

# NOTICES

## DELAWARE RIVER BASIN COMMISSION

### Meeting and Public Hearing

The Delaware River Basin Commission (Commission) will hold an informal conference followed by a public hearing on Wednesday, March 3, 2010. The hearing will be part of the Commission's regular business meeting. The conference session and business meeting both are open to the public and will be held at the Commission's office building, located at 25 State Police Drive, West Trenton, NJ.

The conference among the commissioners and staff will begin at 10:30 a.m. and will consist of a presentation by representatives of the Schuylkill Action Network and the United States Environmental Protection Agency on the United States EPA Targeted Watershed Initiative Grant Final Report; and a presentation by the Commissioner from this Commonwealth on Pennsylvania's Total Dissolved Solids (TDS) Strategy.

The subjects of the public hearing to be held during the 1:30 p.m. business meeting include the dockets listed as follows:

1. *Gulph Mills Country Club, D-1966-217-2*. An application for the renewal of a ground and surface water withdrawal project to continue withdrawal of 11.886 million gallons per 30 days (mg/30 days) to supply the applicant's golf course irrigation from two pond intakes and existing Well No. 1, completed in the Conestoga Formation. The project is located in the Matsunk Creek Watershed in Upper Merion Township, Montgomery County, PA, within the Southeastern Pennsylvania Ground Water Protected Area.

2. *Cabot Corporation, D-1970-072-4*. An application for renewal of an existing 0.222 million gallons per day (mgd) discharge from Outfalls Nos. 001 (process wastewater and noncontact cooling water (NCCW)), 002 (stormwater, condensate and NCCW), and 003 (process water treatment system wastewater). The project is located on Swamp Creek at River Mile 92.47—32.3—12.9—12.6 (Delaware River—Schuylkill River—Perkiomen Creek—Swamp Creek), on the border of Douglass Township, Montgomery County, PA and Colebrookdale Township, Berks County, PA.

3. *Palmerton Borough, D-1981-024 CP-8*. An application for the renewal of a groundwater withdrawal project to continue to withdraw a maximum of 25 mg/30 days to supply the applicant's public water supply system from existing Wells Nos. 4, 6, 7, A and the Foundry Well, all completed in the Bloomsburg Formation Aquifer. The applicant also requests that an existing surface water withdrawal approved by Docket No. D-90-17 be included in the renewal of Docket No. D-81-24 CP-8. The existing surface water withdrawal allocation provides for a maximum of 71 mg/30 days to supply the applicant's industrial water supply demand. The surface water withdrawal is made through two intakes located on the Aquashicola and Pohopoco Creeks, respectively. Wells Nos. 4, 6, 7 and A are located in the Aquashicola Watershed. The Foundry Well alone is located in the Lehigh River Watershed. The wells and intakes are located in Palmerton Borough, Carbon County, PA. The site is located within the drain-

age area of the section of the nontidal Delaware River known as the Lower Delaware, which is classified as Special Protection Waters.

4. *Antietam Valley Municipal Authority, D-1987-045 CP-3*. An application for approval of the renewal of the Antietam Valley Wastewater Treatment Plant (WWTP). The WWTP will continue to discharge an average annual flow of 1.225 mgd of treated sewage effluent to Antietam Creek, a tributary to the Schuylkill River. The WWTP has a hydraulic design capacity of 2.45 mgd (maximum monthly flow). The facility is located in St. Lawrence Borough, Berks County, PA.

5. *Joint Municipal Authority of Wyomissing Valley, D-1991-009 CP-3*. An application for renewal of the Joint Municipal Authority of Wyomissing Valley WWTP. The existing WWTP will continue to discharge 4.0 mgd of treated effluent to the Wyomissing Creek, a tributary of the Schuylkill River. The facility is located in the City of Reading, Berks County, PA.

6. *Aqua Pennsylvania—Honesdale System, D-1995-057 CP-2*. An application for renewal of a groundwater withdrawal project with an expired Commission docket, to continue a withdrawal of 46.20 mg/30 days of groundwater to supply the applicant's public water supply system from existing Wells Nos. Horseshoe 1 and 2, Weidner 3, Goyette 4, Perano 5 and Quarry 6, all completed in the Catskill Geologic Formation. Ownership of the project was recently transferred. The project is located in the West Branch Lackawaxen River Watershed in the Borough of Honesdale and Texas Township, Wayne County, PA. The site is located within the drainage area of the section of the nontidal Delaware River known as the Upper Delaware, which is classified as Special Protection Waters.

7. *Borough of Strausstown, D-2005-006 CP-2*. A renewal application for approval to continue discharging 0.065 mgd of treated effluent from the Borough of Strausstown WWTP. The WWTP is located at River Mile 92.47—76.8—15.4—0.8—6.5—0.4 (Delaware River—Schuylkill River—Tulpehocken Creek—Northkill Creek—Little Northkill Creek—Jackson Creek) in Pocono Township, Monroe County, PA.

8. *NuStar Asphalt Refining, LLC, D-2009-037-1*. An application for approval of an existing 5.48 mgd discharge of untreated industrial wastewater and stormwater through discharge Outfalls Nos. DSN002A, DSN003A, DSN004A, DSN005A, DSN006A and DSN007A. Stormwater is commingled with condensate from steam heating, sand filter backflush water and/or tank drain discharges. The asphalt refinery is located in Paulsboro Borough, Gloucester County, NJ and the six outfalls are located in Water Quality Zone 4 at or near River Mile 89.66 (Delaware River).

9. *Borough of Brookhaven, D-1966-096 CP-3*. An application for approval of the upgrade of the existing Brookhaven Borough WWTP. The existing trickling filter treatment system is proposed to be replaced with an extended aeration system incorporating the Modified Ludzak-Ettinger (MLE) process. Notice of the project was previously published in the Commission's January 12, 2010, Notice of Applications Received (NAR), as No. D-1998-032 CP-2. This second notice is being provided because of the change in the Commission's assigned docket/application number. The project WWTP will continue to treat an average annual flow of 0.192 mgd and

discharge to Chester Creek. The facility is located in the Borough of Brookhaven, Delaware County, PA.

10. *Lynn Township, D-1977-041 CP-2*. An application for approval of an expansion of the existing Lynn Township WWTP. The 0.08 mgd WWTP will be expanded to treat an average annual daily flow rate of 0.16 mgd. The WWTP will continue to discharge to Ontelaunee Creek, which is a tributary of the Schuylkill River. The facility is located in Lynn Township, Lehigh County, PA.

11. *Borough of Ambler, D-1985-026 CP-5*. An application for approval of a groundwater withdrawal project to continue a withdrawal of up to 90 mg/30 days to supply the applicant's Public Water Supply system from 10 existing wells and one spring (Whitemarsh Spring). The Whitemarsh Spring withdrawal is not included in the current version of the docket, approved in September 2008. The project wells are drilled in the Lower Member of the Stockton Formation and Whitemarsh Spring is located in the Ledger Dolomite. The spring outlet and the project wells are located in the Wissahickon Creek Watershed in Lower Gwynedd and Upper Dublin Townships, Montgomery County, PA within the Southeastern Pennsylvania Ground Water Protected Area.

12. *East Vincent Township Municipal Authority, D-1993-032 CP-2*. An application for approval to renew a discharge of up to 2.0 mgd from the existing Veterans Center WWTP. The WWTP will continue to discharge an average of 0.5 mgd of treated domestic waste to the Schuylkill River by means of Outfall No. 001 at River Mile 92.47—43.5 (Delaware River—Schuylkill River). In addition, modifications to the existing WWTP are proposed, to include a new screen facility, a new filter building, repairs to existing treatment tanks and other miscellaneous improvements. The Veterans Center is located in East Vincent Township, Chester County, PA.

13. *Valley Forge Sewer Authority, D-1995-006 CP-2*. An application for approval of the modification of the Valley Forge Sewer Authority WWTP. The docket holder proposes to replace the current disinfection system (chlorine contact tank) with an ultraviolet light (UV) disinfection system. The modification also includes the rerate of the WWTP from 8.99 mgd to 9.2 mgd. Although the plant rerate was completed in 1999, it occurred without the Commission's review. The WWTP will continue to discharge to the Schuylkill River. The facility is located in Schuylkill Township, Chester County, PA.

14. *Lehigh County Authority, D-2001-020 CP-5*. An application for approval of an interconnection between Lehigh County Authority's (LCA) Central Lehigh Division service area and Allentown's Schantz Spring source. Included in LCA's application was a request for emergency approval of a temporary interconnection and the immediate ability for LCA to use up to 1.0 mgd. Two subsequent phases of construction to permanently interconnect LCA's and Allentown's systems—an "Interim" Phase for 2 mgd and a "Long-Term" Phase for an average of 7 mgd—make up the remainder of the applicant's request. The LCA's groundwater withdrawal project will continue to supply up to 256.24 mg/30 days of water to the applicant's public water supply system. No increase in the existing groundwater allocation is requested. The project is located in the Beekmantown Formation in the Cedar Creek Watershed in Upper Macungie Township, Lehigh County, PA, within the drainage area to the section of the nontidal Delaware River known as the Lower Delaware, which is classified as Special Protection Waters.

15. *Muhlenburg Township Authority, D-2001-030 CP-2*. An application for approval of a ground water withdrawal project to supply a peak monthly withdrawal of up to 153.09 mg/30 days and a total yearly withdrawal of 730 mg of water to the applicant's public water supply system from new Wells Nos. PH-1 and PH-2 and to increase the existing withdrawal of all wells from 168.50 mg/30 days to 228.50 mg/30 days. The increased allocation is requested to meet projected increases in service area demand. The project wells are completed in the Allentown Formation in the Laurel Run Watershed in Muhlenburg Township, Berks County, PA. The site is located within the drainage area of the Schuylkill River.

16. *Village of Delhi, D-2001-033 CP-2*. An application for approval of a rerate of an existing 0.815 mgd WWTP to 1.015 mgd. The project WWTP is located at River Mile 330.70—57.4 (Delaware River—West Branch Delaware River), approximately 22 miles upstream of the Cannonsville Reservoir, within the drainage area of the section of the nontidal Delaware River known as the Upper Delaware, which is classified as Special Protection Waters. The facility is located in the Town of Delhi, Delaware County, NY.

17. *Nazareth Borough Municipal Authority, D-2002-038 CP-2*. An application for the approval of the modification of the existing Nazareth Borough Municipal Authority WWTP. The existing 1.6 mgd WWTP includes two Intermittent Cycle Extended Aeration System (ICEAS) basins. The applicant proposes to modify the WWTP by adding two new additional ICEAS basins. The WWTP will continue to discharge to Shoeneck Creek. Shoeneck Creek is a tributary to the Bushkill Creek, and the project WWTP is located within the drainage area to the section of the nontidal Delaware River known as the Lower Delaware, which is classified as Special Protection Waters. The facility is located in Lower Nazareth Township, Northampton County, PA.

18. *Tidewater Utilities, Inc., D-2005-027 CP-2*. An application for the renewal of an existing groundwater withdrawal project and to increase the current withdrawal from 3.51 mg/30 days to 4.967 mg/30 days to supply the applicant's public water supply system from existing Wells Nos. VWQ-1, VWQ-2, WQ-2, and WQ-4, completed in the Piney Point and Frederica aquifers. Wells Nos. WQ-2 and WQ-4 were included in previously approved Docket No. D-2005-027 CP-1. Wells Nos. VWQ-01 and VWQ-02 are existing wells that were not included in Docket No. D-2005-027 CP-1. The increased allocation is requested to meet projected increases in service area demand. The project is located in the Isaac Branch Watershed of the Saint Jones River in the City of Dover, West Township, Kent County, DE.

19. *Ingersoll-Rand Company, D-2006-014-2*. An application for renewal of a 0.09 mgd discharge from the applicant's existing groundwater remediation plant and a related outfall reconfiguration. The WWTP will discharge to Lopatcong Creek, an FW2-NT(C2) stream, which is a tributary of the Delaware River at River Mile 182.0—1.87 (Delaware River—Lopatcong Creek). The WWTP is located in the Town of Phillipsburg, Warren County, NJ, within the drainage area of the section of the nontidal Delaware River known as the Lower Delaware, which is classified as Special Protection Waters.

20. *Beaver Lake Estates, D-2009-038 CP-1*. An application for approval of the expansion of the Beaver Lake Estates Wastewater Treatment Plant (WWTP) from 0.035 mgd to 0.14 mgd. Outfall No. 001 will continue to discharge to an unnamed tributary of Barnum Brook, a

tributary of the Neversink River at River Mile 253.64—25.15—2.0—1.12 (Delaware River—Neversink River—Barnum Brook—Unnamed Tributary) in the drainage area of the section of the nontidal Delaware River known as the Middle Delaware, which is designated as Special Protection Waters. The Beaver Lake Estates WWTP is located in the Town of Thompson, Sullivan County, NY.

21. *Bucks County Water and Sewer Authority, D-1999-013 CP-2*. An application for the approval of the expansion of the existing Bucks County Water and Sewer Authority Harvey Avenue WWTP. The existing 0.9 mgd WWTP currently utilizes an extended aeration activated sludge process in the form of a Carousel Oxidation Ditch. The existing WWTP treatment train will remain and a second 0.7 mgd treatment train will be constructed, consisting of a Vertical Loop Reactor, clarifiers and aerobic digester. The proposed addition will increase the hydraulic design capacity of the WWTP to 1.6 mgd. The WWTP will continue to discharge to Cook's Run, a tributary to the Neshaminy Creek. The facility is located in the Borough of Doylestown, Bucks County, PA.

22. *Maxatawny Township Municipal Authority, D-2007-001 CP-1*. An application for approval to construct a new Maxatawny Township Municipal Authority WWTP with a discharge of 0.14 mgd. The WWTP will discharge to the Saucony Creek, which is a tributary to the Maiden Creek. The facility will be located in Maxatawny Township, Berks County, PA.

23. *Wyeth Pharmaceuticals, D-2009-015-1*. An application for approval of an existing 0.068 mgd discharge of contact cooling water (CCW). CCW will continue to be discharged from the applicant's pharmaceutical facility by means of Outfalls Nos. 001 and 002. The project outfalls are located at River Mile 92.47—32.36—4.68 (Delaware River—Schuylkill River—Perkiomen Creek). At this location, the Perkiomen Creek is classified by the Department of Environmental Protection as a warm water/migrating fishery (WWF/MF). The facility is located in Upper Providence Township, Montgomery County, PA.

24. *Geerling's Florist, Inc., D-2009-031-1*. An application for approval of a groundwater withdrawal project to continue to supply up to 4.4 mg/30 days of irrigation water to the applicant's greenhouse and nursery operations from existing Wells Nos. 1—6. The project is located in the Brunswick Formation in the Mill Creek and Pidcock Creek Watersheds in Buckingham Township, Bucks County, PA within the Southeastern Pennsylvania Ground Water Protected Area.

25. *Chester Valley Golf Club, D-2009-035-1*. An application for approval of a groundwater and surface water withdrawal project to supply up to 5.6 mg/30 days of water from existing sources, including a storage pond, Well No. 11904, and one gravity-fed surface water intake to irrigate the applicant's golf course. The project is located in East Whiteland Township, Chester County, PA in the Southeastern Pennsylvania Ground Water Protected Area. The surface water will be withdrawn from an unnamed tributary of Valley Creek. The well is located in the Elbrook Formation within the Valley Creek Sub-basin.

26. *Deb-El Food Products, D-2009-036-1*. An application for approval to construct a 0.05 mgd industrial waste treatment plant (IWTP) that will discharge to the Neversink River at River Mile 253.64—28.7 (Delaware River—Neversink River) in the drainage area of the section of the Nontidal Delaware River known as the

Middle Delaware, which is designated as Special Protection Waters. The IWTP is located in the Town of Thompson, Sullivan County, NY.

27. *Tuscan/Lehigh Dairies, Inc., D-2009-043-1*. A new groundwater withdrawal project to supply up to 8.7 mg/30 days of water to the applicant's industrial cooling and process system from existing Wells Nos. 3—5. The project wells are located in the Brunswick Group in the Towamencin Creek Watershed in Upper Gwynedd Township, Montgomery County, PA, within the Southeastern Pennsylvania Ground Water Protected Area.

28. *Bucks County Water and Sewer Authority, D-2009-047 CP-1*. An application to construct a 2 million gallon underground storage tank in the Bensalem Collection System, which is a tributary to the Poquessing Interceptor. The storage tank is proposed to help alleviate wet weather overflows from the Poquessing Interceptor near Holy Family University in the City of Philadelphia during heavy rain events. The Poquessing Interceptor is interconnected with the Delaware Interceptor, which is the pipeline that conveys untreated sanitary waste and stormwater to the Philadelphia Water Department's Northeast Wastewater Treatment Plant. The Bensalem Collection System will continue to transfer untreated sanitary waste and stormwater from Bensalem Township, Bucks County, PA to the Poquessing Interceptor, which is interconnected with the Delaware Interceptor in the City of Philadelphia, PA.

29. *Sullivan Farms, IV, LLC (Kaufman Farms), D-2009-048 CP-1*. An application to approve the construction of the new 17,282 gpd Kaufman Farms WWTP. The WWTP will land discharge to four on-site infiltration beds. The project is located near River Mile 253.64—9.5—11.5 (Delaware River—Neversink River—Basher Kill) in the drainage area of the section of the nontidal Delaware River known as the Middle Delaware, which is classified as Special Protection Waters. The project is located in the Village of Wurtsboro, Sullivan County, NY.

In addition to the standard business meeting items, including adoption of the Minutes of the Commission's previous (December 9, 2009) business meeting; announcements of upcoming advisory committee meetings and events of interest; a report on hydrologic conditions; a report by the Executive Director; and a report by the Commission's General Counsel, the business meeting will include public hearings and consideration by the Commission of resolutions: (a) approving the Commission's Fiscal Years (FY) 2010-2015 Water Resources Program; (b) authorizing the Executive Director to select a new auditor for the Commission; and (c) in connection with repair of the HVAC System, authorizing the Executive Director to contract for a study of options for expanding capacity of the Goddard Room. In addition the Commissioners will consider adoption of the Commission FY 2011 operating and capital budgets, on which a hearing was conducted during the December 9, 2009, business meeting. An opportunity for public dialogue will be provided at the end of the meeting.

Draft dockets scheduled for public hearing on March 3, 2010, can be accessed through the Notice of Commission Meeting and Public Hearing on the Commission's web site, drbc.net, 10 days prior to the meeting date. Additional public records relating to the dockets may be examined at the Commission's offices. Contact William Muszynski at (609) 883-9500, Ext. 221, with any docket-related questions.

Note that conference items are subject to change and items scheduled for hearing are occasionally postponed to

allow more time for the Commission to consider them. Check the Commission's web site, drbc.net, closer to the meeting date for changes that may be made after the deadline for filing this notice.

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

PAMELA M. BUSH, Esq.,  
Commission Secretary

[Pa.B. Doc. No. 10-324. Filed for public inspection February 19, 2010, 9:00 a.m.]

## Public Hearing on Stone Energy Corporation Proposed Surface Water Withdrawal and Natural Gas Well Site

### Summary

Because of the high level of public interest in projects within the Delaware Basin that are associated with natural gas drilling activities, the Delaware River Basin Commission (Commission) will hold a special public hearing on two projects sponsored by the Stone Energy Corporation (Stone Energy) to support natural gas exploration and development activities within the basin. One of the two projects entails a surface water withdrawal from the West Branch Lackawaxen River in Mount Pleasant Township, PA (Docket No. D-2009-13-1). The other concerns an existing natural gas well drilling pad site in Clinton Township, PA (Docket No. D-2009-18-1). Both projects are located in Wayne County, PA, within the drainage area of a portion of the main stem Delaware River that the Commission has classified as Special Protection Waters.

### Dates

The hearing will take place on Wednesday, February 24, 2010, from 3 p.m. until 7 p.m. Written comments will be accepted until 5 p.m. on March 12, 2010.

### Addresses

The hearing will take place at the Best Western Inn at Hunt's Landing, 126 Routes 6 and 209, Matamoras, PA 18336, from 3 p.m. until 7 p.m. Written comments may be submitted at the hearing and may also be sent to Paula.Schmitt@drbc.state.nj.us and otherwise to the attention of the Commission Secretary, either by fax (609) 883-9522, P. O. Box 7360, West Trenton, NJ 08628-0360, or delivery service to 25 State Police Drive, West Trenton, NJ 08628-0360. Regardless of the method of submission, comments should include the name, affiliation (if any) and address of the commentator and the subject line "Public Comment—Stone Energy Dockets."

### For Further Information Contact

For questions about the upcoming hearing that are not answered in the section of this notice entitled "Supplementary Information," contact Paula Schmitt at (609) 477-7224 or Katharine O'Hara at (609) 477-7205.

### Supplementary Information

*Draft dockets.* Docket Nos. D-2009-13-1 (water withdrawal) and D-2009-18-1 (natural gas well drilling pad

site) can be viewed on the Commission's web site, drbc.net, as a link from this notice.

*Hearing Procedure.* To give everyone who wishes to testify a fair and equal opportunity to do so at the public hearing, which is expected to be heavily attended, the following procedures will be in effect:

- *Registration to testify.* Individuals who wish to speak at the hearing will be requested to print their names on a numbered list and complete a separate Commission commentator card. Registrations to present oral testimony will begin at approximately 2:30 p.m. (30 minutes prior to the beginning of the hearing) and will continue until the hearing is closed. There will be no advance registration prior to February 24. For the convenience of those who wish to speak, more than one registration list may be used. Accordingly, speakers will be called in roughly, but not exactly, the order in which they registered.

- *Time allowances.* To allow everyone who wishes to speak an opportunity to do so, individuals will be allotted no more than 3 minutes to present their oral testimony. Speakers will not be permitted to cede their time to others; however, after everyone who wishes to speak has had a chance to do so, the hearing officer will accept requests from those who wish to supplement their earlier remarks. Individuals who have prepared written testimony are asked to summarize their comments during the 3-minute period for oral testimony and to submit their complete written comments either at the public hearing or by e-mail, fax, U.S. mail, delivery service or hand delivery in accordance with the "Addresses" in the previous section, before 5 p.m. on March 12.

- *Stenographic record.* A court stenographer will be present to capture all verbal comments for the public record.

- *Other.* The sole purpose of the hearing on February 24, is to provide members of the public with an opportunity for oral testimony on the proposed Stone Energy dockets. The Commissioners and staff will not respond to comments at the hearing, nor will they conduct any other business that day. Because a separate hearing on the Stone Energy dockets is being held on February 24, oral testimony on these dockets will not be accepted during the Commission's regularly scheduled business meeting and public hearing on March 3, 2010. A separate notice will be published listing the hearing items and other matters to be considered during the meeting on March 3.

*Project Descriptions.* Detailed descriptions of the two projects are included in the draft dockets posted on the Commission's web site (drbc.net) as links from this notice. Brief descriptions of the two projects follow:

*Stone Energy Corporation D-2009-13-1.* An application for approval of a surface water withdrawal project to supply up to 21.0 mg/30 days (0.70 mgd) of water from a withdrawal point located on the West Branch Lackawaxen River in Mount Pleasant Township, Wayne County, PA within the drainage area of the section of the Delaware River classified as Special Protection Waters (SPW). The water will be used to support natural gas well stimulation activities in an existing well located in Clinton Township, Wayne County, PA (the Matoushek No. 1 well), also within the drainage area of SPW, and in proposed natural gas wells targeting the Marcellus Shale geologic formation within the SPW drainage area in this Commonwealth. Flow-back water from well stimulation activities is proposed to be exported to approved treatment facilities located outside of the Delaware River Basin.

