

NOTICES

DEPARTMENT OF AGRICULTURE

Interstate Quarantine Order; Equine Piroplasmiasis

Recitals

A. Equine Piroplasmiasis (Babesiosis) is a tick-borne disease that affects equine animals, including horses, donkeys, mules and zebras. The etiologic agents of equine piroplasmiasis are *Babesia caballi* and *Theileria equi* (also known as *Babesia equi*), protozoan parasites which can be transmitted to equine animals by certain tick species. The parasites can also be transmitted by the transfer of blood from infected equine animals through transfusions and shared needles. There is also evidence of vertical transmission. Infected equine animals can remain carriers of the disease agent for extended periods and can act as the source of disease for other equine animals.

B. Infected horses cannot be effectively treated for Equine Piroplasmiasis to remove the carrier status.

C. Equine Piroplasmiasis (Babesiosis) is designated a "dangerous transmissible disease" of animals under 3 Pa.C.S. § 2321(a)(7) (relating to dangerous transmissible diseases).

D. The Department of Agriculture (Department) has broad authority under 3 Pa.C.S. §§ 2301—2389 (relating to Domestic Animal Law) to regulate the keeping and handling of domestic animals to exclude, contain or eliminate dangerous transmissible diseases. This includes the authority in 3 Pa.C.S. § 2329 (relating to quarantine) to issue the interstate quarantine order as follows.

E. Equine Piroplasmiasis has been shown to exist in Texas, and appears to be spreading through natural transmission. The transporting of infected animals from Texas could spread the disease among susceptible domestic animals in this Commonwealth.

F. The Department issued a previous interstate quarantine, establishing a quarantine with respect to the State of Texas and imposing restrictions and testing requirements with respect to equine animals that resided in Texas for a cumulative total of 30 days or more within the 6 months preceding the date of entry into this Commonwealth.

G. Since the establishment of the interstate quarantine described in the preceding paragraph, Equine Piroplasmiasis has also been identified in horses in New Mexico. No epidemiological link between the New Mexico cases and Texas animals has been reported. Since the transporting of infected animals from New Mexico could spread the disease among susceptible domestic animals in this Commonwealth, it is necessary to expand the scope of the interstate quarantine order to include New Mexico.

H. The requirements of this interstate quarantine order are reasonable and relatively nonintrusive quarantine restrictions intended to prevent Equine Piroplasmiasis from entering this Commonwealth.

Order

The Department enters an interstate quarantine order with respect to Equine Piroplasmiasis, incorporating the foregoing recitals into this order. This order is entered under authority of 3 Pa.C.S. § 2329 and establishes the following restrictions and conditions:

1. Confirmation of Quarantine; Addition of the State of New Mexico to the Quarantined Area.

a. The Interstate Quarantine established by previous Interstate Quarantine Order of December 20, 2009 (Order of December 20, 2009, published at 40 Pa.B. 30) with respect to the State of Texas remains in effect, subject to the conditions set forth in this Order.

b. An interstate quarantine is hereby established with respect to the State of New Mexico, effective immediately. New Mexico is part of the quarantined area, and is subject to the conditions set forth in this Order.

2. Conditions of Quarantine.

a. If an equine animal has resided in Texas or New Mexico for a cumulative total of 30 days or more within the 6 months preceding the date of entry into this Commonwealth, that animal must be test-negative for *Babesia caballi* and *Theileria equi* (also known as *Babesia equi*) on a competitive enzyme-linked immunosorbent assay (c-ELISA) test, or a Department-approved equivalent test, with the test occurring within the 30 days preceding entry into this Commonwealth. This requirement shall not be applicable to an equine animal that is being transported through this Commonwealth to another state, and that is not offloaded or commingled with other equine animals while within this Commonwealth.

b. The written laboratory test report, confirming compliance with the requirement described in the preceding paragraph, shall accompany the equine animal in transit to a destination within this Commonwealth; and the date of test and the test results shall be written on the Certificate of Veterinary Inspection.

3. *Other Import Requirements.* The test requirement described in this Order is in addition to all other Commonwealth import requirements applicable to equine animals.

4. *Effective Date.* This order shall take effect as of July 1, 2010; and shall remain in effect until rescinded or modified by subsequent Order.

RUSSELL C. REDDING,
Secretary

[Pa.B. Doc. No. 10-1279. Filed for public inspection July 16, 2010, 9:00 a.m.]

DEPARTMENT OF BANKING

Actions on Applications

The Department of Banking (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending June 29, 2010.

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

BANKING INSTITUTIONS

Interim Incorporations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
6-24-2010	Bryn Mawr Interim Bank Bryn Mawr Montgomery County	Effective

The purpose of Bryn Mawr Interim Bank, Bryn Mawr, is to facilitate the proposed merger of First Keystone Bank, Media, with and into The Bryn Mawr Trust Company, Bryn Mawr.

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
6-23-2010	New Century Bank Phoenixville Chester County	1015 Penn Avenue Wyomissing Bucks County	Filed

Branch Consolidations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
3-26-2010	Parkvale Savings Bank Monroeville Allegheny County	<i>Into:</i> 307 Fourth Avenue Pittsburgh Allegheny County <i>From:</i> 200 Fifth Avenue Pittsburgh Allegheny County	Effective

Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
6-23-2010	Susquehanna Bank Lititz Lancaster County	275 Clifton Boulevard Westminster Carroll County, MD	Filed

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

Community Charter Conversions

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
6-24-2010	Moonlight Credit Union Worthington Armstrong County	Filed

The credit union proposes to amend Article 8 of its Articles of Incorporation to provide the following field of membership: "All people who live, work, worship, attend school in, and businesses and other legal entities in the County of Armstrong, Commonwealth of Pa."

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

STEVEN KAPLAN,
Secretary

[Pa.B. Doc. No. 10-1280. Filed for public inspection July 16, 2010, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Conservation and Natural Resources Advisory Council Meeting

The Conservation and Natural Resources Advisory Council to the Department of Conservation and Natural Resources (Department) will hold a meeting on Wednesday, July 28, 2010, at 10 a.m. in Room 105, Lobby Level, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning this meeting or agenda items can be directed to Kurt Leitholf at (717) 705-0031.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Joan Dupes directly at (717) 705-0031 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

JOHN QUIGLEY,
Secretary

[Pa.B. Doc. No. 10-1281. Filed for public inspection July 16, 2010, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Application of Jerome K. Hasson for Reinstatement of Teaching Certificates; Doc. No. RE-10-01

Notice of Opportunity for Hearing and Invitation to Protest

Under the Professional Educator Discipline Act (act) (24 P. S. §§ 2070.1—2070.18a), the Professional Standards

and Practices Commission (Commission) will consider the application of Jerome K. Hasson for reinstatement of his teaching certificates.

Jerome K. Hasson filed an application for reinstatement of his teaching certificates under section 16 of the act (24 P. S. § 2070.16), 1 Pa. Code §§ 35.1 and 35.2 (relating to applications) and 22 Pa. Code § 233.14 (relating to reinstatements). Under section 16 of the act, the Department of Education on June 21, 2010, does not support reinstatement.

In accordance with the act, 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and 22 Pa. Code § 233.14(d) (relating to waiver of hearing), the Commission will act upon the application without hearing, unless within 30 days after the publication of this notice a written request for public hearing is filed with the Commission, along with a notice of intervention, a petition to intervene or protest in accordance with 1 Pa. Code §§ 35.23 and 35.24 (relating to protests) or 1 Pa. Code §§ 35.27—35.32 (relating to intervention).

Petitions to intervene, protests and requests for hearing shall be filed with Carolyn Angelo, Executive Director of the Professional Standards and Practices Commission, at 333 Market Street, Harrisburg, PA 17126-0333, on or before 4 p.m. on the due date prescribed by this notice.

Persons with a disability who wish to attend the hearing, if held, and require an auxiliary aid, service or other accommodation to participate, should contact Suzanne Markowicz at (717) 787-6576 to discuss how the Commission may best accommodate their needs.

THOMAS E. GLUCK,
Acting Secretary

[Pa.B. Doc. No. 10-1282. Filed for public inspection July 16, 2010, 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

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
Section VI	NPDES	Individual permit stormwater construction
Section VII	NPDES	NOI for coverage under NPDES general permits

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

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

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

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

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

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

I. NPDES Renewal Applications

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

PA0020168, Sewage, SIC Code 4941, 4952, **East Stroudsburg Borough**, P. O. Box 303, East Stroudsburg, PA 18301-0303. Facility Name: East Stroudsburg Borough. This existing facility is located in East Stroudsburg Borough, **Monroe County**.

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

The receiving stream(s), Brodhead, is located in State Water Plan watershed 01E and is classified for CWF, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 2.25 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly Report</i>	<i>Weekly Average Report Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	XXX	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	1.0	XXX	2.3
COD ₅	469	751	XXX	25	40	50
Total Suspended Solids	563	844	XXX	30	45	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geometric Mean	XXX	XXX
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geometric Mean	XXX	XXX
Ammonia-Nitrogen						
May 1 - Oct 31	178	XXX	XXX	9.5	XXX	XXX

The proposed effluent limits for Outfall 002 are based on stormwater.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
CBOD ₅	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Total Iron	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 003 are based on stormwater.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
CBOD ₅	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Total Iron	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 004 are based on stormwater.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
CBOD ₅	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Total Iron	XXX	XXX	XXX	XXX	Report	XXX

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

- Stormwater, WETT.

You may make an appointment to review the Department of Environmental Protection's files on this case by calling the File Review Coordinator at 570-826-5472.

The EPA waiver is not in effect.

PA0062898, Industrial Waste, SIC Code 4941, **PA American Water Co.**, 100 North Pennsylvania Avenue, Wilkes-Barre, PA 18701-1397. Facility Name: PA American Water Watres WTP. This existing facility is located in Plains Township, **Luzerne County**.

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

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

The proposed effluent limits for Outfall 001 (Deep Creek) are based on a design flow of 0.034 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
Duration of Discharge (minutes)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX		9.0
Total Residual Chlorine	XXX	XXX	XXX	0.38	0.57	XXX

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Total Suspended Solids	XXX	XXX	XXX	30		60
Total Aluminum	0.5	0.8	XXX	1.02	1.6	2.0
Total Barium	XXX	XXX	XXX	Report	Report	XXX
Total Iron	XXX	XXX	XXX	2.0	4.0	XXX
Total Manganese	XXX	XXX	XXX	1.0	2.0	XXX
Total Zinc	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 002 (Stormwater only, to Mill Creek) are based on a design flow of 0.336 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
CBOD ₅	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Total Iron	XXX	XXX	XXX	XXX	Report	XXX

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

- The Outfall 001 discharge is for emergency use only, with reporting requirements and effluent sampling frequencies modified to address intermittent discharge scenarios.
- Stormwater conditions have been added to address the plant's stormwater Outfall 002

You may make an appointment to review the Department of Environmental Protection's files on this case by calling the File Review Coordinator at 570-826-5472.

The EPA waiver is in effect.

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0087718 (IW)	Crystal Spring Hardwoods P. O. Box 34 Crystal Spring, PA 15536	Fulton County Brush Creek Township	Little Brush Creek 11-C	Y
PA0022250 (Sew)	Biglerville Borough Authority 33 Musselman Avenue Biglerville, PA 17307	Adams County Butler Township	UNT of Conewago Creek 7-F	Y
PA0088781 (IW—Transfer)	Calpine Mid Merit, LLC 717 Texas Avenue Suite 1000 Houston, TX 77002	York County Peach Bottom Township	Susquehanna River 7-I	Y
PA0030511 (Sew)	Bermudian Springs School District 7335 Carlisle Pike York Springs, PA 17372-0501	Adams County Huntington Township	UNT to Mud Run 7-F	Y
PA0036790 (Sew)	Paradise Mobile Home Park, Inc. 101 Pfautz Road Duncannon, PA 17020	Perry County Wheatfield Township	UNT to Dark Run 7-A	Y
PA0088234 (CAFO)	Franklin Family Farms, Inc. Acorn Farms, Inc. 14627 Lurgan Road Orrstown, PA 17244	Franklin County Lurgan Township	UNT to Paxton Run 7-B	Y
PA0080195 (IW)	Anvil International 1411 Lancaster Avenue Columbia, PA 17512-1939	Lancaster County Columbia Borough	UNT to Shawnee Run 7-G	Y

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0088439 (Sew)	Lee E. Mummau 14192 Day Avenue Mount Airy, MD 21771-4635	Fulton County Licking Creek Township	Sindeldecker Branch 13-B	Y
<i>Northcentral Regional Office: Water Management Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448. Phone: 570-327-0532.</i>				
<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>
PA0209147 (Sewage)	Centre Hall Potter Sewer System 2940 Penns Valley Pike Centre Hall, PA 16828-0497	Centre County Potter Township	Unnamed Tributary to Sinking Creek 6-A	Y
PA0113433 (Sewage)	Fetterman SFTF 2074 Old Reading Road Catawissa, PA 17820	Columbia County Roaring Creek Township	Unnamed Tributary of Roaring Creek 5-E	Y
PA0014575 (Industrial Waste)	Jersey Shore Area Joint Water Authority Water Company Road Off Route 973e Jersey Shore, PA 17740-5046	Lycoming County Anthony Township	Larrys Creek 10-A	Y
PA0014567 (Industrial Waste)	Jersey Shore Area Joint Water Authority Route 973 Jersey Shore, PA 17740-5046	Clinton County Pine Creek Township	Pine Creek 9-A	Y
PA0112585 (Sewage)	Wagon Wheel Apartments Wastewater Treatment Plant R. R. 2 Box 291 Ulster, PA 18850	Bradford County Ulster Township	Toad Hollow 4-B	Y
PA0209031 (Sewage)	Loganton Borough Authority Wastewater Treatment Plant P. O. Box 203 Loganton, PA 17747-0203	Clinton County Loganton Borough	Fishing Creek 9-C	Y
PA0228931 (Sewage)	Kathy Weaver and Robert Martin SFTF 2495 Valley View Road Bellefonte, PA 16823	Centre County Benner Township	Unnamed Tributary of Buffalo Run 9-C	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0239585	Lawrence J. Adams 125 Wallace Road Portersville, PA 16051	Butler County Muddy creek Township	Unnamed Tributary to Big Run 20-C	Y
PA0002461	Dresser, Inc., d/b/a Dresser Piping Specialties, Inc. 41 Fisher Avenue Bradford, PA 16701-1649	McKean County City of Bradford	Tunungwant Creek 16-C	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.

PA0244040, Sewage, SIC Code 4952, **Shelly Square LP**, 528 Main Street, Harleysville, PA 19610. Facility Name: Shelly Rd Development. This existing facility is located in Upper Salford Township, **Montgomery County**.

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

The receiving stream(s), East Branch Perkiomen Creek, is located in State Water Plan watershed 3-E and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on flow of 12,446 GPD.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	Report	Report			
pH (S.U.)			6.0 Instantaneous Minimum		9.0
Dissolved Oxygen			6.0		
CBOD ₅				15	30
Total Suspended Solids				15	30
Total Dissolved Solids				Report	
Oil and Grease				Report	
Fecal Coliform (CFU/100 ml)				200	1,000
Total Nitrogen				Report	
Ammonia-Nitrogen				1.5	3.0
Total Phosphorus				0.5	1.0

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

- Notification of operator.
- Once per week monitoring.
- Abandon of STP.
- Public Nuisance.
- No stormwater.
- Property Rights.
- Change of ownership.
- Sludge disposal.
- TMDL/WLA Analysis.
- UV—disinfection system.
- Laboratory Certification.
- Fecal Coliform IMAX reporting.

You may make an appointment to review the Department of Environmental Protection’s files on this case by calling the File Review Coordinator at 484-250-5910.

The EPA waiver is in effect.

PA0057657, Sewage, **Kendal-Crosslands Communities**, P. O. Box 100, Kennett Square, PA 19348. This proposed facility is located in Kennett Township, **Chester County**.

Description of Proposed Activity: This application is for renewal of an NPDES permit for an existing discharge of treated sewage from Kendal-Crosslands sewage treatment plant. The discharge is authorized only during the period of November 1 through April 30, and the permittee is expected to maximize the use of spray irrigation for disposal of the treated wastewater in accordance with existing Water Quality Management permits.

The receiving stream, Bennetts Run, is in the State Water Plan watershed 3H and is classified for: WWF and MF.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.125 mgd:

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		<i>Instantaneous Maximum (mg/l)</i>
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	
CBOD ₅	21		20		40
Total Suspended Solids	10		10		20
Ammonia-Nitrogen	2.1		2.0		4.0
Total Phosphorus	2.1		2.0		4.0
Fecal Coliform			200/100 ml		1,000/100 ml
Dissolved Oxygen			5.0 (Minimum)		
pH (Std. Units)			6.0 (Minimum)		9.0
Total Residual Chlorine			0.1		0.2
Copper, Total	0.013	0.025	0.012	0.024	0.03
Zinc, Total	0.08	0.17	0.08	0.16	0.2

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

1. Notification of Designation of Operator.
2. Abandon STP when Municipal Sewers Available.
3. Remedial Measures if Unsatisfactory Effluent.

4. No Stormwater.
5. Acquire Necessary Property Rights.
6. Change of Ownership.
7. Total Residual Chlorine Requirement.
8. Sludge Disposal Requirement.
9. I-Max Requirements.
10. Laboratory Certification.
11. Fecal Coliform I-Max Reporting.
12. Discharge Authorized Only November 1 to April 30.

PA0052230, Sewage, SIC Code 4952, **Spring Hill Farm WWTF Association**, P. O. Box 756, Chadds Ford, PA 19317. Facility Name: Spring Hill Farm STP. This existing facility is located in Chadds Ford Township, **Delaware County**.

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

The receiving stream(s), Unnamed Tributary to Webb Creek, is located in State Water Plan watershed 3-G and is classified for Trout Stocking and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.1 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instantaneous Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.06	XXX	0.14
CBOD ₅	21	XXX	XXX	25	XXX	50
Total Suspended Solids	25	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	1,000
Ammonia-Nitrogen (MGD)						
May 1 - Oct 31	1.7	XXX	XXX	2.0	XXX	4.0
Ammonia-Nitrogen						
Nov 1 - Apr 30	5.0	XXX	XXX	6.0	XXX	12.0
Total Phosphorus (Interim)	XXX	XXX	XXX	Report	XXX	Report
Total Phosphorus						
May 1 - Oct 31 (Final)	0.8	XXX	XXX	1.0	XXX	2.0
Nov 1 - May 31 (Final)	1.7	XXX	XXX	2.0	XXX	4.0

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

1. Operator Notification.
2. Abandon STP when Municipal Sewers Available.
3. Remedial Measures if Unsatisfactory Effluent.
4. No Stormwater.
5. Acquire Necessary Property Rights.
6. Small Stream Discharge.
7. Change of Ownership.
8. Chlorine Minimization Plan.
9. Proper Sludge Disposal.
10. TMDL/WLA Requirement.
11. Laboratory Certification.
12. Fecal Coliform Reporting.

You may make an appointment to review the Department of Environmental Protection's files on this case by calling the File Review Coordinator at 484-250-5910.

The EPA waiver is in effect.

PA0057967, Industrial Waste, SIC Code 2066, **RAF Pennsburg, LP**, 165 Township Line Road, Suite 100, Jenkintown, PA 19046-3546. Facility Name: RAF Pennsburg Plant. This existing facility is located in Upper Hanover Township, **Montgomery County**.

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

The receiving stream(s), Macoby Creek Branch, is located in State Water Plan watershed 3-E and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.020 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Instantaneous Minimum	Average Monthly	Daily Maximum	Instantaneous Maximum
Flow (MGD)	Report	Report				
pH (S.U.)			6.0			9.0
Dissolved Oxygen			5.0			
Color (Pt-Co Units)						100
CBOD ₅	4.0	8.0		25	50	62
Total Suspended Solids	3.5	7.0		20	40	50
Total Dissolved Solids	167	334		1,000	2,000	2,500
Oil and Grease				15	30	30
Fecal Coliform					200	1,000
					Geometric Mean	
Ammonia-Nitrogen	0.35	0.70		2.0	4.0	5.0
Total Phosphorus	0.35	0.70		2.0	4.0	5.0
Chromium, Total				Report		
Cadmium, Total				Report		
Copper, Total				Report		
Manganese, Total				Report		
Chromium, Hex				Report		
Chromium, Trivalent				Report		
Nickel, Total				Report		

The proposed effluent limits for Outfalls 002—005 are based on average storm event are as follows:

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Instantaneous Minimum	Average Monthly	Daily Maximum	Instantaneous Maximum
pH (S.U.)					Report	
CBOD ₅					Report	
Chemical Oxygen Demand					Report	
Total Suspended Solids					Report	
Oil and Grease					Report	
Total Kjeldahl Nitrogen					Report	
Total Phosphorus					Report	
Total Iron					Report	

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

- 13. Storm Water Management Practices.
- 14. Approved Test Methods.

You may make an appointment to review the Department of Environmental Protection's files on this case by calling the File Review Coordinator at 484.250.5910.

The EPA waiver is in effect.

NPDES PUBLIC NOTICE

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

Northcentral Regional Office: Regional Water Management Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, Telephone: 570-327-0532.

PA0034576, Sewage, SIC Code 4952, **Towanda Borough Municipal Authority Bradford County**, 724 Main Street, Towanda, PA 18848-1616. Facility Name: Towanda Municipal Authority. This existing facility is located in Towanda Borough, **Bradford County**.

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

The receiving stream(s), Susquehanna River, is located in State Water Plan watershed 4-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.16 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instantaneous Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Maximum				
pH (S.U.)			6.0			9.0
CBOD ₅	242	387		25	40	50
Total Suspended Solids	290	435		30	45	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30				200		
				Geometric Mean		
Oct 1 - Apr 30				2,000		
				Geometric Mean		
UV Intensity (%)			Report			
Total Copper					Report Daily Maximum	

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

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>	
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>
Ammonia-N	Report	Report		Report	
Kjeldahl-N	Report			Report	
Nitrate-Nitrite as N	Report			Report	
Total Nitrogen	Report	Report		Report	
Total Phosphorus	Report	Report		Report	
Net Total Nitrogen (Interim)	Report	Report		Report	
Net Total Nitrogen (Final)	Report	21,187			
Net Total Phosphorus (Interim)	Report	Report			
Net Total Phosphorus (Final)	Report	2,825			

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

- I. Compliance schedule for PART A I.
- II. Chesapeake Bay Nutrient Requirements.
- III. Other Requirements.
 - A. Requires the permittee to acquire easements to maintain and operate the sanitary sewers.
 - B. The right to require operation and/or construction changes, when necessary, to produce an acceptable discharge.
 - C. Requires proper disposal of sludge.
 - D. Requires no direct discharge of storm water to the sanitary sewers.
 - E. Requires whole effluent toxicity test submission with next renewal application.
- IV. Stormwater Requirements.
- V. Requires management and reporting of biosolids within the treatment process.

You may make an appointment to review the Department of Environmental Protection's files on this case by calling the File Review Coordinator at 570-327-3693.

The EPA waiver is not in effect.

PA0037966, Sewage 4952, **Moshannon Valley Joint Sewer Authority**, 829 North 9th Street, Philipsburg, PA 16866. This proposed facility is located in Rush Township, **Centre County**.

Description of Proposed Activity: Renewal of NPDES permit for POTW.

The receiving stream, Moshannon Creek, is in the State Water Plan watershed 8D and is classified for TSF. The nearest downstream public water supply intake for PA American Water is located on West Branch Susquehanna River and is 160 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.732 MGD

<i>Parameter</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>
Flow MGD				
CBOD ₅	25	40	50	50
TSS	30	45	60	60
TRC	1.0			2.3
Fecal Coliforms 5/1 - 9/30	200 colonies/100 ml as a Geometric Mean, and not greater than 1,000 colonies/100 ml in more than 10% of the samples tested			
(10/1 - 4/30)	(2000 #/100 ml Geometric Mean)			
pH (S.U.)	6.0 to 9.0 at all times			

Bay Limits

<i>Parameter</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>
Ammonia-N	Report			
Kjeldahl-N	Report			
Nitrite/Nitrate-N	Report			
Total Nitrogen	Report			
Total Phosphorus	Report			

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

- Chesapeake Bay Schedule.
- Chesapeake Bay Nutrient Requirements.
- Solids Management.

The EPA waiver is not in effect.

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

PA0003255, Industrial Waste, SIC, **Latrobe Specialty Steel**, 2626 South Ligonier Street, Latrobe, PA 15650-0031. This application is for renewal of an NPDES permit to discharge cooling water and storm water from steel mill in Latrobe Borough, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, Sulfur Run and Loyalhanna Creek, classified as cold water fisheries with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is Buffalo Township Municipal Authority, located at Freeport, 35 miles below the discharge point.

Outfall 001: existing discharge, design flow of 0.0035 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	Monitor and Report				
Temperature (° F)				110	
TRC			0.5	1.0	
Aluminum	0.05	0.10	0.75	1.5	
Iron	0.09	0.18	1.5	3.0	
Manganese	0.06	0.12	1.0	2.0	
pH (S.U.)	not less than 6.0 nor greater than 9.0				

Outfall 002: existing stormwater discharge.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	Monitor and Report				
Aluminum	7.70	15.4	0.75	1.5	
Iron	22.2	44.4	2.16	4.32	
Manganese	10.3	20.6	1.0	2.0	
TSS	Monitor and Report				

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
BOD ₅			Monitor and Report		
Zinc			Monitor and Report		
Fluoride			Monitor and Report		
Molybdenum			Monitor and Report		
pH (S.U.)	not less than 6.0 nor greater than 9.0				

Outfall 003: existing stormwater discharge.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Discharge from Outfall 003 shall consist of uncontaminated stormwater runoff.					

Outfall 004: existing discharge, design flow of 0.00733 MGD.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (MGD)	Monitor and Report				
Temperature (° F)	110				
TRC	0.5				
Aluminum	0.31	0.62	0.75	1.5	
Iron	1.14	2.28	1.5	3.0	
Manganese	0.42	0.84	1.0	2.0	
pH (S.U.)	not less than 6.0 nor greater than 9.0				

Outfall 006: existing discharges.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (MGD)	Monitor and Report				
Aluminum	0.01	0.02	0.75	1.5	
Iron	0.02	0.04	1.5	3.0	
Manganese	0.01	0.02	1.0	2.0	
Molybdenum	Monitor and Report				
pH (S.U.)	not less than 6.0 nor greater than 9.0				

Outfall 007: storm water runoff.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (MGD)	Monitor and Report				
Total Suspended Solids			30	60	
Total Residual Chlorine			1.4	3.28	
Aluminum	9.83	19.7	0.75	1.5	
Iron	19.7	39.4	1.5	3.0	
Manganese	13.1	26.2	1.0	2.0	
BOD ₅	Monitor and Report				
C-BOD	Monitor and Report				
Barium	Monitor and Report				
Boron	Monitor and Report				
Chromium III	Monitor and Report				
Molybdenum	Monitor and Report				
pH (S.U.)	Monitor and Report				

The EPA waiver is in effect.

PA0098531, Sewage, **Chesla Investment Group, LLC**, 2114 Nicholas Lane, Greensburg, PA 15601. This application is for renewal of an NPDES permit to discharge treated sewage from Green Hills MHP STP in Hempfield Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Unnamed Tributary of Little Sewickley Creek, which are classified as a trout stock fishery 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 McKeesport Municipal Water Authority.

Outfall 001: existing discharge, design flow of 0.03 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	10			20
Suspended Solids	25			50
Ammonia Nitrogen				
May 1 to Oct 31	2.5			5.0
Nov 1 to Apr 30	7.5			15.0
Fecal Coliform				
May 1 to Sep 30	200/100 ml as a Geometric Mean			
Oct 1 to Apr 30	2,000/100 ml as a Geometric Mean			
Total Residual Chlorine	0.2			0.45
Dissolved Oxygen	not less than 6.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0035882, Sewage, **S-2 Properties**, P. O. Box 24509, Pittsburgh, PA 15234. This application is for renewal of an NPDES permit to discharge treated sewage from Placid Manor Mobile Home Park STP in Hempfield Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Unnamed Tributary of Little Sewickley Creek, which are classified as a trout stock fishery 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 0.015 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
May 1 to Oct 31	2.6			5.2
Nov 1 to Apr 30	5.0			10.0
Fecal Coliform				
May 1 to Sep 30	200/100 ml as a Geometric Mean			
Oct 1 to Apr 30	2,000/100 ml as a Geometric Mean			
Total Residual Chlorine	0.06			0.15
Dissolved Oxygen	not less than 6.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0218456, Sewage, **Elaine L. and Dale R. Wright**, 432 Lakeview Drive, New Brighton, PA 15066-4123. Facility Name: Wright Single Residence STP. This existing facility is located in New Sewickley Township, **Beaver County**.

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

The receiving stream(s), Brush Creek, is located in State Water Plan watershed 20-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instantaneous Maximum
Flow (MGD)	0.0004	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	Report	XXX	XXX

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instantaneous Maximum
CBOD ₅	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geometric Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geometric Mean	XXX	10,000

You may make an appointment to review the Department of Environmental Protection's files on this case by calling the File Review Coordinator at 412-442-4000.

The EPA waiver is in effect.

PA0254266, Sewerage, **Family Guidance, Inc.**, 307 Duff Road, Sewickley, PA 15143. This application is for issuance of an NPDES permit to discharge treated sewage from Promise Camp STP, in Hanover Township, **Beaver County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Unnamed Tributary to Little Traverse Creek, which are classified as a warm water fishery 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 Village Inn.

Outfall 001: new discharge, design flow of 0.0075 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
May 1 to Oct 31	2.6			5.2
Nov 1 to Apr 30	8.5			17.0
Fecal Coliform				
May 1 to Sep 30	200/100 ml as a Geometric Mean			
Oct 1 to Apr 30	2,000/100 ml as a Geometric Mean			
Total Residual Chlorine	1.0			0.0
Dissolved Oxygen	not less than 4.0 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. 1510403, Sewerage, **Caln Township Municipal Authority**, 253 Municipal Drive, P. O. Box 72149, Thorndale, PA 19372. This proposed facility is located in Caln Township, **Chester County**.

Description of Action/Activity: Construction of a wastewater pump station and gravity sewer to connect to an existing force main on Fisherville Road.

WQM Permit No. WQG010032, Sewerage, **Mary Louise Rockel**, 1317 West Lynwood Street, Phoenix, AZ 85007. This proposed facility is located in Hilltown Township, **Bucks County**.

Description of Action/Activity: Construction of a single residence sewage treatment plant to replace an existing malfunctioning unit.

WQM Permit No. 1510402, Sewerage, **Stroud Water Research Center**, 970 Spencer Road, Avondale, PA 19311. This proposed facility is located in West Marlborough Township, **Chester County**.

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

WQM Permit No. 1510201, Industrial, **Jackson Immuno Research Laboratory, Inc.**, 872 West Baltimore Pike, P. O. Box 9, West Grove, PA 19390. This proposed facility is located in Penn Township, **Chester County**.

Description of Action/Activity: Expansion of research laboratory, install drain field for RO discharge water.

WQM Permit No. 0999427, Sewerage, **Amendment, Chalfont New Britian Township Joint Sewer Authority**, 1645 Upper State Road, Doylestown, PA 18901-2666. This proposed facility is located in Doylestown Township, **Bucks County**.

Description of Action/Activity: Installation of a new UV disinfection system to replace the existing system.

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

WQM Permit No. 0110403, Sewerage, **William Stevens**, 130 Lion Archer Drive, Littlestown, PA 17340. This proposed facility is located in Germany Township, **Adams County**.

Description of Proposed Action/Activity: Seeking approval for the construction/operation of a single continuous SBR facility, provided by Kappe Associates is proposed for the purpose of treatment and denitrification prior to discharge to a sand mound to serve Steven's Restaurant.

WQM Permit No. 3681401, Amendment 10-1, Sewerage, **Ephrata Borough Authority**, 124 South State Street, Ephrata, PA 17522-2792. This proposed facility is located in Ephrata Borough, **Lancaster County**.

Description of Proposed Action/Activity: Upgrades to Plant No. 1 to include: New Addition to Headworks Building, Convert Orbital Ox Ditch to BNR, New Gravity Thickener and Flow Spitter Box.

WQM Permit No. 0610202, Industrial Waste, **Exide Technologies**, P. O. Box 14294, Reading, PA 19612-4294. This proposed facility is located in Muhlenberg Township and Laureldale Borough, **Berks County**.

Description of Proposed Action/Activity: Seeking approval to construct and operate a new stormwater treatment plant.

WQM Permit No. 3610202, CAFO, Bion PA 1, LLC, 1035 South Gaylord Street, Denver, CO 80209. This proposed facility is located in Penn Township, **Lancaster County**.

Description of Proposed Action/Activity: Seeking approval to modify an existing 1.2 million gallon concrete manure storage lagoon at Kreider Dairy Farm.

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

WQM Permit No. 410406, Sewerage, SIC 4952, **Borough of South Williamsport**, 329 West Southern Avenue, South Williamsport, PA 17702. This proposed facility is located in Borough of South Williamsport, **Lycoming County**.

Description of Proposed Action/Activity: The project includes; improvements to the Charles Street Pump Station (CSPS) and the Main Street Bypass Pump Station (MSBPS), a new force main from the MSBPS to the CSPS, and a new wet weather storage tank in the baseball field adjacent to the CSPS.

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

WQM Permit No. 1110403, Sewerage, **Johnstown Redevelopment Authority**, 4th Floor, Public Safety Building, 401 Washington Street, Johnstown, PA 15901-1812. This proposed facility is located in the City of Johnstown, **Cambria County**.

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

The Pennsylvania Infrastructure Investment Authority which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source. The Department of Environmental Protection's review of the sewage facilities plan revision has not identified any significant environmental impacts resulting from this proposal.

WQM Permit No. 6510408, Sewerage, **Vandergrift Borough**, 109 Grant Avenue, Vandergrift, PA 15690. This proposed facility is located in Vandergrift Borough, **Westmoreland County**.

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

The Pennsylvania Infrastructure Investment Authority which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source. The Department of Environmental Protection's review of the sewage facilities plan revision has not identified any significant environmental impacts resulting from this proposal.

WQM Permit No. 1110405, Sewerage, **Johnstown Redevelopment Authority**, 4th Floor, Public Safety Building, 401 Washington Street, Johnstown, PA 15901-1812. This proposed facility is located in the City of Johnstown, **Cambria County**.

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

The Pennsylvania Infrastructure Investment Authority which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source. The Department of Environmental Protection's review of the sewage facilities plan revision has not identified any significant environmental impacts resulting from this proposal.

WQM Permit No. 1110406, Sewerage, **Johnstown Redevelopment Authority**, 4th Floor, Public Safety Building, 401 Washington Street, Johnstown, PA 15901-1812. This proposed facility is located in the City of Johnstown, **Cambria County**.

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

The Pennsylvania Infrastructure Investment Authority which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source. The Department of Environmental Protection's review of the sewage facilities plan revision has not identified any significant environmental impacts resulting from this proposal.

WQM Permit No. 1110407, Sewerage, **Johnstown Redevelopment Authority**, 4th Floor, Public Safety Building, 401 Washington Street, Johnstown, PA 15901-1812. This proposed facility is located in the City of Johnstown, **Cambria County**.

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

The Pennsylvania Infrastructure Investment Authority which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source. The Department of Environmental Protection's review of the sewage facilities plan revision has not identified any significant environmental impacts resulting from this proposal.

WQM Permit No. 1110408, Sewerage, **Johnstown Redevelopment Authority**, 4th Floor, Public Safety Building, 401 Washington Street, Johnstown, PA 15901-1812. This proposed facility is located in the City of Johnstown, **Cambria County**.

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

The Pennsylvania Infrastructure Investment Authority which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source. The Department of Environmental Protection's review of the sewage facilities plan revision has not identified any significant environmental impacts resulting from this proposal.

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

WQM Permit No. 2510402, Sewerage, **Erie Sewer Authority, c/o Knox, McLaughlin, Gornall & Sennett, P.C.**, 120 West 10th Street, Erie, PA 16501-1461. This proposed facility is located in City of Erie, **Erie County**.

Description of Proposed Action/Activity: This project involves replacing the Erie Wastewater Treatment Plants's main low-pressure air blowers and related systems.

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>
PAI01 151016	Ronald L. Keene 1118 Summer Lane Pottstown, PA 19465	Chester	East Nantmeal Township	Beaver Run EV
PAI01 0904024-R	RB Quakertown, LP 810 Seventh Avenue 28th Floor New York, NY 10019	Bucks	Richland Township	Unnamed Tributaries Unami Creek and Tohickon Creek HQ-MF-TSF-MF
PAI01 091002	Robert Mockoviak 2727 Aquetong Road New Hope, PA 18938	Bucks	Solebury Township	Aquetong Creek HQ-CWF
PAI01 461002	Glenn Springs Holdings, Inc. 375 Armand Hammer Boulevard Pottstown, PA 19464	Montgomery	Lower Pottsgrove Township	Schuylkill River WWF-MF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041410002	Department of Transportation P. O. Box 342 Clearfield, PA 16830	Centre	Rush Township	Wolf Run/Big Fill Watershed EV
PAI041410003	John Rhodes ADG-Hospital Drive Assoc P. O. Box 622 Lemoyne, PA 17043	Centre	College Township	Spring Creek HQ-CWF

Sullivan County Conservation District: R. R. 2, Box 2022B, Dushore, PA 18614, (570) 928-7057.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI045710001	George M. Jenkins Merritt Capital Corporation 467 Belrose Lane St. Davids, PA 19087	Sullivan	Laprote Township	Pole Bridge HQ-CWF Shanerburg Run EV

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)

CAFO Notices of Intent Received

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

PAG124809, CAFO, **Daniel P. Hershberger**, 132 Center Road, Quarryville, PA 17566, R. D. 2, Box 251, Towanda, PA 18848. This proposed facility is located in Terry Township, **Bradford County**.

Description of Size and Scope of Proposed Operation/Activity: Swine finishing.

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

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

NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Application or Action</i>
Parx Casino and Racing 3001 Street Road Bensalem, PA 19021	Bucks	452.4	1,500	Horses	NA	New

STATE CONSERVATION COMMISSION

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

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

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

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

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

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

NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET—APPLICATIONS

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/ New</i>
Kar-Dale-Acres Dale Hoffman 243 Healy Road Shinglehouse, PA 16748	Potter	1,150.8	1,262.79	Dairy, Beef	HQ Eleven Mile Creek Big Hollow Deering Hollow Dwight Hollow EV Gilmore Hollow	Application

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/ New</i>
Four Winds Dairy, LLC Rick VanEtten 400 VanEtten Road Ulysses, PA 16948	Potter	1,472	1,700.75	Dairy	HQ Trib. To Lehman Hollow Swartz Hollow	Amendment
Pheasant Hill Farm George Myers 530 Faulkner Road Wellsboro, PA 16901	Tioga	155	3.61	Finishing Swine		Renewal

PUBLIC WATER SUPPLY (PWS) PERMIT

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

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

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

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

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

SAFE DRINKING WATER

Applications Received under the Pennsylvania Safe Drinking Water Act

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

Application No. 4610509, Public Water Supply.
 Applicant **Borough of East Greenville**
 Township Upper Hanover
 County **Montgomery**

Responsible Official Ms. Jennifer Boyer
 206 Main Street
 East Greenville, PA 18041
 Type of Facility PWS
 Consulting Engineer Cowan Associates, Inc.
 120 Penn-AM Drive
 Quakertown, PA 18951
 Application Received Date March 12, 2010
 Description of Action Replacement of existing filter surface wash system with an air scour system.

Application No. 4610513, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**
 Township Abington
 County **Montgomery**
 Responsible Official Michael Convery
 Project Manager
 762 West Lancaster Avenue
 Bryn Mawr, PA 19010
 Type of Facility PWS
 Consulting Engineer Aqua Pennsylvania, Inc.
 762 West Lancaster Avenue
 Bryn Mawr, PA 19010
 Application Received Date June 2, 2010
 Description of Action Construction of a re-chlorination building to ensure optimal chlorine residual at the Hillside standpipe.

4610514, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**
 Township Abington
 County **Montgomery**
 Responsible Official Marc A. Lucca
 762 West Lancaster Avenue
 Bryn, Mawr, PA 19010
 Type of Facility PWS
 Consulting Engineer C.E.T. Engineering
 1240 North Mountain Road
 Harrisburg, PA 17112
 Application Received Date May 17, 2010

Description of Action Installation of underground chlorine contact piping to achieve 4-log treatment of viruses at the Hall Road Well Station under the groundwater rule.

0910516, Public Water Supply.

Applicant **Township of Falls Authority**
 Township Falls
 County **Bucks**
 Responsible Official Mr. David Busch
 557 Lincoln Highway
 Fairless Hills, PA 19030
 Type of Facility PWS
 Consulting Engineer Remington, Vernick & Beach
 Engineers
 922 Fayette Street
 Conshohocken, PA 19428
 Application Received June 2, 2010
 Date
 Description of Action Addition of a rechlorination facility at the Twin Oaks interconnection.

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

Application No. 3510502, Public Water Supply.

Applicant **Nestle Waters North America, Inc.**
 505 Nestle Way
 Breinigsville, PA
 Township or Borough Millcreek Township
Lebanon County
 Responsible Official Eric Andreus
 Type of Facility Bottling Plant
 Consulting Engineer Forino Company, LP
 Edward Davis, P. E.
 555 Mountain Home Road
 Sinking Spring, PA
 Application Received 5/11/10
 Date
 Description of Action The addition of pH adjustment to the Arrowhead Springs source used at the Nestle bottling plant.

Application No. 4010507, Public Water Supply.

Applicant **Pennsylvania American Water Co.**
 (Whitney Point)
 800 West Hersheypark Drive
 Hershey, PA
 Township or Borough Newport Township
Luzerne County
 Responsible Official Daniel Rickard
 Type of Facility Public Water System
 Consulting Engineer SM Design Group, LLC
 275 Mundy Street
 Suite 101
 Wilkes-Barre, PA
 Application Received 6/17/10
 Date

Description of Action The construction of a booster pump station to serve a new residential development from the existing water system.

Application No. 3510504, Public Water Supply.

Applicant **Reich-Thomas Reality**
 79 Lincoln Avenue
 Carbondale, PA
 Township or Borough Clifton Township
Lackawanna County
 Responsible Official Donald Thomas
 Type of Facility Public Water System
 Consulting Engineer KBA Engineering, PC
 25 South Washington Avenue
 Jerymn, PA
 Application Received 5/27/10
 Date

Description of Action The transfer and major amendment of a public water system permit. The addition of a source of supply to replace well 3. The construction of this source with associated treatment, pressure and chlorine contact tanks.

Application No. 3910503, Public Water Supply.

Applicant **Nestle Waters North America, Inc.**
 305 Nestle Way
 Breinigsville, PA
 Township or Borough Upper Macungie Township
Lehigh County
 Responsible Official David Thorpe
 Type of Facility Bottling Plant
 Consulting Engineer Forino Company, LP
 Edward Davis, P. E.
 555 Mountain Home Road
 Sinking Spring, PA
 Application Received 6/23/10
 Date
 Description of Action The addition of UV systems at the Breinigsville plant and its nearby east plant to meet enhanced disinfection requirements.

MINOR AMENDMENT

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

Application No. 4010506MA.

Applicant **Freeland Municipal Authority**
 Township or Borough Freeland Borough
Luzerne County
 Responsible Official Lynn Falatko, Manager
 Freeland Municipal Authority
 711 Birkbeck Street
 Freeland, PA 18224
 Type of Facility Community Water System

Consulting Engineer Christopher D. McCue, P. E.
Borton-Lawson Engineering
613 Baltimore Drive
Suite 300
Wilkes-Barre, PA 18702
570-821-1999

Application Received Date June 14, 2010

Description of Action Application for painting and repair of the Harding Street finished water storage tank.

Application No. 4010504MA, Minor Amendment.

Applicant **Aqua Pennsylvania, Inc.**
(Garbush Water System)
1 Aqua Way
White Haven, PA

Township or Borough Jackson Township
Luzerne County

Responsible Official Joshua Shoff

Type of Facility Public Water System

Consulting Engineer Pennoni Associates, Inc.
2041 Avenue C
Suite 100
Bethlehem, PA

Application Received Date 6/15/10

Description of Action The construction of a contact pipeline to meet the groundwater rule.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 1

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

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

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

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

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

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

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

Verizon Bryn Mawr Garage, Lower Merion Township, **Montgomery County**. Sean M. Damon, P. G., Langan Engineering & Environmental Services Inc., P. O. Box 1569, Doylestown, PA 18901, James McElman, P. G., Verizon Environment Management, 7701 East Telecom Drive, MV: FLTDSB1M, Temple Terrace, FL 33637 on behalf of Paul Aschkenasy, Blank Ashkenasy Properties, LLC, 300 Four Falls Corporate Center, 300 Conshohocken State Road, Suite 360, West Conshohocken, PA 19428 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of chlorinated solvents. The future use of the site will remain the same. A summary of the Notice of Intent to Remediate was to have been published in *The Main Line Times* on May 27, 2010.

