatant will be returned to the Delaware Estuary. The following effluent limits in mg/l apply:

ments of section 303(d) of The Clean Streams Law (35 P.S. § 691.303(d)). Thirty-nine segments in the Scrubgrass Creek Watershed have been identified as impaired on the 1996, 1998, 2000, 2002, 2004 and 2006 Pennsylvania 303(d) lists due to depressed pH and/or high concentrations of metals. The listed segments and miles degraded are shown in the following table:

<i>Stream Code</i>	<i>Stream Name</i>	<i>Miles Degraded</i>
51243	Scrubgrass Creeek	11.7
51270	UNT Scrubgrass Creek	1.6
51271	UNT Scrubgrass Creek	1.3
51272	UNT Scrubgrass Creek	4.5
51273	UNT Scrubgrass Creek	1.2

<i>Stream Code</i>	<i>Stream Name</i>	<i>Miles Degraded</i>
51274	UNT Scrubgrass Creek	0.5
51275	UNT Scrubgrass Creek	1.7
51276	UNT Scrubgrass Creek	0.7
51277	UNT Scrubgrass Creek	1.5
51278	UNT Scrubgrass Creek	1.5
51279	UNT Scrubgrass Creek	1.2
51280	UNT Scrubgrass Creek	0.7
51281	UNT Scrubgrass Creek	1.5
51282	UNT Scrubgrass Creek	1.6
51283	UNT Scrubgrass Creek	0.5
51284	UNT Scrubgrass Creek	0.6
51290	UNT Scrubgrass Creek	0.5
51291	UNT Scrubgrass Creek	0.4
51292	UNT Scrubgrass Creek	2.1
51293	UNT Scrubgrass Creek	1.6
51294	UNT Scrubgrass Creek	0.5
51295	UNT Scrubgrass Creek	1.4
51296	UNT Scrubgrass Creek	0.4
51297	UNT Scrubgrass Creek	0.5
51298	UNT Scrubgrass Creek	0.5
51299	UNT Scrubgrass Creek	0.7
51301	UNT Scrubgrass Creek	1.1
51244	Bullion Run	0.7
51248	UNT Bullion Run	0.6
51249	UNT Bullion Run	1.1
51250	UNT Bullion Run	0.4
51285	Gilmore Run	3.1
51286	UNT Gilmore Run	0.5
51287	UNT Gilmore Run	0.4
51288	UNT Gilmore Run	0.5
51289	UNT Gilmore Run	0.8
51257	Trout Run	1.7
51258	UNT Trout Run	0.32
51260	UNT Trout Run	0.29

The proposed plan provides calculations of the stream's total capacity to accept metals (aluminum, iron, manganese and acidity), pH and maintain levels below water quality criteria. The applicable water quality criteria are as follows:

<i>Parameter</i>	<i>Criterion value (mg/l)</i>	<i>Total Recoverable/Dissolved</i>
Aluminum	0.75	Total Recoverable
Iron	1.5	Total Recoverable
Manganese	1.00	Total Recoverable
pH	6.0 to 9.0	NA

The primary pollutant source for the watershed is abandoned mine workings. This watershed was heavily mined for coal in the late 19th and to the mid 20th centuries. The effects of this are still present. Most of the allocations made in the TMDL are load allocations, which are made to nonpoint sources of pollution; however, there

are several allocations made to permitted mining operations in the watershed.

The TMDL was developed using Monte Carlo Simulation to determine long-term average concentrations that each stream segment could accept and still meet water quality criteria 99% of the time. Monte Carlo Simulation allows for the expansion of a data set based on its statistical makeup. Since there was no critical flow condition where criteria were exceeded, the Department used the average flow to express the loading values in the TMDL.

The TMDL sets allowable loading rates for metals and acidity at specified points in the watershed. The basis of information used in the establishment of this TMDL is field data collected over the past 5 years.

The data and all supporting information used to develop the proposed TMDL are available from the Department. To request a copy of the proposed TMDL and an information sheet, contact Ely Heferle, Water Pollution Biologist, Knox District Office, White Memorial Building, P. O. Box 669, Knox, PA 16232-0669, (814) 797-1191. E-mail will be received at eheferle@state.pa.us. Directions to the Knox District Office can also be obtained by contacting this address.

The proposed TMDL for the Scrubgrass Creek Watershed can be accessed through the Department's website at www.dep.state.pa.us, by typing "TMDL" in the DEP Keyword field and clicking GO.

Written comments will be accepted at the previous address and must be postmarked by December 5, 2007. Persons who plan to make a presentation at the public meeting should notify the Department no later than 4 p.m. on Monday October 29, 2007. The Department will consider all comments in developing the final TMDL, which will be submitted to the Environmental Protection Agency for approval.

Persons with a disability who require accommodations to attend this meeting should contact the Department at (814) 797-1191 or the AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

Request for Comment and Notice of Public Meeting For the Proposed Total Maximum Daily Loads (TMDLs) for the Leatherwood Creek and Town Run Watersheds in Clarion County

The Department of Environmental Protection (Department) is holding a public meeting to discuss and accept comments on proposed TMDLs for the Leatherwood Creek and Town Run Watersheds in Clarion County. The meetings will be held on October 30, 2007, beginning at 9 a.m. at the Knox District Office in Knox, PA. The proposed TMDLs were developed in accordance with the requirements of section 303(d) of The Clean Streams Act, (35 P.S. § 691.303(d)). Four stream segments in the Leatherwood Creek Watershed and eight stream segments in the Town Run Watershed have been identified as impaired on the 1996, 1998, 2000, 2002 and 2004 Pennsylvania 303(d) lists due to depressed pH and/or high concentrations of metals. The listed segments and miles degraded are shown in the following tables:

<i>Stream Code</i>	<i>Stream Name</i>	<i>Miles Degraded</i>
48138	Leatherwood Creek	4.4
48165	West Fork Leatherwood Creek	3.1
48171	UNT West Fork	0.6
48172	UNT West Fork	0.7

<i>Stream Code</i>	<i>Stream Name</i>	<i>Miles Degraded</i>
48226	Town Run	3.2
48232	UNT Town Run	3.5
48234	UNT Town Run	0.51
48236	UNT Town Run	0.84
48237	UNT Town Run	0.41
48242	UNT Town Run	0.39
48244	UNT Town Run	0.51
48245	UNT Town Run	0.43

The proposed plans provide calculations of a stream's total capacity to accept metals (aluminum, iron, manganese and acidity), pH and maintain levels below water quality criteria. The applicable water quality criteria are as follows:

<i>Parameter</i>	<i>Criterion value (mg/l)</i>	<i>Total Recoverable/Dissolved</i>
Aluminum	0.75	Total Recoverable
Iron	1.5	Total Recoverable
Manganese	1.00	Total Recoverable
pH	6.0 to 9.0	NA

The primary pollutant source for the watersheds are abandoned mine workings. These watersheds were mined for coal in the early to the mid 20th centuries and surface coal mining continues on a small scale today. Most of the allocations made in these TMDLs are to nonpoint sources of pollution; however, there is one allocation for a future mining operation.

These TMDLs were developed using Monte Carlo Simulation to determine long-term average concentrations that each stream segment could accept and still meet water quality criteria 99% of the time. Monte Carlo Simulation allows for the expansion of a data set based on its statistical makeup. Since there was no critical flow condition where criteria were exceeded, the Department used the average flow to express the loading values in the TMDLs.

These TMDLs set allowable loading rates for metals and acidity at specified points in the watersheds. The basis of information used in the establishment of these TMDLs is field data collected over the past 2 years.

The data and all supporting information used to develop the proposed TMDLs are available from the Department. To request a copy of the proposed TMDLs and an information sheet, contact Ely Heferle, Water Pollution Biologist, Knox District Office, White Memorial Building, P. O. Box 669, Knox, PA 16232-0669, (814) 797-1191. E-mail will be received at eheferle@state.pa.us. Directions to the Knox District Office can also be obtained by contacting this address.

The proposed TMDLs for the Leatherwood Creek and Town Run Watersheds can be accessed through the Department's website at www.dep.state.pa.us, by typing "TMDL" in the DEP Keyword field and clicking GO.

Written comments will be accepted at the previous address and must be postmarked by December 5, 2007. Persons who plan to make a presentation at the public meeting should notify the Department no later than 4 p.m. on Monday, October 29, 2007. The Department will consider all comments in developing the final TMDLs, which will be submitted to the EPA for approval.

Persons with a disability who require accommodations to attend this meeting should contact the Department at (814) 797-1191 or the AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

BUREAU OF DEEP MINE SAFETY

Approval of Request for Variance

The Department of Environmental Protection (Department), Bureau of Deep Mine Safety (BMS) has approved Emerald Coal Resources LP's request for a variance from the requirements of section 268(b) of the Pennsylvania Bituminous Coal Mine Act (53 P.S. §§ 701-101—701-706) at the Emerald Mine. This notification contains a summary of this request and the basis for the Department's approval. A complete copy of the variance request may be obtained from Cathy Dunn by calling (724) 430-4475 or from the BMS web site at www.depweb.state.pa.us/deepminesafety/site/default.asp

Summary of the Request: Emerald Coal Resources LP requests a variance to extend shelter holes at the Emerald Mine.

The basis for the Bureau's approval is summarized as follows:

1. All employees, contractors, inspectors, visitors and the like, shall be adequately trained and instructed concerning shelter hole guidelines and safety procedures prior to entering Emerald Mine. This training shall become a part of the annual retraining, task training and hazard training.
2. Prior to each longwall move, the safety precautions for use of shelter holes will be reviewed with all personnel in short safety/training meetings. A record of these safety contacts will be maintained.
3. The District Mine Inspector must approve any system employed to control pedestrian or track haulage equipment movement prior to implementation of that system.
4. The investigating committee recommends that established load limits be posted on each piece of haulage equipment.
5. The investigating committee recommends that equipment operators use hand held radios to communicate while operating equipment.
6. Where haulage grades are excessive and the possibility exists for runaway equipment, a signal block light system is recommended to prevent more than one trip or pedestrians and haulage equipment from being in the same area at the same time.

Continued authorization for operation under the approval is contingent upon compliance with the measures described in the following plan and the following conditions.

1. All employees will be notified explaining the approved extended shelter plan by means of a safety talk.
2. Signs shall be posted stating that the shelter holes are now 184' apart and in excess of 80'.

3. To provide safety for personnel walking in this entry, all transportation (jeeps, portal busses, motors and the like) will immediately stop when observing personnel walking and allow them time to get into the nearest crosscut before proceeding. The equipment operator shall sound an alarm when personnel are encountered.

4. Haulage equipment shall be maintained in a safe operating condition with safety features functioning as designed and approved.

5. A means of identifying shelter hole locations shall be provided. A reflective indicator/marker must be visible from the track haulage travelway. This will give persons walking along the travelway a perception of how far they must travel to reach a shelter hole. Markers shall be the same color and design at each location through the extended shelter hole areas.

6. Shelter holes shall be maintained at all switch throws and doors that do not fall within 15' of a crosscut. No people will be located in areas where manholes must be cut to comply with this plan.

7. Crosscuts which serve as shelter holes shall be maintained free of obstructions and debris, other than normal roof to ground support. Clearance must be maintained for a depth of at least 15' and rib to rib.

8. Supply cars and equipment shall be pulled by an approved vehicle in the direction of travel. When it is necessary to push nonpropelled track equipment (supply cars, and the like) the vehicle operator must have an unobstructed view of the track haulage. A flashing light or audible warning device shall be mounted on the end of the train/trip which is being pushed. An employee will accompany the trip placing himself in by and out of harms way in order to provide for a clear travelway to the end of the track.