*Stone Energy Corporation D-2009-18-1.* An application for approval of an existing natural gas well drilling pad site, including an existing vertically orientated natural gas well known as Matoushek No. 1, located in Clinton Township, Wayne County, PA. The well is proposed to be stimulated through hydraulic fracturing from a proposed surface water source. An application for the proposed surface water withdrawal is being reviewed by the Commission under Docket No. D-2009-13-1. The proposed surface water withdrawal is located on the West Branch Lackawaxen River in Mount Pleasant Township, Wayne County, PA. The target gas bearing geologic formation of Matoushek No. 1 is the Devonian-age Marcellus Shale. Flow-back water resulting from stimulation activities at the well is proposed to be exported to approved treatment facilities outside of the Delaware River Basin. The proposed drilling site is located within the drainage area of the section of the nontidal Delaware River known as the Upper Delaware, which is designated as Special Protection Waters.

Additional public records relating to the draft Stone Energy docket may be available for review consistent with Article 8 of the Commission's Rules of Practice and Procedure (RPP) governing public access to records and information. The RPP are also available on the Commission's web site, <http://www.drbc.net>.

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

PAMELA M. BUSH, Esq.,  
Commission Secretary

[Pa.B. Doc. No. 10-325. Filed for public inspection February 19, 2010, 9:00 a.m.]

## DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

### Public Hearing

The Department of Community and Economic Development (Department) publishes notice of a public hearing to be held from 10 a.m. to 12 p.m. on Thursday, March 4, 2010, in Conference Room 4-West at the Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120. The purpose of this hearing is to receive comments on the Weatherization Assistance Program's draft revisions to the energy audit protocols for single family and mobile homes before finalizing the new tools and priority standards.

A copy of this protocol may be obtained by contacting the Department of Community and Economic Development, Office of Energy Conservation & Weatherization, 4th Floor, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120. It can also be downloaded from the Department's web site at [www.newpa.com](http://www.newpa.com).

Written comments may be submitted to E. Craig Heim, Executive Director, Office of Energy Conservation &

Weatherization, 4th Floor, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120 until 5 p.m. on March 4, 2010.

Persons with a disability who wish to attend this hearing and require auxiliary aid, service or other accommodations to participate in the proceedings, contact Liz Hoch at (717) 214-6547 to discuss how the Department may accommodate their needs.

E. CRAIG HEIM,  
Executive Director

[Pa.B. Doc. No. 10-326. Filed for public inspection February 19, 2010, 9:00 a.m.]

## DEPARTMENT OF EDUCATION

### Application of Washington and Jefferson College for Approval of Merger

#### 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 request from Washington and Jefferson College for a Certificate of Authority approving the merger of the Washington and Jefferson Development Corporation into the college, with the college being the surviving entity. The college wishes to acquire ownership of the corporation's student residences in conjunction with the college's retiring of the corporation's outstanding debt and refinancing through the issuance of new tax-exempt bonds.

In accordance with 24 Pa.C.S. § 6503(e), the Department will act upon this application without hearing, unless within 15 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, 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. 10-327. Filed for public inspection February 19, 2010, 9:00 a.m.]

# DEPARTMENT OF ENVIRONMENTAL PROTECTION

## Applications, Actions and Special Notices

### APPLICATIONS

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

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

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

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

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

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

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

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

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

#### I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0080683 (Sew)	Miller's Skyview Sales, Inc. 200 Ridge Road Etters, PA 17319-9110	York County Newberry Township	UNT Bennetts Run 7F	Y
PA0080918 (Sew)	Rick Long 101 Speedwell Forge Road Lititz, PA 17543-9541	Lancaster County Elizabeth Township	Kettle Run 7J	Y

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0087106 (Sew)	Freedom Valley Worship Center AOG, Inc. 3185 York Road Gettysburg, PA 17325	Adams County Straban Township	Swift Run 7F	Y
PA0070319 (IW)	Brian A. Gottschall County of Berks Department of Emergency Services DirectLink Technology Center 2561 Bernville Road Reading, PA 19605	Berks County Reading City	Angelica Creek 3C	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0043419	Coudersport Area Municipal Authority P. O. Box 820 Coudersport, PA 16915-0820	Potter County Coudersport Borough	Allegheny River 16C	Y
PA0233862 (Sewage) Non-Municipal	Beavertown Properties, LLC 14849 Route 522 Middleburg, PA 17845	Snyder County Beaver Township	UNT to Middle Creek SWP 6A	Y
PA0009318 IW	Alcan Cable 409 Reighard Avenue Williamsport, PA 17701-4195	Lycoming County City of Williamsport	Fox Hollow Run 10A	Y
PA0029068 (Sewage)	Valley Township Municipal Authority P. O. Box 307 Danville, PA 17821	Montour County Valley Township	Mausers Creek 5-E	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0032751	Department of Transportation Rest Area 18 P. O. Box 3060 Harrisburg, PA 17105	Deer Creek Township Mercer County	Unnamed tributary to Black Run 16-G	Y
PA0032760	Department of Transportation Rest Area 17 P. O. Box 3060 Harrisburg, PA 17105	Deer Creek Township Mercer County	Unnamed tributary to Lake Wilhelm (Sandy Creek) 18-G	Y
PA0102385	IBI/RR, LLC, d/b/a Iron Bridge Inn 1438 Perry Highway Mercer, PA 16137	Springfield Township Mercer County	Neshannock Creek 20-A	Y

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

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

**PA0056294**, Sewage, SIC 7997, **Bart Golf Club, Inc., t/a Hickory Valley Golf Course**, 1921 Ludwig Road, Gilbertsville, PA 19525-9438. This proposed facility is located in New Hanover Township, **Montgomery County**.

Description of Proposed Activity: The application is for a renewal of an NPDES permit to discharge 1,500 gallons per day of treated sewage from the Bart Golf Club WWTP into Swamp Creek.

The receiving stream, Swamp Creek, is in the State Water Plan watershed 3-E and is classified for: trout stocking and migratory fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1,500 gallons per day:

<i>Parameters</i>	<i>Concentration (mg/l)</i>		
	<i>Instantaneous Minimum (mg/l)</i>	<i>Average Monthly</i>	<i>Instantaneous Maximum (mg/l)</i>
pH (Standard Units)	6.0		9.0
Dissolved Oxygen	5.0		
Total Residual Chlorine		0.5	1.2
CBOD <sub>5</sub>			
(5/1 to 10/31)		10	20
(11/1 to 4/30)		20	40
Total Suspended Solids		10	20
Fecal Coliform (CFU/100 ml)		200 Geometric Mean	
Ammonia-Nitrogen			
(5/1 to 10/31)		3.0	6.0
(11/1 to 4/30)		9.0	18.0

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

The EPA waiver is in effect.

**PA0011541**, IW SIC 4226, **Sunoco Partners Marketing and Terminals, LP**, 4041 Market Street, Aston, PA 19014. This proposed facility is located in Darby Township, **Delaware County**.

Description of Proposed Activity: renewal of an NPDES permit to discharge stormwater from Darby Creek Tank Farm.

The receiving stream, Darby Creek, is in the State Water Plan watershed 3G and is classified for: trout stocking fishery, aquatic life, water supply and recreation. There is no public water supply intake below the point of discharge.

The proposed effluent limits for Outfall 001 are based on an average stormwater runoff.

<i>Parameters</i>	<i>Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Instantaneous Maximum</i>
Total Recoverable Petroleum		
Hydrocarbons	15	30
Oil and Grease	15	30

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

1. Remedial Measures.
2. Change in Ownership.
3. Product Contaminated Stormwater Runoff.
4. PPC Plan.
5. Other Wastewater Discharges.
6. Definitions.
7. Laboratory Certification.
8. Hydrostatic Test Water Discharge.

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

**Application No. PA 0027316**, Sewage, **City of Lebanon Authority**, 2311 Ridgeview Road, Lebanon, PA 17042. This facility is located in North Cornwall Township, **Lebanon County**.

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

The receiving stream, Quittapahilla Creek, is in Watershed 7-D, and classified for trout stocking fishes, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Pennsylvania American Water Company is located on the Swatara Creek, approximately 17 miles downstream. The discharge is not expected to affect the water supply.

This amendment revises the Chesapeake Bay Strategy Implementation interim milestone dates. The final compliance date is not affected.

You 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. PA 0026654**, Sewage, **Borough of New Cumberland**, 1120 Market Street, New Cumberland, PA 17070. This facility is located in New Cumberland Borough, **Cumberland County**.

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



The receiving stream, Susquehanna River, is in Watershed 7-E, and classified for warm water fishes, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Steelton Borough is located on the Susquehanna River, approximately 1.27 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 1.25 MGD are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
Total Phosphorus	2.0		4.0
Dissolved Oxygen		minimum of 5.0 at all times	
pH		from 6.0 to 9.0 inclusive	
Fecal Coliform		200/100 ml as a Geometric Average	
(5/1 to 9/30)		2,000/100 ml as a Geometric Average	
(10/1 to 4/30)			

Chesapeake Bay Requirements

	<i>Concentration (mg/L)</i>		<i>Mass (lbs)</i>
	<i>Monthly Average</i>	<i>Monthly</i>	<i>Annual</i>
Ammonia-N	Report	Report	Report**
Kjeldahl-N	Report	Report	XXX
Nitrate-Nitrite as N	Report	Report	XXX
Total Nitrogen	Report	Report	Report
Total Phosphorus	Report	Report	Report
Net Total Nitrogen	XXX	Report	22,831*
Net Total Phosphorus	XXX	Report	3,044*

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

\* Net Total Nitrogen and Net Total Phosphorus limits compliance date will begin on October 1, 2012. Since these reporting requirements are annual loads, reporting on compliance with the annual limitations will be required on the Supplemental DMR—Annual Nutrient Summary by November 28, 2013. The facility is required to monitor and report for Net Total Nitrogen and Net Total Phosphorus from the effective date of the permit until September 30, 2012.

\*\* Total Annual Ammonia Load will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2010.

You may make an appointment to review the Department's files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA waiver is not in effect.

**Application No. PA 0088641**, Sewage, **Carol Rose**, 238 South Richards Street, Bedford, PA 15522. This facility is located in Juniata Township, **Bedford County**.

Description of activity: The application is for issuance of an NPDES permit for a new discharge of treated sewage.

The receiving stream, unnamed tributary to Kegg Run, is in Watershed 11-C, and classified for warm water fishes, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Department of Conservation and Natural Resources—Shawnee State Park is located on the Shawnee Lake, approximately 3.4 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.0004 MGD are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	50
Total Suspended Solids	30	60
Total Residual Chlorine	Report	XXX
pH		from 6.0 to 9.0 inclusive
Fecal Coliform		200/100 ml as a Geometric Average
(5/1 to 9/30)		2,000/100 ml as a Geometric Average
(10/1 to 4/30)		

You 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.

**PA0254151**, Industrial Waste, SIC 5171, **Zappi Oil and Gas Company, Inc.**, 44 Bridge Street, Washington, PA 15301. This application is for issuance of an NPDES permit to discharge storm water and treated groundwater from the Washington Distribution Facility in Washington City, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, Catfish Creek, classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply (PWS) is the West View Borough Municipal Authority, located at Neville Island, over 40 miles below the discharge point.

*Outfall 001*: new discharge of stormwater.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (MGD)	Monitor and Report				
Oil and Grease				Monitor and Report	
Total Suspended Solids				10	20
Nitrate + Nitrite Nitrogen				Monitor and Report	
pH	not less than 6.0 nor greater than 9.0				

*Outfall 002*: new discharge of stormwater.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (MGD)	Monitor and Report				
Oil and Grease				Monitor and Report	
Total Suspended Solids				10	20
Nitrate + Nitrite Nitrogen				Monitor and Report	
pH	not less than 6.0 nor greater than 9.0				

*Outfall 003*: existing discharge, design flow of 0.0144 MGD.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (MGD)	Monitor and Report				
Benzene			0.001		0.0025
Naphthalene			0.01		0.025
Fluorene			1.0		2.5
Toluene			Monitor and Report		Monitor and Report
Ethylbenzene			Monitor and Report		Monitor and Report
Cumene			Monitor and Report		Monitor and Report
Phenanthrene			Monitor and Report		Monitor and Report
Oil and Grease			15.0		30.0
Iron, Dissolved					7.0
Total Suspended Solids			30		75.0
pH	not less than 6.0 nor greater than 9.0				

*Other Conditions*: Residual waste disposal, floating materials, storm water control, oil-bearing wastewater control, chemical additives and discharge sampling.

The EPA waiver is in effect.

**PA0025755**, Sewage, **Freeport Borough**, 414 Market Street, Freeport, PA 16229. This application is for renewal of an NPDES permit to discharge treated sewage from Freeport Borough STP in Freeport Borough, **Armstrong County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Buffalo Creek, which are classified as a trout stock fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the: Harrison Township Water Authority on the Allegheny River.

*Outfall 001*: existing discharge, design flow of 0.35 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	25	37.5		50
Suspended Solids	30	45		60
Ammonia Nitrogen (5/1 to 10/31)	12.0	18.0		24.0

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
Fecal Coliform (5/1 to 9/30) (10/1 to 4/30)	200/100 ml as a Geometric Mean			
Total Residual Chlorine	2,000/100 ml as a Geometric Mean			
pH	1.0			3.3
	not less than 6.0 nor greater than 9.0			

*Other Conditions:* Outfalls 002, 004 and 005, which discharge to the receiving waters known as Allegheny River, and Outfalls 003 and 006, which discharge to the receiving waters known as Buffalo Creek, serve as combined sewer overflows necessitated by stormwater entering the sewer system and exceeding the hydraulic capacity of the sewers and/or the treatment plant. These combined sewer overflows are permitted to discharge only for such reason. There are at this time no specific effluent limitations on the outfalls. Each discharge shall be monitored for cause, frequency, duration and quantity of flow.

The EPA waiver is in effect.

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

**PA0001791**, Industrial Waste, **Osram Sylvania Products, Inc., Osram Sylvania Products Warren Plant**, P. O. Box 129, Warren, PA 16365. This proposed facility is located in City of Warren, **Warren County**.

Description of Proposed Activity: discharge consisting of NCCW, miscellaneous wastewater and stormwater.

The receiving water is the Allegheny River. The receiving stream is in State Water Plan 16-B and is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. The nearest downstream potable water supply, Emlenton Water Company, is located on the Allegheny River and is approximately 97 miles below the point of discharge.

The proposed effluent limits for Outfall 002 based on a design flow of 0.003 MGD.

Parameter	Concentrations		
	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
Flow (MGD)	XX		
Oil and Grease	15		30
pH	6.0 to 9.0 Standard Units at all times		

XX—Monitor and report

A no exposure exclusion has been granted for stormwater outfalls 001, 003—006 and 009.

This facility is being down-rated from a “major” to a “minor” discharger.

The EPA Waiver is not in effect.

**PA0221686**, Industrial Waste, SIC Code 2421, **PW Hardwood, LLC**, 11424 Route 36, Brookville, PA 15825. Facility Name: PW Hardwood Dry Kiln. This existing facility is located in Oliver and Rose Townships, **Jefferson County**.

Description of Existing Activity: The application is for a new NPDES permit for an existing discharge of stormwater.

The receiving stream(s), Beaver Run, is located in State Water Plan watershed 17-C and is classified for High Quality Waters-Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 002 are based on a design flow of n/a MGD.

The proposed effluent limits for Outfall 004 are based on a design flow of n/a MGD.

The proposed effluent limits for Outfall 006 are based on a design flow of n/a MGD.

The proposed effluent limits for Outfall 007 are based on a design flow of n/a MGD.

The proposed effluent limits for Outfall 008 are based on a design flow of n/a MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instantaneous Maximum
Flow (MGD)	Report					
pH				Report		
Chemical Oxygen Demand				Report		
Total Suspended Solids				Report		
Oil and Grease				Report		
Total Iron				Report		

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

- Requirements Applicable to Stormwater Discharges

You may make an appointment to review the Department of Environmental Protection's files on this case by calling the File Review Coordinator at 814-332-6340.

The EPA waiver is in effect.

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

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

**WQM Permit No. 4101401**, Sewerage, SIC 4952, **Williamsport Sanitary Authority**, 253 West Fourth Street, Williamsport, PA 17701-6113. This proposed facility is located in the City of Williamsport, **Lycoming County**.

Description of Proposed Action/Activity: The current Wundies Pump Station has deteriorated due to age and has design deficiencies. It is proposed to install a new pump station just east of the existing unit.

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

**WQM Permit No. 3209201-A1**, Industrial Waste, **RRI Energy Northeast Management Company**, 121 Champion Way, Suite 200, Canonsburg, PA 15317. This existing facility is located in West Wheatfield Township, **Indiana County**.

Description of Proposed Action/Activity: Application for permit amendment.

**WQM Permit No. 1110402**, Sewerage, **Glendale Valley Municipal Authority**, 1800 Beaver Valley Road, Flinton, PA 16640. This proposed facility is located in White and Reade Townships, **Cambria County**.

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

**WQM Permit No. 5609002**, Concentrated Animal Feeding Operation, CAFO, **Hillcrest Saylor Dairy Farms, LLC**, 3684 Kingwood Road, Rockwood, PA 15557. This proposed facility is located in Middle Creek Township, **Somerset County**.

Description of Proposed Action/Activity: Application for the construction and operation of a manure storage facility. A new 3,986,000 gallon manure storage facility and related manure collection and transfer structures will supplement existing manure storage.

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

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

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

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*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 &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023510002	Baptist Bible College & Seminary Attn: Hal Cross 538 Venard Road Clarks Summit, PA 18411	Lackawanna	South Abington Township	Tributary to Leggetts Creek CWF, MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10S075(2)	Paradise Township R. R. 1 Box 1226 Cresco, PA 18326	Monroe	Paradise Township	Tributary to Cranberry Creek HQ-CWF, MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI033610001	Lancaster County Transportation Authority 129 East Orange Street 3rd Floor Lancaster, PA 17604	Lancaster	Martic Township	UNT to Pequea Creek HQ-CWF

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI032110002	Samuel Cressler and Michael Proffitt P. O. Box 249 Shippensburg, PA 17257	Cumberland	Shippensburg Borough	Middle Spring Creek HQ
PAI032110001	Schreiber Foods, Inc. Cy Hill 502 North Madison Street Green Bay, WI 54301	Cumberland	Shippensburg Borough	Middle Spring Creek HQ

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

*Fayette County Conservation District, 10 Nickman Plaza, Lemont Furnace, PA 15456 (724-438-4497).*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI052609001	Jim Kalp Department of National Resources 400 Market Street Harrisburg, PA 17105	Fayette	Borough of Ohiopyle	Youghiogheny River HQ-CWF

*Washington County Conservation District, 602 Courthouse Square, Washington, PA 15301 (724-228-6774).*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI056310001	Department of General Services 515 North Office Building Harrisburg, PA 17125	Washington	North Bethlehem Township	Little Chartiers Creek HQ-WWF
PAI056310002	Bureau of Engineering and Architecture Room 201 18th and Herr Streets Harrisburg, PA 17125	Washington	North Bethlehem Township	Little Chartiers Creek HQ-WWF

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

*Erie County Conservation District: 1927 Wager Road, Erie, PA 16509, telephone 814-825-6403.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI062510001	Rosanne Palermo, Trinity Equestrian Center, LLC 3437 West Lake Road Erie, PA 16505	Erie	Fairview Township	Bear Creek CWF, MF

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

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

## **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](http://www.pacd.org/districts/directory.htm) or can be obtained from the SCC at the office address listed or by calling (717) 787-8821.

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

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

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

**NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET—APPLICATIONS**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/New</i>
Green Valley Farm Barley James 2266 Junction Road Seven Valleys, PA 17360	York	16.21	1,892.79	Swine	NA	Renewal
Hillandale—Bailey Farms 2820 Daron Road Spring Grove, PA 17362	York	305	4,095.89	Layer	NA	Renewal
Meadow Run Farm 4270 Harvest Road Manheim, PA 17545	Lebanon	107	967.5	Swine	NA	Renewal
Jeffery Werner 897 North Lancaster Street Jonestown, PA 17038	Lebanon	454.8	489.61	Turkey	NA	Renewal

**PUBLIC WATER SUPPLY (PWS) PERMIT**

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

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

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

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

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

**SAFE DRINKING WATER**

**Applications Received Under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17)**

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

**Application No. 3909507, Public Water Supply.**

Applicant	<b>Lehigh County Authority</b>
Township or Borough	Upper Macungie Township <b>Lehigh County</b>
Responsible Official	Aurel M. Arndt General Manager Lehigh County Authority 1053 Spruce Street P. O. Box 3348 Allentown, PA 18106
Type of Facility	Community Water System
Consulting Engineer	Charles E. Volk, P. E. ARRO Consulting, Inc. 1150 Glenlivet Drive Allentown, PA 18106 484-664-7310
Application Received Date	June 1, 2009
Description of Action	Application for construction of a primary booster pump station, a 24-inch transmission main and interconnection to allow for transfer of water from the City of Allentown's distribution system to the LCA distribution system. Also, application for construction of a secondary booster pump station to transfer water from Allentown's Schantz Spring Reservoir to the LCA distribution system.

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

**Application No. 2010501**, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**  
 Township or Borough Sadsbury Township  
**Crawford County**  
 Responsible Official Marc A. Luca, P. E.  
 Consulting Engineer Peter J. Kusky, P. E.  
 Assistant Division/Production  
 Manager  
 665 South Dock Street  
 Sharon, PA 16146  
 Application Received 01/19/2010  
 Date  
 Description of Action Upgrade to Lakeside Well  
 Station, including reconstruction  
 of well house, in-kind  
 replacement of Well No. 2 and  
 disinfection contact time  
 improvements.

**Application No. 4310501**, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**  
 Township or Borough Borough of Farrell  
**Mercer County**  
 Responsible Official Peter J. Kusky, P. E.  
 Consulting Engineer Brian T. Bisson, P. E.  
 VP of Engineering  
 Aqua Ohio, Inc.  
 6650 South Avenue  
 Boardman, OH 44512  
 Application Received 01/19/2010  
 Date  
 Description of Action Carnegie View Booster Station  
 replacement; construction of new  
 booster station to replace aging  
 booster station on same property.

**Application No. 4310502**, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**  
 Township or Borough Shenango Township  
**Mercer County**  
 Responsible Official Peter J. Kusky, P. E.  
 Consulting Engineer  
 Brian T. Bisson, P. E.  
 VP of Engineering  
 Aqua Ohio, Inc.  
 6650 South Avenue  
 Boardman, OH 44512  
 Application Received 01/19/2010  
 Date  
 Description of Action Mitchell Road Booster Station  
 replacement; construction of new  
 booster station to replace aging  
 booster station on same property.

