

NOTICES

DEPARTMENT OF AGRICULTURE

Temporary Order Designating Dangerous Transmissible Diseases

The Department of Agriculture (Department) hereby issues a temporary order designating West Nile Encephalitis (WNE), Chronic Wasting Disease (CWD), Spring Viremia of Carp (SVC), Viral Hemorrhagic Septicemia (VHS), Lymphocytic Choriomeningitis Virus (LCMV) and the neurologic form of Equine Rhinopneumonitis or Equine Herpes Virus (EHV-1) as “dangerous transmissible diseases.” These designations are made under the authority of 3 Pa.C.S. §§ 2301–2389 (relating to the Domestic Animal Law).

This temporary order is the successor to a previous temporary order with respect to these same diseases, as published at 37 Pa.B. 6297 (December 1, 2007) that made the same dangerous transmissible disease designations. This previous temporary order will expire as of January 1, 2009.

Under 3 Pa.C.S. § 2327(a) (relating to disease surveillance and detection), the Department has authority to monitor the domestic animal population of this Commonwealth to determine the prevalence, incidence and location of transmissible diseases of animals. Under 3 Pa.C.S. § 2321(d) (relating to dangerous transmissible diseases), the Department has authority to declare a disease that has not been specifically identified in that statute as a “dangerous transmissible disease” to be a dangerous transmissible disease through issuance of a temporary order making that designation.

1. WNE

WNE is a disease of public health significance. It also poses a threat to domestic animal health and to the economic well being of domestic animal industries—particularly the equine industry. Section 2322(c) of 3 Pa.C.S. (relating to neoplastic diseases, metabolic diseases and heritable diseases) requires the Department to proceed with the agreement of the Department of Health (Health) when it adds a disease of public health significance to the list of designated dangerous transmissible diseases. Both the Department and Health agreed upon adding WNE to the list of dangerous transmissible diseases and to the reissuance of this temporary order.

WNE is an infection of the brain caused by the West Nile virus. Although West Nile virus has, in the past, been found most typically in Africa, Eastern Europe and West Asia, it was detected in the New York City area and in parts of New Jersey in 1999. It has spread across the United States since then. In mild cases of human disease, infection can cause fever, headache, body aches, skin rash and swollen lymph glands. In more severe cases, it can cause headache, high fever, neck stiffness, stupor, disorientation, coma, tremors, paralysis and occasional convulsions. In animals, horses and birds appear to be most susceptible to illness following infection, although reports of illness in other species are increasing.

Humans and animals can acquire West Nile virus through a bite from a mosquito that has bitten an infected bird. The designation of WNE as a “dangerous transmissible disease” will facilitate the Department’s

surveillance of birds, horses and other animals for the presence of the West Nile virus or WNE. The designation will also help the Department in providing assistance to Health and other public health agencies in monitoring and treatment efforts.

2. CWD

CWD is a disease of whitetail deer, elk and other cervids and is a member of the group of diseases known as transmissible spongiform encephalopathies (TSEs). Other more well-known TSEs are scrapie and bovine spongiform encephalopathy (BSE) or “mad cow” disease. All are thought to be caused by a protein that has converted to an abnormal infectious form known as a “prion.” There is some evidence, in the case of BSE, that humans may become infected through consumption of meat products containing central nervous system tissues, thus there is a significant public health interest concerning all TSEs.

A number of states have, in recent years, instituted import regulations requiring that cervids entering those states: (1) originate from herds that are participating in a surveillance program; and (2) originate from states that have authority to take action in the event that CWD is diagnosed. The designation of CWD as a “dangerous transmissible disease” will facilitate the development and oversight of a surveillance program and will help the Department react and take action in the event CWD is detected.

3. SVC

SVC is caused by a ribonucleic acid virus known as *Rhabdovirus carpio* and is considered an emerging disease in the United States. SVC poses a threat to both domestic fish health and wild fish health in this Commonwealth and has the potential to create a significant adverse economic impact on this Commonwealth’s aquaculture industry.

The SVC virus readily infects species of the *Cyprinidae* family (carp and minnows) and spreads through direct contact with infected fish and through shared infected water sources. Symptoms typically appear in the spring time as water temperatures increase. Symptoms in infected fish range from undetectable through mild disease to sudden massive die-off.

There is no specific treatment for fish infected with SVC and no vaccine to prevent the disease. Once natural water resources become infected, SVC may be impossible to eradicate and may pose a permanent threat to aquaculture facilities utilizing those water sources.

4. VHS

Viral hemorrhagic septicemia (VHS) virus is a serious pathogen of fresh and saltwater fish that is causing an emerging disease in the Great Lakes region of the United States and Canada. VHS virus is a rhabdovirus (rod shaped virus) that affects fish of all size and age ranges. It does not pose any threat to human health. VHS can cause hemorrhaging of fish tissue, including internal organs, and can cause the death of infected fish. Once a fish is infected with VHS, there is no known cure. Not all infected fish develop the disease, but they can carry and spread the disease to other fish. The World Organization of Animal Health has categorized VHS as a transmissible disease with the potential for profound socio-economic consequences.

5. *LCMV*

LCMV is known to cause potentially fatal disease in humans and is capable of being spread by various rodent species. From time to time, outbreaks have occurred in the United States—necessitating swift investigation and disease containment strategies to protect human health.

6. *Neurologic Form of EHV-1*

EHV-1 is a highly contagious virus that is ubiquitous in horse populations worldwide. The age, seasonal and geographic distributions vary and are likely determined by immune status and concentration of horses. Infection with EHV-1 most commonly causes respiratory illness, characterized by fever, rhinopharyngitis and tracheo-bronchitis. Infection may also cause abortions in pregnant mares, following clinical or subclinical infection, and can be fatal to newborn foals. A further, infrequent clinical resultant effect of EHV-1 infection is the development of neurologic disease. Depending upon the location and extent of the lesions, signs of neurologic disease may vary from mild incoordination and posterior paresis to severe posterior paralysis with recumbency, loss of bladder and tail function, and loss of sensation to the skin in the perineal and inguinal areas, and even the hindlimbs. In exceptional cases, the paralysis may be progressive and culminate in quadriplegia and death.

Transmission of EHV-1 occurs by direct or indirect contact with infective nasal discharges, aborted fetuses, placentas or placental fluids. Transmission can occur by means of coughing or sneezing over a distance of up to 35 feet, as well as by direct contact with infected horses, feed and equipment.

There is currently no known method to reliably prevent the neurologic form of EHV-1 infection. Sound management practices, including isolation, are important to reduce the risk of infection with EHV-1. Maintaining appropriate vaccination protocols may also be prudent in an attempt to reduce the incidence of the respiratory form of EHV-1 infection, which may reduce the incidence of the neurologic form.

Order

The Department hereby designates WNE, CWD, SVC, VHS, LCMV and EHV-1 “dangerous transmissible diseases” under 3 Pa.C.S. § 2321(d). This order supplants any previous temporary order making a designation.

This order shall take effect as of January 1, 2009, and shall remain in effect until no later than January 1, 2010. This Department may: (1) reissue this temporary order to extend the designation beyond January 1, 2010; (2) allow this temporary order to expire on January 1, 2010; (3) supplant this temporary order with a formal regulation; or (4) modify this temporary order.

Questions regarding this temporary order may be directed to Craig Shultz, DVM, Director, Bureau of Animal Health and Diagnostic Services, 2301 North Cameron Street, Harrisburg, PA 17110-9408, (717) 772-2852.

DENNIS C WOLFF,
Secretary

[Pa.B. Doc. No. 09-42. Filed for public inspection January 9, 2009, 9:00 a.m.]

DEPARTMENT OF BANKING

Actions on Applications

The Department of Banking (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 9, 2002 (P. L. 1572, No. 207), known as the Credit Union Code, has taken the following action on applications received for the week ending December 30, 2008.

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 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

Conversions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
12-29-2008	From: Centric Bank, National Association Harrisburg Dauphin County To: Centric Bank Harrisburg Dauphin County	Harrisburg	Filed

Application for conversion from a national banking association to a Pennsylvania State-chartered bank.

Branch Applications**De Novo Branches**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
12-17-2008	The Dime Bank Honesdale Wayne County	99 Welwood Avenue Hawley Wayne County	Opened
12-29-2008	Beneficial Mutual Savings Bank Philadelphia Philadelphia County	818 Haddonfield Road Cherry Hill Camden County, NJ	Filed

Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
12-22-2008	NOVA Bank Berwyn Chester County	<i>To:</i> 1420 Locust Street Philadelphia Philadelphia County <i>From:</i> 1535 Locust Street Philadelphia Philadelphia County	Effective
12-23-2008	The Fidelity Deposit and Discount Bank Dunmore Lackawanna County	<i>To:</i> Water Street and Kennedy Boulevard Pittston Luzerne County <i>From:</i> 801 Wyoming Avenue West Pittston Luzerne County	Filed

Articles of Amendment

<i>Date</i>	<i>Name of Bank</i>	<i>Purpose</i>	<i>Action</i>
12-29-2008	Commerce Bank/Harrisburg Harrisburg Dauphin County	Amend and restate Articles of Incorporation in their entirety.	Filed

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

No activity.

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

STEVEN KAPLAN,
Secretary

[Pa.B. Doc. No. 09-43. Filed for public inspection January 9, 2009, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Radioactive Material License Termination Request

The Department of Conservation and Natural Resources (DCNR) has submitted a request to the Department of Environmental Protection (Department) for termination of Radioactive Material License No. PA-1052S in accordance with 25 Pa. Code § 215.1(e) (relating to purpose and scope). The license encompasses residual radioactive material left behind from past operations at the facility. The facility is located in the Quehanna Wild Area of the Moshannon State Forest. The site has a long history of radioactive material use since the construction of the research reactor in 1955. Since then various tenants have been licensed to possess radioactive materials for uses including materials research, production of radiothermal electric generators, and high activity

gamma irradiation. The DCNR has taken final facility cleanup responsibility to allow for unrestricted future use. The DCNR has submitted a Final Status Survey Report (FSSR) for review by the Department. If approved, the license will be terminated and the site released for unrestricted use. This request comes following an extensive 10 year cleanup of the facilities and surrounding grounds and disposal of significant volumes of low-level radioactive waste at licensed out-of-State sites. The DCNR feels the FSSR documents that the cleanup has effectively removed and properly disposed of all radiological hazards from past licensed activities. The Department will evaluate the provided documentation and data generated from a confirmatory survey of the site prior to granting license termination.

The FSSR is available for public review and comment. The Department will accept written comments on the DCNR's request until February 10, 2009. Comments should be submitted by mail to Director, Bureau of Radiation Protection, Rachel Carson State Office Building, P. O. Box 8469, Harrisburg, PA 17105-8469 or RA-EPDecommissioning@state.pa.us. Following the public

5comment period, the Department will make a final determination regarding the DCNR's request. Notice of the Department's final determination will be published in a future edition of the *Pennsylvania Bulletin*.

For additional information concerning the Quehanna site, cleanup activities or DCNR's request, individuals may contact the Bureau of Radiation Protection at (717) 787-2480 or RA-EPDecommissioning@state.pa.us. Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact the Department directly at (717) 787-2480 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

MICHAEL DIBERARDINIS,
Secretary

[Pa.B. Doc. No. 09-44. Filed for public inspection January 9, 2009, 9:00 a.m.]

Snowmobile and ATV Advisory Committee Meeting

The Snowmobile and ATV Advisory Committee of the Department of Conservation and Natural Resources (Department) has a meeting scheduled for Thursday, January 29, 2009. The meeting will be held at 9:30 a.m. in Room 105, Rachel Carson State Office Building, Harrisburg, PA.

Questions concerning this meeting or agenda items should be directed to Vanyla Tierney at (717) 783-2654.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Vanyla Tierney at (717) 783-2654 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

MICHAEL DIBERARDINIS,
Secretary

[Pa.B. Doc. No. 09-45. Filed for public inspection January 9, 2009, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Application of Hope College of Holland, MI to operate in Philadelphia

Notice of Opportunity for Hearing and Invitation to Protest

Under 24 Pa.C.S. § 6503(e) (relating to certification of institutions), the Department of Education (Department) will consider the application of Hope College based in Holland, MI to have a Certificate of Authority from the Department approving its offering off-campus and student internship courses in Philadelphia at The Philadelphia Center, which it operates.

In accordance with 24 Pa.C.S. § 6503(e), the Department will act upon this application without hearing, unless within 30 days after the publication of this notice in the *Pennsylvania Bulletin* a written request for public hearing is filed with the Department, 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, protest and request for hearing shall be filed with Carol M. D. Gisselquist, Higher Education Specialist (717) 787-4448, 333 Market Street, Harrisburg, PA 17126-0333 on or before 4 p.m. on the due date prescribed by this notice. Persons wishing to review the application should phone or write to the aforementioned office to schedule a time for an in-office review. Duplicate copies of the application are not available.

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 Carol M. D. Gisselquist at (717) 787-4448 to discuss how the Department may best accommodate their needs.

GERALD L. ZAHORCHAK, D.Ed.,
Secretary

[Pa.B. Doc. No. 09-46. Filed for public inspection January 9, 2009, 9:00 a.m.]

Application of Sharon Salov for Reinstatement of Teaching Certificate; Doc. No. Re-08-03

Hearing

Under the Professional Educator Discipline Act (act) (24 P. S. §§ 2070.1—2070.18a), the Professional Standards and Practices Commission (Commission) has initiated hearing procedures to consider the application of Sharon Salov for reinstatement of her teaching certificate.

On or about September 4, 2008, Sharon Salov filed an application for reinstatement of her teaching certificate 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 § 233.123 (relating to reinstatements). Under section 16 of the act, the Department of Education on December 10, 2008, advised the Commission that it did not oppose the reinstatement application. In accordance with the act and 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), the Commission will appoint a hearing examiner to serve as presiding officer to conduct the proceedings and hearings as might be necessary, and to prepare a proposed report to the Commission containing findings of fact, conclusions of law and a recommended decision on the application.

Interested parties who desire to participate in these hearing procedures must file a notice of intervention or a petition to intervene in accordance with 1 Pa. Code §§ 35.27—35.32 (relating to intervention) within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Persons objecting to the approval of the application may also, within 30 days after publication of this notice in the *Pennsylvania Bulletin*, file a protest in accordance with 1 Pa. Code § 35.23 (relating to protest generally).

Notices and petitions to intervene and protest shall be filed with Carolyn Angelo, Executive Director, Professional Standards and Practices Commission, 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 hearings and require an auxiliary aid, service or other accommodation to participate should contact Suzanne B. Markowicz at (717) 787-6576 to discuss how the Commission may best accommodate their needs.

GERALD L. ZAHORCHAK, D.Ed.,
Secretary

[Pa.B. Doc. No. 09-47. Filed for public inspection January 9, 2009, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

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

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

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

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

Unless indicated otherwise, the 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.

<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>
PA0063851 (Minor Sewage)	Sweet Valley Mobile Home Village 26 Updyke Road Hunlock Creek, PA 18621	Luzerne County Ross Township	UNT to Roaring Brook 5B	Y

Chesapeake Bay nutrient monitoring requirements for Ammonia Nitrogen, Kjeldahl Nitrogen, Nitrite-Nitrate as N, Total Nitrogen and Total Phosphorus are being added to this permit.

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0041491 (SEW)	Berks Properties Inc.—Mountain Village Mobile Home Park 3613 Seisholtzville Road Hereford, PA 18056	Berks County Longswamp Township	UNT Perkiomen Creek 3E	Y
PA0009741 (IW)	Exelon Generation Company, LLC Muddy Run Pump Storage Facility 300 Exelon Way Suite 320 Kennett Square, PA 19348	Lancaster County Drumore Township	Susquehanna River 7K	Y
PA0082457 (IW)	Alexandria Borough Water Authority 7561 Bridge Street Alexandria, PA 16611	Huntingdon County Porter Township	Robison Run 11-A	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>
PA0030317	Clarion Limestone High School 4091 C-L School Road Strattanville, PA 16258	Clarion Township Clarion County	UNT to Little Piney Creek 17-B	Y
PA0222739	Blooming Valley United Methodist Church 24740 State Street Meadville, PA 16335	Blooming Valley Borough Crawford County	UNT to Woodcock Creek 16-A	Y
PA0238970	Water Gait Community Water Association 36 North Gait Drive Slippery Rock, PA 16057	Liberty Township Mercer County	UNT to Wolf Creek 20-C	Y
PA0221015	Mainline North Interchange STP Route 60 Beaver Valley Expressway New Castle, PA 16102	North Beaver Township Lawrence County	UNT to Beaver River 20-B	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.

PA0056804, Industrial Waste, SIC 4941, **Aqua Pennsylvania, Inc.**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010. This proposed facility is located in Middletown Township, **Bucks County**.

Description of Proposed Activity: Renewal of an NPDES permit to discharge treated process wastewater from a water filtration plant. This is an existing discharge to Neshaminy Creek.

The receiving stream, Neshaminy Creek, is in the State Water Plan Watershed 2F—Neshaminy and is classified for: WWF, MF.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.2 mgd.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Suspended Solids			30	60	75
Total Residual Chlorine			0.105		0.34
pH	Within limits of 6.0 to 9.0 Standard Units at all times				
Aluminum, total			0.82	1.64	2.05
Manganese, total			1.0	2.0	2.5
Phosphorus as P					

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly Report</i>	<i>Maximum Daily Report</i>	<i>Instantaneous Maximum (mg/l) Report</i>
(issuance—year 1) (year 2—expiration)			2.0	4.0	5.0

The proposed effluent limits for Outfall 002 are based on a semiannual discharge.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Suspended Solids				60	75
Total Residual Chlorine					0.28
pH	Within limits of 6.0 to 9.0 Standard Units at all times				
Aluminum, total				1.2	1.5
Iron, total				3.1	3.9
Manganese, total				3.0	3.75

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

1. Remedial Measures if Unsatisfactory Effluent.
2. BAT/BCT Standards.
3. Change of Ownership.
4. Chlorine Minimization.
5. Proper Sludge Disposal.
6. Additional Sampling.
7. Sedimentation Basin Cleaning.
8. Outfall 002 Monitoring Requirements.
9. Laboratory Certification.

PA0052272, Industrial Waste, SIC 2952, **Henry Company**, 336 Cold Stream Road, P. O. Box 368, Kimberton, PA 19422. This proposed facility is located in East Pikeland Township, **Chester County**.

Description of Proposed Activity: This application is for renewal of an NPDES permit to discharge treated groundwater used as NCCW, and stormwater from the facility in East Pikeland Township, Chester County. This is an existing discharge to a UNT to French Creek.

The receiving stream, French Creek, is classified as: TSF and MF. The nearest public water supply intake is for Aqua, PA water filtration plant, on Schuylkill River is about 7.5 miles downstream of the discharge.

The proposed effluent limits for Outfall 001, based on an average flow of 9,000 gpd, are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Trichloroethylene (Influent)	Monitor and Report	Monitor and Report	Monitor and Report
(Effluent)	0.001	0.002	0.0025
Total Suspended Solids	30	60	75
Temperature° F			110° F
pH (Standard Units)	Within limits of 6.0 to 9.0 Standard Units at all times		

The proposed effluent limits for Outfall 009, for stormwater runoff from receiving dock and coal tar pitch emission tank area, are as follows:

<i>Parameter</i>	<i>Instantaneous Maximum (mg/l)</i>
Oil and Grease	Monitor and Report
Phenols	Monitor and Report
Dissolved Iron	Monitor and Report

The proposed effluent limits for Outfall 010, for stormwater runoff from roof drain of a manufacturing building, parking lot and area adjacent to the receiving dock are as follows:

<i>Parameter</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	Monitor and Report
COD	Monitor and Report
Oil and Grease	Monitor and Report

<i>Parameter</i>	<i>Instantaneous Maximum (mg/l)</i>
pH	Monitor and Report
Total Suspended Solids	Monitor and Report
Total Kjeldahl Nitrogen	Monitor and Report
Total Phosphorus	Monitor and Report
Iron (Dissolved)	Monitor and Report

The EPA waiver is in effect.

Other Requirements:

Requirement applicable to stormwater outfalls.

PA0244252 A1, Industrial Waste, **Southco, Inc.**, 210 North Brinton Lake Road, Concordville, PA 19331. This existing facility is located in Concord Township, **Delaware County**.

Description of Proposed Activity: The permittee requests an amendment to the existing NPDES permit for the discharge of blowdown from noncontact cooling water towers and stormwater. The amendment involves the addition of two new cooling towers.

The receiving stream, a UNT to West Branch Chester Creek, is in the State Water Plan Watershed 3G and is classified for: TSF and MF.

The existing effluent monitoring requirements for Outfall 001 for stormwater flow continue to apply:

<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					Monitor and Report
COD					Monitor and Report
Oil and Grease					Monitor and Report
pH (Standard Units)					Monitor and Report
Total Suspended Solids					Monitor and Report
Total Kjeldahl Nitrogen					Monitor and Report
Total Phosphorus					Monitor and Report
Iron, Dissolved					Monitor and Report
Copper, total					Monitor and Report
Lead, total					Monitor and Report
Zinc, total					Monitor and Report

The existing effluent limits for Monitoring Points 101, 201, 301 and 401 are proposed to be applied also to Monitoring Points 501 and 601, and are based on a flow of 1,440 gpd, increased from 600 gpd.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Minimum</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum (mg/l)</i>
pH (Standard Units)			6.0		9.0
Temperature					110° F

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

1. Chemical Additive Condition.
2. Change of Ownership.
3. TMDL/WLA Analysis.
4. Laboratory Certification.
5. Small Stream Discharge.
6. Stormwater Outfall Requirements.

