

NOTICES

DELAWARE RIVER BASIN COMMISSION

Commission Meeting and Public Hearing

The Delaware River Basin Commission (Commission) will hold an informal conference followed by a public hearing on Wednesday, August 28, 2002. The hearing will be part of the Commission's regular business meeting. Both the conference session and business meeting are open to the public and will be held at the Commission offices at 25 State Police Drive, West Trenton, NJ.

The conference will begin at 9:30 a.m. Topics of discussion include: a presentation on the performance of Commission investments through Valley Forge Private Asset Management and Mellon Asset Management; a report on the status of the campaign to restore Federal funding in the Federal fiscal year 2003 budget and the implications for the Commission's budget; an update on the Comprehensive Plan; a report on the PCB Expert Panel Meeting of August 21 and the TAC-Expert Panel Meeting of August 22; a presentation by the Marasco Newton Group on its Convening Report for the TMDL Implementation Advisory Committee; a presentation of the New York City Department of Environmental Protection on the Draft New York City Filtration Avoidance Determination for the Catskill-Delaware Water Supply System; and, time permitting, a preview of the 305(b) (water quality) report on the Main Stem and Delaware Bay.

The subjects of the public hearing to be held during the 1 p.m. business meeting include, in addition to the dockets listed below: a resolution to revise Doc. D-96-50 CP, issued to United Water Delaware, by the addition of a new condition "m," and a resolution amending the Comprehensive Plan and Water Code relating to the operation of Lake Wallenpaupack during drought, drought warning and drought watch conditions. The Commission meeting and public hearing notice posted on the Commission's web site, <http://www.drbc.net>, contains a link to the text of the proposed Lake Wallenpaupack resolution.

The dockets scheduled for public hearing are as follows:

1. Holdover Project: Bidermann Golf Club D-2002-13. A ground water withdrawal project to supply up to 0.864 million gallons (mg)/30 days of water to the applicant's golf course from new Well No. 5 in the Wissahickon Formation and to increase the existing withdrawal from all sources to 15.8 mg/30 days. The project is located in the Brandywine Creek Watershed in the City of Wilmington, New Castle County, Delaware.

2. Mount Laurel Township Municipal Authority D-85-9 CP RENEWAL. Renewal of a ground water withdrawal project to continue withdrawal of 120 mg/30 days to supply the applicant's public water distribution system from existing Wells Nos. 3, 4, 6 and 7 in the Lower Potomac-Raritan-Magothy Formation. The project is located in Mount Laurel Township, Burlington County, New Jersey.

3. Coastal Eagle Point Oil Company and Eagle Point Cogeneration Partnership D-86-15 RENEWAL 2. Renewal of a ground water withdrawal project to continue withdrawal of 232 mg/30 days to supply the applicant's industrial processes from existing Production Wells Nos. 1, 3, 4A, 5 and 6A and Recovery Wells in the Raritan-

Magothy Formation. The project is located in West Deptford Township, Gloucester County, New Jersey.

4. Kimble Glass, Inc. D-99-23. A ground water withdrawal project to supply up to 50 mg/30 days of water to the applicant's glass manufacturing facility from Wells Nos. 5, 6 and 7 in the Cohansey Aquifer. The project is located in Vineland City, Cumberland County, New Jersey.

5. Artesian Water Company, Inc. D-2000-47 CP. A ground water withdrawal project to supply up to 8.0 mg/30 days of water to the applicant's public water distribution system from new Well No. 1 in the Cheswold Aquifer and new Well No. 2 in the Frederica Aquifer and to limit the withdrawal from all wells to 8.0 mg/30 days. The project is located in the St. Jones River Watershed near the City of Magnolia, Kent County, Delaware.

6. Artesian Water Company, Inc. D-2001-25 CP. A ground water withdrawal project to supply up to 19.44 mg/30 days of water to the applicant's public water supply system from new Wells Nos. 1 and 2 in the Rancocas Formation and to limit the existing withdrawal from all wells to 19.44 mg/30 days. The project is located in the Smyrna River Watershed outside of Smyrna City, Kent County, Delaware.

7. The Upper Hanover Authority D-2002-10 CP. A ground water withdrawal project to supply up to 9.72 mg/30 days of water to the applicant's public water distribution system from new Well No. TUHA-4 in the Brunswick Formation and to increase the existing withdrawal from all wells from 22.4 to 32.12 mg/30 days. The project is located in the Perkiomen Creek Watershed in Upper Hanover Township, Montgomery County, in the Southeastern Pennsylvania Ground Water Protected Area.

8. Upper Makefield Township D-2002-17 CP. An upgrade and expansion of a 0.1 million gallons per day (mgd) secondary sewage treatment plant (STP) to provide tertiary treatment of 0.173 mgd. The STP will continue to serve only Upper Makefield Township, Bucks County, Pennsylvania, but a proposed development known as The Arbours at Washington Crossing will be connected. Up to 122,544 gallons per day of STP effluent will be discharged to 18 detention/recharge basins and ponds at the proposed development, which is located on a 72 acre tract at the intersection of Taylorsville and Washington Crossing Roads. The remaining STP effluent will be discharged to the Delaware River in Water Quality Zone 1E through the existing outfall. The STP is located west of Taylorsville Road, approximately .5 mile northwest of its intersection with State Route 532.

9. Delaware Racing Association D-2002-19. An increase in a surface water withdrawal from White Clay Creek in the Christina River Watershed, from 0.4 mgd to 2.45 mgd. The proposed increase is needed to irrigate a new adjacent golf course, to be owned and operated by Parkside III, LLC. In order to meet existing bypass streamflow requirements of 40.3 cfs (26.4 mgd), two large storage ponds will be provided to contain water skimmed during higher streamflow conditions. During prolonged dry weather periods when the applicant is not permitted to withdraw surface water, pond storage supply may be supplemented under an agreement with a local water purveyor. The proposed total maximum 30 day surface

water withdrawal is 22.6 mg, and the maximum annual withdrawal is expected to be 71 mg for irrigation, plus 35 mg for pond storage. The project is located 1 mile west of the intersection of State Route 7 and the Amtrak rail lines in New Castle County, Delaware.

10. Morgan Hill Golf Club D-2002-24. A ground water withdrawal project to supply up to 6.8mg/30 days of water to the applicant's golf course from new Well No. IW-1 in the Leithsville Dolomite Formation. The project is located in the Delaware River Watershed in Williams Township, Northampton County, Pennsylvania.

11. Village of Andes D-2002-25 CP. Construction of an STP to replace individual septic systems serving the Village of Andes residents in the Town of Andes, Delaware County, New York. The proposed 0.062 mgd STP is designed to provide tertiary treatment via sequencing batch reactor and microfiltration processes. STP effluent will be discharged to Tremper Kill, a tributary of the East Branch Delaware River upstream of the Pepacton Reservoir, within the drainage area to the Commission's Special Protection Waters. The STP will be constructed between Cabin Hill and Tremper Kill Roads, just within the village border.

12. Moyer Packing Company D-2002-26. A ground water withdrawal project to supply up to 8.29 mg/30 days of water to the applicant's beef processing facility from new Wells Nos. PW-9 and PW-10 in the Brunswick Formation, and to increase the existing withdrawal from all wells to 24.0 mg/30 days. The project is located in the Skippack Creek Watershed in Franconia Township, Montgomery County, in the southeastern Pennsylvania Ground Water Protected Area.

In addition to the public hearing items, the Commission will address the following at its 1 p.m. business meeting: Minutes of the July 17, 2002, business meeting; announcements; a report on Basin hydrologic conditions; a report by the Executive Director; a report by the Commission's General Counsel, including consideration of a timely request by Exelon Business Services Company (formerly PECO) for a hearing under Article 6 of the Commission's Rules of Practice and Procedure; a resolution extending the drought emergency declared by Resolution No. 2001-32; a resolution authorizing the Executive Director to execute an agreement with the State of New Jersey, through its Marine Sciences Consortium, to receive and expend funds not to exceed \$5,000 for sampling in the Delaware Bay, Delaware Estuary and tributaries for the "Coastal 2001-2005" Project; and a resolution authorizing the Executive Director to execute an agreement with the State of New Jersey for a Section 319H Non-Point Source Pollution Control and Management Implementation Program Grant in the amount of \$73,000 to provide fluvial geomorphology technical assistance for stream assessment and restoration. The meeting will end with an opportunity for public dialogue.

Documents relating to the dockets and other items may be examined at the Commission's offices. Preliminary dockets are available in single copies upon request. Please contact Thomas L. Brand at (609) 883-9500 ext. 221 with any docket related questions. Persons wishing to testify at this hearing are requested to register in advance with the Commission Secretary at (609) 883-9500 ext. 203.

Individuals in need of an accommodation as provided for in the Americans With Disabilities Act who wish to attend the hearing should contact the Commission Secretary directly at (609) 883-9500 ext. 203 or through the New Jersey Relay Service at (800) 852-7899 (TTY) to discuss how the Commission may accommodate their needs.

PAMELA M. BUSH,
Secretary

[Pa.B. Doc. No. 02-1481. Filed for public inspection August 23, 2002, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS

NPDES APPLICATIONS

PART I PERMITS

Under the Federal Clean Water Act and The Clean Streams Law, the following parties have applied for an NPDES permit or to renew their current permit to discharge controlled wastewaters into the waters of this Commonwealth or to conduct other activities required by the NPDES permit. For renewal applications listed 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 all new permit applications, renewal application with major changes or applications for permits not waived by the EPA, the Department, based upon preliminary reviews, also made a tentative determination of proposed effluent limitations and other terms and conditions for the permit applications listed in Section II. These determinations are published as proposed actions for comments prior to taking final actions.

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

Persons wishing to comment on the proposed permit are invited to submit a statement, to the office noted before the application within 30 days from the date of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding this application. The 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. A public hearing may be held if the responsible office considers the public response significant. Following the comment period, the Department's Water Management Program Manager will make a final determination regarding these applications. 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 renewal application, including proposed effluent limitations and special conditions, is available on file. For new permit applications, information submitted with the applications is available on file. The information may be inspected and arrangements made for copying at the office indicated before the application.

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

I. NPDES Renewal Applications

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N ?
PA0085103	Dorma Door Controls, Inc. Dorma Drive Reamstown, PA 17567	Lancaster County East Cocalico Township	UNT Stony Run 7J	Y
PA0082198	Peters Township Board of Supervisors P. O. Box 88 Lemasters, PA 17231	Franklin County Peters Township	UNT to Conococheague Creek 13C	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N ?
PA0115231 Sewerage Public	Woodland Bigler Area Authority P. O. Box 27 Woodland, PA 16881	Clearfield County Bradford Township	Roaring Run 8C	Y
PA0040835 IW	Fish and Boat Commission 1150 Spring Creek Road Bellefonte, PA 16823-8458	Centre County Benner Township	Spring Creek 9C	Y

Southeast Regional: Regional Manager, Water Management, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428, (610) 832-6130.

PA0052035, Sewage, Upper Makefield Township, 1076 Eagle Road, Newtown, PA 18940. This application is for renewal/amendment of an NPDES permit to discharge 172,544 GPD of treated sewage from Heritage Hills Wastewater Treatment Plant in Upper Makefield Township, **Bucks County**.

This is an existing discharge to the Delaware River. The applicant is requesting to directly stream discharge 50,000 GPD and discharge the remaining 122,544 GPD to various recharge areas within the proposed Arbours at Washington Crossing Subdivision.

The receiving stream is classified for the following uses: WWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 (MP101, effluent pump station to Delaware River) based on an average flow of 100,000 GPD are as follows. The limits are effective during the period from permit issuance through completion of plant upgrade. The limits are based on direct discharge to the Delaware River.

Parameter	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
Total Residual Chlorine	0.5		1.2
Fecal Coliform	200 colonies/100 ml as a geometric average		
pH	Within limits of 6.0—9.0 Standard Units at all times		

The proposed effluent limits for Outfall 001 (MP 101, effluent pump station to Delaware River) upon completion of plant upgrade lasting through expiration, based on an average flow of 50,000 GPD are as follows. These limits are based on direct discharge of effluent into the Delaware River. In case of an emergency, when the effluent cannot be discharged through MP102, the maximum flow can be discharged from Outfall 001 shall be 172,544 GPD.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Total Suspended Solids	3.0	45	60
Total Residual Chlorine	0.5		1.0
Fecal Coliform	200 colonies/100 ml as a geometric average		
Dissolved Oxygen	minimum of 3.0 mg/l at all times		
pH	Within limits of 6.0—9.0 Standard Units at all times		

The proposed effluent limits for MP102 (recharge area pump station) effective, upon plant upgrade lasting through expiration, based on an average daily flow of 122,544 GPD are as follows:

The effluent from this monitoring point will be disposed of at various recharge areas within the Arbours at Washington Crossing. The Arbours at Washington Crossing site will consist of 17 detention basins and ponds. Overflow (if any) from these basins/ponds will be discharged either into Hough's Run or into Pennsylvania Canal, which ultimately drains into Delaware River.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	10	15	20
Total Suspended Solids	10	15	20
Ammonia (as N)	3.0		6.0
Total Residual Chlorine	0.23		0.45
Fecal Coliform	200 colonies/100 ml as a geometric average		
Dissolved Oxygen	minimum of 5.0 mg/l at all times		
pH	Within limits of 6.0—9.0 Standard Units at all times		

Other Conditions: conditions for future permit modification; effective disinfection; 85% reduction of BOD₅ per Delaware River Basin Commission requirements; Re 30 (GJE02) 094-10D.

The EPA Waiver is in effect.

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

PA0210358, Sewage, **Robert and Patricia Gabreski**, 410 Quaker Hill Road, Warren, PA 16365. This existing facility is located in Glade Township, **Warren County**.

Description of Proposed Activity: a renewal of a permit for an existing discharge of treated sewage.

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply (stream and public water supplier) considered during the evaluation is the Allegheny River and is used by the Emlenton Water Company at River Mile 90.0, 101 miles below point of discharge.

The receiving stream, unnamed tributary (Quaker Run) to Conewango Creek, is in Watershed 16-B and classified for: CWF, aquatic life, water supply and recreation.

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

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow		Monitor and Report	
CBOD ₅	25		50
Total Suspended Solids	30		60
Fecal Coliform (all year)	200/100 ml as a geometric average		
Total Residual Chlorine	1.4		3.3
pH	6.0 to 9.0 standard units at all times		

The EPA Waiver is in effect.

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

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

PA0062529, Industrial, **Schuylkill County Municipal Authority**, 221 South Centre Street, P. O. Box 960, Pottsville, PA 17901. This proposed facility is located in Blythe Township, **Schuylkill County**.

Description of Proposed Activity: Renewal of NPDES Permit.

The receiving stream, Wolf Center, is in the State Water Plan Watershed #3A and is classified for: CWF. The nearest downstream public water supply intake for Pottstown Borough Water Authority is located on Schuylkill River, over 50 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.164 MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>
Total Suspended Solids			30.0	60.0
Total Aluminum	1.30	2.60	0.95	1.90
Total Iron			2.0	4.0
Total Manganese			1.0	2.0
Total Copper	0.07	0.14	0.05	0.10
Total Lead	0.015	0.03	0.011	0.022
Total Zinc	0.045	0.09	0.032	0.064
Total Residual Chlorine			0.5	
pH			6—9 Standard Units	
Chloroform			Monitor/Report	

PA0062197, Industrial, **Schuylkill County Municipal Authority**, 221 South Centre Street, P. O. Box 960, Pottsville, PA 17901. This proposed facility is located in New Castle Township, **Schuylkill County**.

Description of Proposed Activity: Renewal of NPDES Permit.

The receiving stream, Mud Run, is in the State Water Plan Watershed #3A and is classified for: CWF. The nearest downstream public water supply intake for Pottstown Borough Water Authority is located on Schuylkill River, over 50 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.03 MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>
Total Suspended Solids			30.0	60.0
Total Aluminum	0.85	1.70	3.4	6.8
Total Iron			2.0	4.0
Total Manganese			1.0	2.0
Total Residual Chlorine			0.5	
pH			6—9 Standard Units	
Chloroform	0.002	0.004	0.009	0.018

PA0063258, Industrial, **Mahanoy Township Authority**, 46 North Main Street, Mahanoy City, PA 17948-2659. This proposed facility is located in Mahanoy Township, **Schuylkill County**.

Description of Proposed Activity: Renewal of NPDES permit.

The receiving stream, unnamed tributary to North Mahanoy Creek, is in the State Water Plan Watershed #6B and is classified for: CWF.

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

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>
Total Suspended Solids			30	60
pH			6—9 Standard Units	
Total Aluminum			2.0	4.0
Total Iron			2.0	4.0
Total Manganese			1.0	2.0
Total Residual Chlorine			0.5	

PA0062758, Industrial, **Municipal Authority of Borough of Shenandoah**, P. O. Box 110, Shenandoah, PA 17976. This proposed facility is located in West Mahanoy Township, **Schuylkill County**.

Description of Proposed Activity: renew an NPDES permit.

The receiving stream, Lost Creek, is in the State Water Plan Watershed #6C and is classified for: CWF.

The proposed effluent limits for Outfall 001 based on a design flow of 0.128.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Parameter</i>	<i>Average Monthly</i>
Total Suspended Solids			30.0	60.0
Total Aluminum			4.0	8.0
Total Iron			2.0	4.0
Total Manganese			1.0	2.0

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Parameter</i>	<i>Average Monthly</i>
Total Residual Chlorine			0.5	
pH			6-9 Standard Units	

PA0011517, Industrial, **Keystone Cement Company**, P. O. Box A, Route 329, Bath, PA 18014-0058. This proposed facility is located in East Allen Township, **Northampton County**.

Description of Proposed Activity: Renewal of Industrial Waste NPDES Permit.

The receiving stream, Monocacy, is in the State Water Plan Watershed #2C and is classified for: HQ-CWF. The nearest downstream public water supply intake for Keystone Water Company is located on Delaware River, over 50 miles below the point of discharge.

The proposed effluent limits for Outfall 003 based on a design flow of 0.256 MGD are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Suspended Solids	30	60	75
Temperature	110°F		
pH	Within limits of 6.0—9.0 Standard Units at all times.		

The proposed effluent limits for Stormwater Outfall 004 are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅			Monitor/Report
COD			Monitor/Report
Oil and Grease			Monitor/Report
pH	Within limits of 6.0—9.0 Standard Units at all times.		
Total Suspended Solids			50
Total Kjeldahl Nitrogen			Monitor/Report
Total Phosphorus			Monitor/Report
Iron (Dissolved)			Monitor/Report

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

Application No. PA0246379, CAFO, **White Oak Mills, Inc. (Blue Mountain Finishing Farm)**, 419 West High Street, Elizabethtown, PA 17022-2189. White Oak Mills, Inc. has submitted an application for an Individual NPDES permit for an existing CAFO known as Blue Mountain Finishing Farm, 10391 Otterbein Church Road, Lurgan Township, **Franklin County**.

The CAFO is situated near an unnamed tributary of Clippingers Run in Watershed 7-B, which is classified for WWF. The CAFO is designed to maintain an animal population of approximately 554 AEU's consisting of 4,600 finishing swine. The animals are housed in four swine barns. Manure drains into a two-stage HDPE-lined manure storage facility. The total capacity of the manure storage facilities is 4.11 million gallons for the first stage and 3.79 million gallons for the second stage.

The Department has conducted administrative and technical reviews of the application. Based on the preliminary review and application of lawful standards and regulations, the Department has made a tentative determination to issue an NPDES permit for the operation subject to the terms and conditions and monitoring and reporting requirements specified in the permit.

The permit application and draft permit are on file at the Southcentral Regional Office of the Department. Individuals may make an appointment to review the files by calling the File Review Coordinator at (717) 705-4732.

Persons wishing to comment on the proposed permit are invited to submit written comments to the previous address within 30 days from the date of this public notice. Comments received within this 30-day period will be considered in formulating the Department's final determination regarding the application. Comments should include the name, address and telephone number of the writer and a concise statement to inform the Department of the basis of the comment and the relevant facts upon which it is based.

Following the 30-day comment period, the Water Management Program Manager will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time the determination may be appealed to the Environmental Hearing Board.

The EPA permit waiver provision under 40 CFR 123.24(e) does not apply to this NPDES permit.

Application No. PA0246701, CAFO, **Norman J. and Mark J. Sollenberger (Sollenberger Brothers)**, 820 Salemsville Road, New Enterprise, PA 16664. Norman J. and Mark J. Sollenberger have submitted an application for an Individual NPDES permit for an existing CAFO known as Sollenberger Brothers in South Woodbury Township, **Bedford County**.

The CAFO is situated near Beaver Creek in Watershed 11-D, which is classified for HQ-CWF. The CAFO is designed to maintain an animal population of approximately 730 AEU's consisting of 275 sows, 25 gilts, 20 boars, 780 nursery pigs, 2,250 finishing pigs, 240 adult Jersey cows, 30 Jersey heifers and 90 Jersey calves. The

animals will be housed in a cow and heifer barn and two hog barns. Semisolid manure from the dairy operation is spread daily. When conditions do not allow spreading, the manure is stacked temporarily on a noncropped area. Liquid manure and milk house waste is applied to a filter grass strip.

Manure from the hog operation is conveyed by gravity to a concrete lagoon and an HDPE lined lagoon. The total capacity of the manure storage facilities for the hog operation is 1,162,500 gallons. There is no manure storage for the dairy operation. A release or discharge to waters of this Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

The Department has conducted administrative and technical reviews of the application. Based on the preliminary review and application of lawful standards and regulations, the Department has made a tentative determination to issue an NPDES permit for the operation subject to the terms and conditions and monitoring and reporting requirements specified in the permit.

The permit application and draft permit are on file at the Southcentral Regional Office of the Department. Individuals may make an appointment to review the files by calling the File Review Coordinator at (717) 705-4732.

Persons wishing to comment on the proposed permit are invited to submit written comments to the previous address within 30 days from the date of this public notice. Comments received within this 30-day period will be considered in formulating the Department's final determination regarding the application. Comments should include the name, address and telephone number of the

writer and a concise statement to inform the Department of the basis of the comment and the relevant facts upon which it is based.

Following the 30-day comment period, the Water Management Program Manager will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time the determination may be appealed to the Environmental Hearing Board.

The EPA permit waiver provision under 40 CFR 123.24(e) does not apply to this NPDES permit.

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

NPDES PA0027057, Sewage, 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 Activity: Renewal of Major NPDES Permit for the Williamsport Sanitary Authority Central Plant.

The receiving stream, West Branch Susquehanna River, is in the State Water Plan Watershed #10B and is classified for: WWF. The nearest downstream public water supply intake, for the Pennsylvania-American Water Company at Milton, is located on the West Branch Susquehanna River, 29 river miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on an Annual Average Design Flow of 8.4 MGD:

<i>Discharge Parameter</i>	<i>Monthly Average (mg/L)</i>	<i>Weekly Average (mg/L)</i>	<i>Daily Maximum (mg/L)</i>	<i>Instantaneous Maximum (mg/L)</i>
CBOD ₅	25	40		50
Total Suspended Solids	30	45		60
Total Chlorine Residual	0.52		0.90	1.7
Free Cyanide	0.035		0.054	0.088
Fecal Coliforms (5-1 to 9-30) (10-1 to 4-30)				
pH				

200 col/100 mL as a Geometric Mean
2,000 col/100 mL as a Geometric Mean
Within the range of 6.0 to 9.0

Combined Sewer Overflow Outfalls: 002—004.

- Monitor and Report
- Continue Implementing CSO Strategy

In addition to the effluent limits, the permit contains the following major special conditions: operation/implementation of pretreatment program; toxics reduction evaluation; management and controls of combined sewers overflows.

NPDES PA0027049, Sewage, 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 Activity: Renewal of Major NPDES Permit for the Williamsport Sanitary Authority West Plant.