**MINOR AMENDMENT**

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

**Application No. 3910501.**

Applicant **Lehigh County Authority**  
 Township or Borough Upper Milford Township  
**Lehigh County**  
 Responsible Official Aurel M. Arndt  
 General Manager  
 Lehigh County Authority  
 1053 Spruce Street  
 P. O. Box 3348  
 Allentown, PA 18106  
 Type of Facility Community Water System  
 Consulting Engineer Charles E. Volk, P. E.  
 ARRO Consulting, Inc.  
 1150 Glenlivet Drive  
 Allentown, PA 18106  
 484-664-7310  
 Application Received January 29, 2010  
 Date  
 Description of Action Application for upgrades at the  
 Far View Farms Pump Station to  
 include the addition of a 20,000  
 gallon storage tank and change  
 of pH adjustment chemical from  
 soda ash to caustic soda.

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

**Application No. 7223-T1-MA4**, Minor Amendment.

Applicant **Erie City Water Works**  
 Township or Borough City of Erie  
**Erie County**  
 Responsible Official Craig H. Palmer, P. E.  
 Engineering Services Manager  
 Type of Facility Public Water System  
 Application Received 01/26/2010  
 Date  
 Description of Action Chestnut Street WTP Building  
 Repair Improvements including  
 concrete tank repair; sludge  
 collection replacement, valve  
 replacement and filter cleaning.

**Application No. 363W3-T1-MA4**, Minor Amendment.

Applicant **Erie City Water Works**  
 Township or Borough Erie City  
**Erie County**  
 Responsible Official Craig H. Palmer, Engineering  
 Services Manager  
 Type of Facility Public Water System  
 Application Received 01/26/2010  
 Date  
 Description of Action Installation of 16" D.I. Water  
 Main and construction of 3.7 MG  
 concrete water storage tank.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

### PREAMBLE 1

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

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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.*

**QVC, 1200 Wilson Drive**, West Goshen Township, **Chester County**. Richard Werner, Environmental Consulting, Inc., 500 East Washington Street, Suite 375, Norristown, PA 19401, Michael Young, MY Aviation, P. O. Box 27219, Philadelphia, PA 19118 on behalf of Kelly Redington, QVC Realty, Inc., Studio Park, MC 121, West Chester, PA 19380 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of jet fuel. The QVC property is currently operated as a multimedia retailer facility.

**Specialty Produce & Services Inc.**, Bedminster Township, **Bucks County**. Jeremy Bolyn, Environmental Maintenance Company, Inc., 1420 East Mermaid Lane, Glenside, PA 19038 on behalf of Fred Prozzillo, Specialty Products & Services, Inc., 6626 Eaton Road, Pipersville, PA 18947 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of No. 2 fuel oil. The future use of the site will remain the same.

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

**F. L. Smithe Machine Company, Inc.**, Allegheny Township and Duncansville Borough, **Blair County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of Barry-Wehmiller Companies, Inc., 8020 Forsyth Boulevard, Saint Louis, MO 63105, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with chlorinated solvents from historical operations. The site will be remediated to a combination of Statewide Health and Site-Specific Standards. Future use is unknown.

**F. L. Smithe Machine Company, Inc.**, Blair Township and Duncansville Borough, **Blair County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of Barry-Wehmiller Companies, Inc., 8020 Forsyth Boulevard, Saint Louis, MO 63105, submitted a Notice of Intent to Remediate groundwater contaminated with chlorinated solvents from historical operations. The site will be remediated to a Background Standard, and future use is unknown.

**Ronald L. Meck Rental Property**, West Cocalico Township, **Lancaster County**. GemChem, Inc., 53 North Cedar Street, Lititz, PA 17543, on behalf of Ronald L. Meck, 275 Creamery Road, Denver, PA 17517, submitted a Notice of Intent to Remediate site soils contaminated with No. 2 fuel oil released from an aboveground storage tank. The site will be remediated to the Residential Statewide Health Standard and will remain as residential/agricultural.

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

**Avery Dennison Corp., (Former Paxar Facility)** Sayre Borough, **Bradford County**. Avery Dennison, 7 Bishop Street, Framingham, MA has submitted a Notice of Intent to Remediate soil and groundwater contaminated with volatile organic compounds, semi-volatile organic compounds, and metals. The intended future use of the property is nonresidential with commercial and/or industrial uses.

### RESIDUAL WASTE GENERAL PERMITS

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**Application(s) 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 Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and the Beneficial Use of Residual Waste other than Coal Ash.**

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

**General Permit Application No. WMGR123. Hydro Recovery, LP, 7 Riverside Plaza, Blossburg, PA 16912.**

General Permit Numbered WMGR123 is for the processing of wastewater (for example, flow back gas well water—frac water) from various Marcellus Shale gas drilling operations at the Hydro Recovery Hydraulic Stimulation Fluid (HSF) Manufacturing facility, to be located in the Blossburg Borough, Tioga County. The processing treats High Total Dissolved Solids Fluids (HTDSF) flow back wastewater in the production of HSF, without a discharge, that will be sold for reuse in the extraction of natural gas from various Marcellus Shale oil drilling operations. Central Office received the application on January 8, 2010 and determined it administratively complete on February 3, 2010.

Comments concerning the application should be directed to Ronald C. Hassinger, Chief, General Permits and Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472. Persons interested in obtaining more information about the general permit application may contact the Division at (717) 787-7381. TDD users may contact the Department of Environmental Protection through the Pennsylvania AT&T Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

**OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE**

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

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

**Permit Application No. 300717. Pine Hill Inc., P. O. Box 62, Blossburg, PA 16912, Ward Township, Tioga County.** A minor permit modification for soil amendment for attenuating soil in the existing residual waste landfill. The application was received by Northcentral Regional Office on January 22, 2010.

Comments concerning the application should be directed to Lisa D. Houser, P.E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Persons interested in obtaining more information about the permit application may contact the Williamsport Regional Office, (570) 327-3740. TDD users may contact the Department of Environmental Protection through the Pennsylvania AT&T Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

**Permit Application No. 301626. White Pines Corporation, 515 SR 442, Millville, PA 17846. Pine Township, Columbia County.** A minor permit modification to truck leachate for up to 1 year and changes to the

existing leachate pretreatment facility for pH and nitrification. The application was received by Northcentral Regional Office on January 28, 2010.

Comments concerning the application should be directed to Lisa D. Houser, P.E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Persons interested in obtaining more information about the permit application may contact the Williamsport Regional Office, (570) 327-3740. TDD users may contact the Department of Environmental Protection through the Pennsylvania AT&T Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

**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.

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**PLAN APPROVALS**


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**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.**

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

**46-0200C: John Middleton Co.** (418 West Church Road, King of Prussia, PA 19406) for modification of existing sources for a tobacco conditioning and flavoring process, and the additions of a new specialty process and a 700 hp (29.0 MMBtu/hr) natural gas-fired boiler, at their facility in Upper Merion Township, **Montgomery County**. As a result of potential emissions of VOCs, the facility is a State-only facility, with restrictions or controls. The Plan Approval and Operating Permit will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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**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.**

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

**39-332-001: B. Braun Medical, Inc.** (901 Marcon Boulevard, Allentown, PA 18109) for reactivation and operation of an ethylene oxide (ETO) sterilization unit at their facility in Hanover Township, **Lehigh County**. Presently the company operates ethylene oxide (ETO) sterilization process consisting of nine (9) ETO sterilization chambers (Units 101—109); eight (8) of which are currently operational at the facility. By this Plan Approval Application the company has requested reactivation of Unit 109. The company will continue to use the wet scrubber and catalytic oxidizer to control the ethylene oxide emissions from the operations. Oxidizer and scrubbers are designed to control at least 99% of ETO emission or to maintain an outlet ETO concentration of less than or equal to 1 ppmv in accordance with 40 CFR Part 63 Subpart O. Use of wet scrubber and oxidizer to control ETO emissions would constitute the BAT for this type of source. The company is subject to 40 CFR Part 63 Subpart O—Ethylene Oxide Emissions Standards for Sterilization Facilities, and has been complying with the regulation since its effective date. Unit 109 will also be subject to the requirements of 40 CFR Part 63 Subpart O. The company will operate the facility and maintain the sources in accordance with the good engineering practices to assure proper operation of sources. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

**48-329-008: PPL Renewable Energy, LLC** (Two North Ninth Street, Allentown, PA 18101) for a plan approval to construct and operate three (3) 1,600 kW Caterpillar model G3520C landfill gas fired engines at

their facility in Glendon Borough, **Northampton County**. The Department of Environmental Protection's review of the information submitted by PPL Renewable Energy indicates that the proposed engines will meet all applicable air quality requirements pertaining to air contamination sources and the emission of air contaminants, including the BAT requirements. The company shall comply with 123.31 for malodorous emissions. The company shall comply with 123.41 for visible emissions. The engines are subject to 40 CFR Part 63 Subpart ZZZZ. The engines are subject to 40 CFR Part 60 Subpart JJJJ requirements. The VOC emissions from the facility will not equal or exceed 50 TPY, based on a 12-month rolling sum. The NO<sub>x</sub> emissions from the facility will not equal or exceed 100 TPY, based on a 12-month rolling sum. The CO emissions from the facility will not equal or exceed 250 TPY, based on a 12-month rolling sum. The SO<sub>2</sub> emissions from the facility will not equal or exceed 250 TPY, based on a 12-month rolling sum. Total PM emissions from the facility will not equal or exceed 100 TPY, based on a 12-month rolling sum. The HAPs from the facility must never equal or exceed 10 TPY of any single HAP and must never equal or exceed 25 TPY of all aggregated HAPs, based on a 12-month rolling sum. The Plan approval and Operating Permit will include testing, monitoring, recordkeeping and reporting requirements designed to keep the sources operating within all applicable air quality requirements. For further details, contact Ray Kempa at (570) 826-2511 within 30 days after publication date.

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

**67-05020A: Exelon Generation Co., LLC** (1848 Lay Road, Delta, PA 17314) for modification of an auxiliary #2 fuel oil-fired boiler at their Peach Bottom Atomic Power Station in Peach Bottom Township, **York County**. Emissions from the boiler will not be affected by the proposed modifications. The plan approval will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701. Contact: David Aldenderfer, Program Manager—Telephone: 570-327-3637.*

**41-00079A: Eureka Resources, LLC** (301 Charles Street, South Williamsport, PA 17702) for modification of a gas well water treatment operation in Williamsport, **Lycoming County**.

The Department of Environmental Protection's (Department) review of the information submitted by Truck-Lite Co., Inc. indicates that the air contamination sources to be constructed will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the particulate matter emission limitation of 25 Pa. Code § 123.13, the sulfur oxides limitation of 25 Pa. Code § 121.21, the visible emission limitation of 25 Pa. Code § 123.41 and the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue a plan approval for the proposed construction.

The emissions from the surface coating operation and burn off oven will not exceed 3.88 tons of PM10, 6.86 tons of volatile organic compounds and 1.88 tons of acetone per year. The total combined emission from all sources at this facility will not exceed the following limits in any 12 consecutive month period: NOx-0.63 tons; CO-0.27 tons; VOCs-6.86 tons; PM10-3.88 ton.

In addition to the emission limitations, the following is a summary of the types of conditions the Department intends place in the plan approval to ensure compliance with all applicable regulatory requirements including the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12.

Emission and material usage restrictions to limit the emission of PM10, volatile organic compounds and acetone.

Work practice requirements to install and operate the source and control device with good air pollution control practices.

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

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

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

**37-121A: Flowline—Division of Markovitz Enterprises, Inc.** (P. O. Box 7027, New Castle, PA 16107-7027) for a plan approval approval to replace existing vapor degreaser unit at their facility on 1400 New Butler Road in Shenango Township, **Lawrence County**.

In accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department of Environmental Protection intends to issue a plan approval approval to replace an existing vapor degreaser unit at their facility on 1400 New Butler Road in Shenango Township, Lawrence County.

Flowline is proposing to operate the sources using n-propyl bromide as the solvent. The use of this non-HAP solvent will make the source subject to the regulations of 25 Pa. Code § 129.63. The emission limit for the batch vapor solvent cleaning machine with a solvent/air interface shall be 30.7 pounds of VOC per square foot per month determined as a 3-month rolling average. The maximum VOC emissions from the degreaser shall not exceed 5.38 tons per year, on a 12 month rolling sum.

This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into a State-only operating permit through an administrative amendment at a later date.

#### 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.**

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

**15-00037: Oberthur Technologies** (523 James Hance Court, Exton, PA 19341) for operation of credit and security card manufacturing in West Whiteland Township, **Chester County**. This action is a renewal of the Title V Operating Permit. The initial permit was issued on December 10, 1999. No new sources are being added under this permit renewal. The facility shall continue to be subject to a Plantwide Applicability Limit (PAL) of 47.895 tons per 12-month rolling period for VOC. The facility is not subject to Compliance Assurance Monitoring (CAM) pursuant to 40 CFR Part 64. The operating permit will contain requirements to keep the facility operating within all applicable air quality requirements for this source.

**46-00025: Lonza, Inc.** (900 River Road, Conshohocken, PA 19428) for amendment of the Title V Operating Permit in Upper Merion Township, **Montgomery County**. The amendment is to incorporate the requirements of Plan Approval No. PA-46-0025C and 40 CFR 63 Subpart EEE—National Emission Standards for Hazardous Air Pollutants from Hazardous Waste Combustors. The Operating Permit will contain requirements to keep the facility operating within all applicable air quality requirements for this source.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701. Contact: Muhammad Zaman, Facilities Permitting Chief—Telephone: 570-327-0512.*

**19-00007: Transcontinental Gas Pipeline Co.** (P. O. Box 1396, Houston, TX 77251-1396) for renewal of the Title V Operating Permit (TVOP) for Station 517 in Hebron Township, **Potter County**. The facility is currently operating under TVOP 19-00007 which was issued February 10, 2005. The facility's main sources include four (4) compressor turbine-engines, one (1) auxiliary engine-generator, three (3) storage tanks with capacities greater than 2,000 gallons and various heaters. All combustion sources are fired on natural gas. The facility is a Title V facility for nitrogen oxides emissions. The proposed Title V operating permit contains all applicable regulatory requirements including monitoring, record-keeping and reporting conditions.

**60-00002: NGC Industries, Inc.** (P. O. Box 210, West Milton, PA 17886) for renewal of the Title V operating permit for their Milton Plant facility located in White Deer Township, **Union County**. The facility's sources include one 162.5 million btu per hour boiler and one 68.9 million Btu per hour boiler both fired on natural gas and No. 6 fuel oil, one 0.90 million Btu per hour liquid propane-fired boiler, one 0.065 million Btu per hour liquid propane-fired heater, one 150-brake horsepower diesel-fired firewater pump, one 30-brake horsepower liquid propane-fired emergency power generator, one 300,000 gallon No. 6 fuel oil storage tank, one 19,000 gallon aluminum sulfate storage tank, one 7,500 gallon Buckman 157 paper sizing agent storage tank, one 4,000 gallon phosphoric acid storage tank, one 7,500 gallon Nalco 61708 retention aid storage tank, two 30-gallon each recirculatory parts washers, and miscellaneous sources determined to be of minor significance. The facility has the potential to emit nitrogen oxides (NOx), particulate matter (PM/PM10), and sulfur oxides (SOx) above their respective major emission thresholds. The potential emissions for volatile organic compounds

(VOCs), volatile hazardous air pollutants (VHAPs), and carbon monoxide (CO) are below their respective major emission thresholds. The proposed Title V operating permit renewal contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

**17-00003: Dominion Transmission, Inc.** (445 West Main Street, Clarksburg, WV 26301) for renewal of the Title V Operating Permit for their Luther facility in Brady Township, **Clearfield County**. The facility's sources include two (2) reciprocating internal combustion engines, nine (9) storage tanks, three (3) water heaters, three (3) parts washers, eleven (11) space heaters, one (1) boiler, one (1) emergency generator, one (1) glycol dehydration system, one (1) dehydration water tank and associated pipeline flanges and valves, which have the potential to emit major quantities of nitrogen oxides (NOx) and carbon monoxide (CO). The facility has the potential to emit, volatile organic compounds (VOCs), volatile hazardous air pollutants (VHAPs), particulate matter (PM/PM10), and sulfur oxides (SOx) below the major emission thresholds. The proposed Title V operating permit renewal contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

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*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19428. Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920.*

**46-00221: Upper Moreland—Hatboro Joint Sewer Authority** (2875 Terwood Road, Willow Grove, PA 19090) is a non-Title V, Natural Minor facility in Upper Moreland Township, **Montgomery County**. The facility owns and operates a sewage treatment plant, a sewage sludge incinerator with a venturi scrubber, an impingement scrubber, and an afterburner, and a 2,000 KW emergency generator. The facility's potential to emit criteria pollutants is less than major thresholds. The sewage sludge incinerator is subject to the requirements of 40 CFR Part 503 Subpart E. The emergency generator is subject to the requirements of 40 CFR Part 60 Subpart III. Monitoring and recordkeeping requirements have been added to the permit to address applicable limitations.

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

**48-00088: Greenstar, LLC** (799 Smith Lane, Northampton, PA 18067) for operation of a glass recycling and processing facility in Northampton Borough, **Northampton County**. This is a new State-only operating permit.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701. Contact: David Aldenderfer, Program Manager—Telephone: 570-327-3637.*

**19-00028: White Pines Corp.** (2650 Audubon Road, Audubon, PA 19403-2406) for the White Pines Landfill in Pine Township, **Columbia County**. The facility's main sources include one (1) diesel-fired engine-generator, one (1) double-deck screening operation, landfill cells, collection and perimeter wells. The facility has the potential to emit particulate matter (PM10), nitrogen oxides (NOx),

carbon monoxide (CO), volatile organic compounds (VOCs), hazardous air pollutants (HAPs) and sulfur oxides (SOx) below the major emission thresholds. The proposed operating permit contains requirements including monitoring, recordkeeping and reporting conditions to ensure compliance with applicable Federal and State regulations.

**53-00016: Tennessee Gas Pipeline Co.** (1001 Louisiana Street, P. O. Box 2511, Houston, TX 77252-2511) for their Ellisburg booster station (Station 313A) in Genesee Township, **Potter County**. The facility's main sources include two (2) natural gas-fired compressor engines, one (1) emergency engine, pipeline valves and flanges. The facility has the potential to emit particulate matter (PM10), nitrogen oxides (NOx), carbon monoxide (CO), sulfur oxides (SOx), volatile organic compounds (VOCs) and hazardous air pollutants (HAPs) below the major emission thresholds. The proposed operating permit contains applicable requirements including monitoring, recordkeeping and reporting conditions to ensure compliance with applicable Federal and State regulations.

**41-00037: MET-FAB, Inc.** (P. O. Box 5055, Jersey Shore, PA 17740) for their plant in Loyalsock Township, **Lycoming County**. The facility's main sources include one (1) natural gas fired burn-off oven, one (1) natural gas fired bake oven, one (1) cold cleaning solvent parts washer, one (1) powder coating booth and welding operations. The facility has the potential to emit SOx, NOx, CO, PM (PM10), VOCs and HAPs below the major emission thresholds. The proposed operating permit contains all applicable regulatory requirements including monitoring, recordkeeping, and reporting conditions.

**47-00012: HRI, Inc.** (1750 West College Avenue, Suite No. 1, State College, PA 16801) for operation of their Milton hot mix asphalt plant in Liberty Township, **Montour County**. The facility's main source is a batch hot mix asphalt plant equipped with a 125 MMBTU/hr fuel natural gas/oil fired aggregate dryer with the air contaminants controlled by a cyclone collector and a fabric collector operating in series. By taking a limit on the amount of asphalt concrete produced in any 12 consecutive month period to 540,000 tons, this facility has the potential to emit sulfur oxides, (SOx), nitrogen oxides (NOx), carbon monoxide (CO), volatile organic compounds (VOCs), hazardous air pollutants (HAPs) and particulate matter less than 10 microns (PM10) below the major emission thresholds. The proposed operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

**41-00040: Williamsport Foundry Co., Inc.** (164 Maynard Street, Williamsport, PA 17701) for issuance of a State-only operating permit for operation of their facility in the City of Williamsport, **Lycoming County**. The facility incorporates two natural gas- and No. 2 fuel oil-fired heaters with a combined maximum heat input rating of 2.0 MMBtu/hr; one No. 2 fuel oil-fired core oven with a maximum heat input rating of 0.77 MMBtu/hr; one grey iron cupola with afterburner, cyclone, and fabric collector; various casting cleanup equipment and mold reclamation equipment with cyclone and fabric collector; a pouring/casting operation; a casting cooling operation; a casting shakeout operation; one sand storage tank with fabric collector; a brass, bronze, and aluminum casting operation; one 275-gallon oil storage tank; and various woodworking equipment. The facility has the potential to emit up to 36.66 of PM/PM10, 6.47 tons of any multiple HAPs, less than 6.47 tons of any single HAP, 1.44 tons of SOx, 1.44 tons of NOx, 6.47 tons of VOCs and 73.39 tons

of CO per year. The facility is not a major (Title V) facility for any air contaminant. The Department of Environmental Protection (Department) proposes to issue State-only operating permit 41-00040. The Department intends to incorporate into the operating permit all conditions currently contained in Operating Permits 41-304-002 and 41-304-005B.

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

**10-00340: Eagle Printing Co.** (P. O. Box 271, Butler, PA 16003-0271) for issuance of a Synthetic Minor Operating Permit to operate a printing press on West Wayne Street, in the City of Butler, **Butler County**. The facility's primary emission sources include a heat set printing process and a cold set printing process.

**25-00395: Eriez Magnetics** (2200 Asbury Road, Erie, PA 16506-1440) to issue a renewal State-only operating permit for their facility in Millcreek Township, **Erie County**. The primary sources at the facility include a natural gas boiler and two furnaces for comfort heat, two spray booths, two paint spray gun cleaners, a parts washer and an emergency generator. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

## COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

Written comments or objections related to a mining permit application should contain the name, address and telephone number of persons submitting comments or objections; application number; and a statement of suffi-

cient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based.

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

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

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

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

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

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

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

The Department will also accept requests or petitions for a public hearing on NPDES permit applications, as provided in 25 Pa. Code § 92.61. The request or petition for a public hearing shall be filed within 30 days of this public notice and shall contain the name, address, telephone number and the interest of the party filing the request, and shall state the reasons why a hearing is warranted. A public hearing may be held if the Department considers the public interest significant. If a hearing is scheduled, a notice of the hearing on the NPDES

permit application will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. In the case where a public hearing is held, the Department will consider comments from the public hearing in the final determination on the NPDES permit application.

#### Coal Applications Received

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

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

<sup>1</sup>The parameter is applicable at all times.

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

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

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

**56100101 and NPDES Permit No. PA0262951. Berwind Coal Sales Company**, 509 15th Street, Windber, PA 15963, commencement, operation and restoration of a bituminous surface mine in Paint Township, **Somerset County**, affecting 263.6 acres. Receiving stream(s): unnamed tributaries to/and Stonycreek River classified for the following use(s): cold water fishery and warm water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: January 20, 2010.