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

Application No. PA 0031062, Sewage, **Robesonia-Wernersville Municipal Authority**, P. O. Box 202, Wernersville, PA 19565. This facility is located in Heidelberg Township, **Berks County**.

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

The receiving stream, Spring Creek, is in Watershed 3-C, and classified for TSF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Western Berks Water Authority is located on the Tulpehocken Creek, approximately 9 miles downstream. The discharge is not expected to affect the water supply.

The proposed interim effluent limits for Outfall 001 for a design flow of 1.4 mgd are:

<i>Parameter</i>	<i>Average</i>		<i>Instantaneous Maximum (mg/l)</i>
	<i>Monthly (mg/l)</i>	<i>Weekly (mg/l)</i>	
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N			
(5-1 to 10-31)	6		12
(11-1 to 4-30)	18		20
Total Phosphorus	1		2
Total Residual Chlorine	0.39		1.29
Dissolved Oxygen	Minimum of 5.0 at all times		
pH	From 6.0 to 9.0 inclusive		
Fecal Coliform			
(5-1 to 9-30)	200/100 ml as a Geometric Average		
(10-1 to 4-30)	2,000/100 ml as a Geometric Average		

The proposed final effluent limits for Outfall 001 for a design flow of 1.4 mgd are:

<i>Parameter</i>	<i>Average</i>		<i>Instantaneous Maximum (mg/l)</i>
	<i>Monthly (mg/l)</i>	<i>Weekly (mg/l)</i>	
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N			
(5-1 to 10-31)	6		12
(11-1 to 4-30)	18		20
Total Phosphorus	1		2
Total Residual Chlorine	0.34		1.12
Dissolved Oxygen	Minimum of 5.0 at all times		
pH	From 6.0 to 9.0 inclusive		
Fecal Coliform			
(5-1 to 9-30)	200/100 ml as a Geometric Average		
(10-1 to 4-30)	2,000/100 ml as a Geometric Average		

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

The EPA waiver is not in effect.

Application No. PAR 803716, Industrial Waste, SIC Code 5171, **Berks Products, Inc.** (North 11th Street, Fuel Oil Terminal), P. O. Box 9000, Wyomissing, PA 19610. This facility is located in Muhlenberg Township, **Berks County**.

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

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

The proposed effluent limits for Outfall 002 are:

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>	
	<i>Average</i>	<i>Maximum</i>	<i>Average</i>	<i>Maximum</i>
Total Recoverable Petroleum Hydrocarbons	XXX	XXX	15 mg/l	30 mg/l

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

The EPA waiver is in effect.

Application No. PA 0033057, Sewage, **Crestview Village MHP**, 455 B Middlecreek Road, Lititz, PA 17543. This facility is located in Londonderry Township, **Dauphin County**.

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

The receiving stream, Iron Run, is in Watershed 7-D, and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Middletown Water Company is located on the Swatara Creek, approximately 2 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.0145 mgd are:

<i>Parameter</i>	<i>Average</i>		<i>Instantaneous Maximum (mg/l)</i>
	<i>Monthly (mg/l)</i>		
CBOD ₅			
(5-1 to 10-31)	10		20
(11-1 to 4-30)	20		40

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Suspended Solids	30	60
Total Residual Chlorine	0.5	1.63
Dissolved Oxygen	Minimum of 5.0 at all times	
pH	From 6.0 to 9.0 inclusive	
Fecal Coliform (5-1 to 9-30)	200/100 ml as a Geometric Average	
(10-1 to 4-30)	2,000/100 ml as a Geometric Average	

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

The EPA waiver is in effect.

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

PA0203700, Sewage, **Bruderhof Communities of PA, Inc.**, Route 381 North, P. O. Box 260, Farmington, PA 15437. This application is for renewal of an NPDES permit to discharge treated sewage from Spring Valley Sewage Treatment Plant in Wharton Township, **Fayette County**.

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

Outfall 001: existing discharge, design flow of 0.042 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅ (5-1 to 10-31)	10			20
(11-1 to 4-30)	15			30
Suspended Solids	10			20
Ammonia Nitrogen (5-1 to 10-31)	3.0			6.0
(11-1 to 4-30)	8.0			16.0
Fecal Coliform (5-1 to 9-30)	200/100 ml as a Geometric Mean			
(10-1 to 4-30)	2,000/100 ml as a Geometric Mean			
Dissolved Oxygen	not less than 7.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			
Nitrite-Nitrate	10			20

The EPA waiver is in effect.

PA0092517, Sewage, **Allegheny Plaza Associates I, c/o Rosen Associates Management Corp.**, 33 South Service Road, Jericho, NY 11753-1006. This application is for renewal of an NPDES permit to discharge treated sewage from Allegheny Plaza Associates Sewage Treatment Plant in Allegheny Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as UNT of Pine Run, which are classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Freeport Water Company located on the Allegheny River.

Outfall 001: existing discharge, design flow of 0.0175 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	10			20
Suspended Solids	25			50
Ammonia Nitrogen (5-1 to 10-31)	3.0			6.0
(11-1 to 4-30)	9.0			18.0
Fecal Coliform (5-1 to 9-30)	200/100 ml as a Geometric Mean			
(10-1 to 4-30)	2,000/100 ml as a Geometric Mean			
Total Residual Chlorine	1.4			3.3

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Dissolved Oxygen	not less than 3.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0095150, Sewage, **FMJ Enterprises, LLC**, P. O. Box 906, Uniontown, PA 15401. This application is for renewal of an NPDES permit to discharge treated sewage from Pine Top Estates Mobile Home Park II STP in Forward Township, **Allegheny County**.

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

Outfall 001: existing discharge, design flow of 0.028 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25			50
Suspended Solids	30			60
Fecal Coliform (5-1 to 9-30)	200/100 ml as a Geometric Mean			
(10-1 to 4-30)	2,000/100 ml as a Geometric Mean			
Total Residual Chlorine	1.4			3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

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

WQM Permit No. 0508404, Amendment, Sewerage, **Bedford Materials Company**, 7676 Allegheny Road, Manns Choice, PA 15550. This proposed facility is located in Napier Township, **Bedford County**.

Description of Proposed Action/Activity: Replacement of aerated activated sludge system with an aerobic fixed film/filter treatment system (AdvanTex).

WQM Permit No. 0108405, Sewerage, **Ali Mirage**, 250 Waynesboro Pike, Fairfield, PA 17320. This proposed facility is located in Liberty Township, **Adams County**.

Description of Proposed Action/Activity: Construction/Operation of sewage treatment plant to serve The Mirage, a residential subdivision.

WQM Permit No. 6708404, Amendment 08-1, Sewerage, **Springettsbury Township**, 3501 North Sherman Street, York, PA 17402. This proposed facility is located in Springettsbury Township, **York County**.

Description of Proposed Action/Activity: Replacement of the existing chlorination system with an ultraviolet disinfection system, this replacement will occur during the Biological Nutrient Removal upgrade of the existing treatment capacity of the plant at the designed flow rate of 15 mgd.

WQM Permit No. 2208408, Amendment, Sewerage, **Lower Paxton Township Authority**, 425 Prince Street, Suite 139, Harrisburg, PA 17109. This proposed facility is located in Lower Paxton Township, **Dauphin County**.

Description of Proposed Action/Activity: Replacement of Trunk B, approximately 1,300 feet of 12-inch pipe and replacement of approximately 560 feet of 10-inch pipe with 12-inch pipe. The existing 10-inch pipe will be replaced in the same location while the existing 12-inch pipe will be abandoned in place and a new sewer will be constructed approximately 150 feet to the north. Jonestown R/W—replacement of approximately 280 feet of 10-inch ACP trunk sewer with 10-inch PVC pipe.

WQM Permit No. 0708404, Sewerage, **Altoona City Authority**, 20 Greenwood Road, Altoona, PA 16602-7114. This proposed facility is located in Allegheny Township, **Blair County**.

Description of Proposed Action/Activity: Addition of clarifiers, converting activated sludge aeration tanks to Biological Nutrient Removal (BNR) Reactors and converting Equalization Tank to BNR Reactors. The project also includes site work and stormwater management facilities.

WQM Permit No. 0508405, Sewerage, **Harland W. Miller**, 413 Pinewood Avenue, Hyndman, PA 15545. This proposed facility is located in Londonderry Township, **Bedford County**.

Description of Proposed Action/Activity: Construction/Operation of a small flow sewage treatment system to serve a 2-Unit Apartment Building on Tiverton Drive.

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

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

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

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

Lackawanna County Conservation District: 1300 Old Plank Road, Mayfield, PA 18433, (570) 281-9495.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023508006	Karl Pfeiffenberger SLIBCO 222 Mulberry Street Scranton, PA 18503	Lackawanna	Archbald and Jessup Boroughs	Grassey Island Creek HQ-CWF Tributary to Lackawanna River CWF Laurel Run CWF

Northampton Conservation District: Greystone Building, Gracedale Complex, Nazareth, PA 18064-9211, (610) 746-1971.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024807001(1)	Weis Market Forks, Inc. Attn: David Gill 1000 South Second Street Sunbury, PA 17801	Northampton	Forks Township	Bushkill Creek HQ-CWF
PAI024808014	Edward and Elaine Mertz 480 Nolf Road Nazareth, PA 18064	Northampton	Bushkill Township	Bushkill Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10Y070R-1	Andy Spear PPL Corp. Brunner Island 2 North 9th Street PI 6 Allentown, PA 18101	York	York Haven Borough	Hartman Run—Conewago Creek— Susquehanna River WWF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041408014	Dan Hawbaker GOH, Inc. 1952 Waddle Road State College, PA 16803	Centre	Patton Township	UNT to Spring Creek CWF

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

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

STATE CONSERVATION COMMISSION

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

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

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

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

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

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

APPLICATIONS—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>Renewal or New</i>
Steven Hykes 1239 Hykes Road Greencastle, PA 17225	Franklin	533.1	662.8	Swine/Beef	NA	Renewal
Lester B. Weaver 2560 Sunnyside Road Manheim, PA 17545	Lancaster	232	467.6	Dairy/Hogs	NA	Renewal
Randall L. Clugston Hidden Springs Farm 2916 Safe Harbor Road Millersville, PA 17551	Lancaster	21	362	Layers	NA	New
Brian Byers 81 Four Pines Road Quarryville, PA 17566	Lancaster	240	148.2	Ducks/Dairy	HQ	Renewal
<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 New</i>
By-A-Dam Site Farm LaMar Troup 282 Troup Road Beaver Springs, PA 17812	Snyder	289.8	466.6	Swine, Poultry, Beef, Horses	N/A	Application
Dennis Zimmerman 727 Turkey Hill Road Beaver Springs, PA 17812	Snyder	25.8	15.56	Ducks	N/A	Application

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

MINOR AMENDMENT

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

Application No. 165W8MA2, Minor Amendment,
Public Water Supply.

Applicant	Aqua Pennsylvania Inc. Oakhill Water System Lehman Township Luzerne County
Responsible Official	Patrick Burke Aqua Pennsylvania, Inc. 50 East Woodhaven Drive White Haven, PA 18661
Type of Facility	Public Water System
Consulting Engineer	CET Engineering Services 1240 North Mountain Road Harrisburg, PA
Application Received Date	November 25, 2008
Description of Action	Painting and repairs to a water tank in the Oakhill system.

Application No. 5491509MA, Minor Amendment,
Public Water Supply.

Applicant	Municipal Authority of the Borough of Shenandoah Shenandoah Borough Schuylkill County
Responsible Official	Mary Lou Jaskierski Municipal Authority of the Borough of Shenandoah P. O. Box 110 Shenandoah, PA
Type of Facility	Public Water System
Consulting Engineer	ENTECH Engineering, Inc. 4 South Fourth Street Reading, PA
Application Received Date	December 8, 2008
Description of Action	The painting and rehabilitation of the heights and turkey run water storage tanks. A modification to pump station 7 to supply water to the heights area when the tank is out of service.

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.

Merton Price Property, Ridley Township, Delaware County. Michael Christie, Penn E&R Inc., 2755 Bergey Road, Hatfield, PA 19440 on behalf of Kenneth Hurwitz, Merton Price Company, 207 Yorktown Place, Berwyn, PA 19132 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of chlorinated solvents and petroleum hydrocarbons including mtbe. The future use of the site will be nonresidential for commercial purposes. A Summary of Intent to Remediate was to have been published in the *Delaware County Daily Times* on December 4, 2008.

Knights Road Shopping Center, City of Philadelphia, Philadelphia County. Steve Miller, Island Environmental, Inc., 4253 Old National Pike, Suite 4, Middletown, MD 21769 on behalf of Philip Schanzer, Marx Realty and Improvement Company, 708 Third Avenue, Fifteenth Floor, New York, NY 10017 has submitted a Notice of Intent to Remediate. Groundwater and soil at the site has been impacted by the release of chlorinated solvents. The future use of the site will remain the same.

Mark II Associates, Inc. Properties, Folcroft Borough, Delaware County. Eduard Eichen, CIH, The OAK Group, Inc., Waterfront Technology Center, 200 Federal Street, Suite 300, Camden, NJ 08103, Terence O'Reilly, P. G., TriSate Environmental Management Services, Inc., 368 Dunksferry Road, Bensalem, PA 19020 on behalf of Cynthia Ray, Mark Associates, Inc., 266 South 23rd Street, Philadelphia, PA 19103 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of chlorinated solvents. The future use of the site will continue to be nonresidential (commercial).

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

Gulf Oil Limited Partnership—Dupont Terminal, 674 Suscon Road, Pittston Township, Luzerne County. Donald Rood, Brilliant Lewis Environmental Services, LLC, 3070 Bristol Pike, Building 2, Suite 105, Bensalem, PA 19020 has submitted a Notice of Intent to Remediate on behalf of his client, Gulf Oil Limited Partnership, 275

Washington Street, Newton, MA 02458), concerning the remediation of soil and groundwater found to have been impacted by hydrocarbons during the removal of a vapor recovery tank. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate is expected to be published in a local newspaper serving the general area sometime in the near future.

DETERMINATION FOR APPLICABILITY FOR MUNICIPAL WASTE GENERAL PERMITS

Application for Determination of Applicability for General Permit Received under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities and/or the Beneficial Use of Municipal Waste.

Southeast Region: Regional Solid Waste Manager, 2 East Main Street, Norristown, PA 19401.

General Permit Application No. WMGM025SE001. Accurate Recycling Corporation, 508 East Baltimore Pike, Lansdowne, PA 19050. This is a permit application for Determination of Applicability (DOA) under General Permit WMGM025. General Permit WMGM025SE001 is for the beneficial use of construction waste from new residential and commercial construction sites at Accurate Recycling Corporation Union Avenue Facility located at 20 South Union Avenue, Upper Darby, PA 19050, Upper Darby Township, **Delaware County**. The application for DOA was determined to be administratively complete by the Southeast Regional Office on December 19, 2008.

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, Ray Kempa, New Source Review Chief, (570) 826-2507.

39-399-066: GEO Specialty Chemicals, Inc. (2409 North Cedar Crest Boulevard, Allentown, PA 18104) for installation of a new baghouse at their facility in South Whitehall Township, **Lehigh County**.

66-315-054: Procter & Gamble Paper Products Co. (P. O. Box 32, Mehoopany, PA 18629-0032) for installation of two new Napkin converting lines at their facility in Washington Township, **Wyoming 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.

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

04-00065C: Whemco-Steel Castings, Inc. (5 Hot Metal Street, Suite 300, Pittsburgh, PA 15203) for a new torch cutting operation at their Midland Foundry Division facility in Midland Borough, **Beaver County**.

In accordance with 25 Pa. Code §§ 127.44(b) and 127.45, notice is hereby given that the Department of Environmental Protection (Department) intends to issue Plan Approval PA-30-00065C to allow the construction of a new torch cutting operation at Whemco's Midland Foundry Division located in Midland, Beaver County.

Emissions from this source are estimated to be 4.45 tons of PM/PM10 per year. The proposed facility is subject to the applicable requirements of 25 Pa. Code Chapter 127, related to construction, modification, reactivation

and operation of sources. The Department believes that the facility will meet these requirements by complying with the following Plan Approval conditions:

Special Conditions

1. This Plan Approval authorizes the construction of a new torch cutting operation at Whemco steel foundry located in Midland, Beaver County.

2. Per 25 Pa. Code § 123.1(a), there shall be no visible fugitive emissions from this facility at any time, except those that are a direct result of stockpiling or use of roads. Per 25 Pa. Code § 123.1(c), permittee shall take all reasonable actions to prevent PM arising from stockpiling or use of roads from becoming airborne. Per 25 Pa. Code § 123.2, visible fugitive emissions shall not cross permittee's property line at any time.

3. A person may not permit the emission into the outdoor atmosphere of visible air contaminants in such a manner that the opacity of the emission is either of the following:

a. Equal to or greater than 20% for a period or periods aggregating more than 3 minutes in any 1 hour.

b. Equal to or greater than 60% at any time.

4. The limitations of 25 Pa. Code § 123.41 (relating to limitations) shall not apply to a visible emission in any of the following instances:

a. When the presence of uncombined water is the only reason for failure of the emission to meet the limitations.

b. When the emission results from the operation of equipment used solely to train and test persons in observing the opacity of visible emissions.

c. When the emission results from sources specified in 25 Pa. Code § 123.1(a)(1)–(9) (relating to prohibition of certain fugitive emissions).

5. A person may not permit the emission into the outdoor atmosphere of any malodorous air contaminants from any source in such a manner that the malodors are detectable outside the property of the person on whose land the source is being operated.

6. Owner/operator shall perform a daily inspection of the facility for the presence of fugitive or malodorous emissions. If such emissions are noted, immediate actions shall be taken to correct them. (25 Pa. Code § 127.12b)

7. The Owner/Operator shall prepare a Torch Cutting Operations Manual which is endorsed by the equipment manufacturers, and which includes appropriate operating, equipment maintenance and trouble shooting procedures to be followed by personnel during furnace operation. The Manual shall include the installation, calibration and maintenance procedures recommended by the suppliers of the equipment used to measure and record the furnace systems operating conditions.

8. The new torch cutting booth shall not be operated unless the fabric collector is also operating.

9. On a daily basis, the shop and the bag house shall be observed for the presence of visible emissions. A record of these observations shall be monitored and made available to the Department upon request. If the emissions from the bag house are observed, the services of a certified visible emission reader shall be retained and certified visible emission observation shall be taken of the bag house exhaust within 24 hours.

10. The Owner/Operator shall keep maintain a record of all malodor, visible emission and fugitive emission

surveys performed. The records shall include the date, time, name and title of the observer, whether visible emissions, fugitive emissions or malodors were observed and any corrective action. Records shall be kept onsite for a minimum of 5 years.

11. Maintenance on the torch burning booth and dust control system shall meet or exceed manufacturers' recommendations and good air pollution control practices. Company shall maintain, and follow the operating, maintenance and trouble shooting procedures specified in the Furnace Operating Manual for spare parts inventory, inspection schedules, and preventive maintenance requirements for this system.

12. Permittee shall provide employee training about the proper operation, emission limitations, equipment monitoring, recordkeeping and equipment maintenance requirements contained in this Plan Approval. Permittee shall maintain documentation that the employee training has been conducted. Training shall be repeated when necessary to train new employees, or at least annually.

13. The permittee shall report each malfunction that may result in an emissions increase to the Department. For purposes of this condition a malfunction is defined as any sudden, infrequent, and not reasonably preventable failure of air pollution control or process equipment; or, operating in a nonpermitted manner.

a. When the malfunction poses an imminent and substantial danger to the public's health and safety or potential harm to the environment, the permittee shall report the incident to the Department within 1 hour.

b. The report shall describe the:

- i. Name and location of the facility;
- ii. Nature and cause of the malfunction;
- iii. Time when the malfunction or breakdown was first observed;
- iv. Expected duration of excess emissions; and
- v. Estimated rate of emissions.

c. The owner or operator shall notify the Department immediately when corrective measures have been accomplished.

d. Unless otherwise required by specific reporting requirements, any malfunction that is not subject to the notice requirements of paragraph a. of this permit condition shall be reported to the Department within 24 hours (or the next business day) by telephone and within 5 days by mail of discovery. The report shall contain the same information required by subsection b.1—5.

General Conditions

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

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

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

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

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

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

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

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

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

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

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

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

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

- i. A justification for the extension,
- ii. A schedule for the completion of the construction.

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

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

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

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

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

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

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

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

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

a. The permittee constructs or operates the source subject to the plan approval in violation of the act, the

CAA, the regulations promulgated under the act or the CAA, a plan approval or permit or in a manner that causes air pollution.

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

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

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

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

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

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

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

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

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 Noor Nahar, Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Each written comment must contain the following:

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

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

32-00398A: Western Allegheny Energy, LLC, (301 Market Street, Kittanning, PA 16201-1504) for construction and operation of a Coal Preparation Plant at their Knob Creek Mine in Young Township, **Indiana County**.