NVF MGF Facility, Kennett Square Borough, **Chester County**. Paul Miller, P. E., Environmental Alliance, Inc., 660 Yorklyn Road, Hockessin, DE 19707 on behalf of George Beer, Rockhopper, LLP, 722 Yorklyn Road, Hockessin, DE 18707 has submitted a Notice of Intent to Remediate. Groundwater and soil at the site has been impacted with the release of chlorinated solvents. The future use of the site will remain the same. A summary of the Notice of the Intent to Remediate was to have been published in *The Kennett Paper/Chadds Ford Post* on June 10, 2010.

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

SACA Development Site, City of Lancaster, **Lancaster County**. GCI Environmental Services, 1250 East King Street, Lancaster, PA 17602, on behalf of SACA Development Corporation, 453 South Lime Street, Suite B, Lancaster, PA 17603, submitted a Notice of Intent to

Remediate site soils contaminated with arsenic from the historical operation of a junkyard. The site, which will be remediated to the Site-Specific Standard, will be developed for residential use.

Former UGI Harrisburg Maintenance Facility, City of Harrisburg, **Dauphin County.** EPSYS LLC, 1414 North Cameron Street, Harrisburg, PA 171033, on behalf of Journal Publications, Inc., 1500 Paxton Street, Harrisburg, PA 17104, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with VOCs from the operation of a maintenance facility. The site will remain commercial and will be remediated to the Site-Specific 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.

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

39-309-078: Lafarge North America (5160 Main Street, Whitehall, PA 18052) for the revised HCN and Cl2 emission limits for kilns 2 and 3 at their facility in Whitehall Township, **Lehigh County.**

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

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

46-0147C: Chemalloy Co., Inc. (1301 Conshohocken Road, Conshohocken, PA 19428) for authorization to process chromium-containing alloys in Plant 2 and 2A buildings of their existing natural minor facility in Plymouth Township, **Montgomery County.** The proposal requests processing of nonhazardous as well as hazardous minerals at four existing sources (ID Nos. 105—108). The pollutant of concern from the proposed operations is particulate matter (PM) emissions. There will be no increase in currently permitted PM emission limits from the existing sources. All sources of PM emissions are controlled by existing wet scrubbers. The Plan Approval will contain recordkeeping and operating restrictions designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

09-0124G: Fairless Energy, LLC (50 Sinter Road, Fairless Hills, PA 19030) for establishment of short term emission limits during automatic runback and retuning events for their natural gas fired combined cycle electric generating station in Falls Township, **Bucks County.** This is a major facility. Short-term emission limits will be established for NO_x, CO, SO_x, VOC, PM₁₀ and NH₄ for these nonnormal modes of operation. The Plan Approval will contain recordkeeping and operating restrictions designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

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

39-309-077: Lafarge North America, Inc. (5160 Main Street, Whitehall, PA 18052) for the replacement of a dust collector on Kiln 2 feed system for their plant in Whitehall Township, **Lehigh County.**

In accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department of Environmental Protection (Department) intends to issue Plan Approval No. 39-309-077 to Lafarge North America, Inc., 5160 Main Street, Whitehall, PA 18052, for their plant located in Whitehall Township, Lehigh County. The facility currently operates

under Title V Operating Permit No. 39-00011. This plan approval will be incorporated into the Title V Operating Permit through an administrative amendment at a later date, and the action will be published as a notice in the *Pennsylvania Bulletin*.

Plan Approval No. 39-309-077 is for the replacement of a dust collector on Kiln 2 feed system. The proposed changes do not physically alter the facility in any way, do not impact facility's production capacity, and do not result in an increase in facility's production or emissions. The existing fabric filter dust collector was installed in the 1960s and is in need of replacement. A collection efficiency of 99.9% is anticipated for new dust collector, which will yield an outlet concentration of particulate less than 0.02 gr/dscf. Emissions from the K-2 feed system will meet BAT and NESHAP requirements of 40 CFR Part 63, Subpart LLL. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

The proposed dust collector and sources will be operated to comply with the above emissions limitations. The Plan Approval and Operating Permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating in compliance with all applicable air quality requirements.

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

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

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

Identification of the proposed permit No. 39-309-077.

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

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Raymond Kempa, P. E., Environmental Group Manager, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711, Phone 570-826-2531 within 30 days after publication date.

48-329-009: PPL Renewable Energy, LLC (Two North Ninth Street, Allentown, PA 18101) for a plan approval to construct and operate three 1,600 kW Caterpillar model G3520C landfill gas fired engines at their facility in Glendon Borough, **Northampton County**. The Department of Environmental Protection's review of the information submitted by PPL Renewable Energy indicates that the proposed engines will meet all applicable air quality requirements pertaining to air contamination sources and the emission of air contaminants, including the BAT requirements. The company shall comply with

123.31 for malodorous emissions. The company shall comply with 123.41 for visible emissions. The engines are subject to 40 CFR Part 63, Subpart ZZZZ. The engines are subject to 40 CFR Part 60, Subpart JJJJ and WWW requirements. The VOC emissions from the facility will not equal or exceed 50 tpy, based on a 12-month rolling sum. The NOx emissions from the facility will not equal or exceed 100 tpy, based on a 12-month rolling sum. The CO emissions from the facility will not equal or exceed 250 TPY, based on a 12-month rolling sum. The SO₂ emissions from the facility will not equal or exceed 250 tpy, based on a 12-month rolling sum. Total PM emissions from the facility will not equal or exceed 100 tpy, based on a 12-month rolling sum. The formaldehyde emissions from the facility will be 24.31 tpy, based on a 12-month rolling sum making it a major source a single HAP. The total HAPs from the facility will be 25.41 tpy of all aggregated HAPs, based on a 12-month rolling sum making it a major source for combined HAPs. The Plan approval and Operating Permit will include testing, monitoring, recordkeeping and reporting requirements designed to keep the sources operating within all applicable air quality requirements. For further details, contact Ray Kempa at (570) 826-2511 within 30 days after publication date.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701. Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648.

41-302-050A: Wire Rope Works, Inc. (100 Maynard Street, Williamsport, PA 17701) for a plan approval to incorporate revised particulate matter, nitrogen oxide, and carbon monoxide emission limitations as well as revised monitoring, recordkeeping, reporting, work practice, and additional requirements for the anthracite coal-fired boilers, each having a maximum rated heat input capacity of 15 million Btu per hour and each equipped with two-stage fly-ash collectors with a flue gas recirculation system that includes a secondary cyclone collector, at their facility in the City of Williamsport, **Lycoming County**.

The particulate matter emission limitations will be revised from 0.2 pound per million Btu (lb/mmBtu) to 0.25 lb/mmBtu and from 15.26 tons in any 12 consecutive month period (tpy) to 19.08 tpy. The nitrogen oxide emission limitations will be revised from 0.13 lb/mmBtu to 0.21 lb/mmBtu and from 9.92 tpy to 16.03 tpy. The carbon monoxide emission limitations will be revised from 0.061 lb/mmBtu to 0.15 lb/mmBtu and from 4.66 tpy to 11.45 tpy.

This plan approval contains conditions that require Wire Rope Works, Inc. to perform stack testing to demonstrate compliance with the air contaminant emission limitations and to increase monitoring of the control devices to confirm the control devices are operating correctly. The increased recordkeeping requirements require Wire Rope Works, Inc. to document any control device malfunction and the action taken to correct any malfunction. The increased reporting requirements require Wire Rope Works, Inc. to report any control device malfunction and the action taken to correct the malfunction.

This plan approval contains a condition that requires Wire Rope Works, Inc. to replace the secondary cyclone after discovery of a malfunction.

The Department of Environmental Protection's (Department) review of the information submitted by Wire Rope

Works, Inc. indicates that the operation of the two boilers with the revised particulate matter, nitrogen oxide, and carbon monoxide emission limitations as well as revised monitoring, recordkeeping, reporting, work practice, and additional requirements will meet all applicable air quality requirements pertaining to air contamination sources and the emission of air contaminants. Based on these findings, the Department intends to approve the application and issue plan approval for the modification of the particulate matter, nitrogen oxide, and carbon monoxide emission limitations as well as revised monitoring, recordkeeping, reporting, work practice, and additional requirements. Additionally, if the Department determines that the two boilers are operating in compliance with all plan approval conditions, the conditions established in the plan approval will be incorporated into a State-only operating permit by means of an administrative amendment under 25 Pa. Code § 127.450.

The plan approval contains monitoring, recordkeeping and reporting conditions to ensure compliance with applicable Federal and State regulatory requirements.

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

41-00081A: East Lycoming School District (349 Cemetery Street, Hughesville, PA 17737-1028) for construction of a 6.43 mmBtu/hr, Hurst Boiler and Welding Company, Inc. model FB-900, wood-fired boiler and a multi-clone collector to control particulate matter emissions from the boiler in Hughesville, **Lycoming County**. The boiler is proposed to generate supplemental steam for domestic heating and hot water for an educational complex that includes the East Lycoming High School.

The Department of Environmental Protection's (Department) review of the information submitted by East Lycoming School District indicates that the air contamination sources to be constructed will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue a plan approval for the proposed construction.

The emissions from the control device associated with the wood-fired boiler will not exceed on a 12-consecutive month period (CMP) basis; 6.2 tons of nitrogen oxides, 4.5 tons of carbon monoxide, 0.5 ton of volatile organic compounds, 0.7 ton of sulfur oxides, 6.7 tons of total particulate matter (filterable and condensable). Additionally, total HAP emissions will not exceed 0.7 ton in any 12 CMP. To demonstrate compliance with ton per 12 CMP emissions limitations, East Lycoming School District is required to conduct EPA reference method testing on the exhaust of the control device associated with the wood-fired boiler for nitrogen oxides, carbon monoxide and particulate matter to measure the average emissions concentration/rate over at least three, 1-hour periods does not exceed the following:

nitrogen oxides—0.22 lb/mmBtu
carbon monoxide—0.16 lb/mmBtu
particulate matter—0.22 lb/mmBtu

In addition to the emission limitations previously listed, the following is a summary of the types of conditions the Department intends to place in Plan Approval 41-00081A to ensure compliance applicable Federal and State regulatory requirements including the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12.

Work practice requirements to construct and operate the wood-fired boiler in accordance with the manufacturer's recommendations and good air pollution control practices.

Recordkeeping and reporting conditions to verify compliance with the emission limitations and all applicable requirements.

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

53-00001E: Tennessee Gas Pipeline Co. (197 Tennessee Road, Coudersport, PA 16915) for construction of a lean burn, emergency engine-generator at Station 313 facility in Hebron Township, **Potter County**. The respective facility is a major facility and is currently operating under Title V Operating Permit 53-00001. The Department of Environmental Protection's (Department) review of the information contained in the application indicates that the construction of the engine will comply with all applicable air quality regulatory requirements including the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12. Based on these findings, the Department intends to issue a plan approval for the proposed construction. Additionally, if the Department determines that the engine is operating in compliance with all plan approval conditions, the conditions established in the plan approval will be incorporated into Title V Operating Permit 53-00001 means by of an administrative amendment pursuant to 25 Pa. Code § 127.450.

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

1. Under best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall not permit the emission of air contaminant pollutants from Source ID P309A in excess of the following limitations: Nitrogen Oxides—2.0 grams per horsepower-hour, Carbon Monoxide—4.0 grams per horsepower-hour, Volatile Organic Compound—1.0 gram per horsepower-hour.

2. [Additional authority for this permit condition is also derived from 40 CFR 60.4243(d) and 40 CFR 63.6645(f).]

The permittee shall limit the operation of Source ID P309A to the requirements of 40 CFR 60.4243(d) and 63.6645(f).

3. [Additional authority for this permit condition is derived from the permittee requesting this voluntary restriction.]

The permittee shall not operate Source ID P309A in excess of 500 hours in any 12 consecutive month period.

4. [Additional authority for this permit condition is also derived from 40 CFR 60.4243(b)(2) in addition to the permittee electing to construct a non-certified stationary spark-ignited internal combustion engine.]

The permittee shall perform nitrogen oxides (NO_x), carbon monoxide (CO), and volatile organic compound (VOC) emissions stack tests on Source ID P309A within 60 days after Source ID P309A operates at maximum capacity or no later than 180 days of commencement of operation, whichever is sooner. The testing shall be performed in accordance with the requirements of 40 CFR 60.4244 and 25 Pa. Code § 139.1.

5. The permittee shall equip Source ID P309A with a non-resettable hour meter prior to initial startup of Source ID P309A.

6. The permittee shall maintain the nonresettable hour meter to be fully functional and shall assure the device accurately monitors the run-time of Source ID P309A during each occurrence of engine operation.

7. [Additional authority for this permit condition is also derived from 40 CFR 60.4245.]

The permittee shall keep records of the all information specified in 40 CFR 60.4245(a)(1)—(4).

8. The permittee shall keep record of the following information relating to Source ID P309A operation:

- (i) The total hours of operation on a monthly basis.
- (ii) For each occurrence of operation, a statement that describes the reason for engine operation.
- (iii) All test reports and supporting calculations used to verify compliance with the nitrogen oxides, carbon monoxide and volatile organic compounds emissions limitations of Source P309A.

The information used to generate the previously mentioned records shall be kept for a minimum of 5 years and shall be made available to the Department upon request.

9. [Additional authority for this permit condition is also derived from 25 Pa. Code § 122.3 and 40 CFR 60.4245(c).]

The permittee shall submit the initial notification as required in 40 CFR 60.7(a)(1). The notification must include all the information specified in 40 CFR 60.4245(c)(1)—(5). The initial notification shall be submitted to the Department and EPA.

10. [Additional authority for this permit condition is also derived from 40 CFR 63.6645(f).]

The permittee shall submit the initial notification that includes the information in 40 CFR 63.9(b)(2)(i)—(v), and a statement that your stationary RICE has no additional requirements and explain the basis of the exclusion. The initial notification shall be submitted to the Department and EPA.

11. Within 15 days of the determination of the stack design parameters specifications for Source P309A, the permittee shall submit design specifications for the stack to the Department for review and final approval. The specification shall include stack height above grade, grade elevation, stack diameter, distance of discharge to nearest property line (including map showing location), location dimensions of sampling ports, and estimated percent moisture of stack exhaust.

12. [Additional authority for this permit condition is also derived from 40 CFR 60.4243(b)(2)(ii).]

The permittee shall maintain and operate Source ID P309A in a manner consistent with good air pollution control practice for minimizing emissions.

13. [Additional authority for this permit condition is also derived from 40 CFR 60.4230.]

Source ID P309A is subject to the Standards of Performance for Stationary Spark Ignition Internal Combustion Engines (40 CFR Part 60, Subpart JJJJ). The permittee shall comply with all applicable requirements of 40 CFR 60.4230—60.4248.

14. [Additional authority for this permit condition is also derived from 40 CFR 63.6585.]

Source ID P309A is subject to the National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (40 CFR Part 63, Subpart ZZZZ). The permittee shall comply with all applicable requirements of 40 CFR 63.6580—63.6675.

15. Source ID P309A is a Caterpillar, Model G3516B LE, 4-stroke, lean burn, reciprocating internal combustion engine rated for 1,818 hp at 100% load and used for emergency electricity generation. The engine-generator set is rated for 1,300 kW.

16. [Additional authority for this permit condition is also derived from the permittee's election to shutdown Engine 10A upon shakedown of the new electric compressor.]

Within 15 days of the date of permanent shutdown of Source ID P110, the permittee shall submit in writing the actual date of shutdown, and information to justify the Engine 10A associated with Source ID P110 is permanently shutdown and not capable of future operation (that is, the fuel lines have been disconnected, and the like).

17. Upon receipt of the information previously-listed and Administrative Amendment Application to incorporate the conditions herein into Title V Operating Permit 53-00001, the Department will incorporate a Federally enforceable condition into the Title V operating permit to prohibit any operation of Engine 10A of Source ID P110, and the permittee may submit a emission reduction credit (ERC) registry application.

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

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Contact: B. Hatch, Environmental Engineer Managers—Telephone: 412-442-4163/5226.

32-00297F: Creps United Publications (1163 Water Street, Indiana, PA 15701) to authorize installation of a new Goss C550 heatset web offset lithographic printing press in replacement of an existing Harris NCH 400 press of the same type with a lesser capacity at Creps' facility in White Township, **Indiana County**.

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44—127.46 that the Department of Environmental Protection (Department) intends to issue Air Quality Plan Approval: PA-32-00297F to authorize installation of a new Goss C550 heatset web offset lithographic printing press in replacement of an existing Harris NCH 400 press of the same type with a lesser capacity at Creps' facility located in White Township, Indiana County. The Harris NCH 400 printing press has been completely removed from the facility and will no longer be a source of air emissions. A small natural gas-fired dryer rated at 3 mmBtu/hr is included with the new press.

Facility-wide emissions are limited by plan approval condition to no more than 49 tons of volatile organic compounds (VOCs). Remaining potential emissions from the facility are estimated to be 14.8 tons of nitrogen oxides (NO_x), 12.8 tons of carbon monoxide (CO), 1.1 tons of particulate matter (PM), 2.85 tons of xylene, 2.63 tons of ethylene glycol, 2.31 tons of cumene, and 8.71 tons of total hazardous air pollutants (HAPs) per year. Best Available Technology (BAT) for the new press is the capture of VOC emissions during the drying process and their destruction in an existing Airex Corp. regenerative thermal oxidizer. BAT also includes the use of low vapor pressure cleaning solvents, minimization of solvent used during cleaning, and storage of used cleaning rags in closed containers. This authorization is subject to state regulations. Stack testing of the existing regenerative thermal oxidizers is required to confirm their VOC destruction efficiency and to establish a set-point operating temperature. Compliance with emission limitations will be demonstrated through stack testing, ink and solvent VOC content records, and ink and solvent consumption records. Plan Approval has been conditioned to ensure compliance with all applicable rules. Once compliance with the Plan Approval is demonstrated, the applicant will revise their current pending State-only Permit Application in accordance with 25 Pa. Code § 127.411.

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

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

Identification of the proposed Plan Approval (PA-32-00297F).

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

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

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

The facility currently operates under a Title V Operating Permit No. TV-56-00257. Once compliance with the Plan Approval is demonstrated, the provisions of this Plan Approval will subsequently be incorporated into the Title V Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

OPERATING PERMITS

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

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110. Contact: Thomas J. Hanlon, Chief, East Permitting Section—Telephone: 717-705-4862 or Daniel Husted, Chief, West Permitting Section—Telephone: 814-949-7935.

06-05081: Delaware County Solid Waste Authority (583 Longview Road, Boyertown, PA 19512) for operation of the Rolling Hills Landfill in Earl Township, **Berks County**. This action is a renewal of the Title V operating permit issued in 2005.

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

43-00310: Duferco Farrell Steel (15 Roemer Boulevard, Farrell, PA 16121) for re-issuance of the Title V Permit to operate a cold rolling manufacturing steel facility in the City of Farrell, **Mercer County**. The facility's major emission sources include two natural gas steam boilers, three slab reheat furnaces, a 60 inch hot strip mill, No. 21 slitter, No. 2 shot blast, No. 7 pickle line, No. 4 tandem mill, No. 21 and No. 22 annealing furnaces, Nos. 26—28 temper mills, No. 2 shear, No. 26 slitter, No. 1 tension leveler, No. 3 shotblast and rotoblast, miscellaneous combustion sources, slab cutting torch, emergency diesel engine for the fire pump, emergency generators for the IT building and No. 7 pickle line, and fugitive emissions from the facility. The sources are part of two cold rolling lines and a hot rolling line. The facility is a major facility due to its potential to emit Volatile Organic Compounds, Carbon Dioxide, Oxides of Nitrogen, and Hazardous Air Pollutants (HCl). The facility is also subject to the National Emission Standards for Hazardous Air Pollutants for Steel Pickling—40 CFR 63, Subpart CCC.

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

15-00103: Christiana Cabinetry (504 Rosemont Avenue, Atglen, PA 19310-9449) for a renewal of the original State-only Operating Permit (Natural Minor), which was last modified on May 15, 2008 and expires on 7/31/2010 in Atglen Borough, **Chester County**. There have been no other changes made to the permit since it was issued. The permit includes monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

46-00235: North Penn School District (400 Penn Street, Lansdale, PA 19446) for a renewal of State-only (Synthetic Minor) Operating Permit No 46-00235, which was originally issued on September 9, 2005 in Towamencin Township, **Montgomery County**. No major changes have occurred at the facility since the permit was originally issued. The renewed permit will include monitoring, recordkeeping, and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701. Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648.

60-00003: Pilling's FRP, Inc. (P. O. Box 119, West Milton, PA 17886) for their plant in Deer Township, **Union County**. The facility's main sources include three natural gas fired combustion units, a spray booth, a resin transfer molding room, a prototype lab room, and a sanding booth. Particulate matter emissions from the sanding booth are controlled by a filtered capture chamber. The facility has the potential to emit major quantities of VOCs. The facility has taken a synthetic minor restriction to limit its VOC emissions below the major emission thresholds. The facility has the potential to emit SO_x, NO_x, CO, PM (PM₁₀) and HAPs below the major emission thresholds. The proposed operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

59-00009: State System of Higher Education—Mansfield University (Brooks Maintenance Building, Mansfield University, Mansfield, PA 16933) for Mansfield University in Mansfield Borough, **Tioga County**. The facility's main sources include three natural gas/No. 2 fuel oil-fired boilers, 41 natural gas-fired combustion units and 20 natural gas/diesel fuel-fired emergency generators. The facility has the potential to emit particulate matter (PM₁₀), nitrogen oxides (NO_x), carbon monoxide (CO), volatile organic compounds (VOCs), hazardous air pollutants (HAPs) and sulfur oxides (SO_x) below the major emission thresholds. The proposed operating permit contains requirements including monitoring, recordkeeping and reporting conditions to ensure compliance with applicable Federal and State regulations.

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

03-00148: Altmeyer Stable and Farm—Kittanning (119 Altmeyer Drive, Kittanning, PA 16201) a Natural Minor Operating Permit for operation of the facility's air contamination source consisting of one 120 lb/hr animal crematory incinerator, Shenandoah P25-2G natural gas-fired rated at 425 mmBtu/hr primary chamber and 800 mmBtu/hr secondary chamber in Plumcreek Township, **Armstrong County**. The facility is limited to 0.1 gr/dscf particulate matter corrected to 12% oxygen and 500 ppmv sulfur oxides per requirements of the SIP. The permit includes emission, restrictions, operation requirements, monitoring requirements and recordkeeping requirements.

04-00673: Lacock Cremation Service, Inc.—Rochester (2 Chester Way, Rochester, PA 15074) a Natural Minor Operating Permit for operation of the facility's air contamination source consisting of one 100 lb/hr human crematory incinerator, Power-Pak II natural gas-fired rated at 750 mmBtu/hr primary chamber and 1.2

mmBtu/hr secondary chamber in East Rochester Borough, **Beaver County**. The facility is limited to 0.08 gr/dscf particulate matter corrected to 7% oxygen and 500 ppmv sulfur oxides. The permit includes emission, restrictions, operation requirements, monitoring requirements, and recordkeeping requirements for the facility.

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

25-00037: Joseph McCormick Construction Co., Inc.—Wesleyville Plant (1507 Wesley Avenue, Erie, PA 16510-1675) for a Synthetic Minor Permit to operate a hot mix asphalt plant in Wesleyville Borough, **Erie County**. The significant sources are batch asphalt plant with dryer, material conveyors and baghouse. The facility becomes synthetic minor because of the throughput restriction to escape from the Title V threshold limits.

37-00266: Shenango Area School District (2501 Old Pittsburgh Road, New Castle, PA 16101-6095) to issue a renewal of the State-only Operating Permit for the two Tri-Fuel Boilers, miscellaneous natural gas combustion units, and a diesel fired emergency generator at the High School located in Cranberry Township, **Venango County**. The facility is a Natural Minor.

PLAN APPROVALS

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

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

46-0019A: Lockheed Martin Corp. (230 East Mall Boulevard, King of Prussia, PA 19406) for installation of two 2,000 kW internal combustion emergency generators at their facility in Upper Merion Township, **Montgomery County**. Lockheed Martin is a Synthetic Minor facility, operating under SMOP 46-00019. The Plan Approval will contain monitoring, recordkeeping and operating restrictions designed to minimize emissions and keep the facility operating within all applicable air quality requirements.

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

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

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

When a National Pollutant Discharge Elimination System (NPDES) number is listed, the mining activity permit application was accompanied by an application for an individual NPDES permit. The Department has made a tentative determination to issue the NPDES permit in conjunction with the mining activity permit, but the issuance of the NPDES permit is contingent upon the approval of the associated mining activity permit.

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

For noncoal mining activities, the proposed limits are found in Table 2. Discharges from noncoal mines located in some geologic settings (for example, in the coal fields)

may require additional effluent limits. If additional effluent limits are needed for an NPDES permit associated with a noncoal mining permit, then the permit description below specifies the parameters. The limits will be in the ranges specified in Table 1.

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

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

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

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

Coal Applications Received

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

Table 1

Parameter	30-Day Average	Daily Maximum	Instantaneous Maximum
Iron (Total)	1.5 to 3.0 mg/l	3.0 to 6.0 mg/l	3.5 to 7.0 mg/l
Manganese (Total)	1.0 to 2.0 mg/l	2.0 to 4.0 mg/l	2.5 to 5.0 mg/l
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Aluminum (Total)	0.75 to 2.0 mg/l	1.5 to 4.0 mg/l	2.0 to 5.0 mg/l
pH ¹		greater than 6.0; less than 9.0	
Alkalinity greater than acidity ¹			

¹ The parameter is applicable at all times.

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

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

56001301 and NPDES Permit No. NA, Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201), to transfer the permit for the Genesis No. 17 Mine in Lincoln, Somerset and Quemahoning Townships, **Somerset County** to Rosebud Mining Company from Genesis, Inc., d/b/a Meadow Run Genesis, Inc. No additional discharges. Application received: May 3, 2010.

56841310 and NPDES Permit No. PA001914, Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201), to transfer the permit and related NPDES permit for the Solar No. 7 Mine in Quemahoning Township, **Somerset County** to Rosebud Mining Company from Genesis, Inc., d/b/a Meadow Run Genesis, Inc. No additional discharges. Application received: May 10, 2010.

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

32050104 and NPDES No. PA0249742. Mears Energy, LLC, 225 Rich Hill Road, Penn Run, PA 15765, permit renewal for reclamation only of a bituminous surface and auger mine in West Mahoning Township, **Indiana County**, affecting 126.0 acres. Receiving stream(s): Carr Run classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: June 21, 2010.

32950202 and NPDES No. PA0213039. Cambria Reclamation Corporation, 2929 Allen Parkway, Houston, TX 77019, permit renewal for the continues operation and restoration of a bituminous surface mine in Center Township, **Indiana County**, affecting 287.3 acres. Receiving stream(s): unnamed tributaries to/and Yellow Creek classified for the following use(s): cold water fishery; trout stocked fishery. There are no potable water supply intakes within 10 miles downstream. Application received: June 15, 2010.

32950201 and NPDES No. PA0213004. Cambria Reclamation Corporation, 2929 Allen Parkway, Houston, TX 77019, permit renewal for the continues operation and restoration of a bituminous surface mine in White and Rayne Township, **Indiana County**, affecting 256 acres. Receiving stream(s): McKee Run to Crooked Creek classified for the following use(s): cold water fishery; warm water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: June 15, 2010.

32040105 and NPDES No. PA0249637. KMP Associates, Inc., 1094 Lantz Road, Avonmore, PA 15618, permit renewal for reclamation only of a bituminous surface mine in Conemaugh Township, **Indiana County**, affecting 6.7 acres. Receiving stream(s): unnamed tributaries to/and Big Run; Blacklegs Creek classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: June 24, 2010.

3279103 and NPDES No. PA0079791. Keystone Coal Mining Corporation, P. O. Box 219, 400 Overview Drive, Shelocta, PA 15774, permit renewal of a bituminous surface mine in Young Township, **Indiana County**, affecting 19.0 acres. Receiving stream(s): Unnamed tributaries to Big Run classified for the following use(s): cold water fishery; There are no potable water supply intakes within 10 miles downstream. Application received: June 21, 2010.

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

02050101 and NPDES Permit No. PA0250791. NBL Mining Co., LLC (P. O. Box 369, Atlasburg, PA 15004). Renewal application for reclamation only of a bituminous surface mine, located in North Fayette Township, **Allegheny County**, affecting 75.5 acres. Receiving streams: unnamed tributaries to North Branch Robinson Run, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: May 25, 2010.

65910103 and NPDES Permit No. PA0592447. Coal Loaders, Inc. (210 East Main Street, P. O. Box 556, Ligonier, PA 15658). Revision application for 29.7 additional acres of an existing bituminous surface mine, located in South Huntingdon Township, **Westmoreland County**, affecting 72.1 acres. Receiving streams: unnamed tributaries to Barren Run, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received: June 29, 2010.

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

17990124 and NPDES No. PA0242802. River Hill Coal Co., Inc. (P. O. Box 141, Kylertown, PA 16847). Renewal of an existing bituminous surface mine located in Bigler Township, **Clearfield County** affecting 73.7 acres. Receiving streams: unnamed tributaries to Muddy Run and Muddy Run classified for Cold Water Fisheries. There are no potable water supply intakes within 10 miles downstream. Application received: June 4, 2010.

Noncoal Applications Received

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

Table 2

Parameter	30-day	Daily	Instantaneous
	Average	Maximum	Maximum
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Alkalinity exceeding acidity* pH*	greater than 6.0; less than 9.0		

* The parameter is applicable at all times.

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

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

03950301 and NPDES Permit No. PA0201359. Glacial Sand & Gravel Company (P. O. Box 1022, Kittanning, PA 16201). NPDES renewal application for continued mining of a large noncoal surface mine, located in East Franklin Township, **Armstrong County**, affecting 310 acres. Receiving streams: unnamed tributaries to Allegheny River, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: June 24, 2010.

26840402 and NPDES Permit No. PA0599085. Hanson Aggregates BMC, Inc. (2200 Springfield Pike, Connellsville, PA 15425). NPDES renewal application for continued mining of a large noncoal surface mine, located in Connellsville Township, **Fayette County**, affecting 234.7 acres. Receiving stream: Connell Run, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: June 25, 2010.

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

08100302 and NPDES No. PA0257389. Johnson Quarries, Inc. (P. O. Box 136, Orange Street, LeRaysville, PA 18829). Commencement, operation and restoration of a overburden, shale, bluestone quarry located in Stevens Township, **Bradford County** affecting 127.9 acres. Receiving streams: unnamed tributary to Wyalusing Creek (Warm Water Fishery) and Rockwell Creek (Warm Water Fishery). Both flow to Wyalusing Creek (Warm Water Fishery) to the Susquehanna River (Warm Water Fishery). There are no potable water supply intakes within 10 miles downstream. Application received: June 28, 2010.

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

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

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

I. NPDES Renewal Permit Actions

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0063274 (Sewage)	Brian G. Guinane 1034 Lower Rhiney Creek Road Hallstead, PA 18822	Susquehanna County Liberty Township	Rhiney Creek 04E	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N ?
PAG124816	Boyles Farm 258 Mountain Road Muncy Valley, PA 17758	Lycoming County Franklin Township	Muncy Creek Watershed 10D	Y
PA0228150 (Industrial Waste)	Embassy Powdered Metals Airport Road Emporium, PA 15834	Cameron County Emporium Borough	Driftwood Branch Sinnemahoning Creek 8-A	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N ?
PA0222062	SGM, LLC 1553 Perry Highway Mercer, PA 16137	Mercer County Springfield Township	Unnamed Tributary to Neshannock Creek 20-A	Y
PA0029378	Redbank Valley School District 920 Broad Street New Bethlehem, PA 16242-1117	Clarion County Hawthorn Borough	Unnamed Tributary to Redbank Creek 17-C	Y
PA0101940	Anita and Michael Matthews, d/b/a Country Estates Mobile Home Park 210 Summit City Road Kennerdell, PA 16374-2220	Venango County Clinton Township	Trout Run 16-G	Y

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

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

NPDES Permit No. PA0056081, Sewage, **Dougherty, Kevin P.**, 937 Worthington Mill Road, Wrightstown, PA 18940. This proposed facility is located in Wrightstown Township, **Bucks County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge 1,750 gpd of treated sewage to an Unnamed Tributary to Mill Creek in Watershed 2-F.

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

NPDES Permit No. PA0042269, Amendment, Sewage, **Lancaster Area Sewer Authority**, 130 Centerville Road, Lancaster, PA 17603. This proposed facility is located in Manor Township, **Lancaster County**.

Description of Proposed Action/Activity: Authorization to discharge to Dry Run in Watershed 7-J.

NPDES Permit No. PA0008184, Industrial Waste, **Harsco Corporation**, 350 Popular Church Road, Camp Hill, PA 17011. This proposed facility is located in Harrisburg City, **Dauphin County**.

Description of Proposed Action/Activity: Transfer of Permit.

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

NPDES Permit No. PA0263699, Sewage, **Kris Ellis**, 7 South Court, Cranberry, PA 16066. This proposed facility is located in Forward Township, **Butler County**.

Description of Proposed Action/Activity: A Single Residence Small Flow Treatment Facility.

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.

WQM Permit No. 4601402, Sewerage, **Transfer, John Polkus**, 153 Papermill Road, Barto, PA 19504. This proposed facility is located in Douglass Township, **Montgomery County**.

Description of Action/Activity: Transfer original single residence wastewater treatment plant permit from O'Neil SRSTP to Polkus SRSTP.

WQM Permit No. 0987403, Sewerage, **Amendment No. 1, The Municipal Authority of the Borough of Morrisville**, 35 Union Street, Morrisville, PA 19067. This proposed facility is located in Morrisville Borough, **Bucks County**.

Description of Action/Activity: To reflect an organic capacity rerate of the Morrisville Borough sewage treatment plant. The project will generate 7.1 million gallons of sewage per day.

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

WQM Permit No. WQG02381002, Sewerage, **Northern Lebanon County Authority**. This proposed facility is located in Swatara Township, **Lebanon County**.

Description of Proposed Action/Activity: Construction/Operation to extend sanitary sewers to the Mountville Drive, Moritz Drive and Black Oak Road areas.

WQM Permit No. 6709201, Industrial Waste, **Phyllis Chant, P.H. Glatfelter Company**, 228 South Main Street, Spring Grove, PA 17362-1000. This proposed facility is located in Spring Grove Borough, **York County**.

Description of Proposed Action/Activity: Construction of industrial waste facilities consisting of: A lift station with three pumps, two spray cooling basins with three spray coolers per basin, an effluent line with step aeration chambers, Parshall flume, temperature probes and flow meters.

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

WQM Permit No. 0810401, Sewerage, SIC 4952, **Wyalusing Municipal Authority**, P. O. Box 61, Wyalusing, PA 18853. This proposed facility is located in Wyalusing Township, **Bradford County**.

Description of Proposed Action/Activity: A proposed elementary school and an existing Jr/Sr high school have access to the public sewers and capacity has been granted by the Authority. The project proposes to install gravity sewer from the proposed elementary school and existing high school to a central pump station on the elementary school site. The pump station will feed into a new force main that will ultimately discharge into an existing force main stub along the southern side of SR 0006.

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

WQM Permit No. 1010401, Sewerage, **Kris Ellis**, 7 South Court, Cranberry, PA 16066. This proposed/existing facility is located in Forward Township, **Butler County**.

Description of Proposed Action/Activity: A Single Residence Small Flow Treatment Facility.

WQM Permit No. WQG018759, Sewerage, **Brian and Kirsten May**, 396 Price Road, Bear Lake, PA 16402. This proposed/existing facility is located in Freehold Township, **Warren County**.

Description of Proposed Action/Activity: A Single Residence Small Flow Treatment Facility.

IV. NPDES Stormwater Discharges from MS4 Permit Actions

V. NPDES Waiver Stormwater Discharges from MS4 Actions

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

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI025208008	Raymondskill Properties, LLC 1875 Century Park East Suite 1980 Los Angeles, CA 90067	Pike	Dingman Township	Raymondskill Creek HQ-CWF, MF

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

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI041409016	Dave Palmer S & A Homes, Inc. 2121 Old Gatesburg Road State College, PA 16803	Centre	Ferguson Township	Big Hollow CWF

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

Westmoreland County Conservation District, 211 Donohoe Road, Greensburg, PA 15601 (724-837-5271).

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI056509005	Ray Patalsky 1209 Route 286 Export, PA 15632	Westmoreland	Murrysville Borough	UNT to Turtle Creek TSF

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

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

List of NPDES and/or Other General Permit Types

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

General Permit Type—PAG-2

Facility Location:

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Bristol Township Bucks County	PAG0200 091017	County of Bucks 555 Court Street Doylestown, PA 18901	Delaware River WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Middletown Township Bucks County	PAG0200 0909102	St. Mary Medical Center 1201 Langhorne- Newtown Road Langhorne, PA 19047	Neshaminy Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Warrington Township Bucks County	PAG0200 091020	Warrington Township 852 Easton Road Warrington, PA 18975	Little Neshaminy Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Solebury Township Bucks County	PAG0200 091018	Solebury Township 3092 Sagan Road P. O. Box 139 Solebury, PA 18963	Primose Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Middletown Township Bucks County	PAG0200 091027	Department of Transportation 7000 Geerdes Boulevard King of Prussia, PA 19406	Unnamed Tributary Mill Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

NOTICES

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<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Doylestown Township Bucks County	PAG0200 0909089	Doylestown Presbyterian Church 127 Court Street Doylestown, PA 18901	Cooks Creek WWF-M	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Makefield Township Bucks County	PAG0200 0903185-R	Toll Brothers, Inc. 250 Gibraltar Road Horsham, PA	Unnamed Tributary Jericho Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Falls Township Bucks County	PAG0200 091028	Sims Metal Management 300 South Steel Road Morrisville, PA 19067	Pidcock-Mill Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Haverford Township Delaware County	PAG0200 2307027	The Goldenberg Group 350 Sentry Parkway Building 630 Suite 300 Blue Bell, PA 19422	Darby Creek CWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Concord Township Delaware County	PAG0200 231005	Concord Township 43 Thornton Road Glenn Mills, PA 19342	Chester Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Horsham Township Montgomery County	PAG0200 4609102	Glen Acer Development, LP 636 Old York Road Jenkintown, PA 19046	Little Neshaminy Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Horsham Township Montgomery County	PAG0200 461015	Horsham Water and Sewer Authority 617 Horsham Road Horsham, PA 19044	Park Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Providence Township Montgomery County	PAG0200 461003	HTC Associates, Inc. 1741 Valley Forge Road P. O. Box 12 Worcester, PA 19426	Perkiomen Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Souderton Township Montgomery County	PAG0200 461036	Zwingli United Church of Christ 350 Nile Avenue Souderton, PA 18964	Tributary Skippack Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Frederick Township Montgomery County	PAG0200 461042	Department of Transportation 7000 Geerdes Boulevard King of Prussia, PA 19406	Perkiomen Creek and Mill Race WWF-MF-TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Salford Township Montgomery County	PAG0200 461025	Indian Valley Mennonite Church 190 Maple Avenue Harleysville, PA 19428	Unnamed Tributary Indian Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Horsham Township Montgomery County	PAG0200 461009	Vantage Point Advisors, Inc. 1029 North Bethlehem Pike Lower Gwynedd, PA 19002	Little Neshaminy Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
North Manheim Township Schuylkill County	PAG2005409010	Achey Land Partners, LLC Attn: Arthur L. Raudenbush 355 East Second Mountain Road Schuylkill Haven, PA 17972	Tributary to Schuylkill River CWF, MF	Schuylkill County Conservation District 570-622-3742

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Archbald Borough Lackawanna County	PAG2003510006	Lackawanna Heritage Valley Authority Attn: Natalie Gelb Solfanelli 538 Spruce Street Suite 516 Scranton, PA 18503	Laurel Run CWF, MF	Lackawanna County Conservation District 570-281-9495
North Towanda Township Bradford County	PAG2000810011	Bhadresh Patel Peace Motel, Inc. 383 York Avenue Towanda, PA 18848	Sugar Creek Susquehanna River WWF/MF	Bradford County Conservation District Stoll Natural Resource Center R. R. 5 Box 5030C Towanda, PA 18848 (570) 265-5539 Ext. 6
State College Borough Centre County	PAG2001410011	William James Foxdale Village Corp 500 East Marylyn Avenue State College, PA 16801	Slab Cabin Run CWF	Centre County Conservation District 414 Holmes Avenue Suite 4 Bellefonte, PA 16823 (814) 355-6817
Cooper and Graham Townships Clearfield County	PAG2001710006	Department of Transportation, District 2-0 P. O. Box 342 Clearfield, PA 16830	Alder Run CWF Sulpher Run CWF	Clearfield County Conservation District 650 Leonard Street Clearfield, PA 16830 (814) 765-2629
Woodward Township Clinton County	PAG2001810001	R. Edward Nestlerode, Jr. Linwood Acres-Phase I 145 East Walnut Street Lock Haven, PA 17745	UNT to Susquehanna River CWF	Clinton County Conservation District 45 Cooperation Lane Mill Hall, PA 17751 (570) 726-3798

General Permit Type—PAG-3

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Berks County Reading City	PAR143514	Sealed Air Corporation 450 Riverfront Drive Reading, PA 19602	Schuylkill River WWF	DEP—SCRO—WQ 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Franklin County Letterkenney Township	PAR233545	Alex C. Fergusson, LLC 5000 Letterkenney Road Chambersburg, PA 17201	Muddy Run WWF Rocky Spring Branch TSF	DEP—SCRO—WQ 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Franklin County Chambersburg Borough	PAR123542	Ventura Foods, LLC 1501 Orchard Drive Chambersburg, PA 17201-4812	UNT Conococheague Creek WWF 13-C	DEP—SCRO—WQ 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Perry County Penn Township	PAR213559	Marstellar Concrete, Inc. Penn Township Facility P. O. Box 210 Port Royal, PA 17082	UNT Susquehanna River WWF 7A	DEP—SCRO—WQ 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Lancaster County East Hempfield Township	PAR203570	Amerimax Home Products, Inc. Box 4515 Lancaster, PA 17604	West Branch Little Conestoga Creek TSF 7-J	DEP—SCRO—WQ 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Williamsport City Lycoming County	PAR704807	HRI, Inc. 1750 West College Avenue State College, PA 16801	UNT Daugherty Run 10-A WWF	Northcentral Regional Office Water Management 208 West Third Street Suite 101 Williamsport, PA 17701-6448 570-327-0532
Moon Township Allegheny County	PAR606152	Jerry's Auto Wrecking 176 Flaugherty Run Road Coraopolis, PA 15108	Ohio River	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000

General Permit Type—PAG-4

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Berks County Bern Township	PAG043714	Jeanette L. Drey 1193 Fairview Drive Reading, PA 19605	UNT Plum Creek 3C CWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Freehold Township Warren County	PAG049591	Brian and Kirsten May 396 Price Road Bear Lake, PA 16402	Unnamed tributary to Coffee Creek 16-B	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

General Permit Type—PAG-5

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
North Huntingdon Township Westmoreland County	PAG056238	Speedway Super- America, LLC 500 Speedway Drive Enon, OH 45501	UNT of Tinkers Run	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000

General Permit Type—PAG-8

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
Christiana Borough Chester County	PAG083584	Christiana Borough P. O. Box 135 Christiana, PA 17509	Christiana Borough WWTP 1200 Valley Avenue Atglen, PA 19310	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707
Clay Township Huntingdon Township	PAG083595	Spring Creek Joint Sewer Authority P. O. Box 373 Three Springs, PA 17264	Spring Creek Joint Sewer Authority WWTP 8809 Hudson Street Three Springs, PA 17264	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707
Conewago Township Adams County	PAG083596	Borough of Hanover 44 Frederick Street Hanover, PA 17331	Hanover Area Regional WWTP 44 Frederick Street Hanover, PA 17331	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707

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

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

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

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

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

CAFO PUBLIC NOTICE SPREADSHEET—ACTIONS

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Martin Farms 167 Overcash Road Chambersburg, PA 17202	Franklin	1,061	1,406.25	Dairy	N/A	Approved
Greystone Pork 12950 Forge Road Mercersburg, PA 17236	Franklin	87.7	715.12	Swine	N/A	Approved
Robert Boyles & Son 258 Mountain Road Muncy Valley, PA 17758	Lycoming	225.1	558.25	Swine/Beef	NA	Approved

**PUBLIC WATER SUPPLY (PWS)
PERMITS**

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

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

at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act

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

Source Water Assessment Plan Approval issued to **Buckingham Township Water Systems**, P. O. Box 413, Buckingham, PWSID 1090137, 1090123, 1090145 and 1090159, Buckingham Township, **Bucks County** on June 30, 2010.

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

Operations Permit issued to **Herr Mobile Home Park**, 7360064, West Earl Township, **Lancaster County** on 6/25/2010 for the operation of facilities approved under Construction Permit No. 3609509.

Operations Permit issued to **Groffdale Mobile Home Park**, 7360098, Upper Leacock Township, **Lancaster County** on 6/25/2010 for the operation of facilities approved under Construction Permit No. 3609510.

Operations Permit issued to **Washington Township Municipal Authority**, 7280026, Washington Township, **Franklin County** on 7/1/2010 for the operation of facilities approved under Construction Permit No. 2809522 MA.