**56060108 and NPDES Permit No. PA0249921. Future Industries, Inc.**, P. O. Box 157, Meyersdale, PA 15552, permit renewal for the continued operation and restoration of a bituminous surface mine in Brothersvalley Township, **Somerset County**, affecting 98.3 acres. Receiving stream(s): unnamed tributaries to/and Millers Run classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: January 27, 2010.

**11990101 and NPDES Permit No. PA0235041. Twin Brook Coal, Inc.**, P. O. Box 225, Clymer, PA 15728, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Barr Township, **Cambria County**, affecting 80.0 acres. Receiving stream(s): unnamed tributaries to/and Hoppel Run and West Branch Susquehanna River classified for the following use(s): cold water fishery, warm water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: January 29, 2010.

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

**26100101 and NPDES Permit No. PA0251879. Neiswonger Construction, Inc.** (17592 Route 322, Strattanville, PA 16258). Application for commencement, operation and reclamation of a bituminous surface mine, located in Nicholson Township, **Fayette County**, affecting 36.4 acres. Receiving streams: unnamed tributaries to Georges Creek, classified for the following use: WWF. The potable water supplies with intake within 10 miles downstream from the point of discharge: Masontown Borough and Carmichaels Municipal Water Authority. Application received: January 12, 2010.

**03101001. McVile Mining Company** (301 Market Street, Kittanning, PA 16201). BMR-GP-103 application General Permit for short-term construction project to the Logansport Coal Load-out, located in Bethel Township, **Armstrong County**, affecting acres 4.9. Receiving stream: unnamed tributary to Allegheny River, classified for the following use: WWF. Application received: January 19, 2010.

**02030301 and NPDES Permit No. PA0004278. LaFarge North America, Inc.** (5160 Main Street, Whitehall, PA 18052). Revision application to add 6.5 acres of an existing large noncoal surface mine, located in West Mifflin Township, **Allegheny County**, affecting 112.5 acres. Receiving stream: Thompson Run, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received: February 1, 2010.

**02743004 and NPDES Permit No. PA126756. Deep Valley Coal & Disposal, Inc.** (7111 Steubenville Pike, Oakdale, PA 15071). Renewal application for continued of a bituminous surface mine, located in North Fayette Township, **Allegheny County**, affecting 35 acres. Receiving stream: Pinkerton Run, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: February 1, 2010.

**03830116 and NPDES Permit No. PA0599727. Bedrock Mines, LP** (111 Freeport Road, Pittsburgh, PA 15215). Renewal application for continued mining of an existing bituminous surface mine, located in Kittanning Township, **Armstrong County**, affecting 830 acres. Receiving streams: unnamed tributaries of Mill Run, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: February 4, 2010.

**02823014 and NPDES Permit No. PA0617661. Set- tler's Ridge, LP** (c/o CBL & Associates Properties, Inc., 800 South Street, Suite 395, Waltham, MA 02453). Re- newal application for continued treatment of an existing bituminous surface mine, located in Robinson Township, **Allegheny County**, affecting .321 acre. Receiving stream: Campbells Run, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: February 5, 2010.

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

**33030108 and NPDES Permit No. PA0242420. Falls Creek Energy Co., Inc.** (568 Silvis Hollow Road, Kittan- ning, PA 16201) Revision to an existing bituminous strip and auger operation to change the post-mining land use from forestland to pastureland on the property of A. Anson and Marie Brosious in Beaver Township, **Jef- ferson County**. Receiving streams: Unnamed tributary to Sandy Lick Creek classified for the following Statewide uses: CWF. The first downstream potable water supply intake from the point of discharge is Hawthorne Area Water Authority. Application received: February 2, 2010.

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

**17900143 and NPDES No. PA0206458. TDK Coal Sales, Inc.** (279 Shannon Road, Monongahela, PA 15063), renewal of an existing bituminous surface mine located in Penn and Brady Townships, **Clearfield County** affecting 342.5 acres. Receiving streams: Irish Run (Cold Water Fishery), and an unnamed tributary to Irish Run (Cold

Water Fishy). There are no potable water supply intakes within 10 miles downstream. Application received: Janu- ary 15, 2010.

**17100102 and NPDES No. PA0257273. King Coal Sales, Inc.** (P. O. Box 712, Philipsburg, PA 16866). Appli- cation for the commencement, operation and restoration of a bituminous surface mine located in Cooper Township, **Clearfield County** affecting 61.0 acres. Receiving stream(s): Sulphur Run (Cold Water Fishery) and Moshannon Creek (Cold Water Fishery). There are no potable water supply intakes within 10 miles down- stream. Application received: January 26, 2010.

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

**40030202T. Pioneer Equipment Rentals, Inc.**, (645 Laurel Run Road, Bear Creek Township, PA 18702), transfer of an existing anthracite coal refuse reprocessing operation from McClure Enterprises, Inc. in Hughestown and Duryea Boroughs, **Luzerne County**, affecting 159.0 acres, receiving stream: none. Application received: Janu- ary 26, 2010.

**54040202R. Frederick Consulting**, (P. O. Box 524, Minersville, PA 17954), renewal of an existing anthracite coal refuse reprocessing operation in Cass Township, **Schuylkill County**, affecting 30.0 acres, receiving stream: none. Application received: January 27, 2010.

*Noncoal Applications Received*

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

Parameter	Table 2		
	30-day Average	Daily Maximum	Instantaneous Maximum
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Alkalinity exceeding acidity* pH*		greater than 6.0; less than 9.0	

\* The parameter is applicable at all times.

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

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

**26102801. Fayette Coal & Coke, Inc.** (195 Enterprise Lane, Connellsville, PA 15425). Application for commence- ment, operation and reclamation of a small noncoal surface mine, located in Luzerne Township, **Fayette County**, affecting 3.9 acres. Receiving stream: Monongahela River, classified for the following use: WWF. Application received: January 25, 2010.

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

**59950301 and NPDES No. PA0220086. Jill D. Cross** (P. O. Box 240, Mainesburg, PA 16932), renewal of the NPDES Permit for discharges of treated mine drainage from a quarry operation in Sullivan Township, **Tioga**

**County**. Receiving stream: Corey Creek classified for Cold Water Fishery. Application received: January 25, 2010.

**59880301 and NPDES No. PA0116327. Jill D. Cross**, (P. O. Box 240, Mainesburg, PA 16932), renewal of the NPDES Permit for discharges of treated mine drainage from a quarry operation in Clymer Township, **Tioga County**. Receiving streams: Mill Creek to Cowanesque River classified for Trout Stocked Fisheries. Application received: January 19, 2010.

**59020301 and NPDES No. PA0243213. Jill D. Cross**, (P. O. Box 240, Mainesburg, PA 16932), renewal of the NPDES Permit for discharges of treated mine drainage from a quarry operation in Lawrence Township, **Tioga County**. Receiving streams: Harts Creek to Tioga River classified for Warm Water Fisheries. Application received: January 25, 2010.

**08990301 and NPDES No. PA0242721. Calvin C. Cole, Inc.** (27321 Route 220, Milan, PA 18831), renewal of the NPDES Permit for discharges of treated mine drainage from a quarry operation in Athens Township, **Bradford County**. Receiving stream: Susquehanna River classified for Warm Water Fishery. Application received: January 25, 2010.

**59980302 and NPDES No. PA0238066. Dunbar Farm & Gravel**, (6222 Route 249, Westfield, PA 16950), renewal of the surface mine permit and NPDES Permit for discharges of treated mine drainage from a quarry operation in Westfield and Chatham Townships, **Tioga County**. Receiving stream: Jemison Creek classified for Warm Water Fishery. Application received: January 25, 2010.

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

**6176SM6C9 and NPDES Permit No. PA0223484. Bear Gap Stone, Inc.**, (432 Quarry Road, Elysburg, PA 17824), renewal of an NPDES Permit for discharge of treated mine drainage from a quarry operation in Ralpho Township, **Northumberland County**, receiving stream: unnamed tributary to South Branch of Roaring Creek, classified for the following use: High Quality—cold water fishery and migratory fishery. Application received: February 1, 2010.

**8274SM5C4 and NPDES Permit No. PA0123480. ICM of Pennsylvania, Inc.**, (638 Lancaster Avenue, Malvern, PA 19355), renewal of an NPDES Permit for discharge of treated mine drainage from a quarry operation in Fulton Township, **Lancaster County**, receiving stream: Octoraro Creek, classified for the following use: High Quality-trout stocking. Application received: February 4, 2010.

### FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

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

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

#### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E51-238. Philadelphia City/Fairmount Park Commission**, 1515 Arch Street, 10th Floor, One Parkway Building, Philadelphia, PA 19102, City of Philadelphia, **Philadelphia County**, ACOE Philadelphia District.

#### Fairmount Water Works Amenities and Island Enhancements Project

To: construct the following water obstruction and encroachments associated with an isolated island within the Schuylkill River (WWF, MF) and its Floodway. Specific Water Obstruction and Encroachment activities associated with this project are:

1) construct and maintain a 12-foot wide bituminous bicycle path and pedestrian walkway in the floodway, approximately 550 linear feet.

2) construct and maintain 6 feet wide, approximately 600 linear feet long boardwalk, 110 feet spans wetland, 50 feet spans the channel, within the wetlands on the site approximately 0.30 acre with a proposed mitigation plan.

3) conduct dredging activities of approximately 0.63 acre and 1,300 cubic yards of removal materials within the stream to accommodate the construction of a proposed Aquatic bench for habitats.

4) construct and maintain a 25-foot span steel bridge with associated abutment with approximately 6 feet underclearance which will connect Philadelphia mainland with the island situated within the Schuylkill River.

5) construct and maintain a bioretention stormwater management basin approximately 4,000 square feet within the floodway of the stream to meet up with NPDES regulations and the project educational goals.

The project is centered on a mixed patch of land and wetlands between the island in the Schuylkill River and the Aquarium Drive (formerly Waterworks Drive) on the mainland in the City of Philadelphia, Philadelphia County (Philadelphia, PA Quadrangle N: 16.99 inches; W: 8.22 inches).

#### Revised

To: perform the following water obstruction and encroachment activities associated with the Fairmount Waterworks Amenities and Island Enhancement project within the floodplain of the Schuylkill River (WWF, MF):

6) construct and maintain an approximately 550-foot long, 12-foot wide segment of a bituminous pathway.

7) construct and maintain an approximately 600-foot long, 6-foot wide boardwalk impacting approximately 0.11 acre of wetlands (PFO/SS).

8) dredge approximately 1,300 cubic yards within the stream associated with the installation of the proposed aquatic bench for habitats.

9) construct and maintain a 25-foot span, 8 feet wide, and 6-foot underclearance steel bridge connecting Philadelphia mainland to the island situated within the Schuylkill River.



10) construct and maintain a stormwater management facility/basin.

The proposal will temporarily impact .30 acre and the applicant proposed to mitigate approximately 0.11 acre of wetland impacts. The project connects the island in the middle of the Schuylkill River to the Aquarium Drive (formerly Waterworks Drive) on the mainland in the City of Philadelphia, Philadelphia County (Philadelphia, PA USGS Quadrangle N: 16.99 inches; W: 8.22 inches).

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

**E48-400. City of Bethlehem**, 10 East Church Street, Bethlehem, PA 18018, in City of Bethlehem, **Northampton County**, U.S. Army Corps of Engineers, Philadelphia District.

To: construct and maintain a stream restoration project in a 1,100-foot reach of Monocacy Creek (HQ-CWF) with work consisting of removing existing in-stream structures; grading and minor realignment of the channel and floodplain; placement of boulder grade control structures, boulder vanes, random boulders, boulder stepping stones, and buried logs; and the construction of approximately 130 feet of stepped-back boulder retaining wall along the left bank and 90 feet of stepped-back boulder retaining wall along the right bank of the channel. The project will also include the placement of rock aprons and pre-formed rock scour holes at the outlets of existing stormwater outfalls.

The project is located in Illicks Mill Park and begins near the intersection of Monocacy Creek and Illicks Mill Roads (Catasaqua, PA Quadrangle Latitude: 40° 38' 29"; Longitude: 75° 22' 46").

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

**E67-876: York College of Pennsylvania**, 439 Country Club Road, York, PA 17403-3651, Smurfit-Stone Paper Plant, City of York, **York County**, ACOE Baltimore District.

To: construct and maintain a single span pedestrian bridge having a normal span of 50.0 feet, an underclearance of 10.3 feet and a width of 8.0 feet, across Tyler Run (WWF) for the purpose of providing pedestrian access to a planned expansion of the college campus. The project is located on a tract of land immediately south of Kings Mill Road, west of the intersection of Kings Mill Road and South Penn Street on the former Smurfit-Stone Paper Plant (York, PA Quadrangle N: 13.9 inches; W: 15.3 inches, Latitude: 39° 57' 05"; Longitude: 76° 44' 01") in the City of York, York County.

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

**E04-334. County of Beaver**, 810 3rd Street, Beaver, PA 15009. To: remove existing structure and construct new box culvert in Raccoon Township, **Beaver County**, Pittsburgh ACOE District (Aliquippa, PA Quadrangle N: 19.3 inches; W: 17.0 inches, Latitude: 40° 36' 23"; Longitude: 80° 22' 21"). The applicant proposes to remove the existing structure (Pohl's Road Bridge—T379) and to construct and maintain a new box culvert having a span of 17.5 feet with an underclearance of 4.0 feet in and across the channel of an Unnamed Tributary to Service Run (HQ-CWF) and to relocate and maintain approximately 25.0 linear feet of a second Unnamed Tributary to Service Run for the purpose of improving highway safety. The project is located on Pohl's Road (T-379), approximately 1,800.0 feet southwest from the intersection of Pohl's Road (T-379) and Green Garden Road (SR 3016) and will impact a total of approximately 85.0 linear feet of stream channel.

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

**E33-240. Department of Transportation, District 10-0**. SR 2023, Across Sandy Lick Creek, in Pine Creek Township, **Jefferson County**, ACOE Pittsburgh District (Brookville, PA Quadrangle N: 41° 09' 10"; W: 79° 03' 10").

To: remove the existing bridge and to construct and maintain a steel multi-girder bridge having two clear, normal spans of 61 feet and a minimum underclearance of 13.35 feet on an alignment shifted approximately 30 feet downstream across Sandy Lick Creek on SR 2023, Section 551, Segment 0270, Offset 2862 approximately 200 feet south of SR 322. Project will include the temporary use of construction access and cofferdams within Sandy Lick Creek.

#### ENVIRONMENTAL ASSESSMENTS

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

**EA 32-010. Stream Restoration Incorporated**, 3016 Unionville Road, Cranberry Township, PA 16066. To: treat acid mine drainage in Armstrong Township, **Indiana County**, Pittsburgh ACOE District (McIntyre, PA Quadrangle N: 13.8 inches; W: 3.7 inches, Latitude: 40° 34' 33.99"; Longitude: 79° 16' 34.98"). The applicant proposes to lower the dam breast height of an existing pond and construct a 0.5 acre treatment wetland involving: (1) the excavating of a 0.13 acre of PEM wetland; (2) the excavation; and (3) placement of fill within the floodway of Reeds Run (TSF), and the placement of fill in the channel of an unnamed tributary to Reeds Run. The purpose of the project is to treat acid mine drainage.

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## ACTIONS

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

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

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

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

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

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

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

## **I. NPDES Renewal Permit Actions**

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0209481 (Sewage)	MGR Properties Management 342 Voyzey Road Philipsburg, PA 16866	Decatur Township Clearfield County	Shimel Run CWF	Y
PA0228281 (Sewage)	Tabernacle of the Living God Tracydale Road Milesburg, PA 16853	Centre County Boggs Township	Unnamed Tributary to Bald Eagle Creek 9-C	Y
PA0208914 (Sewage) Non-Public	Great Dane Limited Partnership 70 Strick Road Danville, PA 17821	Montour County Limestone Township	UNT to County Line Branch SWP 10D	Y
PA0228044 (Sewage)	WJM Services, Inc. 52 Zerbe Street Cressona, PA 17929	Bradford Township Clearfield County	UNT to Abes Run CWF	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0216984 Sewage	Shannock Valley General Services Authority 111 South Center Street P. O. Box 168 NuMine, PA 16244	Armstrong County Cowanshannock Township	NuMine Waste Water Treatment Plant	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0221244	Salem Tube, Inc. 951 Fourth Street Greenville, PA 16125	Pymatuning Township Mercer County	Dry/intermittent tributary to Big Run 20-A	Y
PA0221759	Robert L. Shuttleworth 923 Fern Road Saint Marys, PA 15857-3022	Jones Township Elk County	Unnamed tributary to East Branch Clarion River 17-A	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. PA0051756**, Sewage, **State Farm Mutual Automobile Insurance Company**, One State Farm Drive, Concordville, PA 19331. This proposed facility is located in Concord Township, **Delaware County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge 25,000 gpd of treated sewage into an Unnamed Tributary to West Branch of Chester in Watershed 3G.

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

**PA0233871**, SIC 4952, **Scott Davies**, 112 Whites Church Road, Bloomsburg, PA 17815. This proposed facility is located in Mount Pleasant Township, **Columbia County**.

Description of Proposed Activity: The existing on-lot system is malfunctioning and in need of replacement. A new SFTF with a proposed flow of 500 GPD will be constructed so the existing facility can be decommissioned. The receiving stream, Unnamed Tributary to Fishing Creek, is in the State Water Plan watershed 5C and is classified for: Cold Water Fishes (CWF). The nearest downstream public water supply intake for United Water Pennsylvania Bloomsburg is located on Fishing Creek and is 4.5 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0005 mgd.

<i>Parameter</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>	
Flow (GPD)			Monitor Only		Monitor Only
BOD <sub>5</sub>			25		50
Total Suspended Solids			30		60
Total Residual Chlorine			Monitor and Report		
pH (Standard Units)			Not < 6.0 nor > than 9.0		
Fecal Coliform			200/100 mL		

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

**NPDES Permit No. PA0254053**, Sewage, **St. Paul's Highfield Lutheran Church**, R. D. 1, Box 134A, Vandergrift, PA 15990. This proposed facility is located in Parks Township, **Armstrong County**.

Description of Proposed Action/Activity: Permit issuance for sewage discharge.

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

**NPDES Permit No. PA0104370**, Industrial Waste, **CMSJLP, LLC**, 103 Bridge Street, Ridgway, PA 15853. This proposed facility is located in Ridgway Township, **Elk County**.

Description of Proposed Action/Activity: Issuance of a new NPDES permit replacing an expired permit for a minor discharge of treated groundwater and untreated industrial waste.

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

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

**WQM Permit No. 1909403**, Sewerage (4952), **Scott Davies**, 112 Whites Church Road, Bloomsburg, PA 17815. This proposed facility is located in Mount Pleasant Township, **Columbia County**.

Description of Proposed Action/Activity: The existing SFTF is malfunctioning and in need of replacement. A new SFTF with a proposed flow of 500 GPD will be constructed so the existing facility can be decommissioned.

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

**WQM Permit No. 0279202-A1**, Industrial Waste, **Neville Chemical Company**, 2800 Neville Road, Pittsburgh, PA 15225. This existing facility is located in Neville Township, **Allegheny County**.

Description of Proposed Action/Activity: Permit amendment issuance.

**WQM Permit No. 0209406**, Sewerage, **Bell Acres Municipal Authority**, 1151 Camp Meeting Road, Sewickley, PA 15143. This proposed facility is located in Bell Acres, **Allegheny County**.

Description of Proposed Action/Activity: Permit issuance for the construction and operation of a pressure sewer system to replace a malfunctioning on-lot system.

**WQM Permit No. 0209408**, Sewerage, **Monroeville Municipal Authority**, 219 Speelman Lane, Monroeville, PA 15146. This proposed facility is located in Monroeville Borough, **Allegheny County**.

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

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#### IV. NPDES Stormwater Discharges from MS4 Permit Actions

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#### V. NPDES Waiver Stormwater Discharges from MS4 Actions

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

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

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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).

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#### List of NPDES and/or Other General Permit Types

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

#### *General Permit Type—PAG-2*

#### *Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
City of Scranton Taylor Borough Lackawanna County	PAG2003510002	Lackawanna Heritage Valley Authority Attn: Natalie Gelb 538 Spruce Street Suite 516 Scranton, PA 18503	Lackawanna River CWF, MF	Lackawanna County Conservation District 570-281-9495
Newville Borough North Newton Township Cumberland County	PAG2002109019	Richard E. Kerr, Jr. Big Spring School District 45 Mount Rock Road Newville, PA 17241	UNT to Rock Spring Creek CWF	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9131 717-240-7812
North Middleton Township Middlesex Township Cumberland County	PAG2002104054-R	Harry Claypool, III Pamay Development Co., Inc. 332 Gregor Way State College, PA 16603	Conodoguinet Creek WWF	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9131 717-240-7812

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Carlisle Borough Cumberland County	PAG2002109016	Brian Soyka Sheetz Incorporated 5700 Sixth Avenue Altoona, PA 16602	UNT to Conodoguinet Creek WWF	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9131 717-240-7812
Silver Spring Township Cumberland County	PAG2002109013	Jim Hall New Kingstown Fire Company P. O. Box 247 New Kingstown, PA 17072	Hogestown Run CWF	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9131 717-240-7812
Washington Township Berks County	PAG2000609060	Mark D. Stinley 391 Weinstein Road Bechtelsville, PA 19505	Middle Creek—Swamp Creek—Perkiomen Creek TSF-MF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 610-372-4657, Ext. 201
Jefferson Township Berks County	PAG2000609043	Rick Triest Tulpehocken Area School District 27 Rehersburg Road Bethel, PA 19507	UNT to Little Northkill Creek CWF-MF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 610-372-4657, Ext. 201
Butler County Adams and Middlesex Townships Allegheny County Richland Township	PAG2001009012	Hutchman Road Area Sewer Line Extension Michael P. Davidson Manager Breakneck Creek Regional Authority P. O. Box 1180 Mars, PA 16046	UNT Breakneck Creek WWF and Glade Run WWF	Butler County Conservation District 724-284-5270
Erie County Harborcreek Township	PAG2002509013	Harbor Ridge Phases 6—9 Retrofitting Previously Approved Plan, W.S. Investments/Charles Will 8955 Wattsburg Road Erie, PA 16509	UNT to Six and Seven Mile Creeks CWF, MF	Erie County Conservation District 814-825-6403
Erie County Millcreek Township	PAG02002509014	Verizon Erie Work Center—south plant Verizon Pennsylvania 15 East Montgomery Street Pittsburgh, PA 15212	Unnamed Tributary to West Branch Cascade Creek CWF, WWF	Erie County Conservation District 814-825-6403
Erie County Millcreek Township	PAG02002509016	Whispering Woods Phase 5—7 Whispering Woods Limited Partnership 4132 Stone Creek Road Erie, PA 16506	Walnut Creek CWF, MF	Erie County Conservation District 814-825-6403

*General Permit Type—PAG-3**Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Clearfield Borough Clearfield County	PAR804856	R. J. Corman Railroad Company P. O. Box 751 Clearfield, PA 16830-0751	Storm Drain to West Branch Susquehanna River WWF, CF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3664
Limestone Township Lycoming County	PAR704811	Charles Construction Company, Inc. 838 East Central Avenue Jersey Shore, PA 17740	Storm Drain to Rauchtown Creek CWF, MF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3664
Bradford Township Clearfield County	PAR804842	Con-way Freight 1192 Shawville Highway Woodland, PA 16881	Storm Drain to Valley Fork Run CWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3664
Perry Township Jefferson County	PAR118341	Stockdale Mine Supply, LLC 12655 Route 536 Punxsutawney, PA 15767	Unnamed tributary to Rose Run	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

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

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

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

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

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

CAFO PUBLIC NOTICE SPREADSHEET—ACTIONS

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Furnace Hill Farm Chris Wine 258 Albright Road Newmanstown, PA 17073	Lebanon	0	310.65	Swine	NA	Approved

**PUBLIC WATER SUPPLY (PWS) PERMITS**

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

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

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

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

**SAFE DRINKING WATER**

**Actions taken under the Pennsylvania Safe Drinking Water Act**

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

**Permit No. 3390073**, Public Water Supply.

Applicant	<b>Lehigh County Authority</b>
Township or Borough	Lower Macungie Township <b>Lehigh County</b>
Responsible Official	Aurel M. Arndt General Manager Lehigh County Authority 1053 Spruce Street P. O. Box 3348 Allentown, PA 18106
Type of Facility	Community Water System

Consulting Engineer	Charles E. Volk, P. E. ARRO Consulting, Inc. 1150 Glenlivet Drive Allentown, PA 18106 484-664-7310
Application Received Date	June 1, 2009
Description of Action	PWS operation permit issued for well WL-8R and associated booster pump station as approved under construction permit No. 3908503, issued February 17, 2009.