In accordance with 25 Pa. Code §§ 127.44(b) and 127.45, the Department of Environmental Protection (De-

partment) intends to issue Plan Approval PA-32-00398A to allow the construction of a coal processing facility consisting of conveyors, a screen, radial stackers, stockpiles, a haul road and other supporting equipment at the Knob Creek Mine, located in Young Township, Indiana County.

Emissions from the facility are estimated to be 38.53 tons of PM and 13.99 tons of PM/PM10 per year. The proposed facility is subject to the applicable requirements of 25 Pa. Code Chapter 127, related to construction, modification, reactivation and operation of sources, and also to 40 CFR 60, Subpart Y, Standards of Performance for Coal Preparation Plants. The Department believes that the facility will meet these requirements by complying with the following Plan Approval conditions:

Special Conditions

1. This Plan Approval is to allow the construction and operation of a Coal Preparation Plant by Western Allegheny Energy, LLC at their Knob Creek Mine Coal Preparation Plant located in Young Township, Indiana County (25 Pa. Code § 127.12b).

2. Air contamination sources at the Facility are as follows (25 Pa. Code § 127.12b):

- Pit Conveyor, 36".
- ROM Stockpile.
- Screen, Screen Machine 200 tph (or equivalent).
- Oversize Coal Radial Stacker.
- Oversize Coal Stockpiles.
- Clean Coal Conveyor.
- Clean Coal Radial Stacker.
- Clean Coal Stockpiles.
- Truck Loadout by Front-end Loader.
- Paved and Unpaved Roadways.
- Emergency Diesel Engine, Cummins 6CTA8.3-G2 (or equivalent), 277 bhp.

3. Air pollution prevention equipment at the Facility includes the following (25 Pa. Code § 127.12b):

- Pressurized water truck with pressurized spray gun; stockpile and roadway control.
- Paving, sweeper and pressurized water truck; roadway control.
- Truck tarping; truck shipping control.
- Covers; each conveyor, each transfer point, each radial stacker, and screen control.
- Water sprays; each transfer point and screen control.

4. The sulfur content in diesel fuel shall not, at any time, exceed 0.3 wt% (25 Pa. Code § 127.12b).

5. Emergency diesel generators shall be limited to no greater than 500 hours of operation in any 12-month period (25 Pa. Code § 127.12b).

6. Visible emissions from diesel engines stacks shall not exceed the following limitations (25 Pa. Code § 127.12b):

- Equal to or greater than 10% for a period or periods aggregating more than 3 minutes in any 1 hour.
- Equal to or greater than 30% at any time.

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

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

9. Raw coal throughput at the Facility in any consecutive 12-month period shall not exceed 800,000 tons (25 Pa. Code § 127.12b).

10. Coal shall be stockpiled in such a manner that it may be adequately wetted by the onsite pressurized water truck to control fugitive emissions. All coal shall be adequately wetted prior to, during, and after processing, as necessary, to control fugitive emissions (25 Pa. Code § 127.12b).

11. All conveying equipment, radial stackers, and front-end loaders used to stockpile, transfer, and load coal shall maintain a minimal amount of drop height at all times so as to prevent fugitive emissions (25 Pa. Code § 127.12b).

12. The Owner/Operator shall employ the use of existing vegetation as wind barriers around coal storage piles (25 Pa. Code § 127.12b).

13. Each hopper, screen and transfer point shall be fully enclosed, or partially enclosed and equipped with water sprays. All coal shall be adequately wetted prior to, during and after processing, as necessary, to control fugitive emissions (25 Pa. Code § 127.12b).

14. All conveyors and radial stackers shall be covered, except if located within 500 feet of a residence where total enclosure will be required (25 Pa. Code § 127.12b).

15. The plant access road shall be paved for the first 500 feet and maintained so as to prevent fugitive emissions from crossing the property line. The remaining areas of vehicle traffic shall be paved or periodically delineated with gravel or crushed stone, as necessary to prevent fugitive emissions from crossing the property line (25 Pa. Code § 127.12b).

16. In-plant roads and areas of vehicle traffic shall be watered and swept, as needed on a preventative basis, such that visible fugitive emissions do not cross the property line in accordance with 25 Pa. Code §§ 123.1 and 123.2. Other methods of dust control shall be used when weather conditions make in-plant road watering hazardous, as necessary, to prevent visible fugitive emissions from crossing the property line in accordance with 25 Pa. Code §§ 123.1 and 123.2.

17. Road watering and sweeping shall be performed on, as needed, and earth or other material transported from the site shall be removed promptly from, as needed, the paved public road (SR-403) to prevent visible fugitive emissions in accordance with 25 Pa. Code § 123.1(c).

18. The Owner/Operator shall post a requirement stating, "All loaded trucks exiting the plant property shall be properly tarpaulin covered" (25 Pa. Code § 127.12b).

19. The Owner/Operator shall perform a daily inspection of the Facility for the presence of fugitive and visible emissions. Records of each inspection shall be maintained in a log and include any corrective actions taken (25 Pa. Code § 127.12b).

20. The Owner/Operator shall maintain the following 12-month rolling totals (25 Pa. Code § 127.12b):

- a. Tons of raw coal processed at the Facility.
- b. Tons of clean coal shipped from the Facility by truck.
- c. Tons of oversize coal shipped from the Facility by truck.

d. The number of hours the emergency diesel engine operated using a nonresettable hour meter.

21. The Facility is subject to New Source Performance Standards for Coal Preparation Plants (40 CFR Part 60, Subpart Y). In accordance with 40 CFR 60.4, copies of all requests, reports, applications, submittals and other communications shall be forwarded to both Environmental Protection Agency (EPA) and the Department at the addresses listed unless otherwise noted.

Director
Air Toxics and Radiation
US EPA, Region III
1650 Arch Street
Philadelphia, PA 19103-2029

Department of Environmental Protection
Air Quality Program
400 Waterfront Drive
Pittsburgh, PA 15222-4745

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

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

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

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

General Conditions

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

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

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

a. When construction, installation, modification or reactivation is being conducted, the permittee should provide

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

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

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

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

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

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

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

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

6. This plan approval will be valid for a limited time, as specified by the expiration date contained on page 1 of this plan approval. Except as provided in §§ 127.11a and

127.215 (relating to reactivation of sources; and reactivation), at the end of the time, if the construction, modification, reactivation or installation has not been completed, a new plan approval application or an extension of the previous approval will be required.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The 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.

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

AMS 08255: Sunoco, Inc.—R&M (3144 Passyunk Avenue, Philadelphia, PA 19145) for an improvement project on their 865 Hydrodesulfurization Unit in the City of Philadelphia, **Philadelphia County**. The improvement project includes installing two jumpover lines to bypass feed tanks, modifying two heat exchangers, installing a hydrogen purification unit, nitrogen blanketing of two fuel oil tanks and feed pump improvements. As a result of the project, CO emissions will increase by 6.6 tpy, VOC emissions will increase by 1.0 tpy, NOx emissions will increase by 9.4 tpy, SO₂ emissions will increase by 3.7 tpy, and PM₁₀ emissions will increase by 0.6 tpy. The plan approval will contain operating, monitoring, recordkeeping, and reporting requirements to ensure operation within all applicable requirements.

OPERATING PERMITS

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

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

20-00123: Lord Corp.—Mechanical Products Div. (124 Grant Street, Cambridge Springs, PA 16403) for a Title V Operating Permit Re-issuance to operate a Fabricated Rubber Products manufacturing facility, located in the Borough of Cambridge Springs, **Crawford County**.

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, Janine Tulloch-Reid, Facilities Permitting Chief, (484) 250-5920.

23-00091: Union Packaging, LLC (6250 Baltimore Avenue, Yeadon, PA 19050) for operation of rotogravure and flexographic presses in Yeadon Borough, **Delaware County**. This action is a renewal of the State-only Operating Permit (Natural Minor), which was issued on March 18, 2004. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting designed to keep the facility operating within all applicable air quality requirements.

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

06-03066: Kief Industries, Inc. (331 June Avenue, Blandon, PA 19510) for operation of metal castings in Maiden Creek Township, **Berks County**. The State-only operating permit shall contain testing, monitoring, recordkeeping and reporting requirements, emission restrictions and work practice standards designed to keep the facility operating within all applicable air quality requirements.

67-03034: B-Way Corp. (599 Davies Road, York, PA 17402) for their metal can manufacturing facility in Springettsbury Township, **York County**. This is a renewal of the State-only operating permit issued in February 2004.

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

26-00045: Coolspring Stone Supply, Inc. (P. O. Box 1328, Uniontown, PA 15401) for limestone production at their Coolspring Quarry in North Union Township, **Fayette County**. This is a renewal of their State-only Operating Permit issued in 2004.

63-00646: Ritchey Metals Co., Inc. (30 Georgetown Road, Canonsburg, PA 15317) for zinc and aluminum alloys manufacturing at their Hendersonville Plant in Cecil Township, **Washington County**. This is a renewal of their State-only Operating Permit, last renewed in 2004.

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

61-00191: Seneca Printing & Label, Inc. (1642 Debence Drive, Franklin, PA 16323) for re-issuance of a Synthetic Minor permit to operate a commercial printing facility in Sandycreek Township, **Venango County**. The significant sources included, plant heating system, pressroom (Lithographic presses) (34), miscellaneous fugitive emission sources and three degreaser units. The facility has taken restriction on VOC emission. The VOC emission from the facility shall not exceed 49.5 tpy to qualify as synthetic minor.

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—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.

Where 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.

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

32980114 and NPDES No. PA0234923. Simpson Coal Company, R. D. 1, Box 244, New Alexandria, PA

15670, permit renewal for reclamation only of a bituminous surface and auger mine in Young Township, **Indiana County**, affecting 67.5 acres. Receiving streams: Blacklegs Creek and UNTs to Blacklegs Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received December 19, 2008.

Noncoal Applications Received

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

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

* The parameter is applicable at all times.

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

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

37020306. The East Fairfield Coal Co. (Box 217, 10900 South Avenue, North Lima, OH 44452-9792). Revision to an existing noncoal surface mining permit in North Beaver Township, **Lawrence County** affecting 179.3 acres. Receiving streams: Honey Creek and four UNTs to Honey Creek, classified for the following use: HQ. There are no potable surface water supply intakes within 10 miles downstream. Revision to add 9.0 acres to the permit. Application received December 24, 2008.

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

8275SM1C and NPDES Permit No. PA0594601. Pennsy Supply, Inc. (P. O. Box 3331, Harrisburg, PA 17105), renewal of NPDES Permit for discharge of treated mine drainage in West Hempfield Township, **Lancaster County**, receiving stream: UNT to Chiques Creek, classified for the following use: WWF. Application received December 22, 2008.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department of Environmental Protection (Department). Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) requires the State to certify that the involved projects will not violate the applicable provisions of sections 301–303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311–1313, 1316 and 1317) as well as relevant State requirements. Persons objecting to approval of a request for certification under section 401 of

the FWPCA or to the issuance of a Dam Permit, Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment must submit comments, suggestions or objections within 30 days of the date of this notice, as well as questions, to the regional office noted before the application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

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

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E52-214. Barry L. May, P. O. Box 1123, Dublin, PA 18917, in Palmyra Township, Pike County, United States Army Corps of Engineers, Philadelphia District.

To remove large surface stones and to chip three boulders to lake bed elevation within basin of Lake Wallenpaupack for the purpose of maintaining a safe access area to existing dock. The project is located at Lot 4 along Vetterlein Lane approximately 0.4 mile southwest of SR 0507 and Buehler Road intersection (Hawley, PA Quadrangle Latitude: 41° 24' 32"; Longitude: 75° 14' 21").

E45-535. John E. Fry, 19 Dexter Drive, North Basking Ridge, NJ 07920, in Tobyhanna Township, **Monroe County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain a driveway crossing of a tributary to Tunkhannock Creek (HQ-CWF) consisting of a 36-inch diameter pipe depressed 12 inches below streambed elevation and to construct and maintain a house in the floodway of the same tributary. The project is located within the residential development at Lake Naomi, Lot 37, Unit 1, Section 12, 130 feet west of the intersection of Longview and Laurel Lanes (Pocono Pines, PA Quadrangle Latitude: 41° 06' 49"; Longitude: 75° 26' 21").

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

E67-860: Catholic Diocese of Harrisburg, Manchester Township, **York County**, United States Army Corps of Engineers, Baltimore District.

To install and maintain: 1) a 10.0-inch sanitary sewer line crossing in a UNT to Little Conewago Creek (TSF) and associate PEM/PFO wetlands; and 2) a 10.0-inch sanitary sewer line crossing in a UNT to Little Conewago Creek for the purpose of constructing a 65-unit residential subdivision. The project will temporarily impact 0.04 acre of PEM/PFO wetlands and approximately 36.0 linear feet of stream channel. The project is located between the existing Holy Savior Cemetery and the south side of Raintree Road (Dover, PA Quadrangle N: 6.2 inches; W: 0.75 inch, Latitude: 40° 1' 57.9" N; Longitude: 76° 45' 21.1" W) in Manchester Township, York County.

E29-096: Dublin Township, 1366 Cole Road, Hustontown, PA 17229, Dublin Township, **Fulton County**, United States Army Corps of Engineers Baltimore District.

To: (1) remove an existing low flow concrete bridge with 12 27.0-inch diameter corrugated metal pipes having a width of 12.3 feet, a length of 35.0 feet, and a skew of 90.0°; and (2) construct and maintain a single span prestressed concrete adjacent box beam bridge having a

clear span of 80.5 feet, a width of 225.3 feet, a skew of 85.0° and a minimum underclearance of 7.0 feet carrying T-452 (Boy Scout Road) over Little Augwick Creek (TSF) in Dublin Township, Fulton County (McConnellsburg, PA Quadrangle N: 16.5 inches; W: 12.7 inches, Latitude: 40° 05' 23"; Longitude: 77° 57' 52"). The project will permanently impact 0.05 acre of PSS wetland and temporarily impact an additional 0.05 acre of PSS wetland at the proposed bridge location. The permittee is required to provide a minimum of 0.08 acre of replacement wetlands, and has proposed to compensate for the impact at the Whitsel Advance Wetland Compensation Site.

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

E14-515. Glenn O. Hawbaker, Inc., 1952 Waddle Road, State College, PA 16803. Water Obstruction and Encroachment Joint Permit in Patton Township, **Centre County**, United States Army Corps of Engineers, Susquehanna River Basin District (Julian, PA Quadrangle N: 40° 48' 47.7"; W: 77° 54' 38.4").

To construct and maintain three culvert-pipe crossings in a UNT to Spring Creek to provide vehicular and construction access to the divided property. Culvert crossing No. 1 will consist of placing a 60-inch CMP, having a length of 129.85 linear feet, at the southern end of the site. Culvert crossing No. 2 will consist of placing three 42-inch HDPE pipes, having a length of 87.96 linear feet, near the northcentral end of the site. Culvert crossing No. 3 will consist of placing an 18-inch CMP, having a length of 74.30 linear feet, at the northeastern corner of the site. The projects are located 450-feet northeast of the intersection of North Atherton Street and Hawbaker Industrial Boulevard in a UNT to Spring Creek, Patton Township, Centre County. This project proposes to impact an approximate total of 292 linear feet of a UNT to Spring Creek, which is designated as a CWF and does not propose to impact any jurisdictional wetlands.

E41-593. Laurel Hill Wind Energy, LLC, 71 Allen Street, Rutland, VT 05701-4570. Water Obstruction and Encroachment Joint Permit Application, Laurel Hill Wind Project, in Jackson and McIntyre Townships, **Lycoming County**, United States Army Corps of Engineers, Baltimore District (Liberty, PA Quadrangle N: 41° 32' 5.15"; W: 77° 1' 34.70").

To construct, operate and maintain approximately 39 wind turbines within the Blockhouse Creek and Roaring Branch watersheds (CWF and EVF). Construction of the wind turbines, access roads and transmission lines will require five stream and 29 wetland crossings as follows:

<i>Stream Name</i>	<i>Crossing Length (ft.) and Wetland Impact (ft²)</i>	<i>Latitude</i>	<i>Longitude</i>
~ Streams ~			
UNT to Roaring Branch	140	41.52200	77.06200
UNT to Roaring Branch	135	41.53730	77.02090
Red Run (crossing No. 1)	170	41.52580	76.97275
Red Run (crossing No. 2)	185	41.53220	76.99140
UNT to Roaring Branch	0.0	41.53081	77.07596
UNT to Roaring Branch	0.0	41.52764	77.06751
UNT to Roaring Branch	0.0	41.52766	77.06703

<i>Stream Name</i>	<i>Crossing Length (ft.) and Wetland Impact (ft²)</i>	<i>Latitude</i>	<i>Longitude</i>
UNT to Roaring Branch	0.0	41.52797	77.06479
UNT to Roaring Branch	0.0	41.52766	77.06795
~ Wetlands ~			
Roaring Branch (isolated)	6,125	41.5155	77.0862
Roaring Branch (isolated)	8,625	41.5361	77.0174
Roaring Branch (isolated)	10,210	41.5332	77.0271
Roaring Branch (isolated)	735	41.5314	77.0347
Roaring Branch (isolated)	1,860	41.5329	77.0285
Roaring Branch (isolated)	490	41.533	77.0284
Roaring Branch (isolated)	0	41.5344	77.0229
Roaring Branch (isolated)	435	41.5335	77.0271
Roaring Branch	0	41.5355	77.0197
Roaring Branch (isolated)	7,030	41.5394	77.0017
Roaring Branch	2,080	41.5400	77.0010
Roaring Branch	7,540	41.5431	76.9882
Roaring Branch	4,325	41.5430	76.9870
Roaring Branch	4,065	41.5373	77.0209
Roaring Branch	950	41.5379	77.0211
Roaring Branch	2,455	41.5411	77.0158
Roaring Branch	2,885	41.5413	77.0152
Red Run	4,740	41.5320	76.9910
Red Run	2,030	41.5312	76.9896
Red Run	6,470	41.5284	76.9836
Red Run	0	41.5370	77.0000
Roaring Branch	0	41.53348	77.07664
Roaring Branch	0	41.5347499	77.0769757
Roaring Branch	0	41.5310	77.0760
Roaring Branch	0	41.5277146	77.0699061
Roaring Branch	0	41.5276686	77.0687025
Roaring Branch	0	41.5280	77.0680
Roaring Branch	0	41.5280	77.0680
Roaring Branch	0	41.5280	77.0640

The project will permanently impact 73,050 square feet and temporarily impact 27,665 square feet of jurisdictional wetlands and 630 linear feet of waterway. The project is centered north of SR 0014 approximately 4 miles northwest of the Village of Ralston.

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

E42-343, University of Pittsburgh, 3400 Forbes Avenue, Pittsburgh, PA 15260. Bradford Campus Chapel and Multipurpose Facility, **McKean County**, United States Army Corps of Engineers, Pittsburgh District (Bradford, PA Quadrangle N: 41°56' 31"; W: 78° 40' 24").

The applicant proposes to remove the existing tennis courts and to construct and maintain a chapel and multipurpose facility on the University of Pittsburgh Bradford Campus within the FEMA 100-year floodplain of the West Branch of Tunungwant Creek involving a net removal of 22 cubic yards of material/earth from the

FEMA floodplain. West Branch of Tunungwant Creek is a perennial stream classified as a CWF.

E42-344, Rustick, LLC, 19 Ness Lane, Kane, PA 16735. County Landfill Expansion, in Sergeant Township, **McKean County**, United States Army Corps of Engineers, Pittsburgh District (Mt. Jewett, PA Quadrangle N: 41° 40' 00"; W: 78° 38' 00").

To expand the existing municipal landfill increasing the disposal area an additional 336.4 and to construct and maintain a 17-acre railroad spur transfer facility involving: 1) to fill a total of 1,610 feet of intermittent watercourses within the Little Sicily Run (CWF) watershed; 2) to fill two wetlands (0.80 acre and 0.01 acre respectively); 3) to construct and maintain outfalls to watercourses and wetlands in the project area; and 4) to mitigate watercourse and wetland impacts by means of a \$12,500 payment to the PA Wetland Replacement Fund and a payment of \$85,000 to the McKean County Conservation District to manage, administer and distribute funds for stream restoration/stabilization projects

DAM SAFETY

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

D58-045. Brushville Lake Dam, Jerrold Griffis, 108 Mountain Pink Road, Bloomsburg, PA 17815. To rebuild, operate and maintain the Brushville Lake Dam across

Lewis Creek (CWF), impacting 110 linear feet of stream channel, for the purpose of rebuilding the breached dam to restore the approximately 17-acre recreational lake. Work includes constructing a new spillway structure and rebuilding the earthfill embankment (Great Bend, PA Quadrangle N: 7.4 inches; W: 0.6 inch) in Oakland Township, **Susquehanna County**.