The receiving stream, West Branch Susquehanna River, is in the State Water Plan Watershed #10A and is classified for: WWF. The nearest downstream public water supply intake, for the Pennsylvania-American Water Company at Milton, is located on the West Branch Susquehanna River, 32 river miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on an annual average design flow of 3.92 MGD:

<i>Discharge Parameter</i>	<i>Monthly Average (mg/L)</i>	<i>Weekly Average (mg/L)</i>	<i>Daily Maximum (mg/L)</i>	<i>Instantaneous Maximum (mg/L)</i>
CBOD ₅	43	65		86
Total Suspended Solids	41	62		82
Total Chlorine Residual	1.35		2.33	4.41

<i>Discharge Parameter</i>	<i>Monthly Average (mg/L)</i>	<i>Weekly Average (mg/L)</i>	<i>Daily Maximum (mg/L)</i>	<i>Instantaneous Maximum (mg/L)</i>
Bromoform	0.684		1.368	1.710
Chlorodibromomethane	0.065		0.130	0.163
Dichlorobromomethane	0.089		0.178	0.223
Fecal Coliforms (5-1 to 9-30)		200 col/100 mL as a Geometric Mean		
(10-1 to 4-30)		2,000 col/100 mL as a Geometric Mean		
pH		Within the range of 6.0 to 9.0		

Combined Sewer Overflow Outfall: 002

- Monitor and Report
- Continue Implementing CSO Strategy

In addition to the effluent limits, the permit contains the following major special conditions: operation/implementation of pretreatment program; toxics reduction evaluation; management and controls of combined sewers overflows.

NPDES PA0028665, SIC 4952, **Jersey Shore Borough**, P. O. Box 526, Jersey Shore, PA 17740. This proposed action is for renewal of a NPDES permit for an existing discharge of treated sewage to the West Branch Susquehanna River in Jersey Shore Borough, **Lycoming County**.

The receiving stream is in the Lycoming Watershed (#10-A) and is classified for the following uses: WWF, aquatic life, water supply and recreation.

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the downstream potable water supply considered during the evaluation is the Pennsylvania American Water Company, located approximately 40 miles downstream.

Outfall 001: The proposed effluent limits, based on a design flow of 1.05 MGD, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Suspended Solids	30	45	60
Total Chlorine Residual	1.5		3.5
Free Chlorine Residual	Monitor		Monitor
Fecal Coliform			
5-1 to 9-30	200/100 ml as a geometric average		
10-1 to 4-30	2,000/100 ml as a geometric average		
pH	6.0—9.0 Standard Units at all times		

Other Conditions: Biomonitoring requirements.

The EPA waiver is not in effect.

NPDES PA0228575, Industrial Waste SIC, 4941, **Pennsylvania-American Water Company**, 105 Sodom Road, Milton, PA 17847. This proposed facility is located in Rush Township, **Centre County**.

Description of Proposed Activity: This proposed action is for issuance of an NPDES permit for a proposed discharge of groundwater for stream augmentation.

The receiving stream, unnamed tributary of Trout Run (Minnie Run), is in the State Water Plan Watershed 8D and classified for: CWF. The nearest downstream public water supply intake for Pennsylvania-American Water Company is located on West Branch Susquehanna River, 180 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.325 MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
pH			Within the range of 6.0 to 9.0		
Turbidity				Report	
Temperature °F				Report	

NPDES PA0228583, Industrial Waste SIC, 4941, **Pennsylvania-American Water Company**, 105 Sodman Road, Milton, PA 17847-9762. This proposed facility is located in Rush Township, **Centre County**.

Description of Proposed Activity: This proposed action is for issuance of an NPDES permit for a proposed discharge of supply well water for stream augmentation.

The receiving stream, Trout Run, is in the State Water Plan Watershed 8D and classified for: CWF. The nearest downstream public water supply intake for Pennsylvania-American Water Company is located on West Branch Susquehanna River, 180 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.36 MGD.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Daily Maximum	Average Monthly	Daily Maximum	Instantaneous Maximum
pH					Within the range of 6.0 to 9.0
Turbidity				Report	
Temperature °F				Report	

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

PA0028673, Sewage, **Gallitzin Borough Sewer and Disposal Authority**, 411 Convent Street STE 10, Gallitzin, PA 16641. This application is for renewal of an NPDES permit to discharge treated sewage from Borough of Gallitzin Wastewater Treatment Plant in Gallitzin Township, **Cambria County**.

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

Outfall 001: existing discharge, design flow of 0.4 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25	38		50
Suspended Solids	30	45		60
Ammonia Nitrogen				
(5-1 to 10-31)	3.0	4.5		6.0
(11-1 to 4-30)	8.5	12.8		17.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,500/100 ml as a geometric mean			
Total Residual Chlorine	.17			.56
Chemical Additive C-496	.07	.10		.14
Dissolved Oxygen	not less than 6.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

Other Conditions: Outfalls 002—007 serve as combined sewer overflows.

The EPA waiver is in effect.

PA0028703, Sewage, **Peters Township Sanitary Authority**, 3244 Washington Road, McMurray, PA 15317-3153. This application is for renewal of an NPDES permit to discharge treated sewage from the Donaldson's Crossroads Water Pollution Control Plant in Peters Township, **Washington County**.

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

Outfall 001: existing discharge, design flow of 1.2 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25.0	37.5		50.0
Suspended Solids	30.0	45.0		60.0
Ammonia Nitrogen				
(5-1 to 10-31)	9.0	13.5		18.0
(11-1 to 4-30)	20.0	30.0		40.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine				
1st Month to 12th Month	1.0			3.3
13th Month to Expiration	0.5			1.6
Dissolved Oxygen	not less than 5 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is not in effect.

PA0090131, Sewage, **Samuel Bottone**, R. D. 1, Lot 6, Scenery Hill, PA 15360. This application is for renewal of an NPDES permit to discharge treated sewage from Beryl Acres STP in North Bethlehem Township, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as an unnamed tributary South Branch Pigeon Creek, which are classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Ellsworth Municipal Water Works.

Outfall 001: existing discharge, design flow of 0.011 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen (5-1 to 10-31)	3.8			7.6
(11-1 to 4-30)	7.6			15.2
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	4,000/100 ml as a geometric mean			
Total Residual Chlorine	.63			1.47
Dissolved Oxygen	not less than 3.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0090913, Sewage, **Independence Township Municipal Authority**, P. O. Box 156, Avella, PA 15312. This application is for renewal of an NPDES permit to discharge treated sewage from P&W Patch STP in Independence Township, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as unnamed tributary of Cross Creek, which are classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the City of Wheeling, Ohio River.

Outfall 001: existing discharge, design flow of 0.024 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen (5-1 to 10-31)	2.0			4.0
(11-1 to 4-30)	4.0			8.0
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	.08			.19
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0204854, Sewage, **Knob Vue Estates, Inc.**, 40 Metz Hill Road, Freedom, PA 15042. This application is for Renewal of an NPDES permit to discharge treated sewage from Knob Vue Estates STP in New Sewickley Township, **Beaver County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as unnamed tributary of Pine Run, which are classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the ARCO Chemical Company—BV Plant on the Ohio River.

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

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

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

The EPA waiver is in effect.

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

PA0238805, Sewage, **Northwest Savings Bank**, Bon Air Road off Highway 646, Bradford, PA 16701. This proposed facility is located in Foster Township, **McKean County**.

Description of Proposed Activity: A new Part I Permit for a new discharge of treated sewage.

For the purpose of evaluating effluent requirements for TDS, NO₂—NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply (stream and public water supplier) considered during the evaluation is the Pennsylvania/New York line on Tunungwant Creek, approximately 6 miles below point of discharge.

The receiving stream, unnamed tributary to Pennbrook Run is in Watershed 16-C and classified for: CWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 based on a design flow of 0.0008 MGD.

Parameter	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
Flow (MGD)	XX		
CBOD ₅	10		20
Total Suspended Solids	20		40
Total Residual Chlorine	1.4		3.3
Fecal Coliform	200/100 ml as a geometric average		
pH	6.0 to 9.0 standard units at all times		

XX—Monitor and Report

The EPA Waiver is in effect.

PA0238902, Sewage, **Henry T. and Charlotte G. Bayer**, R. R. 1, Box 86, New Castle, PA 16101. This proposed facility is located in Hickory Township, **Lawrence County**.

Description of Proposed Activity: a new permit for a new discharge of treated sewage.

For the purpose of evaluating effluent requirements for TDS, NO₂—NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply (stream and public water supplier) considered during the evaluation is the Municipal Authority of Township of Sewickley on Beaver River located at River Mile 7.56, approximately 22.2 miles below point of discharge.

The receiving stream, Hottenbaugh Run (UNT to Neshannock Creek), is in watershed 20-A and classified for: TSF, aquatic life, water supply and recreation.

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

Parameter	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
Flow		Monitor and Report	
CBOD ₅	10		20
Total Suspended Solids	20		40
Fecal Coliform	200/100 ml as a geometric average		
pH	6.0 to 9.0 standard units at all times		

The EPA Waiver is in effect.

WATER QUALITY MANAGEMENT PERMITS

CONTROLLED INDUSTRIAL WASTE AND SEWAGE WASTEWATER

APPLICATIONS UNDER THE CLEAN STREAMS LAW

PART II PERMITS

The following permit applications or requests for plan approval have been received by the Department of Environmental Protection (Department). The applications are listed in two categories. Section I lists all municipal and industrial permits and Section II lists oil and gas related permit applications.

Persons wishing to comment on any of the applications are invited to submit a statement to the office noted before the application within 15 days from the date of this public notice. Comments received within this 15-day comment period will be considered in making the final decision regarding the application. The 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 reserves the right to hold a public hearing 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 of the area. If no hearing is held, the Department's Water Management Program Manager will make a final determination regarding the applications after a complete review. 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.

A copy of the permit application or proposed plan is on file in the office indicated and is open to public inspection. Appointments to review the application may be made by contacting Records Management at the indicated telephone number.

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

Southeast Region: Water Management Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

WQM Permit No. 0902201, Industrial Waste, **Circle K Stores, Inc. c/o Phillips 66 Company**, 1100 Routes 1 and 9, Linden, NJ 07036. This proposed facility is located in Doylestown Borough, **Bucks County**.

Description of Proposed Action/Activity: Construction and operation for a groundwater remediation system with reinjection of effluent at site.

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

WQM Permit No. 2202404, Sewerage, **Derry Township Municipal Authority**, 670 Clearwater Road, Hershey, PA 17033-2453. This proposed facility is located in Conewago Township, **Dauphin County**.

Description of Proposed Action/Activity: Construction/operation of the Church Road Pump Station, Woodbine Road Pump Station and the Roundtop Pump Station.

WQM Permit No. 2202405, Sewerage, **Allen McCormack**, 500 North Lockwill Avenue, Harrisburg, PA 17112. This proposed facility is located in Reed Township, **Dauphin County**.

Description of Proposed Action/Activity: Construction/operation of a small flow sewage treatment system to serve apartments and business offices at East side of US Route 22/322 at North end of US Route 22/322 Clarks Ferry Bridge.

WQM Permit No. 3802401, Sewerage, **Copart Auto Auctions**, 5500 East Second Street, 2nd Floor, Benicia, CA 94510. This proposed facility is located in East Hanover Township, **Lebanon County**.

Description of Proposed Action/Activity: Construction/operation of a small flow sewage treatment system to serve the Copart Auto Auction in Grantville.

WQM Permit No. 3402202, Industrial Waste, **Valley Proteins, Inc.**, P. O. Box 3588, Winchester, VA 22604-2586. This proposed facility is located in Mifflintown Borough, **Juniata County**.

Description of Proposed Action/Activity: Authorization for to dispose of waste by land application at their Mifflintown facility.

WQM Permit No. 2902403, CAFO Operation, **Fowler Farm, Inc.**, 1359 Hanks Road, Crystal Spring, PA 15536-8609. This proposed facility is located in Brush Creek Township, **Fulton County**.

Description of Proposed Action/Activity: Modifications of existing manure storage facility to add perimeter drain system per Consent Order and Agreement.

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

WQM Permit No. 5302201, CAFO Operation, **Torr-View Farms**, 59 State Route 244, Coudersport, PA 16915. This proposed facility is located in Hebron Township, **Potter County**.

Description of Proposed Action/Activity: Application to construct and operate a concrete manure storage tank, 140 feet in diameter by 16 feet high.

WQM Permit No. 5902408, Sewerage SIC 4952, **Lee R. Kaltenbach**, R. R. 6, Box 106A, Wellsboro, PA 16901. This proposed facility is located in Delmar Township, **Tioga County**.

Description of Proposed Action/Activity: This is an application for a SFTF serving a bed and breakfast.

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

WQM Permit No 6202408, Sewerage, **William Jewell**, P. O. Box 158, Garland, PA 16416. This proposed facility is located in Pittsfield Township, **Warren County**.

Description of Proposed Action/Activity: This project is for a single residence sewage treatment plant.

WQM Permit No 2002418, Sewerage, **David W. and Melissa A. Bartholomew**, 20031 Parkwood Drive, Saegertown, PA 16433. This proposed facility is located in Hayfield Township, **Crawford County**.

Description of Proposed Action/Activity: This project is for a single residence sewage treatment plant.

II. Oil and Gas Management Permit Applications under The Clean Streams Law (35 P. S. §§ 691.1—691.1001).

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

WQM Permit No. 4202601, Industrial Waste, **Cline Oil Company**, One Longfellow Avenue, Bradford, PA 16701-2140. This proposed facility is located in Bradford Township, **McKean County**.

Description of Proposed Action/Activity: Construct and operate a passive wetland treatment system for treating production fluids from oil wells.

NPDES Stormwater Individual Permit

The following parties have applied for an NPDES permit to discharge stormwater associated with a construction activity into waters of this Commonwealth. Unless otherwise indicated, on the basis of preliminary review and application of lawful standards and regulations, the Department of Environmental Protection (Department) proposes to issue a permit to discharge, subject to certain limitations set forth in the permit conditions. These proposed determinations are tentative. Limitations are provided as erosion and sediment control best management practices which restrict the rate and quantity of sediment discharged.

Where indicated, the EPA Region III Administrator has waived the right to review or object to this proposed permit action under the waiver provision 40 CFR 123.24(d).

Persons wishing to comment on the proposed permit are invited to submit a statement to the appropriate Department Regional Office noted before the application within 30 days from the date of this public notice. Comments reviewed within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses 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 relevant facts upon which it is based. A public hearing may be held after consideration of comments received by the appropriate Department Regional Office during the 30-day public comment period.

Following the 30-day comment period, the appropriate Regional Office Water Management Program Manager will make a final determination regarding the proposed

permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

The application and related documents, including the erosion and sediment control plan for the earth disturbance activity, are on file and may be inspected at the office identified in this notice.

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

Southeast Region: Water Management Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

NPDES Permit PAS10G538, Stormwater, **Upper Uwchlan Township**, 140 Pottstown Pike, Chester Springs, PA 19425 has applied to discharge stormwater associated with a construction activity located in Upper Uwchlan Township, **Chester County** to Pickering Creek (HQ-TSF).

NPDES Permit PAS10G539, Stormwater, **C. Edward Laurie**, 244 Upper Valley Road, Christiana, PA 17509, has applied to discharge stormwater associated with a construction activity located in East Nottingham Township, **Chester County** to Little Elk Creek (HQ-TSF; MF).

NPDES Permit PAS10G540, Stormwater, **Gambone Brothers**, 1030 West Germantown Pike, P. O. Box 287, Fairview Village, PA 19409, has applied to discharge stormwater associated with a construction activity located in North Coventry Township, **Chester County** to unnamed tributary to Pigeon Creek (HQ-TSF).

NPDES Permit PAS10G059-R, Stormwater, **Spring Run Estates**, Old Telegraph Road, R. D. 7, Coatesville, PA 19320 has applied to discharge stormwater associated with a construction activity located in West Caln Township, **Chester County** to West Branch Brandywine Creek (HQ).

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

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

<i>NPDES No.</i>	<i>Applicant Name & Address</i>	<i>County & Municipality</i>	<i>Receiving Water/Use</i>
PAS10Q246	Dale Koller 1870 Waldheim Rd. Bethlehem, PA 18015	Lehigh County Weisenberg Township	Jordan Creek HQ-CWF, MF
<i>Monroe County Conservation District: 8050 Running Valley Road, Stroudsburg, PA 18360, (570) 629-3060.</i>			
<i>NPDES No.</i>	<i>Applicant Name & Address</i>	<i>County & Municipality</i>	<i>Receiving Water/Use</i>
PAS10S020-R-1	Keystone Hollow Corp. P. O. Box 1158 Marshalls Creek, PA 18335	Monroe County Middle Smithfield Township	Marshalls Creek HQ-CWF Bush Kill HQ-TSF

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

<p>NPDES No. PAS10U178</p>	<p>Applicant Name & Address Rev. James Grimes The Carpenter's Community Church P. O. Box 358 Nazareth, PA 18064</p>	<p>County & Municipality Northampton County Lower Nazareth Township</p>	<p>Receiving Water/Use Monocacy Creek HQ-CWF</p>
---	--	--	---

**PUBLIC WATER SUPPLY (PWS)
PERMIT**

Under the Pennsylvania Safe Drinking Water Act, the following parties have applied for a PWS permit to construct or substantially modify a public water system.

Persons wishing to comment on the 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 this 30-day comment period will be considered in the formulation of the final determinations regarding this application. Comment responses 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. 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 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 may 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).

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

Permit No. 6702508, Public Water Supply.

Applicant	Shrewsbury Borough
County	York
Responsible Official	Peter W. Schnabel, Council President 35 W. Railroad Avenue Shrewsbury, PA 17361
Type of Facility	PWS

Consulting Engineer	Charles A. Kehew II, P. E. James R. Holley & Assoc., Inc. 18 South George St. York, PA 17401
Application Received Date	April 16, 2002
Description of Action	Installation of a booster pump at an existing interconnection to allow Shrewsbury Borough to reverse flow from the low-service gradient of its distribution system to the high-service gradient as needed. A 100-gallon per minute pump will be installed in an existing, previously permitted subsurface vault.

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

Permit No. 0489509-A3, Public Water Supply.

Applicant	Westmoreland County Municipal Authority P. O. Box 730 Greensburg, PA 15601-0730
Township or Borough	Penn Township
Responsible Official	Christopher Kerr Westmoreland County Municipal Authority P. O. Box 730 Greensburg, PA 15601-0730
Type of Facility	Pump Station
Consulting Engineer	KLH Engineers, Inc. 5173 Campbells Run Road Pittsburgh, PA 15205
Application Received Date	July 18, 2002
Description of Action	Additions to the Clelian Heights Pump Station

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

Permit No. 4202501, Public Water Supply.

Applicant	Eldred Borough Water Authority 3 Bennett Street Eldred, PA 16731
Township or Borough	Eldred Borough
Responsible Official	McKean
Type of Facility	PWS

Consulting Engineer E&M Engineers and Surveyors
PC
24 Derrick Road
Bradford, PA 16701-3350

Application Received Date July 25, 2002

Description of Action Install booster pump on Bardon Brook Road waterline.

MINOR AMENDMENT

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. Minor Amendment.

Applicant **Meadowbrook Mobile Home Park**

Township or Borough Washington Township

Responsible Official Anne Simons, Managing Partner
The Simons Family Partnership
641 Richmond Road
Bangor, PA 18013

Type of Facility PWS

Application Received Date July 17, 2002

Description of Action Permit Transfer

Application No. Minor Amendment.

Applicant **Jackson G. Perry**

Township or Borough Wayne Township

Responsible Official Jackson Perry, Owner
1703 Panther Valley Road
Pine Grove, PA 17963

Type of Facility Bulk Water Hauling Facility

Consulting Engineer Edward E. Davis, P. E.
WJP Engineers
1406 Laurel Boulevard
Pottsville, PA 17901

Application Received Date July 31, 2002

Description of Action The applicant proposes to delete ozonation at the site utilized for disinfection purposes and retain UV treatment facilities as the sole disinfection treatment technique at the site. Also, minor changes to the previously permitted storage tank are proposed.

Application No. Minor Amendment.

Applicant **Matamoris Municipal Authority**

Township or Borough Matamoris Borough

Responsible Official 304 Pennsylvania Avenue
Matamoris, PA 18336

Type of Facility Community Water System

Consulting Engineer James M. Farr, P. E.
McGoey Hauser Edsall,
Consulting Engineers
507 Broad Street
Milford, PA 18337

Application Received Date July 22, 2002

Description of Action The conversion of gas chlorination to hypochlorite at four well houses.

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

Application No. 2595504-MA2, Minor Amendment.

Applicant **Woodhaven Mobile Home Park**
7950 Page Road
Wattsburg, PA 16442

Township or Borough Greene Township, **Erie County**

Responsible Official Shane and Judith Kosterman
Owners/Operators

Type of Facility PWS

Consulting Engineer Lake Engineering
140 Meadville Street
Edinboro, PA 16412

Application Received Date July 29, 2002

Description of Action Replace existing 10,000 gallon steel chlorine contact/storage tank with two 10,000 gallon fiberglass chlorine contact/storage tanks.

WATER ALLOCATIONS

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

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

WA 28-161B, Water Allocations, **Borough of Chambersburg**, 100 South Second Street, Chambersburg, PA 17201. This facility is located in Chambersburg Borough, **Franklin County**. The applicant is requesting the right to withdrawal up to 6.0 mgd from their existing intake structure located on the Conococheague Creek. Consulting engineer: Gene C. Koontz, Gannett Fleming, Inc. Application received May 8, 2002.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 1

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

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (Act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any 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, or 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 under 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 listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

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

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

Highland Group Ind.—Sheffield Plant, Sheffield Township, **Warren County**. Civil & Environmental Consultants, Inc. (on behalf of Highland Group Industries of 31200 Solon Rd., Solon, OH 44139) has submitted a Notice of Intent to Remediate Soil contaminated with chlorinated solvents. The applicant proposes to remediate the site to meet the Site Specific Nonresidential Standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Valley Voice* on August 9, 2002.

Southeast Region: Environmental Cleanup Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

Duff Residence, Upper Southampton Township, **Bucks County**. Eric Rosina, Storb Environmental, Inc.,

410 N. Easton Rd., Willow Grove, PA 19090-2511, on behalf of Edward Duff, 2100 Byberry Rd., Huntingdon Valley, PA 19006, has submitted a Notice of Intent to Remediate soil and groundwater contaminated with Fuel Oil No. 2. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Bucks County Courier* on July 2, 2002.

Wycombe Railroad Station, Buckingham Township, **Bucks County**. Stephen W. Osborn, Merritt/Osborn, Inc., P. O. Box 299, 465 Crowell Rd., Chatham, MA, on behalf of Bucks County Railroad Preservation & Restoration Corp., 4613 Hughesian Dr., P. O. Box 413, Buckingham, PA, has submitted a Notice of Intent to Remediate soil contaminated with lead and heavy metals. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in *The Intelligencer* on July 24, 2002.

Route 113 and Bethlehem Pike, Hilltown Township, **Bucks County**. Craig Herr, RT Environmental Services, Inc., 215 W. Church Rd., King of Prussia, PA 19406, on behalf of State Farm Mutual Automobile Insurance Co., One State Farm Plaza, Bloomington, IL, has submitted a Notice of Intent to Remediate soil contaminated with lead, arsenic and benzo(a)pyrene. The applicant proposes to remediate the site to meet Site-Specific Standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *News Herald* on July 24, 2002.

Keystone Floor Products, Bensalem Township, **Bucks County**. James F. Mullan, P. E., Hocage Consulting, Inc., on behalf of Keystone Floor Products, 2969 Samuel Dr., Bensalem, PA 19020, has submitted a Notice of Intent to Remediate soil contaminated with PAHs and pesticides; and groundwater contaminated with lead and heavy metals. The applicant proposes to remediate the site to meet Statewide Health and Site-Specific Standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Bucks County Courier Times* on July 24, 2002.