Operations Permit issued to **Mt. Holly Springs Borough Authority**, 7210037, Mt. Holly Springs Borough, **Cumberland County** on 6/25/2010 for the operation of facilities approved under Construction Permit No. 2110502 MA.

Operations Permit issued to **Berk Tek, Inc.**, 7360967, Earl Township, **Lancaster County** on 6/25/2010 for the operation of facilities approved under Construction Permit No. 3610510 MA.

Operations Permit issued to **Northwestern Lancaster County Authority**, 7360164, Penn Township, **Lancaster County** on 6/25/2010 for the operation of facilities approved under Construction Permit No. 3610521 MA.

Operations Permit issued to **Reflections Restaurant**, 7360537, Manheim Borough, **Lancaster County** on 6/25/2010 for the operation of facilities approved under Construction Permit No. 3610512 MA.

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

Permit No. M.A. (5381501)—Operation, Public Water Supply.

Applicant	Ulysses Municipal Authority
Township or Borough	Ulysses Borough
County	Potter
Responsible Official	Timothy C. Scott, Chairperson Ulysses Municipal Authority 518 Main Street Ulysses, PA 16948
Type of Facility	Public Water Supply—Operation
Consulting Engineer	N/A
Permit Issued Date	June 28, 2010
Description of Action	Operation of 117,000 gallon steel welded water storage tank that was recently repainted on both inner and outer surfaces, followed by acceptable bacteriological and volatile organic chemical test results.

Permit No. 1409501—Operation, Public Water Supply.

Applicant	Nittany Grove Mobile Home Park
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Township or Borough	Harris Township
County	Centre
Responsible Official	Kirk Aguer Nittany Grove Mobile Home Park 233 Timberwood Trail Boalsburg, PA 16827
Type of Facility	Public Water Supply—Operation
Consulting Engineer	Eric Casanave, P. E. Pen Terra Engineering, Inc. 3075 Enterprise Drive State College, PA 16801
Permit Issued Date	June 29, 2010
Description of Action	Operation of a new finished water storage tank.

Permit No. 0810501—Construction, Public Water Supply.

Applicant	Wysox Township Municipal Authority
Township or Borough	Wysox Township
County	Bradford
Responsible Official	Robert C. Williams, Chairperson Wysox Township Municipal Authority 724 Main Street Towanda, PA 18848
Type of Facility	Public Water Supply—Construction
Consulting Engineer	William Sauserman, P. E. Stiffler McGraw & Associates 1731 North Juniata Street Hollidaysburg, PA 16648
Permit Issued Date	June 29, 2010
Description of Action	Construction of a new public water supply to serve Wysox Township, including a distribution system, a 257,000 gallon glass-lined, bolted steel, finished water storage tank, transmission lines and a booster pump station to convey finished water from Towanda Municipal Authority.

The **Renovo Borough Water Department** (Public Water Supply), **Clinton County**: On June 30, 2010, the Watershed Management Program approved the Source Water Protection (SWP) plan for this Renovo Borough Water Department of Environmental Protection (Department). The personnel involved with the development of this SWP are to be commended for taking these proactive steps to protect these water sources for their community. Development of the SWP plan was funded by the Department (Mark R. Stephens, P. G.) (570) 327-3422.

The **South Renovo Water System** (Public Water Supply), **Clinton County**: On June 30, 2010, the Watershed Management Program approved the Source Water Protection (SWP) plan for this South Renovo Water System. The personnel involved with the development of this SWP are to be commended for taking these proactive steps to protect these water sources for their community. Development of the SWP plan was funded by the Department of Environmental Protection (Mark R. Stephens, P. G.) (570) 327-3422.

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

Permit No. 5610501, Public Water Supply.
 Applicant **Central City Water Authority**
 314 Central Avenue
 Suite 203
 Central City, PA 15926
 Borough or Township Shade Township
 County **Somerset**
 Type of Facility Village of Rockingham waterline project
 Consulting Engineer The EADS Group, Inc.
 450 Aberdeen Drive
 Somerset, PA 15501
 Permit to Construct June 28, 2010
 Issued

Permit No. 5610506, Public Water Supply.
 Applicant **Central City Water Authority**
 314 Central Avenue
 Suite 203
 Central City, PA 15926
 Borough or Township Shade Township
 County **Somerset**
 Type of Facility Sorber water storage tank and Ridge Road pump station
 Consulting Engineer The EADS Group, Inc.
 450 Aberdeen Drive
 Somerset, PA 15501
 Permit to Construct June 28, 2010
 Issued

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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>
Rouseville Borough	64 Main Street P. O. Box 317 Rouseville, PA 16344	Venango

Plan Description: The approved plan addresses needed improvements/upgrades to Rouseville's sewage treatment plant (STP). The project will convert the existing 0.24 MGD extended aeration STP into a 0.24 MGD Sequential Batch Reactor STP. In addition, sanitary sewer rehabilitation will be performed. The Department of Environmental Protection's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Washington Township	13013 Welty Road Waynesboro, PA 17268	Franklin

Plan Description: The approved plan provides for the replacement and expansion of sewer lines 1—5 upper and lower interceptors to eliminate surcharging and the potential for sewage overflows. 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.

SEWAGE FACILITIES ACT PLAN DISAPPROVAL

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

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Windsor Township	730 Monument Road Hamburg, PA 19526	Berks

Plan Description: The planning module for the Christman Lot 1 Subdivision, DEP Code No. A3-06974-078-3 and APS Id 721194, consists of a single residential building lot proposing connection to the Christman Lake Development collection system by means of a grinder pump and low pressure force main. The project is located on the west side of Christman Road approximately 200 feet south of Balthaser Road. The plan revision was denied because the proposal is not consistent with the Windsor Township Act 537 Plan. The 537 Plan for the Christman Lake development provides for a community sewerage system to serve just the Christman Lake area as defined in that plan. The method of sewage disposal for the area outside of the Christman Lake development is on lot sewage disposal, as provided for in the Berks County Master Water and Sewer Plan; the module did not evaluate all the technically available alternatives, specifically onlot sewage disposal was not evaluated in the alternatives analysis. No site suitability testing was conducted; the module did not evaluate the alternatives for consistency with existing plans and resolve the inconsistencies between the chosen alternative and the existing plan; ownership, operation and maintenance of the grinder pump and force main was not established or discussed in the module.

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 (Depart-

ment) 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 Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

Gray Ferry Shop Center, City of Philadelphia, **Philadelphia County**. Bill Schmidt, Pennoni Associates, Inc., 3001 Market Street, Philadelphia, PA 19104, Paul Martino, Pennoni Associates, Inc., 3001 Market Street, Philadelphia, PA 19104 on behalf of Arnold Lurie, Korman Commercial Properties, 2 Neshaminy Inteplex, Suite 305, Trevoise, PA 19053 has submitted a Remedial Investigation/Cleanup Plan concerning remediation of site groundwater and soil contaminated with inorganic and lead. The Report is intended to document remediation of the site to meet the Site-Specific Standard.

Rydal Park, Abington Township, **Montgomery County**. Stacie Cottone, J&J Spill Service & Supplies Inc., P. O. Box 370, Blue Bell, PA 19422 on behalf of Craig Pierre, Presby's Inspired Life, 2000 Joshua Road, Lafayette, PA 19444 has submitted a 90 day Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The Report is intended to document remediation of the site to meet the Statewide Health Standard.

10 East Moreland Site, City of Philadelphia, **Philadelphia County**. Michael Welsh, P. E., Welsh Environmental, Inc., 131 Clearview Drive, Downingtown, PA 19335 behalf of Eli Kahn, Free Range Associates, 55 County Drive, Downingtown, PA 19355, Dr. Edward Jones, Renal Enterprises, LLC, 125 Medical Campus Drive, Lansdale, PA 19446 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 Standard.

Verizon Bryn Mawr Garage Lower Merion, Montgomery County. Sean M. Damon, P. G., Langan Engineering & Environmental, P. O. Box 1569, Doylestown, PA 18901, James McElman, P. G., Verizon Environment Management, 7701 East Telecom Drive, MC: FLTDSB1M, Temple Terrace, FL 33637 on behalf of Paul Aschkenasy, Blank Aschkenasy Properties, LLC, 30 Four Falls Corporate Center, 300 Conshohocken State Road, Suite 360, West Conshohocken, PA 19428 has submitted a Final Report concerning remediation of site soil contaminated with chlorinated solvents. The Report is intended to document remediation of the site to meet the Statewide Health Standard.

Goodwin Residence, Bristol Township, **Bucks County**. Charles Burger, Mountain Research, LLC, 825 25th Street, Altoona, PA 16601 on behalf of Dorothy Goodwin, 26 Ring Lane, Levittown, PA 19055 has submitted a 90 day Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The Report is intended to document remediation of the site to meet the Statewide Health Standard.

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

G & B Specialties Berwick Plant, Berwick Borough, **Columbia County**. Manko, Gold, Katcher & Fox, LLP, 401 City Avenue, Suite 500, Bala Cynwyd, PA 19004 on behalf G&B Specialties, Inc., P. O. Box 305, 535 West Third Street, Berwick, PA 18603 has submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of site soil and groundwater contaminated with VOCs, PAHs and metals. The Report is intended to document remediation of the site to meet the Site-Specific Standard.

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

ITT Water & Wastewater—Leopold, Zelienople Borough, **Butler County**. AECOM, 4 Neshaminy Interplex, Suite 300, Trevoise, PA 19053 on behalf of ITT Water & Wastewater, 227 South Division Street, Zelienople, PA 16063 has submitted a Final Report concerning remediation of site soil contaminated with mercury. The Report is intended to document remediation of the site to meet the Statewide Health Standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

Provisions of 25 Pa. Code § 250.8, administration of the Land Recycling and Environmental Remediation Standards Act (act), require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental

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

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

The Department has received the following plans and reports:

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

Sharon Hill Apartments, Sharon Hill Borough, Delaware County. Richard Werner, Environmental Consulting, Inc., 500 East Washington Street, Suite 375, Norristown, PA 19401 on behalf of John Gilsenan, Woodland Investments, LLC, 911 Ormond Road, Drexel Hill, PA 19026 has submitted a Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on June 15, 2010.

Pilgrim Gardens Senior Living, City of Philadelphia, Philadelphia County. Staci Cottone, J&J Spill Service and Supplies, Inc., P.O. Box 370, Blue Bell, PA 19422 on behalf of John Ardente, Wesley Enhanced Living at Pilgrim Gardens, 7032 Rising Sun Avenue, Philadelphia, PA 19111 has submitted a Final Report concerning the remediation of site soil contaminated with No. 4 fuel oil. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on June 15, 2010.

Oscar Mayer/Dupont Facility, City of Philadelphia, Philadelphia County. Paul Martino, Pennoni Associ-

ates, Inc., 3001 Market Street, Philadelphia, PA 19104 on behalf of Joseph Syrnick, Schuylkill River Development Corporation, Cira Centre, 2929 Arch Street, 13th Floor, Philadelphia, PA 19104 has submitted a Final Report concerning the remediation of site groundwater and soil contaminated with chlorinated solvents. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on June 23, 2010.

Montgomery County Community College, Pottstown Borough, Montgomery County. Greg Firely, Malcolm Pirnie, Inc., 640 Freedom Business Center, Suite 310, King of Prussia, PA 19406 on behalf of Dean Foster, Montgomery County Community College, 10 College Drive, Pottstown, PA 19464 has submitted a Final Report concerning the remediation of site groundwater and soil contaminated with lead and inorganic. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on June 22, 2010.

Mench Residence, Concord Township Delaware County. Dan Ruch, Underwood Engineering, 143 Harding Avenue, Bellmawr, NJ 18031 on behalf of Robert Mench, 1120 Clayton Greenspring Road, Smyra, DE 19977 has submitted a Final Report concerning the remediation of site groundwater contaminated with unleaded gasoline. The Final Report demonstrated attainment of the Site-Specific Standard and was approved by the Department of Environmental Protection on June 24, 2010.

BMW of the Main Line, Lower Merion Township Montgomery County. Richard Werner, Environmental Consulting, Inc., 500 East Washington Street, Suite 375, Norristown, PA 19401, Elizabeth Kirsch, Kirsch Enterprise, Inc., and Estate of C. H. Kirsch, c/o Richard E. Javage, Jr. Esp., 3550 Township Line Road, Drexel Hill, PA 19026 on behalf of Steve Holstad, Bala Properties North, LLC/Bala Properties South, LLC, Mini of the Main Line, 130 Montgomery Avenue, Bala Cynwyd, PA 19004 has submitted a Final Report concerning the remediation of site groundwater contaminated with PAH's and chlorinated solvents. The Final Report demonstrated attainment of the Background Standard and Statewide Health Standard and was disapproved by the Department of Environmental Protection on June 23, 2010.

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

Bethlehem Commerce Center—Lot 11, 1805 East 4th Street, Bethlehem City, Northampton County. Kenneth G. Robbins, HDR Engineering, Inc., 1720 Spillman Drive, Suite 280, Bethlehem, PA 18015-2165 submitted a Cleanup Plan (on behalf of his client, Lehigh Valley Industrial Park, Inc., 1720 Spillman Drive, Suite 150, Bethlehem, PA 18015-2164), concerning the remediation of soils found to have been impacted by inorganics, VOCs and SVOCs as a result of historical manufacturing operations at the site. The Report met the requirements of the Site-Specific Standard for soils and was approved by Central Office on June 28, 2010.

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

Former Glucroft Corporation Roaring River Mills Property, Altoona City, Blair County. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of AMTRAN, 3301 Fifth Avenue, Altoona, PA 16602, submitted a Baseline Environmental Report for

site soils and groundwater contaminated with VOCs, SVOCs and metals. The Baseline Environmental Report was approved by the Department of Environmental Protection on June 28, 2010. The site is being remediated as a Special Industrial Area.

Ken Johnson Property, Rushcombmanor Township, **Berks County**. GemChem, Inc., 53 North Cedar Street, P. O. Box 384, Lititz, PA 17543-0384, on behalf of Ken Johnson, 51 Lark Lane, Fleetwood, PA 19522, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department of Environmental Protection on June 29, 2010.

Charlotte Hampton Residence, Logan Township, **Blair County**. Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, on behalf of Charlotte Hampton, 3397 Washington Avenue, Altoona, PA 16601 and Allstate Insurance Company, 309 Lakeside Drive, Suite 100, Horsham, PA 19044, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil. The Final Report, which was submitted within 90 days of the release, demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department of Environmental Protection on June 29, 2010.

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

Lock Haven Bald Eagle St. Former MGP Site, City of Lock Haven, **Clinton County**. The Mahfood Group, 260 Millers Run Road, Bridgeville, PA 15017 on behalf of UGI Utilities, Inc., 2525 North 12th Street, Suite 360, Reading, PA 19612 has submitted a Remedial Investigation Report concerning remediation of site groundwater contaminated with benzene, toluene, ethylbenzene, and xylenes (BTEX) and polycyclic aromatic hydrocarbons (PAHs). The Remedial Investigation Report was approved by the Department of Environmental Protection on June 30, 2010.

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

Tennessee Gas Pipeline Compressor Station 307, Howe Township, **Forest County**. SE Technologies, LLC, 98 Vanadium Road, Building D, 2nd Floor, Bridgeville, PA 15017 on behalf of Tennessee Gas Pipeline, 1211 Greenville Mercer Road, Mercer, PA 16137 has submitted a Final Report concerning remediation of site soil contaminated with anthracene, benzene, benzo[a]anthracene, benzo[a]pyrene, benzo[b]fluoranthene, benzo[g,h,i]perylene, chrysene, fluorene, lead, naphthalene, phenanthrene and pyrene. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on March 24, 2010.

Pennzoil Rouseville Refinery Plant 2 (Former PQS Rouseville Refinery Plant No. 2), Cornplanter Township, **Venango County**. URS Corporation, 200 Orchard Ridge Drive, Suite 101, Gaithersburg, MD 20878 on behalf of Pennzoil-Quaker State Company, 910 Louisiana OSP 687, Houston, TX 77002 has submitted a Risk Assessment Report concerning the remediation of site soil contaminated with 1,1,2,2-tetrachloroethane, 1,2,3-trichloropropane, 1,2,4-trimethylbenzene, benzene, ethylbenzene, naphthalene, toluene, xylenes (total), 2-methylnaphthalene, benzo[a]anthracene, benzo[a]pyrene, benzo[b]fluoranthene, benzo[k]fluoranthene, dibenz[a,h]anthracene, indeno[1,2,3-cd]pyrene, antimony, arsenic,

chromium, cobalt, iron, lead, manganese, mercury, thallium, and vanadium; site groundwater contaminated with, 1,2,3-trichloropropane, 1,2,4-trimethylbenzene, 1,2-dichloroethane, 1,3,5-trimethylbenzene, 2-hexanone, 4-isopropyltoluene, benzene, cumene, ethylbenzene, methylene chloride, methyl-tert-butyl-ether, naphthalene, n-propylbenzene, styrene, toluene, xylenes (total), 2,4-dimethylphenol, 2-methylnaphthalene, 3 and 4 methylphenol, acenaphthene, benzo[a]anthracene, benzo[a]pyrene, benzo[b]fluoranthene, benzo[g,h,i]perylene, benzo[k]fluoranthene, bix[2-ethylhexyl]phthalate, chrysene, dibenz[a,h]anthracene, dibenzofuran, di-n-octyl phthalate, fluoranthene, fluorene, indeno[1,2,3-cd]pyrene, pentachlorophenol, phenanthrene, pyrene, antimony (dissolved and total), arsenic (dissolved and total), barium (dissolved and total), cadmium (total), cobalt (dissolved and total), iron (dissolved and total), lead (dissolved and total). Manganese (dissolved and total), mercury (dissolved and total), nickel (total), selenium (dissolved and total), vanadium (dissolved and total), zinc (dissolved and total), and cyanide; sediment contaminated with benzene, benzo[a]anthracene, benzo[a]pyrene, benzo[b]fluoranthene, dieno[a,h]anthracene, and indeno[1,2,3-cd]pyrene; surface water contaminated with benzene, benzo[a]anthracene, benzo[a]pyrene, benzo[b]fluoranthene, benzo[k]fluoranthene, chrysene, and dibenz[a,h]anthracene. The Risk Assessment Report was approved by the Department of Environmental Protection on June 16, 2010.

RESIDUAL WASTE GENERAL PERMITS

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

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

General Permit Application No. WMGR079D002. Allan A. Myers, LP, 638 Lancaster Avenue, Malvern, PA 19355. The general permit WMGR079D002 is for the processing and beneficial use of waste asphalt shingles as aggregate in the production of asphalt paving material and as a sub-base for road and driveway construction, processed at Devault Asphalt Plant, located in Charlestown Township, **Chester County**. The permittee requested the general permit be revoked due to the utilization of another general permit for the operation at the Devault Asphalt Plant. Central Office revoked this general permit on July 2, 2010.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

Permit ID No. 101689. Valley Waste Services, Inc., Valley Waste Transfer Facility, Wallace Run Road, Beaver Falls, PA 15010. Operation of a Municipal Solid Waste Transfer Facility in Chippewa Township, Big Beaver and West Mayfield Boroughs, **Beaver County**. Permit issued in the Regional Office on June 23, 2010.

Override Justification Notice under Section 504 of the Act (35 P. S. § 6018.504):

The Department of Environmental Protection (Department) is issuing a permit under the Pennsylvania Solid Waste Management Act to Valley Waste Services, Inc. for Valley Waste Transfer Facility overriding objections from Beaver County, which is the host county, and the Boroughs of West Mayfield and Big Beaver, and Chippewa Township, the host townships.

Issue: Beaver County objected in writing to the proposed transfer station being within the county, stating that they felt it is unnecessary for the transport and disposal of municipal solid waste within the county and because of unresolved disagreements with Vogel Disposal Services associated with their contract with Vogel's Seneca Landfill.

Response: The Department has determined that the facility does not conflict with the host county plans and complies with all applicable regulations. Also the contract between Beaver County and Vogel Disposal Services is not germane to the requirements of issuing this waste transfer station permit.

Issue: The Boroughs of West Mayfield and Big Beaver objected to the proposed transfer station because of concerns raised by some residents over potential nuisances and protection of groundwater.

Response: A public hearing was held on August 11, 2008, and a comment response document was developed to address the comments raised at that hearing. The comment response document details that nuisance issues were resolved through permitted mitigation measures and specific permit conditions incorporated into the permit.

The Department has determined that the applicant has taken reasonable measures to address public concerns and that the harms remaining after mitigation were minor in nature and are outweighed by the socioeconomic benefits of the proposed facility. The Department memorialized those findings with approval of the Environmental Assessment Harms/Benefits Analysis for the proposed Facility on February 7, 2008.

Valley Waste Services, Inc. has satisfied all requirements to receive a permit under the Pennsylvania Solid Waste Management Act.

AIR QUALITY

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

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

GP9-46-0042: United States Liability Insurance Group (190 South Warner Road, Wayne, PA 19087) on June 30, 2010, to operate a diesel-fired emergency generators engines in Upper Merion Township, **Montgomery County**.

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

58-310-033GP3: Darwin R. Greene (668 Bethel Hill Road, Susquehanna, PA 18847) on June 30, 2010, to construct and operate a Portable Crushing Operation with watersprays at their site in Harmony Township, **Susquehanna County**.

58-329-024GP9: Darwin R. Greene (668 Bethel Hill Road, Susquehanna, PA 18847) on June 30, 2010, to install and operate Diesel I/C Engines at their site in Harmony Township, **Susquehanna County**.

58-399-011GP5: Appalachia Midstream Services, LLC (6100 North Western Avenue, P. O. Box 54382, Oklahoma City, OK 73154-1382) on June 30, 2010, to construct and operate a Natural Gas Compressor Station (Stonehouse Station) at their site in Rush Township, **Susquehanna County**.

58-310-032GP3: Alan Gage (R. R. 1, Box 1275, Lawton, PA 18828) on June 23, 2010, to construct and operate a Portable Crushing Operation with watersprays at their site in Rush Township, **Susquehanna County**.

58-329-023GP9: Alan Gage (R. R. 1, Box 1275, Lawton, PA 18828) on June 23, 2010, to install and operate Diesel I/C Engines at their site in Rush Township, **Susquehanna County**.

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110. Contact: Thomas J. Hanlon, Chief, East Permitting Section—Telephone: 717-705-4862 or Daniel Husted, Chief, West Permitting Section—Telephone: 814-949-7935.

GP1-36-05149: Burle Business Park, LP (1004 New Holland Avenue, Lancaster, PA 17601) on July 1, 2010, for a 23.4 mmBtu natural gas-fired boiler at their business park facility in Lancaster City, **Lancaster County**.

GP3-36-03178B: Pennsy Supply, Inc. (P. O. Box 3331, Harrisburg, PA 17105-3331) on June 30, 2010, for a portable crushing plant consisting of two crushers a screen and six conveyors at the East Petersburg Quarry in East Hempfield Township, **Lancaster County**.

GP9-36-03178B: Pennsy Supply, Inc. (P. O. Box 3331, Harrisburg, PA 17105-3331) on June 30, 2010, for three diesel engines to power stone crushing equipment at the East Petersburg Quarry in East Hempfield Township, **Lancaster County**.

GP3-36-03158: Thaddeus Stevens College of Technology (750 East King Street, Lancaster, PA 17602-3198) on June 24, 2010, for two natural gas-fired boilers at their Orange Street Branch Campus located in Lancaster Township, **Lancaster County**.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Contact: Barb Hatch, Environmental Engineer Managers—Telephone: 412-442-4163/5226.

GP5-65-00867B: CONSOL Gas Co. (CNX Center, 1000 Consol Energy Drive, Canonsburg, PA 15317-6506) on June 18, 2010, to operate a natural gas production facility at their Jacob's Creek Compressor Station in South Huntingdon Township, **Westmoreland County**.

GP5-65-00961C: CONSOL Gas Co. (CNX Center, 1000 Consol Energy Drive, Canonsburg, PA 15317-6506) on June 18, 2010, to operate a natural gas production facility at their Hickman Compressor Station in Bell Township, **Westmoreland County**.

GP3-32-00320A: Penn Run Quarry-2 (590 Spruce Grove Road, Penn Run, PA 15765) on June 23, 2010, under GP-3 to install and operate of a non-coal mineral processing plant at their Spruce Mine (Permit No. 32040301) in Cherry Hill Township, **Indiana County**.

GP9-32-00320B: Penn Run Quarry-2 (590 Spruce Grove Road, Penn Run, PA 15765) on June 23, 2010, under GP-9 to allow installation and operation of four diesel engines to power a non-coal mineral processing plant at their Spruce Mine (Permit No. 32040301) in Cherry Hill Township, **Indiana County**.

GP3-30-00168B: Fayette Coal and Coke, Inc. (195 Enterprise Lane, Connellsville, PA 15425) on June 23, 2010, for a general operating permit to construct and operate a crusher and a vibratory screen powered by a diesel engine at the Hilltop Surface Mine facility in Dunkard Township, **Greene County**.

GP5-30-00190A Chief Gathering, LLC (Suite 210, 6051 Wallace Road Extension, Wexford, PA 15090) on June 29, 2010, issued GP-5 to allow the installation of one new 25 MM cfd NG dehydration unit equipped with a reboiler and three new 12 MM cfd NG dehydration units also equipped with reboilers. It will also allow operation of the following existing sources, one Caterpillar, Model 3508LE, 670-bhp, compressor engine, one Caterpillar, Model 3516LE, 1340-bhp, compressor engine, one 12 MM cfd NG dehydration unit with a reboiler, located off of State Route 3008 in Gilmore Township, **Greene County**.

GP9-63-00953: Antero Resources Appalachian Corp. (1625 17th Street, Suite 300, Denver, CO 80202) on June 30, 2010, to construct and operate one diesel fuel fired engine at their Doerfler Compressor Station on Locust Road, West Pike Run Township, **Washington County**.

65-00974: Range Resources-Appalachia, LLC (380 Southpoint Boulevard, Canonsburg, PA 15317) on June 30, 2010, received a renewal GP-5 authorization for continued operation of a natural gas production facility at the Unity Compressor Station in Unity Township, **Westmoreland County**.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481. Contact: Mark Gorog, New Source Review Chief—Telephone: 814-332-6940.

GP5-42-224A: Open Flow Gas Supply Corp. (192 Colegrove Brock Road, Crosby, PA 16724) on June 30, 2010, to operate a natural gas fired compressor engine (BAQ-GPA/GP-5) in Norwhich Township, **McKean 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. Contact: Sachin Shankar, New Source Review Chief—Telephone: 484-250-5920.

15-0067G: Herr Foods, Inc. (273 Old Baltimore Pike, Nottingham, PA 19362-0300) on June 22, 2010, for installation of an additional mist collection control system on Fryer No. 3 at their facility in West Nottingham Township, **Chester County**. Herr Foods, Inc. is a Synthetic Minor facility, operating under SMOP 15-00067. The second mist eliminator is to help control the PM emissions from Fryer No. 3 and should not increase the facilities PM emissions. The Plan Approval will contain monitoring, recordkeeping and operating restrictions designed to minimize emissions and keep the facility operating within all applicable air quality requirements.

15-0132B: Cephalon, Inc. (145 Brandywine Parkway, West Chester, PA 19380) on June 22, 2010, for installation of two 500 KW diesel fuel oil-fired internal combustion engine, emergency electric generator sets in West Goshen Township, **Chester County**. This unit will be used for emergency power generation and periodic readiness testing only. The primary pollutant of concern is nitrogen oxides (NOx). Cephalon is categorized as a Synthetic Minor facility and the proposed operation of this generator will not cause the facility to exceed any major thresholds. The Plan Approval will contain recordkeeping and operating restrictions designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

09-0204A: Biofuel Advanced Research and Development, LLC (Sinter Road, Fairless Hills, PA 19030) on June 23, 2010, for installation and operation of a biodiesel processing plant to be in Falls Township, **Bucks County**. BARD is in the business of producing biodiesel as an alternative fuel. A chemical process is employed to extract oil from soybeans and process the soybean oil for production as biodiesel. The pollutants of concern from the proposed operation include particulate matter, hexane, and methanol emissions. The facility will utilize air pollution control devices to maintain emissions below major threshold levels. The Plan Approval will contain recordkeeping and operating restrictions designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

09-0192: Waste Management of Pennsylvania, Inc. (1000 New Ford Mill Road, Morrisville, PA 19067) on July 6, 2010, for operation of a bulk material handling and storage facility in Falls Township, **Bucks County**. Operations include ship or truck loading/unloading of pumice, gypsum, slag, salt or scrap steel. The only pollutant of concern at this facility is particulate matter (PM) emissions. This facility is a non-Title V facility. PM emissions will be controlled by water suppression and/or Best Management Practices for material transfer. The Plan Approval will contain recordkeeping and operating restrictions designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110. Contact: Thomas J. Hanlon, Chief, East Permitting Section—Telephone: 717-705-4862 or Daniel Husted, Chief, West Permitting Section—Telephone: 814-949-7935.

38-03014C: Pennsy Supply, Inc. (P. O. Box 3331, 1001 Paxton Street, Harrisburg, PA 17105-3331) on June 29, 2010, for installation of a crusher, conveyor and fabric filter at the Millard Stone Plant in North Londonderry Township, **Lebanon County**.

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

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

09-0193: Basic Chemical Solutions, LLC (5 Steel Road East, Morrisville, PA 19067) on June 29, 2010, to operate above ground acid storage tanks in Falls Township, **Bucks County**.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481. Contact: Mark Gorog, New Source Review Chief—Telephone: 814-332-6940.

16-132H: Clarion Boards, Inc. (143 Fiberboard Road, Shippensburg, PA 16245) on June 30, 2010, for modification of plan approvals 16-132B and C conditions with regards to the RTO in Paint Township, **Clarion County**. These changes are due to the CO&A and are a result of the facility being major for VOC. This is a Title V facility.

24-161B: Greentree Landfill Gas Co., LLC (Tower Road, Brockway, PA 15824) on June 30, 2010, to construct two natural gas compressor engines to replace their existing two compressor engines for boosting natural gas production into the custody transfer point in Horton Township, **Elk County**. This is a State-only facility.

42-011B: International Waxes, Inc. (45 Route 446, Smethport, PA 16749) on June 30, 2010, to construct a 99.8 mmBtu package boiler that will primarily use fuel oil and natural gas as the pilot. This boiler will have Low NOx Burners and Flue Gas Recirculation at the Keating Township, **McKean County** facility. This is a Title V facility.

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

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790. Contact: Norman Frederick, Facilities Permitting Chief—Telephone: 570-826-2507.

45-00004: United States Department of Defense—Tobyhanna Army Depot (11 Hap Arnold Boulevard, Tobyhanna, PA 18466) on June 30, 2010, for renewal of a Title V Operating Permit to operate an electrical equipment manufacturing facility in Coolbaugh Township, **Monroe County**.

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110. Contact: Thomas J. Hanlon, Chief, East Permitting Section—Telephone: 717-705-4862 or Daniel Husted, Chief, West Permitting Section—Telephone: 814-949-7935.

67-05001: Magnesita Refractories Co. (425 South Salem Church Road, York, PA 17408-5955) on June 29, 2010, for the refractories manufacturing facility in West Manchester Township, **York County**. This is a renewal of the Title V Operating Permit.

21-05005: Department of Corrections (P. O. Box 596, Camp Hill, PA 17001-0598) on June 29, 2010, for the SCI Camp Hill facility in Lower Allen Township, **Cumberland County**. This is a renewal of the Title V Operating Permit.

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

10-00027: Calumet Penreco, LLC (138 Petrolia Street, Karns City, PA 16041) on June 29, 2010, re-issued Title V Permit to operate a high quality specialty oils and lubricants manufacturing facility in Karns City Borough, **Butler County**. The facility's major emission sources include three boilers (66 mBtu/hr, 91 mmBtu/hr, and 91 mmBtu/hr), hydrotreater reactor furnace, hydrotreater reformer furnace, hydrotreater stripper furnace, kerosene unit furnaces, emergency diesel generator, two retort process heaters with a cyclone control, an Oleum process controlled by two venturi scrubbers, alcohol storage and handling, plant-wide fugitive emissions, wastewater treatment, small gasoline storage tank, naphtha rerun unit furnace, hydrotreater flare, kerosene/naphtha unit flare, and pumps and compressors. The facility is a major facility due to its potential to emit Volatile Organic Compounds, Sulfur Dioxide Compounds, and Oxides of Nitrogen.

25-00326: Foamex Innovations (466 South Shady Avenue, Corry, PA 16407) on June 4, 2010, issued an administrative amendment to the Title V Permit for the facility in the City of Corry, **Erie County** to incorporate the conditions from plan approval 25-0326A.

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

09-00102: Clean Earth of Southeast PA, Inc. (7 East Steel Road, Morrisville, PA 19067) on June 22, 2010, for operation of their facility in Falls Township, **Bucks County**. This action is a renewal of the permit for a non-Title V (Synthetic Minor) facility. The facility operates a soil remediation process. There are no proposed changes to equipment or operating conditions. The permit will continue to include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

09-00134: Harsco Minerals (905 Steel Road South, Fairless Hills, PA 19030) on June 30, 2010, for operation of their facility in Falls Township, **Bucks County**. This action is a renewal of the permit for a non-Title V (Natural Minor) facility. The facility operates a coal slag roofing granules plant. There are no proposed changes to equipment or operating conditions. The permit will continue to include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

48-00086: Bethlehem Apparatus Co., Inc. (890 Front Street, Hellertown, PA 18055-1507) on June 23, 2010, for manufacture of inorganic chemical in Hellertown Borough, **Northampton County**. This is a State-only Natural Minor operating permit for this facility. The State-only operating permit includes emissions, work practice standards and testing, monitoring, recordkeeping and report-

ing requirements designed to keep the facility operating within all applicable air quality requirements.

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110. Contact: Thomas J. Hanlon, Chief, East Permitting Section—Telephone: 717-705-4862 or Daniel Husted, Chief, West Permitting Section—Telephone: 814-949-7935.

22-05048: Amerigas Propane, LP (5400 Paxton Street, Harrisburg, PA 17111-2527) on July 1, 2010, for their propane cylinder filling facility in Swatara Township, **Dauphin County**. This is a renewal of the State-only operating permit.

67-03126: Yorkshire Animal Hospital (3434 East Market Street, York, PA 17402-2621) on June 22, 2010, for their veterinary crematory in Springettsbury Township, **York County**. This is a renewal of the State-only operating permit.

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

24-00062: Metal Powder Products Co. (879 Washington Street, Saint Marys, PA 15857-3644) on July 1, 2010, for a Natural Minor Permit to operate fabricated metal products in Saint Marys City, **Elk County**. The significant sources are natural gas fired boiler (1), sintering ovens (12), parts washer (1) and rust inhibitors (2). The facility is natural minor because the emission of pollutants is less than Title V threshold limits.

37-00271: Quality Aggregates—Limestone Plant (4955 Steubenville Pike, Suite 245, Pittsburgh, PA 15205), on June 15, 2010, issued a renewal State-only Operating Permit for the facility in Slippery Rock Township, **Lawrence County**. The facility is a Natural Minor. The facility processes limestone at the facility. The primary sources at the facility include a dry crushing and screening process and a wet crushing and screening process. The facility is subject to 40 CFR 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants and the applicable requirements have been included in the renewal permit. The renewal permit also contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

43-00182: Wheatland Tube Co. (1 Council Avenue, Wheatland, PA 16161), on July 1, 2010, to re-issue a Title V Permit to operate a steel pipe and tubes manufacturing facility in Wheatland Borough, **Mercer County**. The facility's major emission sources include three natural gas fired boilers (600 HP, 400 HP and 1000HP), continuous weld furnace, galvanizing kettles (2), coating lines (2), conduit metallizers (2), chromate treatments (2), coupling department, blow stations (2), PM threaders (2), outside pipe coating, galvanizing furnaces (2), miscellaneous heaters, miscellaneous parts washers, lime silo, wastewater evaporator and one waste oil space heater. The facility is a major facility due to its potential to emit Volatile Organic Compounds and Oxides of Nitrogen.

43-00304: Greenville Veterinary Clinic. (409 East Jamestown Road, Greenville, PA 16125) on June 29, 2010, to issue a renewal State-only Operating Permit for their facility in West Salem Township, **Mercer County**. The facility is a Natural Minor. The facility has a pet crematory. The renewal permit also contains emission restrictions, recordkeeping, work practice and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

61-00034: The Franklin Investment Corp., d/b/a Franklin Industries Co. (600 Atlantic Avenue, P. O. Box 671, Franklin, PA 16323-2206), on June 25, 2010, to issue a Synthetic Minor Operating Permit to operate a process that converts steel railroad rails into steel rods and posts in the City of Franklin, **Venango County**. The facility's primary emission sources include a walking beam furnace, rail scarfing, five parts washers, post line ovens, post dip coating, post flow coating and miscellaneous natural gas combustion.

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

09-00110: Riverside Construction Materials, Inc. (7900 North Radcliffe Street, Bristol, PA 19007) on June 22, 2010, is a non-Title V facility in Bristol Township, **Bucks County**. The Natural Minor Operating Permit No. 09-00110 has been amended to include the requirements of Plan Approval No. 09-0110E, which was issued for the modification of their cement handling operation. The Natural Minor Operating Permit contains monitoring, recordkeeping and operating conditions designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

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

10-00305: Harsco Minerals (359 North Pike Road, Sarver, PA 16055) on June 17, 2010, issued an administrative amendment to the State-only Operating Permit for their facility in Winfield Township, **Butler County** to incorporate the conditions from plan approval 10-305B, and the sources exempted from plan approval in April 2008 and December 2009.

25-00918: MMC Sterilization Group, Inc. (2205 East 33rd Street, Erie, PA 16510) on June 25, 2010, issued an administrative amendment to the State-only Operating Permit for their facility in the City of Erie, **Erie County** to incorporate the change of responsible official.

33-00116: PW Hardwood, LLC (11424 Route 36, Brookville, PA 15825) on June 24, 2010, issued an administrative amendment to the State-only Operating Permit for their facility in Rose Township, **Jefferson County** to incorporate the change of ownership and tax identification.

33-00145: Huntington Holdings, LLC (222 Industrial Park Drive, Brockway, PA 15824) on June 3, 2010, issued an administrative amendment to the State-only Operating Permit for their facility in Brockway Borough, **Jefferson County** to incorporate the change of ownership, tax ID and responsible official.

61-00187: SMS Millcraft, LLC (671 Colbert Avenue, Oil City, PA 16301) on June 17, 2010, issued an administrative amendment to the State-only Operating Permit for the facility in Oil City, **Venango County** to incorporate the conditions from plan approval 61-187D.

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.

56950101 and NPDES No. PA0213012. Action Mining Inc., 1117 Shaw Mines Road, Meyersdale, PA 15552, renewal for the continued operation of a bituminous surface and auger mine in Brothersvalley Township, **Somerset County**, affecting 106.5 acres. Receiving stream(s): unnamed tributaries to/and Pine Run classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: February 24, 2010. Permit Issued: June 29, 2010.

56040105 and NPDES No. PA0249602. Hoffman Mining, Inc., P. O. Box 130, 118 Runway Road, Friedens, PA 15541, permit renewal for reclamation only of a bituminous surface and auger mine in Paint Township, **Somerset County**, affecting 150.1 acres. Receiving stream(s): unnamed tributary to/and Shade Creed classified for the following use(s): cold water fishery. The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Border Dam SWI. Application received: February 23, 2010. Permit Issued: July 1, 2010.

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

65-09-02 and NPDES Permit No. PA0251861. Britt Energies, Inc. (2450 Philadelphia Street, Indiana, PA 15701). Government Financed Construction Contract issued for reclamation of approximately 8.7 acres of abandoned mine lands located in Derry Township, **Westmoreland County**. Receiving streams: unnamed tributaries to Conemaugh River. Application received: January 11, 2010. Contract issued: June 23, 2010.

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

17090105 and NPDES No. PA0257150. Sky Haven Coal, Inc. (5510 State Park Road, Penfield, PA 15849). Commencement, operation and restoration of a bituminous surface and auger mine located in Bradford Township, **Clearfield County** affecting 46.2 acres. Receiving streams: unnamed tributary to Roaring Run classified for Cold Water Fishery. There are no potable water supply

intakes within 10 miles downstream. Application received: June 2, 2009. Permit issued: June 23, 2010.

Noncoal Permits Actions

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

08090305 and NPDRS No. PA0257214. Johnson Quarries, Inc. (P. O. Box 136, LeRaysville, PA 18829). Commencement, operation and restoration of a surface large non-coal mine (bluestone) located in Wilmot Township, **Bradford County** affecting 53.55 acres. Receiving streams: Rocky Forest Creek, unnamed tributary to the Susquehanna River, Susquehanna River classified for the following uses: Cold Water Fisheries. Application received: September 22, 2009. Permit issued: June 24, 2010.

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

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

65104005. Helix Seismic International, Inc. (No. 110 7445-45 Avenue Close, Red Deer, AB T4P 4C2). Blasting activity permit for seismic exploration, located in Fairfield and St. Clair Townships, **Westmoreland County**, with an expected duration of six months. Permit issued: June 22, 2010.

63104004. Dyno Nobel, Inc. (494 Four H Camp Road, Morgantown, WV 26508). Blasting activity permit for the construction of the Raymond Margaria Pad to conduct seismic activities, located in Cross Creek Township, **Washington County**. The duration of blasting is expected to last one month. Blasting permit issued: June 28, 2010.

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

08104015. John Brainard (3978 SR 2023, Kingsley, PA 18826). Blasting for a well pad—Van DeMark—located in Wilmont Township, **Bradford County**. Permit issued: June 29, 2010. Permit expires: August 30, 2010.

17104006. L.D. Baumgardner Coal Co., Inc. (P. O. Box 186, Lanse, PA 16849). Blasting on the GFCC permit No. 17-08-17 located in Decatur Township, **Clearfield County**. Permit issued: June 30, 2010. Permit expires: August 31, 2010.

17104007. Appalachian Geophysical Services, LLC (2659 SR 60, P. O. Box 426, Killbuck, OH 44637). Seismic data acquisition by blasting for Line No. Trin-1-10 located in Sandy Township, **Clearfield County**. Permit issued: June 30, 2010. Permit expires: October 31, 2010.

41104103. M & J Explosives, Inc. (P. O. Box 608, Carlisle, PA 17013-0608). Blasting for a pipeline—Myers Gathering Line—located in Penn Township, **Lycoming County**. Permit issued: June 30, 2010. Permit expires: June 30, 2011.

59104007. Doug Wathen, LLC (16282 State Highway 13, Suite J, Branson West, MO 65737). Blasting for Valldes—Pad “C”—located in Covington Township, **Tioga County**. Permit issued: June 30, 2010. Permit expires: July 1, 2011.

59104008. Doug Wathen, LLC (16282 State Highway 13, Suite J, Branson West, MO 65737). Construction blasting for Pierson 810 and Fox 813 located in Elk Township, **Tioga County**. Permit issued: June 30, 2010. Permit expires: July 30, 2011.

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

38104112. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Chicken Houses in Jackson Township, **Lebanon County** with an expiration date of September 30, 2010. Permit issued: June 28, 2010.

67104112. Douglas Explosives, Inc., (P. O. Box 77, Philipsburg, PA 16866), construction blasting for York Haven By-Pass in York Haven Borough, **York County** with an expiration date of June 24, 2011. Permit issued: June 28, 2010.

15104104. Pact Construction, Inc., (P. O. Box 74, Ringoes, NJ 08551), construction blasting for Sadsbury Township Sanitary Sewer Extension in Sadsbury Township, **Chester County** with an expiration date of June 21, 2011. Permit issued: June 30, 2010.

39104105. American Rock Mechanics, Inc., (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Lehigh Hills Development in Upper Macungie Township, **Lehigh County** with an expiration date of June 22, 2011. Permit issued: June 30, 2010.

66104106. Meshoppen Blasting, Inc., (P. O. Box 127, Meshoppen, PA 18630), construction blasting for Meshoppen Stone Carter Quarry construction project in Meshoppen Township, **Wyoming County** with an expiration date of June 1, 2011. Permit issued: June 30, 2010.

66104107. Meshoppen Blasting, Inc., (P. O. Box 127, Meshoppen, PA 18630), construction blasting for McGraw Well Site in Washington Township, **Wyoming County** with an expiration date of July 30, 2010. Permit issued: June 30, 2010.

46104001. Explo-Craft, Inc., (P. O. Box 1332, West Chester, PA 19380), construction blasting at the Lankenau Hospital Campus in Lower Merion Township, **Montgomery County** with an expiration date of December 31, 2010. Permit issued: July 1, 2010.

36104140. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Sewage Pump Pit in Manheim Township, **Lancaster County** with an expiration date of August 30, 2010. Permit issued: July 1, 2010.

38104113. J Roy's, Inc., (P. O. Box 125, Bowmansville, PA 17507), construction blasting for a Warehouse in North Londonderry Township, **Lebanon County** with an expiration date of July 1, 2011. Permit issued: July 1, 2010.

52104108. Holbert Explosives, Inc., (237 Mast Hope Plank Road, Lackawaxen, PA 18435), construction blasting for Blue Heron Woods Development in Blooming Grove and Lackawaxen Townships, **Pike County** with an expiration date of June 25, 2011. Permit issued: July 1, 2010.