ACTIONS

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

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

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

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

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania 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 free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

I. NPDES Renewal Permit Actions

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA-0064301 (small flow treatment system)	Alfonso Bellucci 685 South Mountain Road Mountain Top, PA 18707	Dorrance Township Luzerne County	UNT to Big Wapwallopen Creek 05B	Y

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

NOTICES

<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>
PAG2003603085-R	Hempfield Valley Partnership 114 Foxshire Drive Lancaster, PA 17601	East Hempfield Township Lancaster County	Swarr Run TSF Miller Run CWF	Y
PAG2003604010-R	George Desmond 1085 Manheim Pike Lancaster, PA 17601	Manor Township Lancaster County	Little Conestoga WWF	Y
PA0246841 (Sew)	Joseph Himes 516 Landis Store Road Boyertown, PA 15912	North Woodbury Township Blair County	UNT Plum Creek 11-A	Y
PA0082341 (Sew)	David Chisholm Hopewell Borough Sewer Department P. O. Box 160 Hopewell, PA 16650-1060	Hopewell Borough Bedford County	Raystown Branch Juniata River	Y
PA0085740 (Sew)	Mill Creek Area Municipal Authority P. O. Box 4 Mill Creek, PA 17060	Mill Creek Borough Huntingdon County	Juniata River 12-C	Y
PA0083038 (Sew)	Jack and Betty Waybrant Waybrant Office Building 814 East Keller Street Hernando, FL 34442	Mt. Joy Township Adams County	UNT Rock Creek 13-D	Y
PA0087548 (Sew)	Ray Starner Artillery Ridge Camping Resort Gettysburg, PA 17325	Adams County Cumberland Township	UNT Rock Creek 13-D	Y
PA0087904 (IW)	Roaring Spring Water 740 Spang Street P. O. Box 97 Roaring Spring, PA 16673	Blair County Roaring Spring Borough	Halter Creek Watershed 11-A	Y
PA0024023 (Sew)	Borough of Bernville P. O. Box 40 Bernville, PA 19506-0040	Bernville Borough Berks County	Northkill Creek 3-C	Y
PA0080039 (Sew)	Carroll Valley Sewer and Water Authority 5685 Fairfield Road Carroll Valley, PA 17320	Adams County Cumberland Valley Borough	Toms Creek 13-D	Y
PA0085243 (Sew)	Manns Choice—Harrison Township Municipal Authority P. O. Box 28 Manns Choice, PA 15550-0028	Harrison Township Bedford County	Raystown Branch Juniata River 11-C	Y
PA0247421 (Sew)	Mr. and Mrs. Rodney Groff 7729 Wertzville Road Carlisle, PA 17013	Middlesex Township Cumberland County	UNT Conodoguinet Creek 7-B	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0228061 Sewerage	Total Environmental Solutions, Inc. 906 Beaver Drive DuBois, PA 15801	Sandy Township Clearfield County	Narrows Creek 17C	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. PA0056502, Industrial Waste, **White Pine Partners, LP**, One Red Lion Road, Philadelphia, PA 19115. This proposed facility is located in City of Philadelphia/Lower Moreland Township, **Philadelphia/Montgomery Counties**.

Description of Proposed Action/Activity: Approval for the renewal to discharge stormwater from a golf course to a UNT to Huntingdon Valley Creek in Watershed 3-J.

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

NPDES Permit No. PA0028649, Sewage, **Municipal Authority of the Borough of Sinking Spring**, 3940 Penn Avenue, Sinking Spring, PA 19608-1112. This proposed facility is located in Spring Township, **Berks County**.

Description of Proposed Action/Activity: Authorization to discharge to Watershed 3-C.

NPDES Permit No. PA0014672, Amendment No. 1, Industrial Waste, **Exide Technologies**, Spring Valley Road and Nolan Street, Reading, PA 19605. This proposed facility is located in Muhlenberg Township, **Berks County**.

Description of Proposed Action/Activity: Authorization to discharge to Schuylkill River (Outfall 001) and Bernhart Creek (Outfall 002) in Watershed 3-C.

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

NPDES Permit No. PA0263435, Sewage, **Matric Limited**, 2099 Hill City Road, Seneca, PA 16346. This proposed facility is located in Cranberry Township, **Venango County**.

Description of Proposed Action/Activity: New NPDES permit for a new discharge of treated sewage.

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

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

WQM Permit No. 0608403, Sewage, **Municipal Authority of the Borough of Sinking Spring**, 3940 Penn Avenue, Sinking Spring, PA 19608-1112. This proposed facility is located in Spring Township, **Berks County**.

Description of Proposed Action/Activity: Approval for the construction/operation of sewerage facilities consisting of: Influent sewers, mechanical fine screen, raw sewage pumps, a secondary clarifier, modifications to the chlorine contact tank, chemical addition facilities, leadworks, building reed beds and appurtenances.

WQM Permit No. 0708403, Sewage, **Carol Weyandt**, 120 Homes Lane, Duncansville, PA 16635. This proposed facility is located in Freedom Township, **Blair County**.

Description of Proposed Action/Activity: Approval for the construction/operation of sewerage facilities consisting of: A 1,500 gallon septic tank, a dosing tank with pump, a 600 square foot subsurface sand filter and chlorine tank to serve their single-family residence.

WQM Permit No. 0108402, Sewage, **Borough of Hanover**, 44 Frederick Street, Hanover, PA 17331. This proposed facility is located in Hanover Borough, **York County**.

Description of Proposed Action/Activity: Approval for the construction/operation of sewage facilities consisting of: Approximately 12,200 feet of proposed improvements to the Plum Creek Interceptor from Manhole R2 at the treatment plant to Manhole 39, which is the point of connection of Penn Township's sewers. All flow will be by gravity.

WQM Permit No. WQG02360802, Sewage, **Ephrata Borough Authority**, 124 South State Street, Ephrata, PA 17522. This proposed facility is located in Clay Township, **Lancaster County**.

Description of Proposed Action/Activity: Approval for the construction/operation of the Bethany Gardens Pump Station.

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

WQM Permit No. 4108401, Sewage, SIC 4952, **Loyalsock Township**, 2501 East Third Street, Williamsport, PA 17701. This proposed facility is located in Loyalsock Township, **Lycoming County**.

Description of Proposed Action/Activity: The applicant proposes to eliminate two sewer overflows and rehabilitate sewer mains and replace service connection and inceptor mains in eastern Loyalsock Township.

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

WQM Permit No. WQG016158-A1, Sewerage, **Lois A. Decker**, 118 Harvison Court No. 2, Irwin, PA 15642. This existing facility is located in Penn Township, **Westmoreland County**.

Description of Proposed Action/Activity: Permit amendment issuance for relocation of a single-residence septic and dosing tank.

WQM Permit No. WQG016169, Sewerage, **Marjorie J. Gess**, 1090 Indiana Road, Verona, PA 15147. This proposed facility is located in Penn Hills Township, **Allegheny County**.

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

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

WQM Permit No. WQG018665, Sewerage, **Cornelius C. Burkell**, 3430 Kinter Hill Road, Edinboro, PA 16412. This proposed facility is located in Washington Township, **Erie County**.

Description of Proposed Action/Activity: Issuance of a single-residence Sewage Treatment Plant.

WQM Permit No. WQG018662, Sewerage, **Troy Towsey**, 24313 Henry Morgan Boulevard, Punta Gorda, FL 33955-1713. This proposed facility is located in Connoquenessing Township, **Butler County**.

Description of Proposed Action/Activity: Issuance of a single-residence Sewage Treatment Plant.

WQM Permit No. WQG018669, Sewerage, **Noel Mitchell**, 116 Staff Road, Slippery Rock, PA 16057. This proposed facility is located in Brady Township, **Butler County**.

Description of Proposed Action/Activity: Issuance of a single-residence Sewage Treatment Plant.

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.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024803008R	Chrin Land Developers 400 South Greenwood Avenue Easton, PA 18045	Northampton	Tatamy Borough Palmer Township	Tributary to Shoeneck Creek WWF Bushkill Creek HQ-CWF
PAI023908014	Monogram Land Holding, LTD 6366 Robin Lane Coopersburg, PA 18036	Lehigh	Upper Macungie Township	Cedar Creek HQ-CWF
PAI021306005	Joseph Busocker 111 North Street P. O. Box 289 Jim Thorpe, PA 18229	Carbon	Jim Thorpe Borough	Silkmill Run EV Lehigh River 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 Groundwater Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Nonexceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)

General Permit Type—PAG-2

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>
Wilkes-Barre City Luzerne County	PAG2004008021	Department of Transportation Engineering District 4 Attn: Joseph Pilosi 55 Keystone Industrial Park Dunmore, PA 18512	Laurel Run/Mill Creek Tributaries to Susquehanna River CWF	Luzerne County Conservation District (570) 674-7991

<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>
Allen Township Northampton County	PAG2004803038R	Ron Del at Hampton Ridge, Inc. Attn: Ron Del Serro 3242 Farmersville Road Bethlehem, PA 18020	Lehigh River WWF	Northampton County Conservation District (610) 746-1971
Smithfield Township Monroe County	PAG2004508005	Hamilton Manor 1055 West Main Street Stroudsburg, PA 18360	Sambo Creek CWF, MF	Monroe County Conservation District (570) 629-3060
Todd Township Huntingdon County	PAG2003108012	Joseph Biddle 662 5th Street Huntingdon, PA 16652	Great Tough Creek TSF	Huntingdon County Conservation District 10605 Raystown Road Suite A Huntingdon, PA 16652-9603 (814) 627-1627
Loganville Borough Springfield Township York County	PAR10Y521R-1	Logan's Reserve Development, LLC 8601 Robert Fulton Drive Columbia, MD 21046	UNT to East Branch Codorus Creek CWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Amity Township Berks County	PAG2000603086-R	Neil Dreslin P. O. Box 53 Limekiln, PA 19535	Manatawny Creek CWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657, Ext. 201
Springettsbury Township York County	PAG2006708050	Scott Sosso York Property Associates, LLC 209 Sigma Drive Pittsburgh, PA 15238	UNT to Mill Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Bethel Township Berks County	PAG2000608041	Tom McKeon Berks County Industrial Development Authority 633 Court Street 14th Floor Reading, PA 19601	Little Swatara Creek CWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657, Ext. 201
Spring Township Perry County	PAG2035008003	Joseph Magaro 1325 Bower Road Shermans Dale, PA 17090	Pisgah Run WWF	Perry County Conservation District P. O. Box 36 31 West Main Street New Bloomfield, PA 17068 (717) 582-5119
Peach Bottom Township York County	PAG2006706093	James H. Meister 2412 Whiteford Road Whiteford, MD 21047 and Toby Beavers TLB Contracting 884 Mount Olivet Church Road Fawn Grove, PA 17314	Michael Run WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Centre County Ferguson Township	PAG2001403041R	Mark Bigatel Thistlewood Associates 2300 South Atherton Street State College, PA 16801	Slab Cabin Run CWF	Centre County Conservation District 414 Holmes Avenue Suite 4 Bellefonte, PA 16823 (814) 355-6817

*Facility Location:
Municipality &
County*

<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>
Clarion County Elk Township	PAG2091608005	Bureau of Abandoned Mine Reclamation Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119	UNT to Little Deer Creek to Deer Creek to Clarion River CWF	Department of Environmental Protection Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119 (814) 472-1800

General Permit Type—PAG-3

*Facility Location:
Municipality &
County*

<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>
Scranton City Lackawanna County	PAR802221	United States Postal Service Scranton Vehicle Maintenance Facility 2800 Stafford Avenue Scranton, PA 18505-9603	Stafford Meadow Brook WWF	DEP—NERO Water Management Program 2 Public Square Wilkes-Barre, PA 18711-2511 (570) 826-2511
Allentown City Lehigh County	PAR802238	United States Postal Service Allentown Post Office Airport Branch 1000 Postal Road Allentown, PA 18109-8900	Lehigh River WWF	DEP—NERO Water Management Program 2 Public Square Wilkes-Barre, PA 18711-2511 (570) 826-2511
Palmer Township Northampton County	PAR802237	United States Postal Service Easton Post Office— Palmer Branch 650 South Greenwood Avenue Easton, PA 18045-9998	Lehigh River WWF	DEP—NERO Water Management Program 2 Public Square Wilkes-Barre, PA 18711-2511 (570) 826-2511
Bethlehem City Northampton County	PAR802239	United States Postal Service Bethlehem Post Office 535 Wood Street Bethlehem, PA 18016-9998	Lehigh River WWF	DEP—NERO Water Management Program 2 Public Square Wilkes-Barre, PA 18711-2511 (570) 826-2511
Dauphin County Lykens Township	PAR123559	Wenger's Feed Mill, Inc.—Spring Glen Facility 101 West Harrisburg Avenue Rheems, PA 17570-0026	UNT Pine Creek CWF 6-C	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Franklin County Mercersburg Borough	PAR113558	DL Martin Company 25 Harbaugh Drive Mercersburg, PA 17236-1715	Johnston Run WWF 13-C	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Lancaster County Lancaster City	PAR233534	RR Donnelley & Sons Co. 216 Greenfield Road Lancaster, PA 17601-5885	UNT Conestoga River WWF 7-J	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Patton Township Centre County	PAR214825	Arrow Industries— State College Plant 123 Hawbaker Industrial Drive State College, PA 16803	UNT to Big Hollow CWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3664

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

PAR206108

World Class Processing
Corporation
21 Century Drive
Ambridge, PA
15003-2549Big Sewickley Creek and
Ohio RiverSouthwest Regional Office
Water Management
Program Manager
400 Waterfront Drive
Pittsburgh, PA
15222-4745
(412) 442-4000*General Permit Type—PAG-4**Facility Location:
Municipality and
County**Permit No.**Applicant Name &
Address**Receiving
Water/Use**Contact Office &
Phone No.*Cumberland County
Upper Mifflin
Township

PAG043696

Mr. and Mrs. Michael
Nowak
958 Roxbury Road
Newburg, PA 17240UNT Three Squares
Hollow Run
7-BDEP—SCRO
909 Elmerton Avenue
Harrisburg, PA 17110
(717) 705-4707Blair County
Freedom Township

PAG043882

Carol Weybrandt
120 Homes Lane
Duncansville, PA 16635Blue Knob Run
11-ADEP—SCRO
909 Elmerton Avenue
Harrisburg, PA 17110
(717) 705-4707Dauphin County
East Hanover
Township

PAG043885

Stanley W. Stewart—
Stewart Rental Property
302 East Main Street
Hummelstown, PA
17036-1725UNT Swatara Creek
WWF
7-DDEP—SCRO
909 Elmerton Avenue
Harrisburg, PA 17110
(717) 705-4707Clinton Township
Lycoming County

PAG045256

Lycoming County
Recreation Authority
352 Allenwood Camp
Lane
Montgomery, PA 17752UNT to Black Hole
Creek
TSFNorthcentral Regional
Office
Water Management
Program
208 West Third Street
Suite 101
Williamsport, PA 17701
(570) 327-3666Amwell Township
Washington County

PAG046385

Edward Winters
124 Mowl Road
Washington, PA 15301

UNT of Redd Run

Southwest Regional Office
Water Management
Program Manager
400 Waterfront Drive
Pittsburgh, PA
15222-4745
(412) 442-4000Penn Hills
Township
Allegheny County

PAG046393

Marjorie J. Gess
1090 Indiana Road
Verona, PA 15147

UNT to Plum Creek

Southwest Regional Office
Water Management
Program Manager
400 Waterfront Drive
Pittsburgh, PA
15222-4745
(412) 442-4000Washington
Township
Erie County

PAG049482

Cornelius C. Burkell
3430 Kinter Hill Road
Edinboro, PA 16412UNT to Conneauttee
Creek
16ADEP—NWRO
Water Management
230 Chestnut Street
Meadville, PA 16335-3481
(814) 332-6942Connoquenessing
Township
Butler County

PAG049478

Troy Towsey
24313 Henry Morgan
Boulevard
Punta Gorda, FL
33955-1713Little Connequenessing
Creek
20-CDEP—NWRO
Water Management
230 Chestnut Street
Meadville, PA 16335-3481
(814) 332-6942Brady Township
Butler County

PAG049488

Noel Mitchell
116 Staff Road
Slippery Rock, PA 16057UNT to Big Run
20-CDEP—NWRO
Water Management
230 Chestnut Street
Meadville, PA 16335-3481
(814) 332-6942

General Permit Type—PAG-8

*Facility Location:
Municipality &
County*

Permit No.

*Applicant Name &
Address*

*Site Name &
Location*

*Contact Office &
Phone No.*

Eulalia Township
Potter County

PAG-084833

Coudersport Area
Municipal Authority
P. O. Box 820
Tolls Hollow Road
Coudersport, PA 16915

Coudersport Area
Municipal Authority
Wastewater Treatment
Facility
Eulalia Township
Potter County

Northcentral Regional
Office
Water Management
Program
208 West Third Street
Suite 101
Williamsport, PA 17701
(570) 327-3664

**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 free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act

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

Permit No. 2409010, Operations Permit, Public Water Supply.

Applicant **Pennsylvania American
Water
Nesbitt Facility**
800 West Hersheypark Drive
Hershey, PA 17033
Wilkes-Barre
County **Luzerne**

Type of Facility PWS
Consulting Engineer N/A
Permit to Operate Issued December 18, 2008

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

Permit No. 0608505, Public Water Supply.

Applicant **Borough of Bally**
Municipality Bally Borough
County **Berks**
Type of Facility Permit for new Well source No. 4
and associated treatment
facilities.
Consulting Engineer Michael F. Bedard, P. E.
ARCADIS U.S., Inc.
6 Terry Drive
Newtown, PA 18940
Permit to Construct Issued December 23, 2008

Permit No. 0608508, Public Water Supply.

Applicant **Wernersville Municipal
Authority**
Municipality South Heidelberg Township
County **Berks**
Type of Facility Project consists of upgrades to
the existing Silver Spring Pump
Station. Improvements include
removing existing booster pump
and replacing with multiple
pumps, addition of chlorine
booster facilities and a
emergency generator.
Consulting Engineer Christopher A. Wilson, P. E.
Beitmen & Huyett, Inc.
645 Penn Street
P. O. Box 6307
Reading, PA 19601
Permit to Construct Issued December 23, 2008

Permit No. 3608509, Public Water Supply.

Applicant **Tamarack & Spread Eagle,
MHP**
Municipality New Providence Township
County **Lancaster**

Type of Facility Conversion of iodine disinfection to a sodium hypochlorite disinfection system.

Consulting Engineer Edmond G. McCorkle, P. E.
Terr-Aqua Consultants
252 South Esbenshade Road
Manheim, PA 17545

Permit to Construct Issued December 23, 2008

Permit No. 2108507 MA, Minor Amendment, Public Water Supply.

Applicant **United States Army Carlisle Barracks**

Municipality Carlisle Borough

County **Cumberland**

Type of Facility Carlisle Interconnection

Consulting Engineer Gary Sweppenhiser, P. E.
HQ Carlisle Barracks
309 Engineer Avenue
Attn: ATZE-DPW
Carlisle, PA 17013

Permit to Construct Issued December 22, 2008

Operations Permit issued to **John E. Groninger, Inc.**, 4340020, Fermanagh Township, **Juniata County** on December 22, 2008, for the operation of facilities approved under Construction Permit No. 3407503.

Operations Permit issued to **Western Berks Water Authority**, 3060066, Lower Heidelberg Township, **Berks County** on December 19, 2008, for the operation of facilities approved under Construction Permit No. 0607512 MA.

Operations Permit issued to **Municipal Authority of the Borough of Lewistown**, 4440010, Armagh Township, **Mifflin County** on December 23, 2008, for the operation of facilities approved under Construction Permit No. 4407502 MA.

Operations Permit issued to **The York Water Company**, 7670100, Oxford Mt. Pleasant, Union Township, **York County** on December 29, 2008, for the operation of facilities approved under Construction Permit No. 6707510 MA.

Operations Permit issued to **United Water Pennsylvania**, 7220015, Susquahanna Township, **Dauphin County** on December 22, 2008, for the operation of facilities approved under Construction Permit No. 2207517 MA.

Operations Permit issued to **Western Berks Water Authority**, 3060066, Spring Township, **Berks County** on December 19, 2008, for the operation of facilities approved under Construction Permit No. 0608503 MA.

Operations Permit issued to **Franklin County General Authority**, 7280045, Greene Township, **Franklin County** on December 22, 2008, for the operation of facilities approved under Construction Permit No. 2808510.

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

Permit No. Minor Amendment—Construction, Public Water Supply.

Applicant **Pennsylvania American Water Company**

Township or Borough Briar Creek Township

County **Columbia**

Responsible Official Scott Thomas
Pennsylvania American Water Company
800 West Hersheypark Drive
Hershey, PA 17033

Type of Facility Public Water Supply—Construction

Consulting Engineer N/A

Permit Issued Date December 23, 2008

Description of Action Rehab to the Glenbrook Tanks 1 and 2.

Permit No. Minor Amendment—Construction, Public Water Supply.

Applicant **Pennsylvania American Water Company**

Township or Borough White Deer Township

County **Union**

Responsible Official Scott Thomas
Pennsylvania American Water Company
800 West Hersheypark Drive
Hershey, PA 17033

Type of Facility Public Water Supply—Construction

Consulting Engineer N/A

Permit Issued Date December 29, 2008

Description of Action Blasting and repainting of the washwater tank at the White Deer Treatment Plant.

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

Permit No. 0208512, Public Water Supply.

Applicant **Pennsylvania American Water Company**
800 West Hersheypark Drive
P. O. Box 888
Hershey, PA 17033

Borough or Township Union Township, **Washington County**; Baldwin Borough and the City of Pittsburgh, **Allegheny County**

County

Type of Facility Chemical storage and feed facilities at Hays Mine Station, E.H. Aldrich and the Mt. Washington booster station.