Laramie Tire, Norristown Borough, **Montgomery County**. Christopher Orzechowski, P. G., RT Environmental Services, Inc., 215 W. Church Rd., King of Prussia, PA 19406, on behalf of GHR & Assoc./MAACO, 1050 Bethlehem Pike, Montgomeryville, PA, has submitted a Notice of Intent to Remediate groundwater contaminated with BTEX and PAHs. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Times Herald* on July 24, 2002.

Dekalb Street Site, Upper Merion Township, **Montgomery County**. Craig Herr, RT Environmental Services, Inc., 215 W. Church Rd., King of Prussia, PA 19406, on behalf of Glasgow, Inc., Willow Grove Ave. and Limekiln Pk., P. O. Box 1089, Glenside, PA 19038, has submitted a Notice of Intent to Remediate soil contaminated with BTEX and PAHs. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *King of Prussia Courier* on July 19, 2002.

Klausner Residence, Plymouth Township, **Montgomery County**. William F. Schmidt, P. E., Pennoni Associates, Inc., 3001 Market St., Suite 200, Philadelphia, PA 19104, on behalf of Edith Klausner, 16 Locust Lane,

Plymouth Township, PA, has submitted a Notice of Intent to Remediate groundwater contaminated with BTEX and PAHs. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Philadelphia Daily News* on July 15, 2002.

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

Former Cole Steel Loucks Mill Road Facility, Spring Garden Township, **York County.** Buchart Horn, Inc., P. O. Box 15040, York, PA 17405-7040, on behalf of Northrop Grumman Corporation, P. O. Box 18, Granit Springs, NY 10527, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with PCBs, lead, heavy metals, BTEX, PAHs, solvents and cyanide. The applicant proposes to remediate the site to meet the requirements for a combination of the Statewide Health and Site-Specific Standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *York Dispatch* on July 29, 2002.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Applications 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.

Southeast Region: Regional Solid Waste Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

Permit Application No. 100549. Waste Management Disposal Services of Pennsylvania, Inc., 1425 Sell Road, Pottstown, PA 19464, Douglass Township and West Pottsgrove Townships, **Berks and Montgomery Counties.** Phase I application for the vertical expansion of the Eastern Expansion of the Pottstown Landfill. LMIP meeting held on August 1, 2002, and an alternate project timeline of 380 days negotiated for the Phase I and Phase II reviews. The application is considered received by the Southeast Regional Office on August 8, 2002.

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 these 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 the 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. TDD users may 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 and regulations adopted under the Act.

PLAN APPROVALS

Plan Approval Applications Received under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B that may have special public interest. These applications are in review and no decision on disposition has been reached.

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

45-302-070: Pocono Medical Center (206 East Brown Street, East Stroudsburg, PA 18301-3094) for construction of two natural gas/#2 oil fired boilers in East Stroudsburg Borough, **Monroe County.**

48-318-134: Bethlehem Contracting Co. (P. O. Box 40, Bath, PA 18014) for modification of paint spraying operations and associated air cleaning device in East Allen Township, **Northampton County.**

48-399-052: Bethlehem Contracting Co. (P. O. Box 40, Bath, PA 18014) for construction of a steel shot blast operation and associated air cleaning device in East Allen Township, **Northampton County.**

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

41-00025A: Lycoming County Resource Management Services (447 Alexander Drive, Montgomery, PA 17752) for construction of a tubgrinder at the Lycoming County Landfill in Brady Township, **Lycoming County.**

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

37-181A: New Castle Industries (925 Industrial Street, New Castle, PA 16107) for installation of a chromium mist eliminator on an existing chrome plating operation in New Castle, **Lawrence County**.

10-340A: Eagle Printing Co. (514 West Wayne Street, Butler, PA 16001) for installation of a new production center housing a web offset press equipped with an integrated dryer/oxidizer to control VOCs in Butler, **Butler County**.

24-016B: Keystone Powdered Metal Co. (1935 State Street, St. Marys, PA 15857-1661) for modification of an operating permit condition to reduce afterburner operating temperatures in St. Marys, **Elk County**. This is a Title V facility.

43-287B: Jones Performance Products, Inc. (No. 1 Jones Way, West Middlesex, PA 16159-0563) for modification of the facility VOC limit to 49.9 tons/year in West Middlesex, **Mercer County**. This is a Title V facility.

43-152A: Sharon Tube Co. (134 Mill Street, Sharon, PA 16146) for installation of a baghouse to collect particulate matter from the outlet of the existing cyclone separator and zinc galvanizing line fume hoods in the City of Sharon, **Mercer County**.

25-987B: Hanes Erie, Inc. (7601 Klier Drive Fairview, PA 16415) for construction of a new spray coating line in Fairview Township, **Erie County**.

Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104; Contact: Thomas Barsley, Chief, (215) 685-9428.

02139: Kinder Morgan Liquid Terminals (3300 North Delaware Avenue, Philadelphia, PA 19134) for installation of a truck loading position for VOC containing materials in the City of Philadelphia, **Philadelphia County**.

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

Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Contact: Thomas McGinley, New Source Review Chief, (610) 832-6242.

46-0132: Lansdale Crematory, Inc. (P. O. Box 854, Lansdale, PA 19446) for installation of two 150 pound per hour human crematoriums at its facility on Derstine and Cannon Avenue in Lansdale Borough, **Montgomery County**. The facility is a non-Title V (State only) facility for any of air pollutant. This installation will result in the maximum NOx emissions of 2.64 tons per year. 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.

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

54-318-015: Schuylkill Products, Inc. (121 River Street, Cressona, PA 17929) for construction of a concrete forms release coating booth in Cressona Borough, **Schuylkill County**. The forms will be coated with a form-release oil and a protective form coating. The release

oil will generate 4.6 tons of VOCs per year. The protective form coating will generate 4.7 tons of HAPS (toluene) per year. 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.

39-327-003: SHI APD Cryogenics, Inc. (1833 Vultee Street, Allentown, PA 18103) for modification of three batch vapor degreasers in the City of Allentown, **Lehigh County**. Modification consists of retrofitting the existing vapor degreasers with a combination of controls (freeboard refrigeration device, stainless steel freeboard extension to achieve 100% freeboard ratio and sliding stainless steel covers) to meet the requirement of National Emissions Standard for Halogenated Solvent Cleaning, 40 CFR Part 63, Subpart T. This facility is a non-Title V facility. After the retrofit with a combination of controls, the hazardous air pollutant (HAPs) emissions from these units will be less than 150 kilograms per each square meters of solvent/air interface per month (30.7 b/ft²/month) from each unit. The company will employ additional work practice standards as stated in 40 CFR Part 63, Subpart T to minimize HAPs emissions from the operations. The operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements. The company shall maintain a minimum lowest air blanket temperature of 55°F at the centerline of the tank and maintain the units in accordance with the good engineering practices to assure proper operation of the units.

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

14-00005A: Department of Corrections (Box A, Bellefonte, PA 16823-0820) for construction of a natural gas and No. 2 fuel oil-fired boiler at the Rockview State Correctional Institution in Benner Township, **Centre County**. The design heat input for the respective boiler when burning natural gas and No. 2 fuel oil will be 57.7 and 54.9 million Btu per hour, respectively. The facility is a major facility for which a Title V Operating Permit (14-00005) has been issued.

The boiler will be equipped with a low NOx burner which incorporates flue gas recirculation. The facility has proposed to voluntarily limit the amount of No. 2 fuel oil burned in the boiler to 960,000 gallons per year. The boiler will have the potential to emit up to 14.2, 37.43, 5.13, 0.99 and 21.23 tons of NOx, CO, PM, VOCs and SOx, respectively, per 12 consecutive month period.

The Department has determined that the proposed boiler will comply with all applicable regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12. The Department consequently intends to issue plan approval for the construction of the respective boiler.

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

1. The boiler shall be equipped with a low nitrogen oxide burner system which incorporates flue gas recirculation.

2. The NOx, CO, PM, VOC and SOx emissions shall not exceed 14.2, 37.43, 5.13, 0.99 and 21.23 tons, respectively, per 12 consecutive month period.

3. The NO_x, CO and VOC emissions shall never exceed 6.31, 8.56 and 0.23 pounds per hour, respectively.

4. The boiler shall not burn more than 960,000 gallons of No. 2 fuel oil per 12 consecutive month period. The company shall keep monthly records of the amount of No. 2 fuel oil burned in the respective boiler.

5. The boiler shall only burn natural gas or No. 2 fuel oil containing a sulfur content of 0.3% or less.

14-00002D: Graymont (PA), Inc. (P. O. Box 448, Bellefonte, PA 16823) for construction of an existing lime co-product processing operation (CalAg System) in Spring Township, **Centre County**. The CalAg System incorporates a 136 brake horsepower diesel engine. The facility is a major facility for which a Title V Operating Permit (14-00002) has been issued.

The engine will have the potential to emit up to 3.66, 0.3 and 0.48 tons of NO_x, VOCs and CO, respectively, per 12 consecutive month period. The fugitive dust emissions from the operation of the CalAg System are expected to be minimal since a water spray dust suppression system will be used to apply water to the material throughout the process.

The Department has determined that the CalAg System will comply with all applicable regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12. The Department consequently intends to issue plan approval for construction of the respective operation.

The Department intends to place conditions in the plan approval to be issued to assure compliance with all applicable air quality regulatory requirements. The following is a summary of these conditions:

1. The fugitive dust emissions from the CalAg System shall be controlled by a water spray dust suppression system. If at any time the water spray dust suppression system is unable to provide an adequate supply of water due to freezing weather or any other reason the company shall immediately cease operation of the CalAg System.

2. The company shall have on site a water truck equipped with a pressurized spray mechanism to be used, as needed, for the control of fugitive dust emissions from plant roadways, stockpiles, and the like.

3. The engine associated with the CalAg System shall not operate more than 4,000 hours during any 12 consecutive month period. The facility shall maintain records of the hours the engine operates each month, shall retain these records onsite for at least 5 years and shall make these records available to the Department upon request.

4. The engine shall not emit NO_x, VOCs and CO in excess of 3.66, 0.3 and 0.48 tons per 12 consecutive month period, respectively. Additionally, the NO_x, VOCs and CO emissions from the engine shall never exceed 1.83, 0.15 and 0.24 pounds per hour, respectively.

Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104; Contact: Thomas Barsley, Chief, (215) 685-9428.

02050: Naval Surface Warfare Center (5001 South Broad Street, Code 027, Philadelphia, PA 19112) for reactivation of four marine boilers in the City of Philadelphia, **Philadelphia County**. This is a Title V facility. These are existing sources. As BAT Naval Surface Warfare Center will derate three boilers and take a 53.78% reduction in their permitted fuel cap. The plan approval

will contain operating and recordkeeping requirements to ensure operation within all applicable requirements.

02138: Naval Surface Warfare Center (5001 South Broad Street, Code 027, Philadelphia, PA 19112) for installation of a 434 hp diesel engine for Navy Pilot Retrofit Program in the City of Philadelphia, **Philadelphia County**. This is a Title V facility. The NO_x emissions from the source will be 4.49 tons per year. The plan approval will contain operating and recordkeeping requirements to ensure operation within all applicable requirements.

OPERATING PERMITS

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

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

25-00916: Ridg-U—Rak-North East Plant (120 South Lake Street, North East, PA 16428) for a Title V Operating Permit Renewal for operation of a metal shelving manufacturing facility in North East Borough, **Erie County**.

25-00326: Foamex LP—Corry Plant (466 Shady Avenue, Corry, PA 16407) for a Title V Operating Permit Renewal for operation of a flexible polyurethane foam manufacturing facility in Corry Borough, **Erie County**.

37-00248: United States Can Co.—Shenango Township Plant (1902 Old Butler Road, New Castle, PA 16101) for a Title V Operating Permit Renewal for operation of a can sheet coating facility in Shenango Township, **Lawrence County**.

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

Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Contact: Edward Brown, Facilities Permitting Chief, (610) 832-6242.

46-00186: Tri-Valley Crematory (667 Harleysville Pike, Franconia, PA 18924) for operation of a human crematory in Franconia Township, **Montgomery County**. The permit is for a non-Title V (State only) facility. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

46-00206: Merck and Co., Inc. (1180 Church Road, Lansdale, PA 19446) for operation of a pharmaceutical preparation facility in Lansdale Borough, **Montgomery County**. The permit is for a non-Title V (State only) facility. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

46-00147: Chemalloy Co., Inc. (1301 Conshohocken Road, Conshohocken, PA 19428) for operation of the manufacturing plant in Plymouth Township, **Montgomery County**. The permit is for a non-Title V (State only) facility. The facility is a Natural Minor. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the plant operating within all applicable air quality requirements.

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

21-05036: Hempt Bros., Inc. (205 Creek Road, Camp Hill, PA 17011) for operation of its Camp Hill Asphalt Plant in Lower Allen Township, **Cumberland County**. One of the liquid asphalt cement storage tanks is subject to 40 CFR Part 60, Subpart Kb—Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels). The site has the following potential annual emissions: 99 tons per year of CO; 8 tons per year of PM-10; 6 tons per year of NOx; 2 tons per year of VOC; 1 ton per year of SOx. The Synthetic Minor Operating Permit shall contain additional testing, monitoring, recordkeeping and reporting requirements, emission restrictions and work practice standards designed to keep the facility operating within all applicable air quality requirements.

22-05034: Pennsy Supply, Inc. (P. O. Box 331, Harrisburg, PA 17105) for operation of its hot mix batch asphalt plant controlled by a cyclone/fabric collector at the Hummelstown Quarry in South Hanover Township, **Dauphin County**. Actual emissions for criteria pollutants will be below Title V thresholds. This will be accomplished by limiting the production of hot mix asphalt. The operating permit will contain appropriate conditions designed to keep the facility operating below Title V thresholds for criteria pollutants and within all other applicable air quality requirements.

28-03040: Valley Quarries, Inc. (P. O. Box J, Chambersburg, PA 17201-0809) for operation of a limestone quarrying and processing facility in Guilford Township, **Franklin County**. This is a non-Title V (State only) facility. Potential emissions of particulate matter are estimated to be 13.8 tons per year. The operating permit will contain appropriate conditions designed to keep the facility operating within all applicable air quality requirements.

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

17-399-021: Wickett and Craig of America, Inc. (120 Cooper Road, Curwensville, PA 16833) for operation of a fertilizer manufacturing operation in Curwensville Borough, **Clearfield County**.

The respective facility is a minor facility. The fertilizer manufacturing operation is used to manufacture fertilizer from waste leather generated by a leather tanning operation. It consists of a urea formaldehyde solution storage tank, a mix tank, a granulator feed tank, two granulators, a rotary dryer and various other pieces of process equipment. The air contaminant emissions from the fertilizer manufacturing operation are controlled by a packed bed scrubber and a fabric collector. The fertilizer manufacturing operation will emit up to .434 ton of formaldehyde and .75 ton of particulate matter per year. Formaldehyde is a hazardous air pollutant.

The Department has determined that the fertilizer manufacturing operation has been constructed and is operating, in accordance with all conditions of Plan Approval 17-399-021 as well as in compliance with all applicable regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12. The Department consequently intends to issue an operating permit for the operation of the respective fertilizer manufacturing operation.

The following is a summary of the conditions the Department proposes to place in the operating permit to be issued to ensure compliance with all applicable requirements:

1. The air contaminant emissions from the urea formaldehyde solution storage tank, the mix tank, the granulator feed tank and the granulators shall be controlled by a packed bed scrubber using a hydrogen peroxide scrubbing solution at a recirculation rate of at least 20 gallons per minute. The scrubber shall maintain a formaldehyde removal efficiency of at least 90% and the resultant formaldehyde emissions shall not exceed .434 ton per year.

2. The packed bed scrubber shall be equipped with a scrubbing solution flow rate monitor, a differential pressure monitor and high/low liquid level alarms.

3. The hydrogen peroxide concentration of the scrubbing solution shall be determined via laboratory analysis on a daily basis and shall never be allowed to fall below 1%. Records shall be maintained of the dates upon which the hydrogen peroxide concentration of the scrubbing solution is analyzed as well as the results of each analysis.

4. The air contamination emissions from the dryer and associated cage mill, screen, conveyor and bucket elevator shall be controlled by an insulated fabric collector equipped with a compressed air dryer and oil trap as well as a differential pressure monitor. Particulate matter shall not be emitted from the collector in excess of .01 grain per dry standard cubic foot of exhaust.

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

25-00875: Aurora Foods, Inc. (2200 East 38th Street, Erie, PA 16510) for operation of a frozen foods production plant in the City of Erie, **Erie County**.

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

01-003: American Bank Note Co. (132 South 55th Street, Philadelphia, PA 19139) for operation of a printing facility for high quality financial documents in the City of Philadelphia, **Philadelphia County**. The synthetic minor facility's air emission sources include four nonheatset intaglio presses, 11 nonheatset sheetfed lithographic printing presses and two chrome plating tanks with a composite mesh-pad system control device.

MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). Mining activity permits issued in response to the 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 applica-

tion is available for inspection at the District Mining Office indicated before 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 certification.

Written comments, objections or requests for informal conferences on applications, may be submitted by any person or any officer or head of any Federal, State or local government agency or authority to the Department at the same address 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 (relating to public notices of filing of permit applications, opportunity for comment and informal conferences).

Where any of the mining activities listed will have discharges of wastewater to streams, the Department will incorporate NPDES permits into the mining activity permits issued in response to these applications. NPDES permits will contain, at a minimum, technology-based effluent limitations (as described in the Department's regulations—25 Pa. Code §§ 77.522, 87.102, 88.92, 88.187, 88.242, 89.52 and 90.102) for iron, manganese, suspended solids, settleable solids, alkalinity and pH. In addition to the previous, more restrictive effluent limitations, restrictions on discharge volume, or restrictions on the extent of mining which may occur will be incorporated into a mining activity permit, when necessary, for compliance with water quality standards (in accordance with 25 Pa. Code Chapters 93 and 95). Persons or agencies which have requested review of the NPDES permit requirements for a particular mining activity within the previously-mentioned public comment period will be provided with a 30-day period to review and submit comments on those requirements.

Written comments or objections should contain the name, address and telephone number of persons submitting comments or objections; application number; and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based. Requests for an informal conference must contain the name, address and telephone number of requestor; 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.

Coal Applications Received

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2454, (570) 621-3118.

40930102C. Mammoth Anthracite, LLC (P. O. Box 108, Beaver Meadows, PA 18216), correction to an existing anthracite surface mine operation in Hazle Township, **Luzerne County** affecting 475.0 acres, receiving stream: none. Application received July 30, 2002.

49871603R2. D. Dale Lenig (R. R. 1, Box 292, Shamokin, PA 17872), renewal of a coal processing plant operation in Little Mahanoy Township, **Northumberland County** affecting 2.1 acres, receiving stream: none. Application received August 5, 2002.

Hawk Run District Mining Office: Empire Road, P. O. Box 209, Hawk Run, PA 16840-0209, (814) 342-8200.

17020108. R. B. Contracting, R. D. 1, Box 13, Curwensville, PA 16833. Commencement, operation and restoration of a bituminous surface mine permit in Jor-

dan Township, **Clearfield County** affecting 15.8 acres. Receiving streams: Comfort Run and Hunter Run classified for the following uses: CWF. The first downstream potable water supply intake from the point of discharge is: none. Application received July 31, 2002.

17020109. Gary C. Walls, P. O. Box 212, Clymer, PA 15728-0212. Commencement, operation and restoration of a bituminous surface mine-auger permit in Bell Township, **Clearfield County** affecting 75 acres. Receiving streams: unnamed tributary to West Branch Susquehanna River and Martin Run to West Branch Susquehanna River, classified for the following uses: CWF. The first downstream potable water supply intake from the point of discharge is: none. Application received August 1, 2002.

17020110. RAMM Coal Company, R. D. 1, Box 16, Rockton, PA 15856. Commencement, operation and restoration of a bituminous surface mine-auger permit in Sandy and Brady Townships, **Clearfield County** affecting 143.6 acres. Receiving streams: Laborde Branch classified for the following uses: CWF. The first downstream potable water supply intake from the point of discharge is: none. Application received August 1, 2002.

McMurray District Mining Office: 3913 Washington Road, McMurray, PA 15317, (724) 941-7100.

11941601. NPDES Permit PA0214833, Fuel Recovery, Inc. (2591 Wexford-Bayne Rd., Suite 204, Sewickley, PA 15143), to renew the permit for the Cooney Preparation Plant in Portage Township, **Cambria County**, renewal, Surface Acres Proposed N/A, Underground Acres Proposed N/A, SCP Acres Proposed N/A, CRDP Support Acres Proposed N/A, CRDP Refuse Disposal Acres Proposed N/A, no additional discharges, classified for the following uses: N/A. The first downstream potable water supply intake from the point of discharge is N/A. Application received May 30, 2002.

63831302. NPDES Permit PA0213608, Eighty Four Mining Co. (P. O. Box 284, Eighty Four, PA 15330), to renew the permit for the Mine 84 in Somerset and Amwell Townships, **Washington County** to add 8 surface permit acres to the Hallam shaft site, Surface Acres Proposed 8, Underground Acres Proposed N/A, SCP Acres Proposed N/A, CRDP Support Acres Proposed N/A, CRDP Refuse Disposal Acres Proposed N/A, no additional discharges, classified for the following uses: N/A. The first downstream potable water supply intake from the point of discharge is N/A. Application received July 10, 2002.

56950702. NPDES Permit PA0214914, PBS Coals, Inc. (P. O. Box 260, Friedens, PA 15541), to renew the permit for the Cambria Refuse Disposal Area in Stonycreek Township, **Somerset County**, renewal, Surface Acres Proposed N/A, Underground Acres Proposed N/A, SCP Acres Proposed N/A, CRDP Support Acres Proposed N/A, CRDP Refuse Disposal Acres Proposed N/A, no additional discharges, classified for the following use: N/A. The first downstream potable water supply intake from the point of discharge is N/A. Application received July 15, 2002.

30841307. NPDES Permit PA0213438, RAG Emerald Resources, L.P., 158 Portal Rd., P. O. Box 1020, Waynesburg, PA 15370, to revise the permit for the Emerald Mine No. 1 in Franklin Township, **Washington County**, ACOE Pittsburgh District (Waynesburg, PA Quadrangle N: 2.2 inches; W: 5.15 inches to Oak Forest, PA Quadrangle N: 21.3 inches; W: 4.7 inches).

This is a 25 Pa. Code Chapter 105 Water Obstruction and Encroachment permit application (Stream Module

15) and 401 Water Quality Certification request, if applicable, submitted as part of the mining permit revision application to authorize the reconstruction Laurel Run.

Written comments or objections on the request for section 401 Water Quality Certification or to the issuance of the Water Obstruction and Encroachment Permit (Stream Module 15) may be submitted to the Department within 30 days of the date of this notice to the McMurray District Mining Office, 2913 Washington Rd., McMurray, PA 15317. Comments should contain the name, address and telephone number of the person commenting, identification of the request for 401 Water Quality Certification and Water Obstruction and Encroachment Permit (Stream Module 15) to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including relevant facts upon which they are based.

The Water Obstruction and Encroachment permit application is available for review at the McMurray District Mining Office, by appointment, at the address previously listed.

Application received July 17, 2002.

Noncoal Applications Received

Hawk Run District Mining Office: Empire Road, P. O. Box 209, Hawk Run, PA 16840-0209, (814) 342-8200.

08020809. Kim L. Mapes, 704 S. Fourth Street, Towanda, PA 18848. Commencement, operation and restoration of a Small Industrial Mineral (Bluestone) permit in Standing Stone Township, **Bradford County** affecting 2 acres. Receiving stream: unnamed tributary to Susquehanna River. Application received July 10, 2002.

53020802. Hyde Stone Quarry, Inc., Box 128, HCR #1, Shinglehouse, PA 16748. Commencement, operation and restoration of a Small Industrial Mineral (Bluestone) permit in Oswayo Township, **Potter County** affecting 3 acres. Receiving streams: Eleven Mile Creek. Application received July 15, 2002.