9. Workmen performing tasks along the track haulage roads shall be provided with flashing warning devices (lights). These devices shall be placed not more than 100' from each work site and in clear view of haulage equipment.

10. All employees and persons entering Emerald Mine shall be adequately trained and instructed concerning shelter hole procedures and safety procedures and safety precautions. This shall include all visitors, workers, employees, contractors, inspectors and the like. Training shall be part of annual retraining and hazardous training.

[Pa.B. Doc. No. 07-1840. Filed for public inspection October 5, 2007, 9:00 a.m.]

DEPARTMENT OF HEALTH

Application of Jameson Memorial Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Jameson Memorial Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exception from the following standard contained in this publication: 3.1.1.2 (relating to dining room square footage).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

The facility is requesting a waiver of the comment period, as set forth in 28 Pa. Code § 51.33(c).

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 for speech and/or hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-1841. Filed for public inspection October 5, 2007, 9:00 a.m.]

Applications for Exception to 28 Pa. Code § 569.35

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that the following facilities have requested an exception to the requirement of 28 Pa. Code § 569.35 (relating to general safety precautions).

Foot and Ankle Surgical Center, LLC
North East Surgery Center
Hamot Surgery Center

These requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

The facilities are requesting a waiver of the comment period, as set forth in 28 Pa. Code § 51.33(c).

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone numbers or for speech and/or hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-1842. Filed for public inspection October 5, 2007, 9:00 a.m.]

Applications for Exception to 28 Pa. Code § 123.25(2)

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that the following facilities have requested an exception to the requirements of 28 Pa. Code § 123.25(2) (relating to regulations for control of anesthetic explosion hazards).

Muncy Valley Hospital
The Chambersburg Hospital
ACMH Hospital

These requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

These facilities are requesting a waiver of the comment period, as set forth in 28 Pa. Code § 51.33(c).

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number or for speech and/or hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-1843. Filed for public inspection October 5, 2007, 9:00 a.m.]

Equipment to Determine Blood Alcohol Content

The Department of Health (Department) has approved the following equipment for determining the alcohol content of blood by analysis of a person's breath. This list of approved equipment replaces the previous list published at 34 Pa.B. 4204 (August 7, 2004) and is published under the authority contained in the Motor Vehicle Code, 75 Pa.C.S. § 1547(c)(1) (relating to chemical testing to determine amount of alcohol or controlled substance), the Fish and Boat Code, 30 Pa.C.S. § 5125(c)(1) (relating to chemical testing to determine amount of alcohol or controlled substance), the Game and Wildlife Code, 34 Pa.C.S. § 2502(c) (relating to chemical test to determine amount of alcohol) and The Administrative Code of 1929 (71 P. S. § 532).

Equipment approved under this notice may be used by law enforcement officials to obtain test results which will be admissible in evidence in any summary or criminal proceeding in which the defendant is charged with a violation of 75 Pa.C.S. § 3802 (relating to driving under the influence of alcohol or controlled substance), any other violation of the Vehicle Code arising out of the same action, 30 Pa.C.S. § 5502 (relating to operating watercraft under influence of alcohol or controlled substance), any other violation of the Fish and Boat Code arising out of the same action, 34 Pa.C.S. § 2501 (relating to hunting or furtaking prohibited while under influence of alcohol or controlled substance) or any other violation of the Game and Wildlife Code arising out of the same action. Law enforcement agencies should determine that an approved training program in the use of the equipment is available in accordance with the previously referenced statutes before purchasing any of the devices contained on this list.

The approval of equipment by the Department is based on the evaluation of the equipment by the National Highway Traffic Safety Administration (NHTSA) of the United States Department of Transportation. Equipment which met the Federal requirements was published at 71

FR 37159 (June 29, 2006) as a Conforming Products List. The list contained in this notice is based on that Conforming Products List.

Instruments marked with an asterisk meet the model specifications detailed in 49 FR 48854 (December 14, 1984) (that is, instruments tested at breath alcohol concentrations of 0.000, 0.050, 0.101 and 0.151 gram of alcohol per 210 liters of air). Instruments not marked with an asterisk meet the model specifications detailed in 58 FR 48705 (September 17, 1993), and were tested at breath alcohol concentrations of 0.000, 0.020, 0.040, 0.080 and 0.160 gram of alcohol per 210 liters of air. The amended specifications that were published on September 17, 1993, added a test for the presence of alcohol to include other low molecular weight alcohols including methyl and isopropyl. Instruments whose precision and accuracy have been evaluated in the latter concentration range (that is, devices not marked with an asterisk) should be used when reliable results are required at blood concentrations below 0.050%.

The NHTSA also evaluates equipment to determine if it must be operated at fixed locations (that is, nonmobile equipment) or can be transported to nonfixed operational sites in the field (mobile equipment). Equipment on the list is approved for mobile and/or nonmobile operation unless otherwise specified.

The NHTSA's amended Conforming Products List published at 71 FR 37159 (June 29, 2006), includes seven additional devices. The seven additional devices are: 1) the Draeger Safety Alcotest Model 6510; 2) the Draeger Safety Alcotest Model 6810; 3) the Guth Laboratories Alcotector BAC-100; 4) the Guth Laboratories Alcotector C2H5OH; 5) the Intoximeters Alco-Sensor FST; 6) the Lifeloc Technologies EV30; and 7) the National Patent Analytical Systems DataMaster DMT. These devices all meet the requirements for both mobile and nonmobile operation and are so designated in the list which follows.

Law enforcement agencies that plan to utilize a device which does not appear on the following list should contact the manufacturer of the equipment to verify that it has been evaluated by NHTSA and found by NHTSA to meet NHTSA's performance requirements. If a device is approved by NHTSA after the date of this publication, the manufacturer of the device will need to forward documentation of NHTSA acceptability to Dr. M. Jeffery Shoemaker at the address given so that the Department has information sufficient to enable it to publish a notice in the *Pennsylvania Bulletin* identifying the device as breath testing equipment approved by the Department.

In order to facilitate accessibility to information concerning breath alcohol testing devices which are approved for law enforcement purposes in this Commonwealth, the Department will publish revisions of this list of equipment annually as notices in the *Pennsylvania Bulletin* in addition to publishing a notice of a newly approved device when the necessary information is provided to the Department. This practice will be implemented in 2008 and will proceed even if an updated conforming products list has not appeared in the *Federal Register* since the Department's last annual publication of approved breath testing devices.

Inquiries concerning this notice may be directed to M. Jeffery Shoemaker, Ph.D., Director, Division of Chemistry and Toxicology, Bureau of Laboratories, Department of Health, P. O. Box 500, Exton, PA 19341-0500, (610) 280-3464, Ext. 3229.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotope, Braille) should contact Dr. Shoemaker at the previously referenced address or phone number. Persons who are

speech or hearing impaired may use V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

Conforming Products List of Evidential Breath Measurement Devices

Manufacturer and Model	Mobile	Nonmobile
Alcohol Countermeasure Systems Corp., Mississauga, Ontario, Canada:		
Alert J3AD*	X	X
Alert J4X.ec	X	X
PBA3000C	X	X
BAC Systems, Inc., Ontario, Canada:		
Breath Analysis Computer*	X	X
CAMEC Ltd., North Shields, Tyne and Ware, England:		
IR Breath Analyzer*	X	X
CMI, Inc., Owensboro, KY:		
Intoxilyzer 200	X	X
Intoxilyzer 200D	X	X
Intoxilyzer 300	X	X
Intoxilyzer 400	X	X
Intoxilyzer 400PA	X	X
Intoxilyzer 1400	X	X
Intoxilyzer 4011*	X	X
Intoxilyzer 4011A*	X	X
Intoxilyzer 4011AS*	X	X
Intoxilyzer 4011AS-A*	X	X
Intoxilyzer 4011AS-AQ*	X	X
Intoxilyzer 4011AW*	X	X
Intoxilyzer 4011A27-10100*	X	X
Intoxilyzer 4011A27-10100 with filter*	X	X
Intoxilyzer 5000	X	X
Intoxilyzer 5000 (w/Cal. Vapor Re-Circ.)	X	X
Intoxilyzer 5000 (w/3/8" ID hose option)	X	X
Intoxilyzer 5000CD	X	X
Intoxilyzer 5000CD/FG5	X	X
Intoxilyzer 5000EN	X	X
Intoxilyzer 5000 (CAL DOJ)	X	X
Intoxilyzer 5000 (VA)	X	X
Intoxilyzer 8000	X	X
Intoxilyzer PAC 1200*	X	X
Intoxilyzer S-D2	X	X
Intoxilyzer S-D5	X	X
Draeger Safety, Inc., Durango, CO:		
Alcotest 6510	X	X
Alcotest 6810	X	X
Alcotest 7010*	X	X
Alcotest 7110*	X	X
Alcotest 7110 MKIII	X	X
Alcotest 7110 MKIII-C	X	X
Alcotest 7410	X	X
Alcotest 7410 Plus	X	X
Breathalyzer 900*	X	X
Breathalyzer 900A*	X	X
Breathalyzer 900BG*	X	X
Breathalyzer 7410	X	X
Breathalyzer 7410-II	X	X
Gall's Inc., Lexington, KY:		
Alcohol Detection System-A.D.S. 500	X	X
Guth Laboratories, Inc., Harrisburg, PA		
Alcotector BAC-100	X	X
Alcotector C2H5OH	X	X
Intoximeters, Inc., St. Louis, MO:		
Photo Electric Intoximeter*	—	X
GC Intoximeter MK II*	X	X
GC Intoximeter MK IV*	X	X
Auto Intoximeter*	X	X
Intoximeter 3000*	X	X

Manufacturer and Model	Mobile	Nonmobile
Intoximeter 3000 (rev B1)*	X	X
Intoximeter 3000 (rev B2)*	X	X
Intoximeter 3000 (rev B2A)*	X	X
Intoximeter 3000 (rev B2A) w/FM option*	X	X
Intoximeter 3000 (Fuel Cell)*	X	X
Intoximeter 3000D*	X	X
Intoximeter 3000DFC*	X	X
Alcomonitor	—	X
Alcomonitor CC	X	X
Alco-Sensor III	X	X
Alco-Sensor III (Enhanced with Serial Numbers above 1,200,000)	X	X
Alco-Sensor IV	X	X
Alco-Sensor IV-XL	X	X
Alco-Sensor AZ	X	X
Alco-Sensor FST	X	X
RBT-AZ	X	X
RBT III	X	X
RBT III-A	X	X
RBT-IV	X	X
RBT-IV with CEM (cell enhancement module)	X	X
Intox EC/IR	X	X
Intox EC/IR II	X	X
Portable Intox EC/IR	X	X
Komyo Kitagawa, Kogyo, K.K.:		
Alcolyzer DPA-2*	X	X
Breath Alcohol Meter PAM 101B*	X	X
Lifeloc Technologies, Inc. (formerly Lifeloc, Inc.) Wheat Ridge, CO:		
PBA 3000-B	X	X
PBA 3000-P*	X	X
PBA 3000-C	X	X
Alcohol Data Sensor	X	X
Phoenix		
EV 30	X	X
FC 10	X	X
FC 20	X	X
Lion Laboratories, Ltd., Cardiff, Wales, UK:		
Alcolmeter 300	X	X
Alcolmeter 400	X	X
Alcolmeter SD-2*	X	X
Alcolmeter EBA*	X	X
Intoxilyzer 200	X	X
Intoxilyzer 200D	X	X
Intoxilyzer 1400	X	X
Intoxilyzer 5000 CD/FG5	X	X
Intoxilyzer 5000 EN	X	X
Luckey Laboratories, San Bernardino, CA:		
Alco-Analyzer 1000*	—	X
Alco-Analyzer 2000*	—	X
National Draeger, Inc., Durango, CO:		
Alcotest 7010*	X	X
Alcotest 7110*	X	X
Alcotest 7110 MKIII	X	X
Alcotest 7110 MKIII-C	X	X
Alcotest 7410	X	X
Alcotest 7410 Plus	X	X
Breathalyzer 900*	X	X
Breathalyzer 900A*	X	X
Breathalyzer 900BG*	X	X
Breathalyzer 7410	X	X
Breathalyzer 7410-II	X	X
National Patent Analytical Systems, Inc., Mansfield, OH:		
BAC DataMaster (with or without the Delta-1 accessory)	X	X
BAC Verifier DataMaster (with or without the Delta-1 accessory)	X	X
DataMaster cdm (with or without the Delta-1 accessory)	X	X
DataMaster DMT	X	X
Omicron Systems, Palo Alto, CA:		
Intoxilyzer 4011*	X	X
Intoxilyzer 4011AW*	X	X