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

**Permit No. 5409503MA**, Public Water Supply.

Applicant	Mary-D Community Association
Township or Borough	Schuylkill Township <b>Schuylkill County</b>
Responsible Official	Laverne T. Wabier, VP Mary-D Community Association 130 Main Street Mary-D, PA 17952
Type of Facility	Community Water System
Permit Issuance Date	January 29, 2009
Description of Action	PWS construction permit issued for modifications to accommodate a chemical change for pH adjustment.

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

**Operations Permit** issued to **City of Lancaster**, 7360058, Manor Township, Lancaster County on 2/4/2010 for the operation of facilities approved under Construction Permit No. 3608516 E.

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

**Permit No. M.A. (5569501-T1)—Construction**, Public Water Supply.

Applicant	<b>Aqua Pennsylvania, Inc.</b>
Township or Borough	Monroe Township
County	<b>Snyder</b>

Responsible Official Patrick R. Burke  
Regional Manager  
Northeast and Central  
Pennsylvania  
Aqua Pennsylvania, Inc.  
50 East Woodhaven Drive  
White Haven, PA 18661

Type of Facility Public Water  
Supply—Construction

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

Permit Issued Date February 5, 2010

Description of Action Authorizes repainting and minor  
repairs to the Kingswood water  
storage tank.

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

**Emergency Operations Permit** issued to **Redbank Valley Municipal Authority**, PWSID No. 6160010, New Bethlehem Borough, **Clarion County**, January 26, 2010, for construction and operation of a temporary intake system in Redbank Creek, to supply the required amount of water to operate the Water Treatment Plant during the current flood event. It is proposed to install one 6" sump pump with discharge hose to the raw water pump station. The pump will be vertically installed on the stream bed, and it is anticipated this system will remain until the intake can be placed back in operation, or 90 days, which ever is first.

**Operations Permit** issued to **Youngsville Borough**, PWSID No. 6620039, Youngsville Borough, **Warren County**, January 28, 2010, for the operation of two (2) existing, permitted 200,000 gallon concrete reservoirs that were recently renovated, as approved under construction permit 6200501-MA3, issued November 10, 2009.

**SEWAGE FACILITIES ACT PLAN APPROVAL**

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

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Lafayette Township	7534 Route 59 Lewis Run, PA 16738	McKean

*Plan Description:* The approved plan provides for extension of sewers along Henderson Road and Highway 59, provides for 28 EDU's along Droney Road to be connected to the proposed Keating Township Sewer System and identifies the Village of Westline and other areas to remain unsewered to be included in an on-lot sewage management program. A program to remove I and I from the sewers is also proposed. The plan also outlines the number of connections to be added to the Bradford Sanitary Authority's WWTP and provides for the completion of all projects and elimination of all overflows by December 31, 2013. The Department of Environmental Protection's review of the sewage facilities update revision has not identified any significant environmental impacts

resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Bradford Township	136 Hemlock Street Bradford, PA 16701	McKean

*Plan Description:* The approved plan provides for extension of sanitary sewers into the Minard Run, Rutherford Run, Browntown and Hedgehog Lane areas. It also provides for I and I abatement projects, outlines the number of connections to be added to the Bradford Sanitary Authority's WWTP and provides for the completion of all projects and elimination of all overflows by December 31, 2013. The Department of Environmental Protection's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
City of Bradford	24 Kennedy Street Bradford, PA 16701	McKean

*Plan Description:* The approved plan provides for the upgrade and expansion of Bradford Sanitary Authority's WWTP to address overload conditions and eliminate overflows within the sewer system, proposes a program to identify and eliminate I and I within the collection system and provides for the completion of all projects and elimination of all overflows by December 31, 2013. The Department of Environmental Protection's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Lewis Run Borough	Post Office Box 265 Lewis Run, PA 16738	McKean

*Plan Description:* The approved plan provides for the rehabilitation of sewer manholes to reduce I and I, outlines the number of future connections to be added to the Bradford Sanitary Authority's WWTP and provides for the completion of all projects and elimination of all overflows by December 31, 2013.

**LAND RECYCLING AND ENVIRONMENTAL REMEDIATION**

**UNDER ACT 2, 1995**

**PREAMBLE 2**

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

Provisions of Chapter 3 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Depart-



ment) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, shall also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a Site-Specific Standard remediation. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media; benefits of refuse of the property and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

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

The Department has received the following plans and reports:

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

**SC Loveland Piers 66 69 N**, City of Philadelphia, **Philadelphia County**. Craig Herr, RR Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406 on behalf of James Anderson, Berks Street Corporation, 6958 Torresdale Avenue, Philadelphia, PA 19135 has submitted a Final Report concerning remediation of site groundwater and soil contaminated with inorganic. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**City Line Shopping Center Avenue**, City of Philadelphia, **Philadelphia County**. George Keil, URS Corporation, 335 Commerce Drive, Suite 300, Fort Washington, PA 19034 on behalf of Eric Silvers, Regency Centers, LP, One Independent Drive, Suite 114, Jacksonville, FL 32202 has submitted a Final Report concerning remediation of site groundwater and soil contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the Statewide Health Standard and Site-Specific Standard.

**Hudson Residence**, City of Philadelphia, **Philadelphia County**. Thomas P. Schultz, Lewis Environmental Group, P. O. Box 639, Royersford, PA 19468 on behalf of David Slabeck, Slabeck Fuel Company, 3541 Cedar Street, Philadelphia, PA 19134 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.

**Frazer Shopping Center**, East Whiteland Township, **Chester County**. Phil Gray, Phoenix GeoEnvironmental, LLC, 445 Bethlehem Pike, Suite 108, Colmar, PA 18915 on behalf of Michael Stapler, Metropol Properties, LP, P. O. Box 1189, Frazer, PA 19355 has submitted a Remedial Investigation/Final Report concerning remediation of site groundwater and soil contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the Site-Specific Standard.

**Sloan Residence**, Solebury Township, **Bucks County**. John Van Wagenen, Coventry Environmental Associates, Inc., 991 Ridge Road, Bucktown, PA 19465 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with unleaded gasoline. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

**Hoffman Residence**, 9 North Hand Street, Tower City Borough, **Schuylkill County**. Jeffrey Wynn, Patriot Environmental Management, LLC, P. O. Box 629, Douglassville, PA 19518 has submitted a Final Report (on behalf of his client, Carl Hoffman, 9 North Hand Street, Tower City, PA 17980), concerning the remediation of soil found to have been impacted by No. 2 fuel oil as a result of a release from a ruptured storage tank that was accidentally overfilled during a home heating oil delivery. The report was submitted to document attainment of the Statewide Health Standard. A public notice regarding the submission of the Final Report was published in *The Citizen Standard* on December 24, 2009.

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

**UGI, Muncy Manufactured Gas Holder/Regulator Station**, Muncy Borough, **Lycoming County**. EPSY, 1414 North Cameron Street, Harrisburg, PA 17103 on behalf of UGI Utilities Inc., 2525 North 12th Street, Suite 360, Reading, PA 19612 has submitted a Final Report concerning remediation of site soils contaminated with lead. The report is intended to document remediation of the site to meet the Site-Specific Standard.

**ROE Transportation**, White Deer Township, **Union County**. ERTS, 8401 Chagrin Road, Suite 15B, Chagrin Falls, OH 44112 on behalf of ROE Transportation, 3680 West Michigan Avenue, Sidney, OH 45365 has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel. The report was submitted within 90 days of the release and is intended to document remediation of the site to meet the Statewide Health Standard.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995

#### PREAMBLE 3

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

Provisions of 25 Pa. Code § 250.8, administration of the Land Recycling and Environmental Remediation Standards Act (act), require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of final actions on plans and reports. A

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

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

The Department has received the following plans and reports:

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

**Evelyn Sanders Townhomes Phase II**, City of Philadelphia, **Philadelphia County**. Scott McGoldrick, Penn Environmental & Remediation, 2755 Bergey Road, Hatfield, PA 19440 on behalf of Christine Paul, Evelyn Sanders 2, LP, 407 Fairmount Avenue, Philadelphia, PA 19123 has submitted a Remedial Investigation/Cleanup Plan concerning the remediation of site soil contaminated with lead, inorganic. The Remedial Investigation /Cleanup Plan were approved by the Department of Environmental Protection on January 28, 2010

**Morancik Residence**, Middletown Township, **Bucks County**. Jeremy Bolyn, Environmental Maintenance Company, Inc., 1420 East Mermaid Lane, Glenside, PA 19038 on behalf of Martha Mornacik, 178 South Hawthorne Avenue, Langhorne, PA 19047 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 Stan-

dard and was approved by the Department of Environmental Protection on January 28, 2010.

**Lukas Property**, Radnor Township **Delaware County**. Jeffrey S. Fitch, Epcorp, Ltd., Fitch Environmental, P. O. Box 493, Southeastern, PA 19399, Brian Fitzpatrick, P. G., Synergy Environmental, Inc., 155 Railroad Avenue, First Floor, Royersford, PA 19448 on behalf of Joseph T. Lukas, 714 Moonraker Court, Smithville, NJ 08205 has submitted a Remedial Investigation Report concerning the remediation of site groundwater contaminated with chlorinated solvents. The Remedial Investigation Report was approved by the Department of Environmental Protection on January 27, 2010

**Blosinenski Farm**, East Brandywine Township, **Chester County**. Michael Welsh, Applied Environmental Management, Inc., 16 Chester County Commons, Malvern, PA 19355, Charles Davis, Gambone Brothers Development Company, 1030 West Germantown Pike, Norristown, PA 19403 on behalf of David Dratch, Heatherwynd East Community Association, Inc., 1030 West Germantown Pike, P. O. Box 287, Norristown, PA 19403 has submitted a Final Report concerning the remediation of site soil contaminated with glass, metal and ash. The Final Report demonstrated attainment of the Site-Specific Standard and was approved by the Department of Environmental Protection on January 28, 2010.

**Forman Mills Site**, City of Philadelphia, **Philadelphia County**. Bruce Middleman, P.G., Stantec, 450 South Gravers Road, Suite 105, Plymouth Meeting, PA 19462 on behalf of David O'Sullivan, The Great Atlantic and Pacific Tea Company, Inc., 2 Paragon Drive, Montvale, NJ 07645 has submitted a Remedial Investigation/Final Report concerning the remediation of site soil and groundwater contaminated with chlorinated solvents. The Remedial Investigation/Final Report was approved by the Department of Environmental Protection on January 29, 2010.

**318 West Lancaster Avenue Property**, Lower Merion Township, **Montgomery County**. Charlene Drake, REPSG, Inc., 6901 Kingsessing Avenue, Suite 201, P. O. Box 5377, Philadelphia, PA 19142 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Site-Specific Standard and was approved by the Department of Environmental Protection on January 26, 2010.

**Suburban West Chester Facility**, West Chester Borough, **Chester County**. J. Neil Ketchum, P. G., Groundwater Science Corporation, 2601 Market Place Street, Suite 310, Harrisburg, PA 17110 on behalf of Richard D. Williams, Suburban Heating Oil Partners, LLC, P. O. Box 4833, Syracuse, NY 13221 has submitted a Final Report concerning the remediation of site groundwater and soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Site-Specific Standard and was approved by the Department of Environmental Protection on January 29, 2010.

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

**Burbidge Residence**, 102 South Longford Lake Road, 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, Georgia Burbidge, 102 South Longford Lake Road, Brackney, PA 18812), concern-

ing the remediation of soil found to have been impacted by No. 2 fuel oil as a result of a release from an underground storage tank having two holes in it. The report documented attainment of the Residential Statewide Health Standard for soils and was approved on February 1, 2010. The report was originally submitted within 90 days of the release.

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

**H. J. Tanner, Inc.**, Chambersburg Borough, **Franklin County**. B. L. Companies, Inc., 213 Market Street, 6th Floor, Harrisburg, PA 17101, on behalf of H. J. Tanner, Inc., 1120 Mount Rock Road, Shippensburg, PA 17257, submitted a combined Remedial Investigation/Final Report concerning remediation of site soils and groundwater contaminated with petroleum hydrocarbons from their bulk fuel oil and gasoline facility. The Remedial Investigation/Final Report demonstrated attainment of the Nonresidential Statewide Health and Site-Specific Standards and was approved by the Department of Environmental Protection on February 2, 2010.

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

**Tom's Citgo**, Valley Township, **Montour County**. Ralph G. Schaar, 300 Claremont Drive, Lansdale, PA 19446 on behalf of Thomas Lyons, 25 Spring Lane, Drums, PA 18222 has submitted a Final Report concerning the remediation of site soil contaminated with hydrocarbon concentrations. The Final Report demonstrated attainment of the Site-Specific Standard and was approved by the Department of Environmental Protection on January 20, 2010.

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

**U. S. Bronze Foundry & Machine** (Fuel Tank Area), Woodcock Township, **Crawford County**. Geosyntec Consultants, 10220 Old Columbia Road, Suite A, Columbia, MD 21046 on behalf of U. S. Bronze Foundry & Machine, Inc., 18649 Brake Shoe Road, Meadville, PA 16335 has submitted a Final Report concerning the remediation of site soil contaminated with Ethylbenzene, Fluorene, Cumene, Naphthalene, Phenanthrene and Toluene. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on February 5, 2010.

## AIR QUALITY

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

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

**GP1-46-0239: John Middleton Co.** (418 West Church Road, King of Prussia, PA 19406) on January 27, 2010, authorized to install a 700 Hp (29.0 MMBtu/hr) natural gas-fired boiler under GP-1 for their facility in Upper Merion Township, **Montgomery County**.

**GP3-09-0091: Allied Recycling Co.** (1725 Limekiln Pike, Suite 3A, Dresher, PA 19025) on January 29, 2010, to operate a portable nonmetallic mineral processing plant in Falls Township, **Bucks County**.

**GP11-09-0020: Allied Recycling Co.** (1725 Limekiln Pike, Suite 3A, Dresher, PA 19025) on January 29, 2010, to operate a non-road engines in Falls Township, **Bucks County**.

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

**54-329-008GP9: R. E. Pierson Construction Co.** (P. O. Box 430, Woodstown, NJ 08098-0430) on January 28, 2010, to install and operate a portable I/C engine at their site at Middleport Materials in Walker Township, **Schuylkill County**.

**54-329-009GP9: R. E. Pierson Construction Co.** (P. O. Box 430, Woodstown, NJ 08098-0430) on January 28, 2010, to install and operate three (3) portable I/C engines at their site at Middleport Materials in Walker Township, **Schuylkill County**.

**54-310-050GP3: R. E. Pierson Construction Co.** (P. O. Box 430, Woodstown, NJ 08098-0430) on January 28, 2010, to install and operate a portable crushing operation at their site at Middleport Materials in Walker Township, **Schuylkill County**.

**54-310-051GP3: R. E. Pierson Construction Co.** (P. O. Box 430, Woodstown, NJ 08098-0430) on January 28, 2010, to install and operate a portable crushing operation at their site at Middleport Materials in Walker Township, **Schuylkill County**.

**58-399-008GP5: Cabot Oil & Gas Corp.** (5 Penn Center, Suite 401, Pittsburgh, PA 15276) on January 26, 2010, to construct and operate a Natural Gas Compressor engine at their Lewis No. 1 well site Compressor Station site in Dimock Township, **Susquehanna County**.

**58-399-009GP5: Cabot Oil & Gas Corp.** (5 Penn Center, Suite 401, Pittsburgh, PA 15276) on January 26, 2010, to construct and operate a Natural Gas Compressor engine at their Lathrop Compressor Station site in Springville Township, **Susquehanna County**.

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

**GP3-36-05096: Pennsy Supply, Inc.** (1001 Paxton Street, P. O. Box 3331, Harrisburg, PA 17105) on January 26, 2010, for a Portable Nonmetallic Mineral Processing Plant under GP3 in Paradise Township, **Lancaster County**.

**GP9-36-05096: Pennsy Supply, Inc.** (1001 Paxton Street, P. O. Box 3331, Harrisburg, PA 17105) on January 26, 2010, for a Diesel or No. 2 fuel-fired Internal Combustion Engine under GP9 in Paradise Township, **Lancaster County**.

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

**GP5-26-00549A: Phillips Production Co.** (502 Keystone Drive, Warrendale, PA 15086) on January 29, 2010, to operate one natural gas compressor engine and one natural gas dehydrator at the Adams Compressor Station on Leisenring-Vanderbilt Road, Dunbar Township, **Fayette County**.

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

**GP5-27-038C: Catalyst Energy, Inc.**, Watson Farm Stripping Plant (800 Cranberry Woods Drive, Cranberry Township, PA 16066) on January 26, 2010, to operate a natural gas fired compressor engines (BAQ-GPA/GP-5) in Howe Township, **Forest County**.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701. Contact: David Aldenderfer, Program Manager—Telephone: 570-327-3637.*

**GP3-08-285: E.A. Ward Excavating, Inc.** (R. R. 3, Box 244, Troy, PA 16947-9430) on December 30, 2009, to construct and operate a portable non-metallic mineral crusher with associated water spray dust suppression system and portable non-metallic mineral screen pursuant to the General Plan Approval and/or General Operating Permit for Portable Nonmetallic Mineral Processing Plants (BAQ-PGPA/GP-3) at their facility in West Burlington Township, **Bradford County**.

**GP9-08-285: E.A. Ward Excavating, Inc.** (R. R. 3, Box 244, Troy, PA 16947-9430) on December 30, 2009, to construct and operate one Caterpillar Model C-10 diesel-fired engine with a rating of 365 brake horsepower (bhp) and one Deutz Model 2013L4 diesel-fired engine with a rating of 167 bhp pursuant to the General Plan Approval and/or General Operating Permit BAQ-GPA/GP-9: Diesel or No. 2 fuel-fired Internal Combustion Engines, at their facility in West Burlington Township, **Bradford County**.

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

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

**46-0048E: Wyeth Pharmaceuticals** (500 Arcola Road, Collegeville, PA 19426) on February 4, 2010, to modify the formaldehyde emissions rate for one (1) 2000-kW No. 2 fuel oil/diesel fired electric generator authorized to operate under Plan Approval 46-0048D at an existing facility in Upper Providence Township, **Montgomery County**. The facility is a major facility. The increase in permitted formaldehyde emissions is equivalent to 0.00187 ton per year. No modification to the engine nor change in any condition other than the formaldehyde emissions rate is authorized under this Plan Approval modification.

**15-0136: Thomas Medical Products, Inc.** (65 Great Valley Parkway, Malvern, PA 19355) on February 4, 2010, to operate a medical devices manufacturing facility in Malvern Borough, **Chester County**. The primary source of air emissions are volatile organic compounds (VOC) associated with solvent use for preparation, cleaning and sterilization of medical devices. The Plan Approval will contain recordkeeping and operating restrictions designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701. Contact: David Aldenderfer, Program Manager—Telephone: 570-327-3637.*

**59-00002B: Dominion Transmission, Inc.** (445 West Main Street, Clarksburg, WV 26301-2843) on December 8, 2009, issued plan approval for installation of oxidation catalysts (Control Devices C101 and C102) to control the carbon monoxide, volatile organic compound and formaldehyde emissions from the two (2) existing natural gas-

fired compressor engines (Source ID P101 and P012) at their Tioga Compressor Station located in Farmington Township, **Tioga County**.

**59-00005I: Dominion Transmission, Inc.** (445 West main Street, Clarksburg, WV 26301-2843) on December 30, 2009, issued plan approval to construct a natural gas-fired salt bath heater, rated heat input of 12.0 MMBtu/hr and a natural gas-fired boiler, rated heat input of 3.0 MMBtu/hr. The construction of the proposed sources will be as part of the original USA project, which was permitted under Plan Approval #59-00005G at their Sabinsville Compressor Station located in Clymer Township, **Tioga County**. The respective facility is a major facility for which a Title V operating permit 59-00005 has been issued.

**59-00006A: Dominion Transmission, Inc.** (445 West main Street, Clarksburg, WV 26301-2843) on December 30, 2009, issued plan approval for construction and operation of a natural gas-fired salt bath heater; an increase in hours of operation for an existing heater and dehydration engine. In addition, Dominion Transmission, Inc. is proposing to decrease the operational hour limitation of Engine No. 9 to offset the increase in air contaminant emissions due to the proposed construction and operation of the salt bath heater at their Boom Compressor Station located in Lawrence Township, **Tioga County**.

**41-00033A: Susquehanna Health System** (777 Rural Avenue, Williamsport, PA 17740) on January 11, 2010, issued plan approval for construction and operation of a natural gas-fired reciprocating internal combustion engine equipped with low NOx electronic control system to control nitrogen oxide NOx emissions from the engine, rated at 2,671 brake-horsepower (Source ID P104) and the installation of an oxidation catalyst (ID C104) to control the carbon monoxide, volatile organic compound and formaldehyde emissions from the engine at their Williamsport Hospital campus in Williamsport, **Lycoming County**.

**59-00017A: Hitachi Metals Automotive Components, LLC** (P. O. Box 68, Blossburg, PA 16912-0068) on February 3, 2010, for construction of a phenolic urethane cold box core making machine at their Lawrence Township, **Tioga County** facility.

**18-00028A: Truck-Lite, Inc.** (P. O. Box 329, 786 McElhattan Drive, McElhattan, PA 17748-0329) on February 3, 2010, for construction of a surface coating operation at the Wayne Township, **Clinton County** facility.

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

**30-00055A: Shannopin Materials, LLC** (308 Dents Run Road, Morgantown, WV 26501) on January 28, 2010, to allow construction of a coal slurry reclamation project and the construction of a coal/limestone barge loading/unloading facility at their Shannopin Dock Site in Monongahela Township, **Greene County**. Sources at this facility will include excavators, stockpiles, conveyors, transfer points, and end-loaders. Facility shall be limited to 625 tons/hour and a total throughput of 400,000 tons per 12 month rolling total. Annual emissions from the facility are estimated to be 46 tons of total particulate matter and 14 tons of PM10. BAT for this operation consists of dust suppression activities such as the use of water sprays, enclosures, roadway paving, tarping, truck wash and best operating practices.