Consulting Engineer Gannett Fleming, Inc.
207 Senate Avenue
Camp Hill, PA 17011-2316

Permit to Construct Issued December 29, 2008

Operations Permit issued to **Pennsylvania American Water Company**, 800 West Hersheypark Drive, P. O. Box 888, Hershey, PA 17033, (PWSID No. 5020039)

Union Township, **Washington County** on December 29, 2008, for the operation of facilities approved under Construction Permit No. 0208510MA.

Operations Permit issued to **Pennsylvania American Water Company**, 800 West Hersheypark Drive, P. O. Box 888, Hershey, PA 17033, (PWSID No. 5020039) Union Township, **Washington County** on December 29, 2008, for the operation of facilities approved under Construction Permit No. 0207503MA.

Operations Permit issued to **Pennsylvania American Water Company**, 800 West Hersheypark Drive, P. O. Box 888, Hershey, PA 17033, (PWSID No. 5020039) Franklin Township, **Washington County** on December 29, 2008, for the operation of facilities approved under Construction Permit No. 6399504A1.

Operations Permit issued to **Municipal Authority of Westmoreland County**, 124 Park and Pool Road, New Stanton, PA 15672, (PWSID No. 5260036) Rostraver Township, **Westmoreland County** on December 29, 2008, for the operation of facilities approved under Construction Permit No. 2608501MA.

Operations Permit issued to **Borough of Glasgow**, 178 Route 68, Midland, PA 15059, (PWSID No. 5040059) Glasgow Borough, **Beaver County** on December 29, 2008, for the operation of facilities approved under Construction Permit No. 0407509MA.

Permit No. 5689504T2, Minor Amendment, Public Water Supply.

Applicant	Hidden Valley Public Utility Services, LLC 1300 Penn Avenue Suite 300 Pittsburgh, PA 15222
Borough or Township	Jefferson Township
County	Somerset
Type of Facility	Hidden Valley Resort
Consulting Engineer	
Permit to Operate Issued	December 29, 2008

Permit No. 5608502T1, Minor Amendment, Public Water Supply.

Applicant	Hidden Valley Public Utility Services, LLC 1300 Penn Avenue Suite 300 Pittsburgh, PA 15222
Borough or Township	Jefferson Township
County	Somerset
Type of Facility	Hidden Valley Resort
Consulting Engineer	
Permit to Operate Issued	December 29, 2008

Permit No. 5689504A1T1, Minor Amendment, Public Water Supply.

Applicant	Hidden Valley Public Utility Services, LLC 1300 Penn Avenue Suite 300 Pittsburgh, PA 15222
Borough or Township	Jefferson Township

County	Somerset
Type of Facility	Hidden Valley Resort
Consulting Engineer	
Permit to Operate Issued	December 29, 2008
Permit No. 5684501T2, Minor Amendment , Public Water Supply.	

Applicant	Hidden Valley Public Utility Services, LLC 1300 Penn Avenue Suite 300 Pittsburgh, PA 15222
Borough or Township	Jefferson Township
County	Somerset
Type of Facility	Hidden Valley Resort
Consulting Engineer	
Permit to Operate Issued	December 29, 2008

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

Permit No. 8318W-MA5, Public Water Supply, **Minor Amendment**.

Applicant	Harmony Borough Water Authority
Township or Borough	Harmony Borough
County	Butler
Type of Facility	Public Water Supply
Consulting Engineer	Paul J. Cornetti, P. E. Authority Engineer 109 Dutchtown Road Butler, PA 16002
Permit to Construct Issued	December 23, 2008

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

Plan Location:

Borough or Township	Borough or Township Address	County
Freeland Borough	P. O. Box 117 Freeland, PA 18224	Luzerne County

Plan Description: The Plan's selected alternative is designated as Alternative 5, Option 2. This alternative calls for the replacement of portions of the Authority's existing wastewater collection and conveyance systems as specified in Exhibit 15 and the corresponding text of the Plan. The Authority's lone combined sewer overflow (CSO) structure will be retained, upgraded and automated as outlined in the Plan. The location of the CSO structure will also be relocated to a location near the existing Wyoming Street Pumping Station to facilitate the integration of the CSO structure with the pumping station's facilities. The CSO structure will be designed to discharge combined wastewater flows to its overflow line and receiving stream when flows reaching the Authority's

wastewater treatment facility exceed 1.7 mgd. The Authority will convey combined wastewater flows through its combined sewer overflow point to its wastewater treatment facility to the maximum extent possible. The Wyoming Street Pumping Station will also be converted to a submersible type station and expanded to a capacity of approximately 1.1 mgd with redundant pumping equipment.

Alternative 5, Option 2 also proposes to upgrade and expand the Authority's existing wastewater treatment facility, located in Foster Township, Luzerne County, to a capacity of 1.2 mgd. The biological treatment portion of the facility will be converted from a trickling filter process to an aeration-based process as shown in Exhibit 18 and described in the text of the Plan. Flow equalization in the amount of 0.250 million gallons will be provided at the wastewater treatment facility to accommodate wet-weather flows. The facility will also be converted from a chlorine-based disinfection system to an ultraviolet-based disinfection system. Biosolids dewatering at the facility will be converted from a drying bed process to a mechanical filter press process. Treated wastewater from the facility will continue to be discharged to Pond Creek.

The Plan also calls for the continued investigation, location and removal of infiltration and inflow sources from the Authority's collection and conveyance systems and structures throughout the Borough through cooperative and coordinated efforts between the Borough and the Authority. These efforts shall be ongoing in nature and continue until modified by a revision of the Borough's Official Sewage Facilities with subsequent approval of the Plan by the Department of Environmental Protection (Department). Implementation of the selected wastewater disposal alternative and operation of the proposed facilities will be performed by the Borough and the Authority as specified in the Plan.

Financing of the proposed wastewater collection and conveyance system is to be provided by the Pennsylvania Infrastructure Investment Authority (PENNVEST). In evaluating the Plan for PENNVEST financing purposes, the Department has concluded that the proposed expansion of the Authority's wastewater treatment facility is in excess of that value justified by the Plan's population and reasonable growth projections. PENNVEST participation in funding the Authority's wastewater treatment facility upgrade and expansion will be prorated such that only costs attributable to upgrading and expanding the wastewater treatment facility to a flow of 1.03 mgd will be eligible for PENNVEST funding participation. All other costs attributable to the wastewater collection and conveyance systems' improvements are eligible at 100% of their construction cost values.

This approval correspondence covers only the wastewater planning aspects of the selected wastewater disposal alternative as it relates to individual municipality's Official Sewage Facilities Plan. The approved project will require an NPDES Permit for the proposed effluent discharge. The approved project will also require a Water Management Part II Permit for the construction and operation of the proposed sewage facilities. Both of these permit applications must be submitted in the name of the Authority.

Any additional wastewater-related improvements, additions, deletions or changes outside of those explicitly described in the Plan and its correspondence must be in compliance with the Department's regulations and be submitted to and approved by the Department in writing.

This review has also not identified any significant environmental impacts resulting from this proposal.

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
West Manheim Township	2412 Baltimore Pike Hanover, PA 17331	York County

Plan Description: Joshua Hill, Code No. D3-67964-176-3: The approved plan provides for a 136 lot single-family residential subdivision on 203.7 acres with 132 proposed building lots and total proposed sewage flows of 32,100 gpd. The sewage flows will be tributary to a private onsite wastewater treatment plant with a discharge to a UNT of the West Branch of the Codorus Creek. The wastewater treatment plant will be sized at 100,000 gpd to accommodate possible future development and to serve existing homes with onlot sewage disposal system problems. The proposed development is located on the northeastern corner of Musselman Road and the Baltimore Pike (SR 0094) in West Manheim Township, York County. Any required NPDES Permits or WQM Permits must be obtained in the name of the owner/developer.

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Potter Township	124 Short Road Spring Mills, PA 16875	Centre County

Plan Description: The approved plan provides for the replacement of the existing treatment plant at Country Club Park and extending a force main to accept sewage flows from the Meadows Clinic in the Township. 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 section 5 of the Pennsylvania Sewage Facilities Act (35 P. S. § 750.5)

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

Plan Location: Located on Charlestown Road, Montgomery Township, Franklin County.

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Montgomery Township	12868 Fort Loudon Road Mercersburg, PA 17236	Franklin County

Plan Description: The Official Plan Revision, entitled Darold Starliper, proposing a five lot residential subdivision using individual onlot sewage disposal systems, was disapproved because the preliminary hydrogeologic study contained in the planning information received by the

Department of Environmental Protection and required by 25 Pa. Code § 71.62(c) was flawed as it used an incorrect assessment of the background concentration of nitrate-nitrogen in the groundwater. Samples were taken from wells located in a different geologic formation than the geologic formation located at the proposed subdivision. Preliminary hydrogeologic studies must correctly and accurately assess the background concentration of nitrate-nitrogen in the groundwater at the site of the proposed subdivision.

Plan Location: Located on Shinham Road, Antrim Township, Franklin County.

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Antrim Township	P. O. Box 130 10655 Antrim Church Road Greencastle, PA 17225	Franklin County

Plan Description: The Official Plan Revision, entitled William Webster, proposing a six lot residential subdivision using individual onlot sewage disposal systems, was disapproved because the preliminary hydrogeologic study contained in the planning information received by the Department of Environmental Protection and required by 25 Pa. Code § 71.62(c), incorrectly assessed the background concentration of nitrate-nitrogen in the groundwater, by using sample data from wells located in a different geologic formation than the geologic formation located at the proposed subdivision. When using only those wells which are in the same geologic formation with the proposed subdivision, it is apparent that the groundwater is presently polluted at the site of the proposed subdivision. Additional onlot sewage systems will further pollute the groundwater. Such a condition is considered a nuisance and is prohibited.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 2

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

Provisions of Chapter 3 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, shall also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a Site-Specific Standard remediation. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media; benefits of refuse of the property

and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

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

Merton Price Property, Ridley Township, Delaware County. Michael Christie, Penn E & R, Inc., 2755 Bergey Road, Hatfield, PA 19440 on behalf of Kenneth Hurwitz, Merton Price Company, 207 Yorktown Place, Berwyn, PA 19132 has submitted a Remedial Investigation and Cleanup Plan concerning remediation of site soil contaminated with chlorinated solvents and petroleum hydrocarbons including mtbe. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Former PA School of Muscle Therapy, Upper Providence Township, Montgomery County. Samuel Kucia, Environmental Consulting, Inc., 500 East Washington Street, Suite 375, Norristown, PA 19401 on behalf of John Myers, 1598 Horseshoe Trail, Valley Forge, PA 19481, Alice Allan, Allan Properties, LLC, 190 Murphy Drive, King of Prussia, PA 19406 has submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Gamesa Wind PA, LLC, Falls Township, Bucks County. Chris Hawk, Environmental Standards, Inc., 1140 Valley Forge Road, P. O. Box 810, Valley Forge, PA 19482 on behalf of Darius Rogers, Gamesa Wind Us, 400 Gamesa Drive, Fairless Hills, PA 19030 has submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Green Street Mews, Downingtown Borough, Chester County. David VanKeuren, Earth Engineering, Incorporated, 115 West Germantown Pike, East Norriton, PA 19401 on behalf of Sara Peck, Progressive Housing Ventures, LLC, Malvern, PA 19355 has submitted a Final Report concerning remediation of site soil contaminated with other organics. The report is intended to document remediation of the site to meet the Site-Specific Standard.

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

The Bethlehem Club, 520 North New Street, Bethlehem City, Northampton County. Elizabeth Schamberger, Moonstone Properties, LLC, 1150 Glenlivet Drive, Suite C-31, Allentown, PA 18106 has submitted a Final Report (on behalf of her client, The Bethlehem Club, c/o TJ McHale Co., 528 North New Street, Bethlehem, PA 18018), concerning the remediation of soils found to have been impacted by No. 2 fuel oil as a result

of an accidental release from the piping of an out-of-service underground storage tank. The report was submitted to document attainment of the Statewide Health Standard. A public notice regarding the submittal of the Final Report was published in the *Morning Call* and the *Express-Times* on November 21, 2008.

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.

Defense Supply Facility, City of Philadelphia, Philadelphia County. Gary R. Brown, P. E., RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406 on behalf of Jonathan Zich Defense Realty, LLC, 575 Lexington Avenue, Suite 3200, New York, NY 10022 has submitted a Risk Assessment Report and Cleanup Plan concerning the remediation of site groundwater contaminated with jet fuel. The Risk Assessment Report and Cleanup Plan were disapproved by the Department of Environmental Protection on September 17, 2008.

(PECO) Royersford MGP Site, Royersford Borough, Montgomery County. John Roberts, Jacques Whitford Company, 450 South Graves Road, Suite 105, Plymouth Meeting, PA 19462 on behalf of Steven Freedman, Crest Club of Royersford, LP, 1715 East Butler Pike, Maple Glen, PA 19002 has submitted a Risk Assessment, Remedial Investigation and Final Report concerning the remediation of site groundwater and soil contaminated with PAHs. The Risk Assessment, Remedial Investigation and Final Report Plan was approved by the Department of Environmental Protection on December 15, 2008

Bey Residence, City of Philadelphia, Philadelphia County. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Roads, Pennsburg, PA 18073 on behalf of Doris Bey, 4927 Pulaski Avenue, Philadelphia, PA 19144 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 December 11, 2008.

Passanante Residence, Bedminster Township, Bucks County. Richard Werner, Environmental Consulting, Inc., 500 East Washington Street, Suite 375, Norristown, PA 19401 on behalf of Paul Passanante, 277 Swamp Road, Fountainville, PA 18923 has submitted a Final Report concerning the remediation of site soil contaminated with heating oil. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on December 11, 2008.

CVS New Garden, New Garden Township, Chester County. Craig Herr, RT Environmental Services, Inc., 2145 West Church Road, King of Prussia, PA 19406 on behalf of John Zaharchuk, Summit Realty Advisors, LLC, 621 Delaware Street, New Castle, DE 19720 has submitted a Risk Assessment and Final Report concerning the remediation of site soil contaminated with arsenic. The Risk Assessment and Final Report were approved by the Department of Environmental Protection on December 15, 2008.

PECO North Wales MGP, North Wale Borough, Montgomery County. George Keil, URS Corporation, 335 Commerce Drive, Suite 300, Fort Washington, PA 19034 on behalf of Benjamin Henry, P. E., C Energy Company, 2301 Market Street S9-1, Philadelphia, PA 19103 has submitted a Risk Assessment and Final Report concerning the remediation of site groundwater and soil contaminated with organic and inorganic compounds. The Risk Assessment and Final Report were approved by the Department of Environmental Protection on December 8, 2008.

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

Scot Lubricants of PA, Inc., 1801 East Tremont Street, Allentown City, **Lehigh County**. Jeremy W. Bolyn, Patriot Environmental Management, LLC, P. O. Box 629, Douglassville, PA 19518 submitted a Final Report (on behalf of his client, Scot Lubricants of PA, Inc., P. O. Box 326, Allentown, PA 18105), concerning the remediation of site soils and groundwater found to have been impacted by No. 2 fuel oil and leaded gasoline as a result of an accidental release during the removal of a 550-gallon fuel oil underground storage tank and a 1,000-gallon leaded gasoline underground storage tank. The report documented attainment of the Statewide Health Standard for soils and groundwater and was approved on December 16, 2008.

Czeitner Property, Lower Woodside Drive, Silver Lake Township, **Susquehanna County**. Dawn L. Washo, Resource Environmental Management, Inc., 8 Ridge Street, Montrose, PA 18801 submitted a Final Report (on behalf of her client, Lori Czeitner, 19 Arlington Street, Johnson City, NY 13790), concerning the remediation of soils found to have impacted by No. 2 fuel oil as a result of a release from a 275-gallon aboveground storage tank. The report documented attainment of the Residential Statewide Health Standard and was approved on December 15, 2008.

The Bethlehem Club, 520 North New Street, Bethlehem City, **Northampton County**. Elizabeth Schamberger, Moonstone Properties, LLC, 1150 Glenlivet Drive, Suite C-31, Allentown, PA 18106 submitted a Final Report (on behalf of her client, The Bethlehem Club, c/o TJ McHale Co., 528 North New Street, Bethlehem, PA 18018), concerning the remediation of soils found to have been impacted by No. 2 fuel oil as a result of an accidental release from the piping of an out-of-service underground storage tank. The report documented attainment of the Statewide Health Standard and was approved on December 9, 2008.

RESIDUAL WASTE GENERAL PERMIT RENEWAL

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

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

General Permit Number WMGR096. The Department of Environmental Protection (Department) has renewed the Department initiated General Permit Number WMGR096. This general permit authorizes the beneficial use of regulated fill as a construction material. The Department issued the renewal on December 24, 2008.

Persons interested in reviewing the general permit should contact Ronald C. Hassinger, Chief, General Permits/Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472, (717) 787-7381. TDD users should contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Determination of Applicability for General Permit 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. § 4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash.

Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4000.

Permit No. WMGR090SW001 C&D. The Lane Construction Corporation, 1 Rutgers Road, Pittsburgh, PA 15205. Crafton Asphalt Plant, 1601 Chartiers Valley Lane, Pittsburgh, PA 15205 and Springdale Asphalt Plant, 1000 Sherosky Way, Springdale, PA 15144. A residual waste general permit for the processing of reclaimed asphalt pavement materials for beneficial use as a roadway construction material in the City of Pittsburgh/Springdale Borough, **Allegheny County**, was approved by the Regional Office on December 23, 2008.

Persons interested in reviewing the general permit should contact Diane McDaniel, P. E., Engineering Manager, Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, TDD users should contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

AIR QUALITY

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

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

45-301-031GP14: H.G. Smith Crematory (2120 North 5th Street, Stroudsburg, PA 18360) on December 24, 2008, to install and operate a pet and human remains crematory at their site in Stroudsburg Borough, **Monroe County**.

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

GP5-30-00175A: Atlas Pipeline Pennsylvania, LLC (P. O. Box 611, Moon Township, PA 15108-0611) on December 22, 2008, to install and operate one Caterpillar G3512LE compressor engine with Miratech IQ-22-10-H1 catalytic converter, two Caterpillar G3516 LE compressor engines each rated at 1,340 bhp-hr and replacement of the existing dehydrator with a new NATCO dehydrator rated at .350 mmBtu/hr at their Davis Compressor station in Jefferson Township, **Greene County**.

GP5-63-00940A: Mark West Liberty Gas Gathering, LLC (1515 Arapahoe Street, Tower 2, Suite 700, Denver, CO 80202-2126) on December 19, 2008, to install and operate four Caterpillar 3516LE compressor engines, each equipped with a Miratech ZHS-30x31-12-H1 catalytic converter and two NATCO Dehydrators rated at 0.275

mmBtu/hr at their Shaw Compressor Station located in Chartiers Township, **Washington County**.

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

GP-10-324A: Butler Area School District—Butler Area Senior High School (120 Campus Lane, Butler, PA 16001) on December 22, 2008, to operate three natural gas fired boilers (BAQ-GPA/GP-1) in Butler Township, **Butler County**.

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

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

09-0061B: Donaldson Co., Inc.—d/b/a Teratec (85 Railroad Drive, Ivyland, PA 18974) on December 22, 2008, to install a polytetrafluoroethylene extrusion line and drying process, which will be controlled by a Regenerative Thermal Oxidizer, at their facility in North Hampton Township, **Bucks County**. This facility is a Minor facility. There will be 4.4 tpy VOC increase due to this installation. The Plan Approval will contain monitoring and recordkeeping requirements to keep the source operating within the allowable emissions and all applicable air quality requirements.

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

66-315-054: Procter & Gamble Paper Products Co. (P. O. Box 32, Mehoopany, PA 18629-0032) for installation of two new Napkin converting lines at their facility in Washington Township, **Wyoming County**.

54-313-088: Air Products & Chemicals (357 Marion Avenue, Tamaqua, PA 18252) on December 16, 2008, to modify their existing Fluorine Operation to include a new scrubber at their facility in Rush Township, **Schuylkill County**.

54-322-008: UGI-CES Generating Station (1 Meridian Boulevard, Suite 2C01, Wyomissing, PA 19610) on December 11, 2008, to construct and operate a ground flare and siloxane removal system at their site in Foster Township, **Schuylkill County**.

48-316-005: Tree Cycle, LLC (2026 Route 31, Suite 6, Glen Garden, NJ 08826) on December 12, 2008, to construct and operate a wood palletizing facility at their site in Plainfield Township, **Northampton County**.

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

24-017C: Morgan Advanced Materials and Technology (441 Hall Avenue, St. Marys, PA 15857) on December 23, 2008, to construct a second batch coking oven to be controlled by a new thermal oxidizer in St. Marys City, **Elk County**. This is a State-only facility.

24-083P: Carbone of America—Benzinger Plant (215 Stackpole Street, St. Marys, PA 15857) on December 18, 2008, to modify plan approval 24-083N to include three additional carbon mixers (Source ID 129C) in St. Marys, **Elk County**.

25-970B: Wire Weld, Inc.—North East (12069 East Main Road, North East, PA 16428-3641) on December 23, 2008, to modify operating temperature restrictions in Plan Approval 25-970A in North East Township, **Erie County**.