Manufacturer and Model	Mobile	Nonmobile
Plus 4 Engineering, Minturn, CO:		
5000 Plus 4*	X	X
Seres, Paris, France:		
Alco Master	X	X
Alcopro	X	X
Siemens-Allis, Cherry Hill, NJ:		
Alcomat*	X	X
Alcomat F*	X	X
Smith and Wesson Electronics, Springfield, MA:		
Breathalyzer 900*	X	X
Breathalyzer 900A*	X	X
Breathalyzer 1000*	X	X
Breathalyzer 2000*	X	X
Breathalyzer 2000 (Non-Humidity Sensor)*	X	X
Sound-Off Inc., Hudsonville, MI:		
AlcoData	X	X
Seres Alco Master	X	X
Seres Alcopro	X	X
Stephenson Corp.:		
Breathalyzer 900*	X	X
U.S. Alcohol Testing, Inc./Protection Devices, Inc., Rancho Cucamonga, CA:		
Alco-Analyzer 1000	—	X
Alco-Analyzer 2000	—	X
Alco-Analyzer 2100	X	X
Verax Systems, Inc., Fairport, NY:		
BAC Verifier*	X	X
BAC Verifier Datamaster	X	X
BAC Verifier Datamaster II*	X	X

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-1844. Filed for public inspection October 5, 2007, 9:00 a.m.]

Health Research Advisory Committee Meeting

The Health Research Advisory Committee (Committee), established by section 903(b) of The Tobacco Settlement Act (35 P. S. § 5701.903(b)), will hold a public meeting on November 20, 2007, from 1 p.m. to 3 p.m. The meeting will be held in Room 812, Health and Welfare Building, Commonwealth Avenue and Forster Street, Harrisburg, PA.

The Committee will finalize the research priorities for the nonformula funds for the State Fiscal Year 2008-2009. This meeting is open to the public. No reservations are required. The meeting is not a public hearing and therefore public testimony and/or comments are not part of the meeting agenda.

For additional information, contact Patricia W. Potrzebowski, Ph.D., Director, Bureau of Health Statistics and Research or Violet Witmer, Administrative Officer, Bureau of Health Statistics and Research, 555 Walnut Street, 6th Floor, Harrisburg, PA 17101-1914, (717) 783-2548.

Persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation should contact Patricia W. Potrzebowski or Violet Witmer at (717) 783-2548 or for speech and/or hearing impaired persons at V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984 (TT).

This meeting is subject to cancellation without notice.

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-1845. Filed for public inspection October 5, 2007, 9:00 a.m.]

Special Supplemental Nutrition Program for Women, Infants and Children (WIC Program); Maximum Allowable Prices and Competitive Prices

Maximum Allowable Prices and Competitive Prices for Type 1 Stores in Regular Cost Counties

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) (relating to selection criteria for authorization and reauthorization; and terms and conditions of participation) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 1 Stores in Regular Cost Counties.

Maximum Allowable Prices

Effective October 1, 2007, through December 31, 2007, the maximum allowable prices the Department of Health (Department) will pay Type 1 Stores in Regular Cost Counties for WIC Allowable Foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
1/2 gal. of Milk: Whole, Reduced Fat, Low Fat or Skim	\$2.76
12 oz. Evaporated Milk	\$1.30
16 oz. Dry Milk	\$6.51
1 qt. Lactose Reduced Milk	\$2.23
1/2 gal. Kosher Milk	\$2.64
4 oz. Kosher Infant Juice	\$0.67
8 oz. Kosher Infant Cereal	\$1.85
1 doz. Grade A Eggs	\$1.72
1 lb. Fresh Carrots	\$1.15
14 to 16 oz. Canned Carrots	\$1.15
1 lb. Cheese	\$7.54
1 lb. Kosher Cheese	\$8.90
1 lb. Dry Beans or Peas	\$1.93
1 oz. Adult WIC Cereal	\$0.36
8 oz. Gerber Infant Cereal	\$1.85
15 to 18 oz. Peanut Butter	\$2.97
46 oz. Single Strength Juice or 11.5 or 12 oz. Juice Concentrate	\$3.02
6 oz. Cans Juice	\$1.53
6 to 6.5 oz. Chunk Light Tuna Packed in Water	\$1.04
4 oz. Gerber Infant Juice	\$0.68
32 oz. Alimentum Advance Ready-to-Feed Formula	\$9.33
16 oz. Alimentum Advance Powder Formula	\$26.86
12.8 oz. EnfaCare LIPIL w/Iron Powder Formula	\$14.33
13 oz. Isomil Advance Concentrate Formula	\$5.04
32 oz. Isomil Advance Ready-to-Feed Formula	\$6.84
12.9 oz. Isomil Advance Powder Formula	\$15.09
12.9 oz. Isomil 2 Advance Powder Formula	\$14.46
12.9 oz. Isomil Go & Grow Soy	\$12.60
13 oz. Isomil with Iron Concentrate Formula	\$5.70
12.9 oz. Isomil with Iron Powder Formula	\$14.33
32 oz. Isomil DF Ready-to-Feed Formula	\$7.13
13 oz. Nutramigen Lipil Concentrate Formula	\$7.14
32 oz. Nutramigen Lipil Ready-to-Feed Formula	\$8.92
16 oz. Nutramigen Lipil Powder Formula	\$25.90
8 oz. PediaSure Ready-to-Feed Formula	\$2.27
8 oz. PediaSure with Fiber Ready-to-Feed Formula	\$2.11
13 oz. Similac Advance Concentrate Formula	\$4.67
32 oz. Similac Advance Ready-to-Feed Formula	\$6.85
12.9 oz. Similac Advance Powder Formula	\$14.14
12.9 oz. Similac 2 Advance Powder Formula	\$13.09
12.9 oz. Similac Go & Grow Milk	\$12.07
13 oz. Similac with Iron Concentrate Formula	\$4.48
32 oz. Similac with Iron Ready-to-Feed Formula	\$6.29
12.9 oz. Similac with Iron Powder Formula	\$13.54
13 oz. Similac Lactose Free Advance Concentrate Formula	\$4.90
13 oz. Similac Sensitive Concentrate Formula	\$5.12
32 oz. Similac Lactose Free Advance Ready-to-Feed Formula	\$6.34
32 oz. Similac Sensitive Ready-to-Feed Formula	\$6.62
32 oz. Similac Sensitive RS Ready-to-Feed Formula	\$6.62
12.9 oz. Similac Lactose Free Advance Powder Formula	\$14.35

<i>Description</i>	<i>Maximum Allowable Price</i>
12.9 oz. Similac Sensitive Powder	\$15.04
12.8 oz. Similac Neosure Advance Powder Formula	\$16.22

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective October 1, 2007, through December 31, 2007, the Competitive Prices for WIC Authorization for Type 2 Stores in Regular Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
1/2 gal. of Milk: Whole, Reduced Fat, Low Fat or Skim	\$2.45
1/2 gal. of Kosher Milk: Whole, Reduced Fat, Low Fat or Skim	\$2.45
12 oz. Evaporated Milk	\$1.14
16 oz. Dry Milk	\$5.69
1 doz. Grade A Eggs	\$1.56
1 lb. Fresh Carrots	\$1.12
14 to 16 oz. Canned Carrots	\$1.12
1 lb. Cheese	\$6.44
1 lb. Kosher Cheese	\$8.67
1 lb. Dry Beans or Peas	\$1.60
1 oz. Adult WIC Cereal	\$0.33
8 oz. Gerber Infant Cereal	\$1.85
15 to 18 oz. Peanut Butter	\$2.56
46 oz. Single Strength Juice or 11.5 or 12 oz. Juice Concentrate	\$2.78
6 to 6.5 oz. Chunk Light Tuna Packed in Water	\$0.97
4 oz. Gerber Infant Juice	\$0.67
13 oz. Isomil Advance Concentrate Formula	\$5.04
32 oz. Isomil Advance Ready-to-Feed Formula	\$6.77
12.9 oz. Isomil Advance Powder Formula	\$15.09
13 oz. Similac Advance Concentrate Formula	\$4.67
32 oz. Similac Advance Ready-to-Feed Formula	\$6.85
12.9 oz. Similac Advance Powder Formula	\$14.14

Maximum Allowable Prices and Competitive Prices for Type 3 Stores in Regular Cost Counties

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 3 Stores in Regular Cost Counties.

Maximum Allowable Prices

Effective October 1, 2007, through December 31, 2007, the maximum allowable prices the Department will pay Type 3 Stores in Regular Cost Counties for WIC Allowable Foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>	<i>Description</i>	<i>Maximum Allowable Price</i>
1/2 gal. of Milk: Whole, Reduced Fat, Low Fat or Skim	\$2.76	12.9 oz. Similac Sensitive Powder	\$15.14
12 oz. Evaporated Milk	\$1.30	12.8 oz. Similac Neosure Advance Powder Formula	\$17.68
16 oz. Dry Milk	\$7.33		
1 qt. Lactose Reduced Milk	\$2.30		
1/2 gal. Kosher Milk	\$2.64		
4 oz. Kosher Infant Juice	\$0.71		
8 oz. Kosher Infant Cereal	\$1.99		
1 doz. Grade A Eggs	\$1.74		
1 lb. Fresh Carrots	\$1.16		
14 to 16 oz. Canned Carrots	\$1.16		
1 lb. Cheese	\$7.54		
1 lb. Kosher Cheese	\$8.90		
1 lb. Dry Beans or Peas	\$1.93		
1 oz. Adult WIC Cereal	\$0.38		
8 oz. Gerber Infant Cereal	\$1.99		
15 to 18 oz. Peanut Butter	\$2.97		
46 oz. Single Strength Juice or 11.5 or 12 oz. Juice Concentrate	\$3.02		
6 oz. Cans Juice	\$1.53		
6 to 6.5 oz. Chunk Light Tuna Packed in Water	\$1.04		
4 oz. Gerber Infant Juice	\$0.71		
32 oz. Alimentum Advance Ready-to-Feed Formula	\$9.49		
16 oz. Alimentum Advance Powder Formula	\$27.50		
12.8 oz. EnfaCare LIPIL w/Iron Powder Formula	\$14.33		
13 oz. Isomil Advance Concentrate Formula	\$5.43		
32 oz. Isomil Advance Ready-to-Feed Formula	\$7.85		
12.9 oz. Isomil Advance Powder Formula	\$15.80		
12.9 oz. Isomil 2 Advance Powder Formula	\$15.74		
12.9 oz. Isomil Go & Grow Soy	\$13.71		
13 oz. Isomil with Iron Concentrate Formula	\$5.97		
12.9 oz. Isomil with Iron Powder Formula	\$15.27		
32 oz. Isomil DF Ready-to-Feed Formula	\$7.30		
13 oz. Nutramigen Lipil Concentrate Formula	\$7.46		
32 oz. Nutramigen Lipil Ready-to-Feed Formula	\$9.37		
16 oz. Nutramigen Lipil Powder Formula	\$27.00		
8 oz. PediaSure Ready-to-Feed Formula	\$2.68		
8 oz. PediaSure with Fiber Ready-to-Feed Formula	\$2.42		
13 oz. Similac Advance Concentrate Formula	\$5.07		
32 oz. Similac Advance Ready-to-Feed Formula	\$7.68		
12.9 oz. Similac Advance Powder Formula	\$14.93		
12.9 oz. Similac 2 Advance Powder Formula	\$14.10		
12.9 oz. Similac Go & Grow Milk	\$13.25		
13 oz. Similac with Iron Concentrate Formula	\$5.19		
32 oz. Similac with Iron Ready-to-Feed Formula	\$7.27		
12.9 oz. Similac with Iron Powder Formula	\$14.41		
13 oz. Similac Lactose Free Advance Concentrate Formula	\$5.30		
13 oz. Similac Sensitive Concentrate Formula	\$7.42		
32 oz. Similac Lactose Free Advance Ready-to-Feed Formula	\$7.14		
32 oz. Similac Sensitive Ready-to-Feed Formula	\$7.14		
32 oz. Similac Sensitive RS Ready-to-Feed Formula	\$7.14		
12.9 oz. Similac Lactose Free Advance Powder Formula	\$15.14		