57020801. Jon S. Percival, P. O. Box 226, Eagles Mere, PA 17731. Commencement, operation and restoration of a Small Industrial Mineral (red dog) permit in Cherry Township, **Sullivan County** affecting 4 acres. Receiving streams: unnamed tributary to Birch Creek, Birch Creek, tributary to Loyalsock Creek. Application received July 15, 2002.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2454, (570) 621-3118.

7876SM1C4 and NPDES Permit PA0595721. ES-SROC Cement Corp. (Route 248 and Easton Road, Nazareth, PA 18064), renewal of NPDES Permit in Whitehall Township, **Lehigh County**, receiving stream: Coplay Creek. Classified for the following use: CWF. Application received August 2, 2002.

7776SM1A3C3 and NPDES Permit PA0611883. Martin Stone Quarries, Inc. (P. O. Box 297, Bechtelsville, PA 19505), renewal of NPDES Permit in Colebrookdale Township, **Berks County**, receiving stream: unnamed tributary to Swamp Creek. Classified for the following use: trout stocking. First downstream potable water supply intake from the point of discharge: Cabot Performance Materials and Hickory Valley Golf Club. Application received August 5, 2002.

Small Noncoal (Industrial Mineral) Bond Release Application

58970802. Gerald Mensel (R. R. 1 Box 1261, Nicholson, PA 18446). Stage I and II bond release on a small quarry operation in Lenox Township, **Susquehanna County** affecting 3.0 acres for \$3,000 on property owned by Gerald Mensel. Application received July 29, 2002.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications and requests for Environmental Assessment approval and requests for 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(a)), 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. Initial requests for 401 Water Quality Certification will be published concurrently with the permit application. Persons objecting to approval of a request for certification under section 401 or to the issuance of a Dam Permit or Water Obstruction and Encroachment Permit, or the approval of an Environmental Assessment must submit any comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the 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. Each individual 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 the hours of 8 a.m. and 4 p.m. on each working day at the office noted before the application.

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

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

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

E67-724. Ervin Eckert, 1282 Haines Road, York, PA 17402 in Spring Garden Township, **York County**, ACOE Baltimore District.

To construct and maintain a single span bridge across Mill Creek (WWF) located 2,000 feet south of the intersection of Mount Rose Avenue and Camp Betty Washington Road (York, PA Quadrangle N: 14.0 inches; W: 8.1 inches) in Spring Garden Township, York County.

E67-725. Gary L. Sweitzer Enterprises, Inc., 1969 York Haven Road, Etters, PA 17319 in Dover Township, **York County**, ACOE Baltimore District.

To construct and maintain: (1) 210 feet of 8-inch sanitary sewer line located in the floodway of the Little Conewago Creek (TSF); (2) 135 feet of 8-inch sanitary sewer line located in the floodway of an unnamed tributary to the Little Conewago Creek (TSF); and (3) fill two wetland pockets which will directly impact 0.10 acre of palustrine emergent wetlands with a secondary impact of 0.17 acre of palustrine emergent wetlands for a 69 lot residential subdivision (West York, PA Quadrangle N: 15.8 inches; W: 12.0 inches) in Dover Township, York County. The permittee has met the wetland replacement requirement by proposing to create 0.30 acre of palustrine emergent wetlands.

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

E14-430. Pennsylvania-American Water Company, 105 Sodom Road, Milton, PA 17847. Minnie Run augmentation, in Rush Township, **Centre County**, ACOE Baltimore District (Sandy Ridge, PA Quadrangle N: 11.3 inches; W: 16.94 inches).

To construct and maintain a ductile iron pipe outfall with associated concrete headwall and R-5 riprap apron to augment stream flow to Minnie Run located 4,800 feet southwest of the intersection of Barry Street and SR 970 in Sandy Ridge. This project proposes to indirectly affect Minnie Run, which is classified as a HQ-CWF.

E14-431. Pennsylvania-American Water Company, 105 Sodom Road, Milton, PA 17847. Trout Run augmentation, in Rush Township, **Centre County**, ACOE Baltimore District (Sandy Ridge, PA Quadrangle N: 9.84 inches; W: 2.21 inches).

To construct and maintain a ductile iron pipe outfall with associated concrete headwall and R-5 riprap apron to augment stream flow to Trout Run located near the Osceola Reservoir. This project proposes to indirectly affect Trout Run, which is classified as a HQ-CWF.

E60-157. Pennsylvania Department of Transportation, 315 Jordan Avenue, Montoursville, PA 17754. SR 3020/004 bridge replacement, in Hartley Township, **Union County**, ACOE Baltimore District (Hartleton, PA Quadrangle N: 1.1 inches; W: 13.8 inches).

To: (1) remove an existing bridge; (2) construct and maintain a reinforced concrete box culvert with a 16-foot span and a 4-foot rise; and (3) construct and temporarily maintain a diversion channel around the construction area, in an unnamed tributary to Whitehorn Run located 175 feet from SR 3002 on SR 3020. This project proposes to impact 100 linear feet of an unnamed tributary to an unnamed tributary to Whitehorn Run, which is classified as a HQ-CWF.

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

E10-362, Dennis Spirk, The Space Center, 22237 Perry Highway, Zelienople, PA 16063. The Space Center, in Jackson Township, **Butler County**, ACOE Pittsburgh District (Zelienople, PA Quadrangle N: 2.6 inches; W: 0.5 inch).

To construct and maintain a 215-foot long, 5.5-foot diameter reinforced concrete pipe extension to an existing stream enclosure in an unnamed tributary to Glade Run (WWF) to expand a storage rental business adjacent to the west side of U.S. Route 19 approximately 2.0 miles south of the intersection of U.S. Route 19 and SR 68. The project includes the placement of approximately 30 to 40 feet of fill over the stream enclosure extension.

E10-365, RGAM, Inc., 650 Washington Road, 5th Floor, Pittsburgh, PA 15228. Foxmoor Apartments, in Cranberry Township, **Butler County**, ACOE Pittsburgh District (Mars, PA Quadrangle N: 18.4 inches; W: 14.0 inches).

To fill a total of 0.05 acre of PEM wetlands to develop an apartment complex at the southeast of the corner of Garvin and Ehrman Roads. The project includes impacts including fill, culverts and construction of two nonjurisdictional dams and impoundments to a total of 1,200 feet of two unnamed tributaries to Brush Creek (WWF) each having a drainage area of less than 100 acres. Project proposes contribution to the Pennsylvania Wetlands Fund for replacement of impacted wetlands.

E16-121, Edna D. Schmitt. Bridge across Deer Creek, in Elk Township, **Clarion County**, ACOE Pittsburgh District (Fryburg, PA Quadrangle N: 4.1 inches; W: 13.7 inches).

To construct and maintain a timber deck bridge having a structure length of 38 feet and an underclearance of approximately 7.5 feet across Deer Creek on an existing private driveway extending west from T-410 Soap Fat Road approximately 1.2 miles north of SR 322.

Northwest Region: Oil and Gas Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481; (814) 332-6860.

E62-385. Pierce & Petersen Oil, P. O. Box 627, Warren, PA 16365. Mead Township, **Warren County**, ACOE Pittsburgh District (Clarendon, PA Quadrangle N: 10.3 inches; W: 2.3 inches and N: 10.25 inches; W: 1.6 inches).

Construct and maintain two 3-inch diameter (2,600 feet in length) plastic pipelines to transport oil and gas from wells on Lots 40 and 49 to existing pipelines on Lot 39. The pipelines will cross underneath (by a 12-inch wide trench) Browns Run (designated use: CWF; existing use: EV) in two locations. One crossing will be approximately 1,000 feet west of the southern end of Forest Service Road 160D and the other will be approximately 350 south of intersection of an unnamed access road and Forest Service Road 160D.

STORAGE TANKS

SITE-SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site-Specific Installation Permit application has been received by the Department of Environmental Protection (Department) and is currently under review. Persons wishing to comment on the proposed permit are invited to submit a statement to the Bureau of Land Recycling and Waste Management, Division of Storage Tanks, P. O. Box 8763, Harrisburg, PA 17105-8763, within 30 days from the date of this publication. Comments received within this 30-day period will be considered in the formulation of the final determinations

SSIP

<i>Application No.</i>	<i>Applicant Name & Address</i>	<i>County</i>
SSIP 02010	Tom Carper PPC Lubricants Inc. 900 Eisenhower Boulevard P. O. Box 2621 Harrisburg, PA 17105	Lebanon

regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of the comment and the relevant facts upon which it based.

The following applications have been received for 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.

<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
Union Township	90 small ASTs storing lube oil	390,000 gallons total

ACTIONS

FINAL ACTIONS TAKEN UNDER THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT—NPDES AND WQM PART II PERMITS

INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

The Department of Environmental Protection has taken the following actions on previously received permit applications and requests for plan approval.

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

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

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

I. Municipal and Industrial Permit Actions under The Clean Streams Law (35 P.S. §§ 691.1—691.1001).

Southeast Region: Water Management Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

WQM Permit No. 1501401 Amendment No. 1, Sewerage, Penn Township, 260 Lewis Road, West Grove, PA 19390. This proposed facility is located in Penn Township, **Chester County**.

Description of Proposed Action/Activity: Approval for the rerating of an existing wastewater treatment facility and installation of a PVC forcemain.

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

NPDES Permit No. PA0052167, Sewage, Wind Gap Municipal Authority, 16 South Broadway, Wind Gap, PA 18091. This proposed facility is located in Plainfield Township, **Northampton County** and discharge to unnamed tributary of Little Bushkill Creek.

Description of Proposed Action/Activity: renewal of NPDES Permit.

NPDES Permit No. PA0053147, Sewage, Upper Saucon Sewage Treatment Authority, 5500 Camp Meeting Road, Center Valley, PA 18034. This proposed facility is located in Upper Saucon Township, **Lehigh County**.

Description of Proposed Action/Activity: to renew NPDES Permit.

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

NPDES Permit No. PA0024481, Sewage, Borough of Meyersdale, 613 Second Street, P. O. Box 60, Meyersdale, PA 15552 is authorized to discharge from a facility located at Meyersdale STP, Summit Township, **Somerset County** to receiving waters named Casselman River.

NPDES Permit No. PA0026913, Sewage, The Municipal Authority of the City of McKeesport, 100

Atlantic Avenue, McKeesport, PA 15132 is authorized to discharge from a facility located at McKeesport Water Pollution Control Plant, City of McKeesport, **Allegheny County** to receiving waters named Monongahela River.

NPDES Permit No. PA0028436, Sewerage, **Elizabeth Borough Municipal Authority**, P. O. Box 268, Elizabeth, PA 15037 is authorized to discharge from a facility located at Elizabeth Borough STP, Elizabeth Borough, **Allegheny County** to receiving waters named Monongahela River.

NPDES Permit No. PA0218847-A1, Sewerage, **Pyramid Healthcare, Inc.**, 1512 12th Avenue, Altoona, PA 16601 is authorized to discharge from a facility located at Pyramid Healthcare STP, Reade Township, **Cambria County** to receiving waters named Drainage Swale to Powell Run.

Permit No. 0202406, Sewerage, **Ross Township Municipal Building**, 5325 Perrysville Avenue, Pittsburgh, PA 15225. Construction of an Interceptor located in Ross Township, **Allegheny County** to serve Ross Township, Bellevue Borough and City of Pittsburgh Areas tributary to Jacks Run and ALCOSAN.

Permit No. 1101406, Sewerage, **Pyramid Healthcare, Inc.**, 1512 12th Avenue, Altoona, PA 16601. Construction of STP to serve commercial establishment located in Reade Township, **Cambria County** to serve Pyramid Healthcare.

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

NPDES Permit No. PA0238791, Sewerage, **Rae Kent Gardner**, P. O. Box 43, Warren, PA 16365-0043. This proposed facility is located in Conewango Township, **Warren County**.

Description of Proposed Action/Activity: This project is authorized to discharge to unnamed tributary to Morse Run.

WQM Permit No. 6202404, Sewerage, **Rae Kent Gardner**, P. O. Box 43, Warren, PA 16365-0043. This proposed facility is located in Conewango Township, **Warren County**.

Description of Proposed Action/Activity: This project is for a single residence sewage treatment plant.

WQM Permit No. 2502410, Sewerage, **Paul Fails**, 25685 North Mosiertown Road, Edinboro, PA 16412. This proposed facility is located in Greenfield Township, **Erie County**.

Description of Proposed Action/Activity: This project is for a single residence sewage treatment plant.

WQM Permit No. 2502409, Sewerage, **Peter Kroemer**, 12561 Hamilton Road, Edinboro, PA 16412. This proposed facility is located in Washington Township, **Erie County**.

Description of Proposed Action/Activity: This project is for a single residence sewage treatment plant.

NPDES STORMWATER INDIVIDUAL PERMITS—(PAS)

The following NPDES Individual Permits for Discharges of Stormwater Associated with Construction Activities have been issued.

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

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

<i>NPDES No. Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10R037-1	Robert O. Roberts, Superintendent Lake Lehman School District P. O. Box 38 Lehman, PA 18627	Luzerne	Lehman Township	East Branch of Harvey's Creek HQ-CWF
PAS10U171	Gerhard Reithmuller 82 Eagle Rock Way Montclair, NJ 07042	Northampton	Palmer Township	Bushkill Creek HQ-CWF

APPROVALS TO USE NPDES AND/OR OTHER GENERAL PERMITS

The following parties have submitted: (1) Notices of Intent for Coverage under (1) General NPDES Permits to Discharge Wastewater into the Waters of the Commonwealth. The approval for coverage under these general NPDES permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions set forth in the general permit: (2) General Permits for Beneficial Use of Sewage Sludge or Residential Septage by Land Application

in this Commonwealth; (3) General NPDES Permit Authorizing the Discharge of Stormwater Associated with Construction Activities to Waters of the Commonwealth; (4) Notification for First Use Application of Sewage Sludge.

The approval of coverage for land application of sewage sludge or residential septage under these general permits 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. The Department of Environmental Protection approves the following coverage under the specific General Permit.

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).

The application 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.

List of NPDES and/or Other General Permit Types

PAG-1	<i>General Permit for Discharges From Stripper Oil Well Facilities</i>
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 Single Residence Sewage Treatment Plant
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 Nonexceptional Quality Sewage Sludge 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)

General Permit Type—PAG-2

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Telephone No.</i>
City of Erie	PAR10K199	City of Erie 626 State Street Erie, PA 16501	Presque Isle Bay WWF	Erie Conservation District (814) 825-6403
Fairview Township	PAR10K198	Westminster Place Partnership 2601 West 26th St. Erie, PA 16506	Brandy Run CWF	Erie Conservation District (814) 825-6403
Greenwood Township Crawford County	PAR102323	Susan L. Frey Meadville Area Industrial Commission Keystone Regional Industrial Park 764 Bessemer Street Meadville, PA 16335	Conneaut Outlet WWF	Crawford County (814) 724-1793
Upper Hanover Township Montgomery County	PAR10T879	Karl Pedone 2557 Geryville Pike Pennsburg, PA 18073	Berman Run Macoby Creek TSF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Franconia Township Montgomery County	PAR10T825	Jack Boorse 378 Kratz Road Perkiomenville, PA 18074	Skippack Creek TSF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Telephone No.</i>
Perkiomen Township Montgomery County	PAR10T802	Caesar J. Gorski 864 Mt. Air Road Collegetown, PA 19426	Schoolhouse Run TSF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Lower Moreland Township Montgomery County	PAR10T682	Hovnanian Pennsylvania, Inc. 301 Oxford Valley Road Suite 1503 Yardley, PA 19067	Tributary to Huntingdon Valley Creek WWF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Upper Hanover Township Montgomery County	PAR10T849	Milford Acquisitions, Inc. 1590 Canary Road Quakertown, PA 18951	Macoby Creek and Stony Run TSF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Luzerne County Wilkes-Barre Township	PAR10R256	CBL Properties, Inc. 800 South St., Suite 395 Waltham, MA 10453	Solomons Creek CWF	Luzerne County Conservation District (570) 674-7991
Northampton County Williams Township	PAR10U171-1	Edward Vogel Stanton Properties 339A Amwell Road P. O. Box 399A Hillsborough, NJ 08844	Delaware River WWF	Northampton County Conservation District (610) 746-1971
Northampton County City of Bethlehem	PAR10U185	Michael Sakele Sakele Brothers Co. P. O. Box 172 Hellertown, PA 18055	Saucon Creek CWF	Northampton County Conservation District (610) 746-1971
Carbon County Banks Township McAdoo Borough	PAR10I332	KBM Regional Auth. P. O. Box 14 McAdoo, PA 18237	Catawissa Creek CWF Beaver Creek CWF	Carbon County Conservation District (610) 377-4894
West Hanover Township	PAR10I303	Richard Yingst 4712 Smith St. Harrisburg, PA 17109	Walnut Run CWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
Upper Paxton Township	PAR10I013R	Rabbit Hill Estates Subdivision George F. Wilt 899 Union St. Millersburg, PA 17061	Little Wiconisco Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
East Lampeter Township Lancaster County	PAR10O288-R	Southridge Farm Part- nership 26 Millersville Rd. Lancaster, PA 17603	Mill Creek WWF	Lancaster County Conservation District 1383 Arcadia Rd., Rm. 6 Lancaster, PA 17601 (717) 299-5361
East Cocalico Township Lancaster County	PAR10O544	Woodcrest Retreat Association 225 Woodcrest Rd. Ephrata, PA 17522	Coover Run WWF	Lancaster County Conservation District 1383 Arcadia Rd., Rm. 6 Lancaster, PA 17601 (717) 299-5361
Rapho Township Lancaster County	PAR10O465-1	J. F. Energy Corp Inc. 2860 Yellow Goose Rd. Lancaster, PA 17607	Chiques Creek WWF	Lancaster County Conservation District 1383 Arcadia Rd., Rm. 6 Lancaster, PA 17601 (717) 299-5361

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Telephone No.</i>
Salisbury Township Lancaster County	PAR100554	MISA Corporation 1007 Appleville Rd. West Chester, PA 19380	UNT Pequea Creek CWF	Lancaster County Conservation District 1383 Arcadia Rd., Rm. 6 Lancaster, PA 17601 (717) 299-5361
East Lampeter Township Lancaster County	PAR100573	S & K Limited Partnership 2938 Columbia Ave. Suite 1202 Lancaster, PA 17603	UNT Conestoga River WWF	Lancaster County Conservation District 1383 Arcadia Rd., Rm. 6 Lancaster, PA 17601 (717) 299-5361
Manor Township Lancaster County	PAR100575	Charles Kicera Inc. 26 Millersville Rd. Lancaster, PA 17603	West Branch of Little Conestoga Creek TSF	Lancaster County Conservation District 1383 Arcadia Rd., Rm. 6 Lancaster, PA 17601 (717) 299-5361
Warwick Township Lancaster County	PAR100582	Gerald Snavely Claude Clark 402 A Snavely Mill Rd. Lititz, PA 17543	Hammer Creek WWF	Lancaster County Conservation District 1383 Arcadia Rd., Rm. 6 Lancaster, PA 17601 (717) 299-5361
Lycoming County Fairfield Township	PAR103955	Mountain View Development Lyco Triad Incorp. Jason Jean 358 Baldwin St. Lemont, PA 16851	Tules Run WWF	Lycoming County Conservation District 542 County Farm Rd. Suite 202 Montoursville, PA 17754 (570) 433-3003
Northumberland County W. Chillisquaque Township	PAR104948	Eastern Industries Broschious Borrow Site P. O. Box 177 Winfield, PA 17889	Susquehanna River WWF	Northumberland County Conservation District R. R. 3, Box 238C Sunbury, PA 17801 (570) 286-7114 Ext. 4

General Permit Type—PAG-3

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Telephone No.</i>
Sandy Township Clearfield County	PAR224847	Burke Parsons Bowlby Corporation R. R. 3, Box 275 DuBois, PA 15801-8848	Slab Run CWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Upper Augusta Township Northumberland County	PAR704818	Anthracite Industries, Inc. Deibler Station Plant P. O. Box 112 Sunbury, PA 17801	Shamokin Creek CWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Upper Augusta Township Northumberland County	PAR704808	Anthracite Industries, Inc. Main Site Plant P. O. Box 112 Sunbury, PA 17801	Shamokin Creek CWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Telephone No.</i>
McKeesport City Allegheny County	PAR606181	Casturo's 750 West 5th Avenue McKeesport, PA 15132	Monongahela River via Storm Sewer	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222- 4745 (412) 442-4000
Hempfield Township Westmoreland County	PAR606183	Adamsburg Auto Wreckers 60 Edna Road Adamsburg, PA 15611	UNT to Little Sewickley Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222- 4745 (412) 442-4000
City of Erie Erie County	PAR808338	Consolidated Freightways, Inc. P. O. Box 871480 Vancouver, WA 98603	Lake Erie and Cascade Creek to Lake Erie	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Summit Township Erie County	PAR508301	Waste Management Dis- posal Services of PA, Inc. Lake View Landfill 851 Robison Road East Erie, PA 16509	Unnamed tributary to Walnut Creek	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
City of Erie Erie County	PAR708305	Mayer Brothers Con- struction Company— Maybro Asphalt Plant 1902 Cherry Street Erie, PA 16502	Cascade Creek	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Washington Township Jefferson County	PAR808319	Clearfield-Jefferson County Regional Airport Authority P. O. Box 299 Falls Creek, PA 15840	Unnamed tributary to Keys Run and unnamed tributary to Horn Run	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
City of Erie Erie County	PAR238303	Owens-Brockway Clo- sures, Inc. 316 West 16th Street Erie, PA 16502	Presque Isle Bay	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Paint Township Clarion County	PAR228317	Temple-Inland Forest Products Corporation- Clarion MDF P. O. Box Drawer N Diboll, TX 75941	Unnamed tributaries to Clarion River	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
West Mead Township Crawford County	PAR208311	Meadville Forging Company P. O. Box 4590 Meadville, PA 16335	Unnamed tributary to French Creek	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
City of Erie Erie County	PAR808335	Con-Way Transportation Services, Inc. c/o CNF, Inc. 3240 Hillview Avenue Palo Alto, CA 94304	Lake Erie	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

General Permit Type—PAG-4

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Telephone No.</i>
Greenfield Township Erie County	PAG048818	Paul Fails 25685 North Mosiertown Road Edinboro, PA 16412	Unnamed tributary to Towney Run	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Washington Township Erie County	PAG048817	Peter Kroemer 12561 Hamilton Road Edinboro, PA 16412	Unnamed tributary to Conneauttee Creek	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

General Permit Type—PAG-5

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Telephone No.</i>
Lancaster County East Cocalico Township	PAG053507	Redner's Markets Inc. 3 Quarry Road Reading, PA 19605	Cocalico Creek WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Former Canoe Creek Mobil Station east of Business Rt. 15 and VFW Post 6757 west of Business Rt. 15, both sites adjacent to north bank of Canoe Camp Creek Rich- mond Township, Tioga County	PAG054824	Christopher Welles, President Welles Mill Co., Inc. R. R. 6, Box 6024 Towanda, PA 18848	Canoe Camp Creek	Northcentral Regional Office Environmental Cleanup Program 208 West Third Street Suite 101 Williamsport, PA 17701- 6448 (570) 321-6525

PUBLIC WATER SUPPLY PERMITS

The Department of Environmental Protection has taken the following actions on applications received under the Safe Drinking Water Act 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 may contact the Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17).

Southeast Region: Water Supply Management Program Manager; Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

Permit No. 0902504, Public Water Supply.

Applicant	Pennsylvania Suburban Water Company 762 W. Lancaster Avenue Bryn Mawr, PA 19010-3489
Township	Middletown
County	Bucks
Type of Facility	PWS
Consulting Engineer	CET Engineering Service 1240 North Main Street Harrisburg, PA 17112
Permit to Construct Issued	August 8, 2002

Operations Permit issued to **Philadelphia Suburban Water Company**, 762 W. Lancaster Avenue, Bryn Mawr, PA 19010, PWS ID 1460073, East Brandywine Township, **Chester County** on August 12, 2002, for the operation of facilities approved under Construction Permit 1501504.

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

Permit No. 1102503, Public Water Supply.