**65-00661C: Derry Construction Co., Inc.** (527 Route 217, Latrobe, PA 15626) on January 28, 2010, to issue a Plan Approval to allow construction of a replacement hot mix asphalt plant at their Salem Delmont Plant, in Delmont, **Westmoreland County**.

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

**62-032F: Ellwood National Forge Co.** (One Front Street, Irvine, PA 16329) on January 26, 2010, for a minor modification to Plan Approval 62-032E to reallocate gas throughput limits associated with the Oxyfuel Preheater, Vertical Dryer, and Horizontal Preheater (Source ID 101A) at their facility in Brokenstraw Township, **Warren County**. This is a Title V facility.

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**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.**

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

**09-0198: ABC Crushed Materials, LLC** (714 Dunksferry Road, Bensalem, PA 19020) on January 21, 2010, to operate a portable nonmetallic mineral processing plant and diesel fired internal combustion engine in Falls Township, **Bucks County**.

**09-0122B: Arkema, Inc.** (100 PA Route 413, Bristol, PA 19007) on February 2, 2010, to operate a spray dryer processor in Bristol Township, **Bucks County**.

**09-0024F: Waste Management Disposal Services of PA, Inc.** (1000 New Ford Mill Road, Morrisville, PA 19067) on February 3, 2010, to operate an increase design capacity in Tullytown Borough, **Bucks County**.

**09-0110E: Riverside Construction Materials, Inc.** (355 Newbold Road, Fairless Hills, PA 19030) on February 3, 2010, to operate a new baghouse on Dome No. 2 in Bristol Township, **Bucks County**.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701. Contact: David Aldenderfer, Program Manager—Telephone: 570-327-3637.*

**08-313-038H: Global Tungsten & Powders, Corp.** (Hawes Street, North Towanda, PA 18848) on November 23, 2009, to extend the authorization to temporarily operate an International Furnace Company, Inc. multiple hearth furnace (MHF) and associated material handling equipment and cartridge collector and final filter to control the emissions from the MHF at their Towanda facility in the North Towanda Township, **Bradford County** until June 1, 2010. The plan approval has been extended.

**14-00014C: Glenn O. Hawbaker, Inc.** (711 East College Avenue, Bellefonte, PA 16823) on December 15, 2009, to extend the authorization for the construction of a two 10' by 14' aggregate storage bins and two 30" conveyors to be incorporated in Source ID P101, the modification of Source ID P102 to increase the allowable annual throughput from 2,780,000 tons to 3,200,000 tons of aggregate per year, the construction of a 6,400 cubic foot dust storage silo with an associated SOV-24-10 DCL telescopic loadout spout, the particulate matter emission from which shall be controlled by Control Device ID C103A and Control Device ID C103B, and a 36" diameter Eagle Iron Works pug mill to be incorporated in Source ID P103, the

construction of a railcar aggregate unloading operation (Source ID P107), the particulate matter emissions from which shall be controlled by Control Device ID C01, the construction of an oil/liquid asphalt storage operation (Source ID P108), the construction of a 400 ton per hour Kolberg FT4250 portable crushing and screening plant (Source ID P109), the particulate matter emissions from which shall be controlled by Control Device ID C109, and an associated 400 horsepower Cummins model QSM11-C diesel engine, the construction of a Warrior 1800 portable screening plant (Source ID P110) and an associated 101 horsepower Caterpillar model 3054 diesel engine and for the establishment of more restrictive emissions and/or throughput limitations for Source ID P101 and Source ID P103, as requested by the applicant, at the Spring Township, **Centre County** facility. This plan approval has been extended.

**47-00003A: Department of Public Welfare—Danville State Hospital** (200 State Hospital Drive, Danville, PA 17821-9198) on December 21, 2009, to extend the authorization an additional 180 days from February 23, 2010 to August 22, 2010 and revise and extend the required stack testing date until June 29, 2010 for Source IDs 037 and 038 in Mahoning Township, **Montour County**. This plan approval has been extended.

**47-309-001: United States Gypsum Co.** (60 PPL Road, Danville, PA 17821) on December 8, 2009, to extend the authorization to temporarily operate an additional 180 days from December 6, 2009 to June 4, 2010 and revise and extend the required stack testing date until June 6, 2010 for sources at their facility in Derry Township, **Montour County**. This plan approval has been extended.

**08-00003G: CraftMaster Manufacturing, Inc.** (P. O. Box 311, Shiner Road, Towanda, PA 18848) on December 18, 2009, to extend the authorization to exhaust the refiner reject emissions from Source IDs 141P and 142P to scrubbers (IDs D41 and E42) on a temporary basis to June 30, 2010, at the facility in Wysox Township, **Bradford County**. This plan approval has been extended.

**08-00003F: CraftMaster Manufacturing, Inc.** (P. O. Box 311, Shiner Road, Towanda, PA 18848) on December 18, 2009, to extend the authorization to operate two regenerative thermal oxidizers; one on the Line 1 pressurized refiners and first stage dryers, and one on the line 2 pressurized refiners and first stage dryers, each preceded by a water dropout box on a temporary basis to June 30, 2010, at their facility in Wysox Township, **Bradford County**. This plan approval has been extended.

**08-00003E: CraftMaster Manufacturing, Inc.** (P. O. Box 311, Shiner Road, Towanda, PA 18848) on December 18, 2009, to extend the authorization to operate a regenerative thermal oxidizer on the Die Form Tempering Kiln on a temporary basis to July 5, 2010, at the facility in Wysox Township, **Bradford County**. This plan approval has been extended.

**49-00060A: Corson Asphalt, Inc.** (26 Beaver Street, Cogan Station, PA 17728), on January 4, 2010, to extend the authorization to operate a batch mix asphalt plant on a temporary basis until July 6, 2010 and to extend the required nitrogen oxides, carbon monoxide, particulate matter, and volatile organic compound stack testing until July 6, 2010, at their facility located in Ralpho Township, **Northumberland County**. This plan approval has been extended.

**08-00003H: CraftMaster Manufacturing, Inc.** (P. O. Box 311, Shiner Road, Towanda, PA 18848) on January 12, 2010, to extend the deadline for the required VOC stack test of the Line 2 Refiners and First Stage Dryers/Felter Operations and Line 2 Press. The required testing shall be completed on or before May 31, 2010, at their facility in Wysox Township, **Bradford County**. This plan approval has been extended.

**53-00005C: Dominion Transmission, Inc.** (445 West Main Street, Clarksburg, WV 26302-2450) on January 12, 2010, to limit the emission of fugitive volatile organic compounds from the Greenlick facility to July 11, 2010 in Stewardson Township, **Potter County**. The plan approval has been extended.

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**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.**

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

**09-00031: Eureka Stone Quarry, Inc.** (P. O. Box 249, Chalfont, PA 18914) on February 4, 2010, to renew their State-only Operating Permit for a stone crushing and asphalt plant in Wrightstown Township, **Bucks County**. The renewal includes several revisions, including but not limited to site inventory and site map. In addition, two asphalt plants are no longer operated and therefore removed from the site inventory. The option to use fuel oil is removed. The renewal will include the incorporation of Plan Approval 09-0031A and Request for Determination (RFD) No. 227. The renewed Operating Permit does not authorize any increase in air emissions of regulated pollutants above previously approved levels. The facility shall remain a synthetic minor facility. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting.

**09-00173: P & R Industries, Inc., d/b/a Arbonite** (3826 Old Easton Road, Doylestown, PA 18901) on February 2, 2010, to renew an Administrative Amendment to their State-only (Natural Minor) Operating Permit No. 09-00173, which was originally issued on September 8, 2004. The Administrative Amendment incorporates the requirements of Plan Approval No. 09-0173 for the modification of an existing paint spray booth to exhaust to an existing afterburner at the facility. The renewed State-only Operating Permit will include monitoring, recordkeeping, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

The Administrative Amendment is issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code § 127.450.

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

**35-00066: Steamtown National Historic Site** (150 South Washington Avenue, Scranton, PA 18503-2018) on February 2, 2010, to renew the State-only Permit to operate two (2) boilers in the City of Scranton, **Lackawanna County**.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701. Contact: David Aldenderfer, Program Manager—Telephone: 570-327-3637.*

**53-00014: Emporium Specialties Co., Inc.** (P. O. Box 65, Austin, PA 16720) on January 7, 2010, issued State-only (Synthetic Minor) operating permit for their metal parts and tool manufacturing facility in Austin Borough, **Potter County**. The facility's main sources include two (2) vapor degreasers, a decorative chromium electroplating operation, three electric sintering furnaces, an oil impregnation operation and a sizing operation. The facility has taken a synthetic minor restriction to limit its HAPs emissions below the major emission thresholds. The facility has the potential to emit NO<sub>x</sub>, SO<sub>x</sub>, CO, PM (PM<sub>10</sub>), and VOCs below the major emission thresholds. The State-only (Synthetic Minor) operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

**49-00062: Sun-Re Cheese Corporation** (178 Lenker Avenue, Sunbury, PA 17801) on January 6, 2010, issued State-only operating permit for their facility in Sunbury, **Northumberland County**. The facilities sources include three (3) boilers and one (1) anaerobic digester. These sources have the potential to emit particulate matter (PM<sub>10</sub>), nitrogen oxides (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), volatile organic compounds (VOCs) and volatile hazardous air pollutants (VHAPs) below the major emission thresholds. The State-only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and report conditions.

**49-00055: Jeff's Autobody and Recycling Center, Inc.** (5446 Snyderstown Road, Paxinos, PA 17860-7534) on January 20, 2010, issued State-only operating permit for their facility in Shamokin Township, **Northumberland County**. The facility's main air contaminant sources include two (2) propane-fired space heaters, one (1) No. 2 oil-fired furnace, one (1) aluminum secondary smelting furnace, and motor vehicle and mobile equipment refinishing operations. The State-only operating permit contains requirements including monitoring, recordkeeping and reporting conditions to ensure compliance with applicable Federal and State regulations.

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

**OP-26-00407: Mon River Energy Corporation**, (Mon River Energy Corp., P. O. Box 466, Brier Hill, PA 15415) on January 28, 2009, to issue an operating permit for Mon River Energy Corporation's Brier Hill Site coal and coke recovery facility in Redstone Township, **Fayette County**. Sources at this facility include front-end loaders, trucks, conveyers, screeners, water cyclones, stockpiles, and roadways.

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

**33-00151: Oak Heritage Furniture** (124 Industrial Park Drive, Brockway, PA 15824-9001) on February 2, 2010, to re-issue the Natural Minor Operating Permit for

their wood furniture manufacturing and coating facility in Brockway Borough, **Jefferson County**. The facility's primary emissions are from surface coating operations.

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

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

Date	Source	PM10 (tons)	SOx (tons)	NOx (tons)	VOC (tons)	CO (tons)
01/20/2010	Portable Screening Plant and 67 bhp Diesel Engine	0.10	0.05	0.78	0.06	0.17
Total Reported Increases		0.10	0.05	0.78	0.06	0.17

**ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS**

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

*Coal Permits Actions*

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

**33971301 and NPDES Permit No. PA0215031, AMFIRE Mining Company, LLC**, (One Energy Place, Suite 2800, Latrobe, PA 15650), to revise the permit for the Dora No. 8 Mine in North Mahoning Township, **Indiana County** to add underground permit and subsidence control plan area acres. Underground Acres Proposed 234.6, Subsidence Control Plan Acres Proposed 234.6. No additional discharges. Application received: November 13, 2006. Permit issued: February 2, 2010.

**03031301 and NPDES Permit No. PA0235563, Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201-9642), to renew the permit for the Keystone East Mine in Plumcreek Township, **Armstrong County** and related NPDES permit for reclamation only. No additional discharges. Application received: December 8, 2008. Permit issued: February 4, 2010.

**10-00284: Seneca Landfill, Inc.** (421 Hartmann Road, Evans City, PA 16063) for their facility in Jackson Township, **Butler County**. The de minimis increases are a result of the installation of a portable screening plant and associated 67 bhp diesel engine. The Department of Environmental Protection has started a list of de minimis increases as prescribed in 25 Pa. Code § 127.449(i).

Since the November 12, 2004 Title V Operating Permit issuance date, Seneca Landfill has notified the Department of the following de minimis emission increases:

**03031301 and NPDES Permit No. PA0235563, Bedrock Mines, LP**, (111 Freeport Road, Pittsburgh, PA 15215), to transfer the permit and related NPDES permit for the Keystone East Mine in Plumcreek Township, **Armstrong County** to Bedrock Mines, LP from Rosebud Mining Company. No additional discharges. Application received: July 13, 2009. Permit issued: February 4, 2010.

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

**56090104 and NPDES No. PA0262749. Future Industries, Inc.**, P. O. Box 157, Meyersdale, PA 15552 commencement, operation and restoration of a bituminous surface mine in Brothersvalley Township, **Somerset County**, affecting 60.0 acres. Receiving stream(s): unnamed tributaries to/and Buffalo Creek classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: March 4, 2009. Permit issued: February 1, 2010.

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

**26090105 and NPDES Permit No. PA0251739. Amerikohl Mining, Inc.** (1384 SR 711, Stahlstown, PA 15687). Permit issued for commencement, operation, and reclamation of a bituminous surface mining site located in Menallen Township, **Fayette County**, affecting 202.4 acres. Receiving streams: unnamed tributaries to Dunlap Creek and Dunlap Creek to Monongahela River. Application received: August 5, 2009. Permit issued: February 3, 2010.

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

**33813020 and NPDES Permit No. PA0603465. Leonard W. Yenzi** (P. O. Box 62, Anita, PA 15711). Transfer to an existing bituminous strip and beneficial use of coal ash operation from John R. Yenzi, Jr. in Winslow Township, **Jefferson County** affecting 285.2 acres. This also includes a revision to add 15.2 acres to the surface mining permit. Receiving streams: Two unnamed tributaries to Front Run, Front Run, and unnamed tributary to Trout Run. Application received: July 15, 2009. Permit Issued: February 2, 2010.

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

**17030118 and NPDES No. PA0243647. River Hill Coal Co., Inc.** (P. O. Box 141, Memorial Street, Kylertown, PA 16847), renewal of an existing bituminous surface mine for reclamation only located in Bigler Township, **Clearfield County** affecting 75.4 acres. Receiving stream(s): unnamed tributary to Clearfield Creek classified for the following use(s): Warm Water Fishery. Renewal application received: September 14, 2009. Renewal permit issued: January 28, 2010.

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

**40880101R4. Silverbrook Anthracite, Inc.**, (1 Market Street, Laflin, PA 18702), renewal of an existing anthracite surface mine operation in Newport Township, **Luzerne County** affecting 144.2 acres, receiving stream: none. Application received: December 4, 2008. Renewal issued: February 5, 2010.

#### *Noncoal Permits Actions*

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

**65092802. CH & D Enterprises, Inc.** (100 Brady Place, New Stanton, PA 15672). Permit issued for commencement, operation and reclamation of a small noncoal (sandstone) surface mining site located in South Huntingdon Township, **Westmoreland County**, affecting 2.5 acres. Receiving streams: Sewickley Creek to Youghiogeny River. Application received: September 11, 2009. Permit issued: February 3, 2010.

**26900306 and NPDES Permit No. PA0591483. Hanson Aggregates BMC, Inc.** (2200 Springfield Pike, Connellsville, PA 15425). Transfer of permit formerly issued to Hanson Aggregates PMA, Inc., for continued operation and reclamation of a large noncoal surface mining site (limestone quarry) located in Connellsville Township, **Fayette County**, affecting 51.4 acres. Receiving streams: unnamed tributaries to Connell Run to Youghiogeny River. Transfer application received: October 13, 2009. Transfer permit issued: February 5, 2010.

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

**14060302 and NPDES No. PA0256447. Glenn O. Hawbaker, Inc.** (1952 Waddle Road, State College, PA 16803-1649), commencement, operation and restoration of a limestone quarry operation in Spring Township, **Centre County** affecting 23.6 acres. Receiving stream(s): Logan Branch classified for Cold Water Fisheries. Application received: October 13, 2006. Permit issued: February 2, 2010.

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

**7773SM2A1C18 and NPDES Permit No. PA0118460. Hercules Cement Co., LP, d/b/a Buzzi Unicem USA**, (P. O. Box 69, Stockertown, PA 18083), renewal of an NPDES Permit for discharge of treated mine drainage from a quarry operation in Upper Nazareth and Palmer Townships, **Northampton County**, receiving stream: Bushkill and Schoeneck Creeks. Application received: December 18, 2009. Renewal issued: February 2, 2010.

**54030301C2 and NPDES Permit No. PA0224286. Middleport Materials, Inc.**, (P. O. Box 189, Telford, PA 18969), renewal of an NPDES Permit for discharge of treated mine drainage from a quarry operation in Walker and Blythe Townships, **Schuylkill County**, receiving stream: unnamed tributary to Schuylkill River. Application received: December 8, 2009. Renewal issued: February 5, 2010.

#### **ACTIONS ON BLASTING ACTIVITY APPLICATIONS**

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

#### *Blasting Permits Actions*

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

**24104005. Appalachian Geophysical Services, LLC** (2659 SR 60, P. O. Box 426, Killbuck, OH 44637) Blasting activity permit for seismic exploration in Spring Creek Township, **Elk County**. This blasting activity permit will expire on August 14, 2010. Application received: January 13, 2010. Permit Issued: January 29, 2010.

**24104006. Appalachian Geophysical Services, LLC** (2659 SR 60, P. O. Box 426, Killbuck, OH 44637) Blasting activity permit for seismic exploration in Horton and Sandy Townships, **Elk and Clearfield Counties**. This blasting activity permit will expire on August 14, 2010. Application received: January 13, 2010. Permit Issued: February 2, 2010.

**24104007. Appalachian Geophysical Services, LLC** (2659 SR 60, P. O. Box 426, Killbuck, OH 44637) Blasting activity permit for seismic exploration in Highland, Jones and Wetmore Townships, **Elk and McKean Counties**. This blasting activity permit will expire on August 14, 2010. Application received: January 13, 2010. Permit Issued: February 2, 2010.

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

**59104101. M & J Explosives, Inc.** (P. O. Box 608, Carlisle, PA 17013-0608), blasting for a well pad (DEP #18) located in Ward Township, **Tioga County**. Permit issued: February 1, 2010. Permit expires: February 28, 2011.

**17104001. EOG Resources** (2039 South 6th Street, Indiana, PA 15701), blasting for a stone pit located in Lawrence Township, **Clearfield County**. Permit issued: January 15, 2010. Permit expires: December 31, 2010.

**59104001. Conquest Seismic Services** (504 1st Center, Horseheads, NY 14845), seismic survey blasting, Krause 3D, 95 sq. miles located in Tioga, Richmond, Covington, Rutland and Sullivan Townships, **Tioga County**. Permit issued: January 27, 2010. Permit expires: October 31, 2010.

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



**40104102. Hayduk Enterprises, Inc.**, (257 Riverside Drive, Factoryville, PA 18419), construction blasting for Eagle Rock Resort in Black Creek, Hazle and North Union Townships, **Carbon** and **Schuylkill Counties** with an expiration date of January 31, 2011. Permit issued: February 3, 2010.

**40104103. Austin Powder Northeast, LLC**, (25800 Science Park Drive, Cleveland, OH 44122), construction blasting for Centerpoint East in Pittston and Jenkins Townships, **Luzerne County** with an expiration date of February 10, 2011. Permit issued: February 3, 2010.

**58104005. M & S Blasting, LLC**, (943 Gontarski Road, Hallstead, PA 18822), construction blasting for the Russo 4—5 Gas Pad in Springville Township, **Susquehanna County** with an expiration date of January 24, 2011. Permit issued: February 4, 2010.

**67104103. J Roy's, Inc.**, (P. O. Box 125, Bowmansville, PA 17507), construction blasting for Orchard Park Lot 10 in East Manchester Township, **York County** with an expiration date of January 30, 2011. Permit issued: February 4, 2010.

### FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

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

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

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

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

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*Permits, Environmental Assessments and 401 Water Quality Certifications Issued:*

#### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E23-477. McDade Darby Development**, 5004 State Road, Drexel Hill, PA 190226, Darby Borough, **Delaware County**, ACOE Philadelphia District.

To: place and maintain fill in the floodway of Darby Creek (WWF-MF) associated with the proposed Darby Town Center commercial development project which consists of two buildings totaling 42,429 square feet and access roadways.

The project is located approximately 147 feet south of the intersection of Chestnut Street and MacDade Boulevard in Ridley Township, Delaware County (Lansdowne, PA USGS Quadrangle N: 8.13 inches; W: 2.17 inches).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

**E15-799. The Hankin Group**, P. O. Box 562, Exton, PA 19341, West Vincent Township, **Chester County**, ACOE Philadelphia District.

To: install and maintain two 10-inch sanitary sewer force mains across Birch Run (EV) over the existing 5-foot diameter culvert. The site is located approximately 4.5 miles north of the intersection of PA Turnpike (I-76 West) and Pottstown Road (SR 0100) (Pottstown, PA USGS Quadrangle N: 0.5 inch; W: 9.5 inches).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

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

**E20-553, Walter Thomas**, 11382 Primrose Lane, Conneaut Lake, PA 16316, ACOE Pittsburgh District.

Modify an existing earth dock and floating dock system in Conneaut Lake lakeward of the East end of Gentian Way approximately 1.1 mile NE of the intersection of SR 6 and SR 618 (Conneaut Lake, PA Quadrangle N: 19.9 inches; W: 7.4 inches) to: 1) maintain an existing earth dock having a length of 60 feet and a width of 16 feet; and 2) modify an existing floating dock (GP No. 022092601) having a width of approximately 4 feet and a length of 50 feet to a floating dock having a width of approximately 4 feet and a length of 65 feet with two perpendicular sections at the lakeward end having a width of approximately 4 feet and a length of approximately 35 feet.

## STORAGE TANKS

### SITE-SPECIFIC INSTALLATION PERMITS

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

SSIP Permit No.	Applicant Name & Address	County	Municipality	Tank Type	Tank Capacity
10-40-009	Sunoco Partners Marketing & Terminals, L.P. 525 Fritztown Road Sinking Spring, PA 19608 Attn: Jed A. Werner	Luzerne	Edwardsville Borough	Two ASTs storing biodiesel	67,680 gallons total
10-39-006	Sunoco Partners Marketing & Terminals, L.P. 525 Fritztown Road Sinking Spring, PA 19608 Attn: Jed A. Werner	Lehigh	Whitehall Township	Two ASTs storing biodiesel	67,680 gallons total

### SPECIAL NOTICES

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

#### General Permits:

**33091007. HRI, Inc.** (1750 West College Avenue, Suite 2, State College, PA 16801) Authorization to extract noncoal (industrial minerals) in Pine Creek Township, **Jefferson County** to supply fill material for the Jefferson County SR 80 (545) Construction Project. Receiving streams: Unnamed tributary to Fivemile Run. Application received: December 21, 2009. Authorization Approved: February 5, 2010.