37-243F: INMETCO (One INMETCO Drive, Ellwood City, PA 16117) on December 23, 2008, to modify plan approval 37-243D condition with regards to the CO CEM for the 156,000 acfm baghouse controlling the Rotary Hearth Furnace in Ellwood City Borough, **Lawrence County**. This is a Title V facility.

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

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

23-0009C: Boeing Co.—Philadelphia (P. O. 16858, Philadelphia, PA 19142) on December 22, 2008, to operate a manufacturing aircraft in Philadelphia, **Philadelphia County**.

15-0015C: Sartomer Co., Inc. (502 Thomas Jones Way, Exton, PA 19341) on December 23, 2008, to operate a Control Device in West Chester Borough, **Chester County**.

23-0089: FPL Energy Marcus Hook, LP (Delaware Avenue and Green Street, Marcus Hook, PA 19061) on December 23, 2008, to operate a Control Device in West Borough of Marcus Hook, **Delaware County**.

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

24-083D: Carbone of America—Graphite Materials Div. (1032 Trout Run Road, St. Marys, PA 15857) on December 31, 2008, to construct a CBH Kiln in Benzinger Township, **Elk County**.

Plan Approvals Denied, Terminated, Modified, Suspended or Revoked under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and the provisions of 25 Pa. Code §§ 127.13b and 127.13c.

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

46-0029D: Glasgow, Inc.—Springhouse Asphalt Plant—Quarry (Route 309 and Hartman Road, Montgomery, PA 18936) on December 22, 2008, a minor modification of Plan Approval No. 46-0029D for modification of an existing mineral processing plant in Montgomery Township, **Montgomery County**. Minor language changes were made in the modified Plan Approval. The modification has the same emissions limits and regulatory requirements as the original issuance.

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

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

23-00003: ConocoPhillips (4101 Post Road, Trainer, PA 19061) on December 23, 2008, to renew their Title V

Operating Permit in Trainer Borough, **Delaware County**. The initial permit was issued on February 24, 2003. The facility is a petroleum refinery. As a result of potential emissions of NO_x, SO_x, VOC, CO and PM, the facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments and is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The proposed Title V Operating Permit Renewal does not reflect any change in air emissions from the facility. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting. The operation is subject to Compliance Assurance Monitoring under 40 CFR Part 64 and NSPS regulations. The renewal permit contains all applicable requirements including monitoring, recordkeeping and reporting.

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Yasmin Neidlinger, Facilities Permitting Chief, (717) 705-4702.

67-05033: Gichner Systems Group, Inc. (490 East Locust Street, P. O. Box 481, Dallastown, PA 17313) on December 18, 2008, to operate their portable metal building manufacturing facility in York Township, **York County**. This Title V Operating Permit was administratively amended due to a change of ownership. This is Revision No. 1.

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

V07-002: Naval Surface Warfare Center—Carderock Division (5001 South Broad Street, Code 02, Philadelphia, PA 19112) for operation of research, development, testing, evaluation, fleet support and in-service engineering for surface and undersea naval ships facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include four wall-fired ship boilers, each with a heat input between 200 and 385 mmBtu/hr, five boilers each with a heat input less than 10 mmBtu/hr, 10 heaters each with a heat input less than 3 mmBtu/hr, five emergency generators, three engine test cells, five diesel engines used for testing, 11 gas turbines, a paint spray booth, wood working and parts cleaner. The facility's air emissions control devices include dust collectors, baghouse and filters.

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

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

06-05114: Birchcraft Kitchens, Inc. (425 Richmond Street, Reading, PA 19605) on December 22, 2008, to operate their wood cabinet manufacturing plant in the City of Reading, **Berks County**.

36-03056: Weaver Industries, Inc. (425 South 4th Street, Denver, PA 17517-1224) on December 18, 2008, to operate their existing industrial machinery operation facility in Denver Borough, **Lancaster County**. This is a renewal of the State-only operating permit.

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, Janine Tulloch-Reid, Facilities Permitting Chief, (484) 250-5920.

46-00014: Knoll, Inc. (1235 Water Street, East Greenville, PA 18041) the operating permit was amended to incorporate Plan Approval PA-46-0014F for a Metal and Plastic Saw with Cyclone in Upper Hanover Township, **Montgomery County**. Other revisions include the removal of sources no longer operated at the facility, the addition of an exempt emergency generators source and solvent degreasers source and general restructuring and reorganization of sources and permit conditions. Administrative Amendment of Title V Operating Permits is issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450.

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

36-05119: Signature Custom Cabinetry, Inc. (434 Springville Road, Ephrata, PA 17522-9610) on December 22, 2008, for a coating spray booth at Ephrata Township, **Lancaster County**. This State-only operating permit has been administratively amended to incorporate plan approval 36-05119C for Spray Booth 55, Souce ID 12B. This is Revision No. 1.

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

V04-007: PaperWorks Industries, Inc. (5000 Flat Rock Road, Philadelphia, PA 19127) on December 22, 2008, to incorporate a change of ownership from Altivity Packaging, LLC. The Title V Operating Permit was originally issued on July 12, 2005.

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

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

37-00023: Orion Power Midwest LP—New Castle Power Plant (121 Champion Way, Canonsburg, PA 15317) for their facility in Taylor Township, **Lawrence County**. The de minimis emission increases are related to construction of an auxiliary boiler to provide building heat. The installation of the boiler will begin on or after January 1, 2009. The boiler is rated at 8.2 mmBtu/hr and is fired with No. 2 oil. In addition, this source is exempt from plan approval as it complies with 25 Pa. Code § 127.14(a)(3). The facility has not applied for any other de minimis increases during the term of the current permit which expires December 31, 2001.

The Department of Environmental Protection hereby approves the de minimis emission increase. The following table is a list of the de minimis increases as required by 25 Pa. Code § 127.449(i). This list includes the de minimis increases since the Title V Operating Permit issuance on January 23, 2007.

Date	Source	PM10 (tons)	SOx (tons)	NOx (tons)	VOC (tons)	CO (tons)
12/19/2008	8.2 mmBtu Clayton Ind. No. 2 oil fired auxiliary boiler	0.10	0.71	1.0	0.01	0.25
Allowable		0.6 ton/source 3 tons/facility	1.6 tons/source 8 tons/facility	1 ton/source 5 tons/facility	1 ton/source 5 tons/facility	4 tons/source 20 tons/facility

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

Coal Permits Actions

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

32990103 and NPDES Permit No. PA0212687, TLH Coal Company, 4401 Pollock Road, Marion Center, PA 15759, permit revision—land use change on Murray Mumau and Paul Wanchisn properties from Wildlife Habitat and Forest to Pasture and unmanaged natural habitat in Grant Township, **Indiana County**, affecting 30 acres. Receiving streams: UNTs to/and East Run classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received October 15, 2008. Permit issued December 22, 2008.

56693103 and NPDES No. PA0608017. Diamond T Coal Company, P. O. Box 260, Friedens, PA 15541, revision of an existing bituminous surface and auger; reclamation only—water treatment mine to change land use from pastureland to unmanaged natural habitat in Stonycreek Township, **Somerset County**, affecting 828.8 acres. Receiving streams: UNT Lamberts Run, Lamberts Run, UNT Grove Run and Grove Run classified for the following use: CWF. The first downstream potable water supply intake from the point of discharge is Hooversville Municipal Authority; Stonycreek River. Application received April 9, 2008. Permit issued December 22, 2008.

32970105 and NPDES Permit No. PA0234427, TLH Coal Company, 4401 Pollock Road, Marion Center, PA 15759, permit revision—land use change on Murray Mumau and Paul Wanchisn properties from Wildlife Habitat to Pasture or land occasionally cut for hay in Grant Township, **Indiana County**, affecting 42 acres. Receiving streams: UNTs to/and East Run classified for the following use: CWF. There are no potable water

supply intakes within 10 miles downstream. Application received October 15, 2008. Permit issued December 22, 2008.

56030102 and NPDES No. PA0249424. Mountaineer Mining Corporation, 1010 Garrett Shortcut Road, Berlin, PA 15530, permit renewal for reclamation only of a bituminous surface mine in Brothersvalley Township, **Somerset County**, affecting 29.6 acres. Receiving streams: UNTs to/and Hays Run classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received October 21, 2008. Permit issued December 22, 2008.

32030103 and NPDES No. PA0249416. Britt Energies, Inc., 2450 Philadelphia Street, Indiana, PA 15701, permit renewal for reclamation only of a bituminous surface and auger mine in Center Township, **Indiana County**, affecting 175.6 acres. Receiving streams: Tearing Run to Two Lick Creek to Blacklick Creek to Conemaugh River classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received October 16, 2008. Permit issued December 22, 2008.

56803020 and NPDES No. PA0121177. Action Mining, Inc., 1117 Shaw Mines Road, Meyersdale, PA 15552, permit renewal for the continued operation and restoration of a bituminous surface coal refuse disposal mine in Summit Township, **Somerset County**, affecting 79.5 acres. Receiving streams: Blue Lick Creek, UNT to Blue Lick Creek and a UNT to the Casselman River classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received September 4, 2008. Permit issued December 22, 2008.

56663069, NPDES No. PA0120944 and General Permit GP-12-56980103. Action Mining, Inc., 1117 Shaw Mines Road, Meyersdale, PA 15552, revision of an existing bituminous surface-auger mine to replace an existing air quality permit for coal processing to coverage under air quality general permit GP-12 in Elk Lick and Summit Townships, **Somerset County**, affecting 3,040.0 acres. Receiving streams: UNT to Casselman River, Casselman River, UNT to Elk Lick Creek and Elk Lick Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received October 27, 2008. Permit issued December 24, 2008.

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

10970105 and NPDES Permit No. PA0227625. State Industries, Inc. (P. O. Box 1022, Kittanning, PA 16201) Renewal of an existing bituminous strip, auger and coal ash placement operation in Concord and Fairview Townships, **Butler County** affecting 234.7 acres. This renewal is issued for reclamation only. Receiving streams: Three UNTs to Bear Creek. Application received October 27, 2008. Permit issued December 18, 2008.

1642-10070105-E-1. T. C. Mining (252 Lower Hayes Run Road, Kittanning, PA 16201) Application for a stream

encroachment to mine through and reconstruct a 500 foot segment of 100 feet of UNT No. 1A to South Branch Slippery Rock Creek in Concord and Clay Townships, **Butler County** affecting 191.0 acres. Receiving streams: UNT to South Branch Slippery Rock Creek. Application received November 26, 2007. Permit issued December 18, 2008.

Noncoal Permits Actions

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

07070301 and NPDES No. PA0262374. Glenn O. Hawbaker, Inc., 1952 Waddle Road, State College, PA 16803-1649, commencement, operation and restoration of a noncoal surface mine and stream encroachments for Schmucker Run and UNTs Nos. 1—3, and Nos. 5—8 in Woodbury Township, **Blair County**, affecting 98.7 acres. Receiving streams: Schmucker Run classified for the following use: WWF. There are no potable water supply intakes within 10 miles downstream. Application received March 22, 2007. Permit issued December 23, 2008.

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

03080801. Shirey Farms (225 Water Street, New Bethlehem, PA 16242). Permit issued for commencement, operation and reclamation of a small, noncoal surface mining site located in Redbank Township, **Armstrong County**, affecting 2.0 acres. Receiving streams: UNT to Redbank Creek. Application received May 9, 2008. Permit issued December 22, 2008.

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

25010302. A.C.A. Sand and Gravel, LLC (19170 Route 89, Box 16, Corry, PA 16407) Revision to an existing topsoil and sand and gravel operation to add 3.6 acres and mine below the water table in Concord Township, **Erie County** affecting 124.6 acres. The revision also includes a land use change from cropland and forestland to unmanaged water impoundment and unmanaged natural habitat on the property of Richard J. Darrow. Receiving streams: N/A. Application received April 7, 2008. Permit issued December 18, 2008.

37080303 and NPDES Permit No. PA0258598. Three Rivers Aggregates (P. O. Box 6090, Falmouth, VA 22403-6090) Commencement, operation and restoration of a sand and gravel operation in Plain Grove and Scott Townships, **Lawrence County** affecting 71.0 acres. Receiving streams: UNT to Taylor Run. Application received May 13, 2008. Permit issued December 18, 2008.

3778SM10. Gierlach Crushing & Contracting (206 Patchel Run Road, Franklin, PA 16323-6709) Renewal of existing NPDES Permit No. PA0108812 in the City of Franklin, **Venango County**. Receiving streams: Patchel Run. Application received October 31, 2008. Permit issued December 23, 2008.

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

5777SM4C7 and NPDES Permit No. PA0034690. Barletta Materials & Construction, Inc., (P. O. Box 550, Tamaqua, PA 18252), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Nescopeck Township, **Luzerne County**, receiving stream: Susquehanna River and a UNT to Susquehanna River. Application received October 30, 2008. Renewal issued December 22, 2008.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

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

Blasting Permits Actions

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

21084169. Newville Construction Services, Inc., 408 Mohawk Road, Newville, PA 17241-9424, blasting activity permit issued for bridge demolition development in West Pennsboro Township, **Cumberland County**. Blasting activity permit end date is December 10, 2009. Permit issued December 15, 2008.

21084170. Newville Construction Services, Inc., 408 Mohawk Road, Newville, PA 17241-9424, blasting activity permit issued for bridge demolition development in West Pennsboro Township, **Cumberland County**. Blasting activity permit end date is December 10, 2009. Permit issued December 15, 2008.

21084171. Newville Construction Services, Inc., 408 Mohawk Road, Newville, PA 17241-9424, blasting activity permit issued for bridge demolition development in North Middleton Township, **Cumberland County**. Blasting activity permit end date is December 10, 2009. Permit issued December 15, 2008.

21084172. Newville Construction Services, Inc., 408 Mohawk Road, Newville, PA 17241-9424, blasting activity permit issued for bridge demo development in West Pennsboro Township, **Cumberland County**. Blasting activity permit end date is December 10, 2009. Permit issued December 15, 2008.

21084173. Warrens Excavating & Drilling, Inc., P. O. Box 214, Myerstown, PA 17067-0214, blasting activity permit issued for residential development in Silver Spring Township, **Cumberland County**. Blasting activity permit end date is December 15, 2009. Permit issued December 17, 2008.

21084174. Warrens Excavating & Drilling, Inc., P. O. Box 214, Myerstown, PA 17067-0214, blasting activity permit issued for residential development in Silver Spring Township, **Cumberland County**. Blasting activity permit end date is December 1, 2009. Permit issued December 17, 2008.

01084115. Warrens Excavating & Drilling, Inc., P. O. Box 214, Myerstown, PA 17067-0214, blasting activity permit issued for residential development in Hamilton Township, **Adams County**. Blasting activity permit end date is December 1, 2009. Permit issued December 17, 2008.

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

39084121. Warren's Excavating & Drilling, Inc., (P. O. Box 1022, Honey Brook, PA 19344), construction blasting for Laurel Field Estates in Upper Macungie Township, **Lehigh County** with an expiration date of December 21, 2009. Permit issued December 18, 2008.

360841122. Warren's Excavating & Drilling, Inc., (P. O. Box 1022, Honey Brook, PA 19344), construction blasting for Westwood Green in Manor Township,

Lancaster County with an expiration date of December 1, 2009. Permit issued December 22, 2008.

360841126. Warren's Excavating & Drilling, Inc., (P. O. Box 1022, Honey Brook, PA 19344), construction blasting for Wellsley Manor in Manheim Township, **Lancaster County** with an expiration date of December 1, 2009. Permit issued December 22, 2008.

360841127. Warren's Excavating & Drilling, Inc., (P. O. Box 1022, Honey Brook, PA 19344), construction blasting for Parkside Development in East Hempfield Township, **Lancaster County** with an expiration date of December 1, 2009. Permit issued December 22, 2008.

46084123. Warren's Excavating & Drilling, Inc., (P. O. Box 1022, Honey Brook, PA 19344), construction blasting for Lower Salford Pump Station in Lower Salford Township, **Montgomery County** with an expiration date of December 19, 2009. Permit issued December 22, 2008.

22084118. Warren's Excavating & Drilling, Inc., (P. O. Box 1022, Honey Brook, PA 19344), construction blasting for Enclave Project in Derry Township, **Dauphin County** with an expiration date of December 15, 2009. Permit issued December 23, 2008.

54084107. Warren's Excavating & Drilling, Inc., (P. O. Box 1022, Honey Brook, PA 19344), construction blasting for Northeast Cad in Foster and Cass Townships, **Schuylkill County** with an expiration date of December 18, 2009. Permit issued December 23, 2008.

360841120. Warren's Excavating & Drilling, Inc., (P. O. Box 1022, Honey Brook, PA 19344), construction blasting for Willow Bends Farms in West Lampeter Township, **Lancaster County** with an expiration date of December 1, 2009. Permit issued December 24, 2008.

40084125. Geological Technologies, Inc., (P. O. Box 70, Falling Waters, WV 25419), construction blasting for Curryhill—Avondale Mine Reclamation in Plymouth Township, **Luzerne County** with an expiration date of January 1, 2010. Permit issued December 24, 2008.

67084135. Warren's Excavating & Drilling, Inc., (P. O. Box 1022, Honey Brook, PA 19344), construction blasting for Friendship Estates in Warrington Township, **York County** with an expiration date of December 1, 2009. Permit issued December 1, 2009. Permit issued December 24, 2008.

67084136. J. Roy's, Inc., (Box 125, Bowmansville, PA 17507), construction blasting for White Oak Sewer Interceptor in Newberry Township, **York County** with an expiration date of December 20, 2009. Permit issued December 24, 2008.

67084137. Geological Technologies, Inc., (P. O. Box 70, Falling Waters, WV 25419), construction blasting for Thistle Hill in North Codorus Township, **York County** with an expiration date of December 18, 2009. Permit issued December 24, 2008.

360841128. M & J Explosives, Inc., (P. O. Box 608, Carlisle, PA 17013), construction blasting for Lowes of Lancaster in East Lampeter Township and the City of Lancaster, **Lancaster County** with an expiration date of December 31, 2009. Permit issued December 26, 2008.

360841129. Gerlach's Drilling & Blasting, (172 Bender Mill Road, Lancaster, PA 17603), construction blasting for Edie Enterprises in East Donegal Township, **Lancaster County** with an expiration date of December 31, 2009. Permit issued December 26, 2008.

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 free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and The Clean Streams Law (35 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

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

E44-138: Department of Transportation Engineering District 2-0, 1924 Daisy Street, P. O. Box 342, Clearfield, PA 16830, Derry Township, **Mifflin County,** United States Army Corps of Engineers, Baltimore District.

To: (1) raze the existing SR 2007 Section A01 bridge, having two spans, a width of 26.0 feet, a total span of

70.0 feet and an underclearance of 10.5 feet over Kishacoquillas Creek (HQ-CWF) (Lewistown, PA Quadrangle N: 21.4 inches; W: 8.4 inches, Latitude: 30° 37' 03"; Longitude: 77° 33' 37"); and (2) construct and maintain a two span bridge approximately 20 feet west of the existing bridge having a width of 35.0 feet, a total span of 98.0 feet and an underclearance of 9.8 feet carrying SR 2007 over Kishacoquillas Creek (HQ-CWF) (Lewistown, PA Quadrangle N: 21.4 inches; W: 8.4 inches, Latitude: 30° 37' 03"; Longitude: 77° 33' 37"). This permit also authorizes the installation of a temporary causeway and cofferdams for the purpose of constructing the new bridge and removing the old bridge. The project will result in 80.0 linear feet of temporary and 50.0 linear feet of net permanent floodway impacts associated with replacement of the SR 2007 Bridge over Kishacoquillas Creek (HQ-CWF) in Derry Township, Mifflin County.

E50-244: John McCrae, Route 1, Box 233, East Waterford, PA 17021, Toboyne Township, **Perry County**, United States Army Corps of Engineers, Baltimore District.

To construct and maintain a 1.0-foot thick, 10.0-foot wide by 75.0-foot long shale access road within the left bank floodway of Horse Valley Run (HQ-CWF) (Blairs Mills, PA Quadrangle N: 6.83 inches; W: 4.0 inches, Latitude: 40° 17' 15"; Longitude: 77° 39' 13") in Toboyne Township, Perry County.

E36-839, Turnpike Commission, P. O. Box 67676, Harrisburg, PA 17106, United States Army Corps of Engineers, Baltimore District.

To construct and maintain: (1) a 668-foot long stream channel restoration project in a perennial UNT to Furnace Run (HQ-CWF) (Lititz, PA Quadrangle N: 20.5 inches; W: 7.6 inches, Latitude: 40° 14' 08" N; Longitude: 76° 18' 22"); (2) a 15 foot extension of a 12-inch stormwater outfall structure discharging to the UNT to Furnace Run (HQ-CWF) (Lititz, PA Quadrangle N: 20.0 inches; W: 8.1 inches, Latitude: 40° 14' 07" N; Longitude: 76° 18' 30"); (3) a 10 foot extension of an 18-inch stormwater outfall structure discharging to the UNT to Furnace Run (HQ-CWF) (Lititz, PA Quadrangle N: 20.0 inches; W: 8.0 inches, Latitude: 40° 14' 07" N; Longitude: 76° 18' 27"); and (4) the removal of 287 cubic yards of fill material and the placement of 604 cubic yards of material within the floodway of a UNT to Furnace Run (HQ-CWF) (Lititz, PA Quadrangle N: 20.0 inches; W: 8.0 inches, Latitude: 40° 14' 07" N; Longitude: 76° 18' 27") located within Elizabeth Township, Lancaster County along the Turnpike at Milepost 273.5.