Applicant **Reade Township Municipal Authority**
1032 Skyline Drive
Blandburg, PA 16619-0506

Borough or Township Reade Township

County **Cambria**

Type of Facility BCI emergency interconnect

Consulting Engineer Gannett Fleming, Foster Plaza III
Suite 200, 601 Holiday Drive
Pittsburgh, PA 15220

Permit to Construct July 22, 2002
Issued

Operations Permit issued to **Pennsylvania American Water Company**, P. O. Box 1290, 300 Galley Road, McMurray, PA 15317, PWS ID 5020039, South Fayette Township, **Allegheny County** on August 8, 2002, for the operation of facilities approved under Construction Permit 0202501.

Operations Permit issued to **The Municipal Authority of the Borough of Portage**, 606 Cambria Street, Portage, PA 16602, PWS ID 4110027, Portage Township and Portage and Cassandra Boroughs, **Cambria County** on August 8, 2002, for the operation of facilities approved under Construction Permit 1187507-A1.

Operations Permit issued to **Pennsylvania American Water Company**, P. O. Box 1290, 300 Galley Road, McMurray, PA 15317, PWS ID 5020039, Cross Creek Township, **Washington County** on August 8, 2002, for the operation of facilities approved under Construction Permit 6301501.

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

Permit No. 2002501, Public Water Supply.

Applicant **Municipal Authority of the Borough of Conneaut Lake**
P. O. Box 345
Conneaut Lake, PA 16316

Borough or Township Conneaut Lake Borough

County **Crawford**

Type of Facility PWS—Innovative technology for removal of arsenic, iron, distribution line replacement and chlorine contact line installation.

Consulting Engineer Richard A. Deiss & Associates
9342 Pettis Road
Meadville, PA 16335

Permit to Construct August 1, 2002
Issued

Operations Permit issued to **Fairview Township Water Authority**, 7485 McCray Road, P. O. Box U, Fairview, PA 16415-0821, PWS ID 6250087, Fairview Township, **Erie County** on August 5, 2002, for the operation of facilities approved under Construction Permit 2583502-T1-MA1.

Permit No. 1092503-T1-MA5, Minor Amendment. Public Water Supply.

Applicant **Cranberry Township**
2525 Rochester Road, Suite 400
Cranberry Township, PA 16066-6499

Borough or Township Cranberry Township

County **Butler**

Type of Facility PWS—Robert Baird 1.0 MG storage tank (South Tank)

Consulting Engineer KLH Engineers
5173 Campbells Run Road
Pittsburgh, PA 15205

Permit to Construct August 1, 2002
Issued

SEWAGE FACILITIES ACT PLAN APPROVAL**Plan Approvals Granted under the Pennsylvania Sewage Facilities Act (35 P. S. §§ 750.1—750.20a).**

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Pine Grove Borough	1 Snyder Avenue Pine Grove, PA 17963	Schuylkill
Pine Grove Township	175 Oak Drive Road Pine Grove, PA 17963	Schuylkill

Plan Description: The Update Revision provides for a Selected Alternative to construct a new 1.5 million gallon a day sewage treatment plant that will utilize a sequencing batch reactor process. The proposed plant will be located at a site west of the Interstate 81 Pine Grove Interchange and will discharge to the Swatara Creek. The existing Pine Grove Joint Treatment Authority sewage treatment plant will be taken out of service. A pump station will be constructed near the existing plant and will connect to a proposed force main interceptor for the purpose of conveying sewage to the new plant. The sewage service area will be expanded and will require the abandonment of two existing package sewage treatment plants. An illustration of the Selected Alternative and change in service area can be found on Map I-10 of the Update Revision. The Update Revision also includes an infiltration/inflow (I/I) reduction program in Pine Grove Borough. The Selected Alternative and I/I reduction program are being funded with the assistance of Rural Utilities Service grants and loans. The nonsewered areas of the Township will be administered via the Sewage Enforcement Officer (SEO). The SEO will report directly to the Township Supervisors on the condition of the onlot systems on an annual basis. The implementation schedule for completing the Selected Alternative is found in Table 3 on Page 5 of the Update Revision. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Union Township	225 Pine Grove Road Hanover, PA 17331	Adams

Plan Description: The approved plan provides for the completion of a preliminary hydrogeologic study for any proposed land development underlain with carbonate geology. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

Plan Disapprovals Granted under the Pennsylvania Sewage Facilities Act (35 P. S. §§ 750.1—750.20a).

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
St Thomas Township	965 Hade Rd. Chambersburg, PA 17201	Franklin County

Plan Description: This was a planning module for a small flow treatment facility to replace a malfunctioning onlot sewage disposal system at the home and office of Dr. Gregg Brady on Lincoln Way West in St. Thomas Township. The plan was disapproved because the proposal failed to adequately address continued long-term operation and maintenance activities and responsibilities for the proposed small flow treatment facility.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 2

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

Provisions of Chapter 3 of the Land Recycling and Environmental Remediation Standards Act (Act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of submission of final reports. A final report is submitted to document cleanup of a release of a regulated substance at a site where 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.

For further information concerning the final report, contact the Environmental Cleanup Program Manager in the Department Regional Office under which the notice of receipt of a final report appears. If information concerning a final report is required in an alternative form,

contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following final reports:

Southeast Region: Environmental Cleanup Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

Duff Residence, Upper Southampton Township, **Bucks County**. Eric Rosina, Storb Environmental, Inc., 410 N. Easton Rd., Willow Grove, PA 19090-2511, on behalf of Edward Duff, 2100 Byberry Rd., Huntingdon Valley, PA, 19006, has submitted a Final Report concerning remediation of site soil and groundwater contaminated with Fuel Oil No. 2. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Brode & Brooks, Inc. (Estate of Lawrence I. Yerk), Pennsburg Borough, **Montgomery County**. Hudson S. Green, Jr. and Jeremy W. Bolyn, Earth Data Northeast, Inc., 924 Springdale Dr., Exton, PA 19341, on behalf of the Estate of Lawrence I. Yerk, c/o Mullaney Law Offices, 598 Main St., Red Hill, PA 18076, has submitted a Final Report concerning remediation of site soil contaminated with lead and petroleum hydrocarbons. The report is intended to document remediation of the site to meet Statewide Health and Site-Specific Standards.

Assouline & Ting, Inc., City of Philadelphia, **Philadelphia County**. Peter A. Malik, RT Environmental Services, Inc., 215 W. Church Rd., King of Prussia, PA 19406, on behalf of Assouline & Ting, Inc., 505 Vine St., Philadelphia, PA 19106, has submitted a combined Remedial Investigation/Final Report concerning remediation of site soil contaminated with heavy metals and volatiles. The report is intended to document remediation of the site to meet Site-Specific Standards.

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

Defense Distribution Depot Susquehanna PA IRP Site 60, Fairview Township, **York County**. Defense Distribution Depot Susquehanna, PA, 2001 Mission Drive, Suite 1, New Cumberland, PA 17070-5002 has submitted a Final Report concerning remediation of site soils contaminated with solvents. The report is intended to document remediation of the site to the Statewide Health standard.

Bloody Run Pumping Station, Everett Borough, **Bedford County**. Johnston Construction Co., P. O. Box 98, Dover, PA 17315, on behalf of Department of Environmental Protection, Bureau of Waterway Engineering, 400 Market Street, Harrisburg, PA 17105, submitted a Final Report within 90 days of a release concerning remediation of site soils contaminated with diesel fuel. The report is intended to document remediation of the site to the Statewide Health standard.

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

Costy's Used Truck & Auto Parts, Inc., Richmond Township, **Tioga County**. Mountain Research, Inc., on behalf of David and Daniel Kurzejewski, R. R. 3, Box 87, Mansfield, PA 16933, has submitted a Remedial Investigation Report concerning groundwater contaminated with BTEX, Naphthalene and MTBE. The applicant is proposing to remediate the site to meet a combination of the Statewide Health and/or Site-Specific Standard.

TRW, Inc.—Valve Division, Danville Plant, Danville Borough, **Montour County**. GeoServices, Ltd., on behalf of TRW, Inc., 601 East Market Street, Danville, PA 17821, has submitted a Remedial Investigation Report and Risk Assessment Report concerning soil and groundwater contaminated with PCBs, solvents, BTEX, PHCs and PAHs. These reports were submitted in partial fulfillment of the requirements necessary to meet the Site-Specific Standard.

**LAND RECYCLING AND ENVIRONMENTAL
REMEDICATION**

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) requires the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of its 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. 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. A cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. 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. 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 under 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 listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following final reports:

Southeast Region: Environmental Cleanup Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

Sunoco, Inc., Ship Road Leak Site #9000-0170, West Whiteland Township, **Chester County**. Lisa M.

Holderbach, Groundwater & Environmental Services, Inc., 410 Eagleview Blvd., Exton, PA 19341, on behalf of Philadelphia Suburban Water Co., 762 W. Lancaster Ave., Bryn Mawr, PA 19010, has submitted a Final Report concerning the remediation of site soil contaminated with BTEX and PAHs. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on August 8, 2002.

Former Automatic Timing and Controls Facility, Upper Merion Township, **Montgomery County**. Darryl D. Borrelli, Manko, Gold, Katcher & Fox, LLP, 401 City Ave., Bala Cynwyd, PA 19004, on behalf of Schuylkill Assoc., P. O. Box 128, Ambler, PA 19002, has submitted a Final Report concerning the remediation of site groundwater contaminated with BTEX and solvents. The Final report demonstrated attainment of Statewide Health and Site-Specific Standards and was approved by the Department on July 30, 2002.

Northeast Region: Joseph A. Brogna, Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.

Trehab Center (Pennstar Bank), Borough of Montrose, **Susquehanna County**. Hydrocon Services, Inc., 16 E. Minor Street, Emmaus, PA 18049 submitted a Final Report (on behalf of Trehab Center, 10 Public Avenue, Montrose, PA 18801) concerning the remediation of soil contaminated with no. 2 fuel oil. The report demonstrated attainment of the Statewide health standard and was approved on August 1, 2002.

Kacer Residence, Waymart Borough, **Wyoming County**. Martin Gilgallon, P. G., Project Hydrogeologist, PA Tectonics, Inc., 333 Enterprise Street, Dickson City, PA 18519 submitted a Final Report (on behalf of Frank Kacer, Belmont Street, Waymart, PA 18472) concerning the remediation of soils found or suspected to have been contaminated with no. 2 fuel oil. The Final Report was submitted within 90 days of the release date of contamination. The report demonstrated attainment of the Statewide health standard and was approved on August 6, 2002.

SOLIDA (Susquehanna, Oakland, Lanesboro Industrial Development Authority) Property, Oakland Township, **Susquehanna County**. Martin Gilgallon, P. G., Project Hydrogeologist, PA Tectonics, Inc., 333 Enterprise Street, Dickson City, PA 18519 submitted a Baseline Environmental Report (on behalf of SOLIDA, R. R. 2, Box 49-A, Susquehanna, PA 18847) concerning the characterization and remediation of soils and/or groundwater found or suspected to have been contaminated with petroleum hydrocarbons, lead and other metals. The report was submitted in partial fulfillment of the Special Industrial Area standard and was approved on August 2, 2002.

Pappas Residence, City of Wilkes-Barre, **Luzerne County**. Suburban Oil Service, 2261 Sans Souci Parkway, Wilkes-Barre, PA 18702 submitted a Final Report (on behalf of Roseann Pappas, Corlear Street, Wilkes-Barre, PA 18702) concerning the remediation of soil contaminated with no. 2 fuel oil. The Final Report was submitted within 90 days of the release date of contamination. The report demonstrated attainment of the Statewide health standard and was approved on April 29, 2002.

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

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

Southeast Region: Regional Solid Waste Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

Permit No. 301345. D & P Assoc., 481 Crossfield Rd., King of Prussia, PA 19406, Upper Merion Township, **Montgomery County**. Permit for the closure and post-closure care and use of the former BOC Gases lime impoundment. The permit was issued by the Southeast Regional Office on August 8, 2002.

AIR QUALITY

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

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

39-302-174GP: County of Lehigh (17 South Seventh Street, Allentown, PA 18101-2400) for construction and operation of Burnham Boiler No. 1 at the Cedarbrook Nursing Home in South Whitehall Township, **Lehigh County**.

39-302-175GP: County of Lehigh (17 South Seventh Street, Allentown, PA 18101-2400) for construction and operation of Burnham Boiler No. 2 at the Cedarbrook Nursing Home in South Whitehall Township, **Lehigh County**.

64-310-010GP: Hanson Aggregates Pennsylvania, Inc. (P. O. Box 231, Easton, PA 18044-0231) for construction and operation of a portable stone crushing plant and associated air cleaning device in Lake Township, **Wayne County**.

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

GP-32-00324: Power Gas Marketing and Transmission, Inc. (Gulf Tower, 32nd Floor, 707 Grant Street, Pittsburgh, PA 15219) on August 5, 2002, for operation of one Caterpillar, Model No. G342NA, Natural Gas-Fired Compressor Engine rated at 220 bhp at the Silvis Compressor Station in Hempfield Township, **Westmoreland County**.

GP-03-00232: H. B. Mellott Estate, Inc. (100 Mellott Estate, Suite 100, Warfordsburg, PA 17267) on August 7, 2002, for operation of a portable nonmetallic mineral processing plant with two crushers (one 500 TPH and one 600 TPH), one screen, eight associated conveyors, one diesel power unit 1.09 mmBtu/hr and one diesel generator 1.69 mmBtu/hr at Graff Mine in West Franklin Township, **Armstrong County**.

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

25-970: Cost Effective Coatings (12069 East Main Road, North East, PA 16428) on July 30, 2002, for operation of a burn off oven in North East, **Erie County**.

61-202: Great Lake Energy Partners LLC—Cook Station (Goodwin Road, Dempseytown, PA 16317) on July 31, 2002, for operation of a natural gas production facility in Plum Township, **Venango 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.

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

13-305-002: Northampton Fuel Supply Co. (7500 Georgetown Road, Suite 13, Bethesda, MD 20814) on July 22, 2002, for construction of a coal refuse and screening plant and associated air cleaning device in Banks Township, **Carbon County**.

40-320-016: Quebecor World Hazleton, Inc. (Route 924, Humboldt Industrial Park, Rural Route No. 1, Box 409Z, Hazleton, PA 18201) on July 30, 2002, for modification of lithographic printing lines and associated air cleaning device in Hazleton, **Luzerne County**.

45-301-028: HG Smith Wilbert Vault Co. (2120 North Fifth Street, Stroudsburg, PA 18360) on August 2, 2002, for construction of a crematory incinerator and associated air cleaning device at Dreher Avenue in Stroudsburg Borough, **Monroe County**.

39-309-057: Lafarge North America (5160 Main Street, Whitehall, PA 18052) on July 25, 2002, for installation of an air cleaning device on the A-Frame Clinker Building at the Whitehall Plant in Whitehall Township, **Lehigh County**.

48-309-119: ESSROC Cement Corp. (3251 Bath Pike, Nazareth, PA 18064) on July 18, 2002, for installation of an air cleaning device on the cement transfer system at the Nazareth Plant No. 1 in Lower Nazareth Township, **Northampton County**.

48-313-046: United Panel, Inc. (P. O. Box 188, Mount Bethel, PA 18343) on August 2, 2002, for construction of a granule production line and associated air cleaning device in Upper Mount Bethel Township in **Northampton County**.

48-313-047: United Panel, Inc. (P. O. Box 188, Mount Bethel, PA 18343) on August 2, 2002, for construction of a Stenni Production Line and associated air cleaning device in Upper Mount Bethel Township, **Northampton County**.

48-313-048: United Panel, Inc. (P. O. Box 188, Mount Bethel, PA 18343) on August 2, 2002, for construction of a board finishing line and associated air cleaning device in Upper Mount Bethel Township, **Northampton County**.

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

06-03038A: Bridgeview, Inc. (P. O. Box 364, Morgantown, PA 19543) on August 6, 2002, for construction of a pet crematorium controlled by an afterburner in Robeson Township, **Berks County**.

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

10-303B: CUE, Inc. (11 Leonberg Road, Cranberry Township, PA 16066) on July 25, 2002, for operation of casting operations in Cranberry Township, **Butler County**.

10-303A: CUE, Inc. (11 Leonberg Road, Cranberry Township, PA 16066) on July 25, 2002, for operation of adhesive coating operations in Cranberry Township, **Butler County**.

10-027B: Penreco (138 Petrolia Street, Karns City, PA 16041) on July 18, 2002, for replacement of the 9L Agitator in Karns City, **Butler County**.

ER-43-270: Trinity Industries, Inc.—Rail Car Manufacturing Plant 102 South (Waugh Avenue, Greenville, PA 16125) for 61.65 tons of VOC emission reduction credits from the shutdown of sources in Hempfield Township, **Mercer County**.

24-083E: Carbone of America—Graphite Materials Division (1032 Trout Run Road, St. Marys, PA 15857) on August 8, 2002, for installation of a scrubber in Benzinger Township, **Elk County**.

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

Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Contact: Thomas McGinley, New Source Review Chief, (610) 832-6242.

46-302-213: Lockheed Martin Corp. (230 East Mall Boulevard, King of Prussia, PA 19406) on August 6, 2002, for operation of a combustion unit/boiler in Upper Merion Township, **Montgomery County**.

46-0020C: Superior Tube Co. (3900 Germantown Pike, Collegeville, PA 19426) on August 7, 2002, for operation of an activated carbon adsorption system in Lower Providence Township, **Montgomery County**.

46-0081B: Markel Corp. (416 School Lane, Norristown, PA 19404) on August 13, 2002, for operation of two horizontal extruders in Plymouth Township, **Montgomery County**.

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

36-310-013E: Compass Quarries, Inc. (47 McIlvaine Road, Paradise, PA 17562) on July 28, 2002, for modification of an existing stone crushing plant at the Paradise Quarry in Paradise Township, **Lancaster County**. This source is subject to 40 CFR Part 60, Subpart OOO—Standards of Performances for Nonmetallic Mineral Processing Plants. This plan approval was extended.

36-310-023F: Compass Quarries, Inc. (47 McIlvaine Road, Paradise, PA 17562) on July 28, 2002, for modification of an existing agricultural limestone pulverizing plant at the Paradise Quarry facility in Paradise Township, **Lancaster County**. This source is subject to 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants. This plan approval was extended.

44-05002A: New Holland North America, Inc. (P. O. Box 868, Belleville, PA 17004) on August 1, 2002, for installation of a surface coating system in Union Township, **Mifflin County**. This plan approval was extended.

67-05016B: R. H. Sheppard Co., Inc. (P. O. Box 877, Hanover, PA 17331-0877) on June 1, 2002, for operation of a core-making operation controlled by a packed bed gas scrubber and a bin vent filter at its Plant No. 7 in Hanover Borough, **York County**. This plan approval was extended.

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

65-853A: Koppers Industries, Inc. (436 Seventh Avenue, Pittsburgh, PA 15219) for a minor modification of the plan approval to authorize the transfer and use of 129 tpy of NOx and 1.6 tpy of VOC emission reduction credits (ERCs) at the Monessen Coke Plant in Monessen, **Westmoreland County**. The NOx and VOC ERCs will be used for the emission increases of 112.17 tpy of NOx and 1.39 tpy of VOCs. This facility is a major facility subject to the emission offset requirements of 25 Pa. Code Chapter 127, Subchapter E (relating to new source review).

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

10-021J: INDSPEC Chemical Corp. (133 Main Street, Butler, PA 16050) on August 31, 2002, for Reactor 507 and new resin hold tank in Petrolia, **Butler County**.

10-313-028B: INDSPEC Chemical Corp. (133 Main Street, Butler, PA 16050) on August 30, 2002, for a resorcinol flaker/bagging and packaging system in Petrolia, **Butler County**.

20-258A: Andover Industries, BMPI (R. D. 2, Dunham Road, Meadville, PA 16335) on June 30, 2002, for a paint line in Vernon Township, **Crawford County**.

25-648A: NEPA Energy LP (10915 Ackerman Road, North East, PA 16428) on July 31, 2002, for a boiler and low NOx in North East, **Erie County**.

37-316A: International Mill Service, Inc. (700 Moravia Street, New Castle, PA 16101) on June 30, 2002, for a slag processing facility in New Castle, **Lawrence County**.

42-195A: RAM Forest Products, Inc. (Route 44, Ceres Road, Shinglehouse, PA 16748) on June 30, 2002, for a wood fired boiler in Ceres Township, **McKean County**.

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

Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Contact: Edward Brown, Facilities Permitting Chief, (610) 832-6242.

46-00005: Merck and Co., Inc. (770 Sumneytown Pike, West Point, PA 19486) on August 6, 2002, for operation of a Facility Title V Operating Permit in Upper Gwynedd Township, **Montgomery County**.

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

20-00035: Molded Fiber Glass Co.—Tray Co. (6175 US Highway 6, Linesville, PA 16424) for a Title V

Operating Permit Renewal for operation of a Reinforced Plastic Manufacturing Facility in Linesville Borough, **Crawford County**.

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

Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Contact: Edward Brown, Facilities Permitting Chief, (610) 832-6242.

09-00112: Superior Woodcraft, Inc. (160 North Hamilton Street, Doylestown, PA 18901) on August 8, 2002, for operation of a synthetic minor operating permit in Doylestown Borough, **Bucks County**.

09-00047: Warminster Fiberglass Co. (725 County Line Road, Southampton, PA 18966) on August 8, 2002, for operation of a synthetic minor operating permit in Upper Southampton Township, **Bucks County**.

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

36-05062A: Manheim Auto Auctions (1190 Lancaster Road, Manheim, PA 17545) on August 6, 2002, for operation of their automobile refinishing facility in Penn Township, **Lancaster County**.

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

03-00179: Leading Technologies, Inc. (P. O. Box 628, Leechburg, PA 15656) for operation of manufacturing semiconductor lead frames and other electronic interconnecting products at Parks Township Industrial Park facility in Leechburg, **Armstrong County**.

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

10-00270: Lectromat, Inc. (Route 309, Mars, PA 16046) on August 1, 2002, for manufacture of specialty epoxy insulations in Adams Township, **Butler County**.

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

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

21-05021: Arnold Fuel Oil, Inc. (P. O. Box 2621, Harrisburg, PA 17105) on July 30, 2002, for operation of a gasoline distribution facility at its Mechanicsburg North Terminal in Silver Spring Township, **Cumberland County**. This is Revision No. 2 of the operating permit.

36-05082: Clark Filter (3649 Hempland Road, Lancaster, PA 17601) for operation of paper coating and curing lines at the Hempfield Division Plant in West Hempfield Township, **Lancaster County**. This is Revision No. 1 of the operating permit.

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

10-00001: AK Steel Corp. (Route 8 South, P. O. Box 832, Butler, PA 16003) administratively amended on August 1, 2002, to incorporate the following plan approval conditions (10-307-050A, 10-001B and 10-001C) into their Title V Operating Permit at their Butler Facility in Butler Township, **Butler County**. These plan approvals were for the No. 22 Pickle Line, sources venting to the No. 3 Baghouse and the No. 12 Pickle Line. The original Title V Operating Permit was issued on January 22, 1999 and amended on October 20, 1999, and again on May 10, 2000.

37-00003: Essroc Cement (2nd Street, Bessemer, PA 16112) administratively amended on August 8, 2002, to incorporate the newly applicable requirements from Plan Approval No. 37-003B into their Title V Operating Permit for operation of the cement manufacturing facility in Bessemer Borough, **Lawrence County**.

Operating Permits Denied, Terminated, Suspended or Revoked under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code §§ 127.431 and 127.461.

Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Contact: Edward Brown, Facilities Permitting Chief, (610) 832-6242.

46-00173: New Hanover Incineration, Inc. (3645 Church Road, Perkiomenville, PA 18074) revoked on June 26, 2002, for operation of a natural minor operating permit in New Hanover Township, **Montgomery County**.

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); 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

Hawk Run District Mining Office: Empire Road, P. O. Box 209, Hawk Run, PA 16840-0209, (814) 342-8200.