[Pa.B. Doc. No. 10-328. Filed for public inspection February 19, 2010, 9:00 a.m.]

#### Chesapeake Bay Advisory Committee Meeting Cancellation

The Chesapeake Bay Advisory Committee (Committee) meeting scheduled for March 4, 2010, has been cancelled. The meeting agenda was intended to focus on the development of Pennsylvania's Watershed Implementation Plan to address the Chesapeake Bay Total Maximum Daily Load. However, the Phase 5.3 Watershed Model loads for nutrient and sediment are not yet available. This information is necessary to facilitate a productive discussion by the Committee. The next meeting of the Committee is scheduled for May 3, 2010, in the Department of Environmental Protection's Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110 at 10 a.m. For more information, contact Marjorie Hughes at (717) 772-5660, or mahughes@state.pa.us.

JOHN HANGER,  
*Secretary*

[Pa.B. Doc. No. 10-329. Filed for public inspection February 19, 2010, 9:00 a.m.]

#### Pennsylvania Energy Development Authority Board Meeting

A meeting of the Pennsylvania Energy Development Authority (Authority) Board is scheduled to be held on Friday, March 19, 2010, at 10 a.m., Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. A copy of the agenda for this meeting may be found on the Authority's web site, [www.dep.state.pa.us](http://www.dep.state.pa.us), keyword: "PEDA."

Questions concerning the agenda can be directed to Thomas C. Bell at (717) 772-5942 or [tbell@state.pa.us](mailto:tbell@state.pa.us).

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

JOHN HANGER,  
*Secretary*

[Pa.B. Doc. No. 10-330. Filed for public inspection February 19, 2010, 9:00 a.m.]

#### Rates to be Used for Calculating Long-Term Operation and Maintenance Cost Bonds for Water Supply Replacement-Mining Operations

The Department of Environmental Protection (Department) announces the rates to be used to calculate bond amounts for water supply replacement operation and maintenance costs for anthracite and bituminous coal and industrial mineral mining operations. The authority for bonding mining operations is found under The Clean Streams Law (35 P. S. §§ 691.1—691.1001), the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a), the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66), the Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21), the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326) and the regulations promulgated thereunder at 25 Pa. Code Chapters 77 and 86 (relating to noncoal mining; and surface mining of coal).

The rates are used in calculating the water supply operation and maintenance bond amounts for replacement water supplies affected by activities at mining operations including: surface mines, coal refuse disposal sites, coal refuse reprocessing sites, coal processing facilities, underground coal mining operations and industrial mineral surface mines. The procedures for calculating water supply operation and maintenance bonds are described in technical guidance 562-4000-102, "Increased Operation and Maintenance Costs of Replacement Water Supplies," which is available on the Department's web site [www.depweb.state.pa](http://www.depweb.state.pa), at the Public Participation Center page.

The Department may review the adequacy of bonds on existing permits at any time. The Department will conduct these reviews before issuing permit renewals. The Department may conduct similar reviews at the mid-term of a permit and before approving a permit revision.

#### *Rates*

The Department calculated the rate of inflation and rate of return using 5-year averages. For the rate of inflation, the Consumer Price Index (Northeast Urban) from the United States Department of Labor, Bureau of Labor Statistics, was averaged for the calendar years 2005-2009, resulting in a rate of 2.77%. For the rate of return, the interest rate for the 20-year Treasury bill as reported by the Federal Reserve was averaged for the calendar years 2005-2009 resulting in a rate of 4.604%.

For background information and supporting documentation regarding the rates, contact the Bureau of Mining and Reclamation, Division of Monitoring and Compliance, P. O. Box 8461, Harrisburg, PA 17105-8461, (717) 787-5103.

#### *Effective Date*

The rates in this notice become effective on April 1, 2010. They will remain in effect until new rates are published. It is anticipated that these new rates will be published in February 2011 to be effective April 1, 2011.

JOHN HANGER,  
*Secretary*

[Pa.B. Doc. No. 10-331. Filed for public inspection February 19, 2010, 9:00 a.m.]

### **Submission Deadline for Application for Reimbursement for Certified Host Municipality Inspectors**

The Department of Environmental Protection (Department) announces the submission deadline for 2009 Host Municipality Inspector Program Reimbursement Applications as March 31, 2010. Reimbursements are available to municipalities under the Municipal Waste Planning, Recycling and Waste Reduction Act (Act 101) and the Hazardous Sites Cleanup Act (Act 108). Municipalities include cities, boroughs, incorporated towns, townships and home rule municipalities.

Reimbursements are allocated from the Recycling Fund authorized under Act 101 for municipal waste facilities or from the Hazardous Sites Cleanup Fund under Act 108 for hazardous waste facilities. Reimbursements are available to any municipality that has a municipal waste landfill, resource recovery facility or commercial hazardous waste storage, treatment and disposal facility located within its geographic borders. Upon application from any

host municipality, the Department shall award reimbursements for authorized costs incurred for the salary and expenses of up to two certified Host Municipality Inspectors. The reimbursement shall not exceed 50% of the approved costs of salaries and expenses. Reimbursement is available only for Host Municipality Inspectors trained and certified by the Department.

The application for reimbursement contains tables for specifying the itemized expenses for certified inspectors and for calculating the total reimbursement request. Complete instructions are included with the application, which is being distributed to all municipalities that have participated in the program. If your municipality does not receive, but requires an application, or if you have any questions about this program, contact the Program Development Section, Department of Environmental Protection, Bureau of Waste Management, Rachel Carson State Office Building, P. O. Box 8471, Harrisburg, PA 17105-8471, (717) 787-9870 or visit the Department's web site at [www.depweb.state.pa.us](http://www.depweb.state.pa.us) (PA Keyword: Host Municipality Inspector).

The deadline for submitting applications is 4:30 p.m. on March 31, 2010. Applications post marked after the deadline will not be considered.

JOHN HANGER,  
*Secretary*

[Pa.B. Doc. No. 10-332. Filed for public inspection February 19, 2010, 9:00 a.m.]

## **DEPARTMENT OF HEALTH**

### **Home Care Agencies and Home Care Registries; Extension of Deadline for Licensure Under 28 Pa. Code Chapter 611**

[Correction]

The regulations governing licensure for home care agencies (HCAs) and home care registries (HCRs) were published at 39 Pa.B. 6958 (December 12, 2009).

HCAs and HCRs, as defined in the regulations, must now be licensed by the Department of Health (Department) to provide home care services to individuals in their homes or other independent living environments.

An entity that is currently operating an HCA or HCR or both, may continue to operate provided it submits an application for a license to the Department no later than March 31, 2010. An entity that is currently operating an HCA or HCR that has submitted an application for licensure may continue to operate until such date as the Department may refuse the application for licensure. If the Department grants the application for licensure, the home care agency and/or home care registry may continue to operate in accordance with the requirements of the regulations at 28 Pa. Code Chapter 611 (relating to home care agencies and home care registries).

An entity that is established after the effective date of the regulations must obtain a license prior to providing home care services.

Application packets may be obtained by contacting the Division of Home Health at (717) 783-1379 and supplying a mailing address, and the Division will mail the packet to the address supplied. Alternatively, application packets may be obtained electronically. The applicant should go to [www.health.state.pa.us](http://www.health.state.pa.us) and click on the left side naviga-

tion bar titled "Facilities, Providers & Managed Care Plans" then click the navigation bar titled "Home Care Licensure Information."

The Department's web site contains additional information and links that may be helpful to the applicant. The Department's web site contains a document addressing Frequently Asked Questions which may be accessed at [www.health.state.pa.us](http://www.health.state.pa.us) by clicking on the left side navigation bar titled "Facilities, Providers & Managed Care Plans" then clicking on the navigation bar titled "Home Care Agencies/Home Care Registries" which contains a document link for "Frequently Asked Questions about Home Care Agencies/Home Care Registries." The applicant can also contact the Department for a copy of the document which will be included in the application packet.

To access information pertaining to criminal background checks, go to [www.aging.state.pa.us](http://www.aging.state.pa.us), or contact the Department of Aging, Criminal History Background Check Unit at (717) 265-7887. To access information pertaining to child abuse clearances, go to [www.dpw.state.pa.us](http://www.dpw.state.pa.us), or contact the Department of Public Welfare, ChildLine at (717) 783-6211.

If you have any questions or would like more information regarding home care agencies, home care registries, and/or the HCA/HCR licensure program, contact the Division of Home Health at (717) 783-1379.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotope, Braille) should contact Janice Staloski, Director, Bureau of Community Program Licensure and Certification, 132 Kline Plaza, Suite A, Harrisburg, PA 17104, (717) 783-8665, or for speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

EVERETTE JAMES,  
*Secretary*

[Pa.B. Doc. No. 10-292. Filed for public inspection February 12, 2010, 9:00 a.m.]

### Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.33(a)(b) (relating to utility room).

Barbara J. Egan Nursing and Rehabilitation Center  
200 Luther Road  
Shrewsbury, PA 17361

The following long-term care nursing facilities are seeking an exception to 28 Pa. Code § 211.12(b) and (c) (relating to nursing services).

Millcreek Community Hospital Transitional Care Unit  
5515 Peach Street  
Erie, PA 16509-2603  
FAC ID 570102

Millcreek Manor  
5515 Peach Street  
Erie, PA 16509-2603  
FAC ID 131102

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the

Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, [ra-paexcept@state.pa.us](mailto: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 at the address listed.

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

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

EVERETTE JAMES,  
*Secretary*

[Pa.B. Doc. No. 10-333. Filed for public inspection February 19, 2010, 9:00 a.m.]

### Surcharge for The Patient Safety Trust Fund Under the Medical Care Accountability and Reduction of Error Act

On March 20, 2002, the Medical Care Accountability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910). Among other provisions, the MCARE Act established the Patient Safety Authority (Authority) to collect, analyze and evaluate data regarding reports of serious events and incidents occurring in certain medical facilities and to make recommendations to those facilities regarding changes, trends and improvements in health care practices and procedures for the purpose of reducing the number and severity of serious events and incidents.

Section 305(a) of the MCARE Act (40 P. S. § 1303.305(a)) authorizes the establishment of a Patient Safety Trust Fund (Fund) for the operations of the Authority. Section 305(c) of the MCARE Act states that commencing July 1, 2002, and for every fiscal year (FY) thereafter, each medical facility covered by the MCARE Act shall pay the Department of Health (Department) a surcharge on its licensing fee as necessary to provide sufficient revenues for the Authority to operate. Section 305(c) also states that the total assessment amount for FY 2002-2003 shall not exceed \$5,000,000 and that the Department shall transfer the total assessment amount to the Fund within 30 days of receipt. Section 305(d) provides that for each succeeding calendar year, the Department shall determine and assess each medical facility a proportionate share of the Authority's budget. The base amount of \$5,000,000 provided for in FY 2002-2003 shall be increased no more than the Consumer Price Index in each succeeding FY.

With the cooperation of this Commonwealth hospitals, birthing centers, abortion centers and ambulatory surgery facilities, the surcharge has been implemented, and has provided resources for the implementation of the web-based Pennsylvania Patient Safety Reporting System and the operation of the Authority.

- The FY 2007-2008 surcharge assessment was approximately \$5,400,000. In FY 2008-2009, due to the economic downturn, the Authority utilized reserves in the

Fund to supplement some of the surcharge assessment. The FY 2008-2009 surcharge assessment was approximately \$4,000,000 and was paid by facilities in the summer of 2009. The Authority has recommended that the FY 2009-2010 surcharge assessment total \$5,000,000. This amount is approximately 7% less than FY 2007-2008 and 20% less than the total annual amount that could be assessed for the year. The Authority Board took several points into account in developing its recommendation including:

- The Fund will have a negative uncommitted balance by the end of the current FY in June 2010.
- The Authority budget only increased by 2% for this FY. All additional budgeted spending is focused on programs assisting facilities with patient safety programs. Staff did not receive pay increases for this FY. The Authority FY 2009-2010 budget is approximately \$5,800,000. Staff anticipates expenditures for this time period will be approximately \$5,500,000 resulting in savings of approximately \$300,000.

This notice sets forth the procedure that the Department will follow in assessing and collecting the surcharge for FY 2009-2010. The MCARE Act states that the surcharge shall be collected from medical facilities, which are defined as ambulatory surgical facilities (ASFs), birth centers, hospitals and abortion clinics licensed under either the Health Care Facilities Act (35 P. S. §§ 448.101—448.904) or the Public Welfare Code Article X (62 P. S. §§ 1001—1087). Nursing Homes, which are assessed under Chapter 4, receive a separate assessment notification.

To assess the surcharge in an equitable manner, the Department continues to use a common denominator in these facilities. For ASFs, birth centers and abortion clinics, the Department has chosen the number of operating and procedure rooms; and for hospitals, the Department has chosen the number of beds contained on the license of each hospital, whether by the Department (general and special acute care hospitals) or the Department of Public Welfare (privately owned psychiatric hospitals). It was also necessary to pick a point in time to make this assessment; the Department has chosen January 15, 2010.

The number of operating/procedure rooms (for ASFs, birth centers and abortion clinics) and the number of licensed beds (for hospitals) was totaled and that number was divided into \$5,000,000 to arrive at a charge per unit for the assessment. The total number of units (operating rooms, procedure rooms and licensed beds) is 43,182. Dividing this number into \$5,000,000 results in a per unit assessment for each installment of approximately \$115.78.

To obtain a copy of the assessment for all facilities, send an e-mail to [paexcept@health.state.pa.us](mailto:paexcept@health.state.pa.us), and request the 2009-2010 MCARE surcharge assessment list.

Each facility will receive notification from the Department setting forth the amount due, date due and the name and address to which the payment should be sent. Payment will be due within 60 days. The MCARE Act authorized the Department to assess an administrative penalty of \$1,000 per day on facilities who fail to pay the surcharge by the due date.

If a medical facility has any questions concerning this notice, a representative from that facility should contact Joanne Salsgiver, Director, Department of Health, Divi-

sion of Acute and Ambulatory Care, 625 Forster Street, Health and Welfare Building, Room 532, Harrisburg, PA 17120, (717) 783-8980.

Persons with a disability who require an alternative format of this document (for example, large print, audiotope or Braille) should contact the Division of Acute and Ambulatory Care at the previously listed address or telephone number, or VVT (717) 783-6514 for speech and/or hearing impaired persons, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

EVERETTE JAMES,  
*Secretary*

[Pa.B. Doc. No. 10-334. Filed for public inspection February 19, 2010, 9:00 a.m.]

### Women, Infants and Children Program; Public Meetings

The Department of Health (Department) has announced three public meetings to receive comments and suggestions about the Special Supplemental Nutrition Program for Women, Infants and Children (WIC).

The meetings will be held from 10 a.m. to 3 p.m. at the following locations:

Pittsburgh, PA  
Thursday, April 8, 2010  
Allegheny County Health Department  
Investment Building  
6th Floor  
239 Fourth Avenue  
Pittsburgh, PA 15222

Philadelphia, PA  
Tuesday, April 13, 2010  
NORTH, Inc.  
642 North Broad Street  
Suite 101  
Philadelphia, PA 19130

State College, PA  
Thursday, April 15, 2010  
Home Nursing Agency  
450 Windmere Drive  
Suite 100  
State College, PA 16801

The Department invites comments on all aspects of the WIC Program's operations. The purpose of the Program is to provide nutrition education and supplemental foods to eligible persons; with an emphasis on reaching and enrolling women in the early months of pregnancy, migrants and homeless individuals. Persons wishing to provide comments at the public meetings are requested to preregister with the Pennsylvania WIC Program Office by calling Bonnie Mellott, WIC Education/Outreach Coordinator at (717) 783-1289. Those unable to attend are encouraged to submit comments to the Division of Women, Infants and Children (WIC), Department of Health, 2150 Herr Street, 1st Floor, Suite B, Harrisburg, PA 17103-1625. Written comments will be accepted until May 31, 2010.

Written comments and those presented at the meetings will be used in developing the State Plan of Program Operation and Administration for the WIC Program for the 2011 Federal Fiscal Year, which runs October 1, 2010, to September 30, 2011.

For additional information, or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so, contact Bonnie Mellott, WIC Education/Outreach Coordinator at (717) 783-1289. Speech and/or hearing impaired persons may contact V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service (800) 654-5984.

These meetings are subject to cancellation without notice.

WIC is an equal opportunity provider.

EVERETTE JAMES,  
Secretary

[Pa.B. Doc. No. 10-335. Filed for public inspection February 19, 2010, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania \$50 A Day For Life Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania \$50 A Day For Life.

2. *Price:* The price of a Pennsylvania \$50 A Day For Life instant lottery game ticket is \$1.

3. *Play Symbols:* Each Pennsylvania \$50 A Day For Life instant lottery game ticket will contain one play area. The play symbols and their captions, located in the play area are: Bell symbol (BELL), Chest symbol (CHEST), Clover symbol (CLOVER), Coins symbol (COINS), Diamond symbol (DMND), Piggy Bank symbol (PIGBNK), Pot symbol (POT), Rainbow symbol (RAINBW), Safe symbol (SAFE), Horse Shoe symbol (SHOE), Wallet symbol (WALLET) and a Moneybag symbol (MNYBAG).

4. *Prize Symbols:* The prize symbols and their captions, located in the play area are: FREE (TICKET), \$1<sup>.00</sup> (ONE DOL), \$2<sup>.00</sup> (TWO DOL), \$3<sup>.00</sup> (THR DOL), \$4<sup>.00</sup> (FOR DOL), \$5<sup>.00</sup> (FIV DOL), \$10<sup>.00</sup> (TEN DOL), \$20<sup>.00</sup> (TWENTY), \$50<sup>.00</sup> (FIFTY), \$100 (ONE HUN) and LIFE (\$50/DAY/LIFE).

5. *Prizes:* The prizes that can be won in this game are: Free \$1 Ticket, \$1, \$2, \$3, \$4, \$5, \$10, \$20, \$50, \$100 and \$50 a day for life (\$365,000 lifetime minimum). The player can win up to 5 times on the ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 24,000,000 tickets will be printed for the Pennsylvania \$50 A Day For Life instant lottery game.

#### 7. *Determination of Prize Winners:*

(a) Holders of tickets with a Moneybag (MNYBAG) play symbol in the play area, and a prize symbol of LIFE (\$50/DAY/LIFE) appears in the "Prize" area under that Moneybag (MNYBAG) play symbol, on a single ticket, shall be entitled to a prize of \$50 a day for life (\$365,000 lifetime minimum) which shall be paid by an initial cash

payment of \$18,250 plus equal annual payments of \$18,250 over the lifetime of the winner and continuing under the provisions of 61 Pa. Code § 811.16 (relating to prizes payable after death of prize winner) until the \$365,000 minimum has been paid. If the winner of the Pennsylvania \$50 A Day For Life prize is younger than 18 years of age, the winner will not begin to receive the prize until the winner reaches 18 years of age. Only one claimant per ticket allowed.

(b) Holders of tickets with a Moneybag (MNYBAG) play symbol in the play area, and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under that Moneybag (MNYBAG) play symbol, on a single ticket, shall be entitled to a prize of \$100.

(c) Holders of tickets with a Moneybag (MNYBAG) play symbol in the play area, and a prize symbol of \$50<sup>.00</sup> (FIFTY) appears in the "Prize" area under that Moneybag (MNYBAG) play symbol, on a single ticket, shall be entitled to a prize of \$50.

(d) Holders of tickets with a Moneybag (MNYBAG) play symbol in the play area, and a prize symbol of \$20<sup>.00</sup> (TWENTY) appears in the "Prize" area under that Moneybag (MNYBAG) play symbol, on a single ticket, shall be entitled to a prize of \$20.

(e) Holders of tickets with a Moneybag (MNYBAG) play symbol in the play area, and a prize symbol of \$10<sup>.00</sup> (TEN DOL) appears in the "Prize" area under that Moneybag (MNYBAG) play symbol, on a single ticket, shall be entitled to a prize of \$10.

(f) Holders of tickets with a Moneybag (MNYBAG) play symbol in the play area, and a prize symbol of \$5<sup>.00</sup> (FIV DOL) appears in the "Prize" area under that Moneybag (MNYBAG) play symbol, on a single ticket, shall be entitled to a prize of \$5.

(g) Holders of tickets with a Moneybag (MNYBAG) play symbol in the play area, and a prize symbol of \$4<sup>.00</sup> (FOR DOL) appears in the "Prize" area under that Moneybag (MNYBAG) play symbol, on a single ticket, shall be entitled to a prize of \$4.

(h) Holders of tickets with a Moneybag (MNYBAG) play symbol in the play area, and a prize symbol of \$3<sup>.00</sup> (THR DOL) appears in the "Prize" area under that Moneybag (MNYBAG) play symbol, on a single ticket, shall be entitled to a prize of \$3.

(i) Holders of tickets with a Moneybag (MNYBAG) play symbol in the play area, and a prize symbol of \$2<sup>.00</sup> (TWO DOL) appears in the "Prize" area under that Moneybag (MNYBAG) play symbol, on a single ticket, shall be entitled to a prize of \$2.

(j) Holders of tickets with a Moneybag (MNYBAG) play symbol in the play area, and a prize symbol of \$1<sup>.00</sup> (ONE DOL) appears in the "Prize" area under that Moneybag (MNYBAG) play symbol, on a single ticket, shall be entitled to a prize of \$1.

(k) Holders of tickets with a Moneybag (MNYBAG) play symbol in the play area, and a prize symbol of FREE (TICKET) appears in the "Prize" area under that Moneybag (MNYBAG) play symbol, on a single ticket, shall be entitled to a prize of one Pennsylvania \$50 A Day For Life instant game ticket or one Pennsylvania Lottery instant game ticket of equivalent sale price which is currently on sale.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

Reveal A Moneybag Symbol In The Play Area And Win Prize Shown Below It. Win With Prizes Of:

	Win	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 24,000,000 Tickets
FREE	FREE \$1 TICKET	9.52	2,520,000
\$1 × 2	\$2	42.86	560,000
\$2	\$2	37.50	640,000
\$1 × 3	\$3	100	240,000
\$1 + \$2	\$3	100	240,000
\$3	\$3	100	240,000
\$1 × 5	\$5	136.36	176,000
\$5	\$5	130.43	184,000
(\$1 × 2) + (\$4 × 2)	\$10	750	32,000
\$2 × 5	\$10	750	32,000
\$5 × 2	\$10	750	32,000
\$10	\$10	300	80,000
\$5 × 4	\$20	1,000	24,000
\$10 × 2	\$20	1,000	24,000
\$20	\$20	750	32,000
\$10 × 5	\$50	3,000	8,000
(\$20 × 2) + (\$5 × 2)	\$50	3,000	8,000
\$50	\$50	1,500	16,000
\$20 × 5	\$100	240,000	100
\$50 × 2	\$100	240,000	100
\$100	\$100	240,000	100
LIFE	\$50/DAY/LIFE	6,000,000	4

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania \$50 A Day For Life instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania \$50 A Day For Life, prize money from winning Pennsylvania \$50 A Day For Life instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania \$50 A Day For Life instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania \$50 A Day For Life or through normal communications methods.