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective October 1, 2007, through December 31, 2007, the Competitive Prices for WIC Authorization for Type 3 Stores in Regular Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
1/2 gal. of Milk: Whole, Reduced Fat, Low Fat or Skim	\$2.45
1/2 gal. of Kosher Milk: Whole, Reduced Fat, Low Fat or Skim	\$2.45
12 oz. Evaporated Milk	\$1.14
16 oz. Dry Milk	\$5.69
1 doz. Grade A Eggs	\$1.56
1 lb. Fresh Carrots	\$1.12
14 to 16 oz. Canned Carrots	\$1.12
1 lb. Cheese	\$6.44
1 lb. Kosher Cheese	\$8.67
1 lb. Dry Beans or Peas	\$1.60
1 oz. Adult WIC Cereal	\$0.33
8 oz. Gerber Infant Cereal	\$1.99
15 to 18 oz. Peanut Butter	\$2.56
46 oz. Single Strength Juice or 11.5 or 12 oz. Juice Concentrate	\$2.78
6 to 6.5 oz. Chunk Light Tuna Packed in Water	\$0.97
4 oz. Gerber Infant Juice	\$0.71
13 oz. Isomil Advance Concentrate Formula	\$5.43
32 oz. Isomil Advance Ready-to-Feed Formula	\$7.85
12.9 oz. Isomil Advance Powder Formula	\$15.80
13 oz. Similac Advance Concentrate Formula	\$5.07
32 oz. Similac Advance Ready-to-Feed Formula	\$7.68
12.9 oz. Similac Advance Powder Formula	\$14.93

Maximum Allowable Prices and Competitive Prices for Type 1 Stores in High Cost Counties

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 1 Stores in High Cost Counties.

Maximum Allowable Prices

Effective October 1, 2007, through December 31, 2007, the maximum allowable prices the Department will pay Type 1 Stores in High Cost Counties for WIC Allowable Foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>	<i>Description</i>	<i>Maximum Allowable Price</i>
1/2 gal. of Milk: Whole, Reduced Fat, Low Fat or Skim	\$2.76	12.9 oz. Similac Sensitive Powder	\$15.02
12 oz. Evaporated Milk	\$1.24	12.8 oz. Similac Neosure Advance Powder Formula	\$16.05
16 oz. Dry Milk	\$5.90		
1 qt. Lactose Reduced Milk	\$2.16		
1/2 gal. Kosher Milk	\$2.64		
4 oz. Kosher Infant Juice	\$0.68		
8 oz. Kosher Infant Cereal	\$1.83		
1 doz. Grade A Eggs	\$1.68		
1 lb. Fresh Carrots	\$1.11		
14 to 16 oz. Canned Carrots	\$1.11		
1 lb. Cheese	\$8.02		
1 lb. Kosher Cheese	\$8.02		
1 lb. Dry Beans or Peas	\$1.80		
1 oz. Adult WIC Cereal	\$0.33		
8 oz. Gerber Infant Cereal	\$1.83		
15 to 18 oz. Peanut Butter	\$3.37		
46 oz. Single Strength Juice or 11.5 or 12 oz. Juice Concentrate	\$3.18		
6 oz. Cans Juice	\$1.53		
6 to 6.5 oz. Chunk Light Tuna Packed in Water	\$1.15		
4 oz. Gerber Infant Juice	\$0.68		
32 oz. Alimentum Advance Ready-to-Feed Formula	\$9.29		
16 oz. Alimentum Advance Powder Formula	\$26.44		
12.8 oz. EnfaCare LIPIL w/Iron Powder Formula	\$13.93		
13 oz. Isomil Advance Concentrate Formula	\$4.94		
32 oz. Isomil Advance Ready-to-Feed Formula	\$6.93		
12.9 oz. Isomil Advance Powder Formula	\$15.18		
12.9 oz. Isomil 2 Advance Powder Formula	\$13.95		
12.9 oz. Isomil Go & Grow Soy	\$12.15		
13 oz. Isomil with Iron Concentrate Formula	\$5.82		
12.9 oz. Isomil with Iron Powder Formula	\$13.88		
32 oz. Isomil DF Ready-to-Feed Formula	\$7.26		
13 oz. Nutramigen Lipil Concentrate Formula	\$6.85		
32 oz. Nutramigen Lipil Ready-to-Feed Formula	\$8.57		
16 oz. Nutramigen Lipil Powder Formula	\$25.14		
8 oz. PediaSure Ready-to-Feed Formula	\$2.05		
8 oz. PediaSure with Fiber Ready-to-Feed Formula	\$2.01		
13 oz. Similac Advance Concentrate Formula	\$4.60		
32 oz. Similac Advance Ready-to-Feed Formula	\$6.44		
12.9 oz. Similac Advance Powder Formula	\$14.41		
12.9 oz. Similac 2 Advance Powder Formula	\$12.41		
12.9 oz. Similac Go & Grow Milk	\$11.66		
13 oz. Similac with Iron Concentrate Formula	\$4.41		
32 oz. Similac with Iron Ready-to-Feed Formula	\$5.71		
12.9 oz. Similac with Iron Powder Formula	\$13.88		
13 oz. Similac Lactose Free Advance Concentrate Formula	\$4.69		
13 oz. Similac Sensitive Concentrate Formula	\$4.91		
32 oz. Similac Lactose Free Advance Ready-to-Feed Formula	\$6.30		
32 oz. Similac Sensitive Ready-to-Feed Formula	\$6.58		
32 oz. Similac Sensitive RS Ready-to-Feed Formula	\$6.58		
12.9 oz. Similac Lactose Free Advance Powder Formula	\$14.33		

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective October 1, 2007, through December 31, 2007, the Competitive Prices for WIC Authorization for Type 1 Stores in High Cost Counties are as follow:

<i>Description</i>	<i>Competitive Prices</i>
1/2 gal. of Milk: Whole, Reduced Fat, Low Fat or Skim	\$2.45
1/2 Gallon of Kosher Milk: Whole, Reduced Fat, Low Fat or Skim	\$2.45
12 oz. Evaporated Milk	\$1.04
16 oz. Dry Milk	\$5.68
1 doz. Grade A Eggs	\$1.68
1 lb. Fresh Carrots	\$1.08
14 to 16 oz. Canned Carrots	\$1.08
1 lb. Cheese	\$6.44
1 lb. Kosher Cheese	\$7.73
1 lb. Dry Beans or Peas	\$1.53
1 oz. Adult WIC Cereal	\$0.29
8 oz. Gerber Infant Cereal	\$1.83
15 to 18 oz. Peanut Butter	\$2.89
46 oz. Single Strength Juice or 11.5 or 12 oz. Juice Concentrate	\$2.88
6 to 6.5 oz. Chunk Light Tuna Packed in Water	\$1.03
4 oz. Gerber Infant Juice	\$0.68
13 oz. Isomil Advance Concentrate Formula	\$4.94
32 oz. Isomil Advance Ready-to-Feed Formula	\$6.93
12.9 oz. Isomil Advance Powder Formula	\$15.18
13 oz. Similac Advance Concentrate Formula	\$4.60
32 oz. Similac Advance Ready-to-Feed Formula	\$6.44
12.9 oz. Similac Advance Powder Formula	\$14.41

Maximum Allowable Prices and Competitive Prices for Type 2 Stores in High Cost Counties

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 2 Stores in High Cost Counties.