17970119 and NPDES Permit No. PA0237876. Johnson Brothers Coal Company, R. R. 1, Box 580, Mahaffey, PA 15757. Transfer of an existing bituminous surface mine-auger permit from Moravian Run Reclamation Co., Inc., located in Gulich Township, **Clearfield County** affecting 52.7 acres. Receiving streams: Muddy Run. Application received December 21, 2001. Permit issued July 29, 2002.

41940101 and NPDES Permit No. PA0219843. Fisher Mining Co., 40 Choate Circle, Montoursville, PA

17754. Renewal of an existing bituminous surface mine permit in Pine and McHenry Townships, **Lycoming County** affecting 640 acres. Receiving streams: Buckeye Run to Otter Run and Right Fork of Otter Run to Otter Run, Otter Run to Little Pine Creek, Little Pine Creek to Pine Creek, Pine Creek to West Branch Susquehanna River. Application received March 21, 2001. Permit issued August 6, 2002.

17910114 and NPDES Permit No. PA0206628. River Hill Coal Company, Inc., Kylertown, PA 16847. Renewal of an existing bituminous surface mine permit in Karthaus Township, **Clearfield County** affecting 300 acres. Receiving streams: unnamed tributaries to Dutch Hollow Run, Dutch Hollow Run, a tributary to Mosquito Creek and Mosquito Creek. Application received March 29, 2002. Permit issued July 26, 2002.

17860146 and NPDES Permit No. PA0115738. M. B. Energy, Inc., 175 McKnight Road, Blairsville, PA 15717-7960. Renewal of an existing bituminous surface mine permit in Chest Township, **Clearfield County** affecting 214.8 acres. Receiving streams: unnamed tributary to Wilson Run, to Wilson Run, to Chest Creek, to West Branch Susquehanna River. Application received March 4, 2002. Permit issued July 26, 2002.

Greensburg District Mining Office: Armbrust Building, R. R. 2 Box 603-C, Greensburg, PA 15601-0982, (724) 925-5500.

03950114 and NPDES Permit No. PA0201928. Thomas J. Smith, Inc. (R. D. 1, Box 260D, Shelocta, PA 15774). Permit renewal issued for reclamation only of a bituminous surface/auger mine located in South Bend Township, **Armstrong County**, affecting 221.6 acres. Receiving streams: unnamed tributary to Sugar Run. Application received May 31, 2002. Reclamation only renewal issued August 8, 2002.

03920110. Thomas J. Smith, Inc. (R. D. 1, Box 260D, Shelocta, PA 15774). Permit renewal issued for reclamation only of a bituminous surface/auger mine located in South Bend Township, **Armstrong County**, affecting 37.7 acres. Receiving streams: Craig Run to Crooked Creek. Application received June 5, 2002. Reclamation only renewal issued August 8, 2002.

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

32860115 and NPDES Permit No. PA0597864. Paul F. Becker Coal Company, 1593 Old Route 22, Duncansville, PA 16635, permit renewal for reclamation for continued restoration of a bituminous surface mine and for discharge of treated mine drainage in Banks Township, **Indiana County**, affecting 78.1 acres. Receiving streams: two unnamed tributaries to South Branch Bear Run and an unnamed tributary to Straight Run classified for the following uses: HQ-CWF. There are no potable water supply intakes within 10 miles downstream. Application received May 24, 2002. Permit issued August 5, 2002.

McMurray District Mining Office: 3913 Washington Road, McMurray, PA 15317, (724) 941-7100.

30743711. NPDES Permit PA0033511, RAG Cumberland Resources, L. P. (158 Portal Rd., P. O. Box 1020, Waynesburg, PA 15370), to revise the permit for the Cumberland Mine CRDA in Whiteley Township, **Greene County** to add 36 acres to CRDA, Surface Acres Proposed 36, Underground Acres Proposed N/A, SCP Acres Proposed N/A, CRDP Support Acres Proposed 21, CRDP Refuse Disposal Acres Proposed 15, no additional dis-

charges, classified for the following uses: N/A. The first downstream potable water supply intake from the point of discharge is N/A. Permit issued August 5, 2002.

56841605. NPDES Permit PA0214761, Croner, Inc. (P. O. Box 260, Friedens, PA 15541), to renew the permit for the Goodtown Prep. Plant in Brothersvalley Township, **Somerset County**, renewal, Surface Acres Proposed N/A, Underground Acres Proposed N/A, SCP Acres Proposed N/A, CRDP Support Acres Proposed N/A, CRDP Refuse Disposal Acres Proposed N/A, no additional discharges, classified for the following uses: N/A. The first downstream potable water supply intake from the point of discharge is N/A. Permit issued August 8, 2002.

Noncoal Permits Actions

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2454, (570) 621-3118.

66010804. Randy M. Wiernusz (165 Shaffer Lane, Tunkhannock, PA 18657), commencement, operation and restoration of a quarry operation in Lemon Township, **Wyoming County**, affecting 1.0 acre. Receiving stream: Meshoppen Creek. Application received October 16, 2001. Permit issued August 5, 2002.

64020804. Rob Flynn (R. R. 2 Box 2228, Lakewood, PA 18439), commencement, operation and restoration of a quarry operation in Preston Township, **Wayne County**, affecting 5.0 acres. Receiving stream: Equinunk Creek. Application received July 2, 2002. Permit issued August 8, 2002.

Hawk Run District Mining Office: Empire Road, P. O. Box 209, Hawk Run, PA 16840-0209, (814) 342-8200.

17022801. Cynthia E. Russell, R. D. 1, Box 179, Laurel Run Road, Curwensville, PA 16833. Commencement, operation and restoration of a Small Industrial Mineral (sandstone) permit in Pike Township, **Clearfield County** affecting 5 acres. Receiving streams: Anderson Creek, tributary to West Branch Susquehanna River. Application received February 4, 2002. Permit issued July 26, 2002.

41010801. Keith T. Kmetz, 1720 Sylvan Dell Road, South Williamsport, PA 17702. Commencement, operation and restoration of a Small Industrial Mineral (topsoil) permit in Armstrong Township, **Lycoming County** affecting 4 acres. Receiving streams: tributary to Susquehanna River, Susquehanna River. Application received August 6, 2001. Permit issued August 2, 2002.

08010801. Norton Quarry, R. R. 1, Box 172, New Albany, PA 18833. Commencement, operation and restoration of a Small Industrial Mineral (flagstone) permit in Wyalusing Township, **Bradford County** affecting 2 acres. Receiving streams: Camp Creek, tributary to Wyalusing Creek. Application received January 23, 2001. Application returned: August 5, 2002.

17010801. R. B. Contracting, R. D. 1, Box 13, Curwensville, PA 16833. Commencement, operation and restoration of a Small Industrial Mineral (shale) permit in Brady Township, **Clearfield County** affecting 5 acres. Receiving streams: Luthersburg Branch, tributary to Sandy Lick Creek. Application received May 4, 2001. Application returned: August 5, 2002.

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

31020801. Richard W. Anderson, Jr., 1422 Scott Street, Huntingdon, PA 16652, commencement operation and restoration of a noncoal (shale) mine in Oneida Township, **Huntingdon County**, affecting 1.0 acre. Re-

ceiving streams: two unnamed tributaries to Standing Stone Creek classified for the following uses: HQ-CWF. The first downstream potable water supply intake from the point of discharge is Standing Stone Creek for Huntingdon Borough. Application received May 21, 2002. Permit issued August 7, 2002.

Knox District Mining Office: White Memorial Building, P. O. Box 669, Knox, PA 16232-0669, (814) 797-1191.

10010309. Annandale Sandstone (219 Goff Station Road, Boyers, PA 16020) Revision to an existing sandstone operation to remove incidental coal in Venango Township, **Butler County**. Receiving streams: unnamed tributary to Seaton Creek and Seaton Creek. Application received May 29, 2002. Permit issued July 31, 2002.

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. 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

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2454, (570) 621-3118.

21024040. Keystone Blasting Service (381 Reifsnnyder Road, Lititz, PA 17543), construction blasting in South Hampton Township, **Cumberland County** with an expiration date of November 30, 2002. Permit issued August 5, 2002.

22024009. Hall Explosives, Inc. (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting in Londonderry Township, **Dauphin County** with an expiration date of August 24, 2003. Permit issued August 5, 2002.

36024082. Warren's Excavating & Drilling, Inc. (P. O. Box 189, Bowmansville, PA 17507-0189), construction blasting in West Donegal Township, **Lancaster County** with an expiration date of September 30, 2007. Permit issued August 5, 2002.

67024024. Hall Explosives, Inc. (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting in Manchester Township, **York County** with an expiration date August 24, 2003. Permit issued August 5, 2002.

67024025. Fitz & Smith, Inc. (483 East Locust Street, P. O. Box 178, Dallastown, PA 17313), construction blasting East Manchester Township, **York County** with an expiration date of October 25, 2002. Permit issued August 5, 2002.

35024018. Double M (P. O. Box 186, Waverly, PA 18471), construction blasting in Dunmore Borough, **Lackawanna County** with an expiration date of December 31, 2002. Permit issued August 5, 2002.

39024016. Bernard J. Hasara (1125 East Mahanoy Avenue, Mahanoy City, PA 17948), construction blasting in Hanover Township, **Lehigh County** with an expiration date of December 15, 2002. Permit issued August 5, 2002.

39024017. Bernard J. Hasara (1125 East Mahanoy Avenue, Mahanoy City, PA 17948), construction blasting in Upper Saucon Township, **Lehigh County** with an expiration date of February 28, 2003. Permit issued August 5, 2002.

48024015. J. Roy's, Inc. (Box 125, Bowmansville, PA 17507), construction blasting in Nazareth Borough, **Northampton County** with an expiration date of July 5, 2003. Permit issued August 6, 2002.

48024016. David H. Drury (385 Watts Drive, Duncannon, PA 17020), construction blasting in Lower Saucon Township, **Northampton County** with an expiration date of September 29, 2002. Permit issued August 6, 2002.

45024049. Explosive Services, Inc. (7 Pine Street, Bethany, PA 18431), construction blasting in Pocono Township, **Monroe County** with an expiration date of July 3, 2003. Permit issued August 6, 2002.

36024083. J. Roy's, Inc. (Box 125, Bowmansville, PA 17507), construction blasting in Manheim Township, **Lancaster County** with an expiration date of July 5, 2003. Permit issued August 6, 2002.

15024025. Explo Service, Inc. (P. O. Box 164, 1315 Sheep Hill Road, East Earl, PA 17519), construction blasting in West Caln Township, **Chester County** with an expiration date of June 29, 2003. Permit issued August 6, 2002.

45024050. Explosive Services, Inc. (7 Pine Street, Bethany, PA 18431), construction blasting in Paradise Township, **Monroe County** with an expiration date of July 9, 2003. Permit issued August 6, 2002.

38024021. Hall Explosives, Inc. (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting in South Lebanon Township, **Lebanon County** with an expiration date of February 25, 2003. Permit issued August 6, 2002.

67024026. ABEL Construction Co., Inc. (3925 Columbia Avenue, Mountville, PA 17554), construction blasting in York Township, **York County** with an expiration date of March 25, 2003. Permit issued August 6, 2002.

67024027. ABEL Construction Co., Inc. (3925 Columbia Avenue, Mountville, PA 17554), construction blasting in Manchester Township, **York County** with an expiration date of June 25, 2003. Permit issued August 6, 2002.

06024035. Schlouch Inc. (Excelsior Industrial Park, P. O. Box 69, Blandon, PA 19510), construction blasting in Cumru Township, **Berks County** with an expiration date of August 30, 2003. Permit issued August 6, 2002.

46024046. Explo-Craft, Inc. (P. O. Box 1332, West Chester, PA 19380), construction blasting in Franconia Township, **Montgomery County** with an expiration date of November 29, 2002. Permit issued August 7, 2002.

46024042. Allan A. Myers, L. P. (P. O. Box 98, Worcester, PA 19490), construction blasting in Whitemarsh Township, **Montgomery County** with an expiration date of October 25, 2002. Permit issued August 7, 2002.

45024051. Explosive Services, Inc. (7 Pine Street, Bethany, PA 18431), construction blasting in Smithfield Township, **Monroe County** with an expiration date of July 12, 2003. Permit issued August 7, 2002.

46024040. AMROC, Inc. (7531 Chestnut Street, Zionsville, PA 18092), construction blasting in Franconia Township, **Montgomery County** with an expiration date of August 30, 2003. Permit issued August 7, 2002.

09024026. Delta Gulf Corp. (P. O. Box 5429, Shreveport, LA 71135-5429), construction blasting in East Rockhill Township, **Bucks County**; Pike Township, **Berks County**; North Annville, North Lebanon and Swatara Townships, **Lebanon County**; Jackson and

Southwest Madison Townships, **Perry County** with an expiration date of November 30, 2002. Permit issued August 7, 2002.

21024041. M & J Explosives, Inc. (P. O. Box 608, Carlisle, PA 17013-0608), construction blasting in West Pennsboro Township, **Cumberland County** with an expiration date of August 30, 2007. Permit issued August 7, 2002.

45024054. Spring Mountain Homes (P. O. Box 475, Reeders, PA 18352), construction blasting in Pocono Township, **Monroe County** with an expiration date of October 31, 2002. Permit issued August 8, 2002.

48024017. Joao & Bradley Construction Co., Inc. (4211 Tracy Lane, Bethlehem, PA 18020), construction blasting in Palmer and Bethlehem Townships, **Northampton County** with an expiration date of December 28, 2002. Permit issued August 8, 2002.

46024041. Joao & Bradley Construction Co., Inc. (4211 Tracy Lane, Bethlehem, PA 18020), construction blasting in Abington Township, **Montgomery County** with an expiration date of May 28, 2003. Permit issued August 8, 2002.

36024084. Hall Explosives, Inc. (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting in West Lampeter Township, **Lancaster County** with an expiration date of August 30, 2003. Permit issued August 8, 2002.

Hawk Run District Mining Office: Empire Road, P. O. Box 209, Hawk Run, PA 16840-0209, (814) 342-8200.

14024019. Alan A. Myers, 1573 Spring Valley Road, State College, PA 16801, for construction blasting, located in Benner and College Townships, **Centre County**, with an expected duration of 365 days. Permit issued August 6, 2002. Permit expires: December 31, 2002.

Greensburg District Mining Office: Armbrust Building, R. R. 2 Box 603-C, Greensburg, PA 15601-0982, (724) 925-5500.

04024001. Controlled Demolition, Inc. (2737 Merymans Mill Road, Phoenix, MD 21131). Permit issued for a Valspar Polyurethane Residue Removal project located in Rochester Township, **Beaver County**, with an expected duration of 2 days. Permit issued August 8, 2002.

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

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(a)).

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

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

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

Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and The Clean Streams Law (35 P. S. §§ 691.1—691.702) and Notice of Final Action for Certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)). (Note: Water Obstruction and Encroachment Permits issued for Small Projects do not include 401 Certification, unless specifically stated in the description.)

Permits Issued and Actions on 401 Certifications

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E45-428. Minisink Hotel, Inc., P. O. Box 70, Minisink Hills, PA 18341. Smithfield Township, **Monroe County**, Army Corps of Engineers Philadelphia District.

To construct and maintain a pedestrian bridge having a single span of approximately 37.7 feet and a maximum underclearance of approximately 14.0 feet across Marshalls Creek to service pedestrian traffic from the Minisink Hotel to the roller rink catering area. The project also includes the installation of a 1 1/4-inch sanitary sewer line attached to the side of the northern bridge beam. The project is located north of the intersection of SR 2028 and SR 2021 (Stroudsburg, PA-NJ Quadrangle N: 22.5 inches; W: 2.0 inches).

E39-410. North Whitehall Township, 3256 Levans Road, Coplay, PA 18037. North Whitehall Township, **Lehigh County**, Army Corps of Engineers Philadelphia District.

To remove the existing structure; to construct and maintain an open-bottom, precast concrete arch culvert having a span of 30.4 feet and an underclearance of 5.25 feet across Coplay Creek; to construct and maintain bank restoration and stabilization, consisting of log and stone deflectors, erosion control matting, native plantings and riprap along 200 feet of the right bank of Coplay Creek; and to construct and maintain an outfall structure consisting of a 15-inch diameter pipe and concrete end wall in the floodway of Coplay Creek. The project is located at the intersection of Excelsior Road (T-665) and Coplay Creek Road (Cementon, PA Quadrangle N: 10.1 inches; W: 13.7 inches).

EA48-004NE. Gregory A. Gulick, 3399 Bath Pike, Bethlehem, PA 18017. Hanover Township, **Northampton County**, Army Corps of Engineers Philadelphia District.

To restore two watercourses that have been historically plowed and reshaped during farming activities as follows: (1) a 1,665-foot long, grass-lined channel having a depth of 1 foot and width of 40 feet; and (2) a 330-foot long, grass-lined channel having a depth of 1 foot and width of 30 feet. The project is located approximately 1,500 feet southwest of the intersection of SR 0022 and SR 0512 (Catasauqua, PA Quadrangle N: 6.0 inches; W: 1.8 inches).

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

E21-338. South Middletown Municipal Authority, P. O. Box 8, Boiling Springs, PA 17007 in South Middletown Township, **Cumberland County**, ACOE Baltimore District.

To construct and maintain about 250 linear feet of new 6-inch diameter high density polyethylene sanitary sewer force main encased in a 10-inch diameter steel pipe, crossing of the Yellow Breeches Creek (HQ-CWF) stream channel and floodway located about 50 feet downstream of the SR 2003 bridge crossing of the Creek (Carlisle, PA Quadrangle N: 2.3 inches; W: 3.3 inches) in South Middletown Township, Cumberland County.

E67-717. Randy Odachowski, 3833 Salem Road, York, PA 17404 in North Codorus Township, **York County**, ACOE Baltimore District.

To excavate a 35.8-foot by 32.6-foot nonjurisdictional pond which will have a brick embankment of 20-feet by 3-feet high in the channel of an unnamed tributary to Codorus Creek (WWF) located about 1,700 feet southwest of New Salem School (West York, PA Quadrangle N: 4.03 inches; W: 7.2 inches) in North Codorus Township, York County.

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

E14-418. Thomas A. Shivery, 356 Lower Coleville Road, Bellefonte, PA 16823. Stream enclosure garage, in Spring Township, **Centre County**, ACOE Baltimore District (Bellefonte, PA Quadrangle N: 6.07 inches; W: 6.82 inches).

To construct and maintain a 52-foot 2-inch long by 36-foot 2-inch wide garage over 36 linear feet of an 8-foot wide concrete block walled unnamed tributary to Buffalo Run located 700 feet southeast on Lower Coleville Road from Coleville Road. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E14-423. Philipsburg Borough, P. O. Box 631, Philipsburg, PA 16866-0631. Cold Stream footbridge, in Philipsburg Borough, **Centre County**, ACOE Baltimore District (Philipsburg, PA Quadrangle N: 3.5 inches; W: 11.1 inches).

To construct and maintain a 4-foot wide by 60-foot long steel beam/wood deck pedestrian bridge with its associated concrete abutments and 7-foot underclearance across Cold Stream for a recreational trail located 2,000 feet upstream of the Cold Stream Dam spillway. The project proposes to permanently impact 4 linear feet of the Cold Stream that is classified as a HQ-CWF. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E19-232. Bloomsburg Fair Association, P. O. Box 479, Bloomsburg, PA 17815. Road construction in floodway, in Town of Bloomsburg, **Columbia County**, ACOE Baltimore District (Catawissa, PA Quadrangle N: 21.1 inches; W: 13.8 inches).

To construct and maintain a one directional access road approximately 600 feet long that will connect Route 11 to River Road in the floodway of Fishing Creek 100 feet south of the SR 42/SR 11 interchange. This permit was issued under section 105.13(e) "Small Projects."

E59-431. Donald W. Trowbridge, 222 Granger Street, Blossburg, PA 16912-1433. Culvert crossing, in Rutland Township, **Tioga County**, ACOE Baltimore District (Rutland, PA Quadrangle N: 4.2 inches; W: 15.3 inches).

To construct, operate and maintain a 104-inch diameter steel culvert pipe residential crossing having a length of 30 feet. This permit also authorizes rock headwalls and one foot of clean fill used for cover over the culvert pipe. This crossing is located on Bailey Creek 130 feet north of Bailey Creek Road, 1/4 mile west of French Road (Millerton, PA Quadrangle N: 4.21 inches, W: 15.3 inches) in Rutland Township, Tioga County. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E60-156. Chris A. Walter, R. R. 1, Box 339, New Columbia, PA 17856. New home in floodway, in White Deer Township, **Union County**, ACOE Baltimore District (Allenwood, PA Quadrangle N: 13.37 inches; W: 2.37 inches).

To replace a 14-foot by 60-foot trailer with a 28-foot by 44-foot double wide mobile home in the 100-year floodway of White Deer Creek located 1.0 mile west on White Deer Pike from SR 0015 in White Deer Township, Union County. This permit was issued under section 105.13(e) "Small Projects."

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

E10-328, Adams Ridge II, L. P., 1150 Brodhead Road, Monaca, PA 15061-2500. Adams Ridge II, Phase VI, in Adams Township, **Butler County**, ACOE Pittsburgh District (Mars, PA Quadrangle N: 12.0 inches; W: 6.0 inches).

To fill 0.60 acre of wetland (PSS/PFO) and impact approximately 2,000 feet of the channel of a tributary to Kaufman Run having a contributory drainage area less than 100 acres for the construction of Adams Ridge II, Phase VI, residential development south of SR 228 approximately 1 mile west of Mars Borough. This project includes creation of 1.25 acres of replacement wetland along Kaufman Run on Adams Ridge Pointe Road (formerly Four Seasons Road).

E25-647, Erie-Western Pennsylvania Port Authority, 100 State Street, Suite 205, Erie, PA 16507. Ore Dock Access Road, in City of Erie, **Erie County**, ACOE Pittsburgh District (Erie North, PA Quadrangle N: 3.5 inches; W: 10.9 inches).

Realign and reconstruct an existing access road within the 100-year flood plain of Lake Erie and to rehabilitate and maintain the existing bridge having an approximate clear span of 67 feet and an underclearance of 15 feet across Mill Creek on the Ore Dock Access Road extending from the Bayfront Parkway west of the Erie Wastewater Treatment Plant northeast to the Mountfort Terminal.

E62-377, Timothy J. Stec, R. D. 1 Box 3, Grand Valley, PA 16420. Timothy J. Stec SRSTP Outfall to Caldwell Creek, in Eldred Township, **Warren County**, ACOE Pittsburgh District (Grand Valley, PA Quadrangle N: 18.7 inches; W: 5.2 inches).

Install and maintain an outfall pipe with concrete headwall along the right bank of Caldwell Creek (HQ) approximately 0.5 mile upstream of T-361 Whaley Hill Road at Grand Valley from a Single Residence Sewage Treatment Facility for an existing home along T-318 Hoover Road.

E62-384, Mead Oil Company, P. O. Box 667, Sheffield, PA 16347. Gas pipelines across Little Arnot Run, in Mead Township and Cherrygrove Township, **Warren County**, ACOE Pittsburgh District (Sheffield, PA Quadrangle N: 18.8 inches; W: 14.6 inches).

To construct and maintain 11,525 feet long, 3-inch diameter and 2-inch diameter natural gas pipelines to extend existing lines to provide gas to a local business. The pipeline will cross underneath (by trenching) Little Arnot Run approximately 1.6 miles northeast of the intersection of SR 2001 and Gregerson Road.

ENVIRONMENTAL ASSESSMENTS

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

D64-104EA. Consumers Pennsylvania Water Company, 204 East Sunbury Street, Shamokin, PA 17872. Paupack, Township, **Wayne County**, ACOE Philadelphia District.

To breach and remove Red Shale Dam No. 1 across Red Shale Brook (HQ-CWF, MF) for the purpose of restoring the stream to a free flowing condition. The dam is located approximately 3,800 feet south of the intersection of SR 3028 and T367 (Hawley, PA Quadrangle N: 19.40 inches; W: 14.75 inches).