C. DANIEL HASSELL,  
Acting Secretary

[Pa.B. Doc. No. 10-336. Filed for public inspection February 19, 2010, 9:00 a.m.]

### Pennsylvania Gold Rush Gus Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Gold Rush Gus.

2. *Price:* The price of a Pennsylvania Gold Rush Gus instant lottery game ticket is \$2.

3. *Play Symbols:* Each Pennsylvania Gold Rush Gus instant lottery game ticket will contain one play area consisting of "GAME 1," "GAME 2," "GAME 3," "GAME 4," "GAME 5," "GAME 6," "GAME 7," "GAME 8," "GAME 9" and "GAME 10." Each "GAME" is played separately. Each "GAME" features a play area and a "PRIZE" area. The play symbols and their captions located in the play area are: Bell symbol (BELL), Cash symbol (CASH), Chest symbol (CHEST), Cherries symbol (CHR), Clover symbol (CLOVER), Coins symbol (COINS), Diamond symbol (DMND), Gift symbol (GIFT), Gold Bar symbol (GLDBAR), Gold Nugget (GLDNGT), Gold symbol (GOLD), Money symbol (MONEY), Paw symbol (PAW), Piggy Bank symbol (PIGBNK), Rainbow symbol (RAINBW), Safe symbol (SAFE), Horse Shoe symbol (SHOE), Star symbol (STAR), Wallet symbol (WALLET) and a Gus symbol (GUS).

4. *Prize Symbols:* The prize symbols and their captions located in the "PRIZE" area of each "GAME" are: \$1<sup>00</sup> (ONE DOL), \$2<sup>00</sup> (TWO DOL), \$4<sup>00</sup> (FOR DOL), \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN), \$1,000 (ONE THO) and \$20,000 (TWY THO).

5. *Prizes:* The prizes that can be won in this game are: \$1, \$2, \$4, \$5, \$10, \$20, \$40, \$50, \$100, \$500, \$1,000 and \$20,000. The player can win up to 10 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 12,000,000 tickets will be printed for the Pennsylvania Gold Rush Gus instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets with two like play symbols in the same "GAME," and a prize symbol of \$20,000 (TWY THO) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$20,000.

(b) Holders of tickets with two like play symbols in the same "GAME," and a prize symbol of \$1,000 (ONE THO) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets with two like play symbols in the same "GAME," and a prize symbol of \$500 (FIV HUN) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$500.

(d) Holders of tickets with two like play symbols in the same "GAME," and a prize symbol of \$100 (ONE HUN) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$100.

(e) Holders of tickets with two like play symbols in the same "GAME," and a prize symbol of \$50.00 (FIFTY) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$50.

(f) Holders of tickets with two like play symbols in the same "GAME," and a prize symbol of \$40.00 (FORTY) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$40.

(g) Holders of tickets with a Gus (GUS) play symbol, and a prize symbol of \$20.00 (TWENTY) appears in the "PRIZE" area to the right of that Gus (GUS) play symbol, on a single ticket, shall be entitled to a prize of \$40.

(h) Holders of tickets with two like play symbols in the same "GAME," and a prize symbol of \$20.00 (TWENTY) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$20.

(i) Holders of tickets with a Gus (GUS) play symbol, and a prize symbol of \$10.00 (TEN DOL) appears in the "PRIZE" area to the right of that Gus (GUS) play symbol, on a single ticket, shall be entitled to a prize of \$20.

(j) Holders of tickets with two like play symbols in the same "GAME," and a prize symbol of \$10.00 (TEN DOL) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$10.

(k) Holders of tickets with a Gus (GUS) play symbol, and a prize symbol of \$5.00 (FIV DOL) appears in the "PRIZE" area to the right of that Gus (GUS) play symbol, on a single ticket, shall be entitled to a prize of \$10.

(l) Holders of tickets with two like play symbols in the same "GAME," and a prize symbol of \$5.00 (FIV DOL) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$5.

(m) Holders of tickets with two like play symbols in the same "GAME," and a prize symbol of \$4.00 (FOR DOL) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$4.

(n) Holders of tickets with a Gus (GUS) play symbol, and a prize symbol of \$2.00 (TWO DOL) appears in the "PRIZE" area to the right of that Gus (GUS) play symbol, on a single ticket, shall be entitled to a prize of \$4.

(o) Holders of tickets with two like play symbols in the same "GAME," and a prize symbol of \$2.00 (TWO DOL) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$2.

(p) Holders of tickets with two like play symbols in the same "GAME," and a prize symbol of \$1.00 (ONE DOL) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$1.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

<i>Get Two Like Symbols In The Same Game, Win Prize Shown For That Game. Win With Prize(s) Of:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 12,000,000 Tickets</i>
\$2	\$2	21.43	560,000
\$1 x 2	\$2	21.43	560,000
\$4	\$4	50	240,000
\$2 x 2	\$4	50	240,000
\$2 w/GUS	\$4	50	240,000
\$5	\$5	75	160,000
\$1 x 5	\$5	150	80,000
(\$2 w/GUS) + \$1	\$5	150	80,000
\$10	\$10	250	48,000
\$2 x 5	\$10	300	40,000
(\$4 x 2) + \$2	\$10	375	32,000
\$5 x 2	\$10	300	40,000
\$5 w/GUS	\$10	300	40,000
\$20	\$20	500	24,000
\$4 x 5	\$20	500	24,000
\$5 x 4	\$20	500	24,000
\$10 x 2	\$20	500	24,000
\$10 w/GUS	\$20	500	24,000
\$40	\$40	1,429	8,400
\$4 x 10	\$40	1,429	8,400



Get Two Like Symbols In The Same Game, Win Prize Shown For That Game. Win With Prize(s) Of:

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 12,000,000 Tickets
\$10 × 4	\$40	1,446	8,300
\$20 w/GUS	\$40	1,429	8,400
\$50	\$50	4,000	3,000
\$5 × 10	\$50	4,000	3,000
\$10 × 5	\$50	4,000	3,000
(\$10 w/GUS) + (\$10 × 3)	\$50	4,000	3,000
(\$20 w/GUS) + (\$5 × 2)	\$50	4,000	3,000
\$40 + \$10	\$50	4,000	3,000
\$100	\$100	8,000	1,500
(\$10 w/GUS) + (\$10 × 8)	\$100	8,000	1,500
\$20 × 5	\$100	8,000	1,500
(\$20 w/GUS) + (\$20 × 3)	\$100	8,000	1,500
(\$40 × 2) + (\$10 × 2)	\$100	8,000	1,500
\$50 × 2	\$100	8,000	1,500
\$500	\$500	60,000	200
\$100 × 5	\$500	60,000	200
\$50 × 10	\$500	60,000	200
(\$20 × 5) + (\$50 × 2) + (\$100 × 3)	\$500	60,000	200
\$1,000	\$1,000	120,000	100
\$500 × 2	\$1,000	120,000	100
\$100 × 10	\$1,000	120,000	100
\$20,000	\$20,000	600,000	20

Get a GUS (GUS) symbol, win double the prize shown to the right of that game.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Gold Rush Gus instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Gold Rush Gus, prize money from winning Pennsylvania Gold Rush Gus instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Gold Rush Gus instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Gold Rush Gus or through normal communications methods.

C. DANIEL HASSELL,  
Acting Secretary

[Pa.B. Doc. No. 10-337. Filed for public inspection February 19, 2010, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Sale of Land No Longer Needed for Transportation Purposes

The Department of Transportation, (Department), under section 2003(e)(7) of The Administrative Code of 1929 (71 P. S. § 513 (e)(7)) intends to sell certain land owned by the Department.

The following property is available for sale by the Department:

Property measuring 50,424.31 square feet abutting SR 0026, east of Yellow Creek, being known as Tax Map No. G.06-47, formerly owned by Roger D. and Robin A. Donovan.

Interested public bodies are invited to express their interest in purchasing the site within 30 calendar days from the date of publication of this notice to Sherry L. Peck, Property Manager, Department of Transportation, R/W Unit, 1620 North Juniata Street, Hollidaysburg, PA 16648-1080.

Questions regarding this property may be directed to Sherry L. Peck, District Property Manager, 1620 North Juniata Street, Hollidaysburg, PA 16648-1080, (814) 696-7215.

ALLEN D. BEIHLER, P. E.,  
Secretary

[Pa.B. Doc. No. 10-338. Filed for public inspection February 19, 2010, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

**Mountain Watershed Association, Inc., Citizens for Pennsylvania's Future (PennFuture), and Youghiogheny Riverkeeper v. DEP and Potato Ridge, LLC, Permittee; EHB Doc. No. 2010-013-K**

The Mountain Watershed Association, Inc., Citizens for Pennsylvania's Future (PennFuture), and Youghiogheny Riverkeeper have appealed the issuance by the Department of Environmental Protection of an NPDES permit renewal to Potato Ridge, LLC for a facility in Stewart Township, Fayette County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania AT&T Relay Service at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

THOMAS W. RENWAND,  
*Chairperson*

[Pa.B. Doc. No. 10-339. Filed for public inspection February 19, 2010, 9:00 a.m.]

## INSURANCE DEPARTMENT

**Application for the Merger of Redland Insurance Company with and into Praetorian Insurance Company**

An application has been received requesting approval of the merger of Redland Insurance Company with and into Praetorian Insurance Company, both stock casualty insurance companies organized under the laws of the Commonwealth. The filing was made under the requirements set forth under the Insurance Holding Companies Act of 1921 (40 P. S. §§ 991.1401—991.1413); Business Corporation Law (15 Pa.C.S. §§ 1921—1932); and the GAA Amendments Act of 1990 (15 P. S. §§ 21101—21208).

Persons wishing to comment on the merger 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 and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Cressinda

Bybee, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, cbybee@state.pa.us.

JOEL SCOTT ARIO,  
*Insurance Commissioner*

[Pa.B. Doc. No. 10-340. Filed for public inspection February 19, 2010, 9:00 a.m.]

## LEGISLATIVE REFERENCE BUREAU

### Documents Filed But Not Published

The Legislative Reference Bureau (Bureau) accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of *Bulletin*). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no documents have been received. For questions concerning or copies of documents filed, but not published, call (717) 783-1530.

#### *Governor's Office*

Management Directive No. 250.1—The Sunshine Act, Advertising Agency Public Meeting Notices, Amended January 11, 2010.

Administrative Circular No. 09-20—Update to the Schedule of Maintenance Charges for Employees Residing at Commonwealth Facilities, Dated December 31, 2009.

Administrative Circular No. 10-01—2010-11 Budget Hearing Materials, Dated January 8, 2010.

Administrative Circular No. 10-02—Distribution of the 2010-2011 Commonwealth Budget, Dated January 14, 2010.

MARY JANE PHELPS,  
*Director*  
*Pennsylvania Code and Bulletin*

[Pa.B. Doc. No. 10-341. Filed for public inspection February 19, 2010, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made

with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by March 8, 2010. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

**Applications of the following for approval of the additional right and privilege of operating motor vehicles as common carriers for transportation of persons as described under each application.**

**Corrected A-2010-2152783. Paul's Cab Service, Inc.** (735 Market Street, Sunbury, Northumberland County, PA 17801)—a corporation of the Commonwealth, persons, in paratransit service, for the Department of Public Welfare's Careerlink clients and patients of Evangelical Community Hospital, between points, and within a 10 air mile radius of the Boroughs of Lewisburg, Milton, West Milton, Watsonstown, Mifflinburg, Montandon and Turbotville.

**A-2010-2155546. Paul's Cab Service, Inc.** (735 Market Street, Sunbury, Northumberland County, PA 17801)—a corporation of the Commonwealth, Temporary Authority to transport persons, in paratransit service, for the Department of Public Welfare's Careerlink clients and patients of Evangelical Community Hospital, between points, and within a 10 air mile radius of the Boroughs of Lewisburg, Milton, West Milton, Watsonstown, Mifflinburg, Montandon and Turbotville.

**Application of the following for approval to begin operating as contract carriers for transportation of persons as described under the application.**

**A-2010-2156183. Welcome Ambulance, Inc.** (1631 Loretta Avenue, Unit 3, Feasterville, Bucks County, PA 19053)—a corporation of the Commonwealth—to begin to transport, as a contract carrier, by motor vehicle, persons for Access2Care, LLC, from points in the City and County of Philadelphia, to points in Pennsylvania, and return.

**Applications of the following for the approval of the right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under each application.**

**A-2010-2154941. S & S Transit, Inc.** (2500 Clyde Avenue, North Versailles, Allegheny County, PA 15137), a corporation of the Commonwealth, for the discontinuance of service and cancellation of its Certificate of Public Convenience as a common carrier, by motor vehicle, authorizing the transportation of persons in paratransit service at:

**A-00103670, F.3:** (1) between points in the Townships of Saint Clair, Fairfield, Ligonier, Cook and Donegal, and the Boroughs of Ligonier and Donegal, all in Westmoreland County; and (2) between points in the Township of North Huntingdon and the Boroughs of North Irwin and Irwin, all in Westmoreland County, subject to the following condition: (1) That no right, power or privilege is granted to transport train crews for Consolidated Rail Corporation; and (2) That the applicant shall comply with all rules and regulations as set forth in 52 Pa. Code §§ 29.353 and 29.354;

**A-00103670, F.3-Am-A:** from points in the Boroughs of Export, Murrysville, and that portion of Trafford, located in the County of Westmoreland, to points in the Counties of Westmoreland and Allegheny, and return, subject to the following condition: That no right, power or privilege is granted to provide service to or from the Greater Pittsburgh International Airport;

**A-00103670, F.3-Am-B:** from points in the Township of Penn, the Borough of Delmont and points within an airline distance of 1 statute mile of the limits of the Borough of Delmont, Westmoreland County, to points in the Counties of Westmoreland and Allegheny, and return, subject to the following conditions: (1) That no right, power or privilege is granted to provide service from points within an airline distance of 4 statute miles of the Borough of Manor, Westmoreland County, to points within an airline distance of 20 statute miles of the limits of the Borough of Manor, Westmoreland County; (2) That no right, power or privilege is granted to provide service to, from or between points within an airline distance of 3 statute miles of the limits of the city of Jeannette, Westmoreland County; (3) That no right, power or privilege is granted to render transportation to or from the Greater Pittsburgh International Airport; (4) That no right, power or privilege is granted to provide service between points in the Borough of Delmont and that part of the Township of Salem within an airline distance of 1 statute mile of the limits of the Borough of Delmont; and (5) That no right, power or privilege is granted to provide service from points in the Borough of Delmont and that part of the Township of Salem within an airline distance of 1 statute mile of the limits of the Borough of Delmont to points in the City of Jeannette, the Borough of Penn, points within an airline distance of 5 statute miles of the limits of the City of Jeannette, the Borough of Adamsburg, the Borough of Sutersville and the Township of Sewickley, or return.

**A-00103670, F.3-Am-D:** from points in the County of Allegheny, to other points in Pennsylvania, and return.

JAMES J. McNULTY,  
Secretary

[Pa.B. Doc. No. 10-342. Filed for public inspection February 19, 2010, 9:00 a.m.]

## Telecommunications

**A-2010-2157078. Verizon North, Inc. and BCN Telecom, Inc.** Joint petition of Verizon North, Inc. and BCN Telecom, Inc. for approval of an interconnection agreement and amendment No. 1 to the interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon North, Inc. and BCN Telecom, Inc., by its counsel, filed on February 5, 2010, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement and amendment No. 1 to the interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg,

PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon North, Inc. and BCN Telecom, Inc. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. McNULTY,  
*Secretary*

[Pa.B. Doc. No. 10-343. Filed for public inspection February 19, 2010, 9:00 a.m.]

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### Telecommunications

**A-2010-2156190. Verizon North, Inc. and Granite Telecommunications, LLC.** Joint petition of Verizon North, Inc. and Granite Telecommunications, LLC for approval of amendment No. 2 to the interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon North, Inc. and Granite Telecommunications, LLC, by its counsel, filed on February 3, 2010, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of amendment No. 2 to the interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon North, Inc. and Granite Telecommunications, LLC joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. McNULTY,  
*Secretary*

[Pa.B. Doc. No. 10-344. Filed for public inspection February 19, 2010, 9:00 a.m.]

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### Telecommunications

**A-2010-2157086. Verizon Pennsylvania, Inc. and BCN Telecom, Inc.** Joint petition of Verizon Pennsylvania, Inc. and BCN Telecom, Inc. for approval of amendment No. 1 to the interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania, Inc. and BCN Telecom, Inc., by its counsel, filed on February 5, 2010, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of amendment No. 1 to the interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon Pennsylvania, Inc. and BCN Telecom, Inc. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. McNULTY,  
*Secretary*

[Pa.B. Doc. No. 10-345. Filed for public inspection February 19, 2010, 9:00 a.m.]

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### Telecommunications

**A-2010-2156176. Verizon Pennsylvania, Inc. and Granite Telecommunications, LLC.** Joint petition of Verizon Pennsylvania, Inc. and Granite Telecommunications, LLC for approval of amendment No. 1 to the interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania, Inc. and Granite Telecommunications, LLC, by its counsel, filed on February 3, 2010, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of amendment No. 1 to the interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon Pennsylvania, Inc. and Granite Telecommunications, LLC joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. McNULTY,  
*Secretary*

[Pa.B. Doc. No. 10-346. Filed for public inspection February 19, 2010, 9:00 a.m.]

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### Telecommunications

**A-2010-2157061. Windstream Pennsylvania, LLC and Access Point, Inc.** Joint petition of Windstream Pennsylvania, LLC and Access Point, Inc. for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Windstream Pennsylvania, LLC and Access Point, Inc., by its counsel, filed on February 5, 2010, at the Pennsylvania Public Utility Commission (Commission), a joint

petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Winstream Pennsylvania, LLC and Access Point, Inc. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. McNULTY,  
Secretary

[Pa.B. Doc. No. 10-347. Filed for public inspection February 19, 2010, 9:00 a.m.]

### Tentative Order

*Implementation of the Alternative Energy Portfolio Standards Act of 2004: Standards for the Participation of Demand Side Management Resources—Technical Reference Manual Update; Doc. No. M-00051865*

The Pennsylvania Public Utility Commission (Commission) seeks comments on the proposed 2010 update to the Technical Reference Manual. In implementing the Alternative Energy Portfolio Standards Act, 73 P.S. §§ 1648.1–1648.8, this Commission had previously adopted an *Energy-Efficiency and DSM Rules for Pennsylvania's Alternative Energy Portfolio Standard, Technical Reference Manual (TRM)*, entered October 3, 2005. In adopting the original version of the TRM, this Commission directed the Bureau of Conservation, Economics and Energy Planning (CEEP) to oversee the implementation, maintenance and periodic updating of the TRM.

Additionally, in the Energy Efficiency and Conservation Program Implementation Order, entered on January 16, 2009 at Docket No. M-2008-2069887, this Commission adopted the TRM as a component of the Energy Efficiency and Conservation Program evaluation process. Soon thereafter, Commission staff initiated a collaborative process to update the TRM that culminated with the adoption of the 2009 version of the TRM, on June 1, 2009.

The Commission, in adopting the 2009 version of the TRM, directed CEEP to update the TRM on an annual basis. In furtherance of this direction, the Commission, on January 28, 2010, adopted a Tentative Order issuing a proposed 2010 version of the TRM for comment. The proposed 2010 TRM update is contained in the Annex to the Tentative Order that can be found on the Commission's web site at <http://www.puc.state.pa.us/pcdocs/1067104.docx>. Interested parties have 20 days from the date of the publication of this notice to file written

comments and 15 days thereafter to file written reply comments referencing Doc. No. M-00051865 with the Secretary of the Commission.

JAMES J. McNULTY,  
Secretary

[Pa.B. Doc. No. 10-348. Filed for public inspection February 19, 2010, 9:00 a.m.]

## PORT OF PITTSBURGH COMMISSION

### Independent Auditor's Report

Board of Directors  
Port of Pittsburgh Commission:

We have audited the statement of net assets of Port of Pittsburgh Commission (Commission), a component unit of the Commonwealth of Pennsylvania, as of June 30, 2009, and the related statement of activities for the year then ended (not presented herein). These financial statements are the responsibility of the Commission's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

The condensed statement of net assets as of June 30, 2009, and the related condensed statement of activities for the year then ended, presented as follows, are presented as a summary and, therefore, do not include all of the information required by accounting principles generally accepted in the United States of America.

In our opinion, because of the significance of the omission of the information referred to in the preceding paragraph, the condensed financial statements referred to above do not present fairly, in conformity with accounting principles generally accepted in the United States of America, the financial position of the Port of Pittsburgh Commission as of June 30, 2009, or the results of its operations for the year then ended.

Parente Beard, LLC

Pittsburgh, Pennsylvania  
January 19, 2010

**PORT OF PITTSBURGH COMMISSION  
CONDENSED STATEMENT OF NET ASSETS  
JUNE 30, 2009**

**Assets:**

Cash and investments	\$4,650,939
Capital assets, net of accumulated depreciation/amortization	1,318,839
Other assets	<u>200,680</u>
<b>Total Assets</b>	<b><u>\$6,170,458</u></b>

**Liabilities and Net Assets:**

Liabilities	
Net assets:	
Restricted for economic development	4,767,372
Invested in capital assets, net of related debt	<u>(706,091)</u>
<b>Total Liabilities and Net Assets</b>	<b><u>\$6,170,458</u></b>

**PORT OF PITTSBURGH COMMISSION  
CONDENSED STATEMENT OF ACTIVITIES  
FOR THE YEAR ENDED JUNE 30, 2009**

<b>Functions:</b>	<u>Expenses</u>	<u>Charges for Services</u>	<u>Program Revenues Operating Grants and Contributions</u>	<u>Net Revenue/ (Expense) and Change in Net Assets Governmental Activities</u>
Government Activities,				
Port development	<u>\$1,059,377</u>	<u>\$67,802</u>	<u>\$1,351,460</u>	\$ 359,885
General Revenues				60,401
Change in Net Assets				420,286
Net Assets, Beginning of Year				3,640,995
Net Assets, End of Year				<u>\$4,061,281</u>

JAMES R. McCARVILLE,  
*Executive Director*

[Pa.B. Doc. No. 10-349. Filed for public inspection February 19, 2010, 9:00 a.m.]

## STATE BOARD OF NURSING

**Bureau of Professional and Occupational Affairs v.  
Julie Cook Stilts, RN; Doc. No. 2152-51-08**

On January 21, 2010, Julie Cook Stilts, license no. RN318073L, of Cranberry Township, Butler County, had her nursing license suspended for at least 3 years retroactive to December 4, 2008, based on findings that she violated the terms of her Voluntary Recovery Program Consent Agreement.

Individuals may obtain a copy of the adjudication by writing to Roberta L. Silver, Board Counsel, State Board of Nursing, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represents the State Board of Nursing's (Board) final decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court, must serve the Board with a copy of their petition for review. The Board contact for receiving service of the appeals is the previously-named Board Counsel.

ANN L. O'SULLIVAN, Ph.D., FANN, CRNP,  
*Chairperson*

[Pa.B. Doc. No. 10-350. Filed for public inspection February 19, 2010, 9:00 a.m.]