Maximum Allowable Prices

Effective October 1, 2007, through December 31, 2007, the maximum allowable prices the Department will pay Type 2 Stores in High Cost Counties for WIC Allowable Foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>	<i>Description</i>	<i>Maximum Allowable Price</i>
1/2 gal. of Milk: Whole, Reduced Fat, Low Fat or Skim	\$2.76	12.9 oz. Similac Lactose Free Advance Powder Formula	\$16.59
12 oz. Evaporated Milk	\$1.33	12.9 oz. Similac Sensitive Powder	\$16.95
16 oz. Dry Milk	\$7.33	12.8 oz. Similac Neosure Advance Powder Formula	\$18.80
1 qt. Lactose Reduced Milk	\$2.40	A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.	
1/2 gal. Kosher Milk	\$3.18	Competitive Prices	
4 oz. Kosher Infant Juice	\$0.76	To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective October 1, 2007, through December 31, 2007, the Competitive Prices for WIC Authorization for Type 3 Stores in High Cost Counties are as follows:	
8 oz. Kosher Infant Cereal	\$2.13	<i>Competitive Prices</i>	
1 doz. Grade A Eggs	\$1.78	<i>Description</i>	<i>Competitive Prices</i>
1 lb. Fresh Carrots	\$1.16	1/2 gal. of Milk: Whole, Reduced Fat, Low Fat or Skim	\$2.49
14 to 16 oz. Canned Carrots	\$1.16	1/2 gal. of Kosher Milk: Whole, Reduced Fat, Low Fat or Skim	\$2.92
1 lb. Cheese	\$8.02	12 oz. Evaporated Milk	\$1.14
1 lb. Kosher Cheese	\$8.90	16 oz. Dry Milk	\$5.69
1 lb. Dry Beans or Peas	\$1.93	1 doz. Grade A Eggs	\$1.78
1 oz. Adult WIC Cereal	\$0.38	1 lb. Fresh Carrots	\$1.12
8 oz. Gerber Infant Cereal	\$2.13	14 to 16 oz. Canned Carrots	\$1.12
15 to 18 oz. Peanut Butter	\$3.37	1 lb. Cheese	\$6.46
46 oz. Single Strength Juice or 11.5 or 12 oz. Juice Concentrate	\$3.18	1 lb. Kosher Cheese	\$8.67
6 oz. Cans Juice	\$1.53	1 lb. Dry Beans or Peas	\$1.60
6 to 6.5 oz. Chunk Light Tuna Packed in Water	\$1.15	1 oz. Adult WIC Cereal	\$0.36
4 oz. Gerber Infant Juice	\$0.76	8 oz. Gerber Infant Cereal	\$2.13
32 oz. Alimentum Advance Ready-to-Feed Formula	\$10.29	15 to 18 oz. Peanut Butter	\$2.89
16 oz. Alimentum Advance Powder Formula	\$29.03	46 oz. Single Strength Juice or 11.5 or 12 oz. Juice Concentrate	\$2.90
12.8 oz. EnfaCare LIPIL w/Iron Powder Formula	\$16.12	6 to 6.5 oz. Chunk Light Tuna Packed in Water	\$1.07
13 oz. Isomil Advance Concentrate Formula	\$5.85	4 oz. Gerber Infant Juice	\$0.76
32 oz. Isomil Advance Ready-to-Feed Formula	\$8.21	13 oz. Isomil Advance Concentrate Formula	\$5.85
12.9 oz. Isomil Advance Powder Formula	\$17.03	32 oz. Isomil Advance Ready-to-Feed Formula	\$8.21
12.9 oz. Isomil 2 Advance Powder Formula	\$16.62	12.9 oz. Isomil Advance Powder Formula	\$17.03
12.9 oz. Isomil Go & Grow Soy	\$14.03	13 oz. Similac Advance Concentrate Formula	\$5.45
13 oz. Isomil with Iron Concentrate Formula	\$6.19	32 oz. Similac Advance Ready-to-Feed Formula	\$8.03
12.9 oz. Isomil with Iron Powder Formula	\$15.75	12.9 oz. Similac Advance Powder Formula	\$16.09
32 oz. Isomil DF Ready-to-Feed Formula	\$7.92	12.9 oz. Similac 2 Advance Powder Formula	\$15.39
13 oz. Nutramigen Lipil Concentrate Formula	\$7.90	12.9 oz. Similac Go & Grow Milk	\$14.48
32 oz. Nutramigen Lipil Ready-to-Feed Formula	\$10.14	13 oz. Similac with Iron Concentrate Formula	\$5.50
16 oz. Nutramigen Lipil Powder Formula	\$28.11	32 oz. Similac with Iron Ready-to-Feed Formula	\$7.80
8 oz. Pediasure Ready-to-Feed Formula	\$2.68	12.9 oz. Similac with Iron Powder Formula	\$15.71
8 oz. Pediasure with Fiber Ready-to-Feed Formula	\$2.42	13 oz. Similac Lactose Free Advance Concentrate Formula	\$5.91
13 oz. Similac Advance Concentrate Formula	\$5.45	13 oz. Similac Sensitive Concentrate Formula	\$5.91
32 oz. Similac Advance Ready-to-Feed Formula	\$8.03	32 oz. Similac Lactose Free Advance Ready-to-Feed Formula	\$8.14
12.9 oz. Similac Advance Powder Formula	\$16.09	32 oz. Similac Sensitive Ready-to-Feed Formula	\$8.14
12.9 oz. Similac 2 Advance Powder Formula	\$15.39	32 oz. Similac Sensitive RS Ready-to-Feed Formula	\$8.14
12.9 oz. Similac Go & Grow Milk	\$14.48		
13 oz. Similac with Iron Concentrate Formula	\$5.50		

Persons with a disability who require an alternative format of this listing (for example, large print, audiotape, Braille), should contact Chris Harr, Department of Health, Division of WIC, 2150 Herr Street, 1st Floor, Harrisburg, PA 17105, (717) 783-1289 or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984.

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-1846. Filed for public inspection October 5, 2007, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Millionaire Raffle V Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 874.4 (relating to notice of raffle lottery game rules), the Secretary of Revenue hereby provides public notice of the rules for the following raffle lottery game:

1. *Name:* The name of the raffle game is Pennsylvania Millionaire Raffle V.
2. *Price:* The price of a Pennsylvania Millionaire Raffle V lottery game ticket is \$20.
3. *Ticket Sales And Drawing Date:* Pennsylvania Millionaire Raffle V lottery game tickets sales will commence on or after November 9, 2007, and will continue until all 625,000 tickets have been sold, or 5 p.m. on December 29, 2007, whichever occurs earlier.
4. *Ticket Characteristics:* Each Pennsylvania Millionaire Raffle V lottery game ticket will contain one unique eight-digit number between 00000001 and 00625000, for a total of 625,000 tickets.
5. *Prizes:* The prizes that can be won in this game are \$100, \$1,000, \$100,000 and \$1,000,000. A player may only win one time on each ticket or chance.
6. *Maximum Number of Tickets Printed and Sold for the Game:* There will be no more than 625,000 tickets printed and sold for the Pennsylvania Millionaire Raffle V lottery game. The chances will be sequentially issued on a Statewide basis from the range of individual unique numbers representing the chances available for the game.

Ticket Matching Exactly the Unique Eight-digit Number Drawn In:

	<i>Win Prize Of:</i>
First-Prize-Tier	\$1,000,000
Second-Prize-Tier	\$100,000
Third-Prize-Tier	\$1,000
Fourth-Prize Tier	\$100

7. *Conduct of Drawing:* The results of the Pennsylvania Millionaire Raffle V will be televised on December 29, 2007, at or about 7 p.m. The drawing will be conducted with the aid of an electronic device. Eight-thousand unique eight-digit numbers will be drawn, between 00000001 and 00625000. The first five unique eight-digit numbers drawn will be the first-prize-tier winning numbers. The sixth through tenth unique eight-digit numbers drawn will be the second-prize-tier winning numbers. The eleventh through 210th unique eight-digit numbers drawn will be the third-prize-tier winning numbers. The 211th through 8,000th unique eight-digit numbers drawn will be the fourth-prize-tier winning numbers.

8. *Determination of Prize Winners:*

- (a) Holders of tickets upon which the unique eight-digit number matches exactly one of the first-prize-tier numbers selected by the Lottery shall be entitled to a prize of \$1,000,000.
- (b) Holders of tickets upon which the unique eight-digit number matches exactly one of the second-prize-tier numbers selected by the Lottery shall be entitled to a prize of \$100,000.
- (c) Holders of tickets upon which the unique eight-digit number matches exactly one of the third-prize-tier numbers selected by the Lottery shall be entitled to a prize of \$1,000.
- (d) Holders of tickets upon which the unique eight-digit number matches exactly one of the fourth-prize-tier numbers selected by the Lottery shall be entitled to a prize of \$100.

9. *Number and Description of Prizes and Approximate Odds:* The Pennsylvania Millionaire Raffle V prizes and determination winners are as follows:

<i>Maximum Odds Of Winning Are 1 In:</i>	<i>Number Of Winners</i>
125,000	5
125,000	5
3,125	200
80	7,790

All Pennsylvania Millionaire Raffle V lottery game prize payments, including first-prize-tier prizes, will be made as one-time lump-sum cash payments.

10. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Millionaire Raffle V lottery game tickets. The conduct of the Program will be governed by 61 Pa. Code § 811.41 (relating to promotional prizes).

11. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Millionaire Raffle V, prize money from winning Pennsylvania Millionaire Raffle V lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the anniversary date of the raffle drawing in which the ticket or chance was entered, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), 61

Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

THOMAS W. WOLF,
Secretary

[Pa.B. Doc. No. 07-1847. Filed for public inspection October 5, 2007, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Request for Bids

The Department of Transportation (Department), under the authority contained in section 2002(c) of The Administrative Code of 1929 (71 P. S. § 512(c)) and 67 Pa. Code § 495.4 (relating to application procedure), gives notice that an application to lease highway right-of-way has been submitted to the Department by The Port Authority of Allegheny County, seeking to lease highway right-of-

way located along SR 0366, on both sides of 4th Avenue beneath the Tarentum Bridge, in the Borough of Tarentum, Allegheny County, containing 21,075 +/- square feet or 0.48 +/- acre, for the purpose of a bus layover and a Park and Ride facility.

Interested persons are invited to submit, within 30 days from the publication of this notice in the *Pennsylvania Bulletin*, written comments, suggestions and/or objections regarding the approval of this application to H. Daniel Cessna, P. E., District Executive, Engineering District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017.

Questions regarding this application or the proposed use should be directed to Michael Sudar, District Property Manager, 45 Thoms Run Road, Bridgeville, PA 15017, (412) 429-4830.

Not all Bidding Opportunities are advertised in the *Pennsylvania Bulletin* for State government agencies. Generally, Bidding Opportunities over \$20,000 for materials and \$250,000 for services are advertised on the Department of General Services, Bureau of Procurement website at www.dgsweb.state.pa.us/comod/main.asp. The Bidding Opportunities website is updated on a daily basis.

Suppliers interested in doing business with Commonwealth agencies are strongly encouraged to register as a portal supplier at www.pasupplierportal.state.pa.us.

For more information, contact the Department Supplier Services and Support, (717) 346-2676, (877) 435-7363 (toll free), rasrmhelp@state.pa.us.

ALLEN D. BIEHLER, P. E.,
Secretary

[Pa.B. Doc. No. 07-1848. Filed for public inspection October 5, 2007, 9:00 a.m.]

Request for Bids

The Department of Transportation (Department), under the authority contained in section 2002(c) of The Administrative Code of 1929 (71 P. S. § 512(c)) and 67 Pa. Code § 495.4 (relating to application procedure), gives notice that an application to lease highway right-of-way has been submitted to the Department by The Sarah Heinz House, seeking to lease highway right-of-way located along SR 0028, at the corner of Chestnut Street, in the City of Pittsburgh, Allegheny County, containing 12,188 +/- square feet or 0.28 +/- acre, for the purpose of landscaping and parking.

Interested persons are invited to submit, within 30 days from the publication of this notice in the *Pennsylvania Bulletin*, written comments, suggestions and/or objections regarding the approval of this application to H. Daniel Cessna, P. E., District Executive, Engineering District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017.

Questions regarding this application or the proposed use should be directed to Michael Sudar, District Property Manager, 45 Thoms Run Road, Bridgeville, PA 15017, (412) 429-4830.

Not all Bidding Opportunities are advertised in the *Pennsylvania Bulletin* for State government agencies. Generally, Bidding Opportunities over \$20,000 for materials and \$250,000 for services are advertised on the Department of General Services, Bureau of Procurement website at www.dgsweb.state.pa.us/comod/main.asp. The Bidding Opportunities website is updated on a daily basis.

Suppliers interested in doing business with Commonwealth agencies are strongly encouraged to register as a portal supplier at www.pasupplierportal.state.pa.us.

For more information, contact the Department Supplier Services and Support, (717) 346-2676, (877) 435-7363 (toll free), rasrmhelp@state.pa.us.

ALLEN D. BIEHLER, P. E.,
Secretary

[Pa.B. Doc. No. 07-1849. Filed for public inspection October 5, 2007, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

Glenhardie Condominium Association v. DEP and Realen Valley Forge Greenes Associates; EHB Doc. No. 2007-222-MG

Glenhardie Condominium Association has appealed the issuance by the Department of Environmental Protection of an NPDES permit to Realen Valley Forge Greenes Associates for groundwater discharges for their project called The Village at Valley Forge in Upper Merion Township, Montgomery County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457 and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the AT&T Pennsylvania Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

THOMAS W. RENWAND,
Acting Chairperson

[Pa.B. Doc. No. 07-1850. Filed for public inspection October 5, 2007, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Actions Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10:30 a.m. Thursday, September 20, 2007, and announced the following:

Regulations Approved:

Environmental Quality Board #7-415: Alternative Fuels Incentive Grant Program (AFIG) Regulation (deletes 4 Pa. Code Chapter 311)

Environmental Quality Board #7-395: Administration of the Storage Tank and Spill Prevention Act (amends 25 Pa. Code Chapter 245)

Pennsylvania Gaming Control Board #125-61: General Revisions; Applications; Licensed Entity Representatives; Manufacturer Licenses; Supplier Licenses; Horsemen's Organizations; Labor Organizations; Junket Enterprises; Management Companies (adds 58 Pa. Code Chapters 421a, 423a, 425a, 427a, 431a, 436a, 438a, 439a and 440a)

Pennsylvania Gaming Control Board #125-54: Compulsive and Problem Gambling; Self Exclusion (adds 58 Pa. Code Chapters 501a and 503a)

Pennsylvania Gaming Control Board #125-57: Persons Required to be Excluded; Underage Gaming (adds 58 Pa. Code Chapters 511a and 513a)

Pennsylvania Gaming Control Board #125-56: Practice and Procedure (amends 58 Pa. Code)

Approval Order

Public Meeting held
September 20, 2007

Commissioners Voting: Arthur Coccodrilli, Chairperson; David J. DeVries, Esq.; John F. Mizner, Esq.