E34-125: SR 0850, Section A06, Laurel Run Bridges, Department of Transportation Engineering District 2-0, P. O. Box 342, Clearfield, PA 16830, Tuscarora Township, **Juniata County**, United States Army Corps of Engineers, Baltimore District.

To: (1) raze the existing SR 0850 bridge having two spans, a width of 35.0 feet, a total span of 52.0 feet and an underclearance of 6.3 feet over Laurel Run (CWF) (McCoysville, PA Quadrangle Latitude: 40° 24' 5.5"; Longitude: 77° 33' 6.3", N: 4.6 inches; W: 7.1 inches); (2) raze the existing T-311 bridge having a single span, a width of 27.0 feet, a total span of 33.0 feet and an underclearance of 5.0 feet over Laurel Run (CWF) (McCoysville, PA Quadrangle Latitude: 40° 24' 7.0"; Longitude: 77° 33' 8.9", N: 4.7 inches; W: 7.2 inches); (3) to raze the existing SR 0075 bridge having two spans, a width of 23.4 feet, a total span of 37.3 feet skewed 75° and an underclearance of 6.7 feet over Laurel Run (CWF) (McCoysville, PA Quadrangle

Latitude: 40° 24' 7.4"; Longitude: 77° 33' 9.7", N: 4.8 inches; W: 7.3 inches); (4) construct and maintain a single span prestressed concrete spread box bridge having a width of 36.5 feet, a clear span of 39.0 feet skewed 75° and a minimum underclearance of 5.11 feet carrying SR 0075 over Laurel Run (CWF) (McCoysville, PA Quadrangle Latitude: 40° 24' 7.4"; Longitude: 77° 33' 9.7", N: 4.8 inches; W: 7.3 inches); (5) construct and maintain a 58-inch by 91-inch concrete elliptical pipe having a length of 78.0 feet carrying SR 0850 over a UNT to Laurel Run (CWF) (McCoysville, PA Quadrangle Latitude: 40° 24' 5.5"; Longitude: 77° 33' 6.3", N: 4.6 inches; W: 7.1 inches); and (6) construct and maintain a 24-inch RCP pipe having a length of 115.0 feet carrying SR 0850 over a UNT to Laurel Run (CWF) (McCoysville, PA Quadrangle Latitude: 40° 24' 7.0"; Longitude: 77° 33' 8.9", N: 4.7 inches; W: 7.2 inches), all for the purpose of replacing the SR 0075 bridge over Laurel Run (CWF) and re-aligning SR 0850 in Tuscarora Township, Juniata County.

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

E32-485. Department of Transportation—District 10-0, P. O. Box 429, 2530 Oakland Avenue, Indiana, PA 15701-0429. To fill and maintain wetlands for the purpose of constructing 2.5 acres in Conemaugh Township, **Indiana County**, United States Army Corps of Engineers, Pittsburgh District 286 (Avonmore, PA Quadrangle N: 5.0 inches; W: 2.8 inches, Latitude: 40° 31' 40"; Longitude: 79° 23' 42"). To fill and maintain 0.022 acre of PEM wetlands located within the Blacklegs Creek Water Shed (CWF) for the purpose of constructing a 2.5 acre advanced wetland compensation site located adjacent to SR 286.

E63-610. Department of Transportation, District 12-0, 825 North Gallatin Avenue Extension, Uniontown, PA 15401. To replace a bridge between Chartiers and South Strabane Townships, **Washington County**, United States Army Corps of Engineers, Pittsburgh District (Washington West, PA Quadrangle N: 14.7 inches; W: 1.15 inches, Latitude: 40° 12' 21"; Longitude: 80° 15' 29"). To remove the existing SR 4049, two lane, single 56.66 ft. span, 27.5 ft. width, steel through girder bridge having an underclearance of 11 ft. over Chartiers Creek (WWF); and to construct and maintain an adjacent, upstream and to the west a two lane, single 82.6 ft. span, 43.4 ft. width, replacement concrete box beam bridge, with an underclearance of 11.2 ft. The project extends between Chartiers and South Strabane Townships.

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control (ESCP) 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 should contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing 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 free pro bono representation. Call the Secretary to the Board, (717) 787-3483 for more information.

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

ESCP-0808805	Ted Wurfel Chief Gathering, LLC 6051 Wallace Road Ext. Suite 210 Wexford, PA 15090	Bradford County	West Burlington Township	Sugar Creek TSF UNT to Towanda Creek CWF
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SPECIAL NOTICES

NPDES Permit No.: PA-0026107-A1, Sewage, **Wyoming Valley Sanitary Authority**, P. O. Box 33A, Wilkes-Barre, PA 18703-1333. The facility is located in Hanover Township, **Luzerne County**.

In response to a request received from the Wyoming Valley Sanitary Authority, the Department of Environmental Protection (Department) is proposing to change an interim compliance date contained in Part C, Special Condition Five of the Authority's NPDES permit. The due date for Activity 1, Award Contract for Construction or Begin Implementation, will be revised from October 1, 2008, to March 1, 2009. There are no other proposed changes to the permit. The Department hereby notices NPDES Permit No. PA-0026107-A1 for public comment and will consider any comments submitted during the 30-day comment period.

CATEGORICAL EXCLUSION

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

Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Butler Township	Butler Area Sewer Authority 100 Litman Road Butler, PA 16001	Butler County

Description: The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. The Butler Area Sewer Authority proposes to perform sanitary sewer rehabilitation in the NW Area. The Department of Environmental Protection's (Department) review of the project and the information received has not identified any significant, adverse environmental impacts resulting from this proposal. The Department has categorically excluded this project from the State Environmental Review Process.

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

EGS 02004. Redland Brick, Inc. (5718 Clear Spring Road, P. O. Box 160, Williamsport, MD 21795). Environmental Good Samaritan project issued to eliminate surface expressions of and discharges from the Indianola Mine, located in Harmar Township, **Allegheny County**, affecting 4.2 acres. Receiving stream: Deer Creek. Project proposal received September 11, 2008. Project issued December 23, 2008.

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

Request for Comment and Notice of Public Meeting Proposed Total Maximum Daily Loads (TMDLs) for the Lehigh River Watershed in Carbon, Luzerne and Schuylkill Counties

The Department of Environmental Protection (Department) is holding a public meeting on January 28, 2009, beginning at 10 a.m. at the Pottsville District Office in Pottsville, PA to discuss and accept comments on a proposed TMDL. The proposed TMDL was established in accordance with the requirements of the 1996 section 303(d) of The Clean Water Act. The Lehigh River Watershed has been identified as impaired on the 1996 Pennsylvania 303(d) list due to high concentrations of metals.

The proposed plan provides calculations of the stream's total capacity to accept metals (aluminum, iron and manganese) and pH and maintain levels below water quality criteria. The applicable water quality criteria are as follows:

<i>Parameter</i>	<i>Criterion value (mg/l)</i>	<i>Total Recoverable/Dissolved</i>
Aluminum	0.75	Total Recoverable
Iron	1.5	Total Recoverable
Manganese	1.00	Total Recoverable
pH	6.0 to 9.0	NA

The primary pollutant source for the watershed is abandoned mine workings. Portions of this watershed were heavily mined for coal in the 19th and 20th centuries. The effects of this are still present. The TMDL consists of load allocations, which are made to nonpoint sources of pollution and waste load allocations, which are made to permitted point sources.

The TMDL was developed using Monte Carlo Simulation to determine long-term average concentrations that each stream segment could accept and still meet water quality criteria 99% of the time. Monte Carlo Simulation allows for the expansion of a dataset based on its statistical makeup. Since there was no critical flow condition where criteria were exceeded, the Department used the average flow to express the loading values in the TMDL.

The TMDL sets allowable loading rates for metals, sediment and acidity at specified points in the watershed. The basis of information used in the establishment of this TMDL is field data between 2005 and 2008.

The data and all supporting information used to develop the proposed TMDL are available from the Depart-

ment. To request a copy of the proposed TMDL and an information sheet, contact James Andrews at (570) 621-3118 between 8 a.m. and 4 p.m., Monday through Friday, at Pottsville District Mining Office, 5 West Laurel Boulevard, Pottsville, PA 17901. E-mail will be received at jameandrew@state.pa.us. Directions to the meeting place can also be obtained through this contact.

The TMDL can be viewed and printed by accessing the Department's web site at www.dep.state.pa.us (PA Keyword: TMDL).

Written comments will be accepted at the previous address and must be postmarked by February 3, 2009. Persons who plan to make a presentation at the public meeting should notify the Department no later than 4 p.m. Friday, January 23rd. The Department will consider all comments in developing the final TMDL, which will be submitted to the EPA for approval.

Request for Comment and Notice of Public Meeting Proposed Total Maximum Daily Loads (TMDLs) for the Stauffer Run Watershed in Westmoreland County

Greensburg District Mining Office: Armbrust Building, 8205 Route 819, Greensburg, PA 15601.

The Department of Environmental Protection (Department) is holding a public meeting on January 22, 2009, beginning at 11 a.m. at the Greensburg District Mining Office, Armbrust Building, 8205 Route 819, Greensburg, PA to discuss and accept comments on a proposed TMDL. The proposed TMDL was established in accordance with the requirements of the 1996 section 303(d) of the Clean Water Act. Multiple stream segments in the Stauffer Run Watershed have been identified as impaired on the 1996 Pennsylvania 303(d) list due to high concentrations of metals and acidity. The listed segment and miles degraded are shown in the following table:

<i>Stream Code</i>	<i>Stream Name</i>	<i>Miles Degraded</i>
37927	Stauffer Run	2.25
37928	UNT	0.66
37929	UNT	1.16
37930	UNT	1.06
37931	UNT	1.48
37932	UNT	0.34
37933	UNT	0.49

The proposed plan provides calculations of the stream's total capacity to accept metals (aluminum, iron and manganese) and acidity, while maintaining levels below water quality criteria. The applicable water quality criteria are as follows:

<i>Parameter</i>	<i>Criterion value (mg/l)</i>	<i>Total Recoverable/Dissolved</i>
Aluminum	0.75	Total Recoverable
Iron	1.5	Total Recoverable
Manganese	1.00	Total Recoverable
pH	6.0 to 9.0	NA

The primary pollutant source for the watershed is abandoned mine workings. This watershed was heavily mined for coal in the 20th century. The effects of this are still present. The TMDL consists of load allocations, which are made to nonpoint sources of pollution and waste load allocations, which are made to permitted point sources.

The TMDL was developed using Monte Carlo Simulation to determine long-term average concentrations that each stream segment could accept and still meet water quality criteria 99% of the time. Monte Carlo Simulation

allows for the expansion of a dataset based on its statistical makeup. Since there was no critical flow condition where criteria were exceeded, the Department used the average flow to express the loading values in the TMDL.

The TMDL sets allowable loading rates for metals and acidity at specified points in the watershed. The basis of information used in the establishment of this TMDL is field data collected from 2007 through 2008.

The data and all supporting information used to develop the proposed TMDL are available from the Department. To request a copy of the proposed TMDL and an information sheet, contact Scott Heidel at (717) 787-1421 between 7:45 a.m. and 3:45 p.m., Monday through Friday, at Rachel Carson State Office Building, 10th Floor, 400 Market Street, Harrisburg, PA 17101. E-mail will be received at scheidel@state.pa.us. Directions to the meeting place can also be obtained through this contact.

The TMDL can be viewed and printed by accessing the Department's web site at www.dep.state.pa.us (PA Keyword: TMDL).

Written comments will be accepted at the previous address and must be postmarked by February 6, 2009. Persons who plan to make a presentation at the public meeting should notify the Department no later than 4 p.m. Friday, January 16, 2009. The Department will consider all comments in developing the final TMDL, which will be submitted to the EPA for approval.

Request for Comment and Notice of Public Meeting Proposed Total Maximum Daily Loads (TMDLs) for the Sewickley Creek Watershed in Westmoreland County

The Department of Environmental Protection (Department) is holding a public meeting on January 22, 2009, beginning at 1:30 p.m. at the Greensburg District Mining Office, Armbrust Building, 8205 Route 819, Greensburg, PA to discuss and accept comments on a proposed TMDL. The proposed TMDL was established in accordance with the requirements of the 1996 section 303(d) of the Clean Water Act. One stream segment in each of Sewickley Creek, Welty Run, Buffalo Run and Jacks Run has been identified as impaired on the 1996 Pennsylvania 303(d) list due to high concentrations of metals. The listed segment and miles degraded are shown in the following table:

<i>Stream Code</i>	<i>Stream Name</i>	<i>Miles Degraded</i>
37556	Sewickley Creek	23.7
37662	Buffalo Run	1.3
37702	Jacks Run	1.3
37779	Welty Run	7.8

The proposed plan provides calculations of the stream's total capacity to accept metals (aluminum, iron and manganese) and pH and maintain levels below water quality criteria. The applicable water quality criteria are as follows:

<i>Parameter</i>	<i>Criterion value (mg/l)</i>	<i>Total Recoverable/Dissolved</i>
Aluminum	0.75	Total Recoverable
Iron	1.5	Total Recoverable
Manganese	1.00	Total Recoverable
pH	6.0—9.0	NA

The primary pollutant source for the watershed is abandoned mine workings. This watershed was heavily mined for coal in the 20th century. The effects of this are still present. The TMDL consists of load allocations,

which are made to nonpoint sources of pollution and waste load allocations, which are made to permitted point sources.

The TMDL was developed using Monte Carlo Simulation to determine long-term average concentrations that each stream segment could accept and still meet water quality criteria 99% of the time. Monte Carlo Simulation allows for the expansion of a dataset based on its statistical makeup. Since there was no critical flow condition where criteria were exceeded, the Department used the average flow to express the loading values in the TMDL.

The TMDL sets allowable loading rates for metals and acidity at specified points in the watershed. The basis of information used in the establishment of this TMDL is field data collected from 2007 through 2008.

The data and all supporting information used to develop the proposed TMDL are available from the Department. To request a copy of the proposed TMDL and an information sheet, contact Jennifer Orr at (717) 772-5670 between 8 a.m. and 4 p.m., Monday through Friday, at Rachel Carson State Office Building, 10th Floor, 400 Market Street, Harrisburg, PA 17101. E-mail will be received at jeorr@state.pa.us. Directions to the meeting place can also be obtained through this contact.

The TMDL can be viewed and printed by accessing the Department's web site at www.dep.state.pa.us (PA Keyword: TMDL).

Written comments will be accepted at the previous address and must be postmarked by February 6, 2009. Persons who plan to make a presentation at the public meeting should notify the Department no later than 4 p.m. Friday, January 16, 2009. The Department will consider all comments in developing the final TMDL, which will be submitted to the EPA for approval.

[Pa.B. Doc. No. 09-48. Filed for public inspection January 9, 2009, 9:00 a.m.]

Availability of Technical Guidance

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

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

Ordering Paper Copies of Department Technical Guidance

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

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

Changes to Technical Guidance Documents

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

Final Technical Guidance:

DEP ID: 274-0300-005. Title: Applicability Determination and Implementation Procedures for Continuous Source Monitoring Manual Revision No. 8. Description: This technical guidance document outlines the procedures and schedule to be utilized by the owners/operators of affected facilities to comply with Revision No. 8 of the Continuous Source Monitoring Manual (Manual). This technical guidance document also accomplishes the following:

A. It supersedes the previous version of the document titled "Applicability Determination for Continuous Source Monitoring Manual Revision No. 8" that was finalized on December 2, 2006, and posted in the *Pennsylvania Bulletin* on December 27, 2006.

B. It addresses concerns and issues that were not identified or adequately covered in the 2006 version of this document.

C. It incorporates a comprehensive implementation plan that was developed following the completion and testing of the new Continuous Emission Monitoring Document Processing System (CEMDPS).

D. It serves as the official announcement by the Bureau of Air Quality (BAQ), that the upgraded CEMDPS has become functional. The owners/operators of affected facilities are required to implement the requirements of Revision No. 8 of the Manual as outlined in the technical guidance document.

This technical guidance document applies to the owners/operators of monitored sources that must comply with the requirements of 25 Pa. Code § 139.102(3) (Manual), (Document No. 274-0300-001). The Manual contains requirements relative to monitoring system design and performance, testing, recordkeeping, reporting, and quality assurance for affected industrial and utility sources which are required to continuously monitor emissions of pollutants or operational parameters. The owners/operators of approximately 105 companies currently maintain approximately 1,000 Continuous Source Monitoring Systems that may be affected by this guidance document.

A copy of this technical guidance document is available on the Bureau of Air Quality's CEM web site at: www.dep.state.pa.us/dep/deputate/airwaste/eq/cemspage/cems.htm. Contact: Questions regarding the technical guidance document should be directed to Charles J. Zadakis at (717) 772-3944 or czadakis@state.pa.us. Effective Date: January 10, 2009.

Draft Technical Guidance:

DEP ID: 362-0300-009. Title: Reuse of Treated Wastewater Guidance Manual. Description: This manual provides guidance to domestic sewage treatment plant operators and other parties who are interested in implementing a beneficial wastewater reuse project. It contains information on the design, operation and maintenance requirements for wastewater systems discharging treated water for beneficial reuse. The manual is intended to ensure that wastewater is managed in an environmentally sound manner in accordance with Department regulations and that wastewater discharges are free from substances that

pose a serious threat to the public health, safety and welfare. The manual was originally published as a draft technical guidance document on December 17, 2005. The Department received significant comments that misinterpreted the intent of the guidance. As a result, the guidance has been rewritten and is being republished as a draft technical guidance. Written Comments: Interested persons may submit written comments on this draft technical guidance document by February 9, 2009. Comments submitted by facsimile will not be accepted. The Department will accept comments submitted by e-mail. A return name and address must be included in each e-mail transmission. Written comments should be submitted to Kevin McLeary, Department of Environmental Protection, Bureau of Water Standards and Facility Regulation, Rachel Carson State Office Building, 11th Floor, Harrisburg, PA 17105-8774, (717) 783-1820, kmcleary@state.pa.us. Contact: Questions regarding the draft technical guidance should be directed to Kevin McLeary at (717) 783-1820 or kmcleary@state.pa.us. Effective Date: Upon publication of notice as final in the *Pennsylvania Bulletin*.

JOHN HANGER,
Acting Secretary

[Pa.B. Doc. No. 09-49. Filed for public inspection January 9, 2009, 9:00 a.m.]

Bid Opportunity

BOGM 08-9, cleaning out and plugging three abandoned gas wells, (Mr. and Mrs. Mark Shirra, Hilda Sefchok and Lori K. Lavorgna Properties), Fallowfield Township, Belle Vernon and Jefferson Boroughs, Washington, Fayette and Allegheny Counties. The principal items of work include cleaning out and plugging three abandoned gas wells, estimated to be 3,400 feet in depth, to the Department of Environmental Protection specifications, preparing and restoring well sites and mobilizing and demobilizing plugging equipment. This project issues on January 9, 2009, and bids will be opened on February 12, 2009, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. A prebid conference is planned for this project but a date has not been set. Use the contact information contained in this advertisement to find out more about the prebid. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@state.pa.us for more information on this bid.

JOHN HANGER,
Acting Secretary

[Pa.B. Doc. No. 09-50. Filed for public inspection January 9, 2009, 9:00 a.m.]

Nutrient and Sediment Reduction Credit Trading Program; Nutrient Trading Program Activities and NPDES Permits

The Department of Environmental Protection (Department) provides notice of the following actions regarding the Nutrient and Sediment Reduction Credit Trading Program (Trading Program). These actions were taken in relation to the Final Trading of Nutrient and Sediment Reduction Credits—Policy and Guidelines (Policy) (DEP ID No. 392-0900-001) (see 36 Pa.B. 7999 (December 30,

2006)). The Policy called for a transparent system of credit reviews and approvals.

Trading is a market-based program that provides incentives for entities to create nutrient reduction credits by going beyond statutory, regulatory or voluntary obligations and goals by removing nutrients from a watershed. The credits can be traded to help others more cost-effectively meet their obligations or goals. The primary purpose of the Trading Program is to provide for more efficient ways for National Pollutant Discharge Elimination System (NPDES) permittees to meet their effluent limits for nutrients and sediment. Currently, the focus of the program is on the Chesapeake Bay Watershed.

The actions described in this notice relate to: (1) submitted proposals; (2) approved proposals; and (3) registered credits, through December 23, 2008.

Background

Before a credit can be used by an NPDES permittee, a three-step process is followed. First, the credit or offset proposal must be approved, second, it must be verified and third, it must be registered.

Approval is also known as certification, which is a written approval by the Department for the use of proposed or implemented activities to generate credits (in some cases the person generating the credits is not permitted to transfer them to another person, in which case they are called "offsets"). Certifications are based on at least: (1) a credit or offset proposal to be submitted describing the qualifying activities that will reduce the nutrient loadings delivered to the applicable watershed; (2) the calculation to quantify the pounds of reductions expected; and (3) a verification plan that, when implemented, ensures that the qualifying nutrient reduction activities have taken place. The proposals, certifications and registrations described in this notice apply to the Chesapeake Bay Watershed.