[Pa.B. Doc. No. 02-1482. Filed for public inspection August 23, 2002, 9:00 a.m.]

Availability of Technical Guidance

Technical guidance documents are on the Department of Environmental Protection's (Department) website (www.dep.state.pa.us) at the Public Participation Center page. The "July 2002 Inventory" heading is the Governor's list of nonregulatory guidance documents. The "Final Documents" heading is the link to a menu of the various Department bureaus and from there to each bureau's final technical guidance documents. The "Draft Technical Guidance" heading is the link to the Department's draft technical guidance documents.

The Department will continue to revise its nonregulatory documents, as necessary, throughout 2002.

Ordering Paper Copies of Department Technical Guidance

The Department encourages the use of the Internet to view guidance documents. When this option is not available, persons can order a bound paper copy of the latest inventory or an unbound paper copy of any of the final documents listed on the inventory by calling the Department at (717) 783-8727.

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

Changes To Technical Guidance Documents

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

Interim Final Technical Guidance

DEP ID: 254-2100-101. Title: Environmental Assessment Process, Phase I Review. Description: The Department is adding this document to its inventory of technical guidance documents. The Department will perform the Environmental Assessment in Phase I or prior to other technical review for applicable municipal and residual waste permit applications. This policy establishes procedures the Department will follow in reviewing Environmental Assessments submitted with municipal and residual waste permit applications to evaluate the harms and benefits of the proposed facility on public health, welfare, safety and the environment. Comment Period Ends: September 23, 2002. Effective Date: August 24, 2002. Contact: Steve Socash at (717) 787-6052 or e-mail: ssocash@state.pa.us.

Final Technical Guidance

DEP ID: 255-5400-001. Title: Outdoor Shooting Range Guidance. Description: This document provides guidance on the operation, modification and location of outdoor shooting ranges in order to prevent, eliminate or mitigate hazards to human health or the environment resulting

from the use of lead shot. Effective Date: September 7, 2002. Contact: Ken Beard at (717) 783-9475 or e-mail: kbeard@state.pa.us

Notice of Intent to Rescind

DEP ID: 562-2403-505. Title: Drop Trailer and Tanker Guidelines. Description: Prior to July 14, 2001, Department regulations (25 Pa Code Chapter 211) did not advise the use of drop trailers and tankers for storing explosives. When Chapter 211 was revised, effective July 14, 2001, it incorporated the federal Bureau of Alcohol, Tobacco and Firearms standards for storage of explosives (27 CFR Part 55, Subpart K). These new standards for Pennsylvania, now found in Section 211.115, properly address the storage of explosives in drop trailers and tankers. Therefore, the subject guidance document is no longer necessary. Effective date of rescission: August 30, 2002. Contact: Rick Lamkie at (717) 787-5103 or e-mail: rlamkie@state.pa.us

DAVID E. HESS,
Secretary

[Pa.B. Doc. No. 02-1483. Filed for public inspection August 23, 2002, 9:00 a.m.]

Wetlands Protection Advisory Committee Meeting

The Wetlands Protection Advisory Committee meeting scheduled for Thursday, August 29, has been cancelled. The next meeting is scheduled for Tuesday, November 26, in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA at 10 a.m. For information, contact Kelly Heffner at (717) 787-6827.

DAVID E. HESS,
Secretary

[Pa.B. Doc. No. 02-1484. Filed for public inspection August 23, 2002, 9:00 a.m.]

DEPARTMENT OF HEALTH

Emergency Medical Services Patient Care Report Data Elements, Confidential and Nonconfidential Data Elements and Essential Patient Information for Transmission for Patient Care

Under 28 Pa. Code § 1001.41 (relating to data and information requirements for ambulance services) the Department of Health (Department) is publishing the following: (a) a list of data elements and form specifications for the emergency medical services (EMS) patient care report (PCR); (b) a designation of data items for the PCR that are confidential; and (c) patient information in the PCR designated as essential for immediate transmission to the receiving facility for patient care.

(A) *Data Elements and Form Specifications.* The following standards must be met for an EMS data collection software program to satisfy the requirements for electronic PCR reporting:

1. A prospective vendor must contact the Department of Health, Emergency Medical Services Office, Room 1032, P. O. Box 90, Harrisburg, PA 17108, to request the output data specifications and the patient care information that a user of the software must be able to enter into the PCR.

2. The requirements that a PCR data collection software program must meet, after the vendor obtains the input and output specifications and the patient care information from the Emergency Medical Services Office (EMS Office), are the following:

i. It must have all the data elements identified in the column titled "Required Data Elements" on the EMS PCR Data and Information Chart included in this notice.

ii. It must have symbols for years that are consistent with ASCII codes assigned by the aggregating data program.

iii. It must be able to collect and print narrative.

iv. It must be able to generate an ASCII flat file (undelimited).

v. It must allow for the practitioner or ambulance service's designated data administrator to make corrections when data elements are omitted or an error occurred when the form was initially completed.

vi. It must annotate additions and corrections made to the PCR by identifying what data element was added or changed, the date of change and who made the change.

vii. It must assign a specific lithocode to each PCR and prevent duplication of lithocode assignments.

3. The prospective vendor must coordinate with a regional EMS council that is willing to conduct a beta test of the software program using 100 preprepared PCRs provided by the EMS Office. The regional EMS council will run the raw data files and generate reports from the Statewide PCR data system for validation.

The beta test will include:

i. Two ambulance services each entering the data from 50 of the 100 prepared PCRs provided by the EMS Office.

ii. Printing of the 100 PCRs.

iii. Printing a list of the data elements collected.

iv. Printing reports that identify unit utilization for:

a. Response outcome, hour/day of week.

b. Fractal time.

c. Municipal response for each of the two beta sites.

v. Printing the following reports:

a. Incident location/type report with number of calls and percentage of calls.

b. Trauma summary.

c. Revised trauma scores.

d. Glasgow coma scale.

e. Medical summary.

f. EKG.

g. Treatment summary.

h. Admission summary.

i. BLS and ALS skills report for each practitioner.

j. BLS and ALS skills report for each beta test site.

k. Demographics summary (age, gender, total).

l. Vital signs summary (ranges, systolic, diastolic, pulse, respiration).

m. Attendant activity.

vi. Printing output files of data elements to include:

a. Field number.

- b. Field name.
- c. Number of fields for each field name.
- d. Type of field (that is, numeric, blanks stored as "0," mm/dd/yyyy, character Boolean and acceptable field values).

To secure a determination of software compliance from the EMS Office the following must occur:

1. The vendor must request a determination of compliance from the EMS Office, upon which the EMS Office will notify the vendor of reports and information that the vendor must submit to the EMS Office to seek a determination of compliance.
2. The regional EMS council that coordinated the beta test shall submit a letter to the EMS Office recommending a determination of compliance or noncompliance. The regional EMS council will validate that all of the aforementioned criteria have been met before recommending a determination of compliance. The EMS Office will notify the vendor as to whether the data collection software program satisfies the requirements for electronic PCR reporting. If the EMS Office determines there are inadequacies, it will identify the corrections that need to be made.

Data software programs developed for handheld devices that transmit data to an approved software program must be evaluated by a regional EMS council prior to being used by an ambulance service in the field to ensure the transmitted data is accurate and complete and supports the ambulance service in meeting regulatory requirements for data submission. A minimum of 20 PCRs provided by the EMS Office will be used to evaluate the transfer and accuracy of the data collected and transmitted using the handheld device. The evaluation will consist of entering the PCR data on the handheld device and transmitting the data to the approved software program. The regional EMS council will compare data from the two sources. The regional EMS council will submit a letter to the EMS Office recommending a determination of compliance or noncompliance. The EMS Office will notify the vendor as to whether the data collection software program for the handheld device satisfies the requirements for electronic reporting. If the EMS Office finds inadequacies, it will identify the corrections that need to be made and provide notice to the vendor.

To secure endorsement of the software by the EMS Office, in addition to securing a determination of compliance from the EMS Office, the vendor must do the following:

1. The vendor must agree, in writing, to make changes to the software program at no cost to the customer if the change is a minor one requested by the EMS Office. A minor change is one that does not add or decrease a field. For example, a change of the year in the date field is a minor change.
2. The vendor must agree, in writing, to provide to the EMS Office and to all licensed users 30-days advance notice before selling the program source code and company or going out of business. The vendor must further agree, in writing, that if circumstances prevent the vendor from meeting the 30-day notice requirement, the vendor will provide input specifications and the source code for the software program to the EMS Office at no cost.

(B) *Confidential PCR Data Elements.* Section 1001.42 of 28 Pa. Code (relating to dissemination of information) prohibits the release of the PCR, disclosure of confidential

information in the PCR or a report or record thereof, except as authorized under 28 Pa. Code § 1001.42(a)(1)—(7). The Department has the authority under 28 Pa. Code § 1001.41(b) to designate some of the information in the PCR as nonconfidential but has chosen not to do so at this time. Consequently, the PCR is confidential in its entirety, and all information in the PCR is subject to the disclosure restrictions in 28 Pa. Code § 1001.41(b). The EMS Office and the regional EMS councils will, however, release aggregate data extracted from PCRs.

To protect against the indirect disclosure of patient information, patient data will be aggregated into groups large enough to prevent an individual from being identified.

Regional EMS councils will release aggregate information from the PCR at a geographic level no smaller than minor civil division (MCD). The report contents will be limited to the following PCR data items:

- Number of calls by an MCD.
- Demographic characteristics of patients, age and sex.
- Number of calls made by month.
- Level of certification of prehospital personnel.
- Average response time.
- Response outcomes.
- Incident location.
- Incident type.
- Suspected illness.
- Medical command facility.

If requests are made for information from a geographic area smaller than an MCD or for PCR data not previously listed, the following is applicable:

1. No PCR or information contained therein shall be released unless the patient (or an authorized representative of the patient) gives a written request or consent to release the PCR or another regulatory exception is met. A request for a specific ambulance service's response record will be referred directly to the service.

2. When a request is made for PCR data elements identified for other purposes, for example, research or statistical analysis, the elements will be released only after the person requesting the data secures written approval from the EMS Office. The request must be submitted in writing to the appropriate regional EMS council. The regional EMS council will forward the request to the EMS Office for consideration. After the EMS Office gives written approval of a request, prior to the EMS Office releasing data, the requesting party must submit a signed data user agreement provided by the EMS Office.

The PCR data elements applicable to the foregoing paragraphs are:

- Patient identifiers.
- Ambulance service identifiers.
- Prehospital care personnel identifiers.
- Medical command facility identifiers.
- MCD identifiers.

(C) *Patient Information Required to be Transmitted to Hospital at Time of Patient Delivery.* Section 1001.41(d) of 28 Pa. Code requires an ambulance service to provide to the individual at the hospital assuming responsibility for the patient the patient information designated in the

PCR as essential for immediate transmission to personnel for patient care. The EMS Office encourages ambulance services to transmit immediately to the facility all information solicited by the PCR, including the narrative section. If the ambulance service does not provide all of the information solicited by the PCR at the time the hospital or facility assumes care, essential information that must be transmitted are the items listed on the following EMS PCR Data and Information Chart. The information may be transmitted verbally, electronically or in a format developed by the hospital or other entity that the hospital finds acceptable to ensure the confidentiality of information designated as confidential in the PCR form.

Persons with a disability who require an alternate format of this notice (for example, large print, audiotape or Braille) should contact Fay Geegee, Department of Health, Emergency Medical Services Office, Room 1032, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-8740, V/TT: (717) 783-6154 for speech or hearing impaired persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

Essential Information for Immediate Transmission to Receiving Facility at Time of Patient Delivery
28 Pa. Code § 1001.41(d)

<i>Required Data Elements</i>	
Lithocode	
Affiliate Number/Unit Number	
Incident Location MCD Code	
Date—Month/Day/Year	Required
Attendant #1 Type	
Attendant #1	Required
Attendant #2 Type	
Attendant #2	
Attendant #3 Type	
Attendant #3	
Attendant #4 Type	
Attendant #4	
Driver	
Response Mode	
Transport Mode	
Dispatch Time	
Enroute Time	
Arrive Scene Time	
Depart Scene Time	
Arrive Destination Time	
Available Time	
In Quarters Time	
Response Outcome	
Service Incident Number	
Incident Location Type	
Work Related	
Incident Type	
Suspected Illness	Required
Sex	Required
Age	Required
Age Type (month/day)	
Initial Vital Sign—Systolic	Required
Initial Vital Sign—Diastolic	Required
Initial Vital Sign—Palp	Required
Initial Vital Sign—Pulse	Required

Essential Information for Immediate Transmission to Receiving Facility at Time of Patient Delivery
28 Pa. Code § 1001.41(d)

<i>Required Data Elements</i>	
Initial Vital Sign—Respiration	Required
Eyes/Verbal/Motor Safety Devices	Required
Contributing Factors	
Situation of Injury	Required
Injury Site/Type	Required
Revised Trauma Score	
BLS Treatment	Required
ALS Treatment	Required
EKG Initial	Required
EKG Last	
IV Fluid	Required
IV Rate	Required
Medication	Required
CPR Information	
Patient Condition On Scene/At Facility	
Medical Command (Type)	
Receiving Facility	
Patient Received By	
Research Code	
Command Facility ID #	
Service Name	Required
Service Number	
Incident Number	
Today's Date	
Incident Location (description)	
Patient Name	Required
Phone	
Age	
Date of Birth	
Sex	
Patient Address	
Social Security Number	
Membership	
Private Physician	
Insurance Code Number	
Bill To (Company or Name)	
Bill To Address & Phone	
Mileage	
Chief Complaint	Required
Current Medication	Required
Allergies (Meds)	Required
Past Medical History	
Narrative	
Vital Signs	
Name Patient Received by	
Crew Signatures (No. 1 through No. 4)	
Person Receiving Patient Signature and Date	
Command Physician Name and ID#	

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 02-1485. Filed for public inspection August 23, 2002, 9:00 a.m.]

Public Hearing to Solicit Comments for Regulations on Do-Not-Resuscitate Orders and Advance Declarations

The Department of Health (Department) will hold a public hearing on September 12, 2002, from 1 p.m. to 3 p.m. in Room 327, Health and Welfare Building, Seventh and Forster Streets, Harrisburg, PA.

The purpose of the public hearing is to solicit comments on proposed and interim regulations to be promulgated by the Department under Act 59 of 2002 (Act 59).

Act 59 amends the Advance Directive for Health Care Act (Advance Directive Act) and establishes the Do-Not-Resuscitate Act (DNR Act). The amendments to the Advance Directive Act revise requirements under which emergency medical services (EMS) personnel are to implement a patient's advance declaration directing that the patient not be resuscitated. The DNR Act establishes standards for and procedures by which a patient's attending physician may provide a patient with an out-of-hospital do-not-resuscitate order, bracelet or necklace that EMS personnel are to honor.

Act 59 was signed into law on June 19, 2002, and went into effect on August 18, 2002. It requires the Department to promulgate interim regulations to aid in the implementation of Act 59 by December 16, 2002, and to conduct a public hearing prior to the adoption of interim regulations.

The Department plans to conduct the public hearing as an open discussion among the persons attending. To ensure that the room size and layout are adequate, the Department requests that persons planning to attend the public hearing contact Yvonne Cooper by September 5, 2002. It is the Department's preference that Yvonne Cooper be contacted by e-mail at ycooper@state.pa.us.

The Department anticipates that it will have prepared a preliminary draft of regulations prior to the public hearing. Persons interested in securing a copy of the preliminary draft should contact Yvonne Cooper to request a copy.

Interested persons may submit written comments to Yvonne Cooper, Emergency Medical Services Office, 1032 Health and Welfare Building, Harrisburg, PA 17120, (717) 787-8740, fax (717) 772-0910. Attendance at the public hearing is not a prerequisite.

Persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodations to do so should contact Yvonne Cooper or for speech or hearing impaired persons at V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984 (TT). Persons with a disability who require an alternative format of this notice or the preliminary draft regulations should also contact Yvonne Cooper.

The hearing is subject to cancellation without notice. If the public hearing needs to be moved to another location based upon the number of persons attending, an appropriate notice will be posted in the lobby of the Health and Welfare Building on the day of the hearing.

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 02-1486. Filed for public inspection August 23, 2002, 9:00 a.m.]

DEPARTMENT OF LABOR AND INDUSTRY

Innovation and Expansion Grant to Plan, Coordinate and Implement a Statewide Independent Living Conference; OVR RFP 2002-4

The Department of Labor and Industry, Office of Vocational Rehabilitation (OVR), under the Federal Rehabilitation Act of 1973, as amended in 1992, announces that competing applications to establish, expand or improve community rehabilitation programs serving persons with the most significant disabilities will be accepted. This competition is authorized under the Federal Rehabilitation Act of 1973.

Funding for this competition is under the auspice of the State Board of Vocational Rehabilitation and the OVR, which will serve as administrator and fiscal agent for the grant awarded under this competition. Applications will be written to accomplish the following areas of emphasis:

In coordination with, and guidance from, the Statewide Independent Living Council (SILC):

- The Grantee will develop a work plan for an Independent Living Conference (Conference). The work plan will include, at minimum, strategies to explore, evaluate and select prospective Conference topics; strategies for Conference site selection; strategies for selection and recruitment of prospective Conference speakers/presenters for the Conference topics; strategies for Conference marketing, public relations and support; strategies for expanding Conference attendance to underserved populations; and a prospective budget and cost allocation plan for the Conference, including prospective resources of revenue.

- The Grantee will convene a Conference Planning Committee to advise the Grantee and assist with planning and coordinating the Conference. At minimum, membership of the Conference Planning Committee will consist of persons with significant disabilities, including at least one person who is blind and one person who is deaf. Conference Planning Committee membership will be recruited from a variety of sources, including from populations of people who are traditionally underserved by independent living and rehabilitation services.

- With the assistance of the Conference Planning Committee, the Grantee will coordinate and facilitate planning activities associated with the Conference.

- The Grantee will coordinate and implement logistical activities associated with the Conference, including announcements and invitations, scheduling of speakers/presenters, onsite Conference management, Conference security, disability-related accommodations, lodging reservations, as necessary, preparation and distribution of Conference program booklets, participant rosters and other arrangements as may be necessary to the conduct of a successful Conference.

- The Grantee will prepare and submit to the OVR quarterly and year-end reports presenting activity and progress/problems related to the Conference.

- The Grantee will provide the OVR with stage and cumulative accountings of Conference and Conference-related expenses and revenues at 90-day intervals throughout the 18-month life of the grant.

- The Grantee will provide the OVR with an audited accounting of Conference expenses and revenues no later than 90 days following the close of the Conference.

Service Information

This competition will result in one 18 month award beginning January 1, 2003. Activities required under this grant competition include those noted in the preceding section.

For purposes of this competition, an eligible applicant is an individual, a for-profit or nonprofit organization, incorporated under the laws of the Commonwealth or a government agency or political subdivision experienced in effectively planning and implementing conferences of the scope intended, particularly where events have been undertaken on behalf of persons with significant disabilities.

An applicant must have experience in activities, as noted, for a minimum of 3 years prior to the date of application to be considered for this competition. A successful applicant must be able to demonstrate the effectiveness of previous experience in its grant application.

Application Information

Applications received by 5 p.m. on October 4, 2002, which are complete and conform to established specifications, will be accepted for review. Applications submitted after this date and time will be ineligible for consideration.

Applications will be evaluated by a panel of reviewers convened for that purpose.

The effective dates for the contract will be January 1, 2003, through June 30, 2004. Final awards made through this competition are subject to the approval of the Executive Director of the OVR.

A complete OVR RFP 2002-4 application package, which includes more detailed information, is available by contacting Jacqueline B. Lucas, Office of Vocational Rehabilitation, Contracts and Grants Management Section, 1521 North Sixth Street, Harrisburg, PA 17102, (717) 787-7016, fax: (717) 705-9345, TDD: (717) 783-8917.

Preproposal Conference

A preproposal conference to deal specifically with technical questions regarding applications will be held for applicants on Thursday, September 5, 2002, at 10 a.m. in the OVR Central Office, 1521 North Sixth St., Harrisburg, PA. Copies of the application package will also be available at the preproposal conference.

Persons planning to attend the preproposal conference who have special needs that should be considered to participate fully in the preproposal conference should contact Jacqueline B. Lucas at (717) 787-7016 no later than 1 week in advance of the preproposal conference date.

JOHNNY J. BUTLER,
Secretary

[Pa.B. Doc. No. 02-1487. Filed for public inspection August 23, 2002, 9:00 a.m.]

Innovation and Expansion Grant to Plan, Coordinate and Implement a Statewide Independent Living Training Program; OVR RFP 2002-6

The Department of Labor and Industry, Office of Vocational Rehabilitation (OVR), under the Rehabilitation Act of 1973, as amended in 1992, announces that competing applications to establish, expand or improve community rehabilitation programs serving persons with the most significant disabilities will be accepted. This competition is authorized under Title VII and section 121 of the Rehabilitation Act of 1973.

Funding for this competition is under the auspice of the State Board of Vocational Rehabilitation and the OVR, which will serve as administrator and fiscal agent for the grant awarded under this competition. Applications will be written to accomplish the following areas of emphasis:

Fifteen Centers for Independent Living (CILs) currently operate in this Commonwealth with Federal or State funds. The successful applicant will provide: (1) a minimum of two annual training sessions on topics responsive to the needs of the 15 CILs; and (2) develop and implement an ongoing technical assistance service responsive to the needs of individual CILs. Participants in training and technical assistance services provided through this award are CIL personnel and other parties relevant to the effective provision of independent living (IL) services, through CILs in this Commonwealth, that is, IL customers, OVR personnel, and the like.

An operating fund of \$50,000 will be used by the grantee for the purpose of financing expenses directly related to the provision of training and/or technical assistance services as specified. Examples of these expenses include, but are not limited to, the costs of training sites; instruction/ instructor/instructional material expenses; fees of approved technical assistance consultants; staff/instructor/trainee travel reimbursement consistent with Commonwealth travel regulations and determined allowable by the OVR. The grantee will submit proposed training budgets to the OVR for approval before completing arrangements for any grant-sponsored training programs.

The specific objectives of this grant competition are:

1. Conduct training needs assessment of all CILs in this Commonwealth within the first 3 months of the grant year.

2. In conjunction with the CILs and the Pennsylvania Statewide Independent Living Council (Council), and based upon the findings of the CIL training needs assessment, develop a training and technical assistance plan for presentation to the OVR and the Council for review/approval. The plan will be presented for review no later than the end of the fourth month of the project year.

3. Based upon the approved training and technical assistance plan, implement a process through which timely, responsive technical assistance service may be rendered to this Commonwealth's CILs.

4. Provide or arrange for the provision of a minimum of two training sessions per year on topics responsive to the assessed training needs of the targeted audiences. Train-

ing, as provided, must be consistent with the training plan approved by the OVR and the Council.

5. Training sessions provided through this award will be geographically situated as to be easily accessible to the CILs and their employees. The physical locations for any training provided through this award must be fully accessible to persons with disabilities.

6. Provide quarterly and final program and fiscal reports to the OVR. The final annual report for the project year must include an objective evaluation of training and technical assistance services. Evaluation must clearly reflect the input of persons who have received training and/or technical assistance through the grant.

Service Information

This competition will result in one award and funding for a 2-year period, beginning January 1, 2003. Activities allowable under this grant competition include those noted in the preceding section. The successful applicant will enter a contract with the OVR to serve as the Commonwealth's agent administering services as described.

For purposes of this competition, an eligible applicant is an individual, a for-profit or nonprofit organization, incorporated under the laws of the Commonwealth or a government agency or a political subdivision experienced in effectively providing training services.

A successful applicant must be able to demonstrate the effectiveness of previous experience in its grant application.

Application Information

Applications received by 5 p.m. on Friday, October 4, 2002, which are complete and conform to established specifications, will be accepted for review. Applications submitted after this date and time will be ineligible for consideration.