Environmental Quality Board—Alternative Fuels Incentive Grant Program (AFIG) Regulation; Regulation No. 7-415 (#2624)

On August 13, 2007, the Independent Regulatory Review Commission (Commission) received this regulation from the Environmental Quality Board. This rulemaking deletes 4 Pa. Code Chapter 311. Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

This final-omitted regulation deletes 4 Pa. Code Chapter 311 (Chapter 311) titled "Alternative Fuels Incentive Grant Fund" (Fund) in its entirety. Act 178 of 2004 (Act 178) repealed the statute cited as the authority for Chapter 311 and abrogated regulations promulgated under it. The Fund will continue to be in existence, but will be administered using the provisions in Act 178 rather than Chapter 311.

We have determined this regulation is consistent with the statutory authority of the Environmental Quality Board (Section 8 of Act 178 of 2004) 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
September 6, 2007

Commissioners Voting: Arthur Coccodrilli, Chairperson; David J. DeVries, Esq.; John F. Mizner, Esq.

Environmental Quality Board—Administration of the Storage Tank and Spill Prevention Act; Regulation No. 7-395 (#2532)

On April 7, 2006, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (Board). This rulemaking amends 25 Pa. Code Chapter 245. The proposed regulation was published in the April 22, 2006 *Pennsylvania Bulletin* with a 68-day public comment period. The final-form regulation was submitted to the Commission on July 27, 2007.

This final-form rulemaking makes comprehensive and minor editorial changes to the Board's existing Storage Tank Program regulations. Changes pertain to: new and revised definitions; new tank registration provisions; regulation of large aboveground storage tanks storing heating oil for on-site consumptive use; additional training and qualification provisions for certified tank installers and inspectors; storage tank permitting; record keeping; and inspection provisions.

We have determined this regulation is consistent with the statutory authority of the Board (35 P. S. § 6021.106) 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
September 20, 2007

Commissioners Voting: Arthur Coccodrilli, Chairperson; David J. DeVries, Esq.; John F. Mizner, Esq.

Pennsylvania Gaming Control Board—General Revisions; Applications; Licensed Entity Representatives; Manufacturer Licenses; Supplier Licenses; Horsemen's Organizations; Labor Organizations; Junket Enterprises; Management Companies; Regulation No. 125-61 (#2610)

On April 26, 2007, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Gaming Control Board (Board). This rulemaking adds 58 Pa. Code Chapters 421a, 423a, 425a, 427a, 431a, 436a, 438a, 439a and 440a. The proposed regulation was published in the May 12, 2007 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on August 8, 2007.

This regulation establishes nine chapters of the Board's regulations. The chapters relate to the licensing, permitting, certification and registration of licensed entity repre-

sentatives, manufacturers, suppliers, horsemen's organizations, labor organizations, junket enterprises and management companies.

We have determined this regulation is consistent with the statutory authority of the Board (4 Pa.C.S.A. §§ 1202(b)(30), 1202(b)(9), (b)(13)—(20) and (b)(23), 1202.1(b) and (e), 1205, 1311.1, 1311.2, 1317, 1317.1, 1319, 1321(a), 1325, 1326, 1331, and 1406) 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
September 20, 2007

Commissioners Voting: Arthur Coccodrilli, Chairperson;
David J. DeVries, Esq.; John F. Mizner, Esq.

*Pennsylvania Gaming Control Board—Compulsive and
Problem Gambling; Self Exclusion;
Regulation No. 125-54 (#2589)*

On January 17, 2007, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Gaming Control Board (Board). This rulemaking adds 58 Pa. Code Chapters 501a and 503a. The proposed regulation was published in the January 27, 2007 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on June 5, 2007. On July 17, 2007, the Board withdrew the final-form regulation. On August 8, 2007, the Board resubmitted the final-form regulation.

This regulation establishes two chapters of the Board's regulations. One chapter sets forth the standards and requirements for compulsive and problem gambling plans to be developed and implemented by slot machine licensees. The second chapter establishes the procedures for implementing the self-exclusion program.

We have determined this regulation is consistent with the statutory authority of the Board (4 Pa.C.S.A. §§ 1202(b)(30), 1509 and 1516) and the intention of the General Assembly. Having considered all the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting held
September 20, 2007

Commissioners Voting: Arthur Coccodrilli, Chairperson;
David J. DeVries, Esq.; John F. Mizner, Esq.

*Pennsylvania Gaming Control Board—Persons Required
to be Excluded; Underage Gaming;
Regulation No. 125-57 (#2601)*

On March 28, 2007, the Independent Regulatory Review Commission (Commission) received this proposed

regulation from the Pennsylvania Gaming Control Board (Board). This rulemaking adds 58 Pa. Code Chapter 511a and 513a. The proposed regulation was published in the April 7, 2007 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on June 21, 2007. On July 17, 2007, the Board withdrew the final-form regulation. On August 8, 2007, the Board resubmitted the final-form regulation.

This final-form rulemaking establishes two chapters of the Board's regulations. One chapter requires the Board to maintain a list of all persons excluded or ejected from a licensed facility and includes criteria for exclusion and procedures for placement on the exclusion list. The second chapter establishes provisions related to the prohibition of underage gaming.

We have determined this regulation is consistent with the statutory authority of the Board (4 Pa.C.S.A. §§ 1202(b)(30), 1207(8), 1514, 1515 and 1518(a)(13)) 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
September 20, 2007

Commissioners Voting: Arthur Coccodrilli, Chairperson;
David J. DeVries, Esq.; John F. Mizner, Esq.

*Pennsylvania Gaming Control Board—Practice
and Procedure;
Regulation No. 125-56 (#2612)*

On May 9, 2007, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Gaming Control Board. This rulemaking amends 58 Pa. Code. The proposed regulation was published in the May 19, 2007 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on August 8, 2007.

This regulation establishes general rules pertaining to the filing of pleadings and hearing procedure; provides the form requirements for documentary filings and guidance as to the calculation of time periods for filings; and provides rules for representation before the Board.

We have determined this regulation is consistent with the statutory authority of the Pennsylvania Gaming Control Board 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. 07-1851. Filed for public inspection October 5, 2007, 9:00 a.m.]

INSURANCE DEPARTMENT

Application and Request for a Certificate of Authority

SHP III East Norriton, LLC has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Brightview East Norriton in East Norriton, PA. The initial filing was received on September 21, 2007, and was made under the requirements set forth under the Continuing Care Provider Registration and Disclosure Act (40 P. S. §§ 1302—3225). Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557 or syerger@state.pa.us.

JOEL SCOTT ARIO,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-1852. Filed for public inspection October 5, 2007, 9:00 a.m.]

Application and Request for a Certificate of Authority

SHP III Manor at York Town, LLC has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at The Manor at York Town in Jamison, PA. The initial filing was received on September 21, 2007, and was made under the requirements set forth under the Continuing Care Provider Registration and Disclosure Act (40 P. S. §§ 1302—3225). Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557 or syerger@state.pa.us.

JOEL SCOTT ARIO,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-1853. Filed for public inspection October 5, 2007, 9:00 a.m.]

MILK MARKETING BOARD

Hearing and Presubmission Schedule; Milk Marketing Area No. 4

Under the Milk Marketing Law (31 P. S. §§ 700j-101—700j-1302), the Milk Marketing Board (Board) will con-

duct a public hearing for Milk Marketing Area No. 4 on November 7, 2007, at 9:30 a.m. in Room 309 of the Agriculture Building, 2301 North Cameron Street, Harrisburg, PA.

The purpose of the hearing is to receive testimony and exhibits concerning cost replacement in Milk Marketing Area No. 4. Evidence will be limited to the following: annualized processing, packaging and delivery costs; updated costs for containers, ingredients and Class II products; updated labor, utility and insurance costs based on comparisons between costs per point for the second quarters of calendar years 2006 and 2007; consideration of skim and butterfat contents of products regulated by the Board; adjustment for shrinkage, sales of bulk products and cream processing costs; in-store handling costs; and a reasonable rate of return to milk dealers and stores. In accordance with OGO A-937, evidence and testimony will be considered regarding the heating fuel adjuster in Area No. 4. In accordance with OGO A-939, evidence and testimony will be considered regarding the diesel fuel cost adjuster in Area No. 4.

The staff of the Board is deemed to be a party to this hearing, and the attorney representing staff is deemed to have entered his appearance. Other persons who wish to present evidence may be included on the Board's list of parties by: (1) having their attorney file with the Board on or before 4 p.m. on October 10, 2007, a notice of appearance substantially in the form prescribed by 1 Pa. Code § 31.25 (relating to form of notice of appearance); or (2) if unrepresented by counsel, filing with the Board on or before 4 p.m. on October 10, 2007, notification of their desire to be included as a party. Parties may indicate in their notices of appearance if alternate means of service, that is, email or fax, are acceptable.

The parties shall observe the following requirements for advance filing of witness information and exhibits:

1. By 4 p.m. on October 12, 2007, Board staff shall file with the Board, in person or by mail, one original and eight copies and ensure receipt by all other parties of one copy of:

a. A list of witnesses who will testify for the party, along with a statement of the subjects concerning which each witness will testify. A witness who will be offered as an expert shall be so identified, along with the witness's area or areas of proposed expertise. For expert witnesses, there shall also be filed a statement of the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion.

b. Each exhibit to be presented, including testimony to be offered in written form.

2. By 4 p.m. on October 26, 2007, responding parties shall file and serve as set forth in paragraph 1 information concerning rebuttal witnesses and copies of rebuttal exhibits.

3. By 4 p.m. on November 2, 2007, each party shall file and serve as set forth in paragraph 1 information concerning surrebuttal witnesses and copies of surrebuttal exhibits.

Parties that wish to offer in evidence documents on file with the Board, public documents or records in other proceedings before the Board, or who wish the Board to take official notice of facts, shall comply with, respectively, 1 Pa. Code § 35.164, § 35.165, § 35.167 or § 35.173. Whenever these rules require production of a document as an exhibit, copies shall be provided to each Board member and to all other parties; in addition, at

least 20 copies shall be available for distribution to nonparties attending the hearing.

Requests by parties for Board staff to provide data pertinent to the hearing shall be made in writing and received in the Board office by 4 p.m. on October 19, 2007.

The filing address for the Board is Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

KEITH BIERLY,
Secretary

[Pa.B. Doc. No. 07-1854. Filed for public inspection October 5, 2007, 9:00 a.m.]

Hearing and Presubmission Schedule; Milk Marketing Area No. 5

Under the Milk Marketing Law (31 P. S. §§ 700j-101—700j-1302), the Milk Marketing Board (Board) will conduct a public hearing for Milk Marketing Area No. 5 on November 7, 2007, at 10 a.m. in Room 309 of the Agriculture Building, 2301 North Cameron Street, Harrisburg, PA.