58104113. M & J Explosives, Inc., (P. O. Box 608, Carlisle, PA 17013), construction blasting for a Pipeline in

Lathrop Township, **Susquehanna County** with an expiration date of June 30, 2011. Permit issued: July 1, 2010.

64104105. Austin Powder Northeast, LLC (25800 Science Park Drive, Cleveland, OH 44122), construction blasting for a Natural Gas Well Pad in Starrucca Borough, **Wayne County** with an expiration date of June 30, 2011. Permit issued: July 1, 2010.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

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

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

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

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

Permits, Environmental Assessments and 401 Water Quality Certifications Issued:

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E14-533. Department of Transportation, Engineering District 2-0, 1924-30 Daisy Street, Clearfield, PA 16830. Pond M ARD Remediation, in Patton Township, **Centre County**, ACOE Baltimore District (Julian, PA Quadrangle Latitude: 40° 49' 54"; Longitude: 77° 58' 6").

To help protect water quality from Acid Rock Discharges (ARD) by proposing a sedimentation basin M pipe by-pass modification that includes the construction and maintenance of: 1) a permanent enclosure of 462 linear feet of Buffalo Run and unnamed tributary within a 60-inch HDPE pipe; 2) a cast-in-place concrete end wall at the inlet of the 60-inch and 42-inch culvert, for the 60-inch enclosure and the modification of an existing 42-inch HDPE pipe; 3) the installation of two USBR Type VI Impact Basins with R-7 riprap for scour protection at the outlets of the 60-inch HDPE and 42-inch HDPE culverts; 4) the temporary use of two 42-inch HDPE pipes to connect the two outlets of the upstream 60-inch concrete pipes to the inlet of the 60-inch enclosure while modifications are made to the existing 42-inch pipe; 5) modifications to an existing 42-inch HDPE pipe to create a total length of 462 feet to act as a overflow channel for the 60-inch culvert; 6) a gravel access maintenance road from SR 3042 to the far left flood fringe; and 7) a subsurface ARD collection and pumping system sedimentation basin M includes: two pump stations, 1,186 linear feet of 2" SDR-11 HDPE force main pipe, 340 linear feet of 3" SDR-17 HDPE force main pipe, 325 linear feet of 8" HDPE perforated pipe, 395 linear feet of 6" HDPE pipe, and placement of 12,025 cubic yards of soil/aggregate within the 100 year floodplain of Buffalo Run, located 2,200 feet northwest of the SR 3042 and SR 550 intersection. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E41-608. Thomas E. Watson, 350 Heavily Hill Road, Howard, PA 16841-1923. Watson River Lot Campsite, in Piatt Township, **Lycoming County**, ACOE Baltimore District (Linden, PA Quadrangle N: 41° 12' 57.5"; W: -77° 13' 38.4").

To make additions to an existing river lot by proposing to construct and maintain: 1) a 30-foot wide by 32-foot long picnic pavilion using six, 8-inch diameter steel posts and roof with the associated 4-inch concrete slab floor; and 2) a 4-foot deep by 12-foot wide by 100-foot long boat ramp cut into the left river bank compacted made of gravel for the cartway with a 12-foot by 20-foot concrete pad stopping at normal water's edge, located at the end of Bolin's Landing Road near the intersection of SR 287 and SR 220. This permit was issued under Section 105.13(e) "Small Projects."

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

E65-932. Ray Patalsky, 1209 Route 286, Export, PA 15632. To place fill in wetlands in Murrysville Borough, **Allegheny County**, Pittsburgh ACOE District (Murrysville, PA Quadrangle North: 10.2"; West: 2.6", Latitude: 40° 25' 56"; Longitude: 79° 38' 30"). To place and maintain fill in 0.037 acre of wetlands in the Turtle Creek (TSF) watershed, for the purpose of constructing a road and a stormwater management pond, as part of a housing development.

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control Permits have been issued.

Any person aggrieved by these actions may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. Chapter 5, Subchapter A (relating to practice and procedure of Commonwealth agencies), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

If individuals want to challenge this action, their appeal must reach the Board within 30 days. Individuals do not need a lawyer 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. If individuals cannot afford a lawyer, individuals may qualify for pro bono representation. Call the Secretary to the Board (717) 787-3483 for more information.

Southwest Region: Oil and Gas Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

6/7/2010
 ESCGP-1 No.: ESX10-125-0053
 Applicant Name: Range Resources—Appalachia, LLC
 Contact: Carla L. Suskowski
 Address: 380 Southpointe Boulevard
 City: Canonsburg State: PA Zip Code: 15317
 County: Washington Township(s): Robinson
 Receiving Stream(s) and Classifications: UNT to Robinson Run, other

06/09/2010
 ESCGP-1 No.: ESX10-125-0054
 Applicant Name: Markwest Liberty Midstream & Resources, LLC
 Contact Person: Robert McHale
 Address: 100 Plaza Drive Suite 102
 City: Atlasburg State: PA Zip Code: 15004
 County: Washington Township(s): Chariters and Cecil
 Receiving Stream(s) and Classifications: Brush Run and UNT to Brush Run, other

5/21/10
 ESCGP-1 No.: ESX10-129-0014
 Applicant Name: XTO Energy, Inc.
 Contact Person: Tom Dixon
 Address: 395 Airport Road
 City: Indiana State: PA Zip Code: 15701
 County: Westmoreland Township(s): St. Clair/Fairfield
 Receiving Stream(s) and Classifications: Hypocrite Creek—Hendricks Run—Tubmill Creek (all TSWF), other

6/1/2010

ESCGP-1 No.: ESX10-125-0049
 Applicant Name: Range Resources—Appalachia, LLC
 Contact Person: Carla L. Suszkowski
 Address: 380 Southpointe Boulevard
 City: Canonsburg State: PA Zip Code: 15317
 County: Washington Township(s): Somerset
 Receiving Stream(s) and Classifications: UNT to North
 Branch Pigeon Creek, other

6/3/10 Major Rev.

ESCGP-1 No.: ESX09-129-0031
 Applicant Name: Williams Production Appalachia, LLC
 Contact Person: David Freudenrich
 Address: 1000 Town Center, Suite 103
 City: Canonsburg State: PA Zip Code: 15317
 COUNTY Westmoreland Township(s): Derry
 Receiving Stream(s) and Classifications: Unnamed
 Tributary to Union Run (WWF), other

05/17/2010

ESCGP-1 No.: ESX10-059-0036
 Applicant Name: Atlas Resources, Inc.
 Contact Person: Jeremy Hirtz
 Address: 800 Mt. View Drive
 City: Smithfield State: PA Zip Code: 15478
 County: Greene Township(s): Cumberland
 Receiving Stream(s) and Classifications: Unnamed
 Tributary to Muddy Creek, other

6/23/2010

ESCGP-1 No.: ESX10-129-0015
 Applicant Name: Williams Production Appalachia, LLC
 Contact Person: David R Freudenrich
 Address: 1000 Town Center, Suite 130
 City: Canonsburg State: PA Zip Code: 15317
 County: Westmoreland Township(s): Derry
 Receiving Stream(s) and Classifications: Union Run, other

06/16/2010

ESCGP-1 No.: ESX10-051-0015
 Applicant Name: Laurel Mountain Midstream
 c/o Williams Companies, Inc.
 Contact Person: Lisa Reaves
 Address: 2800 Post Oak Boulevard
 City: Houston State: TX Zip Code: 77056
 County: Fayette Township(s): German, Redstone and
 Menallen
 Receiving Stream(s) and Classifications: Dunlap Creek
 (WWF) Middle Monongahela, other

06/09/2010

ESCGP-1 No.: ESX09-059-0018
 Applicant Name: EQT Production
 Contact Person: Todd Klaner
 Address: 455 Racetrack Road
 City: Washington State: PA Zip Code: 15301
 County: Greene Township(s): Morgan
 Receiving Stream(s) and Classifications: Castile Run—
 Warmwater Fishery (WWF)

06/10/2010

ESCGP-1 No.: ESX10-059-0042
 Applicant Name: CNX Gas Company, LLC
 Contact Person: Daniel Bitz
 Address: 200 Evergreene Drive
 City: Waynesburg State: PA Zip Code: 15370
 County: Greene Township(s): Center
 Receiving Stream(s) and Classifications: South Fork Ten
 Mile Creek, High Quality

6/4/10

ESCGP-1 No.: ESX10-125-0052
 Applicant Name: Chesapeake Appalachia, LLC
 Contact: Tal Oden
 Address: P. O. Box 18496
 City: Oklahoma City State: OK Zip Code: 73154
 County: Washington Township(s): West Finley
 Receiving Stream(s) and Classifications: UNT (WWF)—
 Middle Wheeling Creek (WWF)—WV State Line—Ohio
 River, other

5/21/10

ESCGP-1 No.: ESX10-111-0003
 Applicant Name: Chief Oil & Gas, LLC
 Contact Person: Michael Hirtz
 Address: 6051 Wallace Road, Ext., Suite 210
 City: Wexford State: PA Zip Code: 15090
 County: Somerset Township(s): Lower Turkeyfoot
 Receiving Stream(s) and Classifications: 2 UNT to Laurel
 Hill Creek, HQ

06/04/2010

ESCGP-1 No.: ESX10-125-0051
 Applicant Name: Range Resources—Appalachia, LLC
 Contact Person: Carla Suszkowski
 Address: 380 Southpointe Boulevard, Suite 300
 City: Canonsburg State: PA Zip Code: 15317
 County: Washington Township(s): Independence
 Receiving Stream(s) and Classifications: Sugarcamp
 Run, HQ

06/08/2010

ESCGP-1 No.: ESX10-125-0055
 Applicant Name: Chesapeake Appalachia, LLC
 Contact Person:
 Address: P. O. Box 18496
 City: Oklahoma City State: OK Zip Code: 73154
 County: Washington Township(s): Cross Creek
 Receiving Stream(s) and Classifications: Unnamed
 Tributary—(WWF), Burgettstown Fork—(WWF)
 Raccoon Creek—(WWF) Ohio River—(WWF), other

06/11/2010

ESCGP-1 No.: ESX10-051-0014
 Applicant Name: Atlas Resources, LLC
 Contact Person: Jeremy Hirtz
 Address: 800 Mountain View Drive
 City: Smithville State: PA Zip Code: 15478
 County: Fayette Township(s): Redstone
 Receiving Stream(s) and Classifications: Colvin Run,
 other

6/18/2010

ESCGP-1 No.: ESX10-051-0016
 Applicant Name: Atlas Energy Resources, LLC
 Contact:
 Address: 800 Mountain View Drive
 City: Smithfield State: PA Zip Code: 15478
 County: Fayette Township(s): Dunbar
 Receiving Stream(s) and Classifications: UNT 40061 to
 Rankin Run, other

6/18/2010 Minor Revision

ESCGP-1 No.: ESX10-003-0001
 Applicant Name: Range Resources—Appalachia, LLC
 Contact Person:
 Address: 380 Southpointe Boulevard, Suite 300
 City: Canonsburg State: PA Zip Code: 15317
 County: Allegheny Township(s): Frazer
 Receiving Stream(s) and Classifications: Yutes Run, other
 Secondary Water Tawney Run

6/22/2010
 ESCGP-1 No.: ESX10-051-0018
 Applicant Name: Phillips Exploration, Inc.
 Contact: Gary Clark
 Address: 502 Keystone Drive
 City: Warrendale State: PA Zip Code: 15086
 County: Fayette Township(s): Dunbar
 Receiving Stream(s) and Classifications: UNT of
 Dickerson Run—WWF, other

6/22/10 Minor Rev.
 ESCGP-1 No.: ESX10-125-0037
 Applicant Name: EQT Production Company
 Contact: Todd Klaner
 Address: 455 Racetrack Road, Suite 101
 City: Washington State: PA Zip Code: 15301

County: Washington Township(s): Amwell
 Receiving Stream(s) and Classifications: Tenmile Creek,
 Smith Run, other

6/14/10 Major Rev.
 ESCGP-1 No.: ESX09-125-0055
 Applicant Name: Chesapeake Appalachia, LLC
 Contact: Tal Oden
 Address: P. O. Box 18496
 City: Oklahoma City State: OK Zip Code: 73154
 County: Washington Township(s): Hanover
 Receiving Stream(s) and Classifications: Receiving Water/
 Watershed Name—UNT (WWF) to Harmon Creek
 (WWF) to West Virginia
 Secondary Receiving Stream Data—UNT (WWF) to
 Raccoon Creek (WWF) to Ohio River (WWF), other

SPECIAL NOTICES

Notice of Certification to Perform Radon-Related Activities in Pennsylvania

In the month of June 2010, the Department of Environmental Protection, under the Radon Certification Act (63 P. S. §§ 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the persons listed to perform radon-related activities in this Commonwealth. The period of certification is 2 years. For a complete list of persons currently certified to perform radon-related activities in this Commonwealth and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P. O. Box 8469, Harrisburg, PA 17105-8469, (800) 23RADON.

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Accredited Radon of Allentown	2517 Treeline Drive Easton, PA 18040	Mitigation
Gerald Aubrey	1517 Daws Road Blue Bell, PA 19422	Testing
William Barroner	1275 Lark Road Williamsburg, PA 16693	Testing
Don Cessna	407 West Sample Street Ebensburg, PA 15931	Testing
Edward Cummins	429 Schuylkill Road Phoenixville, PA 19460	Testing
Gregory Gibson	P. O. Box 733 Tannersville, PA 18372	Testing
Scott Gillian	P. O. Box 63839 Philadelphia, PA 19147	Testing
Dana Hillerby	105 Carroll Avenue Glenside, PA 19038	Testing
Richard Hoffman	4359 Linglestown Road Harrisburg, PA 17112	Testing
Judith Hood-Scheidler	5676 Valleyview Drive Bethel Park, PA 15102	Testing
James F. Andrews Enterprises	353 Loveville Road Warriors Mark, PA 16877	Mitigation
Kirk Knappman	421 West Chocolate Avenue Hershey, PA 17033	Testing
L & J Marketing, Inc.	289 Town Center Boulevard Easton, PA 18040	Testing
Matthew Muelhing	454 Rockwood Drive Elizabethtown, PA 17022	Testing
Roman Paul	36 East Marshall Street Suite 731 Norristown, PA 19401	Testing
Peter Piazza	106 Winslow Court Greensburg, PA 15601	Testing

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Quality Home Services of Deleware Valley	700 Braxton Road Ridley Park, PA 19078	Testing
RJH Radon Mitigation, Inc.	943 High Street Akron, PA 17501	Mitigation
Jon Selko	1276 Bethel Green Drive Bethel Park, PA 15102	Testing
Mike Sheely	1000 Wolfe Road Enola, PA 17025	Testing
Michael Stabile	2 Stonecrest Road Blakeslee, PA 18610	Testing
Michael Tokarczyk	753 Lutzville Road Everett, PA 15537	Mitigation
Jody Viscomi	1304 Eynon Street Scranton, PA 18504	Testing
Gary Walters	4 Sherwood Drive Enola, PA 17025	Mitigation
David Wotring	R. R. 1 Box 491 Scotrun, PA 18533	Testing

Request for Proposals for Professional Design Services—Geotechnical Engineering Services

Issuing Office

**Bureau of Waterways Engineering
Department of Environmental Protection
3rd Floor Rachel Carson State Office Building
400 Market Street
P. O. Box 8460
Harrisburg, PA 17105-8460**

**RFP Number
BWE- 10-1**

**Date of Issuance
July 17, 2010**

**Request for Proposals for
BWE- 10-1**

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Calendar of Events

Part I	General Information
Part II	Scope of Work
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Part IV	Criteria for Selection of Highest Qualified Firm; Fee Negotiation
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Calendar of Events

The Commonwealth will make every effort to adhere to the following schedule:

<i>Activity</i>	<i>Responsibility</i>	<i>Date</i>
Advertise RFP	Issuing Office	7/17/2010
Deadline to submit Questions via e-mail to jkraeuter@state.pa.us	Potential Offerors	8/9/2010
Answers to Potential Offeror questions e-mailed to the Offerors no later than this date	Issuing Office	8/23/2010
Sealed Proposal must be received by the Issuing Office at Department of Environmental Protection Bureau of Waterways Engineering P. O. Box 8460 Harrisburg, PA 17105-8460	Offerors	4 p.m. 9/3/2010
Proposed Contract Award Date	Issuing Office	10/1/2010

**PART I
GENERAL INFORMATION**

I-1. Authority and Objective.

The Department of Environmental Protection (Department) is authorized under section 905 of the Commonwealth Procurement Code (62 Pa.C.S. 101 et seq.) (CPC) to procure design professional services. Under this authority, the Department will retain a Geotechnical Engineering Consultant to assist and advise the Department's Bureau of Waterways Engineering on proposed and existing water related projects, including flood protection structures and dams. It is the intent of the Department that the contract awarded as a result of this RFP is for a 5 year period with a total of \$300,000.00 in available funds. The contract will be based on the hours of service and qualifying expenses not exceeding the contract amount. Projects will be assigned on an as-needed basis.

I-2. Specific.

Interested firms must have professional registered engineers and geologists licensed to practice in this Commonwealth on their staffs that have experience in geotechnical engineering. Small engineering firms, small disadvantaged business firms, socially disadvantaged business firms and other engineering firms, which have not previously performed work for the Department, are encouraged to submit proposals.

I-3. Response Date.

To be considered for selection, hard copies of proposals must arrive at the Issuing Office on or before the time and date specified in the RFP Calendar of Events. The Issuing Office will not accept proposals via email or facsimile transmission. Offerors who send proposals by mail or other delivery service should allow sufficient delivery time to ensure timely receipt of their proposals. If, due to inclement weather, natural disaster, or any other cause, the Commonwealth office location to which proposals are to be returned is closed on the proposal response date, the deadline for submission will be automatically extended until the next Commonwealth business day on which the office is open, unless the Issuing Office otherwise notifies Offerors. The hour for submission of proposals shall remain the same. The Issuing Office will reject, unopened, any late proposals.

I-4. Type of Contract.

It is proposed that if the Issuing Office enters into a contract as a result of this RFP, it will be a standard design professional contract, with payment to be made on a time and materials basis. The Issuing Office, in its sole discretion, may undertake negotiations with Offerors whose proposals, in the judgment of the Issuing Office, show them to be qualified, responsible and capable of performing the Project.

I-5. Addenda to the RFP.

If the Issuing Office deems it necessary to revise any part of this RFP before the proposal response date, the Issuing Office will issue an addendum to all proposers who have requested a copy of the RFP.

I-6. Discussions for Clarification.

Offerors may be required to make an oral or written clarification of their proposals to the Issuing Office to ensure thorough mutual understanding and Offeror responsiveness to the solicitation requirements. The Issuing Office will initiate requests for clarification.

I-7. Issuing Office.

The Department of Environmental Protection (Issuing Office) has issued this RFP on behalf of the Common-

wealth. The sole point of contact and Issuing Officer in the Commonwealth for this RFP shall be:

John J. Kraeuter, Chief
Environmental and Geological Services Section
Bureau of Waterways Engineering
Department of Environmental Protection,
400 Market Street
3rd Floor
Rachel Carson State Office Building
P. O. Box 8460
Harrisburg, PA 17105-8460

E-mail address: jkraeuter@state.pa.us
Please refer all inquiries to the Issuing Officer.

I-8. Rejection of Proposals.

The Issuing Office reserves the right, in its sole and complete discretion, to reject any proposals received as a result of this RFP.

**PART II
SCOPE OF WORK**

II-1. Nature and Scope of the Project.

The services will focus on assisting and advising the Department's Bureau of Waterways Engineering on geotechnical engineering issues associated with the investigation, design or construction of proposed and existing flood protection projects, dams and stream improvement projects. Responsibilities may include, but are not limited to, site visits with Department personnel; sub-surface investigations and review and testing of soil and rock samples; and reviewing geotechnical reports, plans and specifications for proposed and existing projects.

II-2. Requirements.

The Geotechnical Engineering Consultant must have professional registered engineers and geologists, licensed to practice in this Commonwealth, on their staffs that have experience in geotechnical engineering. The Consultant's area of responsibility will include projects throughout this Commonwealth. Projects will be assigned on an as needed basis. The selected firm may be required to perform work on multiple projects concurrently; therefore, it is important that the Consultant proceed with each assignment to completion on a timely basis.

II-3. Tasks and Reports.

1. Prior to the Department assigning a specific project, the consultant shall submit a written proposal that identifies the work elements of each task, the resources assigned to each task, the time allotted to each element and the deliverable items produced. This may require a preliminary meeting for each project with the Department. The Department will review the proposal and when deemed satisfactory will issue a written notice to proceed to the Consultant.

2. A final report shall be submitted to the Department for each project assignment. The final report should include, but is not limited to the following:

- a. Summarize the result of the review or investigation.
- b. Describe data collection and analytical and other techniques used during the review or investigation.
- c. Summarize findings, conclusions and recommendations for each assignment.
- d. Include all supporting documentation.
- e. Make recommendations based on current engineering principles and designs.

**PART III
DISADVANTAGED BUSINESS PARTICIPATION**

PART III-1. General Information.

Disadvantaged Business Information:

The Issuing Office encourages participation by small disadvantaged businesses as prime contractors, joint ventures and subcontractors/suppliers and by socially disadvantaged businesses as prime contractors.

Small Disadvantaged Businesses are small businesses that are owned or controlled by a majority of persons, not limited to members of minority groups, who have been deprived of the opportunity to develop and maintain a competitive position in the economy because of social disadvantages. The term includes:

a. Department of General Services Bureau of Minority and Women Business Opportunities (BMWBO)-certified minority business enterprises (MBEs) and women business enterprises (WBEs) that qualify as small businesses; and

b. United States Small Business Administration certified 8(a) small disadvantaged business concerns.

c. Businesses that BMWBO determines meet the Small Business Administration criteria for designation as a small disadvantaged business.

Small businesses are businesses in the United States which are independently owned, are not dominant in their field of operation, employ no more than 100 full-time or full-time equivalent employees, and earn less than \$20 million in gross annual revenues (\$25 million in gross annual revenues for those businesses in the information technology sales or service business).

Socially disadvantaged businesses are businesses in the United States that BMWBO determines are owned or controlled by a majority of persons, not limited to members of minority groups, who are subject to racial or ethnic prejudice or cultural bias, but which do not qualify as small businesses. In order for a business to qualify as "socially disadvantaged," the offeror must include in its proposal clear and convincing evidence to establish that the business has personally suffered racial or ethnic prejudice or cultural bias stemming from the business person's color, ethnic origin or gender.

Questions regarding this Program can be directed to:

Department of General Services
Bureau of Minority & Women Business
Opportunities
Room 611, North Office Building
Harrisburg, PA 17125
Phone: (717) 783-3119
Fax: (717) 787-7052
E-mail: gs-bmwbo@state.pa.us
Web site: [www.portal.state.pa.us/portal/
server.pt?open=512&objID=1360&mode=2](http://www.portal.state.pa.us/portal/server.pt?open=512&objID=1360&mode=2)

A database of BMWBO-certified minority- and women-owned businesses can be accessed at www.dgsweb.state.pa.us/mbewbe/VendorSearch.aspx. The Federal vendor database can be accessed at www.ccr.gov by clicking on "Dynamic Small Business Search" (certified companies are so indicated).

Information Concerning Small Businesses in Enterprise Zones:

The Issuing Office encourages participation by small businesses, whose primary or headquarters facility is physically located in areas the Commonwealth has identi-

fied as Designated Enterprise Zones, as prime contractors, joint ventures and subcontractors/suppliers.

The definition of headquarters includes but is not limited to an office or location that is the administrative center of a business or enterprise where most of the important functions of the business are conducted or concentrated and location where employees are conducting the business of the company on a regular and routine basis so as to contribute to the economic development of the geographical area in which the office or business is geographically located.

Small businesses are businesses in the United States that are independently owned, are not dominant in their field of operation, employ no more than 100 persons and earn less than \$20 million in gross annual revenues (\$25 million in gross annual revenues for those businesses in the information technology sales or service business).

There is no database or directory of small business located in Designated Enterprise Zones. Information on the location of Designated Enterprise Zones can be obtained by contacting:

Aldona M. Kartorie
Center for Community Building
Department of Community and Economic
Development
4th Floor Keystone Building
400 North Street
Harrisburg, PA 17120-0225
Phone: (717) 720-7409
Fax: (717) 787-4088
E-mail: akartorie@state.pa.us
www.newpa.com/programDetail.aspx?id=76

PART III-2. Disadvantaged Businesses Submittal.

a. Disadvantaged Business Information:

i) To receive credit for being a Small Disadvantaged Business or a Socially Disadvantaged Business or for entering into a joint venture agreement with a Small Disadvantaged Business or for subcontracting with a Small Disadvantaged Business (including purchasing supplies and/or services through a purchase agreement), an Offeror must include proof of Disadvantaged Business qualification in the Disadvantaged Business Submittal of the proposal, as indicated below:

1) A Small Disadvantaged Business certified by BMWBO as an MBE/WBE must provide a photocopy of their BMWBO certificate.

2) Businesses certified by the United States Small Business Administration under Section 8(a) of the Small Business Act (15 U.S.C. § 636(a)) as an 8(a) small disadvantaged business must submit proof of United States Small Business Administration certification. The owners of such businesses must also submit proof of United States citizenship.

3) Businesses, which assert that they meet the United States Small Business Administration criteria for designation as a small disadvantaged business, must submit: a) self-certification that the business meets the Small Business Administration criteria; and b) documentary proof to support the self-certification. The owners of such businesses must also submit proof of United States citizenship, and provide any relevant disadvantaged business certifications by other certifying entities.

4) All businesses claiming Small Disadvantaged Business status, whether as a result of BMWBO certification,

or United States Small Business Administration certification as an 8(a) or self-certification as a United States Small Business Administration small disadvantaged business, must attest to the fact that the business has 100 or fewer employees.

5) All businesses claiming Small Disadvantaged Business status, whether as a result of BMWBO certification, or United States Small Business Administration certification as an 8(a) or self-certification as a United States Small Business Administration small disadvantaged business, must submit proof that their gross annual revenues are less than \$20,000,000 (\$25,000,000 for those businesses in the information technology sales or service business). This can be accomplished by including a recent tax return or audited financial statement.

ii) All companies claiming status as a Socially Disadvantaged Business must include in the Disadvantaged Business submittal of the proposal clear and convincing evidence to establish that the business has personally suffered racial or ethnic prejudice or cultural bias stemming from the business person's color, ethnic origin or gender. The submitted evidence of prejudice or bias must:

- 1) Be rooted in treatment which the business person has experienced in American society, not in other countries.
- 2) Show prejudice or bias that is chronic and substantial, not fleeting or insignificant.
- 3) Indicate that the business person's experience with the racial or ethnic prejudice or cultural bias has negatively impacted on his or her entry into and/or advancement in the business world.

BMWBO shall determine whether the contractor has established that a business is socially disadvantaged by clear and convincing evidence.

iii) In addition to the previously listed verifications, the Offeror must include in the Disadvantaged Business Submittal of the proposal the following information:

1) Those Small Disadvantaged Businesses submitting a proposal as the Offeror, must include a numerical percentage which represents the total percentage of the work (as a percentage of the total cost in the Cost Submittal) to be performed by the Offeror and not by subcontractors and suppliers.

2) Those Small Disadvantaged Businesses submitting a proposal as a part of a joint venture partnership, must include a numerical percentage which represents the total percentage of the work (as a percentage of the total cost in the Cost Submittal) to be performed by the Small Disadvantaged Business joint venture partner and not by subcontractors and suppliers or by joint venture partners who are not Small Disadvantaged Businesses. Offeror must also provide:

- a) The amount of capital, if any, each Small Disadvantaged Business joint venture partner will be expected to provide.
- b) A copy of the joint venture agreement signed by all parties.
- c) The business name, address, name and telephone number of the primary contact person for the Small Disadvantaged Business joint venture partner.

3) All Offerors must include a numerical percentage which represents the total percentage of the total cost in the Cost Submittal that the Offeror commits to paying to Small Disadvantaged Businesses as subcontractors. To

support its total percentage DB subcontractor commitment, Offeror must also include:

a) The dollar amount of each subcontract commitment to a Small Disadvantaged Business;

b) The name of each Small Disadvantaged Business. The Offeror will not receive credit for stating that after the contract is awarded it will find a Small Disadvantaged Business.

c) The services or supplies each Small Disadvantaged Business will provide, including the time frame for providing the services or supplies.

d) The location where each Small Disadvantaged Business will perform services.

e) The time frame for each Small Disadvantaged Business to provide or deliver the goods or services.

f) A signed subcontract or letter of intent for each Small Disadvantaged Business. The subcontract or letter of intent must identify the specific work, goods or services the Small Disadvantaged Business will perform and how the work, goods or services relates to the project.

g) The name, address and telephone number of the primary contact person for each Small Disadvantaged Business.

4) The total percentages and each subcontractor commitment will become contractual obligations once the contract is fully executed.

5) The name and telephone number of the Offeror's project (contact) person for the Small Disadvantaged Business information.

iv) The Offeror is required to submit two copies of its Disadvantaged Business Submittal. The submittal shall be clearly identified as Disadvantaged Business information and sealed in its own envelope, separate from the remainder of the proposal.

v) A Small Disadvantaged Business can be included as a subcontractor with as many prime contractors as it chooses in separate proposals.

vi) An Offeror that qualifies as a Small Disadvantaged Business and submits a proposal as a prime contractor is not prohibited from being included as a subcontractor in separate proposals submitted by other Offerors.

b. Enterprise Zone Small Business Participation.

i) To receive credit for being an enterprise zone small business or entering into a joint venture agreement with an enterprise zone small business or subcontracting with an enterprise zone small business, an Offeror must include the following information in the Disadvantaged Business Submittal of the proposal:

1) Proof of the location of the business' headquarters (such as a lease or deed or Department of State corporate registration), including a description of those activities that occur at the site to support the other businesses in the enterprise zone.

2) Confirmation of the enterprise zone in which it is located (obtained from the local enterprise zone office).

3) Proof of United States citizenship of the owners of the business.

4) Certification that the business employs 100 or fewer employees.

5) Proof that the business' gross annual revenues are less than \$20,000,000 (\$25,000,000 for those businesses in

the information technology sales or service business). This can be accomplished by including a recent tax return or audited financial statement.

6) Documentation of business organization, if applicable, such as articles of incorporation, partnership agreement or other documents of organization.

ii) In addition to the previously listed verifications, the Offeror must include in the Disadvantaged Business Submittal of the proposal the following information:

1) The name and telephone number of the Offeror's project (contact) person for the Enterprise Zone Small Business.

2) The business name, address, name and telephone number of the primary contact person for each Enterprise Zone Small Business included in the proposal. The Offeror must specify each Enterprise Zone Small Business to which it is making commitments. The Offeror will not receive credit for stating that it will find an Enterprise Zone Small Business after the contract is awarded or for listing several businesses and stating that one will be selected later.

3) The specific work, goods or services each Enterprise Zone Small Business will perform or provide.

4) The total cost amount submitted in the Offeror's cost proposal and the estimated dollar value of the contract to each Enterprise Zone Small Business.

5) Of the estimated dollar value of the contract to each Enterprise Zone Small Business, the percent of the total value of services or products purchased or subcontracted that each Enterprise Zone Small Business will provide.

6) The location where each Enterprise Zone Small Business will perform these services.

7) The time frame for each Enterprise Zone Small Business to provide or deliver the goods or services.

8) The amount of capital, if any, each Enterprise Zone Small Business will be expected to provide.

9) The form and amount of compensation each Enterprise Zone Small Business will receive.

10) For a joint venture agreement, a copy of the agreement, signed by all parties.

11) For a subcontract, a signed subcontract or letter of intent.

iii) The dollar value of the commitment to each Enterprise Zone Small Business must be included in the same sealed envelope with the Disadvantaged Business Submittal of the proposal. The following will become a contractual obligation once the contract is fully executed:

1) The amount of the selected Offeror's Enterprise Zone Small Business commitment;

2) The name of each Enterprise Zone Small Business; and

3) The services each Enterprise Zone Small Business will provide, including the time frame for performing the services.

PART III-3. Criteria for Selection.

Disadvantaged Business Participation:

BMWBO has established the weight for the Disadvantaged Business Participation criterion for this RFP as [Insert the percentage] % of the total points. Evaluation will be based upon the following in order of priority:

Priority Rank 1 Proposals submitted by Small Disadvantaged Businesses.

Priority Rank 2 Proposals submitted from a joint venture with a Small Disadvantaged Business as a joint venture partner.

Priority Rank 3 Proposals submitted with subcontracting commitments to Small Disadvantaged Businesses.

Priority Rank 4 Proposals submitted by Socially Disadvantaged Businesses.

Each proposal will be rated for its approach to enhancing the utilization of Small Disadvantaged Businesses and/or Socially Disadvantaged Businesses. Each approach will be evaluated, with Priority Rank 1 receiving the highest score and the succeeding options receiving scores in accordance with the previously-listed priority ranking

To the extent that an Offeror qualifies as a Small Disadvantaged Business or a Socially Disadvantaged Business, the Small Disadvantaged Business or Socially Disadvantaged Business cannot enter into subcontract arrangements for more than 40% of the total estimated dollar amount of the contract. If a Small Disadvantaged Business or a Socially Disadvantaged Business subcontracts more than 40% of the total estimated dollar amount of the contract to other contractors, the Disadvantaged Business Participation scoring shall be proportionally lower for that proposal.

Enterprise Zone Small Business Participation:

In accordance with the priority ranks listed below, bonus points in addition to the total points for this RFP, will be given for the Enterprise Zone Small Business Participation criterion. The maximum bonus points for this criterion is 3% of the total points for this RFP. The following options will be considered as part of the final criteria for selection:

Priority Rank 1 Proposals submitted by an Enterprise Zone Small Business will receive the highest score.

Priority Rank 2 Proposals submitted by a joint venture with an Enterprise Zone Small Business as a joint venture partner will receive the next highest score for this criterion.

Priority Rank 3 Proposals submitted with a subcontracting commitment to an Enterprise Zone Small Business will receive the lowest score for this criterion.

Priority Rank 4 Proposals with no Enterprise Zone Small Business Utilization shall receive no points under this criterion.

To the extent that an Offeror is an Enterprise Zone Small Business, the Offeror cannot enter into contract or subcontract arrangements for more than 40% of the total estimated dollar amount of the contract in order to qualify as an Enterprise Zone Small Business for purposes of this RFP.

PART III-4. Work Statement.

Contract Requirements—Disadvantaged Business Participation and Enterprise Zone Small Business Participation:

All contracts containing Disadvantaged Business participation and/or Enterprise Zone Small Business participation must also include a provision requiring the selected contractor to meet and maintain those commitments made to Disadvantaged Businesses and/or

Enterprise Zone Small Businesses at the time of proposal submittal or contract negotiation, unless a change in the commitment is approved by the BMWBO. All contracts containing Disadvantaged Business participation and/or Enterprise Zone Small Business participation must include a provision requiring Small Disadvantaged Business subcontractors, Enterprise Zone Small Business subcontractors and Small Disadvantaged Businesses or Enterprise Zone Small Businesses in a joint venture to perform at least 50% of the subcontract or Small Disadvantaged Business/Enterprise Zone Small Business participation portion of the joint venture.

The selected contractor's commitments to Disadvantaged Businesses and/or Enterprise Zone Small Businesses made at the time of proposal submittal or contract negotiation shall be maintained throughout the term of the contract. Any proposed change must be submitted to BMWBO, which will make a recommendation to the Contracting Officer regarding a course of action.

If a contract is assigned to another contractor, the new contractor must maintain the Disadvantaged Business participation and/or Enterprise Zone Small Business participation of the original contract.

The selected contractor shall complete the Prime Contractor's Quarterly Utilization Report (or similar type document containing the same information) and submit it to the contracting officer of the Issuing Office and BMWBO within 10 workdays at the end of each quarter the contract is in force. This information will be used to determine the actual dollar amount paid to Small Disadvantaged Business and/or Enterprise Zone Small Business subcontractors and suppliers, and Small Disadvantaged Business and/or Enterprise Zone Small Business participants involved in joint ventures. Also, this information will serve as a record of fulfillment of the commitment the selected contractor made and for which it received Disadvantaged Business and Enterprise Zone Small Business points. If there was no activity during the quarter then the form must be completed by stating "No activity in this quarter."

NOTE: EQUAL EMPLOYMENT OPPORTUNITY AND CONTRACT COMPLIANCE STATEMENTS REFERRING TO COMPANY EQUAL EMPLOYMENT OPPORTUNITY POLICIES OR PAST CONTRACT COMPLIANCE PRACTICES DO NOT CONSTITUTE PROOF OF DISADVANTAGED BUSINESSES STATUS OR ENTITLE AN OFFEROR TO RECEIVE CREDIT FOR DISADVANTAGED BUSINESSES UTILIZATION.

PART IV CRITERIA FOR SELECTION OF HIGHEST QUALIFIED FIRM; FEE NEGOTIATION

IV-1. Highest Qualified Firm Determination.

All proposals received from Professionals will be reviewed and evaluated by the Department in accordance with the selection method set forth in Section 905 of the CPC. The following factors will be considered in making the selection of the highest qualified firm in order of relative importance from the highest to the lowest weighted factors:

1. Technical: Evaluation will be based upon the following in order of importance, from the highest to the lowest weighted factors.

a. Professional Qualifications. This refers to the particular capability of the contractor to meet the terms of the RFP and perform the services for the contract being considered. Relevant factors would include time con-

straint, the contractor's financial ability to undertake a project of the required size, the quality and how recent studies and projects were completed by the contractor, and the competence of professional personnel who would be assigned to the job by the contractor. The qualifications of professional personnel will be measured by experience and education, with particular reference to experience on studies/services similar to that described in the RFP. Particular emphasis is placed on the qualifications of the project manager.

b. Past Record of Performance. This refers to the quality and how recent studies and projects were completed by the contractor, with particular reference to projects similar to that described in the RFP. Relevant factors would include cost control, work quality, and ability to meet schedules.

c. Soundness of Approach. Emphasis here is on the techniques for collecting and analyzing data, sequence and relationships of major steps, and methods for managing the study/service. Of equal importance is whether the technical approach is completely responsive to all written specifications and requirements contained in the RFP and it appears to meet agency objectives.

d. Professional Personnel. This refers to the ability of the contractor to have the necessary available personnel to complete the work within the time limitations. The selected firm may be required to perform work on multiple projects concurrently.

e. Geographic Proximity of Professional to the Work. This contract will be for work Commonwealth wide. Emphasis will be placed on firms with a central location or firms with multiple locations in the Commonwealth, in order to minimize travel expense costs to the Department.

f. Equitable Distribution of Contracts to Design Professionals. The Commonwealth will make a reasonable attempt to equalize the assignment of contracts to qualified professionals.

2. Non-Technical

a. Disadvantaged Businesses participation (Evaluated by DGS).

b. Enterprise Zone Small Business participation (Evaluated by DGS).

Proposers shall relate their proposal to the above criteria.

IV-2. Fee Negotiation.

In accordance with the selection method in Section 905 (g) of the CPC, once the Department has determined the highest qualified firm, it will request cost data from that firm as a basis for negotiating a fee determined to be fair and reasonable to the Commonwealth. If a satisfactory contract with this firm is not negotiated, negotiations shall be formally terminated and the Department shall begin negotiations with the firm determined to be the second highest qualified firm, and so forth, until a contract is negotiated with a firm determined to be qualified.

PART V GENERAL REQUIREMENTS FOR SUBMISSION

Firms interested in performing the required services for this project are invited to submit Proposals to Patricia McSparran, Director, Bureau of Waterways Engineering, Department of Environmental Protection, Rachel Carson State Office Building, 3rd Floor, 400 Market Street, P. O. Box 8460, Harrisburg, PA 17105-8460. Contact John

Kraeuter at 717.772.5959 for general information concerning the engineering work.

Each Letter of Interest must include the firm's Federal identification number and the project reference number. The Letter of Interest shall also include a description of the firm's three most recently completed projects similar to the project proposed. The description shall include the client, contact person and phone number, the project manager, and the names of all personnel who made major contributions to the project. The Letter of Interest shall indicate the firm's capability of working on multiple projects at the same time and understanding of the Department's needs; and shall address all technical criteria for selection set forth in Section IV-1.1. A standard DGS Form 150-ASP must accompany the Letter of Interest and shall indicate the individual in charge. Form 150-ASP is attached hereto as Appendix A. Additional information pertinent to the firm's qualifications to do the work of this contract shall be included with the Letter of Interest. Direct costs other than payroll, such as travel and subsistence, shall be based on the current state rates. The Department shall reimburse miscellaneous expenses such as copies, prints, sepias, postage and film at cost upon approval.

A complete Proposal shall consist of the following:

1. Non-Technical Submittal

One copy of the Disadvantaged Business/Enterprise Zone Small Business section, bound and sealed separately from the remainder of the proposal; and

2. Technical Submittal

Six copies of the complete set consisting of the Letter of Interest and the required form 150- ASP. Proposals must be received no later than 4 p.m. on September 3, 2010. The six copies of the Technical Submittal shall be submitted in six complete sets that shall be spiral bound or in folders or secured by binder clips. The assignment of services will be made, if at all, to one or more of the firms responding to this notice. However, the Department reserves the right to reject all Proposals submitted, cancel the solicitation requested under this notice, and/or re-advertise solicitation for this service.

The Department will not offer a debriefing session to the unsuccessful firms. The Department disclaims any liability whatsoever as to its review of the proposal submitted and in formulating a recommendation for selections. Recommendations made by the Department shall be final.

NPDES Permit PAI012306006, Waiver 2 (WL 2306303), GP-5 (052307312), Stormwater, Water Obstructions and Encroachments, Sentinel Ridge Development, LLC, 110 North Phoenixville Pike, Suite 100, Malvern, PA 19355, has applied to transfer the previously-referenced permits and waiver; and to construct and maintain water obstructions or encroachments; conduct earth disturbance activities and discharge stormwater associated with construction activities in Marple Township, Delaware County to Crum Creek (WWF) and to Holland Run (aka Hotland Run) (WWF).

The Department of Environmental Protection (Department), by this notice, transfers the previously-referenced authorizations from Pulte Homes of PA, LP to Sentinel Ridge Development, LLC. In addition, the Department has reviewed the revised permit application documentation and plans submitted by Sentinel Ridge Development, LLC and proposes, based upon its evaluation, that the NPDES permit suspension imposed by the October 22,

2009, Order of the Environmental Hearing Board (EHB) in the matter of *Crum Creek Neighbors v. DEP and Pulte Homes of PA, L.P.*, EHB Docket No. 2007-287-L, be partially lifted to allow Sentinel Ridge Development, LLC to conduct earth disturbance activities and discharge stormwater associated with construction activities to Crum Creek (WWF) and Holland Run (WWF) in accordance with the terms of the NPDES permit, including supporting documentation and plans. The Best Management Practices for the project site, as set forth in the previously-referenced NPDES permit and supporting documentation and plans, were approved in the previously-referenced EHB decision, and constitute the effluent limitations proposed for this project. Sentinel Ridge Development, LLC is not authorized by the partial lifting of the NPDES permit suspension to discharge stormwater associated with construction activities, conduct earth disturbance activities, or construct, operate, maintain, modify, enlarge or abandon a water obstruction or encroachment, draining into or in the portion of the Holland Run watershed classified as Exceptional Value (EV), a tributary to Crum Creek.

The Department will accept public comment for 30 days on its proposed partial lifting of the NPDES permit suspension described previously. Additionally, public comment will be accepted on the proposal by Sentinel Ridge Development, LLC to revise the sequencing of activities under the NPDES permit; incorporate a cul-de-sac to the end of the proposed entrance road for the project; and add a temporary sediment trap that will be removed upon stabilization of the project. Written comments should be addressed to the Regional Manager, Watershed Management Program, 2 East Main Street, Norristown, PA 19401.

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

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

Greensburg District Mining Operations: 8205 Route 819, Greensburg, PA 15601; Telephone: 724-925-5500.

Application No. NPDES PA0119172, Treated Mine Drainage, Shenango, Inc. (200 Neville Road, Pittsburgh, PA 15225). This facility is located in Luzerne Township, **Fayette County**.

Description of activity: The application is for an amendment of an NPDES permit for an existing discharge of treated mine water. The proposed NPDES permit amendment is based on the proposed revision to the TMDL for Wallace Run.

The receiving stream, Wallace Run, is in the Monongahela River Watershed, and classified as WWF. The nearest downstream public water supply intake is for Southwestern PA Water Authority and is located on the Monongahela River, approximately 2.7 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfalls 13T and 10T for a design flow of 0.1 MGD are:

I. Effluent Limitations and Monitoring Requirements

A. Mine Drainage Treatment Facilities

Outfall Numbers	Latitude	Longitude
13T	39° 56' 39"	79° 54' 39"
10T	39° 55' 55"	79° 54' 10"

Based on the hydrologic data and anticipated wastewater characteristics and flows described in the permit application and its supporting documents and/or revisions, the following effluent limitations and monitoring requirements apply to the previously listed outfall numbers.