Once the credits or offsets are certified, they must be verified. Verification means implementation of the verification plan contained in a certified credit or offset proposal as required by the Department. Verification plans require annual submittal of documentation to the Department that demonstrates that the qualifying nutrient reduction activities have taken place for the applicable compliance year.

The credits or offsets also need to be registered by the Department before they can be used in an NPDES permit. Registration occurs only after credits or offsets have been certified and verified, and a trading contract for credits has been submitted to the Department. For the Chesapeake Bay Watershed, the Department will register credits on an annual basis for use during the compliance year in which the qualifying nutrient reduction activities have taken place and will provide such credits with an annual registry number for reporting and tracking purposes.

The Department has received 65 proposals that have been submitted for review to generate nutrient reduction credits in the Chesapeake Bay Watershed. Of those, 43 have been approved, 3 are in review, 1 has been withdrawn and the remaining proposals need additional clarification prior to certification.

Proposals under Review

The following proposals are being reviewed by the Department. Comments will be received on these projects for 30 days.

<i>Proposal Applicant</i>	<i>Proposal Description</i>
1. Herbert Rowland and Grubic, Inc. on behalf of the Alliance for Cooperative Innovation and the Cove Area Regional Digester Board.	Nitrogen and Phosphorus credits generated by installing a manure processing technology.

Certifications:

The Department has approved the following credit-generating proposals.

<i>Applicant and proposal description</i>	<i>Nitrogen Credits</i>	<i>Phosphorus Credits</i>
1. Lancaster County Conservation District: Nitrogen credits generated by implementation of cover crops and no-till and Nitrogen and Phosphorus credits generated by manure export.	14,270	1,335
2. Berks County Conservation District: Nitrogen credits generated by the implementation of grazing BMPs. This proposal will generate credits for multiple years. Implementation began in 2007-2008.	11	
3. PA Environmental Council and Capital RC&D: Nitrogen credits generated by the implementation of no-till in Bradford County. This proposal will generate credits for multiple years. Implementation began in 2007-2008.	3,433	
Total:	17,714	1,335

Verifications and Registrations:

To date, there are no verifications and registrations.

For further information about the information or the Department's Nutrient Trading Program, contact Ann Smith, Water Planning Office, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 787-4726, annsmith@state.pa.us or visit the Department's web site at www.depweb.state.pa.us (DEP Keywords: "Nutrient Trading").

JOHN HANGER,
Acting Secretary

[Pa.B. Doc. No. 09-51. Filed for public inspection January 9, 2009, 9:00 a.m.]

Pennsylvania Small Business Energy Efficiency Grant Program

The Department of Environmental Protection (Department) announces an upcoming grant opportunity for small businesses undertaking energy efficiency projects. The Small Business Energy Efficiency Grant Program provides a 25% matching grant, to a maximum award of

\$25,000, to enable a small business in this Commonwealth to purchase and install energy efficient equipment or processes that will result in improved energy efficiency.

An eligible applicant must be an independent for-profit small business with 100 employees or less whose business or facility is located within this Commonwealth. Examples of small businesses in this Commonwealth that are eligible include manufacturers, retailers, service providers, mining businesses and agricultural operations. The project to which the grant will apply must save the small business at least 20% annually in energy related expenses with a minimum dollar savings of at least \$1,000 per year. Only project costs incurred after the grant opening date of January 12, 2009, will be eligible.

For questions regarding the eligibility of projects, visit the grant's web site at www.depweb.state.pa.us (DEP Keyword: Small Business Energy Efficiency Grant Program) or contact Dave Barnes, Office of Energy and Technology Deployment, Small Business Ombudsman's Office at (717) 783-84111 or ra-sbgrants@state.pa.us before submitting an application. For assistance in submitting an application, persons may also contact the Small Business Development Center's Environmental Management Assistance Program, EMAP, at www.askemap.org or (877) 275-3627 or the Pennsylvania Technical Assistance Program, PennTAP, at www.penntap.psu.edu or (814) 865-0427.

The grant application and guideline package are available on the Department's web site at www.depweb.state.pa.us (DEP Keyword: Small Business Energy Efficiency). The application package contains the materials and instructions necessary for applying for a grant. Applications will also be available by contacting the Department of Environmental Protection, Office of Energy and Technology Deployment, 15th Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8772, Harrisburg, PA 17105-8772 or (717) 783-8411.

The Department will begin accepting applications on January 12, 2009, and applications must be postmarked or hand delivered to the Department between January 12, 2009, and May 1, 2009. Grants will be awarded to eligible applicants on a first-come, first-served basis. A total of \$3 million is available for this grant round.

JOHN HANGER,
Acting Secretary

[Pa.B. Doc. No. 09-52. Filed for public inspection January 9, 2009, 9:00 a.m.]

Proposed General Permit and/or General Operating Permit For Heatset Web Offset Lithographic Printing Presses (BAQ-GPA/GP-25)

The Department of Environmental Protection (Department) proposes to issue General Plan Approval and/or Operating Permit (BAQ-GPA/GP-25 or General Permit) for Heatset Web Offset Lithographic Printing Presses (hereinafter referred to as heatset web presses) which contains predetermined Best Available Technology (BAT) and other regulatory requirements.

This proposed General Permit, developed under the authority of section 6.1(f) of the Air Pollution Control Act (35 P. S. § 4006.1(f)) and 25 Pa. Code § 127.611 (relating to general plan approvals and general operating permits), will apply to the construction, operation and modification of both new and existing heatset web presses.

The BAQ-GPA/GP-25 General Permit is designed to serve as a General Plan Approval and/or a General Operating Permit for printers who exclusively use heatset web presses with the following limitations:

Heatset web presses that emit ink oils exceeding 5 pounds per hour must be connected to appropriately designed oxidizers capable of complying with the emission limitations stipulated in the General Permit. To qualify for coverage under this General Permit, all the emissions from the presses and dryers must be captured and sent to the oxidizers.

Control systems for the emissions from the dryers will not be required if the ink oil emissions from the heatset web presses are less than or equal to 5 pounds per hour.

As required under section 1905-A of The Administrative Code of 1929 (71 P.S. § 510-5), a facility owner or operator proposing to use the General Plan Approval/General Permit must submit a copy of the BAQ-GPA/GP-25 Application to each municipality in which the sources will be constructed, modified or operated under this General Permit. The notice must be provided to municipalities at least 15 working days prior to submitting the application to the Department. Proof of the municipal notice must also accompany the application subsequently submitted to the Department.

The proposed General Permit contains conditions that prescribe applicability, emission limitations, compliance, notification, monitoring, recordkeeping and reporting, and administrative requirements. The proposed General Permit establishes restrictions and the BAT requirements for heatset web presses that are consistent with current industrial practices.

This General Permit has been established in accordance with the provisions described in 25 Pa. Code Chapter 127, Subchapter H (relating to general plan approvals and general operating permits) and is not applicable to a heatset web press regulated by any of the following:

a. Any stationary air contamination source that is subject to the requirements of 25 Pa. Code Chapter 127, Subchapter D (relating to prevention of significant deterioration of air quality).

b. Any stationary air contamination source that is subject to the requirements of 25 Pa. Code Chapter 127, Subchapter E (relating to new source review).

c. Any stationary air contamination source that is subject to the requirements of 25 Pa. Code Chapter 127, Subchapter G (relating to Title V operating permits).

d. Any stationary air contamination source that is subject to the requirements of 25 Pa. Code § 129.91 (relating to control of major sources of NO_x and VOCs).

Guidance related to the previous requirements may be obtained by contacting the appropriate Air Program Regional Office.

Any heatset web press with an oxidizer that is constructed after the effective date of this General Permit shall comply with the following BAT requirements:

a. The emissions from the press and dryer shall be captured and controlled by an oxidizer with a non-methane hydrocarbon (NMHC) destruction and removal efficiency of at least 98.0% or a postcontrol NMHC concentration of 20 ppmvd or less as methane (CH₄), whichever is less stringent.

b. For any press utilizing an integrated dryer and oxidizer, the post-control NMHC concentration shall be 20 ppmvd or less as CH₄.

To demonstrate compliance with the previous limitations, the permittee operating a heatset web press with

an oxidizer must maintain the oxidizer temperature at or previous the Department approved set-point operating temperature on any 3-hour average. An oxidizer set-point operating temperature shall be set at the time of initial testing after the start-up of the heatset web press.

Prior to initiating construction or modification and operation using this General Permit, the owner or operator of a heatset web press must submit an application form provided by the Department. A permittee using this General Permit shall comply with the terms and conditions of the General Permit.

The authorization to construct and/or operate a heatset web press under this General Permit is granted for a fixed period of 5 years.

The General Permit establishes the following fees:

a. General Plan Approval application fee:

One thousand dollars (\$1,000)

A new application with fee as indicated previously is required each time the permittee installs or modifies a heatset web press. The installation or modification of a heatset web press must be conducted according to the terms and conditions of this General Permit.

b. General Operating Permit fees to be submitted along with General Plan Approval application:

Three hundred seventy-five dollars (\$375)

c. Annual administrative fees, payable on an annual basis:

Three hundred seventy-five dollars (\$375)

The fees shall be due on or before March 1st of each calendar year for the previous calendar year.

d. General Operating Permit renewal fee payable every 5 years:

Three hundred seventy-five dollars (\$375)

Interested parties are encouraged to obtain and review a complete copy of this proposed General Permit by contacting Jeanette Van Skike, Division of Permits, Bureau of Air Quality, 12th Floor, Rachel Carson State Office Building, P. O. Box 8468, Harrisburg, PA 17105-8468, (717) 787-4325. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service (800) 654-5984. Internet users can access a copy of the General Permit at www.depweb.state.pa.us (DEP Keyword: Air Quality Home).

The Department invites written comments on the proposed General Permit. Notice and opportunity for comment will also be provided to the United States Environmental Protection Agency and the States of Delaware, Maryland, New Jersey, New York, Ohio, Virginia and West Virginia. Interested persons may submit written comments, suggestions or objections to Virendra Trivedi, Environmental Engineer Manager, New Source Review Section, Division of Permits, Bureau of Air Quality, 12th Floor, Rachel Carson State Office Building, P. O. Box 8468, Harrisburg, PA 17105-8468. The Department will also consider written requests that a public hearing be held concerning this proposed General Permit. Written public comments must be submitted to the Department by February 25, 2009. Comments received by facsimile will not be accepted.

JOHN HANGER,
Acting Secretary

[Pa.B. Doc. No. 09-53. Filed for public inspection January 9, 2009, 9:00 a.m.]

DEPARTMENT OF HEALTH

Application of Harrisburg Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Harrisburg Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Healthcare Facilities*. The facility specifically requests exception from the following standard contained in this publication: 2.1-5.3.2.4 (relating to minimum standards for surgical cystoscopic procedure rooms).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 for speech and/or hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

A. EVERETTE JAMES,
Acting Secretary

[Pa.B. Doc. No. 09-54. Filed for public inspection January 9, 2009, 9:00 a.m.]

Application of St. Luke's Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that St. Luke's Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Healthcare Facilities*. The facility specifically requests exception from the following standard contained in this publication: 2.1-10.3 (relating to electrical systems), NFPA 70, National Electrical Code.

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be

reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 for speech and/or hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

A. EVERETTE JAMES,
Acting Secretary

[Pa.B. Doc. No. 09-55. Filed for public inspection January 9, 2009, 9:00 a.m.]

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

The Statewide HIV Community Prevention Planning Committee, established by the Department of Health (Department) under sections 301(a) and 317(b) of the Public Health Service Act (42 U.S.C. §§ 241(a) and 247(b)), will hold public meetings on Wednesday, January 21, 2009, and on Thursday, January 22, 2009.

These meetings will be held at the Harrisburg Holiday Inn West, 5401 Carlisle Pike, Mechanicsburg, PA 17050 on Wednesday, January 21 from 9 a.m. until 4 p.m. and on Thursday, January 22 from 9 a.m. until 2:30 p.m.

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

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

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

A. EVERETTE JAMES,
Acting Secretary

[Pa.B. Doc. No. 09-56. Filed for public inspection January 9, 2009, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Availability of Local Real Estate Tax Reimbursement Grants for Taxes Paid in 2008

The Department of Transportation (Department), Bureau of Aviation (Bureau), is accepting applications for Tax Reimbursement Grants from qualifying owners of public airports who have paid local real estate taxes for the calendar year ending December 31, 2008.

Each year, under 74 Pa.C.S. Chapter 61, Subchapter B (relating to reimbursement of local real estate taxes for public airports) and 67 Pa. Code Chapter 477 (relating to local real estate tax reimbursement grants), the owner of a public airport shall be eligible for a grant from the local real estate tax reimbursement portion of the Aviation Restricted Account. These grants are available to reimburse airport owners for local real estate taxes paid on those portions of an airport which are aviation related areas, as defined in 74 Pa.C.S. § 5102 (relating to definitions). Prior to applying for a grant, each public airport owner shall enter into an agreement with the Department. This agreement shall specify that the owner shall continue, for a period of not less than 10 years, to maintain the property, for which the grant will be sought, as an airport at least equal in size and capacity as that indicated in the owner's initial grant application. This agreement shall be a covenant, which runs with the land and shall apply to any subsequent purchases of land. Upon acceptance of any grant, the covenant shall be deemed extended for 1 additional year. Any violation of the agreement shall make the owner liable for the repayment of the total appropriation for the year plus a penalty of two times the grant. In any action wherein the owner is found to have violated the agreement, the Department shall receive all costs of prosecution.

The final date for submission of applications for reimbursement of local real estate taxes paid in calendar year ending December 31, 2008, is the close of business on February 27, 2009. Applications shall be filed with the Department of Transportation, Bureau of Aviation, P. O. Box 3457, Harrisburg, PA 17105-3457.

Interested persons may direct their request for applications, inquiries or comments regarding the local real estate tax reimbursement program to Karen Heath at kheath@state.pa.us or (717) 705-1205.

ALLEN D. BIEHLER, P. E.,
Secretary

[Pa.B. Doc. No. 09-57. Filed for public inspection January 9, 2009, 9:00 a.m.]

INSURANCE DEPARTMENT

Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by Jeffco Health Services, Inc.

Jeffco Health Services, Inc. has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Jefferson Manor Continuing Care Community in Brookville, PA. The initial filing was received on December 19, 2008, and was made under the requirements set forth under the Continuing Care Provider Registration and Disclosure Act (40 P. S. §§ 3201—3225). Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed, and a

concise statement with sufficient detail to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, syerger@state.pa.us.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-58. Filed for public inspection January 9, 2009, 9:00 a.m.]

Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by Richboro SNF, LLC

Richboro SNF, LLC has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Richboro Care Center in Richboro, PA. The initial filing was received on November 5, 2008, and was made under the requirements set forth under the Continuing Care Provider Registration and Disclosure Act (40 P. S. §§ 3201—3225). Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed, and a concise statement with sufficient detail to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, syerger@state.pa.us.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-59. Filed for public inspection January 9, 2009, 9:00 a.m.]

Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by Taylor Health and Rehabilitation Center, LLC

Taylor Health and Rehabilitation Center, LLC has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Taylor Nursing and Rehabilitation Center in Taylor, PA. The initial filing was received on November 5, 2008, and was made under the requirements set forth under the Continuing Care Provider Registration and Disclosure Act (40 P. S. §§ 3201—3225). Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed, and a concise statement with sufficient detail to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Department, 1345

Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, syerger@state.pa.us.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-60. Filed for public inspection January 9, 2009, 9:00 a.m.]

Capital Advantage Insurance Company; Rate/Rule Filing; Rate Filing

On December 18, 2008, the Insurance Department (Department) received from Capital Advantage Insurance Company, a wholly-owned subsidiary of Capital Blue Cross, a filing for approval of rates and rules for a new Guaranteed-Issue Individual Comprehensive Major Medical Preferred Provider Organization Benefit Program (PersonalBlue PPO) to be offered in the Plan's 21 county service area in Central Pennsylvania and the Lehigh Valley. An effective date of April 1, 2009, has been requested.

Unless formal administrative action is taken prior to March 25, 2009, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Department's web site at www.ins.state.pa.us. To access the filing, under "Quick Links" click on "Rate Filings Published in the PA Bulletin."

A copy of the filing is also available for public inspection, by appointment, during normal working hours at the Department's Regional Office in Harrisburg.

Interested parties are invited to submit written or e-mail comments, suggestions or objections to J. Sabater, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, jsabater@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-61. Filed for public inspection January 9, 2009, 9:00 a.m.]

Metropolitan Life Insurance Company; Rate Increase Filing for LTC Form 1LTC-97-PA and 2LTC-97-PA; Rate Filing

Metropolitan Life Insurance Company is requesting approval to increase the premium 18% on Long-Term Care policy forms 1LTC-97-PA and 2LTC-97-PA. A total of 1,039 Pennsylvania policyholders will be affected by this rate adjustment.

Unless formal administrative action is taken prior to March 25, 2009, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's web site at www.ins.state.pa.us. Scroll down the home page and click on "Consumer Information" located on the left side. Next scroll down to "General Information," located in the middle of the page, and click on "Notices." The pdf copy of this filing is located at the link "Filing.pdf" following the name of the filing.

Interested parties are invited to submit written comments, suggestions or objections to James Lavery, Actuary, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlavery@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-62. Filed for public inspection January 9, 2009, 9:00 a.m.]

Metropolitan Life Insurance Company; Rate Increase Filing for Several LTC Forms; Rate Filing

Metropolitan Life Insurance Company is requesting approval to increase the premium 18% on Long-Term Care policy forms LTC-FAC-PA, LTC-VAL-PA, LTC-IDEAL-PA, LTC-PREM-PA, LTC-FAC-PA-ML, LTC-VAL-PA-ML, LTC-IDEAL-PA-ML and LTC-PREM-PA-ML. A total of 4,284 Pennsylvania policyholders will be affected by this rate adjustment.

Unless formal administrative action is taken prior to March 25, 2009, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's web site at www.ins.state.pa.us. Scroll down the home page and click on "Consumer Information" located on the left side. Next scroll down to "General Information," located in the middle of the page, and click on "Notices." The pdf copy of this filing is located at the link "Filing.pdf" following the name of the filing.

Interested parties are invited to submit written comments, suggestions or objections to James Lavery, Actuary, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlavery@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-63. Filed for public inspection January 9, 2009, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Sanitary Sewage Treatment

A-2008-2080416. Casciola Homes Treatment Plant. Application of Casciola Homes Treatment Plant for approval of the abandonment or discontinuance of Sanitary Sewage Treatment to the public in the Commonwealth of Pennsylvania.

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 January 26, 2009. 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: Casciola Homes, Inc.

Through and By Counsel: Thomas A. Casciola, President, 17 Ridgewood Drive, McDonald, PA 15057

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 09-64. Filed for public inspection January 9, 2009, 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 January 26, 2009. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

Applications of the following for approval to begin operating as common carriers for transportation of persons as described under each application.

A-2008-2062647. Just In Time Transportation Service, LLC (P. O. Box 948, Waynesboro, Franklin County, PA 17268), a limited liability company of the Commonwealth—persons, upon call or demand service in the Borough of Waynesboro, Franklin County, and within an airline distance of 15 statute miles of the limits of said borough.

A-2008-2062658. Just In Time Transportation Service, LLC (P. O. Box 948, Waynesboro, Franklin County, PA 17268), a limited liability company of the Commonwealth—persons, in airport transfer service, from points in the County of Franklin to the Philadelphia International Airport, the Harrisburg International Airport and the Lehigh Valley International Airport, excluding service under the jurisdiction of the Philadelphia Parking Authority.

A-2008-2079979. Whiz Kidz Shuttle, LLC (P. O. Box 817, Lansdowne, Delaware County, PA 19050), a limited liability company of the Commonwealth—persons in group and party service, in vehicles seating 11 to 15 passengers, including the driver, from points in the Counties of Chester, Delaware, Montgomery and Philadelphia, to points in Pennsylvania, and return, excluding areas under the jurisdiction of the Philadelphia Parking Authority.

Application of the following for approval to begin operating as a broker for transportation of persons as described under the application.

A-2008-2079919. American Medical Response Mid-Atlantic, Inc. (6200 South Syracuse Way, Suite 200, Greenwood Village, CO 80111), a corporation of the

Commonwealth—persons—brokerage license—to arrange for the transportation of persons, between points in Pennsylvania. *Attorney:* William A. Gray, Esquire, Vuono & Gray, LLC, 310 Grant Street, Suite 2310, Pittsburgh, PA 15219.

Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Waynesburg Cab Service, Inc.; Doc. No. C-2008-2042209

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 Waynesburg Cab Service, Inc. (respondent) is under suspension effective June 27, 2008 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 1470 East High Street, Suite 3, Waynesburg, PA 15370.

3. That respondent was issued a Certificate of Public Convenience by this Commission on April 6, 2007, at A-00123043.

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-00123043 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
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. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

*Pennsylvania Public Utility Commission, Bureau of
Transportation and Safety v. Excel Transport, Inc.;*
Doc. No. C-2008-2071223

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 Excel Transport, Inc. (respondent) is under suspension effective January 25, 2008 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 996 Woodland Drive, Southampton, PA 18966.

3. That respondent was issued a Certificate of Public Convenience by this Commission on November 05, 1999, at A-00115812.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The penalty is \$250.00 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 \$250.00 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-00115812 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
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 \$250.00 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. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 09-65. Filed for public inspection January 9, 2009, 9:00 a.m.]