The purpose of the hearing is to receive testimony and exhibits concerning cost replacement in Milk Marketing Area No. 5. Evidence will be limited to the following: annualized processing, packaging and delivery costs; updated costs for containers, ingredients and Class II products; updated labor, utility and insurance costs based on comparisons between costs per point for the second quarters of calendar years 2006 and 2007; consideration of skim and butterfat contents of products regulated by the Board; adjustment for shrinkage, sales of bulk products and cream processing costs; in-store handling costs; and a reasonable rate of return to milk dealers and stores. In accordance with OGO A-937, evidence and testimony will be considered regarding the heating fuel adjuster in Area No. 5. In accordance with OGO A-939, evidence and testimony will be considered regarding the diesel fuel cost adjuster in Area No. 5.

The staff of the Board is deemed to be a party to this hearing, and the attorney representing staff is deemed to have entered his appearance. Other persons who wish to present evidence may be included on the Board's list of parties by: (1) having their attorney file with the Board on or before 4 p.m. on October 10, 2007, a notice of appearance substantially in the form prescribed by 1 Pa. Code § 31.25 (relating to form of notice of appearance); or (2) if unrepresented by counsel, filing with the Board on or before 4 p.m. on October 10, 2007, notification of their desire to be included as a party. Parties may indicate in their notices of appearance if alternate means of service, that is, email or fax, are acceptable.

The parties shall observe the following requirements for advance filing of witness information and exhibits:

1. By 4 p.m. on October 12, 2007, Board staff shall file with the Board, in person or by mail, one original and eight copies and ensure receipt by all other parties of one copy of:

a. A list of witnesses who will testify for the party, along with a statement of the subjects concerning which each witness will testify. A witness who will be offered as an expert shall be so identified, along with the witness's area or areas of proposed expertise. For expert witnesses,

there shall also be filed a statement of the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion.

b. Each exhibit to be presented, including testimony to be offered in written form.

2. By 4 p.m. on October 26, 2007, responding parties shall file and serve as set forth in paragraph 1 information concerning rebuttal witnesses and copies of rebuttal exhibits.

3. By 4 p.m. on November 2, 2007, each party shall file and serve as set forth in paragraph 1 information concerning surrebuttal witnesses and copies of surrebuttal exhibits.

Parties that wish to offer in evidence documents on file with the Board, public documents or records in other proceedings before the Board, or who wish the Board to take official notice of facts, shall comply with, respectively, 1 Pa. Code § 35.164, § 35.165, § 35.167 or § 35.173. Whenever these rules require production of a document as an exhibit, copies shall be provided to each Board member and to all other parties; in addition, at least 20 copies shall be available for distribution to nonparties attending the hearing.

Requests by parties for Board staff to provide data pertinent to the hearing shall be made in writing and received in the Board office by 4 p.m. on October 19, 2007.

The filing address for the Board is Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

KEITH BIERLY,
Secretary

[Pa.B. Doc. No. 07-1855. Filed for public inspection October 5, 2007, 9:00 a.m.]

PATIENT SAFETY AUTHORITY

Public Meeting

The Patient Safety Authority (Authority), established by section 303 of the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. § 1303.303), enacted on March 20, 2002, will hold a meeting of the Authority's Board on Tuesday, October 9, 2007, at 10:30 a.m. in the Wildwood Conference Center, Harrisburg Area Community College, One HAAC Drive, Harrisburg, PA.

Individuals having questions regarding this meeting, which is open to the public, should contact the Authority at (717) 346-0469.

MICHAEL C. DOERING,
Executive Director

[Pa.B. Doc. No. 07-1856. Filed for public inspection October 5, 2007, 9:00 a.m.]

**PENNSYLVANIA
INFRASTRUCTURE
INVESTMENT AUTHORITY
AND
DEPARTMENT OF
ENVIRONMENTAL
PROTECTION**

**Clean Water and Drinking Water State Revolving
Fund Programs; Public Meeting on Federal Fiscal
Year 2007 Intended Use Plans**

The Pennsylvania Infrastructure Investment Authority (PENNVEST) and the Department of Environmental Protection (Department) have prepared the Federal Fiscal Year (FY) 2007 Intended Use Plans (IUPs). These plans include a list of drinking water, wastewater treatment and pollution abatement projects to be considered for a design and engineering or construction loan from funds the Commonwealth expects to receive from the Federal FY 2007 Drinking Water State Revolving Fund (DWSRF) and Clean Water State Revolving Fund (CWSRF) programs.

In accordance with United States Environmental Protection Agency guidelines on the development of the IUPs, a public meeting has been scheduled for October 23, 2007, at 1 p.m. in the Auditorium, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. This meeting is scheduled for the purpose of receiving comments from the public regarding the Federal FY 2007 IUPs. Interested persons are invited to express their views on the narrative portion of the IUPs, the set-aside work plan or the priority rating or ranking of projects on the IUPs. Persons wishing to offer comments at the public meeting should contact the Division of Technical and Financial Assistance at the address or telephone number listed at the end of this notice or by e-mail to vbkasi@state.pa.us by 4 p.m. on October 22, 2007. Where written statements are prepared and will be submitted at the meeting, speakers will be asked to restrict the oral portion of the statement to a summary of the written comments.

The projects to be considered for a loan from the DWSRF and CWSRF programs must meet the Federal requirements for funding in accordance with the Federal Safe Drinking Water Act and Clean Water Act. Accordingly, the projects included in the IUPs are expected to meet the requirements applicable to use the DWSRF and CWSRF loan funds. Projects listed in the FY 2007 IUPs are on the Commonwealth's FY 2007/2008 Project Priority Lists (PPLs) and are expected to proceed with design and engineering or construction within the next 2 years. A project must appear on a PENNVEST-approved IUP before it can receive a loan from the SRF programs. A project's readiness to proceed and the reasonable availability of alternative funds also have a bearing on project selection for the IUPs. Consequently, the rank ordered list of projects on the PPLs does not solely dictate the order in which projects will be chosen for inclusion in an IUP.

The DWSRF will be capitalized with approximately \$26.6 million of Federal FY 2007 funds and approximately \$5.5 million of State funds. Approximately \$3.3 million of these funds will be set aside for technical assistance to small systems, operator training and certification and source water assessment and protection, as authorized under the Safe Drinking Water Act. Another \$1.1 million will be set-aside for program administration. The DWSRF IUP also includes a narrative work plan that describes how these set-aside funds will be used.

The CWSRF will be capitalized with approximately \$40.9 million of Federal funds and approximately \$8.2 million of State funds. Approximately \$1.7 million of a combination of State and Federal funds will be set aside for program administration costs.

It is not necessary to appear at the public meeting to present comments on the narrative portion of the IUPs, the set-aside work plan or the PPLs. Interested persons may also submit written comments to the Department at the address indicated as follows. Written comments will be considered equivalent to oral statements presented at the meeting. To be considered by the Department and PENNVEST, the written comments must be received by the Division of Technical and Financial Assistance by close of business, October 23, 2007.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Veronica Kasi at (717) 787-0122 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

A copy of the IUPs, the Federal FY 2007/2008 PPLs, and the DWSRF set-aside work plan may be obtained by contacting the Division of Technical and Financial Assistance at (717) 787-0122 or through the Department's website at www.depweb.state.pa.us/watersupply/cwp/view.asp?a=1263&Q=448094&watersupplyNav=|30198|

Department of Environmental Protection
Bureau of Water Standards and Facility Regulation
Division of Technical and Financial Assistance
11th Floor
Rachel Carson State Office Building
400 Market Street
Harrisburg, PA 17101
(717) 787-0122

PENNVEST
22 South Third Street
4th Floor
Keystone Building
Harrisburg, PA 17101
(717) 787-8137

PAUL K. MARCHETTI,
Executive Director
Pennsylvania Infrastructure Investment Authority
KATHLEEN A. MCGINTY,
Secretary
Department of Environmental Protection
Vice-Chairperson
Pennsylvania Infrastructure Investment Authority

[Pa.B. Doc. No. 07-1857. Filed for public inspection October 5, 2007, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by October 29, 2007. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

Applications of the following for approval to *begin operating as common carriers for transportation of persons as described under each application.*

A-00124105. Houtzdale Taxi Company (811 Good Street, Houtzdale, Clearfield County, PA 16651)—a corporation of the Commonwealth—persons upon call or demand, from points in the Townships of Gulich, Beccaria, Bigler and Woodward; and the Boroughs of Brisbin, Houtzdale, Ramey, Coalport, Irvona and Glen Hope, Clearfield County.

A-00124107. Robert L. Coon, t/a Robert L. Coon Taxi (9018 Route 949, Sigel, Jefferson County, PA 15860)—persons upon call or demand, in the City of Brookville, Jefferson County, and 20 airline miles from the borders of said city.

A-00124108. Maricee Roderick, t/a Righteous Outreach Connections (ROC) (P. O. Box 90285, Allentown, Lehigh County, PA 18109)—persons in paratransit service, from points in the Cities of Allentown, Lehigh County; Easton, Northampton County; and Bethlehem, in Lehigh and Northampton Counties, to State Correctional Institutions—Camp Hill and Graterford, and return.

A-00124109. Paul Thomas Lyons (1158 Sylvan Road, West Chester, Chester County, PA 19382)—persons, in limousine service, from points in the Counties of Chester and Delaware, to points in Pennsylvania, and return, excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

A-00124110. Larry Nelson Brought (88 Windy Way, Reedsville, Mifflin County, PA 17084)—persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the County of Mifflin to points in Pennsylvania, and return.

A-00124111. Rabindra Permesar (374 Valley Park South, Bethlehem, Northampton County, PA 18018)—persons, in limousine service, from points in the County of Northampton, to points in Pennsylvania, and return, excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

A-00124112. Tom Kenneth Juma (126 East Ettwein Street, Bethlehem, Northampton County, PA 18018)—persons, in paratransit service, between points in the County of Northampton.

Applications of the following for approval to *begin operating as contract carriers for transportation of persons as described under each application.*

A-00123974. (Corrected) A to Z Transportation Company (P. O. Box 26927, Philadelphia, Philadelphia County, PA 19134)—persons between points in the City and County of Philadelphia for the Medical Assistance Transportation Program through Logisticare Solutions, LLC.

Application of the following for *amendment to the certificate of public convenience approving the operation of motor vehicles as common carriers for transportation of persons as described under the application.*

A-00062733, F.1, AM-C. Langhorne Cab Co., Inc. (71 Durham Road, Penndel, PA 19047)—a corporation of the Commonwealth for amendment to its common carrier certificate—persons upon call or demand in the Boroughs of Langhorne, Langhorne Manor, Fenndel and Mulmeville, Newtown, and the Townships of Newtown and Middletown, Bucks County; *So As To Permit*—persons upon call or demand service, from points in Fairless Hills, Falls Township, Levittown, Makefield Township, Morrisville, Tullytown and Yardley, all within Bucks County.

Application of the following for the approval of the right and privilege to *discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under the application.*

A-00099130, F1. James Carl Cisney (835 May Post Office Road, Strasburg, Lancaster County, PA 17579), certificate of Public Convenience for the discontinuance of the right to transport, as a common carrier by motor vehicle: Persons upon call or demand in the Borough of Quarryville, Lancaster County, and within 6 airline statute miles of the limits of said Borough.