<i>Discharge Parameter</i>	<i>Discharge Limitations</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Total Iron (Fe)	3.0 mg/l	6.0 mg/l	7.0 mg/l
Total Manganese (Mn)	2.0 mg/l	4.0 mg/l	5.0 mg/l
Total Aluminum (Al)	0.75 mg/l	1.5 mg/l	1.88 mg/l

pH Not less than 6.0 standard units nor greater than 9.0 standard units at all times.

Alkalinity must exceed acidity at all times.

Individuals may make an appointment to review the Department of Environmental Protection (Department) files on the TMDL for Wallace Run by calling the File Review Coordinator at 717-705-4732. Individuals may make an appointment to review the Department files on the amendment to NPDES Permit No. 0119172 by calling the File Review Coordinator at 724-925-5500.

The Wallace Run TMDL, originally approved by USEPA in 2008, is proposed to be revised to reflect scenarios based on the addition of the discharge from the NPDES discharge associated with the Shenango permit.

The data and all supporting documentation used to develop the proposed TMDL is available from the Department. To request a copy of the proposed TMDL, contact:

Bill Brown, Environmental Group Manager
TMDL Development Section
Watershed Protection Division
Department of Environmental Protection
P. O. Box 8555
Harrisburg, PA 17105-8555
Phone: 717-772-5670, E-mail: willbrown@state.pa.us

The TMDLs can be accessed through the Department web site (<http://www.depweb.state.pa.us>) by clicking on the Department Programs A-Z Link, then the TMDL link. Persons with a disability may use the Pennsylvania AT&T Relay Service by calling 1-800-654-5984 (TDD users) or 1-800-654-5988 (voice users) and request that the call be relayed.

The data and all supporting documentation used to amend NPDES Permit No. 0119172 are available from the Department's Greensburg District Mining Office. To request a copy of the file for NPDES Permit No. 0119172, contact:

Scott Jones, Hydrogeologist
DEP
8205 SR 819
Greensburg, PA 15601
Phone: 724-925-5516, E-mail: deajones@state.pa.us

Written and e-mail comments on the TMDL will be accepted at the address Watershed Protection Division address previously listed. Written and e-mail comments on NPDES Permit No. 0119172 will be accepted at the Greensburg District Mining Office address listed previously. Written comments must be received by August

17, 2010. Comments will not be accepted by facsimile or voice mail. The Department will consider all comments in developing the final TMDL and the final NPDES Permit No. 0119172, which will be submitted to EPA for approval.

This public notice includes the contact person for the Shenango NPDES Permit No. 0119172, the new contact person for the Wallace Run TMDL, and includes the average monthly and daily maximum effluent limits for the Shenango NPDES Permit No. 0119172 which were omitted from the May 25, 2010 public notice.

This public comment period is in addition to the one published on May 25, 2010, for the proposed TMDL for Wallace Run and proposed NPDES Permit No. 0119172. Comments filed during the previous comment period will be addressed together with comments received during this comment period.

[Pa.B. Doc. No. 10-1283. Filed for public inspection July 16, 2010, 9:00 a.m.]

Alternative Fuels Incentive Grant Program; Grant Opportunity

The Department of Environmental Protection (Department), Bureau of Energy, Innovations and Technology Deployment announces an opportunity to apply for grants under the Alternative Fuels Incentive Grant Program (Program) to improve this Commonwealth's air quality and reduce consumption of imported oil through the use of homegrown alternative fuels that will help this Commonwealth's economy and environment. The Department is seeking applications for innovative, advanced fuel and vehicle technology projects resulting in cleaner advanced alternative transportation within this Commonwealth.

Funding is available for school districts, municipal authorities, political subdivisions, nonprofit entities, corporations, limited liability companies or partnerships incorporated or registered in this Commonwealth to retrofit fleet vehicles to operate on alternative fuels, subsidize the cost of the purchase of an alternative fuel vehicle for a fleet or subsidize the cost to install fleet refueling equipment for alternative fuel vehicles or support next phase advanced research, development and training related to alternative fuels and alternative fuel vehicles.

Additional funding is also available for school districts, municipal authorities, political subdivisions and nonprofit entities to subsidize the incremental cost to purchase biofuel and provide refueling and storage equipment or related tank cleaning.

Funding is available for qualified renewable fuel producers to receive reimbursement of up to 10¢ per gallon of renewable fuels produced in a calendar year up to 12,500,000 gallons.

Project costs cannot be incurred before July 1, 2010.

The Program guidelines and application instructions are available on the Department's web site at <http://www.depweb.state.pa.us> (click on "DEP Programs" and then "Alternative Fuels"). Applications will be accepted online through the eGrants system. Visit <https://www.grants.dcnr.state.pa.us/> and click on "Find a Grant." Scroll down to "AFIG" and click "Apply for this grant."

The application period will open on July 19, 2010. Applications must be submitted by 4 p.m. on August 27,

2010. Only applications submitted through the eGrants system will be accepted. Harcopy applications will not be accepted.

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 10-1284. Filed for public inspection July 16, 2010, 9:00 a.m.]

Climate Change Advisory Committee; Natural Resource Working Group Meeting

The August 5, 2010, meeting of the Natural Resources Working Group has been moved to Thursday, July 29, 2010. The meeting will be held from 10 a.m. to 2 p.m. at the Department of Conservation and Natural Resources, Bureau of Topographic and Geological Survey, 3240 Schoolhouse Road, Middletown, PA 17057.

The remaining meetings have not changed, and are scheduled for Friday, October 15, 2010, and Wednesday, December 8, 2010. These meetings will also be held from 10 a.m. to 2 p.m. at the Department of Conservation and Natural Resources, Bureau of Topographic and Geological Survey building.

Each Adaptation Working Group will focus on a specific area of impact: Infrastructure; Public Health and Safety; Natural Resources; and Tourism and Outdoor Recreation. They will work to identify vulnerabilities to climate change; adaptation efforts already underway; and practical actions the Commonwealth and other stakeholders can undertake to address the risks of climate change. They will also work to share information and knowledge across impacted areas and identify opportunities for collaboration.

For the latest on meeting details and materials, visit www.depweb.state.pa.us, Keyword: Climate Change. Questions concerning these meetings should be directed to Kim Hoover, Office of Energy and Technology Deployment, P. O. Box 8772, Harrisburg, PA 17105-8772, (717) 772-5161 or khoover@state.pa.us.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Kim Hoover at (717) 772-5161 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department of Environmental Protection may accommodate their needs.

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 10-1285. Filed for public inspection July 16, 2010, 9:00 a.m.]

Pennsylvania Clean Diesel Grant Program; Opening of the Grant Application Acceptance Period

The Department of Environmental Protection (Department), Bureau of Air Quality, announces an opportunity to apply for grants under the Pennsylvania State Clean Diesel Grant Program (Program) to improve this Commonwealth's air quality. The Department is seeking applications to retrofit fleet diesel-powered transit buses. The primary goal of the Program is to improve this Commonwealth's air quality by decreasing air emissions from diesel-powered mobile sources. Funding for projects is

limited to counties in the central part of this Commonwealth that are considered nonattainment for the National Ambient Air Quality Standards for fine particulate matter. These counties include: Berks, Dauphin, Lancaster, Lebanon and York. Total funding available for projects is \$235,200.

Funding is available to school districts, municipal authorities, political subdivisions, nonprofit entities, corporations, limited liability companies or partnerships incorporated or registered in this Commonwealth to retrofit diesel-powered transit buses with technologies certified or verified by the United States Environmental Protection Agency or the California Air Resources Board to lower diesel pollution. The technology may be a single technology or a combination of available technologies.

Project costs cannot be incurred before the grant period of performance.

The application package including guidance, instructions and application forms is available by contacting the Department of Environmental Protection, Bureau of Air Quality, 12th Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8468, Harrisburg, PA 17105-8468, (717) 787-9702. The application package is also available electronically on the Department's web site at www.depweb.state.pa.us (DEP Keywords "Clean Diesel").

Applications must be postmarked or received by 4 p.m. on August 31, 2010. Faxes and electronic copies will not be accepted.

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 10-1286. Filed for public inspection July 16, 2010, 9:00 a.m.]

Request for Applications for Watershed Protection and Restoration Grants and Flood Protection Grants through the Growing Greener Plus Program

As part of the 2010 Department of Environmental Protection's (Department) Growing Greener Plus Program, applications are now being accepted for watershed protection and restoration grants. Under 27 Pa.C.S. §§ 6101–6113 (relating to Environmental Stewardship and Watershed Protection Act), the Department is authorized to allocate these grants to a variety of eligible applications including: counties, authorities, other municipalities; county conservation districts; watershed organizations recognized by the Department who promote local watershed conservation efforts, council of governments, and other authorized organizations involved in the restoration and protection of the environment in this Commonwealth.

For the upcoming grant round, the Department will invest in projects that will ultimately protect and/or restore this Commonwealth's watersheds from impairment due to nonpoint source pollution. Examples of special priority areas include: Chesapeake Bay Nutrient Reduction—implementation of projects leading to quantitative load reductions of nitrogen, phosphorus and sediment within the Chesapeake Bay Watershed; projects located in "priority" watersheds that reduce the source of

impairment and "priority" type activities that lead to water quality restoration or protection.

Examples of eligible projects could include reducing nonpoint source pollution in watersheds where streams are impaired; integrating stormwater management and flood protection into watershed management; encouraging the beneficial use of abandoned mine pool water; and water conservation strategies, and projects that will help reduce Total Maximum Daily Load pollutants.

Through the same application process, applicants can also apply for funding through the Department's Flood Protection Grant Program and Section 319 Nonpoint Source Grant. Flood protection grants are for communities that operate and maintain State and Federal flood protection projects. Section 319 Grants focus on funding similar projects to Growing Greener but with special emphasis within targeted watersheds.

The deadline for submitting applications to the Department's Growing Greener Grants Center (Center) is September 17, 2010. Applications must be postmarked no later than September 17, 2010. If hand delivered, the package must be received by the Center by 4 p.m. on September 17, 2010, at the address that follows. Late submissions will not be considered.

To request or download an application or obtain more information concerning the Growing Greener Programs, visit the Growing Greener web site at www.depweb.state.pa.us (DEP Keyword: Growing Greener). Persons can send e-mails to GrowingGreener@state.pa.us or contact the Center at (717) 705-5400. Written requests should be addressed to Department of Environmental Protection, Grants Center, 15th Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8776, Harrisburg, PA 17105-8776.

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 10-1287. Filed for public inspection July 16, 2010, 9:00 a.m.]

Statewide Water Resources Committee; Technical Subcommittee Meeting

The Technical Subcommittee of the Statewide Water Resources Committee, associated with the Department of Environmental Protection (Department), will meet on August 6, 2010.

The Statewide and Regional Water Resources Committees were created under 27 Pa.C.S. Chapter 31 (relating to water resources planning), to help guide the development of the State Water Plan and the designation of Critical Water Planning Areas for this Commonwealth.

The meeting schedule, an agenda and meeting materials will be available through the Public Participation Center on the Department's web site at www.depweb.state.pa.us.

Technical Subcommittee

The August 6, meeting of the Technical Subcommittee will be held at 9:30 a.m. at the Department of Environmental Protection, Southcentral Regional Office, Susquehanna Conference Room, 909 Elmerton Avenue, Harrisburg, PA 17110.

Questions concerning this meeting should be directed to Jay Braund, Water Planning Office, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 772-5634 or jbraund@state.pa.us.

Persons with a disability who require accommodations to attend the meeting listed previously should contact the Department at (717) 772-5634 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 10-1288. Filed for public inspection July 16, 2010, 9:00 a.m.]

DEPARTMENT OF HEALTH

Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.3 (relating to definitions).

John J. Kane Regional Center—Glen Hazel
955 Rivermont Drive
Pittsburgh, PA 15207

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.6(a) (relating to function of building).

Slate Belt Nursing and Rehabilitation Center
701 Slate Belt Boulevard
Bangor, PA 18013
FAC ID 193102

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.67(k) (relating to electric requirements for existing and new construction).

Fairmount Homes
333 Wheat Ridge Drive
Ephrata, PA 17522-8558
FAC ID 060202

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on this exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

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

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

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 10-1289. Filed for public inspection July 16, 2010, 9:00 a.m.]

DEPARTMENT OF LABOR AND INDUSTRY

Current Prevailing Wage Act Debarments

The following contractors have been determined to have intentionally violated the Pennsylvania Prevailing Wage Act (act) (43 P. S. §§ 165-1—165-17). This notice is published for the information and convenience of public bodies subject to the act. Under section 11(e) of the act (43 P. S. § 165-11(e)), these contractors, or either one of them, or any firms, corporations or partnerships in which either one of these contractors has an interest, shall be awarded no contract for 3 years after the date listed.

<i>Contractor</i>	<i>Address</i>	<i>Date of Debarment</i>
Genesis Insulation, Inc. and Karen Duffy, Individually	1545 Mill Road	6/29/2010

SANDI VITO,
Secretary

[Pa.B. Doc. No. 10-1290. Filed for public inspection July 16, 2010, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Lottery's Eagles™ 2010 Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Lottery's Eagles™ 2010.

2. *Price:* The price of a Pennsylvania Lottery's Eagles™ 2010 instant lottery game ticket is \$5.

3. *Play Symbols:* Each Pennsylvania Lottery's Eagles™ 2010 instant game ticket will contain one play area featuring an "EAGLES NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions located in the "EAGLES NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR) and 25 (TWYFIV). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), Field Goal (FLDGL) symbol and a Touchdown (TDOWN) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$2 (TWO DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$15⁰⁰

(FIFTN), \$20⁰⁰ (TWENTY), \$25⁰⁰ (TWY FIV), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$400 (FOR HUN), \$1,000 (ONE THO), \$2,500 (TWYFIVHUN), \$50,000 (FTY THO) and \$100,000 (ONEHUNTHO).

5. *Prizes:* The prizes that can be won in this game are: \$2, \$5, \$10, \$15, \$20, \$25, \$40, \$50, \$100, \$200, \$400, \$1,000, \$2,500, \$50,000 and \$100,000. A player can win up to 10 times on a ticket.

6. *Second-Chance Drawings:* The Pennsylvania Lottery will conduct five second-chance drawings for non-winning Pennsylvania Lottery's Eagles™ 2010 instant game tickets as provided for in section 11.

7. *Approximate Number of Tickets Printed For the Game:* Approximately 5,400,000 tickets will be printed for the Pennsylvania Lottery's Eagles™ 2010 instant game.

8. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "EAGLES NUMBERS" play symbols matches any of the "YOUR NUMBERS" play symbols and a prize symbol of \$100,000 (ONEHUNTHO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100,000.

(b) Holders of tickets upon which any one of the "EAGLES NUMBERS" play symbols matches any of the "YOUR NUMBERS" play symbols and a prize symbol of \$50,000 (FTY THO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50,000.

(c) Holders of tickets upon which any one of the "EAGLES NUMBERS" play symbols matches any of the "YOUR NUMBERS" play symbols and a prize symbol of \$2,500 (TWYFIVHUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$2,500.

(d) Holders of tickets upon which any one of the "EAGLES NUMBERS" play symbols matches any of the "YOUR NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Touchdown (TDOWN) symbol, and a prize symbol of \$100 (ONE HUN) appears under the Touchdown (TDOWN) symbol, on a single ticket, shall be entitled to a prize of \$700.

(f) Holders of tickets upon which any one of the "EAGLES NUMBERS" play symbols matches any of the "YOUR NUMBERS" play symbols and a prize symbol of \$400 (FOR HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$400.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Field Goal (FLDGL) symbol, and a prize symbol of \$100 (ONE HUN) appears under the Field Goal (FLDGL) symbol, on a single ticket, shall be entitled to a prize of \$300.

(h) Holders of tickets upon which any one of the "EAGLES NUMBERS" play symbols matches any of the "YOUR NUMBERS" play symbols and a prize symbol of \$200 (TWO HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$200.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Touchdown (TDOWN) symbol, and a prize symbol of \$25.⁰⁰ (TWY FIV) appears under the Touchdown (TDOWN) symbol, on a single ticket, shall be entitled to a prize of \$175.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Field Goal (FLDGL) symbol, and a prize symbol of \$50.⁰⁰ (FIFTY) appears under the Field Goal (FLDGL) symbol, on a single ticket, shall be entitled to a prize of \$150.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Touchdown (TDOWN) symbol, and a prize symbol of \$20.⁰⁰ (TWENTY) appears under the Touchdown (TDOWN) symbol, on a single ticket, shall be entitled to a prize of \$140.

(l) Holders of tickets upon which any one of the "EAGLES NUMBERS" play symbols matches any of the "YOUR NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Touchdown (TDOWN) symbol, and a prize symbol of \$10.⁰⁰ (TEN DOL) appears under the Touchdown (TDOWN) symbol, on a single ticket, shall be entitled to a prize of \$70.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Field Goal (FLDGL) symbol, and a prize symbol of \$20.⁰⁰ (TWENTY) appears under the Field Goal (FLDGL) symbol, on a single ticket, shall be entitled to a prize of \$60.

(o) Holders of tickets upon which any one of the "EAGLES NUMBERS" play symbols matches any of the "YOUR NUMBERS" play symbols and a prize symbol of \$50.⁰⁰ (FIFTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(p) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Field Goal (FLDGL) symbol, and a prize symbol of \$15.⁰⁰ (FIFTN) appears under the Field Goal (FLDGL) symbol, on a single ticket, shall be entitled to a prize of \$45.

(q) Holders of tickets upon which any one of the "EAGLES NUMBERS" play symbols matches any of the "YOUR NUMBERS" play symbols and a prize symbol of \$40.⁰⁰ (FORTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(r) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Touchdown (TDOWN) symbol, and a prize symbol of \$5.⁰⁰ (FIV DOL) appears under the Touchdown (TDOWN) symbol, on a single ticket, shall be entitled to a prize of \$35.

(s) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Field Goal (FLDGL) symbol, and a prize symbol of \$10.⁰⁰ (TEN DOL) appears under the Field Goal (FLDGL) symbol, on a single ticket, shall be entitled to a prize of \$30.

(t) Holders of tickets upon which any one of the "EAGLES NUMBERS" play symbols matches any of the "YOUR NUMBERS" play symbols and a prize symbol of \$25.⁰⁰ (TWY FIV) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$25.

(u) Holders of tickets upon which any one of the "EAGLES NUMBERS" play symbols matches any of the "YOUR NUMBERS" play symbols and a prize symbol of \$20.⁰⁰ (TWENTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(v) Holders of tickets upon which any one of the "EAGLES NUMBERS" play symbols matches any of the "YOUR NUMBERS" play symbols and a prize symbol of \$15.⁰⁰ (FIFTN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$15.

(w) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Field Goal (FLDGL) symbol, and a prize symbol of \$5.⁰⁰ (FIV DOL) appears under the Field Goal (FLDGL) symbol, on a single ticket, shall be entitled to a prize of \$15.

(x) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Touchdown (TDOWN) symbol, and a prize symbol of \$2.⁰⁰ (TWO DOL) appears under the Touchdown (TDOWN) symbol, on a single ticket, shall be entitled to a prize of \$14.

(y) Holders of tickets upon which any one of the "EAGLES NUMBERS" play symbols matches any of the "YOUR NUMBERS" play symbols and a prize symbol of \$10.⁰⁰ (TEN DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(z) Holders of tickets upon which any one of the "EAGLES NUMBERS" play symbols matches any of the "YOUR NUMBERS" play symbols and a prize symbol of \$5.⁰⁰ (FIV DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(aa) Holders of tickets upon which any one of the "EAGLES NUMBERS" play symbols matches any of the "YOUR NUMBERS" play symbols and a prize symbol of \$2.⁰⁰ (TWO DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$2.

9. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

<i>When Any Of Your Numbers Match Any Of The Eagles Numbers, Win With Prize(s) Of:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 5,400,000 Tickets</i>
\$5	\$5	10.91	495,000
\$5 × 2	\$10	30	180,000
\$10	\$10	30	180,000
\$5 w/FIELD GOAL	\$15	200	27,000
\$5 × 3	\$15	150	36,000
\$5 + \$10	\$15	150	36,000

When Any Of Your Numbers
Match Any Of The Eagles Numbers,
Win With Prize(s) Of:

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 5,400,000 Tickets
\$15	\$15	150	36,000
(\$2 w/TOUCHDOWN) + (\$2 × 3)	\$20	120	45,000
(\$5 w/FIELD GOAL) + \$5	\$20	300	18,000
\$5 × 4	\$20	600	9,000
\$10 × 2	\$20	600	9,000
\$20	\$20	600	9,000
(\$5 w/FIELD GOAL) + (\$5 × 2)	\$25	300	18,000
\$5 × 5	\$25	300	18,000
\$10 + \$15	\$25	300	18,000
\$20 + \$5	\$25	300	18,000
\$25	\$25	300	18,000
(\$10 w/FIELD GOAL) + \$10	\$40	800	6,750
(\$5 w/TOUCHDOWN) + \$5	\$40	240	22,500
\$5 × 8	\$40	2,400	2,250
\$10 × 4	\$40	2,400	2,250
\$20 × 2	\$40	2,400	2,250
\$40	\$40	1,200	4,500
(\$15 w/FIELD GOAL) + \$5	\$50	800	6,750
(\$5 w/TOUCHDOWN) + \$15	\$50	342.86	15,750
\$5 × 10	\$50	1,200	4,500
\$10 × 5	\$50	1,200	4,500
\$25 × 2	\$50	1,200	4,500
\$50	\$50	1,200	4,500
(\$20 w/FIELD GOAL) + (\$20 × 2)	\$100	2,000	2,700
(\$10 w/TOUCHDOWN) + (\$10 w/FIELD GOAL)	\$100	800	6,750
\$10 × 10	\$100	4,000	1,350
\$20 × 5	\$100	4,000	1,350
\$25 × 4	\$100	4,000	1,350
(\$40 × 2) + (\$5 × 4)	\$100	2,400	2,250
\$50 × 2	\$100	2,400	2,250
\$100	\$100	2,400	2,250
(\$50 w/FIELD GOAL) + (\$10 × 5)	\$200	24,000	225
(\$20 w/TOUCHDOWN) + (\$20 × 3)	\$200	24,000	225
\$20 × 10	\$200	24,000	225
\$40 × 5	\$200	24,000	225
\$50 × 4	\$200	24,000	225
\$100 × 2	\$200	24,000	225
\$200	\$200	24,000	225
(\$25 w/TOUCHDOWN) + (\$25 × 9)	\$400	120,000	45
(\$100 w/FIELD GOAL) + (\$20 × 5)	\$400	120,000	45
\$40 × 10	\$400	120,000	45
\$100 × 4	\$400	120,000	45
\$400	\$400	120,000	45
(\$100 w/TOUCHDOWN) + (\$50 × 6)	\$1,000	120,000	45
(\$100 w/FIELD GOAL) + (\$100 × 7)	\$1,000	120,000	45
\$100 × 10	\$1,000	120,000	45
(\$400 × 2) + (\$50 × 4)	\$1,000	120,000	45
\$1,000	\$1,000	120,000	45
\$2,500	\$2,500	540,000	10
\$50,000	\$50,000	1,080,000	5
\$100,000	\$100,000	1,080,000	5

“FIELD GOAL” (FLDGL) Symbol = Win 3X the prize shown under it automatically.

“TOUCHDOWN” (TDOWN) Symbol = Win 7X the prize shown under it automatically.

Five (5) Second-Chance Drawings will be conducted during the sales period of the game to award additional prizes.

Prizes, including top prizes, are subject to availability at the time of purchase.

10. Pennsylvania Lottery's Eagles™ 2010 Second-Chance Drawings Requirements:

(a) To be eligible for the Second-Chance Drawing, players must mail exactly three (3) non-winning Pennsylvania Lottery's Eagles™ 2010 instant lottery tickets in an envelope no larger than 4 1/8 inches by 9 1/2 inches addressed to Pennsylvania Lottery's Eagles™ 2010

Second-Chance Drawings, P. O. Box 200, Middletown, PA 17057-0200. The player shall affix proper postage to the entry.

(b) Envelopes containing less than or more than three (3) non-winning Pennsylvania Lottery's Eagles™ 2010 instant lottery tickets shall be disqualified.

(c) Non-winning Pennsylvania Lottery's Eagles™ 2010 instant lottery tickets received in an envelope larger than 4 1/8 inches by 9 1/2 inches shall be disqualified. The only

exception is for non-winning Pennsylvania Lottery's Eagles™ 2010 instant lottery tickets received in a United States Post Office "damaged-in-mail-process" envelope.

(d) Winning Pennsylvania Lottery's Eagles™ 2010 instant lottery tickets submitted to the Pennsylvania Lottery's Eagles™ 2010 Second-Chance Drawing's address will not be paid or honored. Second-Chance Drawing entries containing winning Pennsylvania Lottery's Eagles™ 2010 instant lottery tickets will be disqualified.

(e) The back of each non-winning Pennsylvania Lottery's Eagles™ 2010 instant lottery ticket entered in the Pennsylvania Lottery's Eagles™ 2010 Second-Chance Drawings must be completed by the same player in a legible manner, including the player's name, street address, city, state, zip code, telephone number and signature. Only one claimant per entry allowed. Claimant must be 18 years of age or older. Incomplete tickets shall be disqualified.

11. *Second-Chance Drawings Procedures:*

(a) The Lottery will conduct five Pennsylvania Lottery's Eagles™ 2010 Second-Chance Drawings. All Pennsylvania Lottery's Eagles™ 2010 Second-Chance Drawings entries received at Lottery Headquarters on or before 4:00 p.m. March 25, 2011, will be eligible to participate in one of the five Pennsylvania Lottery's Eagles™ 2010 Second-Chance Drawings. All time references in this section are Eastern Standard Time.

(1) All Pennsylvania Lottery's Eagles™ 2010 Second-Chance Drawing entries received at Lottery Headquarters on or before 4:00 p.m. August 13, 2010, will be eligible to participate in the Pennsylvania Lottery's Eagles™ 2010 Second-Chance Drawing which will be held at Lottery Headquarters the week of August 16, 2010.

(2) All Pennsylvania Lottery's Eagles™ 2010 Second-Chance Drawing entries received at Lottery Headquarters after 4:00 p.m. August 13, 2010, through and including 4:00 p.m. September 17, 2010, will be eligible to participate in the Pennsylvania Lottery's Eagles™ 2010 Second-Chance Drawing which will be held at Lottery Headquarters the week of September 20, 2010.

(3) All Pennsylvania Lottery's Eagles™ 2010 Second-Chance Drawing entries received at Lottery Headquarters after 4:00 p.m. September 17, 2010, through and including 4:00 p.m. October 22, 2010, will be eligible to participate in the Pennsylvania Lottery's Eagles™ 2010 Second-Chance Drawing which will be held at Lottery Headquarters the week of October 25, 2010.

(4) All Pennsylvania Lottery's Eagles™ 2010 Second-Chance Drawing entries received at Lottery Headquarters after 4:00 p.m. October 22, 2010, through and including 4:00 p.m. November 19, 2010, will be eligible to participate in the Pennsylvania Lottery's Eagles™ 2010 Second-Chance Drawing which will be held at Lottery Headquarters the week of November 29, 2010.

(5) All Pennsylvania Lottery's Eagles™ 2010 Second-Chance Drawing entries received at Lottery Headquarters after 4:00 p.m. November 19, 2010, through and including 4:00 p.m. March 25, 2011, will be eligible to participate in the final Pennsylvania Lottery's Eagles™ 2010 Second-Chance Drawing which will be held at Lottery Headquarters the week of March 28, 2011.

(6) The odds of an entry being selected in a Pennsylvania Lottery's Eagles™ 2010 Second-Chance Drawing depend upon the number of entries received for that drawing.

(b) To be eligible to participate in a particular Pennsylvania Lottery's Eagles™ 2010 Second-Chance Drawing, a player must have complied with the requirements of section 10.

(1) The Lottery assumes no responsibility for a lost or misplaced entry not entered into one of the Pennsylvania Lottery's Eagles™ 2010 Second-Chance Drawings.

(2) A Pennsylvania Lottery's Eagles™ 2010 Second-Chance Drawing entry is eligible for only one Second-Chance Drawing. An entry that is not eligible in one group, may, at the discretion of the Secretary, remain eligible for a subsequent Second-Chance Drawing.

(3) If a Pennsylvania Lottery's Eagles™ 2010 Second-Chance Drawing entry is rejected during or following the Pennsylvania Lottery's Eagles™ 2010 Second-Chance Drawing, the sole remedy is to select another entry to replace the rejected entry in accordance with Lottery procedure.

(c) A player may only win the prize for which they are first selected in each of the Pennsylvania Lottery's Eagles™ 2010 Second-Chance Drawings. Subsequent entries, from the same individual, selected in the same Pennsylvania Lottery's Eagles™ 2010 Second-Chance Drawing will be disqualified and a replacement entry will be selected.

(d) Manner of conducting each of the Pennsylvania Lottery's Eagles™ 2010 Eagles™ Second-Chance Drawings.

(1) All entries received at Lottery Headquarters that are eligible to participate in a particular drawing, will be placed in numbered containers, each containing approximately 500 envelopes.

(2) A computer-generated randomizer or mechanical device may be used to select the numbered containers from which the winners will be selected. If used, the randomizer will not be programmed to eliminate the possibility of the same container being selected more than once.

(3) One envelope will be randomly drawn from each of the selected numbered containers. As each entry envelope is selected, its contents will be qualified according to the requirements of section 10. If the entry does not meet the requirements of section 10, another entry will be selected from that container; and so on, until a qualified entry has been chosen. Once a qualified entry has been selected, further validation will take place by verifying the status of the tickets contained in the entry envelope drawn by entering the ticket information into the computerized instant ticket database. The first qualified and validated entry from each of the designated containers will entitle its owner to a prize as described in section 12.

(4) Determination of winners will be made by the Secretary, whose judgment will be final and binding.

(e) The payment of a prize awarded in any of the Pennsylvania Lottery's Eagles™ 2010 Second-Chance Drawings to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of prize winner).

12. *Description of Pennsylvania Lottery's Eagles™ 2010 Second-Chance Drawings Prizes:*

(a) The following prizes shall be awarded for the drawing held the week of August 16, 2010:

(i) The first and the second winners selected in the drawing held the week of August 16, 2010 shall each be entitled to a prize consisting of an authentic autographed

Eagles game-issued jersey to be awarded at a private event by the player who signed the jersey. The event will include lunch and a tour of the facility for the winner and a guest. The Eagles will determine the player, the date and the facility for the event.

(ii) The third through the fifth winners selected in the drawing held the week of August 16, 2010 shall each be entitled to a prize consisting of two Club Level III game tickets and one reserved parking pass for the September 12, 2010 Eagles home game verses the Packers.

(iii) The sixth through the eighth winners selected in the drawing held the week of August 16, 2010 shall each be entitled to a prize consisting of two Club Level III game tickets and one reserved parking pass for the October 3, 2010 Eagles home game verses the Redskins.

(iv) The ninth winner selected in the drawing held the week of August 16, 2010 shall be entitled to a prize consisting of two game tickets, two pre-game sideline passes and one reserved parking pass for the September 12, 2010 Eagles home game verses the Packers.

(v) The tenth winner selected in the drawing held the week of August 16, 2010 shall be entitled to a prize consisting of two game tickets, two pre-game sideline passes and one reserved parking pass for the October 3, 2010 Eagles home game verses the Redskins.

(b) The following prizes shall be awarded for the drawing held the week of September 20, 2010:

(i) The first and the second winners selected in the drawing held the week of September 20, 2010 shall each be entitled to a prize consisting of a VIP Road Trip for the winner and one guest to the November 15, 2010 Eagles away game verses the Redskins. The trip will include round-trip commercial transportation, one double occupancy hotel room for one night, one dinner for the winner and one guest, and two game tickets. All other costs and expenses arising from or in connection with the road trip shall be the sole responsibility of the winner.

(ii) The third through the twelfth winners selected in the drawing held the week of September 20, 2010 shall each be entitled to a prize consisting of the opportunity for the winner and one guest to watch the October 17, 2010 Eagles home game verses the Falcons from a luxury suite at the stadium. The prize will include food and non-alcoholic beverages in the suite.

(iii) The thirteenth through the twenty-second winners selected in the drawing held the week of September 20, 2010 shall each be entitled to a prize consisting of the opportunity for the winner and one guest to watch the November 7, 2010 Eagles home game verses the Colts from a luxury suite at the stadium. The prize will include food and non-alcoholic beverages in the suite.

(iv) The twenty-third winner selected in the drawing held the week of September 20, 2010 shall be entitled to a prize consisting of the opportunity for the winner to join the Eagles Television Network in the control booth during the October 17, 2010 Eagles home game verses the Falcons. The winner shall receive two tickets and one reserved parking pass for the game.

(v) The twenty-fourth winner selected in the drawing held the week of September 20, 2010 shall be entitled to a prize consisting of the opportunity for the winner to join a cameraman of the Eagles Television Network during the October 17, 2010 Eagles home game verses the Falcons. The winner shall receive two tickets and one reserved parking pass for the game.

(vi) The twenty-fifth and the twenty-sixth winners selected in the drawing held the week of September 20, 2010 shall each be entitled to a prize consisting of the opportunity for the winner and one guest to join the stadium staff in setting up the inflatable tunnel used during the announcement of the starting lineups at the October 17, 2010 Eagles home game verses the Falcons. Each winner shall receive two tickets, two pre-game sideline passes and one reserved parking pass for the game.

(vii) The twenty-seventh winner selected in the drawing held the week of September 20, 2010 shall be entitled to a prize consisting of two game tickets, two pre-game sideline passes and one reserved parking pass for the October 17, 2010 Eagles home game verses the Falcons. This prize will include the opportunity for the winner to help the equipment staff set up the Eagles locker room at the stadium on a day prior to the October 17, 2010 Eagles home game verses the Falcons.

(viii) The twenty-eighth through the thirtieth winners selected in the drawing held the week of September 20, 2010 shall each be entitled to a prize consisting of two Club Level III game tickets and one reserved parking pass for the October 17, 2010 Eagles home game verses the Falcons.

(ix) The thirty-first through the thirty-third winners selected in the drawing held the week of September 20, 2010 shall each be entitled to a prize consisting of two Club Level III game tickets and one reserved parking pass for the November 7, 2010 Eagles home game verses the Colts.

(x) The thirty-fourth winner selected in the drawing held the week of September 20, 2010 shall be entitled to a prize consisting of two game tickets, two pre-game sideline passes and one reserved parking pass for the November 7, 2010 Eagles home game verses the Colts.

(xi) The thirty-fifth through the thirty-eighth winners selected in the drawing held the week of September 20, 2010 shall each be entitled to a prize consisting of the opportunity for the winner and one guest to tour the NovaCare Complex, which shall include lunch with a current team player, as determined by the Eagles. The Eagles will determine the date of the event.

(xii) The thirty-ninth through the forty-sixth winners selected in the drawing held the week of September 20, 2010 shall each be entitled to a prize consisting of the opportunity for the winner and one guest to attend one of the Eagles Head Coach's press conferences at the NovaCare Complex during the regular season. Eagles shall determine the date and time of the press conference.

(xiii) The forty-seventh through the seventy-first winners selected in the drawing held the week of September 20, 2010 shall each be entitled to a prize consisting of a reception with the Eagles Director of Player Programs and a current player to review Eagles football on November 9, 2010. The event will include heavy appetizers. The Eagles will determine the player and the facility for the event.

(xiv) The seventy-second through the seventy-ninth winners selected in the drawing held the week of September 20, 2010 shall each be entitled to a prize consisting of the opportunity for the winner and one guest to attend one of the Eagles player's press conferences at the NovaCare Complex during the regular season. Eagles shall determine the date and time of the press conference.

(xv) The eightieth through the one-hundred and twenty-ninth winners selected in the drawing held the

week of September 20, 2010 shall each be entitled to a prize consisting of the opportunity for the winner and one guest to attend a Breakfast with Legends event to be held at a facility and on a date as determined by the Eagles. The event will include two alumni player appearances as determined by the Eagles. The event will include breakfast and Eagles-related gifts.

(c) The following prizes shall be awarded for the drawing held the week of October 25, 2010:

(i) The first winner selected in the drawing held the week of October 25, 2010 shall be entitled to a prize consisting of a VIP Road Trip for the winner and one guest to the December 19, 2010 Eagles away game verses the Giants. The trip will include round-trip commercial transportation, one double occupancy hotel room for one night, one dinner for the winner and one guest, and two game tickets. All other costs and expenses arising from or in connection with the road trip shall be the sole responsibility of the winner.

(ii) The second through the fourth winners selected in the drawing held the week of October 25, 2010 shall each be entitled to a prize consisting of two Club Level III game tickets and one reserved parking pass for the November 21, 2010 Eagles home game verses the Giants.

(iii) The fifth through the seventh winners selected in the drawing held the week of October 25, 2010 shall each be entitled to a prize consisting of two Club Level III game tickets and one reserved parking pass for the December 2, 2010 Eagles home game verses the Texans.

(iv) The eighth winner selected in the drawing held the week of October 25, 2010 shall be entitled to a prize consisting of two game tickets, two pre-game sideline passes and one reserved parking pass for the November 21, 2010 Eagles home game verses the Giants.

(v) The ninth winner selected in the drawing held the week of October 25, 2010 shall be entitled to a prize consisting of two game tickets, two pre-game sideline passes and one reserved parking pass for the December 2, 2010 Eagles home game verses the Texans.

(d) The following prizes shall be awarded for the drawing held the week of November 29, 2010:

(i) The first through the tenth winners selected in the drawing held the week of November 29, 2010 shall each be entitled to a prize consisting of the opportunity for the winner and one guest to watch the December 12, 2010 Eagles home game verses the Cowboys from a luxury suite at the stadium. The prize will include food and non-alcoholic beverages in the suite.

(ii) The eleventh winner selected in the drawing held the week of November 29, 2010 shall be entitled to a prize consisting of the opportunity for the winner and one guest to accompany the Eagles' Director of Player Programs as he transports the Eagles first pick in the NFL Draft to the NovaCare Complex. The winner and one guest will receive access passes to the draft pick's press conference. The Eagles will determine the date and time of the event. The draft pick will be determined by the Eagles.

(iii) The twelfth through the fourteenth winners selected in the drawing held the week of November 29, 2010 shall each be entitled to a prize consisting of two Club Level III game tickets and one reserved parking pass for the December 26, 2010 Eagles home game verses the Vikings.

(iv) The fifteenth through the seventeenth winners selected in the drawing held the week of November 29,

2010 shall each be entitled to a prize consisting of two Club Level III game tickets and one reserved parking pass for the January 2, 2011 Eagles home game verses the Cowboys.

(v) The eighteenth winner selected in the drawing held the week of November 29, 2010 shall be entitled to a prize consisting of two game tickets, two pre-game sideline passes and one reserved parking pass for the December 26, 2010 Eagles home game verses the Vikings.

(vi) The nineteenth winner selected in the drawing held the week of November 29, 2010 shall be entitled to a prize consisting of two game tickets, two pre-game sideline passes and one reserved parking pass for the January 2, 2011 Eagles home game verses the Cowboys.

(vii) The twentieth and the twenty-first winners selected in the drawing held the week of November 29, 2010 shall each be entitled to a prize consisting of the opportunity for the winner and one guest to attend a post-draft lunch at the NovaCare Complex with the Eagles General Manager and Vice President of Player Personnel or other such prominent member of the Eagles Scouting Department. The Eagles will determine the date of the event.

(viii) The twenty-second through the twenty-fourth winners selected in the drawing held the week of November 29, 2010 shall each be entitled to a prize consisting of two Club Level III game tickets and one reserved parking pass for the first Eagles playoff home game for the 2010-2011 season, if applicable.

(ix) The twenty-fifth through the twenty-seventh winners selected in the drawing held the week of November 29, 2010 shall each be entitled to a prize consisting of two Club Level III game tickets and one reserved parking pass for the second Eagles playoff home game for the 2010-2011 season, if applicable.

(x) The twenty-eighth winner selected in the drawing held the week of November 29, 2010 shall be entitled to a prize consisting of two game tickets, two pre-game sideline passes and one reserved parking pass for the first Eagles playoff home game for the 2010-2011 season, if applicable.

(xi) The twenty-ninth winner selected in the drawing held the week of November 29, 2010 shall be entitled to a prize consisting of two game tickets, two pre-game sideline passes and one reserved parking pass for the second Eagles playoff home game for the 2010-2011 season, if applicable.

(e) The following prizes shall be awarded for the drawing held the week of March 28, 2011:

(i) The first through the fourteenth winners selected in the drawing held the week of March 28, 2010 shall each be entitled to a prize consisting of an authentic autographed Eagles game-issued jersey. The Eagles will determine the player.

(ii) The fifteenth through the eighteenth winners selected in the drawing held the week of March 28, 2010 shall each be entitled to a prize consisting of the opportunity for the winner and one guest to attend a breakfast at the NovaCare Complex with one Eagles coach and the opportunity to watch the coach breakdown film. The Eagles will determine the date of the event and the coach.

(iii) The nineteenth through the sixth-eighth winners selected in the drawing held the week of March 28, 2010 shall each be entitled to a prize consisting of the opportunity for the winner and one guest to attend a VIP Chalk

Talk by two Eagles assistant coaches. The assistant coaches, date and location of the event will be determined by the Eagles. The prize includes appropriate food and beverages for the event, a tour of the complex, an Eagles gift bag for each participant and an address by the assistant coaches.

(iv) The sixty-ninth through the one-hundred and eighteenth winners selected in the drawing held the week of March 28, 2010 shall each be entitled to a prize consisting of the opportunity for the winner and one guest to attend a Punt, Pass and Kick event. The prize includes appropriate food and beverages following the event and Eagles-related prizes. The Eagles will determine the date and location of the event.

13. Prize Information and Restrictions:

(a) If no date is provided for a game or event that is part of a prize described in section 12, the date will be determined by the Eagles and provided to the winner.

(b) Prizes are transferable one time.

(c) In the event the winner or the winner's designee is not available on the date of the game or event that is part of a prize described in section 12, there will be no extensions or substitution of prizes and the winner will not receive any reimbursement for the unused prize.

(d) Prizes are not redeemable for cash.

(e) In the event a prize in section 12 is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

(f) The Lottery will make every reasonable effort to deliver a prize to the winner in a timely manner, however, the Lottery is not responsible for prizes lost or unusable due to untimely delivery.

(g) The winner is responsible for all costs, expenses and transportation, not specifically included in the prize descriptions in section 12, arising from or in connection with any prize won.

(h) Verification that the winner is 18 years of age or older will be required before delivery of prizes.

(i) In order to participate in certain prize events the winner and their guests may be required to execute a confidentiality agreement and waiver as determined by the Eagles.

(j) The winner and their guests, as applicable, shall participate in certain prize events at their own risk.

(k) Other restrictions may apply.

(l) All prizes having a value, as determined by the Secretary, of \$600 or more will include an appropriate federal withholding credit.

14. Retailer Incentive Awards: The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Lottery's Eagles™ 2010 instant game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

15. Unclaimed Prize Money: For a period of 1 year from the announced close of Pennsylvania Lottery's Eagles™ 2010 instant game, prize money from winning Pennsylvania Lottery's Eagles™ 2010 instant game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1

year of the announced close of the Pennsylvania Lottery's Eagles™ 2010 instant game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

16. 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.

17. Termination of the Game: The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Lottery's Eagles™ 2010 instant game or through normal communications methods.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 10-1291. Filed for public inspection July 16, 2010, 9:00 a.m.]

Pennsylvania Lottery's Steelers® 2010 Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. Name: The name of the game is Pennsylvania Lottery's Steelers® 2010.

2. Price: The price of a Pennsylvania Lottery's Steelers® 2010 instant lottery game ticket is \$5.

3. Play Symbols: Each Pennsylvania Lottery's Steelers® 2010 instant game ticket will contain one play area featuring a "STEELERS NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions located in the "STEELERS NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR) and 25 (TWYFIV). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), Field Goal (FLDGL) symbol and a Touchdown (TDOWN) symbol.

4. Prize Symbols: The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$2.⁰⁰ (TWO DOL), \$5.⁰⁰ (FIV DOL), \$10.⁰⁰ (TEN DOL), \$15.⁰⁰ (FIFTN), \$20.⁰⁰ (TWENTY), \$25.⁰⁰ (TWY FIV), \$40.⁰⁰ (FORTY), \$50.⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$400 (FOR HUN), \$1,000 (ONE THO), \$2,500 (TWYFIVHUN), \$50,000 (FTY THO), \$100,000 (ONEHUNTHO).

5. *Prizes:* The prizes that can be won in this game are: \$2, \$5, \$10, \$15, \$20, \$25, \$40, \$50, \$100, \$200, \$400, \$1,000, \$2,500, \$50,000 and \$100,000. A player can win up to 10 times on a ticket.

6. *Second-Chance Drawings:* The Pennsylvania Lottery will conduct five second-chance drawings for non-winning Pennsylvania Lottery's Steelers® 2010 instant game tickets as provided for in section 11.

7. *Approximate Number of Tickets Printed For the Game:* Approximately 5,400,000 tickets will be printed for the Pennsylvania Lottery's Steelers® 2010 instant game.

8. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "STEELERS NUMBERS" play symbols matches any of the "YOUR NUMBERS" play symbols and a prize symbol of \$100,000 (ONEHUNTHO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100,000.

(b) Holders of tickets upon which any one of the "STEELERS NUMBERS" play symbols matches any of the "YOUR NUMBERS" play symbols and a prize symbol of \$50,000 (FTY THO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50,000.

(c) Holders of tickets upon which any one of the "STEELERS NUMBERS" play symbols matches any of the "YOUR NUMBERS" play symbols and a prize symbol of \$2,500 (TWYFIVHUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$2,500.

(d) Holders of tickets upon which any one of the "STEELERS NUMBERS" play symbols matches any of the "YOUR NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Touchdown (TDOWN) symbol, and a prize symbol of \$100 (ONE HUN) appears under the Touchdown (TDOWN) symbol, on a single ticket, shall be entitled to a prize of \$700.

(f) Holders of tickets upon which any one of the "STEELERS NUMBERS" play symbols matches any of the "YOUR NUMBERS" play symbols and a prize symbol of \$400 (FOR HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$400.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Field Goal (FLDGL) symbol, and a prize symbol of \$100 (ONE HUN) appears under the Field Goal (FLDGL) symbol, on a single ticket, shall be entitled to a prize of \$300.

(h) Holders of tickets upon which any one of the "STEELERS NUMBERS" play symbols matches any of the "YOUR NUMBERS" play symbols and a prize symbol of \$200 (TWO HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$200.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Touchdown (TDOWN) symbol, and a prize symbol of \$25⁰⁰ (TWY FIV) appears under the Touchdown (TDOWN) symbol, on a single ticket, shall be entitled to a prize of \$175.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Field Goal (FLDGL) symbol, and a prize symbol of \$50⁰⁰ (FIFTY) appears under the Field Goal (FLDGL) symbol, on a single ticket, shall be entitled to a prize of \$150.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Touchdown (TDOWN) symbol, and a prize symbol of \$20⁰⁰ (TWENTY) appears under the Touchdown (TDOWN) symbol, on a single ticket, shall be entitled to a prize of \$140.

(l) Holders of tickets upon which any one of the "STEELERS NUMBERS" play symbols matches any of the "YOUR NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Touchdown (TDOWN) symbol, and a prize symbol of \$10⁰⁰ (TEN DOL) appears under the Touchdown (TDOWN) symbol, on a single ticket, shall be entitled to a prize of \$70.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Field Goal (FLDGL) symbol, and a prize symbol of \$20⁰⁰ (TWENTY) appears under the Field Goal (FLDGL) symbol, on a single ticket, shall be entitled to a prize of \$60.

(o) Holders of tickets upon which any one of the "STEELERS NUMBERS" play symbols matches any of the "YOUR NUMBERS" play symbols and a prize symbol of \$50⁰⁰ (FIFTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(p) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Field Goal (FLDGL) symbol, and a prize symbol of \$15⁰⁰ (FIFTN) appears under the Field Goal (FLDGL) symbol, on a single ticket, shall be entitled to a prize of \$45.

(q) Holders of tickets upon which any one of the "STEELERS NUMBERS" play symbols matches any of the "YOUR NUMBERS" play symbols and a prize symbol of \$40⁰⁰ (FORTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(r) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Touchdown (TDOWN) symbol, and a prize symbol of \$5⁰⁰ (FIV DOL) appears under the Touchdown (TDOWN) symbol, on a single ticket, shall be entitled to a prize of \$35.

(s) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Field Goal (FLDGL) symbol, and a prize symbol of \$10⁰⁰ (TEN DOL) appears under the Field Goal (FLDGL) symbol, on a single ticket, shall be entitled to a prize of \$30.

(t) Holders of tickets upon which any one of the "STEELERS NUMBERS" play symbols matches any of the "YOUR NUMBERS" play symbols and a prize symbol of \$25⁰⁰ (TWY FIV) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$25.

(u) Holders of tickets upon which any one of the "STEELERS NUMBERS" play symbols matches any of the "YOUR NUMBERS" play symbols and a prize symbol of \$20⁰⁰ (TWENTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(v) Holders of tickets upon which any one of the "STEELERS NUMBERS" play symbols matches any of the "YOUR NUMBERS" play symbols and a prize symbol of \$15.00 (FIFTN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$15.

(w) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Field Goal (FLDGL) symbol, and a prize symbol of \$5.00 (FIV DOL) appears under the Field Goal (FLDGL) symbol, on a single ticket, shall be entitled to a prize of \$15.

(x) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Touchdown (TDOWN) symbol, and a prize symbol of \$2.00 (TWO DOL) appears under the Touchdown (TDOWN) symbol, on a single ticket, shall be entitled to a prize of \$14.

(y) Holders of tickets upon which any one of the "STEELERS NUMBERS" play symbols matches any of the "YOUR NUMBERS" play symbols and a prize symbol

of \$10.00 (TEN DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(z) Holders of tickets upon which any one of the "STEELERS NUMBERS" play symbols matches any of the "YOUR NUMBERS" play symbols and a prize symbol of \$5.00 (FIV DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(aa) Holders of tickets upon which any one of the "STEELERS NUMBERS" play symbols matches any of the "YOUR NUMBERS" play symbols and a prize symbol of \$2.00 (TWO DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$2.

9. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

<i>When Any Of Your Numbers Match Any Of The Steelers Numbers, Win With Prize(s) Of:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 5,400,000 Tickets</i>
\$5	\$5	10.91	495,000
\$5 x 2	\$10	30	180,000
\$10	\$10	30	180,000
\$5 w/FIELD GOAL	\$15	200	27,000
\$5 x 3	\$15	150	36,000
\$5 + \$10	\$15	150	36,000
\$15	\$15	150	36,000
(\$2 w/TOUCHDOWN) + (\$2 x 3)	\$20	120	45,000
(\$5 w/FIELD GOAL) + \$5	\$20	300	18,000
\$5 x 4	\$20	600	9,000
\$10 x 2	\$20	600	9,000
\$20	\$20	600	9,000
(\$5 w/FIELD GOAL) + (\$5 x 2)	\$25	300	18,000
\$5 x 5	\$25	300	18,000
\$10 + \$15	\$25	300	18,000
\$20 + \$5	\$25	300	18,000
\$25	\$25	300	18,000
(\$10 w/FIELD GOAL) + \$10	\$40	800	6,750
(\$5 w/TOUCHDOWN) + \$5	\$40	240	22,500
\$5 x 8	\$40	2,400	2,250
\$10 x 4	\$40	2,400	2,250
\$20 x 2	\$40	2,400	2,250
\$40	\$40	1,200	4,500
(\$15 w/FIELD GOAL) + \$5	\$50	800	6,750
(\$5 w/TOUCHDOWN) + \$15	\$50	342.86	15,750
\$5 x 10	\$50	1,200	4,500
\$10 x 5	\$50	1,200	4,500
\$25 x 2	\$50	1,200	4,500
\$50	\$50	1,200	4,500
(\$20 w/FIELD GOAL) + (\$20 x 2)	\$100	2,000	2,700
(\$10 w/TOUCHDOWN) + (\$10 w/FIELD GOAL)	\$100	800	6,750
\$10 x 10	\$100	4,000	1,350
\$20 x 5	\$100	4,000	1,350
\$25 x 4	\$100	4,000	1,350
(\$40 x 2) + (\$5 x 4)	\$100	2,400	2,250
\$50 x 2	\$100	2,400	2,250
\$100	\$100	2,400	2,250
(\$50 w/FIELD GOAL) + (\$10 x 5)	\$200	24,000	225
(\$20 w/TOUCHDOWN) + (\$20 x 3)	\$200	24,000	225
\$20 x 10	\$200	24,000	225
\$40 x 5	\$200	24,000	225
\$50 x 4	\$200	24,000	225
\$100 x 2	\$200	24,000	225
\$200	\$200	24,000	225

<i>When Any Of Your Numbers Match Any Of The Steelers Numbers, Win With Prize(s) Of:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 5,400,000 Tickets</i>
(\$25 w/TOUCHDOWN) + (\$25 × 9)	\$400	120,000	45
(\$100 w/FIELD GOAL) + (\$20 × 5)	\$400	120,000	45
\$40 × 10	\$400	120,000	45
\$100 × 4	\$400	120,000	45
\$400	\$400	120,000	45
(\$100 w/TOUCHDOWN) + (\$50 × 6)	\$1,000	120,000	45
(\$100 w/FIELD GOAL) + (\$100 × 7)	\$1,000	120,000	45
\$100 × 10	\$1,000	120,000	45
(\$400 × 2) + (\$50 × 4)	\$1,000	120,000	45
\$1,000	\$1,000	120,000	45
\$2,500	\$2,500	540,000	10
\$50,000	\$50,000	1,080,000	5
\$100,000	\$100,000	1,080,000	5

“FIELD GOAL” (FLDGL) Symbol = Win 3X the prize shown under it automatically.

“TOUCHDOWN” (TDOWN) Symbol = Win 7X the prize shown under it automatically.

Five (5) Second-Chance Drawings will be conducted during the sales period of the game to award additional prizes.

Prizes, including top prizes, are subject to availability at the time of purchase.

10. Pennsylvania Lottery's Steelers® 2010 Second-Chance Drawings Requirements:

(a) To be eligible for the Second-Chance Drawing, players must mail exactly three (3) non-winning Pennsylvania Lottery's Steelers® 2010 instant lottery tickets in an envelope no larger than 4 1/8 inches by 9 1/2 inches addressed to Pennsylvania Lottery-Steelers® 2010 Second-Chance Drawings, P. O. Box 3000, Middletown, PA 17057-3000. The player shall affix proper postage to the entry.

(b) Envelopes containing less than or more than three (3) non-winning Pennsylvania Lottery's Steelers® 2010 instant lottery tickets shall be disqualified.

(c) Non-winning Pennsylvania Lottery's Steelers® 2010 instant lottery game tickets received in an envelope larger than 4 1/8 inches by 9 1/2 inches shall be disqualified. The only exception is for non-winning Pennsylvania Lottery's Steelers® 2010 instant lottery tickets received in a United States Post Office “damaged-in-mail-process” envelope.

(d) Winning Pennsylvania Lottery's Steelers® 2010 instant lottery tickets submitted to the Pennsylvania Lottery's Steelers® 2010 Second-Chance Drawing address will not be paid or honored. Second-Chance Drawing entries containing winning Pennsylvania Lottery's Steelers® 2010 instant lottery tickets will be disqualified.

(e) The back of each non-winning Pennsylvania Lottery's Steelers® 2010 instant lottery ticket entered in the Pennsylvania Lottery's Steelers® 2010 Second-Chance Drawing must be completed by the same player in a legible manner, including the player's name, street address, city, state, zip code, telephone number and signature. Only one claimant per entry allowed. Claimant must be 18 years of age or older. Incomplete tickets shall be disqualified.

11. Second-Chance Drawings Procedures:

(a) The Lottery will conduct five Pennsylvania Lottery's Steelers® 2010 Second-Chance Drawings. All Pennsylvania Lottery's Steelers® 2010 Second-Chance Drawing entries received at Lottery Headquarters on or before 4:00 p.m. March 25, 2011, will be eligible to participate in one

of the five Pennsylvania Lottery's Steelers® 2010 Second-Chance Drawings. All time references in this section are Eastern Standard Time.

(1) All Pennsylvania Lottery's Steelers® 2010 Second-Chance Drawing entries received at Lottery Headquarters on or before 4:00 p.m. August 13, 2010, will be eligible to participate in the Pennsylvania Lottery's Steelers® 2010 Second-Chance Drawing which will be held at Lottery Headquarters the week of August 16, 2010.

(2) All Pennsylvania Lottery's Steelers® 2010 Second-Chance Drawing entries received at Lottery Headquarters after 4:00 p.m. August 13, 2010, through and including 4:00 p.m. September 17, 2010, will be eligible to participate in the Pennsylvania Lottery's Steelers® 2010 Second-Chance Drawing which will be held at Lottery Headquarters the week of September 20, 2010.

(3) All Pennsylvania Lottery's Steelers® 2010 Second-Chance Drawing entries received at Lottery Headquarters after 4:00 p.m. September 17, 2010, through and including 4:00 p.m. October 22, 2010, will be eligible to participate in the Pennsylvania Lottery's Steelers® 2010 Second-Chance Drawing which will be held at Lottery Headquarters the week of October 25, 2010.

(4) All Pennsylvania Lottery's Steelers® 2010 Second-Chance Drawing entries received at Lottery Headquarters after 4:00 p.m. October 22, 2010, through and including 4:00 p.m. November 19, 2010, will be eligible to participate in the Pennsylvania Lottery's Steelers® 2010 Second-Chance Drawing which will be held at Lottery Headquarters the week of November 29, 2010.

(5) All Pennsylvania Lottery's Steelers® 2010 Second-Chance Drawing entries received at Lottery Headquarters after 4:00 p.m. November 19, 2010, through and including 4:00 p.m. March 25, 2011, will be eligible to participate in the final Pennsylvania Lottery's Steelers® 2010 Second-Chance Drawing which will be held at Lottery Headquarters the week of March 28, 2011.

(6) The odds of an entry being selected in a Pennsylvania Lottery's Steelers® 2010 Second-Chance Drawing depend upon the number of entries received for that drawing.

(b) To be eligible to participate in a particular Pennsylvania Lottery's Steelers® 2010 Second-Chance Drawing, a player must have complied with the requirements of section 10.

(1) The Lottery assumes no responsibility for a lost or misplaced entry not entered into one of the Pennsylvania Lottery's Steelers® 2010 Second-Chance Drawings.

(2) A Pennsylvania Lottery's Steelers® 2010 Second-Chance Drawing entry is eligible for only one Second-Chance Drawing. An entry that is not eligible in one group, may, at the discretion of the Secretary, remain eligible for a subsequent Second-Chance Drawing.

(3) If a Pennsylvania Lottery's Steelers® 2010 Second-Chance Drawing entry is rejected during or following the Pennsylvania Lottery's Steelers® 2010 Second-Chance Drawing, the sole remedy is to select another entry to replace the rejected entry in accordance with Lottery procedure.

(c) A player may only win the prize for which they are first selected in each of the Pennsylvania Lottery's Steelers® 2010 Second-Chance Drawings. Subsequent entries, from the same individual, selected in the same Pennsylvania Lottery's Steelers® 2010 Second-Chance Drawing will be disqualified and a replacement entry will be selected.

(d) Manner of conducting each of the Pennsylvania Lottery's Steelers® 2010 Second-Chance Drawings.

(1) All entries received at Lottery Headquarters that are eligible to participate in a particular drawing, will be placed in numbered containers, each containing approximately 500 envelopes.

(2) A computer-generated randomizer or mechanical device may be used to select the numbered container(s) from which the winners will be selected. If used, the randomizer will not be programmed to eliminate the possibility of the same container being selected more than once.

(3) One envelope will be randomly drawn from each of the selected numbered container(s). As each entry envelope is selected, its contents will be qualified according to the requirements of section 10. If the entry does not meet the requirements of section 10, another entry will be selected from that container; and so on, until a qualified entry has been chosen. Once a qualified entry has been selected, further validation will take place by verifying the status of the tickets contained in the entry envelope drawn by entering the ticket information into the computerized instant ticket database. The first qualified and validated entry from each of the designated containers will entitle its owner to a prize as described in section 12.

(4) Determination of winners will be made by the Secretary, whose judgment will be final and binding.

(e) The payment of a prize awarded in any of the Pennsylvania Lottery's Steelers® 2010 Instant Game Second-Chance Drawings to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of prize winner).

12. *Description of Pennsylvania Lottery's Steelers® 2010 Second-Chance Drawings Prizes:*

(a) The following prizes shall be awarded for the drawing held the week of August 16, 2010:

(i) The first and second winner selected in the drawing held the week of August 16, 2010 shall each be entitled to a prize consisting of a VIP Road Trip for the winner and one guest to the September 19, 2010 Steelers regular season away game versus the Titans. The trip will include round-trip commercial transportation between either Pittsburgh International Airport or Philadelphia

International Airport and Nashville, Tennessee, one double occupancy hotel room for one night, one dinner for the winner and one guest, and two game tickets. All other costs and expenses arising from or in connection with the road trip shall be the sole responsibility of the winner.

(ii) The third winner selected in the drawing held the week of August 16, 2010 shall be entitled to a prize consisting of two Legends Club game tickets, one parking pass and two pre-game sideline passes for the September 12, 2010 Steelers home game versus the Falcons.

(iii) The fourth winner selected in the drawing held the week of August 16, 2010 shall be entitled to a prize consisting of two Legends Club game tickets, one parking pass and two pre-game sideline passes for the October 3, 2010 Steelers home game versus the Ravens.

(iv) The fifth winner selected in the drawing held the week of August 16, 2010 shall be entitled to a prize consisting of two tickets and one parking pass for the September 12, 2010 Steelers home game versus the Falcons.

(v) The sixth and the seventh winners selected in the drawing held the week of August 16, 2010 shall each be entitled to a prize consisting of two VIP Tent passes and two tickets for the September 12, 2010 Steelers home game versus the Falcons.

(vi) The eighth winner selected in the drawing held the week of August 16, 2010 shall be entitled to a prize consisting of two tickets and one parking pass for the October 3, 2010 Steelers home game versus the Ravens.

(vii) The ninth and the tenth winners selected in the drawing held the week of August 16, 2010 shall each be entitled to a prize consisting of two tickets for the September 12, 2010 Steelers home game versus the Falcons.

(viii) The eleventh and the twelfth winners selected in the drawing held the week of August 16, 2010 shall each be entitled to a prize consisting of two tickets for the October 3, 2010 Steelers home game versus the Ravens.

(ix) The thirteenth winner selected in the drawing held the week of August 16, 2010 shall be entitled to a prize consisting of the opportunity for the winner to be a Steelers Co-captain for the coin toss at the September 2, 2010 Steelers pre-season home game versus the Panthers. The winner shall receive two tickets to the game.

(x) The fourteenth winner selected in the drawing held the week of August 16, 2010 shall be entitled to a prize consisting of the opportunity for the winner to collect the tee after a Steelers kickoff at the September 2, 2010 Steelers pre-season home game versus the Panthers. The winner shall receive two tickets to the game.

(xi) The fifteenth through the twenty-fourth winners selected in the drawing held the week of August 16, 2010 shall each be entitled to a prize consisting of the opportunity for the winner and one guest to attend a tour of Heinz Field including a private viewing with the 6 Super bowl trophies and two tickets for the September 2, 2010 Steelers pre-season game versus the Panthers.

(xii) The twenty-fifth through the twenty-eighth winners selected in the drawing held the week of August 16, 2010 shall each be entitled to a prize consisting of the opportunity for the winner and one guest to attend a Steelers practice at the South Side Facility on a date as determined by the Steelers. The prize includes lunch in the player's cafeteria.

(xiii) The twenty-ninth winner selected in the drawing held the week of August 16, 2010 shall be entitled to a prize consisting of the opportunity for the winner to interview a Steelers player, former player or coach as part of a Steelers TV production. The Steelers will determine the player or coach, date and location of the event. The winner can bring one guest to the event.

(xiv) The thirtieth through the thirty-fourth winners selected in the drawing held the week of August 16, 2010 shall each be entitled to a prize consisting of the opportunity for the winner and one guest to attend a private viewing of the taping of the PNC Players Show. The prize includes two front row seats as well as a meet and greet with the player that is hosting the show. The Steelers will determine the date and location of the event.

(xv) The thirty-fifth through the seventy-fourth winners selected in the drawing held the week of August 16, 2010 shall each be entitled to a prize consisting of the opportunity for the winner and one guest to attend a Breakfast with Legends event to be held at a facility and on a date as determined by the Steelers. The event will include two alumni player appearances as determined by the Steelers. The event will include breakfast and Steelers-related gifts.

(xvi) The seventy-fifth through the seventy-ninth winners selected in the drawing held the week of August 16, 2010 shall each be entitled to a prize consisting of the opportunity for the winner and one guest to attend the Steelers Kickoff Luncheon on September 2, 2010. The Steelers will determine the time and location of the event.

(xvii) The eightieth through the eighty-fifth winners selected in the drawing held the week of August 16, 2010 shall each be entitled to a prize consisting of the opportunity for the winner and one guest to attend the Steelers Fashion Show on October 15, 2010. The prize includes a VIP reception. The Steelers will determine the time and location of the event.

(b) The following prizes shall be awarded for the drawing held the week of September 20, 2010:

(i) The first and the second winners selected in the drawing held the week of September 20, 2010 shall each be entitled to a prize consisting of a VIP Road Trip for the winner and one guest to the November 8, 2010 Steelers regular season away game against the Bengals. The trip will include round-trip commercial transportation between either Pittsburgh International Airport or Philadelphia International Airport and Cincinnati, Ohio, one double occupancy hotel room for one night, one dinner for the winner and one guest, and two game tickets. All other costs and expenses arising from or in connection with the road trip shall be the sole responsibility of the winner.

(ii) The third winner selected in the drawing held the week of September 20, 2010 shall be entitled to a prize consisting of two Legends Club game tickets, one parking pass and two pre-game sideline passes for the October 17, 2010 Steelers home game versus the Browns.

(iii) The fourth winner selected in the drawing held the week of September 20, 2010 shall be entitled to a prize consisting of two Legends Club game tickets, one parking pass and two pre-game sideline passes for the November 14, 2010 Steelers home game versus the Patriots.

(iv) The fifth winner selected in the drawing held the week of September 20, 2010 shall be entitled to a prize consisting of the opportunity for the winner to join the Steelers team photographer for the October 17, 2010

Steelers home game versus the Browns. The winner will receive two tickets to the game.

(v) The sixth winner selected in the drawing held the week of September 20, 2010 shall be entitled to a prize consisting of the opportunity for the winner and one guest to join the Steelers Radio Network in the control booth during the October 17, 2010 Steelers home game versus the Browns. The winner shall receive two tickets to the game.

(vi) The seventh winner selected in the drawing held the week of September 20, 2010 shall be entitled to a prize consisting of two tickets and one parking pass for the October 17, 2010 Steelers home game versus the Browns.

(vii) The eighth winner selected in the drawing held the week of September 20, 2010 shall be entitled to a prize consisting of two tickets and one parking pass for the November 14, 2010 Steelers home game versus the Patriots.

(viii) The ninth and the tenth winners selected in the drawing held the week of September 20, 2010 shall each be entitled to a prize consisting of two tickets for the October 3, 2010 Steelers home game versus the Browns.

(ix) The eleventh and the twelfth winners selected in the drawing held the week of September 20, 2010 shall each be entitled to a prize consisting of two tickets for the November 14, 2010 Steelers home game versus the Patriots.

(x) The thirteenth through the seventeenth winners selected in the drawing held the week of September 20, 2010 shall each be entitled to a prize consisting of the opportunity for the winner and one guest to attend a private taping of the Steelers Digest TV show in the Steelers locker room on November 17, 2010.

(xi) The eighteenth through the sixty-seventh winners selected in the drawing held the week of September 20, 2010 shall each be entitled to a prize consisting of the opportunity for the winner and one guest to attend a Punt, Pass and Kick event on October 25, 2010. The prize includes appropriate food and beverages following the event and Steelers-related prizes. The Steelers will determine the time and location of the event.

(xii) The sixty-eighth and the sixty-ninth winners selected in the drawing held the week of September 20, 2010 shall each be entitled to a prize consisting of the opportunity for the winner and one guest to attend the Taste of the Steelers event on November 13, 2010. Each winner shall also receive two passes to the VIP reception for the event. The Steelers will determine the time and location of the event.

(c) The following prizes shall be awarded for the drawing held the week of October 25, 2010:

(i) The first and the second winners selected in the drawing held the week of October 25, 2010 shall each be entitled to a prize consisting of an authentic autographed Steelers game-issued jersey. The Steelers will determine the player.

(ii) The third winner selected in the drawing held the week of October 25, 2010 shall be entitled to a prize consisting of two Legends Club game tickets, one parking pass and two pre-game sideline passes for the November 21, 2010 Steelers home game versus the Raiders.

(iii) The fourth winner selected in the drawing held the week of October 25, 2010 shall be entitled to a prize consisting of two Legends Club game tickets, one parking

pass and two pre-game sideline passes for the December 12, 2010 Steelers home game versus the Bengals.

(iv) The fifth winner selected in the drawing held the week of October 25, 2010 shall be entitled to a prize consisting of two Legends Club game tickets, one parking pass and two pre-game sideline passes for the December 19, 2010 Steelers home game versus the Jets.

(v) The sixth through the fifteenth winners selected in the drawing held the week of October 25, 2010 shall each be entitled to a prize consisting of the opportunity for the winner and one guest to attend a tailgate party before the December 12, 2010 Steelers home game versus the Bengals. The prize includes appropriate food and beverages, a Steelers-related gift and two tickets to the game.

(vi) The sixteenth and the seventeenth winners selected in the drawing held the week of October 25, 2010 shall each be entitled to a prize consisting of the opportunity for the winner and one guest to remain on the Steelers sideline for the player introductions at the December 19, 2010 Steelers home game versus the Jets. Each winner shall receive two tickets and two pre-game sideline passes to the game.

(vii) The eighteenth winner selected in the drawing held the week of October 25, 2010 shall be entitled to a prize consisting of two tickets and one parking pass for the November 21, 2010 Steelers home game versus the Raiders.

(viii) The nineteenth winner selected in the drawing held the week of October 25, 2010 shall be entitled to a prize consisting of two tickets and one parking pass to the December 12, 2010 Steelers home game versus the Bengals.

(ix) The twentieth winner selected in the drawing held the week of October 25, 2010 shall be entitled to a prize consisting of two tickets and one parking pass to the December 19, 2010 Steelers home game versus the Jets.

(x) The twenty-first and the twenty-second winners selected in the drawing held the week of October 25, 2010 shall each be entitled to a prize consisting of two tickets for the November 21, 2010 Steelers home game versus the Raiders.

(xi) The twenty-third and twenty-fourth winners selected in the drawing held the week of October 25, 2010 shall each be entitled to a prize consisting of two tickets to the December 12, 2010 Steelers home game versus the Bengals.

(xii) The twenty-fifth and the twenty-sixth winners selected in the drawing held the week of October 25, 2010 shall each be entitled to a prize consisting of two tickets to the December 19, 2010 Steelers home game versus the Jets.

(xiii) The twenty-seventh through the forty-second winners selected in the drawing held the week of October 25, 2010 shall each be entitled to a prize consisting of the opportunity for the winner and one guest to watch the November 21, 2010 Steelers home game versus the Raiders, from a party suite at the stadium. The prize will include food and non-alcoholic beverages in the suite.

(xiv) The forty-third through the forty-sixth winners selected in the drawing held the week of October 25, 2010 shall each be entitled to a prize consisting of the opportunity for the winner and one guest to attend the Steelers Head Coach's press conference on November 23, 2010. The Steelers shall determine the time and location of the press conference.

(xv) The forty-seventh through the fiftieth winners selected in the drawing held the week of October 25, 2010 shall each be entitled to a prize consisting of the opportunity for the winner and one guest to attend the Steelers Head Coach's press conference on December 14, 2010. Steelers shall determine the time and location of the press conference.

(d) The following prizes shall be awarded for the drawing held the week of November 29, 2010:

(i) The first winner selected in the drawing held the week of November 29, 2010 shall be entitled to a prize consisting of the opportunity for the winner and one guest to attend the Steelers' first round draft pick press conference. The Steelers will determine the date and time of the event. The draft pick will be determined by the Steelers.

(ii) The second winner selected in the drawing held the week of November 29, 2010 shall be entitled to a prize consisting of two Legends Club game tickets, one parking pass and two pre-game sideline passes for the December 23, 2010 Steelers home game versus the Panthers.

(iii) The third winner selected in the drawing held the week of November 29, 2010 shall be entitled to a prize consisting of two tickets and one parking pass to the December 23, 2010 Steelers home game versus the Panthers.

(iv) The fourth through the eighth winners selected in the drawing held the week of November 29, 2010 shall each be entitled to a prize consisting of two tickets to a tailgate party before the December 23, 2010 Steelers home game versus the Panthers. Each winner shall receive two tickets to the game.

(v) The ninth and the tenth winners selected in the drawing held the week of November 29, 2010 shall each be entitled to a prize consisting of two tickets to the December 23, 2010 Steelers home game versus the Panthers.

(vi) The eleventh winner selected in the drawing held the week of November 29, 2010 shall be entitled to a prize consisting of two Legends Club game tickets, one parking pass and two pre-game sideline passes for the first Steelers playoff home game for the 2010-2011 season, if applicable.

(vii) The twelfth winner selected in the drawing held the week of November 29, 2010 shall be entitled to a prize consisting of two Legends Club game tickets, one parking pass and two pre-game sideline passes for the second Steelers playoff home game for the 2010-2011 season, if applicable.

(viii) The thirteenth winner selected in the drawing held the week of November 29, 2010 shall be entitled to a prize consisting of two tickets and one parking pass for the first Steelers playoff home game for the 2010-2011 season, if applicable.

(ix) The fourteenth winner selected in the drawing held the week of November 29, 2010 shall be entitled to a prize consisting of two tickets and one parking pass for the second Steelers playoff home game for the 2010-2011 season, if applicable.

(x) The fifteenth and the sixteenth winners selected in the drawing held the week of November 29, 2010 shall each be entitled to a prize consisting of two tickets to the first Steelers playoff home game for the 2010-2011 season, if applicable.

(xi) The seventeenth and the eighteenth winners selected in the drawing held the week of November 29, 2010 shall each be entitled to a prize consisting of two tickets to the second Steelers playoff home game for the 2010-2011 season, if applicable.

(e) The following prizes shall be awarded for the drawing held the week of March 28, 2011:

(i) The first and second winners selected in the drawing held the week of March 28, 2011 shall each be entitled to a prize consisting of an authentic autographed Steelers game-issued jersey. The Steelers will determine the player.

(ii) The third and the fourth winners selected in the drawing held the week of March 28, 2011 shall each be entitled to a prize consisting of the opportunity for the winner and one guest to attend a lunch with the Steelers Director of Football Operations, President or other such prominent member of the Steelers organization. The Steelers will determine the date and location of the event.

(iii) The fifth through the eighth winners selected in the drawing held the week of March 28, 2011 shall each be entitled to a prize consisting of the opportunity for the winner and one guest to attend a breakfast with one Steelers coach and the opportunity to watch the coach breakdown film. The Steelers will determine the date of the event, the location and the coach.

(iv) The ninth winner selected in the drawing held the week of March 28, 2011 shall be entitled to a prize consisting of two tickets to the 2011 Steelers Men's Fantasy Camp Weekend. The trip weekend will include meals and overnight stay Friday and Saturday. The Steelers will determine the date and location of the event.

(v) The tenth winner selected in the drawing held the week of March 28, 2011 shall be entitled to a prize consisting of two tickets to the 2011 Steelers Women's Training Camp. The prize includes meals and former and current players covering the basics of football. The Steelers will determine the date and location of the event.

(vi) The eleventh through the fourteenth winners selected in the drawing held the week of March 28, 2011 shall each be entitled to a prize consisting of the opportunity for the winner and one guest to attend a VIP Tour of the Steelers practice facility, which shall include lunch with a current team player or coach, as determined by the Steelers. The Steelers will determine the date of the event.

(vii) The fifteenth through the nineteenth winners selected in the drawing held the week of March 28, 2011 shall each be entitled to a prize consisting of the opportunity for the winner and one guest to attend a draft day VIP dinner. The winner shall also be entitled to two tickets to the Fan Blitz Event. The Steelers will determine the date and location of the event.

(viii) The twentieth through the forty-fourth winners selected in the drawing held the week of March 28, 2011 shall each be entitled to a prize consisting of the opportunity for the winner and one guest to attend a Highlight Film Premier with a player determined by the Steelers. The Steelers will determine the date and location of the event.

(ix) The forty-fifth through the ninety-fourth winners selected in the drawing held the week of March 28, 2011 shall each be entitled to a prize consisting of the opportunity for the winner and one guest to attend a VIP Chalk Talk by one Steelers assistant coach. The assistant coach, date and location will be determined by the Steelers. The

prize includes appropriate food and beverages for the event, a tour of the complex, a Steelers gift bag for each participant and an address by the assistant coach.

13. *Prize Information and Restrictions:*

(a) If no date is provided for a game or event that is part of a prize described in section 12, the date will be determined by the Steelers® and provided to the winner.

(b) Prizes are transferable one time.

(c) In the event the winner or the winner's designee is not available on the date of the game or event that is part of a prize described in section 12, there will be no extensions or substitution of prizes and the winner will not receive any reimbursement for the unused prize.

(d) Prizes are not redeemable for cash.

(e) In the event a prize in section 12 is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

(f) The Lottery will make every reasonable effort to deliver a prize to the winner in a timely manner, however, the Lottery is not responsible for prizes lost or unusable due to untimely delivery.

(g) The winner is responsible for all costs, expenses and transportation, not specifically included in the prize descriptions in section 12, arising from or in connection with any prize won.

(h) Verification that the winner is 18 years of age or older will be required before delivery of prizes.

(i) In order to participate in certain prize events the winner and their guests may be required to execute a confidentiality agreement and waiver as determined by the Steelers.

(j) The winner and their guests, as applicable, shall participate in certain prize events at their own risk.

(k) Other restrictions may apply.

(l) All prizes having a value, as determined by the Secretary, of \$600 or more will include an appropriate federal withholding credit.

14. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Lottery's Steelers® 2010 instant game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

15. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Lottery's Steelers® 2010 instant game, prize money from winning Pennsylvania Lottery's Steelers® 2010 instant game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Lottery's Steelers® 2010 instant game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

16. *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.

17. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Lottery's Steelers® 2010 instant game or through normal communications methods.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 10-1292. Filed for public inspection July 16, 2010, 9:00 a.m.]

**Realty Transfer Tax; 2009 Common Level Ratio;
Real Estate Valuation Factors**

The following real estate valuation factors are based on sales data compiled by the State Tax Equalization Board in 2009. These factors are the mathematical reciprocals of the actual common level ratio (CLR). For Pennsylvania Realty Transfer Tax purposes, these factors are applicable for documents accepted from July 1, 2010, to June 30, 2011, except as indicated below. The date of acceptance of a document is rebuttably presumed to be its date of execution, that is, the date specified in the body of the document as the date of the instrument (61 Pa. Code § 91.102).

<i>County</i>	<i>CLR Factor</i>
Adams	4.22
Allegheny	1.16
Armstrong	2.77
Beaver	3.35
Bedford (1)	1.00
Berks	1.43
Blair (2)	8.43
Bradford	2.94
Bucks	9.17
Butler	7.30
Cambria	2.82
Cameron	3.08
Carbon	2.72
Centre	3.46
Chester	1.81
Clarion	3.80
Clearfield	5.29
Clinton	1.03
Columbia	3.69
Crawford	2.78
Cumberland	1.25
Dauphin	1.42
Delaware	1.56
Elk	2.52
Erie	1.22
Fayette	1.23
Forest	4.26

<i>County</i>	<i>CLR Factor</i>
Franklin	8.13
Fulton	3.44
Greene	1.18
Huntingdon	7.58
Indiana	5.68
Jefferson	1.86
Juniata	5.88
Lackawanna	5.88
Lancaster	1.33
Lawrence	1.18
Lebanon	7.04
Lehigh	3.11
Luzerne	1.00
Lycoming	1.21
McKean	1.18
Mercer	2.92
Mifflin	2.12
Monroe	6.33
Montgomery	1.78
Montour	1.23
Northampton	3.14
Northumberland	4.12
Perry	1.44
Philadelphia	3.13
Pike	4.90
Potter	2.55
Schuylkill	2.40
Snyder	5.03
Somerset	2.81
Sullivan	1.48
Susquehanna	2.92
Tioga	1.36
Union	1.29
Venango	1.07
Warren	2.94
Washington	5.71
Wayne	1.39
Westmoreland	4.33
Wyoming	4.57
York	1.25

(1) Adjusted by the Department of Revenue to reflect an assessment base change effective January 1, 2010.

(2) Adjustment by the Department of Revenue to reflect an assessment ratio change effective January 1, 2010.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 10-1293. Filed for public inspection July 16, 2010, 9:00 a.m.]

DEPARTMENT OF STATE

Pennsylvania League of Conservative Voters; cease and desist order

Pennsylvania League of Conservative Voters and all known and unknown officers, directors, principals, shareholders, agents, employees and independent contractors and any entities created by the principal actors after the date of issuance of this order, are ordered to cease and desist from soliciting charitable contributions in this Commonwealth until the Pennsylvania League of Conservative Voters and all known and unknown officers, directors, principals, shareholders, agents, employees and independent contractors and any entities created by the principal actors after the date of issuance of this order respond to the Bureau of Charitable Organizations' requests for information and duly register or provide information that they are excluded or exempt from registration under the Solicitation of Funds for Charitable Purposes Act (10 P. S. § 162.1—162.22).

Individuals may obtain a copy of this order by writing to Doreen Harr, Investigator, Department of State, Bureau of Charitable Organizations, 212 North Office Building, Harrisburg, PA 17120.

BASIL L. MERENDA,
Acting Secretary

[Pa.B. Doc. No. 10-1294. Filed for public inspection July 16, 2010, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Sale of Land No Longer Needed for Transportation Purposes

The Department of Transportation (Department), under section 2003(e)(7) of The Administrative Code of 1929 (71 P. S. § 513(e)(7)), intends to sell certain land owned by the Department.

The following property is available for sale by the Department.

Parcels No. 343 and 346—351—City of Chester, Delaware County. The parcels contain approximately 8,161.026 square feet of improved land known as the South East Corner of Crosby and Union Streets. The estimated fair market value of the parcel is \$20,000 as a total assemblage of parcels—343 and 346—351. SR 0291 Section A10.

Interested public entities are invited to express their interest in purchasing this parcel within 30 calendar days from the date of publication of this notice to Lester C. Toaso, District Executive, Department of Transportation,

Engineering District—06, 7000 Geerdes Boulevard, King of Prussia, PA 19406-1525.

ALLEN D. BIEHLER, P. E.,
Secretary

[Pa.B. Doc. No. 10-1295. Filed for public inspection July 16, 2010, 9:00 a.m.]

Sale of Land No Longer Needed for Transportation Purposes

The Department of Transportation (Department), under section 2003(e)(7) of The Administrative Code of 1929 (71 P. S. § 513(e)(7)), intends to sell certain land owned by the Department.

The following property is available for sale by the Department.

Parcels No. 383—385—City of Chester, Delaware County. The parcels contain approximately 7,720 square feet of improved land known as the North East Corner of Upland and East Fourth Streets. The estimated fair market value of the parcel is \$23,100 as a total assemblage of parcels 383—385 SR 0291 Section A10.

Interested public entities are invited to express their interest in purchasing this parcel within 30 calendar days from the date of publication of this notice to Lester C. Toaso, District Executive, Department of Transportation, Engineering District-06, 7000 Geerdes Boulevard, King of Prussia, PA 19406-1525.

ALLEN D. BIEHLER, P. E.,
Secretary

[Pa.B. Doc. No. 10-1296. Filed for public inspection July 16, 2010, 9:00 a.m.]

Sale of Land No Longer Needed for Transportation Purposes

The Department of Transportation (Department), under section 2003(e)(7) of The Administrative Code of 1929 (71 P. S. § 513(e)(7)), intends to sell certain land owned by the Department.

The following property is available for sale by the Department.

Parcels No. 387—389—City of Chester, Delaware County. The parcels contain approximately 8,161.025 square feet of improved land known as the North West Corner of Morton Avenue and East Fourth Street. The estimated fair market value of the parcel is \$24,700 as a total assemblage of parcels 387—389. SR 0291 Section A10.

Interested public entities are invited to express their interest in purchasing this parcel within 30 calendar days from the date of publication of this notice to Lester C. Toaso, District Executive, Department of Transportation, Engineering District—06, 7000 Geerdes Boulevard, King of Prussia, PA 19406-1525.

ALLEN D. BIEHLER, P. E.,
Secretary

[Pa.B. Doc. No. 10-1297. Filed for public inspection July 16, 2010, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P. S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b).

The Commission has issued comments on the following proposed regulations. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
16A-5618	State Real Estate Commission Seller Property Disclosure Statement 40 Pa.B. 2281	6/1/10	7/1/10
16A-5122	State Board of Nursing IV Therapy Functions for Licensed Practical Nurses 40 Pa.B. 2276	6/1/10	7/1/10
7-458	Environmental Quality Board Incidental Coal Extraction, Bonding, Enforcement, Sediment Control and Remining Financial Guarantees 40 Pa.B. 2373	6/1/10	7/1/10
57-257	Pennsylvania Public Utility Commission Universal Services and Energy Conservation Reporting Requirements And Customer Assistance Programs 40 Pa.B. 1764	6/2/10	7/2/10
16A-721	State Board of Massage Therapy Massage Therapy 40 Pa.B. 2428	6/7/10	7/7/10
16A-51	Bureau of Professional and Occupational Affairs Schedule of Civil Penalties—Veterinarians and Veterinary Technicians 40 Pa.B. 2423	6/7/10	7/7/10

State Real Estate Commission
Regulation #16A-5618 (IRRC #2838)
Seller Property Disclosure Statement
July 1, 2010

We submit for your consideration the following comments on the proposed rulemaking published in the May 1, 2010 *Pennsylvania Bulletin*. Our comments are based on criteria in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the State Real Estate Commission (Commission) to respond to all comments received from us or any other source.

Section 35.284a. Disclosures required by the Real Estate Seller Disclosure Law.—Need; Implementation procedures; Clarity.

Subsections (a)(1) and (2)

These subsections explain the duties of seller's agents. Subsection (a)(1) requires a seller's agent to advise sellers of their duty to disclose known material defects in the property, and Subsection (a)(2) requires the agent to provide the seller a property disclosure statement. The PA Association of Realtors (PAR) asserts that there are circumstances where a seller may be working with a transaction licensee and not a seller's agent, or the seller

is working without licensed assistance. The final-form regulation should clarify who under these circumstances would be responsible for performing the duties required in Subsection (a)(1) and (a)(2).

Subsection (a)(3)

In circumstances where a seller refuses to complete a disclosure form, this subsection directs the seller's agent to deliver the form marked "refused" to the buyer or the buyer's agent. Commentators question the need for this provision. PAR states that this subsection will increase the amount of refusals submitted, thus increasing liabilities for those involved in the transaction as well as defeating the purpose of property disclosure statements altogether. Has the Commission considered how this provision will impact the number of sellers who refuse to complete the disclosure statement and the liabilities of other parties involved in the transaction?

Also, what does the Commission consider to be proper "delivery" of a refusal statement? Can it be submitted online? The final-form regulation should clarify this issue.

Subsection (b)(1)

Subsection (b)(1) requires a buyer's agent to advise buyers of the seller's duty to provide a property disclosure statement. However, like the seller's agent, the buyer's agent may not perform the actual sale. According to PAR, the transaction may involve a subagent, or the buyer

could make the purchase directly through the seller's agent. In these circumstances, which party would have the responsibility to advise the buyer that the seller has a duty to provide a completed property disclosure statement? The final-form regulation should clarify this issue.

Subsection (b)(2)

Subsection (b)(2) requires the buyer's agent to deliver the property disclosure statement to the buyer before the execution of sale. PAR notes that someone other than the buyer's agent may have already delivered the statement, for example the licensee working with the seller. As a result, the commentator is concerned that sellers' agents could unnecessarily be held liable for faulty delivery. The Commission should clarify this issue in the final-form regulation.

Subsections (c) and (d)

Like Subsections (a) and (b), Subsections (c) and (d) only refer to sellers' and buyers' agents. Did the Commission intend for these provisions to pertain to any licensee involved in the transaction? The final-form regulation should clarify this issue.

Section 35.335a. Seller property disclosure statement.—Implementation procedures; Clarity.

This section details the content of a seller property disclosure statement. A commentator indicates that his real estate agency includes lead-based paint and mold addendums with their property disclosure statements. The Commission should consider including this information in the form contained in this section.

State Board of Nursing
Regulation #16A-5122 (IRRC #2840)

IV Therapy Functions for Licensed Practical Nurses

July 1, 2010

We submit for your consideration the following comments on the proposed rulemaking published in the May 1, 2010 *Pennsylvania Bulletin*. Our comments are based on criteria in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the State Board of Nursing (Board) to respond to all comments received from us or any other source.

1. Effective date of the regulation.—Implementation procedures; Protection of the public health, safety and welfare.

The Preamble states that the regulation "will be effective upon publication of the final-form rulemaking in the *Pennsylvania Bulletin*." What effect will the regulation have on Licensed Practical Nurses (LPNs) currently administering IV therapy that have not meet the curriculum requirements of § 21.145b, pertaining to IV therapy curriculum requirements? Will those LPNs be able to continue to administer IV therapy? If not, has the Board considered providing a grandfathering provision or delaying the effective date of the regulation to allow LPNs the necessary time to meet the curriculum requirements?

2. Section 21.141. Definitions.—Consistency with statute; Clarity.

Focused assessment

This term is defined as, "Appraisal of an individual's current status and situation, which contributes to comprehensive assessment by the registered nurse and sup-

ports ongoing data collection." A commentator has stated that the Practical Nurse Law (Law) (63 P. S. § 651 et. seq.) does not allow for assessment by an LPN and questions if the use of the term is needed in the regulation. Does inclusion of this term expand the scope of practice of LPNs? If so, is that expansion consistent with the Law?