A-00102577, F2. Action Transit Enterprises, Inc. (4935 Verona Road, Verona, Allegheny County, PA 15147)—in paratransit service, children and camp counselors attending Camp Deer Creek, in the Township of Indiana, Allegheny County, from points in the County of Westmoreland to the said camp, and vice versa.

A-00102577, F4. Action Transit Enterprises, Inc. (4935 Verona Road, Verona, Allegheny County, PA 15147)—a corporation of the Commonwealth—in group and party service, using vehicles seating 15 passengers or less, including the driver, between points in the Counties of Armstrong, Beaver, Butler, Washington, Fayette and Westmoreland, and from points in the said counties, and the County of Allegheny, to points in Pennsylvania, and return.

Subject to the following conditions:

That no right, power or privilege is granted to provide service to and from the Borough of Mt. Pleasant and points on Route 931 to the Village of Carpentertown, thence by means of Township Road (Legislative Route 64145) and Township Road, through the Village of Mutual to the limits of the City of Greensburg, and points within an airline distance of 2 miles of said routes, provided, however, that service may be rendered to and from the City of Greensburg.

That no right, power or privilege is granted to provide service to or from points on U. S. Highway Route 119, and points within an airline distance of 2

statute miles of said route, between the City of Greensburg and the intersection of U. S. Highway Route 119 and State Highway Route 31, all in Westmoreland County, provided, however, that service may be rendered to and from the City of Greensburg.

That the applicant shall comply with the rules and regulations of the Commission as set forth at 52 Pa. Code §§ 29.353 and 29.354 (relating to method of operation in paratransit service and vehicle; and equipment requirements: paratransit service).

That the service authorized herein is limited to vehicles with a seating capacity of not more than 48 passengers.

A-00103841, F.1. Pocono Limousine Service, Inc. (Route 611N, P. O. Box 340, Mount Pocono, Monroe County, PA 18344), a corporation of the Commonwealth—discontinuance of service—persons, in call or demand service, in the Borough of Mount Pocono, Monroe County; to and from St. Patrick Inn located near the Borough of Mount Pocono, Monroe County; in that portion of the Township of Pocono located on Highway Route 611 north of the Pocono Gates intersection, and in the Village of Pocono Summit, Monroe County; in the Townships of Pocono and Jackson, Monroe County, excluding Pocono Manor; in the Townships of Barrett, Price and Paradise, Monroe County; and in the Village of Tobyhanna, Coolbaugh Township, Monroe County, and within an airline distance of 5 statute miles of the Post Office of the said village.

A-00104290. Mary L. Winner, t/d/b/a Winner Funeral Livery Service (1528 Country Club Lane, Williamsport, Lycoming County, PA 17701)—in luxury limousine service, between points in the Counties of Centre, Lycoming, Tioga, Sullivan, Clinton and Union and that portion of the Counties of Columbia, Montour and Northumberland lying north of the Susquehanna River, and from points in said territory, to points in Pennsylvania. *Attorney:* Barry A. Naum, 100 Pine Street, P. O. Box 1166, Harrisburg, PA 17108-1166.

A-00117050. Norma J. Alenovitz, t/d/b/a L and L Luxury Limo (HCR 01, Box 36A, Broad Top, Huntingdon County, PA 16621)—persons in limousine service, between points in the Counties of Huntingdon, Juniata, Mifflin and Fulton, and from points in said territory, to points in Pennsylvania, and return.

Public Meeting held
December 15, 2005

Commissioners Present: Wendell F. Holland, Chairperson; James H. Cawley, Vice-Chairperson; Bill Shane; Kim Pizzingrilli; Terrance J. Fitzpatrick

*Pennsylvania Public Utility Commission
v. Travel With Comfort, Inc.
A-00115561C0501; A-00115561, F.3*

Order

By the Commission

On April 7, 2005, the Bureau of Transportation and Safety instituted a complaint against Travel With Comfort, Inc., respondent, alleging that respondent operated its vehicle while under suspension for failing to maintain evidence of insurance on each of its vehicles used in providing service authorized by this Commission, a violation of 66 Pa.C.S. § 501(c); failed to have the proper name or registered insignia and the proper number of the certificate of public convenience identification markings

on each side of the vehicle, a violation of 52 Pa. Code § 29.71(a); failed to include in its advertisement, its proper name and certificate number issued by this Commission, a violation of 52 Pa. Code § 21.2; and offered service of a different nature than that authorized by this Commission, a violation of 66 Pa.C.S. § 1102(a)(1)(i).

Respondent was duly notified that, if it failed to file an answer which admitted or failed to deny the allegations in the complaint, then the Bureau of Transportation and Safety would request the Commission to enter an order imposing a fine. The complaint and notice were sent by certified mail and returned "Unknown" on April 19, 2005. The complaint and notice were then published in the *Pennsylvania Bulletin* on September 24, 2005; and, to date, more than thirty days later, no response has been received by respondent.

Respondent's certificate of public convenience at Docket No. A-00115561, F.3 was cancelled on May 25, 2005, for failure to maintain evidence of bodily injury and property damage insurance on file with this Commission.

Therefore, It Is Ordered:

1. That the allegations in the complaint are deemed to be admitted.
2. That the complaint is sustained.
3. That the respondent, within 20 days from the date of service of this order, pay a fine of \$1,350, by certified check or money order payable to the Pennsylvania Public Utility Commission at P. O. Box 3265, Harrisburg, PA 17105-3265, as provided in the Public Utility Code, 66 Pa.C.S. § 3301 and 3315.
4. That the respondent cease and desist from further violations of the Public Utility Code, 66 Pa.C.S. §§ 101, et seq., and the Regulations of this Commission, 52 Pa. Code §§ 1.1, et seq.

By the Commission

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 07-1858. Filed for public inspection October 5, 2007, 9:00 a.m.]

STATE BOARD OF COSMETOLOGY

Bureau of Professional and Occupational Affairs v. Nichole Lynn Kuhn; Doc. No. 1652-45-2007

On July 30, 2007, Nichole Lynn Kuhn, license no. CM-015817-L, last known of Chambersburg, Franklin County had her cosmetology license suspended for non-payment of a civil penalty issued by the State Board of Cosmetology (Board).

Individuals may obtain a copy of the adjudication by writing to C. William Fritz, II, Board Counsel, State Board of Cosmetology, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represents the final Board decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must

serve the Board with a copy of their petition for review. The Board contact for receiving service of the appeals is the previously named Board counsel.

SUSAN E. RINEER,
Chairperson

[Pa.B. Doc. No. 07-1859. Filed for public inspection October 5, 2007, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Public Hearing and Meeting

The Susquehanna River Basin Commission (Commission) will hold a regular business meeting on September 12, 2007, in Binghamton, NY, the Commission: 1) convened a panel session on New York State's involvement in the Chesapeake Bay Program; 2) approved a proposed rule making action to amend the consumptive use provisions of 18 CFR Part 806 relating to agricultural water use; and 3) approved a grant and four contracts. It also conducted a public hearing to approve certain water resources projects and rescind one docket approval. See the Supplementary Information section for more details on these actions.

For further information contact Richard A. Cairo, General Counsel, (717) 238-0423, Ext. 306, fax (717) 238-2436, rcairo@srbc.net or Deborah J. Dickey, Secretary to the Commission, (717) 238-0422, Ext. 301, fax (717) 238-2436, dddickey@srbc.net. Regular mail inquiries may be sent to Susquehanna River Basin Commission, 1721 North Front Street, Harrisburg, PA 17102-2391.

Supplementary information the September 12th agenda included a panel session focusing on New York State's involvement in the Chesapeake Bay Program and the active steps that NY is taking to participate in the effort to restore the Chesapeake Bay, including the implementation of a tributary strategy and other measures, as sewage treatment plant improvements, improved farming practices and constructed wetlands.

In regards to the proposed rule making action to amend the agricultural consumptive use provisions of 18 CFR Part 806 (relating to review and approval of projects), notice thereof will be published in the *Federal Register* and in state notice publications. In addition, a public hearing will be scheduled and the public comment period will run until November 15, 2007. Comments may be submitted to Richard A. Cairo, General Counsel, rcairo@srbc.net, Susquehanna River Basin Commission, 1721 North Front Street, Harrisburg, PA 17102, or Deborah J. Dickey, Secretary to the Commission, dddickey@srbc.net or the previous address.

The Commission also convened a public hearing and took the following actions:

Public Hearing—Projects Approved

1. Project Sponsor and Facility: Town of Erwin (Wells 2 and 3, and ID Park Well 1), Steuben County, NY. Modification of groundwater approval (Doc. No. 20070602).

2. Project Sponsor: South Slope Development Corporation. Project Facility: Song Mountain Ski Resort, Town of

Preble, Cortland County, NY. Approval for surface water withdrawal of up to 3.705 mgd, when available, from an unnamed tributary to Crooked Lake, groundwater withdrawal (Well MW-3) of 0.960 mgd as a 30-day average, and consumptive water use of up to 0.815 mgd.

3. Project Sponsor: AES Westover, LLC. Project Facility: AES Westover Generating Station, Town of Union and Village of Johnson City, Broome County, NY. Approval for surface water withdrawal of up to 97.300 mgd from the Susquehanna River and consumptive water use of up to 1.748 mgd.

4. Project Sponsor and Facility: Town of Cohocton (Well 3), Steuben County, NY. Approval of groundwater withdrawal of 0.072 mgd as a 30-day average.

5. Project Sponsor: Northampton Fuel Supply Company, Inc. Project Facility: Loomis Bank Operation, Hanover Township, Luzerne County, PA. Modification of consumptive water use approval (Doc. No. 20040904).

6. Project Sponsor: PPL Susquehanna, LLC. Project Facility: Susquehanna Steam Electric Station, Salem Township, Luzerne County, PA. Approval for groundwater withdrawal of 0.125 mgd as a 30-day average, surface water withdrawal of up to 66.000 mgd from the Susquehanna River, modification of a consumptive water use approval of up to 48.000 mgd, and acceptance of a settlement offer from the Project Sponsor in the amount of \$500,000 to resolve a compliance issue at the Project Facility (Doc. No. 19950301).

7. Project Sponsor: Bionol Clearfield, LLC. Project Facility: Bionol-Clearfield, Clearfield Borough, Clearfield County, PA. Approval for surface water withdrawal of up to 2.505 mgd from the West Branch Susquehanna River and consumptive water use of up to 2.000 mgd.

8. Project Sponsor and Facility: Walker Township Water Association (Snydertown Well 3), Walker Township, Centre County, PA. Approval for groundwater withdrawal of 0.523 mgd as a 30-day average.

9. Project Sponsor and Facility: Bedford Township Municipal Authority (Bowman Wells 1 and 2), Bedford Township, Bedford County, PA. Modification of groundwater withdrawal approval (Doc. No. 19990502).

10. Project Sponsor and Facility: Dillsburg Area Authority (Well 7), Carroll Township, York County, PA. Approval for groundwater withdrawal of 0.460 mgd as a 30-day average.

11. Project Sponsor: PPL Brunner Island, LLC. Project Facility: Brunner Island Steam Electric Station, East Manchester Township, York County, PA. Approval for surface water withdrawal of up to 835.000 mgd from the Susquehanna River and consumptive water use of up to 23.100 mgd.

Public Hearing—Project Rescinded:

1. Project Sponsor: Northampton Fuel Supply Company, Inc. (Docket No. 20040903). Project Facility: Prospect Bank Operation, Plains Township, Luzerne County, PA.

Authority: Pub. L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808. Dated: September 19, 2007.

PAUL O. SWARTZ,
Executive Director

[Pa.B. Doc. No. 07-1860. Filed for public inspection October 5, 2007, 9:00 a.m.]