IV therapy

As the title of this proposed rulemaking suggests, the subject matter of this regulation is IV therapy. However, this term is not defined in the Board's existing regulations, nor is it defined in the proposed regulation. The final-form regulation should include a definition of this term.

3. Section 21.145. Functions of the LPN.—Statutory authority; Need; Protection of the public health, safety and welfare; Clarity.

Subsection (a)(2) states the following: "An LPN shall obtain instruction and supervision if implementing new or unfamiliar nursing practices or procedures." It is unclear who will provide the instruction and supervision. We suggest that this provision be clarified to specify who must provide the instruction and supervision.

Similar to the concern expressed on the definition of "focused assessment," a commentator is concerned with the use of the word "assess" in Subsections (f)(2)(ii), (iii) and (iv). Under the Law, does an LPN have the authority to perform the assessments referenced in these subsections?

Subsection (f)(4) includes the phrase "readily available" and Subsection (f)(5) includes the phrase "immediate vicinity." These phrases are vague and lack clarity. We suggest that the final-form regulation include more precise standards that eliminate the ambiguity created by these phrases.

Subsection (f)(5)(i) allows LPNs to provide IV therapy when a patient's condition is "critical, fluctuating, unstable or unpredictable" if the LPNs supervisor is present in the immediate vicinity. A commentator has stated that an LPN should not be assigned to a patient in this condition. In the Preamble to the final-form regulation, we ask the Board to explain why this provision is needed and how it adequately protects the health, safety and welfare of the patient.

4. Section 21.145b. IV therapy curriculum requirements.—Protection of the public health, safety and welfare; Reasonableness; Implementation procedures; Clarity.

Under this section, IV therapy curriculum can be provided as part of LPN education curriculum as set forth in § 21.203 (related to specific curriculum requirements for practical nursing programs) or as a stand-alone course offered by a licensed health care facility. We have three concerns. First, should § 21.203 be amended to include a cross-reference to this section?

Second, how will the Board ensure that the stand-alone courses are meeting the requirements of this Section? Will the courses have to be approved by the Board? If so, what process will the Board use to approve the courses? These issues should be addressed in the final-form regulation.

Third, as noted by a commentator, has the Board considered adding standards for course length, clinical experience and instructor qualifications for IV therapy curriculums? We believe including such standards would

help ensure the quality of the curriculum and help protect the health, safety and welfare of the public. We recommend that the Board include such standards in the final-form regulation.

5. Miscellaneous clarity.

- § 21.145(a)(1) uses the term “RN”, but § 21.145(f)(1) uses the term “licensed professional nurse.” We recommend that only one of these terms be used in the final regulation.

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**Environmental Quality Board
Regulation #7-458 (IRRC #2842)**

**Incidental Coal Extraction, Bonding, Enforcement,
Sediment Control and Remining Financial
Guarantees**

July 1, 2010

We submit for your consideration the following comments on the proposed rulemaking published in the May 1, 2010 *Pennsylvania Bulletin*. Our comments are based on criteria in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the Environmental Quality Board (Board) to respond to all comments received from us or any other source.

1. Section 86.1. Definitions.—Consistency with other regulations; Clarity.

Subparagraph (iii)(E) of the definition of “owned or controlled and owns and controls” reads:

Based on the instruments of ownership or the voting securities of a corporate entity, owning of record a percentage of the entity as established in the definition of “owned or controlled and owns or controls” in 30 CFR [773.5] 701.5 (relating to definitions).

The phrase “owned or controlled and owns or controls” does not appear as a definition in 30 CFR 701.5. There is a definition of “own, owner or ownership” in this section of the federal regulations. If the intent is to refer to this definition, then the subparagraph should be clarified in the final-form regulation.

2. Section 86.37. Criteria for permit approval or denial.—Consistency with other regulations; Clarity.

New language is being added to Subsection (a)(8), which states:

For the purpose of this section, the term “violation” includes the types of violations listed in the definition of “violation” in 30 CFR 701.5 (relating to definitions).

The Pennsylvania Coal Association (PCA) expresses concern over the fact that there are definitions for two different terms in 30 CFR 701.5 that include the word “violation.” One is “violation” and the other is “violation, failure or refusal.” The final-form regulation should clearly indicate which federal definition applies to this section.

3. Section 86.129. Coal exploration on areas designated as unsuitable for surface mining operations.—Fiscal impact; Reasonableness; Feasibility.

Subsection (b)(5) states that an exploration permit in areas designated as unsuitable for mining “may not exceed 2 years and the permit may not be renewed or

transferred.” A comparable time limit could not be found in the federal regulations at 30 CFR 772.12 and 938.16(ccc). After a substantial investment in complying with the permit application requirements, why is a company only given two years to explore rather than five years as is the case with other permits? The Board should provide a justification for this rule or delete it from the final-form regulation.

4. Section 86.159. Self-bonding.—Clarity.

New language in Subsection (2) includes these words: “. . . an affidavit certifying that the agreement is valid under all applicable Federal and State laws.” This phrase may be overly broad. Specifically, what laws would be included in the reference to “all applicable Federal and State laws”?

5. Section 86.282. Participation requirements.—Reasonableness; Clarity.

In Subsection (a)(2), the “letter of credit collateral bond” is deleted as an option for a surety bond. In the Preamble, this change is explained by the statement that experience “has shown that the ability to obtain a letter of credit from a bank is not a good test of financial responsibility.” DEP and the Board should provide some evidence from the program’s experience to provide a justification for this change or retain the existing language in the final-form regulation.

The proposed regulation adds new language to Subsection (a)(2) which includes the term “permitted remining site.” This term does not appear in the existing provisions of Chapter 86. In Section 86.252 of the existing regulations, the definition of the term “financial guarantee” includes this phrase: “. . . a qualified operator’s permitted remining area.” The term “remining area” is defined in Section 86.252. The PCA, in its comments, requests that the term “permitted remining site” be defined. The new term should be defined or replaced with the existing term “remining area” if this term matches the Board’s intent for Section 86.282.

6. Section 87.119. Hydrologic balance: water rights and replacement.—Reasonableness; Clarity.

The proposed regulation deletes “attorney fees and expert witness fees” from the list of recoverable “reasonable costs incurred” for mine operators or owners who appeal a DEP order. According to the Preamble, “this correction is necessary due to a revision to the SMCRA [federal Surface Mining Control and Reclamation Act].” However, the Preamble provides no details concerning the revision. PCA questions the basis for this deletion. In addition, attorney fees are specifically identified as costs that “may be assessed against either party” in SMCRA. See 30 U.S.C. § 1275(e). The Board needs to explain the need for this deletion or retain the existing language in the final-form regulation.

7. Section 90.112. Hydrologic balance: dams, ponds, embankments and impoundments—design, construction and maintenance.—Consistency with other regulations; Clarity.

In its comments, PCA expresses concern that the amendments to Subsection (c)(2) do not include the word “runoff.” In contrast, the federal regulations at 30 CFR 938.16(jjj) specifically uses the word “runoff.” The Board

should revise this subsection to match the federal language in the final-form regulation or provide justification for not using the term “runoff.”

—
Pennsylvania Public Utility Commission
Regulation #57-257 (IRRC #2674)

**Universal Services and Energy Conservation
Reporting Requirements and Customer Assistance
Programs**

July 2, 2010

We submit for your consideration the following comments on the notice reopening the public comment period for this proposed regulation in the April 3, 2010 *Pennsylvania Bulletin*. Our comments are based on criteria in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b) (Act). Section 5.1(a) of the Act (71 P. S. § 745.5a(a)) directs the Pennsylvania Public Utility Commission (PUC) to respond to all comments received from us or any other source. The proposed regulation was originally published in the February 9, 2008 *Pennsylvania Bulletin*. These comments are supplemental to our comments dated May 19, 2008.

1. Sections 54.74 and 62.4—Review of universal service and energy conservation plans; funding and cost recovery.—Need.

These sections require electric distribution companies and natural gas distribution companies to submit an updated universal service and energy conservation plan (Plan) in the form of a tariff filing. This filing includes: the Plan itself, the rules that apply to the Plan, documentation in support of funding and cost recovery for the Plan, and a proposed surcharge.

The supplemental comments provided by the regulated community offer various suggestions concerning the content of the tariff. Some commentators argue that no Plan contents should be included in the tariff, while others support including the content in its entirety. Other commentators argue that Plan rates only should be included in the tariff. Finally, another commentator contends that Customer Assistance Program (CAP) rules should not be included in the tariff because it would result in utilities providing duplicative information that is already publicly available and would result in difficulty in modifying the CAP Plan.

The final-form regulation should explain the need to include Plan contents, including CAP rules and rates and documents in support of funding and cost recovery. Will this information be part of the entire tariff or simply the filing requirements included in support of the proposed tariff provisions? The final-form regulation should clarify these issues.

2. General.—Reasonableness; Feasibility; Clarity.

In the notice reopening the public comment period, the PUC invited comments on topics divided into six categories. Extensive comments were received in response to this invitation. If significant revisions to the regulation are being considered as a result of this input, the public should be afforded an opportunity to review and comment on the text of the regulation. Therefore, we recommend that the PUC publish an advance notice of final rule-

making to allow the opportunity to review and resolve remaining issues before submittal of a final-form regulation.

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State Board of Massage Therapy
Regulation #16A-721 (IRRC #2843)

Massage Therapy

July 7, 2010

We submit for your consideration the following comments on the proposed rulemaking published in the May 8, 2010 *Pennsylvania Bulletin*. Our comments are based on criteria in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the State Board of Massage Therapy (Board) to respond to all comments received from us or any other source.

1. Section 20.1. Definitions.—Conflict with existing law; clarity.

The following terms are used, but not defined, in the proposed regulation: “soft issue manifestations;” “therapeutic massage techniques;” “treatment;” and “treatment plan.” Both the Pennsylvania Physical Therapy Association (PPTA) and the Insurance Federation of Pennsylvania have expressed concern that the use of these terms without qualifying language which specifically relates them to the definition of “massage therapy” in the Massage Therapy Law, Act 45 of 2009 (Law), is confusing. We recommend that the Board define and clarify these terms in the final-form regulation.

Sexual harassment

This section defines this term as: “[d]eliberate or repeated comments, gestures or physical contacts of a sexual nature.”

This definition appears inconsistent with how the term is defined in both federal and state law. For example, the U.S. Equal Employment Opportunity Commission has defined sexual harassment, a violation of Title VII of the Civil Rights Act of 1964, as follows:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when this conduct explicitly or implicitly affects an individual’s employment, unreasonably interferes with an individual’s work performance, or creates an intimidating, hostile, or offensive work environment.

The PA Human Relations Commission defines the term in a similar fashion.

Both of these definitions refer to conduct that is “unwanted” or “unwelcome.” Why did the Board omit this term? In order to be consistent with existing law, the final-form regulation should include the phrase “unwelcome” or “unwanted” at the beginning of the definition.

2. Section 20.3. Fees.—Reasonableness.

Subsections (a) and (b) list various types of fees charged for services provided by the Board. How did the Board determine the amounts listed are appropriate?

3. Section 20.11. Minimum hour requirements for massage therapy programs.—Reasonableness; Clarity.

Subsection (a) requires massage therapy programs to provide at least 600 hours of in-class instruction, and lists

various subjects and the minimum contact hours required for each. How did the Board determine the appropriate number of contact hours?

4. Section 20.13. Required knowledge base.—Clarity.

Subsection (a) lists 12 areas that massage therapy education must provide students with knowledge of, including Subsection (a)(6) which requires knowledge of “legal requirements.” Which “legal requirements” does this refer to? It is also unclear what level of “knowledge” massage therapy education must provide in these subjects to students. These phrases are vague and lack clarity. We suggest that the final-form regulation include more precise standards that eliminate the ambiguity created by these phrases.

5. Section 20.14. Student practice.—Implementation procedures; Clarity.

In Subsection (f), what is the basis for the three-year time period to maintain student records? The same concern applies to Section 20.42(a)(19). In addition, Section 20.42(a)(19) also states that the records would be at least three years “from the last date that services were provided to the client.” Did the Board intend for the same time period to apply to student records? We recommend the same language contained in Section 20.42(a)(19) be included in Subsection (f).

In Subsection (g), how does the Board intend for schools to clearly identify to clients students providing services as part of a clinical training program? Would students be required to wear badges? Would there be a sign notifying clients that students are working at that facility? The final-form regulation should include the means of complying with this provision.

6. Section 20.21. Application for temporary practice permit, initial licensure and licensure by reciprocity.—Statutory authority; Reasonableness; Need; Clarity.

This section describes various types of applications. We raise five issues.

First, the House Professional Licensure Committee (HPLC) indicates that Section 20.26(b) includes a cross-reference to Section 20.21, and this cross-reference is partly entitled “licensure by endorsement.” However, this type of application is not included in Section 20.21. Did the Board intend to include licensure by endorsement in this section? If so, then the final-form regulation should include a procedure for this type of licensure. If not, the phrase “licensure by endorsement” should be removed from Section 20.26(b) of the final-form regulation. We note that in the Preamble, the Board describes “licensure by endorsement” as being contained in Section 20.25, however, this section refers to “licensure by reciprocity.” To improve consistency, the Board should use one term.

Second, Subsection (b)(2) requires applicants for licensure to submit to the Board a Criminal History Record for every state the applicant has resided in for the past five years. How did the Board determine five years was an appropriate limit on the years of review?

Third, Subsection (d)(3) requires an applicant to submit an explanation to the Board of any arrests, charges, or convictions of a misdemeanor or felony in this Commonwealth or any other jurisdiction of the United States or a foreign country. However, the Law only prohibits those applicants from obtaining licensure who have been **convicted** of a felony (or of what would be considered a felony if committed in this Commonwealth) under The

Controlled Substance, Drug, Device and Cosmetic Act. See 63 P.S. § 627.5(a)(6). Therefore, given this distinction, what is the Board’s statutory authority for requiring the explanations and relevant documentation in this subsection?

Fourth, Subsections (d)(4) and (5) refer to circumstances where an individual is unable to practice massage therapy “with a reasonable skill and safety” due to mental or physical conditions, and the use of alcohol, drugs, etc. Would a licensed professional make that determination? The final-form regulation should clarify who would decide in these instances whether a person is unable to practice. We also recommend that the final-form regulation require these individuals to provide written verifications to the Board confirming their diagnoses and conclusions.

Additionally, how will these evaluators measure a massage therapist ability to practice “with a reasonable skill and safety?” The final-form regulation should define this standard. In Subsection (d)(4), an applicant may be unable to practice massage therapy due to the use of drugs, narcotics or “any other type of material.” This phrase is vague and should be explained further in the final-form regulation.

Finally, Subsection (g) requires the licensure applicant to submit to the Board any missing documentation “within 6 months from the date the application is executed.” What is the basis for the six-month time period?

7. Section 20.22. Procedure for licensure denial.—Implementation procedures.

Subsection (b) refers to an evaluation to determine if an applicant can safely practice. Who will conduct this evaluation? Will the applicant be notified of and have the opportunity to review the results? The final-form regulation should clarify the procedures for the evaluation and the means of notifying the applicant of the results of the evaluation.

In addition, the HPLC questions what the appeals process is for an applicant whose license has been refused. The final-form regulation should explain the appeals process. Has the Board considered including in the regulation a cross-reference to Section 627.9 (c) of the Law, which discusses actions of the Board being subject to the administrative agency law (and therefore the appropriate appeals process therein)?

8. Section 20.23. Licensure examinations.—Reasonableness; Implementation procedures; Clarity.

Subsections (b) and (c) require applicants to reapply if they are unable to take the required test within 90 days of being authorized by the Board to do so. What is the basis for the 90-day time frame?

Subsections (b) and (d) refer to the “FSBMT,” however Section 20.1 references the “FSMTB,” which the Federation of State Massage Therapy Boards points out in their comments is the correct term. The final-form regulation should correct this typographical error.

Subsection (e) establishes procedures requiring applicants who have failed licensure exams numerous times to obtain additional hours of instruction in massage therapy. Who will monitor these examination results and notify the applicants of the requisite hours necessary to complete? The final-form regulation should clarify this issue.

9. Section 20.24. Application requirements for existing practitioners.—Reasonableness; Clarity.

Subsection (c) states that existing practitioners applying for licensure must demonstrate they have been in

practice at least five years “immediately preceding October 9, 2010.” Why did the Board apply this date?

While this section refers to licensure requirements for existing practitioners, the American Massage Therapy Association (AMTA) suggests that “existing practitioners” should also include massage therapy students who would graduate before the passage of the final-form regulation. Has the Board considered “grandfathering” the licenses of these massage therapists?

Also, to improve clarity, we recommend the Board define the term “existing practitioners” in the final-form regulation.

10. Section 20.26. Application requirements for temporary practice permits.—Clarity.

Subsection (e) states that those therapists with a temporary practice permit may not “hold themselves out as a licensed massage therapist.” However, the PPTA notes that this subsection does not explain what services these permit holders can perform or how they are supervised. We agree and recommend that the final-form regulation clarify what specific services can be performed under a temporary practice permit and set forth the supervision requirements.

Subsection (e) also states that temporary permit holders may not “advertise their practice of massage therapy.” The PA Association of Private School Administrators is concerned that without advertising, these therapists may not be able to build a practice. Does Subsection (e) prohibit a person from advertising as a temporary permit holder? The final-form regulation should clarify this issue.

11. Section 20.32. Continuing education hours, maintenance of certificates of completion.—Implementation procedures.

Under Subsection (g), under what circumstances would the Board determine an audit of a licensee is necessary?

12. Section 20.41. Scope of practice.—Statutory authority; Implementation procedures; Clarity.

This section explains the scope of practice for massage therapists. However, as the AMTA points out, there are persons who hold dual licenses. While an act may be permitted within the context of a massage therapy license in Subsection (a), it may be prohibited under that same person’s chiropractic license. For example, as PPTA states, the enumerated list of soft tissue manifestations in Subsection (a) contains items that are “impairments, illnesses, diseases or disabilities which are expressly excluded from the definition of massage therapy.” How will the Board regulate these forms of overlapping licensure? Additionally, how will the Board address the situation where a treated item in Subsection (a) is also a symptom of an underlying disease or medical condition? Will this be set forth in the final-form regulation?

The Preamble to the final-form regulation should also explain what services those with dual licenses can perform and when they can perform them.

13. Section 20.42. Standards of professional conduct.—Implementation procedures; Clarity.

Subsection (a)(11) requires massage therapists to “act to safeguard clients from incompetent, abusive or illegal practices of other massage therapists or caregivers.” How will a massage therapist comply with this subsection? Are there reporting requirements that would apply? If so, we

recommend that these requirements be included in the final-form regulation.

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**Bureau of Professional and Occupational Affairs
Regulation #16A-51 (IRRC #2844)**

**Schedule of Civil Penalties—Veterinarians and
Veterinary Technicians**

July 7, 2010

We submit for your consideration the following comments on the proposed rulemaking published in the May 8, 2010 *Pennsylvania Bulletin*. Our comments are based on criteria in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the Bureau of Professional and Occupational Affairs (Bureau) to respond to all comments received from us or any other source.

Comments of the House Professional Licensure Committee.—Need; Reasonableness; Protection of the public welfare; Implementation procedure; Clarity.

On June 9, 2010, the House Professional Licensure Committee (Committee) voted to submit the following comments to the Bureau:

- The Committee recommends that the sections of this proposed regulation be re-organized so that each section remains consistent with the previously stated profession.
- The Committee requests information on how the Bureau monitors the civil penalty time periods to ensure compliance with the proposed regulation.
- The Committee questions the need for adding a new civil penalty time period of 25—30 months and requests an explanation on how the Bureau determined the amount of a civil penalty for practicing on a lapsed license.
- The Committee requests an explanation on why a category of failing to display a current certificate for CVTs (certified veterinary technicians) with civil penalty is not included.

We will review the Bureau’s responses to these issues in our determination of whether the final regulation is in the public interest.

ARTHUR COCCODRILLI,
Chairperson

[Pa.B. Doc. No. 10-1298. Filed for public inspection July 16, 2010, 9:00 a.m.]

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Notice of Filing of Final Rulemakings

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

Final-Form

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
7-449	Environmental Quality Board Large Appliance and Metal Furniture Surface Coating Processes	6/30/10	8/5/10
7-445	Environmental Quality Board Hazardous Waste Management System; Proposed Exclusion for Identification and Listing of Hazardous Waste	6/30/10	8/5/10
2-170	Department of Agriculture Canine Health Board Standards for Commercial Kennels	6/30/10	8/5/10
7-433	Environmental Quality Board Administration of the Water and Wastewater Systems Operators' Certification Program	6/30/10	8/5/10

ARTHUR COCCODRILLI,
Chairperson

[Pa.B. Doc. No. 10-1299. Filed for public inspection July 16, 2010, 9:00 a.m.]

INSURANCE DEPARTMENT

Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by The Lutheran Home for the Aged of Erie, Pennsylvania

The Lutheran Home for the Aged of Erie, Pennsylvania has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at The Village at Luther Square in Erie, PA. The initial filing was received on June 15, 2010, and was made under the Continuing-Care Provider Registration and Disclosure Act (40 P. S. §§ 3201—3225).

Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department (Department) within 7 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,
Insurance Commissioner

[Pa.B. Doc. No. 10-1300. Filed for public inspection July 16, 2010, 9:00 a.m.]

Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by Marion Manor Corporation

Marion Manor Corporation has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Marion Manor in Pittsburgh, PA. The initial filing was received on June 18, 2010, and was made under the Continuing-Care Provider Registration and Disclosure Act (40 P. S. §§ 3201—3225).

Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department (Department) within 7 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,
Insurance Commissioner

[Pa.B. Doc. No. 10-1301. Filed for public inspection July 16, 2010, 9:00 a.m.]

Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by Presbyterian Homes in the Presbytery of Lake Erie

Presbyterian Homes in the Presbytery of Lake Erie has applied for a Certificate of Authority to operate three Continuing Care Retirement Communities at Presbyterian Lodge in Erie, PA, at Manchester Presbyterian Lodge in Erie, PA and at Oil City Presbyterian Home in Oil City, PA. The initial filing was received on June 17, 2010, and was made under the Continuing-Care Provider Registration and Disclosure Act (40 P. S. §§ 3201—3225).

Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department (Department) within 7 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,
Insurance Commissioner

[Pa.B. Doc. No. 10-1302. Filed for public inspection July 16, 2010, 9:00 a.m.]

Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by RC Operator, LLC

RC Operator, LLC has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Willow Terrace in Philadelphia, PA. The initial filing was received on June 18, 2010, and was made under the Continuing-Care Provider Registration and Disclosure Act (40 P. S. §§ 3201—3225).

Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department (Department) within 7 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,
Insurance Commissioner

[Pa.B. Doc. No. 10-1303. Filed for public inspection July 16, 2010, 9:00 a.m.]

Application for Written Consent; Department Notice No. 2010-08

By Insurance Department Notice No. 2000-04 all persons and entities engaged or participating, or seeking to engage or participate, in the business of insurance in this Commonwealth were advised that the Insurance Department (Department) had adopted an application for written consent to engage in the business of insurance under The Violent Crime Control and Law Enforcement Act of 1994 (act), 18 U.S.C.A. §§ 1033 and 1334 (relating to application for written consent).

Under the act, it is a criminal offense for an individual who has been convicted of a criminal felony involving dishonesty or a breach of trust, or an offense under the act, to willfully engage or participate in the business of insurance, or to willfully permit such participation, without the written consent of the appropriate insurance regulatory official. The written consent must specify that the consent is granted for the purpose of permitting insurance activity under section 1033(e) of the act.

The act broadly defines the term “business of insurance” and provides no exemptions or “grandfather” provisions for convictions that occurred prior to its enactment or for persons who are already engaged or participating in the business of insurance. Individuals prohibited from engaging or participating in the business of insurance without written consent are referred to as “prohibited persons.” The Department has jurisdiction under the act to consider requests for written consent filed by the following types of prohibited persons:

1. Officers, directors, employees, consultants and subcontractors of domestic insurers and insurance-related entities, including but not limited to, insurance companies, associations and exchanges, Lloyds insurers, health maintenance organizations, fraternal benefit societies,

beneficial associations, hospital plan corporations, health services plan corporations, preferred provider organizations, premium finance companies, insurance administrators, viatical settlement providers, risk retention groups and purchasing groups.

2. Resident licensees and their officers, directors and employees, including but not limited to insurance agents, brokers, insurance producers, agencies, exclusive general agents, managing general agents and managers, reinsurance intermediaries, surplus lines agents, public adjusters, public adjuster solicitors, viatical settlement brokers and motor vehicle physical damage appraisers.

A Commonwealth resident who is a prohibited person must apply for and obtain the written consent of the Department to begin or to continue to engage or participate in the business of insurance. Written consent under the act must be obtained even if the prohibited person is now or has ever been licensed or otherwise approved by the Department to transact business. In addition, a prohibited person who resides outside of the Commonwealth must obtain the written consent of his or her domiciliary insurance regulatory official to be permitted to begin or continue to engage or participate in the business of insurance in this Commonwealth.

While the act provides a mechanism whereby a prohibited person may apply to the appropriate insurance regulatory official for written consent, it does not allow a prohibited person to work in the business of insurance while applying for that consent. The Department maintains full discretion in deciding whether or not to grant written consents, which will be determined on a case-by-case basis taking into account materials submitted to the Department by the applicant.

All affected persons are encouraged to thoroughly review the act and ensure that they are complying with it. Failure to inform the Department of a prior felony on a license application may result in a violation of the act as well as constitute grounds for denial or revocation of a license. Employers must make diligent efforts to identify prohibited persons and ensure that they are not violating the act by permitting prohibited persons to engage or participate in the business of insurance without written consent. In addition to efforts to identify prohibited persons as part of the employment application process, employers should consider conducting periodic workforce surveys to identify any subsequent convictions that require written consent.

The Department’s application for written consent is available on the Department web site at www.insurance.pa.gov.

Questions concerning this notice may be directed to the Department at ra-in-company@state.pa.us or ra-in-producer@state.pa.us or by contacting the Office of Corporate and Financial Regulation at (717) 783-2142 or the Office of Market Regulation, Bureau of Licensing and Enforcement at (717) 787-3840.

This document supersedes the notice published at 30 Pa.B. 1333 (March 4, 2000) and shall remain in effect until a subsequent notice is published in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 10-1304. Filed for public inspection July 16, 2010, 9:00 a.m.]

Eligible Surplus Lines Insurer List

In accordance with section 1605(b) of The Insurance Company Law of 1921 (40 P. S. § 991.1605(b)), the Insurance Department hereby publishes the most recent Eligible Surplus Lines Insurer List. This list replaces in its entirety the Eligible Surplus Lines Insurer List as of January 6, 2010, published at 40 Pa.B. 490 (January 16, 2010).

Persons with any questions concerning this notice should contact Robert Brackbill, Chief, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, (717) 787-2735.

JOEL SCOTT ARIO,
Insurance Commissioner

As of Thursday, July 01, 2010

<i>Key No.</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
48123	ACE EUROPEAN GROUP LIMITED	100 LEADENHALL STREET LONDON, Great Britain EC3A 3BP
10512	ADMIRAL INSURANCE COMPANY	1209 ORANGE STREET WILMINGTON, DE 19801
10513	ADRIATIC INSURANCE COMPANY	314 EAST THAYER AVENUE BISMARCK, ND 58501
67489	AIX SPECIALTY INSURANCE COMPANY	103 FOULK ROAD SUITE 202 WILMINGTON, DE 19803
48099	ALLIANZ GLOBAL CORPORATE & SPECIALTY AG	KONIGINASTRASSE 28 MUNICH, Germany D80802
10516	ALLIANZ UNDERWRITERS INSURANCE COMPANY	2350 EMPIRE AVENUE BURBANK, CA 91504-3350
10535	ALLIED WORLD ASSURANCE COMPANY (U.S.) INC.	2711 CENTERVILLE ROAD SUITE 400 WILMINGTON, DE 19808
10519	AMERICAN EMPIRE SURPLUS LINES INSURANCE COMPANY	1209 ORANGE STREET WILMINGTON, DE 19801
10520	AMERICAN EQUITY INSURANCE COMPANY	2401 WEST PEORIA AVENUE PHOENIX, AZ 85029
63828	AMERICAN MODERN SURPLUS LINES INSURANCE COMPANY	7000 MIDLAND BLVD AMELIA, OH 45102-2607
18146	AMERICAN SAFETY INDEMNITY COMPANY	201 ROBERT S. KERR AVENUE OKLAHOMA CITY, OK 73102-4267
10522	AMERICAN WESTERN HOME INSURANCE COMPANY	600 BANK OF OKLAHOMA PLAZA OKLAHOMA CITY, OK 73102
83774	AMTRUST INTERNATIONAL UNDERWRITERS LIMITED	40 WESTLAND ROW DUBLIN, Ireland 2
10524	APPALACHIAN INSURANCE COMPANY	1301 ATWOOD AVENUE JOHNSTON, RI 02919-0500
33748	ARCH EXCESS & SURPLUS INSURANCE COMPANY	10909 MILL VALLEY ROAD OMAHA, NE 68145
10587	ARCH SPECIALTY INSURANCE COMPANY	10909 MILL VALLEY ROAD OMAHA, NE 68145
81107	ARIEL REINSURANCE COMPANY LTD	5TH FLOOR VICTORIA PLACE HAMILTON, Bermuda HM 11
10588	ARROWOOD SURPLUS LINES INSURANCE COMPANY	2711 CENTERVILLE ROAD SUITE 400 WILMINGTON, DE 19808
51442	ASPEN INSURANCE UK LIMITED	30 FENCHURCH STREET LONDON, ENGLAND, United Kingdom
35611	ASPEN SPECIALTY INSURANCE COMPANY	316 NORTH FIFTH STREET BISMARCK, ND 58502
22348	ASSICURAZIONI GENERALI S.p.A.	PIAZZA DUCA DEGLI ABRUZZI, 2 TRIESTE, Italy 34132

<i>Key No.</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
22349	ASSOCIATED ELECTRIC & GAS INSURANCE SERVICES LIMITED	THE MAXWELL ROBERTS BUILDING 4TH FLOOR HAMILTON, Bermuda HM11
10525	ASSOCIATED INTERNATIONAL INSURANCE COMPANY	TEN PARKWAY NORTH DEERFIELD, IL 60015
41586	ATLANTIC CASUALTY INSURANCE COMPANY	400 COMMERCE COURT GOLDSBORO, NC 27534
10526	AUDUBON INDEMNITY COMPANY	C/O CORPORATION SERVICE COMPANY 506 SOUTH PRESIDENT STREET JACKSON, MS 39201
22371	AVIVA INTERNATIONAL INSURANCE LIMITED	ST. HELEN'S 1 UNDERSHAFT LONDON, Great Britain EC3P3DQ
41562	AXA CORPORATE SOLUTIONS ASSURANCE	4 RUE JULES LEFEBVRE PARIS, France 75009
59554	AXIS SPECIALTY EUROPE LIMITED	MOUNT HERBERT COURT 34 UPPER MOUNT STREET DUBLIN, Ireland 2
10592	AXIS SURPLUS INSURANCE COMPANY	303 WEST MADISON SUITE 500 CHICAGO, IL 60606
75458	BERKLEY REGIONAL SPECIALITY INSURANCE COMPANY	1209 ORANGE STREET WILMINGTON, DE 19801-1120
63055	BERKSHIRE HATHAWAY INTERNATIONAL INSURANCE LIMITED	BIRCHIN COURT FOURTH FLOOR LONDON, Great Britain EC3V 9DU
22369	BRITISH AVIATION INSURANCE COMPANY LIMITED	FITZWILLIAM HOUSE 10 ST. MARY'S AXE LONDON, Great Britain EC3ABEQ
10528	CANAL INDEMNITY COMPANY	400 EAST STONE AVENUE GREENVILLE, SC 29601
48319	CAPITOL SPECIALTY INSURANCE CORPORATION	1600 ASPEN COMMONS MIDDLETON, WI 53562
64641	CATLIN INSURANCE COMPANY (UK) LIMITED	3 MINSTER COURT MINCING LANE LONDON, United Kingdom EC3R 7DD
63239	CATLIN SPECIALTY INSURANCE COMPANY	160 GREENTREE DRIVE SUITE 101 DOVER, DE 19904
10529	CENTENNIAL CASUALTY COMPANY	2200 WOODCREST PLACE SUITE 200 BIRMINGHAM, AL 35209
10531	CENTURY SURETY COMPANY	465 CLEVELAND AVENUE WESTERVILLE, OH 43082
38980	CHARTIS SELECT INSURANCE COMPANY	2711 CENTERVILLE ROAD SUITE 400 WILMINGTON, DE 19808
10521	CHARTIS SPECIALTY INSURANCE COMPANY	300 SOUTH RIVERSIDE PLAZA SUITE 2100 CHICAGO, IL 60606-6613
10532	CHUBB CUSTOM INSURANCE COMPANY	C/O CORPORATE SERVICE COMPANY 1209 ORANGE STREET WILMINGTON, DE 19801-1120

<i>Key No.</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
72782	CINCINNATI SPECIALTY UNDERWRITERS INSURANCE COMPANY (THE)	BRANDYWINE VILLAGE 1807 NORTH MARKET STREET WILMINGTON, DE 19802-4810
18617	CLARENDON AMERICA INSURANCE COMPANY	601 EWING STREET SUITE C-8 PRINCETON, NJ 09650
10533	COLONY INSURANCE COMPANY	8720 STONEY POINT PARKWAY SUITE 300 RICHMOND, VA 23235
10582	COLONY NATIONAL INSURANCE COMPANY	8720 STONEY POINT PARKWAY SUITE 300 RICHMOND, VA 23235
10534	COLUMBIA CASUALTY COMPANY	CNA PLAZA CHICAGO, IL 60685
22388	COMMONWEALTH INSURANCE COMPANY	595 BURRARD STREET SUITE 1500 BOX 49115 BENTALL TOWER THREE VANCOUVER, V7X 1G4
74670	COMPANION SPECIALTY INSURANCE COMPANY	51 CLEMSON ROAD COLUMBIA, SC 29229
52712	CRANBROOK INSURANCE COMPANY	2301 E.LAMAR BOULEVARD 5TH FLOOR ARLINGTON, TX 76006
37372	CRUM & FORSTER SPECIALTY INSURANCE COMPANY	2999 NORTH 44TH STREET SHITE 250 PHOENIX, AZ 85018
66658	CUMIS SPECIALTY INSURANCE COMPANY, INC.	2000 HERITAGE WAY WAVERLY, IA 50677
10600	DARWIN SELECT INSURANCE COMPANY	320 WEST CAPITAL STREET SUITE 1000 LITTLE ROCK, AR 72201-3525
37001	DISCOVER SPECIALTY INSURANCE COMPANY	200 NORTH LASALLE STREET CHICAGO, IL 60661
10541	EMPIRE INDEMNITY INSURANCE COMPANY	630 NE 63RD STREET OKLAHOMA CITY, OK 73105
63338	ENDURANCE AMERICAN SPECIALTY INSURANCE COMPANY	767 THIRD AVENUE FIFTH FLOOR NEW YORK, NY 10017
10542	ESSEX INSURANCE COMPANY	1209 ORANGE STREET WILMINGTON, DE 19801
10543	EVANSTON INSURANCE COMPANY	TEN PARKWAY NORTH DEERFIELD, IL 60015
10544	EVEREST INDEMNITY INSURANCE COMPANY	CORPORATION TRUST CENTER 1209 ORANGE STREET WILMINGTON, DE 19801
10545	EXECUTIVE RISK SPECIALTY INSURANCE COMPANY	82 HOPMEADOW STREET SIMSBURY, CT 06070-7683
10547	FIREMAN'S FUND INSURANCE COMPANY OF OHIO	312 WALNUT STREET SUITE 1100 CINCINNATI, OH 45202
10548	FIRST FINANCIAL INSURANCE COMPANY	528 SOUTH FIFTH STREET SUITE 210 SPRINGFIELD, IL 62701-1822
10549	FIRST MERCURY INSURANCE COMPANY	ONE SOUTH WACKER DRIVE SUITE 2740 CHICAGO, IL 60606
10550	FIRST SPECIALTY INSURANCE CORPORATION	237 EAST HIGH STREET JEFFERSON CITY, MO 65102

<i>Key No.</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
18477	GEMINI INSURANCE COMPANY	CORPORATION TRUST CENTER 1209 ORANGE STREET WILMINGTON, DE 19801
10552	GENERAL SECURITY INDEMNITY COMPANY OF ARIZONA	2338 W. ROYAL PALM ROAD SUITE J PHOENIX, AZ 85021
10554	GENERAL STAR INDEMNITY COMPANY	695 EAST MAIN STREET P. O. BOX 10354 STAMFORD, CT 06904-2354
10555	GENESIS INDEMNITY INSURANCE COMPANY	316 NORTH FIFTH STREET BISMARCK, ND 58501
58119	GEOVERA SPECIALTY INSURANCE COMPANY	4820 BUSINESS CENTER DRIVE SUITE 200 FAIRFIELD, CA 94534
44715	GLENCOE INSURANCE LIMITED	RENAISSANCE HOUSE, 8 EAST P. O. BOX HM 2527 HAMILTON, Bermuda HM GX
73754	GNY CUSTOM INSURANCE COMPANY	200 MADISON AVENUE NEW YORK, NY 10016-3904
10556	GOTHAM INSURANCE COMPANY	919 THIRD AVENUE 10TH FLOOR NEW YORK, NY 10022
10514	GREAT AMERICAN E & S INSURANCE COMPANY	THE CORPORATION TRUST COMPANY 1209 ORANGE STREET WILMINGTON, DE 19801
10518	GREAT AMERICAN FIDELITY INSURANCE COMPANY	THE CORPORATION TRUST COMPANY 1209 ORANGE STREET WILMINGTON, DE 19801
10540	GREAT AMERICAN PROTECTION INSURANCE COMPANY	580 WALNUT STREET CINCINNATI, OH 45204
22412	GREAT LAKES REINSURANCE (UK) PLC	PLANTATION PLAN 30 FENCHURCH STREET LONDON, United Kingdom EC3M 3AJ
36489	GUILFORD INSURANCE COMPANY	C/O HINSHAW & CULBERTSON, LLP 400 SOUTH NINTH STREET SPRINGFIELD, IL 62701-1822
10557	GULF UNDERWRITERS INSURANCE COMPANY	ONE TOWER SQUARE HARTFORD, CT 06183
66133	HCC SPECIALTY INSURANCE COMPANY	201 ROBERT S. HERR AVENUE OKLAHOMA, OK 73102
78247	HISCOX SPECIALTY INSURANCE COMPANY INC.	416 SOUTH SECOND STREET GENEVA, IL 60134-0520
44169	HOMELAND INSURANCE COMPANY OF NEW YORK	1000 WOODBURY ROAD SUITE 403 WOODBURY, NY 11797
10559	HOUSTON CASUALTY COMPANY	13403 NORTHWEST FREEWAY HOUSTON, TX 77040
37373	HUDSON SPECIALTY INSURANCE COMPANY	17 STATE STREET 29TH FLOOR NEW YORK, NY 10004
10560	ILLINOIS EMCASCO INSURANCE COMPANY	717 MULBERRY STREET DES MOINES, IA 50309-3872
10561	ILLINOIS UNION INSURANCE COMPANY	525 WEST MONROE STREET CHICAGO, IL 60631

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<i>Key No.</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
10562	INDIAN HARBOR INSURANCE COMPANY	CT CORPORATION SYSTEM 314 EAST THAYER AVENUE BISMARCK, ND 58501
75461	INFRASSURE, LTD	UETLIBERGSTRASSE 134A P. O. BOX 5089 ZURICH, Switzerland CH8045
28076	INTERNATIONAL INSURANCE CO OF HANNOVER, LTD	L'AVENIR OPLADEN WAY, BRACKNELL BERKSHIRE, Great Britain UK RG12 OPH
10564	INTERSTATE FIRE & CASUALTY COMPANY	33 WEST MONROE CHICAGO, IL 60603
70118	IRONSHORE INSURANCE LTD.	SWAN BUILDING 26 VICTORIA STREET HAMILTON, Bermuda HM12
10596	IRONSHORE SPECIALTY INSURANCE COMPANY	C/O LOW & CHILDERS P.C. SUITE 250 PHOENIX, AZ 85018
10566	ITT PACIFIC INSURANCE COMPANY	ONE HARTFORD PLAZA HARTFORD, CT 06155
10546	JAMES RIVER INSURANCE COMPANY	52 EAST GAY STREET COLUMBUS, OH 43215
36855	KINSALE INSURANCE COMPANY	425 W. CAPITOL AVENUE SUITE 1800 LITTLE ROCK, AR 72201
75297	LANCASHIRE INSURANCE COMPANY	MINTFLOWER PLACE 8 PAR-LA-VILLE ROAD HAMILTON, Bermuda HM 08
80046	LANCASHIRE INSURANCE COMPANY (UK) LIMITED	LEVEL 11, VITRO 60, FENCHURCH STREET LONDON, United Kingdom EC3M 4AD
8967	LANDMARK AMERICAN INSURANCE COMPANY	201 ROBERT KERR AVENUE SUITE 600 OKLAHOMA CITY, OK 73102-4267
10567	LANDMARK INSURANCE COMPANY	2730 GATEWAY OAKS DRIVE SUITE 100 SACRAMENTO, CA 95833
45576	LANTANA INSURANCE LTD.	RENAISSANCE HOUSE 8-12 EAST BROADWAY HAMILTON, Bermuda HM 19
10569	LEXINGTON INSURANCE COMPANY	2711 CENTERVILLE ROAD SUITE 400 WILMINGTON, DE 19808
22415	LIBERTY MUTUAL INSURANCE EUROPE LIMITED	3RD FLOOR, TWO MINSTER COURT MINCING LANE LONDON, United Kingdom EC3R 7YE
18457	LIBERTY SURPLUS INSURANCE CORPORATION	175 BERKELEY STREET BOSTON, MA 02117
22416	LLOYD'S (UNDERWRITERS AT)	ONE LIME STREET LONDON, Great Britain EC3M7HA
22417	LONDON AND EDINBURGH INSURANCE COMPANY LIMITED	8 SURREY STREET NORWICH NR1 3NG ENGLAND, Great Britain EC3M5BT
45736	MAIDEN SPECIALTY INSURANCE COMPANY	C/O CT CORPORATION SYSTEM 150 FAYETTEVILLE STREET RALEIGH, NC 27601

<i>Key No.</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
22418	MARINE INSURANCE COMPANY LIMITED	ST MARKS COURT. CHART WAY HORSHAM, WEST SUSSEX ENGLAND, Great Britain RH 12 1XL
22455	MARKEL INTERNATIONAL INSURANCE COMPANY LIMITED	THE MARKEL BUILDING 49 LEADENHALL STREET LONDON, Great Britain EC3A2EA
10570	MAX SPECIALTY INSURANCE COMPANY	1209 ORANGE STREET WILMINGTON, DE 19801
10527	MAXUM INDEMNITY COMPANY	1209 ORANGE STREET WILMINGTON, DE 19801
69016	MEDICAL MUTUAL LIABILITY INSURANCE SOCIETY OF MARYLAND	225 INTERNATIONAL CIRCLE HUNT VALLEY, MD 21030
75542	MERCHANTS NATIONAL INSURANCE COMPANY	250 MAIN STREET BUFFALO, NY 14202-4188
75518	MITSUI SUMITOMO INSURANCE COMPANY (EUROPE) LIMITED	25 FENCHURCH AVENUE LONDON, United Kingdom EC3M 5AD
10553	MONTPELIER U.S. INSURANCE COMPANY	115 SOUTHWEST 89TH STREET OKLAHOMA CITY, OK 73139
10571	MT. HAWLEY INSURANCE COMPANY	9025 N. LINDBERGH DRIVE PEORIA, IL 61615
10572	NAMIC INSURANCE COMPANY, INC.	3601 VINCENNES ROAD INDIANAPOLIS, IN 46268
10573	NATIONAL FIRE & MARINE INSURANCE COMPANY	3024 HARNEY STREET OMAHA, NE 68131-3580
10574	NAUTILUS INSURANCE COMPANY	7233 E. BUTHERUS DRIVE SCOTTSDALE, AZ 85260
10575	NAVIGATORS SPECIALTY INSURANCE COMPANY	ONE PENN PLAZA 55TH FLOOR NEW YORK, NY 10119-0002
75182	NAXOS INSURANCE COMPANY	2711 CENTERVILLE ROAD SUITE 400 WILMINGTON, DE 19808
10537	NOETIC SPECIALTY INSURANCE COMPANY	111 S. WACKER DRIVE CHICAGO, IL 60606-4410
10576	NORTH AMERICAN CAPACITY INSURANCE COMPANY	650 ELM STREET MANCHESTER, NH 03101-2524
79123	NORTH LIGHT SPECIALTY INSURANCE COMPANY	2775 SANDERS ROAD NORTHBROOK, IL 60062-7127
10584	NORTH POINTE CASUALTY INSURANCE COMPANY	10199 SOUTHSIDE BLVD BUILDING 1 JACKSONVILLE, FL 32256
10577	NORTHFIELD INSURANCE COMPANY	1270 OFFICE PLAZA DRIVE WEST DES MOINES, IA 50266
10578	NUTMEG INSURANCE COMPANY	ONE HARTFORD PLAZA HARTFORD, CT 06155
22421	OCEAN MARINE INSURANCE COMPANY LIMITED	ST. HELEN'S 1 UNDERSHAFT LONDON, Great Britain EC3P3DQ
10579	OLD REPUBLIC UNION INSURANCE COMPANY	307 NORTH MICHIGAN AVENUE CHICAGO, IL 60601
75544	OMEGA US INSURANCE, INC	C/O THE CORPORATION TRUST COMPANY 1209 ORANGE STREET WILMINGTON, DE 19801
58179	PENN-PATRIOT INSURANCE COMPANY	526 KING STREET ALEXANDRIA, VA 22314

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<i>Key No.</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
74667	PRIME INSURANCE COMPANY	303 WEST MADISON #2075 CHICAGO, IL 60606
23150	PRINCETON EXCESS AND SURPLUS LINES INSURANCE COMPANY	2711 CENTERVILLE ROAD SUITE 400 WILMINGTON, DE 19808
44436	PROASSURANCE SPECIALTY INSURANCE COMPANY, INC.	100 BROOKWOOD PLACE SUITE 500 BIRMINGHAM, AL 35209
10583	PROFESSIONAL UNDERWRITERS LIABILITY INSURANCE COMPANY	2180 SOUTH 1300 EAST SUITE 650 SALT LAKE CITY, UT 84106
75543	PROTECTIVE SPECIALTY INSURANCE COMPANY	1099 NORTH MERIDIAN STREET INDIANAPOLIS, IN 46204
22449	QBE INSURANCE (EUROPE) LIMITED	PLANTATION PLACE 30 FENCHURCH STREET LONDON, Great Britain EC3M 3BD
47448	QBE SPECIALTY INSURANCE COMPANY	314 EAST THAYER AVENUE BISMARCK, ND 58501
53074	QUANTA SPECIALTY LINES INSURANCE COMPANY	10 WEST MARKET STREET SUITE 450 INDIANAPOLIS, IN 46204
70898	REPUBLIC-VANGUARD INSURANCE COMPANY	2394 E. CAMELBACK ROAD PHOENIX, AZ 85016
10603	ROCKHILL INSURANCE COMPANY	2999 NORTH 44TH STREET SUITE 250 PHOENIX, AZ 85018
10589	SAFECO SURPLUS LINES INSURANCE COMPANY	SAFECO PLAZA 1001 FOURTH AVENUE SEATTLE, WA 98154
10590	SAVERS PROPERTY AND CASUALTY INSURANCE COMPANY	700 WEST 47TH STREET KANSAS CITY, MO 64112-1802
10591	SCOTTSDALE INSURANCE COMPANY	ONE NATIONWIDE PLAZA COLUMBUS, OH 43215
44276	SENECA SPECIALTY INSURANCE COMPANY	2999 NORTH 44TH STREET SUITE 250 PHOENIX, AZ 85018-7256
33514	SIRIUS INTERNATIONAL INSURANCE CORPORATION	BIRGER JARISGATAN 57B STOCKHOLM, Sweden SE 113 96
10565	SPECIALTY SURPLUS INSURANCE COMPANY	1 KEMPER DRIVE LONG GROVE, IL 60049-0001
10593	ST. PAUL SURPLUS LINES INSURANCE COMPANY	2711 CENTERVILLE ROAD SUITE 400 WILMINGTON, DE 19808
79898	STARR SURPLUS LINES INSURANCE COMPANY	500 WEST MONROE STREET 26TH FLOOR CHICAGO, IL 60661
10594	STEADFAST INSURANCE COMPANY	SUITE 202 32 LOOCKERMAN SQUARE DOVER, DE 19904
22453	SWISS RE INTERNATIONAL SE	2A, RUE ALBERT BORSCHETTE LUXEMBOURG, Luxembourg L1246
73071	TOKIO MARINE EUROPE INSURANCE LIMITED	150 LEADENHALL STREET LONDON, United Kingdom EC3V 4TE

<i>Key No.</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
40659	TORUS SPECIALTY INSURANCE COMPANY	1209 ORANGE STREET WILMINGTON, DE 19801-1120
10597	TRAVELERS EXCESS AND SURPLUS LINES COMPANY	ONE TOWER SQUARE HARTFORD, CT 06183
54486	TT CLUB MUTUAL INSURANCE LIMITED	90 FENCHURCH STREET LONDON, United Kingdom ECM 4ST
10598	TUDOR INSURANCE COMPANY	50 WASHINGTON STREET KEENE, NH 03431
10599	U. S. UNDERWRITERS INSURANCE COMPANY	316 NORTH FIFTH STREET SIXTH FLOOR BISMARCK, ND 58501
10558	UNITED NATIONAL SPECIALTY INSURANCE COMPANY	411 EAST WISCONSIN AVENUE SUITE 700 MILWAUKEE, WI 53202
64798	UNITED SPECIALTY INSURANCE COMPANY	160 GREENTREE DRIVE SUITE 101 DOVER, DE 19904
82097	UTICA SPECIALTY RISK INSURANCE COMPANY	2435 N CENTRAL EXPRESSWAY SUITE 400 RICHARDSON, TX 75080
79945	VALIANT SPECIALTY INSURANCE COMPANY	BRANDYINE VILLAGE 1807 NORTH MARKET STREET WILMINGTON, DE 19802
10605	VOYAGER INDEMNITY INSURANCE COMPANY	260 INTERSTATE NORTH CIRCLE NW ATLANTA, GA 30339
10607	WESTCHESTER SURPLUS LINES INSURANCE COMPANY	500 COLONIAL CENTER PARKWAY SUITE 200 ROSWELL, GA 30076
10608	WESTERN HERITAGE INSURANCE COMPANY	9200 E. PIMA CENTER PKWY SUITE 350 SCOTTSDALE, AZ 85258
10610	WESTERN WORLD INSURANCE COMPANY	50 WASHINGTON STREET KEENE, NH 03431
49219	WILSHIRE INSURANCE COMPANY	702 OBERLIN ROAD RALEIGH, NC 27605-0800
70201	WIND RIVER REINSURANCE COMPANY, LTD	PURVIS HOUSE VICTORIA PLACE HAMILTON, Bermuda HM 10
10604	XL SELECT INSURANCE COMPANY	1209 ORANGE STREET WILMINGTON, DE 19801
10611	ZC SPECIALTY INSURANCE COMPANY	400 WEST 15TH STREET SUITE 710 AUSTIN, TX 78701

[Pa.B. Doc. No. 10-1305. Filed for public inspection July 16, 2010, 9:00 a.m.]

Geisinger Health Plan; Prehearing

Appeal of Geisinger Health Plan under 40 P. S. §§ 991.2101—991.2193; Thomas D. Keeler; Doc. No. HC10-06-009

Under 40 P. S. §§ 991.2101—991.2193, notice is given that the appellant in this action has requested a hearing, in connection with the appellant's managed health care plan. The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), 1 Pa. Code Part II (relating

to General Rules of Administrative Practice and Procedure) and any other relevant procedure provisions of law.

A prehearing telephone conference initiated by the Administrative Hearings Office shall be conducted on August 26, 2010, at 9:30 a.m. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before August 24, 2010. A date for a hearing shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any,

must be filed on or before August 10, 2010, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any shall be filed on or before August 24, 2010.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 10-1306. Filed for public inspection July 16, 2010, 9:00 a.m.]

Pennsylvania 2009 Private Passenger Automobile Data Call (Act 6 Data Call)

Each year, the Insurance Department (Department) conducts routine "Data Calls" to companies licensed to write motor vehicle insurance in this Commonwealth. Data Calls are used to monitor the auto insurance marketplace and to collect data for statutory reports. On July 2, 2010, the Department sent notification of Data Calls to be completed by companies who are licensed to write private passenger automobile insurance in this Commonwealth. The 2009 Data Call letter, instructions and data formats are available on the Department's web site <http://www.insurance.pa.gov>.

Companies with Pennsylvania private passenger automobile direct written premium in 2009 are required to complete Parts 1 and 2. Data for more than one insurance company may not be combined into a single submission. This information is to be submitted to the Department no later than October 15, 2010.

Insurance companies with no Pennsylvania private passenger automobile direct written premium in 2009 are required to submit only Part 2. This is to be submitted to the Department no later than October 15, 2010.

Consistent with previous Data Calls, the Department will consider the data submitted as proprietary and handle the data accordingly. See the instructions for additional information regarding the completion of the individual parts.

Submissions and inquires should be directed to Bojan Zorkic, Insurance Department, Insurance Product Regulation and Administration, 1311 Strawberry Square, Harrisburg, PA 17120, bzorkic@state.pa.us, (717) 787-6968).

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 10-1307. Filed for public inspection July 16, 2010, 9:00 a.m.]

LEGISLATIVE REFERENCE BUREAU

Documents Filed But Not Published

The Legislative Reference Bureau (Bureau) accepted the following documents during the preceding calendar

month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of *Bulletin*). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no documents have been received. For questions concerning or copies of documents filed, but not published, call (717) 783-1530.

Executive Board

Resolution No. CB-10-002, Dated May 26, 2010. Attached is the Executive Board Resolution which authorizes the Memorandum of Agreement between the Commonwealth of Pennsylvania and AFSCME regarding PA Conservation Corps Crew Leaders effective January 1, 2009, through June 30, 2010.

Resolution No. CB-10-003, Dated May 26, 2010. Attached is the Executive Board Resolution which authorizes the side letter with AFSCME regarding the reimbursements and pay increases for certain employees with CPA licensure in the Department of Revenue, Bureau of Audits.

Resolution No. CB-10-004, Dated June 15, 2010. Attached is the Executive Board Resolution authorizing the implementation of the recent interest arbitration award for Game Conservation Officers for the period of July 1, 2008, through June 30, 2012.

Governor's Office

Management Directive No. 215.8—Contractor Integrity Provisions for Commonwealth Contracts, Amended June 17, 2010.

Management Directive No. 245.15—Pennsylvania Statewide Radio Network, Amended June 24, 2010.

Management Directive No. 250.1—The Sunshine Act, Advertising Public Meetings, Amended June 24, 2010.

Management Directive No. 530.17—Partial and Full-Day Closings of State Offices, Amended May 25, 2010.

Administrative Circular No. 10-08—Closing Instruction No. 4, 2009-10 Fiscal Year; Funds Blocking/Lapse Transactions and Reporting Deadlines, Dated May 20, 2010.

Administrative Circular No. 10-09—Closing Instruction No. 5, 2009-10 Fiscal Year; Year-End Processing Deadlines, Dated May 20, 2010.

Administrative Circular No. 10-10—Revenue Estimates, 2011-12 Fiscal Years, Dated June 21, 2010.

MARY JANE PHELPS,
Director
Pennsylvania Code and Bulletin

[Pa.B. Doc. No. 10-1308. Filed for public inspection July 16, 2010, 9:00 a.m.]

PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY

**Application for the Volunteer Fire Company and
Volunteer Ambulance Services Grant Program**

This notice provides information about the Volunteer Fire Company and Volunteer Ambulance Services Grant

Program (Program). Volunteer fire companies and volunteer ambulance services seeking grants under the Program shall submit completed applications no later than 4 p.m. on October 22, 2010. Written instructions and guidelines for the Program will be available online at the Office of State Fire Commissioner (Commissioner) web site www.osfc.state.pa.us no later than September 1, 2010. Grant applications will be available online at the Commissioner's web site no later than September 7, 2010.

This notice is provided in accordance with section 302.1 of the Volunteer Fire Company and Volunteer Ambulance Service Grant Act (35 P. S. § 6942.302.1).

ROBERT P. FRENCH,
Director

[Pa.B. Doc. No. 10-1309. Filed for public inspection July 16, 2010, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Acquisition of Tangible Property

A-2010-2185172 and P-2010-2185173. Trigen-Philadelphia Energy Corporation. Application of Trigen-Philadelphia Energy Corporation for approval of the acquisition by long-term lease of tangible property between the Trustees of the University of Pennsylvania and Trigen; and the petition of Trigen-Philadelphia Energy Corporation for approval of economic development and load stabilization rider agreement and related operations and maintenance agreement.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before August 2, 2010. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

Applicant: Trigen-Philadelphia Energy Corporation

Through and By Counsel: Barnett Satinsky, Esquire, Christine Soares, Esquire, Fox Rothschild, LLP, 2000 Market Street, 20th Floor, Philadelphia, PA 19103-3222

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 10-1310. Filed for public inspection July 16, 2010, 9:00 a.m.]

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made

with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by August 2, 2010. 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-2010-2182939. Continental Limousine Service, LLC (400 East King Street, Suite 3, Malvern, Chester County, PA 19355)—for the right to begin, as a common carrier, persons in limousine service, from points in the Counties of Chester, Montgomery, Bucks, Delaware, York, Lancaster, Berks, Lehigh, Northampton and Philadelphia, to points in Pennsylvania, and return, excluding areas under the jurisdiction of the Philadelphia Parking Authority.

A-2010-2183554. Meadville Area Ambulance Service, LLC (592 Williamson Road, Meadville, Crawford County, PA 16335)—a limited liability company of the Commonwealth—for the right to begin to transport persons, in paratransit service, from points in Crawford County to points in Pennsylvania, and return. *Attorney:* David M. O'Boyle, Wick, Streiff, Meyer, O'Boyle & Szeligo, P.C., 1450 Two Chatham Center, Pittsburgh, PA 15219.

A-2010-2184603. Wyoming Valley Professional Ambulance Service, Inc. (842 East Northampton Street, Wilkes-Barre, Luzerne County, PA 18702), a corporation of the Commonwealth—persons, in paratransit service, between points in Pennsylvania, and return.

A-2010-2184921. 1st Choice Limousine & Transportation Group, LLC (526 Mockingbird Way, Warrington, Bucks County, PA 18976), a limited liability company of the Commonwealth—persons, in limousine service, from points in the Counties of Montgomery, Bucks, Delaware and Chester, to points in Pennsylvania, and return, excluding service that is under the jurisdiction of the Philadelphia Parking Authority. *Attorney:* David P. Temple, Gallagher, Malloy & Georges, Suite 1100, 1760 Market Street, Philadelphia, PA 19103-9104.

A-2010-2185476. Valley Forge Limo Co., LLC (931 Penn Circle, Unit B-206, King of Prussia, Montgomery County, PA 19406), a limited liability company of the Commonwealth—persons, in limousine service, from points in the Counties of Montgomery, Bucks, Delaware, Chester and Lehigh, to points in Pennsylvania, and return, excluding service which is under the jurisdiction of the Philadelphia Parking Authority. *Attorney:* David P. Temple, Esquire, Gallagher, Malloy & Georges, 1760 Market Street, Suite 1100, Philadelphia, PA 19103-4104.

A-2010-2185923. Benjamin Pickel (P. O. Box 212, Rons, Lancaster County, PA 17572), for the right to begin to transport persons, in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Lancaster County, to points in Pennsylvania, and return.

A-2010-2186028. Tastings and Tours, LLC, t/a Tastings and Tours, a limited liability company of the Commonwealth (894 Doyletown Pike, Quakertown, Bucks County, PA 18951)—persons on private winery and brewery tours, in group and party service, in vehicles seating 11 to 15 passengers, including the driver, between points in the Counties of Bucks, Lehigh, Northampton and Berks.

Application of the following for approval to begin operating as a broker for transportation of persons as described under the application.

A-2010-2186051. Access Transport Services Holding, Inc., d/b/a Accesson Time (3210 Lake Emma Road, Suite 3090, Lake Mary, FL 32746), a corporation of the State of Delaware—brokerage license—for the transportation of persons between points in Pennsylvania. *Attorney:* Christopher A. Lewis, Blank Rome, LLP, 130 North 18th Street, 16th Floor, One Logan Square, Philadelphia, PA 19103.

Application of the following for the approval of the transfer of stock as described under the application.

A-2010-2184889. Allegheny Valley Transfer Co. (1512 Lebanon Church Road, Pittsburgh, Allegheny County, PA 15236)—a corporation of the Commonwealth—approval of the transfer of 50 shares of the issued stock, from the estate of Howard A. Jessup to Mary L. Jessup. *Attorney:* David M. O'Boyle, 1450 Two Chatham Center, 112 Washington Place, Pittsburgh, PA 152198-3455.

Applications 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 each application.

A-2010-2183872. Michael Lee and Trudy Kay Bennett, Tenants by Entirety, t/a Bennett's Limousine Company (339 Frosty Valley Road, Danville, Columbia County, PA 17815)—for the discontinuance of service and cancellation of its certificate as a common carrier, persons in limousine service, between points in the Counties Columbia, Montour and Sullivan, and from points in said counties, to points in Pennsylvania, and return.

A-2010-2183889. William F. March t/a Eagle Valley Transportation (2298 William Penn Way, Lancaster, Lancaster County, PA 17601)—for the discontinuance of service and cancellation of its certificate as a common carrier, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the County of Lancaster, to points in Pennsylvania, and return.

A-2010-2183905. Robert Weir (284 South Sandy Hill Road, Coatesville, Chester County, PA 19320)—for the discontinuance of service and cancellation of its certificate as a common carrier, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the County of Chester, to points in Pennsylvania, and return.

A-2010-2185213. Daniel D. Paugh (187 Keefer Lane, New Columbia, Union County, PA 17856)—for the discontinuance of service and cancellation of his certificate, as a common carrier, by motor vehicle, authorizing the transportation of persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating vehicles, from: (1) points in the Township of White Deer, Union County, and within 35 statute miles of said township, to points in Pennsylvania, and return; and (2) from points in the Township of Watsonstown, Northumberland County, and within 35 statute miles of said township, to points in Pennsylvania, and return.

Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Westmoreland Aerosports, Inc., t/a A Sky Limousine;
Doc. No. C-2010-2087754

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Westmoreland Aerosports, Inc., t/a A Sky Limousine, respondent, maintains its principal place of business at 4039 Benden Circle, Murrysville, Westmoreland County, PA 15668.

2. That respondent was issued a certificate of public convenience by this Commission on May 17, 2004, at Application Docket No. A-00120542 for group and party 11—15 authority.

3. Pursuant to 66 Pa.C.S. § 506, duly authorized officers of the PA Public Utility Commission have the power and authority to inspect, inquire, and investigate all property, records, books, papers, accounts, and documents, of any public utility, whenever necessary, in carrying out their duties.

4. On June 1, 9, 17, 25, and July 1, 2009, Enforcement Officer Andrew Rosenberger, of the Pittsburgh District Office, attempted to contact respondent by telephone to schedule its annual inspection of its vehicles. Each attempt was unsuccessful and each time Officer Rosenberger left a voice mail message. On July 20, 2009, Officer Rosenberger visited respondent's place of business and left a typed message advising respondent to contact the Pittsburgh District Office to schedule its annual inspection. On July 22, 2009, the Pittsburgh District Office sent a certified letter to the respondent advising them to make their group and party vehicles available for inspection on July 30, 2009, at 9:30 a.m. On July 30, 2009, Officer Rosenberger arrived at 4039 Benden Circle, Murrysville, at 9:00 a.m. The respondent did not arrive and Officer Rosenberger left at 10:00 a.m. The certified letter sent by the Pittsburgh District Office on July 22, 2009, was returned "unclaimed" on August 11, 2009. A certified letter dated November 10, 2009 was sent to carrier advising carrier that its annual inspection of limousines was scheduled for November 30, 2009, at 10:00 a.m. The letter also advised the carrier that penalties would be imposed, including cancellation of its certificate of public convenience, if the carrier did not cooperate with its inspection. The November 10, 2009 certified letter was served on November 30, 2009. On November 30, 2009, Officer Rosenberger arrived at the carrier's place of business and waited until 3:30 p.m. and then left because the carrier did not arrive. As of this date, the respondent has not contacted the Pittsburgh District Office to schedule its annual inspection and has not cooperated with the Commission in aid of its inspection of its group and party 11—15 operations.

5. That respondent, by failing to cooperate with an officer's continuous attempt to inspect its transportation operation, violated 66 Pa.C.S. § 505. The penalty is \$500.00 per day, with a maximum penalty of \$10,000.00 for one month, for a total penalty of \$10,000.00.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Westmoreland Aerosports, Inc., t/a A Sky Limousine the sum of ten thousand dollars (\$10,000.00), for the illegal activity described in this complaint, and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,
 Wendy J. Keezel, Chief of Enforcement
 Motor Carrier Services & Enforcement Division
 Bureau of Transportation and Safety
 P. O. Box 3265
 Harrisburg, PA 17105-3265

VERIFICATION

I, Wendy J. Keezel, Chief of Enforcement for the Motor Carrier Services and Enforcement Division of the Bureau of Transportation and Safety, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect the Bureau will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____

Wendy J. Keezel, Chief of Enforcement
 Motor Carrier Services and Enforcement
 Division
 Bureau of Transportation and Safety

NOTICE

A. You must file an answer within twenty (20) days of the date of service of this complaint. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice, 52 Pa. Code § 1.56(a). An answer is a written explanation of circumstances wished to be considered in determining the outcome. The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this complaint. Your answer must be verified and the original and three (3) copies sent to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty (20) days, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty. The penalty could include a fine, the suspension or revocation of your certificate of public convenience or other remedy.

C. You may elect not to contest this complaint by paying the fine proposed in this complaint by certified check or money order. Payment must be made to the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

D. If you file an Answer which admits or fails to deny the allegations of the Complaint, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty.

E. If you file an answer which contests the complaint, the matter will be assigned to an administrative law judge for hearing and decision.

F. If you have questions regarding this Complaint or if you would like an alternative format of this complaint (for persons with disabilities) please contact the Compliance Office at (717) 787-1227.

*Pennsylvania Public Utility Commission Bureau of
 Transportation and Safety v. Martin Kabachia Kamau;
 Doc. No. C-2009-2135513*

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That all authority issued to Martin Kabachia Kamau (respondent) is under suspension effective October 14, 2009, for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 710 Hanover Manor, 207E, Carlisle, PA 17013.

3. That respondent was issued a Certificate of Public Convenience by this Commission on April 28, 2008, at A-00122348.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The penalty is \$250 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$250 and causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Transportation and Safety Prosecutory Staff will request that the Commission issue an Order which: (1) cancels the Certificate of Public Convenience held by respondent at A-00122348 for failure to maintain evidence of current insurance on file with the Commission; (2) fines Respondent the sum of two hundred and fifty dollars (\$250.00) for the illegal activity described in this Complaint; (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration; and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement
 Motor Carrier Services & Enforcement Division
 Bureau of Transportation and Safety
 P. O. Box 3265
 Harrisburg, PA 17105-3265

VERIFICATION

I, Wendy J. Keezel, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in

this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____

Wendy J. Keezel, Chief of Enforcement
Motor Carrier Services and Enforcement
Division
Bureau of Transportation and Safety

NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified and the original and three (3) copies sent to:

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within twenty (20) days of the date of service, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty. Pursuant to 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the revocation of your Certificate of Public Convenience, or any other remedy as may be appropriate. Each day you continue to violate any regulation, direction, requirement, determination or Order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the \$250 fine proposed in the Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Transportation
and Safety
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Acord Certificates of Insurance and Faxed Form Es and Hs are Unacceptable as Evidence of Insurance.

The fine payment must be made to the Commonwealth of Pennsylvania and forwarded to:

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations.

Upon receipt of the evidence of insurance from your insurer and receipt of your fine payment, the Complaint proceeding shall be closed.

D. If you file an Answer which admits or fails to deny the allegations of the Complaint, the Bureau of Transportation and Safety will request that the Commission issue

an Order imposing a penalty, which may include the cancellation of your Certificate of Public Convenience. Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

F. If you have questions regarding this Complaint or if you would like an alternative format of this Complaint (for persons with disabilities), please contact the Compliance Office at (717) 787-1227.

*Pennsylvania Public Utility Commission, Bureau of
Transportation and Safety v. Alpha Moving & Storage
(PA), Inc., t/a A Pioneer Moving System;
Doc. No. C-2010-2172261*

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other Bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Alpha Moving & Storage (PA), Inc., t/a A Pioneer Moving System, Respondent, maintains its principal place of business at 13451 Damar Drive, Philadelphia, PA 19116.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on April 1, 1999, at Application Docket No. A-00115139, F.2.

3. That on December 20, 2007, Respondent received an initial assessment of \$431.00. On August 29, 2008, Respondent received an initial assessment of \$440.00, and on September 9, 2009, Respondent received an initial assessment of \$462.00. Respondent failed to pay these assessments; therefore, a balance was due in the amount of \$1,333.00.

4. That Respondent has an outstanding assessment of \$1,333.00.

5. That Respondent failed to file objections to the assessment, pursuant to 66 Pa.C.S. § 510(c).

6. That Respondent, by failing to pay the assessment, violated the Public Utility Code at 66 Pa.C.S. § 510(c).

Wherefore, unless Respondent pays the overdue assessment in full within twenty days of the date of service of this Complaint, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission issue an Order which cancels the Certificate of Public Convenience issued to Respondent, notifies the Pennsylvania Department of Revenue that Respondent's Certificate of Public Convenience has been revoked, notifies Respondent's insurance carrier that Respondent's Certificate of Public Convenience has been revoked, and imposes an additional fine on the Respondent.

Respectfully submitted,
 Wendy J. Keezel, Chief of Enforcement
 Motor Carrier Services & Enforcement Division
 Bureau of Transportation and Safety
 P. O. Box 3265
 Harrisburg, PA 17105-3265

VERIFICATION

I, Wendy J. Keezel, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____

Wendy J. Keezel, Chief of Enforcement
 Motor Carrier Services and Enforcement
 Division
 Bureau of Transportation and Safety

NOTICE

A. You must file an Answer within twenty days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified and the original and three copies sent to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within twenty days, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty. Pursuant to 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the revocation of your Certificate of Public Convenience, or any other remedy as may be appropriate.

C. You may elect not to contest this Complaint by paying your outstanding assessment within twenty (20) days. Your certified check or money order for the assessment should be payable to the Commonwealth of Pennsylvania and should be forwarded to:

Bureau of Administrative Services
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Transportation and Safety will request the Commission to issue an Order imposing a penalty (see Paragraph B). Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an administrative law judge for hearing and decision. The judge is not bound by the penalty set forth in Paragraph B.

F. If you have questions regarding this Complaint, or if you would like an alternative format of this Complaint for persons with disabilities, please contact the Compliance Office at 717-787-1227.

*Pennsylvania Public Utility Commission, Bureau of
 Transportation and Safety v. S & V Cab Co.;*
Doc. No. C-2010-2132483, A-00116863

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings, which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That S & V Cab Co., Respondent, maintains a principal place of business at 1100 Spring Street, Philadelphia, PA 19123.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on June 14, 2000, at A-00116863.

3. That Respondent was advised by letter dated May 10, 2005, that its medallion authority was being transferred to the Philadelphia Parking Authority. At that time, Respondent was advised that its taxicab service which had an origin and destination outside of the City of Philadelphia remained subject to the regulatory oversight of the PA PUC.

4. That Respondent was advised by letter dated September 11, 2009, that it failed to file a valid tariff with this Commission as required by 52 Pa. Code § 23.11. Respondent was provided 60 days to file an acceptable tariff. To date, Respondent has not filed an acceptable tariff. The Bureau of Transportation and Safety's Motor Carrier Services and Enforcement Prosecutory Staff's proposed civil penalty for this violation is \$250.00.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine S & V Cab Co., the sum of two hundred and fifty dollars (\$250.00) for the illegal activity described in the complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement
 Motor Carrier Services & Enforcement Division
 Bureau of Transportation and Safety
 P. O. Box 3265
 Harrisburg, PA 17105-3265

VERIFICATION

I, Wendy J. Keezel, Chief of Enforcement for the Motor Carrier Services and Enforcement Division of the Bureau of Transportation and Safety, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect the Bureau will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____

Wendy J. Keezel, Chief of Enforcement
 Motor Carrier Services and Enforcement
 Division
 Bureau of Transportation and Safety

NOTICE

A. You must file an answer within twenty (20) days of the date of service of this complaint. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice, 52 Pa. Code § 1.56(a). An answer is a written explanation of circumstances wished to be considered in determining the outcome. The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this complaint. Your answer must be verified and the original and three (3) copies sent to:

James J. McNulty, Secretary
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty (20) days of the date of service, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty. Each day you continue to violate any regulation, direction, requirement or Order of the Commission is a separate and distinct offense, subject to additional penalties.

D. You may elect not to contest this complaint by filing an acceptable tariff and by paying the fine proposed in this Complaint by certified check or money order. The tariff must be filed with the:

Compliance Office, Bureau of Transportation
 and Safety
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

The fine payment must be made to the Commonwealth of Pennsylvania and should be forwarded to:

James J. McNulty, Secretary
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of an acceptable tariff and payment of the proposed fine, the complaint proceeding shall be closed.

E. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty.

F. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

G. If you have questions regarding this Complaint or if you would like an alternative format to this Complaint (for persons with disabilities), please contact the Compliance Office at (717) 787-1227.

*Pennsylvania Public Utility Commission, Bureau of
 Transportation and Safety v. La Cayenne Cab Co.;*
Doc. No. C-2010-2131211, A-00116158

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has del-

egated its authority to initiate proceedings, which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That La Cayenne Cab Co., Respondent, maintains a principal place of business at 1336 Arrott Street, Apt. A12A, Philadelphia, PA 19134.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on September 24, 1999, at A-00116158.

3. That Respondent was advised by letter dated May 10, 2005, that its medallion authority was being transferred to the Philadelphia Parking Authority. At that time, Respondent was advised that its taxicab service which had an origin and destination outside of the City of Philadelphia remained subject to the regulatory oversight of the PA PUC.

4. That Respondent was advised by letter dated September 4, 2009, that it failed to file a valid tariff with this Commission as required by 52 Pa. Code § 23.11. Respondent was provided 60 days to file an acceptable tariff. To date, Respondent has not filed an acceptable tariff. The Bureau of Transportation and Safety's Motor Carrier Services and Enforcement Prosecutory Staff's proposed civil penalty for this violation is \$250.00.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine La Cayenne Cab Co., the sum of two hundred and fifty dollars (\$250.00) for the illegal activity described in the complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement
 Motor Carrier Services & Enforcement Division
 Bureau of Transportation and Safety
 P. O. Box 3265
 Harrisburg, PA 17105-3265

VERIFICATION

I, Wendy J. Keezel, Chief of Enforcement for the Motor Carrier Services and Enforcement Division of the Bureau of Transportation and Safety, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect the Bureau will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____

Wendy J. Keezel, Chief of Enforcement
 Motor Carrier Services and Enforcement
 Division
 Bureau of Transportation and Safety

NOTICE

A. You must file an answer within twenty (20) days of the date of service of this complaint. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice, 52 Pa. Code § 1.56(a). An answer is a written explanation of circumstances wished to be considered in determining the outcome. The answer shall raise all factual and legal arguments that you wish to claim in your defense and

must include the reference number of this complaint. Your answer must be verified and the original and three (3) copies sent to:

James J. McNulty, Secretary
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty (20) days of the date of service, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty. Each day you continue to violate any regulation, direction, requirement or Order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this complaint by filing an acceptable tariff and by paying the fine proposed in this Complaint by certified check or money order. The tariff must be filed with the:

Compliance Office, Bureau of Transportation
 and Safety
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

The fine payment must be made to the Commonwealth of Pennsylvania and should be forwarded to:

James J. McNulty, Secretary
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of an acceptable tariff and payment of the proposed fine, the complaint proceeding shall be closed.

D. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

F. If you have questions regarding this Complaint or if you would like an alternative format to this Complaint (for persons with disabilities), please contact the Compliance Office at (717) 787-1227.

*Pennsylvania Public Utility Commission, Bureau of
 Transportation and Safety v. J & H Cab Co.;*
Doc. No. C-2010-2131185, A-00110142

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings, which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That J & H Cab Co., Respondent, maintains a principal place of business at 325 Brigade Court, Wayne, PA 19087.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on January 25, 1993, A-00110142.

3. That Respondent was advised by letter dated May 10, 2005, that its medallion authority was being transferred to the Philadelphia Parking Authority. At that time, Respondent was advised that its taxicab service which had an origin and destination outside of the City of Philadelphia remained subject to the regulatory oversight of the PA PUC.

4. That Respondent was advised by letter dated September 4, 2009, that it failed to file a valid tariff with this Commission as required by 52 Pa. Code § 23.11. Respondent was provided 60 days to file an acceptable tariff. To date, Respondent has not filed an acceptable tariff. The penalty is \$250.00.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine J & H Cab Co., the sum of two hundred and fifty dollars (\$250.00) for the illegal activity described in the complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement
 Motor Carrier Services & Enforcement Division
 Bureau of Transportation and Safety
 P. O. Box 3265
 Harrisburg, PA 17105-3265

VERIFICATION

I, Wendy J. Keezel, Chief of Enforcement for the Motor Carrier Services and Enforcement Division of the Bureau of Transportation and Safety, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect the Bureau will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____
 Wendy J. Keezel, Chief of Enforcement
 Motor Carrier Services and Enforcement
 Division
 Bureau of Transportation and Safety

NOTICE

A. You must file an answer within twenty (20) days of the date of service of this complaint. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice, 52 Pa. Code § 1.56(a). An answer is a written explanation of circumstances wished to be considered in determining the outcome. The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this complaint. Your answer must be verified and the original and three (3) copies sent to:

James J. McNulty, Secretary
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty (20) days of the date of service, the Bureau of Transporta-

tion and Safety will request that the Commission issue a Secretarial Letter imposing a penalty. Each day you continue to violate any regulation, direction, requirement or Order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this complaint by filing an acceptable tariff and by paying the fine proposed in this Complaint by certified check or money order. The tariff must be filed with the:

Compliance Office, Bureau of Transportation
and Safety
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

The fine payment must be made to the Commonwealth of Pennsylvania and should be forwarded to:

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of an acceptable tariff and payment of the proposed fine, the complaint proceeding shall be closed.

D. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

F. If you have questions regarding this Complaint or if you would like an alternative format to this Complaint (for persons with disabilities), please contact the Compliance Office at (717) 787-1227.

*Pennsylvania Public Utility Commission, Bureau of
Transportation and Safety v. Wlawala Cab Co.;*
Doc. No. C-2010-2135200, A-00118559

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings, which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Wlawala Cab Co., Respondent, maintains a principal place of business at 1100 Spring Garden Street, Philadelphia, PA 19123.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on March 28, 2002, at A-00118559.

3. That Respondent was advised by letter dated May 10, 2005, that its medallion authority was being transferred to the Philadelphia Parking Authority. At that time, Respondent was advised that its taxicab service

which had an origin and destination outside of the City of Philadelphia remained subject to the regulatory oversight of the PA PUC.

4. That Respondent was advised by letter dated September 11, 2009, that it failed to file a valid tariff with this Commission as required by 52 Pa. Code § 23.11. Respondent was provided 60 days to file an acceptable tariff. To date, Respondent has not filed an acceptable tariff. The Bureau of Transportation and Safety's Motor Carrier Services and Enforcement Prosecutory Staff's proposed civil penalty for this violation is \$250.00.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Wlawala Cab Co., the sum of two hundred and fifty dollars (\$250.00) for the illegal activity described in the complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement
Motor Carrier Services & Enforcement Division
Bureau of Transportation and Safety
P. O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, Wendy J. Keezel, Chief of Enforcement for the Motor Carrier Services and Enforcement Division of the Bureau of Transportation and Safety, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect the Bureau will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____

Wendy J. Keezel, Chief of Enforcement
Motor Carrier Services and Enforcement
Division
Bureau of Transportation and Safety

NOTICE

A. You must file an answer within twenty (20) days of the date of service of this complaint. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice, 52 Pa. Code § 1.56(a). An answer is a written explanation of circumstances wished to be considered in determining the outcome. The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this complaint. Your answer must be verified and the original and three (3) copies sent to:

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty (20) days of the date of service, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty. Each day you continue to violate any regulation, direction, requirement or Order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this complaint by filing an acceptable tariff and by paying the fine proposed in this Complaint by certified check or money order. The tariff must be filed with the:

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and Safety
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

The fine payment must be made to the Commonwealth of Pennsylvania and should be forwarded to:

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of an acceptable tariff and payment of the proposed fine, the complaint proceeding shall be closed.

D. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

F. If you have questions regarding this Complaint or if you would like an alternative format to this Complaint (for persons with disabilities), please contact the Compliance Office at (717) 787-1227.

*Pennsylvania Public Utility Commission, Bureau of
Transportation and Safety v. Dialmaad Cab, Inc.;*
Doc. No. C-2010-2133704, A-00117459

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings, which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Dialmaad Cab, Inc., Respondent, maintains a principal place of business at 1100 Spring Garden Street, Philadelphia, PA 19123.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on August 6, 2001, at A-00117459.

3. That Respondent was advised by letter dated May 10, 2005, that its medallion authority was being transferred to the Philadelphia Parking Authority. At that time, Respondent was advised that its taxicab service which had an origin and destination outside of the City of Philadelphia remained subject to the regulatory oversight of the PA PUC.

4. That Respondent was advised by letter dated September 11, 2009, that it failed to file a valid tariff with this Commission as required by 52 Pa. Code § 23.11. Respondent was provided 60 days to file an acceptable tariff. To date, respondent has not filed an acceptable tariff. The Bureau of Transportation and Safety's Motor

Carrier Services and Enforcement Prosecutory Staff's proposed civil penalty for this violation is \$250.00.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Dialmaad Cab Inc., the sum of two hundred and fifty dollars (\$250.00) for the illegal activity described in the complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement
Motor Carrier Services & Enforcement Division
Bureau of Transportation and Safety
P. O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, Wendy J. Keezel, Chief of Enforcement for the Motor Carrier Services and Enforcement Division of the Bureau of Transportation and Safety, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect the Bureau will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____
Wendy J. Keezel, Chief of Enforcement
Motor Carrier Services and Enforcement
Division
Bureau of Transportation and Safety

NOTICE

A. You must file an answer within twenty (20) days of the date of service of this complaint. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice, 52 Pa. Code § 1.56(a). An answer is a written explanation of circumstances wished to be considered in determining the outcome. The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this complaint. Your answer must be verified and the original and three (3) copies sent to:

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty (20) days of the date of service, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty. Each day you continue to violate any regulation, direction, requirement or Order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this complaint by filing an acceptable tariff and by paying the fine proposed in this Complaint by certified check or money order. The tariff must be filed with the:

Compliance Office, Bureau of Transportation
and Safety
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

The fine payment must be made to the Commonwealth of Pennsylvania and should be forwarded to:

James J. McNulty, Secretary
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of an acceptable tariff and payment of the proposed fine, the complaint proceeding shall be closed.

D. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

F. If you have questions regarding this Complaint or if you would like an alternative format to this Complaint (for persons with disabilities), please contact the Compliance Office at (717) 787-1227.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 10-1311. Filed for public inspection July 16, 2010, 9:00 a.m.]

Transfer by Sale

A-2010-2185999 and A-2010-2186003. WJM Services, Inc. Joint application filed Nunc Pro Tunc of WJM Services, Inc. for approval of the: 1) transfer by sale of the Wastewater Facilities and Rights of Bradford Heights to WJM Services, Inc.; 2) the commencement by WJM Services, Inc. of wastewater service in the certificated service territory of Bradford Heights; and 3) the abandonment by Bradford Heights of all wastewater service to the public in this Commonwealth.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before August 2, 2010. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

Applicants: WJM Services, Inc., Bradford Heights Woodland Properties Management, LLC

Through and By Counsel: Daniel P. Delaney, Esquire, K & L Gates, LLP, 17 North Second Street, 18th Floor, Harrisburg, PA 17101-1507

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 10-1312. Filed for public inspection July 16, 2010, 9:00 a.m.]

PENNSYLVANIA STIMULUS OVERSIGHT COMMISSION

Public Meeting

The next public meeting of the Pennsylvania Stimulus Oversight Commission is scheduled for Thursday, July 22, 2010, at 9:30 a.m. in the William Pitt Union Ballroom of the University of Pittsburgh, 4200 5th Avenue, Pittsburgh, PA 15201.

RONALD NAPLES,
Chairperson

[Pa.B. Doc. No. 10-1313. Filed for public inspection July 16, 2010, 9:00 a.m.]

STATE POLICE

Mobile Video Recording System Equipment Standards and Approved Mobile Video Recording Systems

The State Police, under 18 Pa.C.S. §§ 5704(16)(ii)(C) and 5706(b)(4) (relating to exceptions to prohibition of interception and disclosure of communications; and exceptions to prohibitions in possession, sale, distribution, manufacture or advertisement of electronic, mechanical or other devices), published at 34 Pa.B. 1304 (February 28, 2004) a notice of Mobile Video Recording System Equipment Standards and Approved Mobile Video Recording Systems for use until the next comprehensive list is published.

As an addendum to the listing of approved mobile video recording systems published at 34 Pa.B. 1304, the State Police, under the authority cited previously, has approved for use, until the next comprehensive list is published, subject to interim amendment, the following additional approved mobile video recording system, which meets the minimum equipment standards published at 34 Pa.B. 1304:

WatchGuard DV-1 Mobile Video Recorder, WatchGuard Video, Plano, TX

Comments, suggestions or questions should be directed to State Police, Bureau of Patrol, Department Headquarters, 1800 Elmerton Avenue, Harrisburg, PA 17110.

COLONEL FRANK E. PAWLOWSKI,
Commissioner

[Pa.B. Doc. No. 10-1314. Filed for public inspection July 16, 2010, 9:00 a.m.]

STATE TAX EQUALIZATION BOARD

2009 Common Level Ratios

The State Tax Equalization Board (Board) has established a Common Level Ratio for each county in this Commonwealth for the calendar year 2009. The ratios were mandated by the act of December 13, 1982 (P. L. 1158, No. 267).

The law requires the Board to use statistically acceptable techniques, to make the methodology for computing ratios public and to certify, prior to July 1, the ratio to the Chief Assessor of each county each year.

The statistical technique which the Board used for the 2009 Common Level Ratio is to determine the arithmetic mean of the individual sales ratios for every valid sale received from the county for the calendar year 2009.

The methodology used is to include every valid sale with a ratio from 1% to 100% and compute a mean. Using this mean as a base, the Board has defined high and low limits by multiplying and dividing this computed mean by 4. Using these computed limits, the Board has utilized the valid sales, rejecting those sales, which exceed the limits. The resulting arithmetic mean ratio is the ratio which the Board is certifying as the Common Level Ratio for each county for 2009.

There is one exception to this procedure. The original mean ratio for those counties which have a predetermined assessment ratio for 2009 of 100% will utilize valid sales from 1% to 200%.

The Common Level Ratios for 2009 are listed as follows.

2009 COMMON LEVEL RATIOS

<i>County</i>	<i>Ratio</i>
ADAMS	23.7
* ALLEGHENY	86.2
ARMSTRONG	36.1
BEAVER	29.9
* BEDFORD	23.7
* BERKS	70.1
BLAIR	8.9
BRADFORD	34.0
* BUCKS	10.9
* BUTLER	13.7
* CAMBRIA	35.5
CAMERON	32.5
CARBON	36.8
CENTRE	28.9
* CHESTER	55.4
* CLARION	26.3
CLEARFIELD	18.9
* CLINTON	96.9
COLUMBIA	27.1
CRAWFORD	36.0
* CUMBERLAND	80.1
* DAUPHIN	70.6
* DELAWARE	64.2
ELK	39.7
* ERIE	81.8
* FAYETTE	81.4
FOREST	23.5

<i>County</i>	<i>Ratio</i>
* FRANKLIN	12.3
* FULTON	29.1
* GREENE	84.6
HUNTINGDON	13.2
* INDIANA	17.6
* JEFFERSON	53.9
* JUNIATA	17.0
* LACKAWANNA	17.0
* LANCASTER	75.2
* LAWRENCE	84.8
* LEBANON	14.2
LEHIGH	32.2
* LUZERNE	99.7
* LYCOMING	82.7
* MCKEAN	84.6
* MERCER	34.2
MIFFLIN	47.2
MONROE	15.8
* MONTGOMERY	56.1
* MONTOUR	81.4
NORTHAMPTON	31.9
* NORTHUMBERLAND	24.3
* PERRY	69.5
PHILADELPHIA	32.0
PIKE	20.4
* POTTER	39.2
SCHUYLKILL	41.6
* SNYDER	19.9
SOMERSET	35.6
* SULLIVAN	67.8
SUSQUEHANNA	34.3
* TIOGA	73.7
* UNION	77.4
* VENANGO	93.5
WARREN	34.0
WASHINGTON	17.5
* WAYNE	72.2
* WESTMORELAND	23.1
WYOMING	21.9
* YORK	79.9
* Counties with a Predetermined Assessment Ratio of 100%	

JAMES A. ZURICK, Esq.,
Chairperson

[Pa.B. Doc. No. 10-1315. Filed for public inspection July 16, 2010, 9:00 a.m.]