Applications will be evaluated by a panel of reviewers convened for that purpose.

The effective dates for the contract will be January 1, 2003, through December 31, 2003. Final awards made through this competition are subject to the approval of the Executive Director of the OVR.

A complete OVR RFP 2002-6 application package, which includes more detailed information, is available by contacting Jacqueline B. Lucas, Office of Vocational Rehabilitation, Contracts and Grants Management Section, 1521 North Sixth Street, Harrisburg, PA 17102-2913, (717) 787-7016, fax: (717) 705-9345, TDD: (717) 783-8917; or writing to the following address:

Preproposal Conference

A preproposal conference to deal specifically with technical questions regarding applications will be held for applicants on Friday, September 6, 2002, at 10 a.m. in the OVR Central Office, 1521 North Sixth St., Harrisburg, PA. Copies of the application package will also be available at the preproposal conference.

Persons planning to attend the preproposal conference who have special needs that should be considered to participate fully in the preproposal conference should

contact Jacqueline B. Lucas at (717) 787-7016, no later than 1 week in advance of the preproposal conference date.

JOHNNY J. BUTLER,
Secretary

[Pa.B. Doc. No. 02-1488. Filed for public inspection August 23, 2002, 9:00 a.m.]

Uniform Construction Code; Public Hearings

The Department of Labor and Industry (Department) has scheduled three public hearings to hear comments on its proposed Uniform Construction Code (UCC), Administrative and Enforcement and Elevators and Other Lifting Devices regulations. See 32 Pa.B. 4128 (August 24, 2002) for the text of this proposed rulemaking.

The Department will also consider comment and testimony on the "Code for the Conservation of Space Conditioning Energy for Housing in Pennsylvania: The PHRC Alternative to Chapter 11, Energy Efficiency, of the International Residential Code (IRC) 2000 for Use in Pennsylvania" at these three public hearings. The Department intends to utilize the Pennsylvania Housing Research Center (PHRC) code in the UCC regulations as an alternative approach to the prescriptive energy measures contained in the "International Residential Code 2000 and the International Energy Conservation Code 2000." Federal law requires each state to certify to the United States Secretary of Energy that its residential building code comports with the "International Energy Conservation Code 2000." A state may determine that its residential building code should be revised to meet or exceed the "International Energy Conservation Code 2000." This notice and the public hearing listed in this notice will fulfill the public notice and hearing requirements under Energy Conservation and Resource Renewal Act, 42 U.S.C.A. § 6833. These regulations are being proposed under section 301 of the Pennsylvania Construction Code Act (35 P. S. § 7210.301).

The public hearings are set for the following locations and dates:

Radisson Hotel Pittsburgh
101 Mall Blvd.
Monroeville, PA 15146
September 9, 2002
2—4 p.m.

Plymouth Township Community Center
2910 Jolly Road
Plymouth Meeting, PA 19462
September 11, 2002
1:30—3:30 p.m.

Holiday Inn Grantville
604 Station Road
(I-81, Exit 80)
Grantville, PA 17028
September 13, 2002
1:30—3:30 p.m.

JOHNNY J. BUTLER,
Secretary

[Pa.B. Doc. No. 02-1489. Filed for public inspection August 23, 2002, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Actions Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10:30 a.m., Thursday, August 8, 2002, and took the following actions:

Regulations Approved

State Board of Podiatry #16A-445: Biennial Renewal Fees (amends 49 Pa. Code Chapter 29)

Department of Public Welfare #14-472: TANF Program (amends 55 Pa. Code Chapters 105, 123, 125, 133, 140, 141, 145, 151, 153, 165, 177, 178, 181, 183, 187 and 281)

Approval Order

Public Meeting held
August 8, 2002

Commissioners Voting: John R. McGinley, Jr., Chairperson; Alvin C. Bush, Vice Chairperson, by Phone; Arthur Coccodrilli, Dissenting; Robert J. Harbison, III; John F. Mizner, by Phone

Department of Public Welfare; Temporary Assistance for Needy Families (TANF) Program; Regulation No. 14-472

On October 2, 2001, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Public Welfare (Department). This rulemaking amends 55 Pa. Code Chapters 105, 123, 125, 133, 140, 141, 145, 151, 153, 165, 177, 178, 181, 183, 187 and 281. The proposed regulation was published in the October 20, 2001, *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on July 8, 2002.

This regulation replaces the Aid to Families with Dependent Children Program with rules for the Federally authorized Temporary Assistance for Needy Families (TANF) program and includes changes to the General Assistance, Medical Assistance and Food Stamp programs.

We have determined this regulation is consistent with the statutory authority of the Department (62 P.S. §§ 201(2) and 403(b)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 02-1490. Filed for public inspection August 23, 2002, 9:00 a.m.]

Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulations on the dates indicated. To obtain the date and time of the meeting at

which the Commission will consider these regulations, contact the Commission at (717) 783-5417 or visit its website at www.irrc.state.pa.us. To obtain a copy of the regulation, contact the promulgating agency.

Final-

Form

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
14-474	Department of Public Welfare Redetermining Eligibility, General Eligibility Provisions and Income	08/12/02
11-209	Insurance Department Privacy of Consumer Health Information	08/13/02

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 02-1491. Filed for public inspection August 23, 2002, 9:00 a.m.]

INSURANCE DEPARTMENT

Alleged Violation of Insurance Laws; Ronald B. Green; Doc. No. SC02-08-004

Notice is hereby given of the Order to Show Cause issued on August 9, 2002, by the Deputy Insurance Commissioner of the Commonwealth in the previously referenced matter. Violation of the following is alleged: sections 604, 633, 633.1 and 639 of the Insurance Department Act of 1921 (40 P.S. §§ 234, 273, 273.1 and 279) and 31 Pa. Code §§ 37.46, 37.47 and 37.81 (relating to standards for denial of certificate/license; revocation, suspension, nonrenewal of certificates and licenses; and premium accounts).

Respondent shall file a written answer to the Order to Show Cause within 30 days of the date of issue. If respondent files a timely answer, a formal administrative hearing shall be held in accordance with 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law); 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); 31 Pa. Code Chapter 56 (relating to special rules of administrative practice and procedure) and other relevant procedural provisions of law.

Answers, motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed in writing with the Hearings Administrator, Insurance Department, Administrative Hearings Office, 901 North 7th Street, Harrisburg, PA 17102.

Persons with a disability who wish to attend the previously referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Tracey Pontius, Agency ADA Coordinator at (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 02-1492. Filed for public inspection August 23, 2002, 9:00 a.m.]

Application for Merger

An application has been received requesting approval of the merger of American General Life Insurance Company of Pennsylvania, an admitted stock life insurance company organized under the laws of the Commonwealth, with and into American General Assurance Company, an admitted stock life insurance company organized under the laws of the State of Illinois. The initial filing was received on July 29, 2002, and was made under requirements set forth under the Insurance Holding Companies Act (40 P. S. §§ 991.1401—991.1413), 15 Pa.C.S. §§ 1921—1932 (relating to merger, consolidation, share exchanges and sale of assets) and the GAA Amendments Act of 1990 (15 P. S. §§ 21205—21207).

Persons wishing to comment on the grounds of public or private interest in this merger are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of publication of this notice in the *Pennsylvania Bulletin*. Each written statement must include the 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, e-mail cbybee@state.pa.us.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 02-1493. Filed for public inspection August 23, 2002, 9:00 a.m.]

Blue Cross of Northeastern Pennsylvania; Major Medical Non-Group Rate Filing; No. 588-MMNG-1/1/03; ID No. A62469001

On August 6, 2002, Blue Cross of Northeastern Pennsylvania and Pennsylvania Blue Shield submitted a filing requesting the Insurance Department's (Department) approval to increase the current monthly rates by 18.85% for the Major Medical Non-Group Program. The projected average number of contracts per month during the January 1, 2003—December 31, 2003, period is approximately 5,829. The proposed increase will generate additional revenue of \$1,805,271. An effective date of January 1, 2003, is requested.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Department's regional office in Harrisburg, PA.

Interested parties are invited to submit written comments, suggestions or objections to Rashmi Mathur, Actuary, Bureau of Accident and Health Insurance, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 02-1494. Filed for public inspection August 23, 2002, 9:00 a.m.]

Blue Cross of Northeastern Pennsylvania; Non-Group Special Care Rate Filing; Filing No. 589-BC-SP-1/1/03; ID No. A62514001

On August 7, 2002, Blue Cross of Northeastern Pennsylvania submitted a filing requesting the Insurance Department's (Department) approval to increase the current monthly rates by 4.93% for the Blue Cross Non-Group Special Care Program. The projected average number of contracts per month during the January 1, 2003—December 31, 2003, period is approximately 3,266. The proposed increase will generate additional revenue of \$114,672. An effective date of January 1, 2003, is requested.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Department's regional office in Harrisburg, PA.

Interested parties are invited to submit written comments, suggestions or objections to Rashmi Mathur, Actuary, Bureau of Accident and Health Insurance, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 02-1495. Filed for public inspection August 23, 2002, 9:00 a.m.]

Blue Cross of Northeastern Pennsylvania; No. 590-BC NG BASE 1/1/03; ID No. A62512001

On August 7, 2002, Blue Cross of Northeastern Pennsylvania submitted Filing No. 590-BC NG BASE 1/1/03, ID No. A62512001 requesting approval to increase the Non-Group Basic Conversion and Direct Enrollment rates by 7.8%. The proposed effective date is January 1, 2003. This filing will impact 74,355 contract months and will generate approximately \$995,465 in additional revenue.

This filing is available for public inspection during normal working hours at the Insurance Department's regional office in Harrisburg, PA.

Interested parties are invited to submit written comments, suggestions or objections to Cherri Sanders-Jones, Actuary, Insurance Department, Bureau of Accident and Health Insurance, Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 02-1496. Filed for public inspection August 23, 2002, 9:00 a.m.]

Highmark Blue Cross Blue Shield; Direct Pay Medical Surgical Plan Rates; Filing No. 1-DPMS-02-HBCBS; ID A62539001

On August 8, 2002, Highmark Blue Cross Blue Shield submitted Filing No. 1-DPMS-02-HBCBS, ID A62539001 requesting approval to increase the Direct Pay Medical Surgical Plan Rates for the Western Region. The proposed

increase for UCR 100 is 23.1% and 17.7% for Plan C. The proposed effective date is January 1, 2003. This filing will impact 6,500 contract holders and will generate approximately \$1.6 million in additional annual revenue.

This filing is available for public inspection during normal working hours at the Insurance Department's regional offices in Harrisburg and Pittsburgh, PA.

Interested parties are invited to submit written comments, suggestions or objections to Cherri Sanders-Jones, Actuary, Insurance Department, Bureau of Accident and Health Insurance, Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 02-1497. Filed for public inspection August 23, 2002, 9:00 a.m.]

Highmark, Inc.; Direct Pay Medical/Surgical UCR Program; Filing No. 200218; ID No. A62516001

On August 7, 2002, by filing No. 200218, Highmark Inc. d/b/a Pennsylvania Blue Shield requests approval to increase its premium rates for its Direct Pay Medical/Surgical UCR Programs in the Blue Cross of Northeastern Pennsylvania Plan area. The filing requests an increase of 14.0% of current premium, an average of \$16.42 per contract per month. This will affect about 3,900 contract holders and produce additional annual premium income of about \$768,000. The requested effective date of the change is January 1, 2003.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's regional office in Harrisburg, PA.

Interested parties are invited to submit written comments, suggestions or objections to Rashmi Mathur, Actuary, Bureau of Accident and Health Insurance, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 02-1498. Filed for public inspection August 23, 2002, 9:00 a.m.]

Highmark, Inc.; Direct Pay Preferred Hospital Benefits Plan Rate Increase; Filing No. 1-CPE-02-HBCBS

Highmark, Inc. d/b/a Highmark Blue Cross Blue Shield requests approval to increase its premium rates for its Direct Pay Preferred Hospital Benefits Plan. The filing requests an increase of about 21.9% of current premium, \$53.90 per contract per month. This will affect about 6,600 contract holders and produce additional premium income of about \$4.2 million per year. The requested effective date of the change is January 1, 2003.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's regional offices in Harrisburg, Pittsburgh and Erie, PA.

Interested parties are invited to submit written comments, suggestions or objections to Bharat Patel, Actuary, Insurance Department, Accident and Health Bureau, Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 02-1499. Filed for public inspection August 23, 2002, 9:00 a.m.]

Highmark Inc.; Requested Rate Increase for the Direct Pay Medicare Supplemental Medical Surgical Portion of Security 65 Programs; Filing No. 200219

Highmark, Inc. d/b/a Pennsylvania Blue Shield requests approval to increase premium rates for its Direct Pay Medicare Supplement (Security 65) Programs in the Blue Cross of Northeastern Pennsylvania and Independence Blue Cross plan areas. The filing requests an average increase of 5.2% of current premium, an average of \$3.69 per contract per month. This will affect approximately 108,000 contract holders and produce additional premium income of approximately \$4.8 million per year. The requested effective date of the change is January 1, 2003.

The actual requested rates for medical surgical portion effective January 1, 2003, are as follows:

<i>Security 65 Plans A, B, H</i>	<i>Independence Blue Cross</i>	<i>Blue Cross of Northeastern PA</i>
First Eligibility	\$ 79.85	\$56.75
Late Entry: 65-69	\$ 79.85	\$56.75
Late Entry: 70-79	\$ 92.45	\$66.00
Late Entry: 80 and over	\$103.60	\$73.95
<i>Security 65 Plan C</i>		
First Eligibility	\$ 87.80	\$64.40
Late Entry: 65-69	\$ 87.80	\$64.40
Late Entry: 70-79	\$100.40	\$73.65
Late Entry: 80 and over	\$111.55	\$81.60

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's regional office in Harrisburg, PA.

Interested parties are invited to submit written comments, suggestions or objections to Bharat Patel, Actuary, Insurance Department, Accident and Health Bureau, Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 02-1500. Filed for public inspection August 23, 2002, 9:00 a.m.]

Highmark, Inc.; Special Care Medical/Surgical Program; Filing No. 1-SCMS-02-HI; ID No. A62538001

On August 8, 2002, by filing No. 1-SCMS-02-HI, Highmark Inc. d/b/a Highmark Blue Cross Blue Shield and d/b/a Pennsylvania Blue Shield requests approval to increase premium rates for its Special Care Medical/Surgical Programs in the Central Pennsylvania Region, Highmark Blue Cross Blue Shield Region and Blue Cross of Northeastern Pennsylvania Region. No change is requested for the Independence Blue Cross Region. Increases will vary by region as shown.

<i>Region</i>	<i>Percentage Increase</i>	<i>Additional Prem. per Month</i>	<i>Number of Contracts</i>
Central Region	30.5%	\$46,000	3,250
Highmark Blue Cross Blue Shield	22.5%	\$168,100	19,300
Blue Cross of Northeast PA	9.0%	\$10,250	2,800
All Regions Combined	22.2%	\$224,350	25,350

The filing requests an average increase of about 22.2% of current premium. This will affect about 25,350 contract holders and produce additional annual income of about \$2,692,200. The requested effective date of the change is January 1, 2003.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's regional offices in Harrisburg and Pittsburgh, PA.

Interested parties are invited to submit written comments, suggestions or objections to Rashmi Mathur, Actuary, Bureau of Accident and Health Insurance, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 02-1501. Filed for public inspection August 23, 2002, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Order

Public Meeting held
August 8, 2002

Commissioners Present: Glen R. Thomas, Chairperson;
Robert K. Bloom, Vice Chairperson; Aaron Wilson, Jr.;
Terrance J. Fitzpatrick; Kim Pizzingrilli

*Petition to Reinstate Airnex Communications, Inc. Doc.
No. A-310794*

Order

By the Commission:

On June 18, 2001, Law Bureau Prosecutory Staff filed a Formal Complaint proceeding against Airnex Communications, Inc. (Airnex), an IXC reseller certificated at A-310794. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to Airnex that its 1999 Annual Report was due. The complaint charged that Airnex violated 66 Pa.C.S. § 504 by failing to file its 1999 Annual Report. The Complaint requested that the Commission issue an order canceling Airnex's certificate of public convenience for failure to file its 1999 Annual Report.

According to the U.S. Postal Service return receipt, service of the Complaint was perfected on June 22, 2001. Airnex did not answer or file its 1999 Annual Report within the time given. By order entered April 4, 2002, the Commission cancelled Airnex's certificate of public convenience. On June 13, 2002, Airnex filed a Petition to Reinstate and attached its 1999 Annual Report.

It is well settled that decisions such as whether to grant a petition for reinstatement are left to the Commis-

sion's discretion and will be reversed on appeal only if that discretion is abused. *Hoskins Taxi Service v. Pa. P.U.C.*, 486 A.2d 1030 (Pa. Comwlth. 1985). In ruling upon a petition for reinstatement, it is incumbent upon this Commission to examine all relevant factors in order to reach an equitable result. *Medical Transportation, Inc.*, 57 Pa. P.U.C. 79 (1983).

The Commission has identified five factors that are particularly relevant to the determination of a petition to reinstate: 1) the amount of time that elapsed between the cancellation of the certificate of public convenience and the filing of the petition to reinstate, 2) whether the petitioner has a record of habitually violating the Public Utility Code, 3) the reasonableness of the excuse given for the violation that caused the certificate to be canceled, 4) whether petitioner has implemented procedures to prevent a recurrence of the circumstances giving rise to the subject complaint, and 5) all assessments must be current prior to reinstatement. *M.S. Carriers, Inc.*, Docket No. A-00110601 (May 4, 1999).

In considering the first factor, we note that approximately 10 weeks elapsed between the cancellation on April 4, 2002, and Airnex's request for reinstatement on June 13, 2002.

In regard to the second factor, a review of Commission records shows that Airnex had a formal complaint filed against it for failure to timely pay its 2001-2002 Annual Assessment. However, Airnex satisfied its outstanding assessment on April 4, 2002. Airnex has had a total of two formal complaints instituted against it since the issuance of its certificate in 1999. While this is not a stellar record, it is not so egregious as to militate against reinstatement.

In considering the third and fourth factors, Airnex states that its failure to file its 1999 Annual Report was due to an administrative oversight. Airnex states that it

has contracted the services of Telecom Compliance Services, Inc. to ensure that its regulatory compliance remains in good standing. Airnex's excuse for the violation appears reasonable, and the fact that Airnex has taken steps to ensure future compliance supports reinstatement.

The fifth factor requires that all outstanding fines and/or assessments be paid prior to reinstatement. A review of Commission records show that Airnex currently has no unpaid fines or assessments.

Based upon the foregoing, we grant Airnex's petition for reinstatement. However, we caution Airnex that in the future annual reports must be timely filed and all Commission correspondence must be answered in a timely manner. *Therefore*,

It is Ordered:

1. That the Petition to Reinstatement filed by Airnex Communications, Inc. at C-00015633 on June 13, 2002 is hereby granted.

2. That the certificate of public convenience held by Airnex Communications, Inc. at A-310794 is hereby reinstated.

3. That the Secretary serve a copy of this Order upon all jurisdictional telecommunications carriers and also cause a copy of this Order to be published in the *Pennsylvania Bulletin*.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 02-1502. Filed for public inspection August 23, 2002, 9:00 a.m.]

Order

Public Meeting held
August 8, 2002

Commissioners Present: Glen R. Thomas, Chairperson;
Robert K. Bloom, Vice Chairperson; Aaron Wilson, Jr.;
Terrance J. Fitzpatrick; Kim Pizzingrilli

*Petition to Reinstatement Association Administrators, Inc. Doc.
No. A-310527*

Order

By the Commission:

On June 19, 2001, Law Bureau Prosecutory Staff filed a Formal Complaint against Association Administrators, Inc. (AAI), an IXC reseller certificated at A-310527. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to AAI that its 1999 Annual Report was due. The complaint charged that AAI violated 66 Pa.C.S. § 504 by failing to file its 1999 Annual Report. The Complaint requested that the Commission issue an order canceling AAI's certificate of public convenience for failure to file its 1999 Annual Report.

According to the U.S. Postal Service return receipt, service of the Complaint was perfected on June 21, 2001. AAI did not answer or file its 1999 Annual Report within the time given. By order entered April 4, 2002, the Commission cancelled AAI's certificate of public convenience. On June 13, 2002, AAI filed a Petition to Reinstatement and attached its 1999 Annual Report.

It is well settled that decisions such as whether to grant a petition for reinstatement are left to the Commission's discretion and will be reversed on appeal only if

that discretion is abused. *Hoskins Taxi Service v. Pa. P.U.C.*, 486 A.2d 1030 (Pa. Comwlth. 1985). In ruling upon a petition for reinstatement, it is incumbent upon this Commission to examine all relevant factors in order to reach an equitable result. *Medical Transportation, Inc.*, 57 Pa. P.U.C. 79 (1983).

The Commission has identified five factors that are particularly relevant to the determination of a petition to reinstate: 1) the amount of time that elapsed between the cancellation of the certificate of public convenience and the filing of the petition to reinstate, 2) whether the petitioner has a record of habitually violating the Public Utility Code, 3) the reasonableness of the excuse given for the violation that caused the certificate to be canceled, 4) whether petitioner has implemented procedures to prevent a recurrence of the circumstances giving rise to the subject complaint, and 5) all assessments must be current prior to reinstatement. *Re.*, *M.S. Carriers, Inc.*, Docket No. A-00110601 (May 4, 1999).

In considering the first factor, we note that approximately 10 weeks elapsed between the cancellation on April 4, 2002, and AAI's request for reinstatement on June 13, 2002.

In regard to the second factor, AAI does not have a record of habitually violating the Public Utility Code. The instant violation that led to cancellation of its certificate has been the only complaint against AAI since the issuance of its certificate in 1997.

In considering the third and fourth factors, AAI states that its failure to file its 1999 Annual Report was due to an administrative oversight. AAI states that it has contracted the services of Telecom Compliance Services, Inc. to ensure that its regulatory compliance remains in good standing. AAI's excuse for the violation appears reasonable, and the fact that AAI has taken steps to ensure future compliance militates toward reinstatement.

The fifth factor requires that all outstanding fines and/or assessments be paid prior to reinstatement. A review of Commission records shows that AAI currently has no unpaid fines or assessments.

Based upon the foregoing, we grant AAI's petition for reinstatement. However, we caution AAI that in the future annual reports must be timely filed and all Commission correspondence must be answered in a timely manner; *Therefore*,

It is Ordered:

1. That the Petition to Reinstatement filed by Association Administrators, Inc. at C-00015662 on June 13, 2002, is hereby granted.

2. That the certificate of public convenience held by Association Administrators, Inc. at A-310527 is hereby reinstated.

3. That the Secretary serve a copy of this Order upon all jurisdictional telecommunications carriers and also cause a copy of this Order to be published in the *Pennsylvania Bulletin*.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 02-1503. Filed for public inspection August 23, 2002, 9:00 a.m.]

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission (Commission). Publication of this notice shall be considered as sufficient notice to all carriers holding authority from this Commission. Applications will be considered without hearing in the absence of protests to the application. Protests to the applications published herein are due on or before September 16, 2002, as set forth at 52 Pa. Code § 3.381 (relating to the applications for transportation of property, household goods in use and persons). The protests shall also indicate whether it applies to the temporary authority application or the permanent application or both.

Applications of the following for approval to *begin operating as common carriers for transportation of persons as described under each application.*

A-00119180. Dennis Sosa. (148 Carbondale Road, Waymart, Wayne County, PA 18472)—persons in limousine service, between points in the counties of Wayne and Lackawanna, and from points in said counties, to points in Pennsylvania, and return.

A-00119179. John Horn, Sr., t/d/b/a Paradise Transportation. (437 Eagle Drive, Blandon, Berks County, PA 19510)—persons in paratransit service, between points in the Townships of Alsace, Maiden creek, Ontelaunee, the Boroughs of Leesport, Temple and Laureldale and the City of Reading, all located in Berks County, and from points in said territory, to points in the City and County of Philadelphia, the Township of Tinicum, Delaware County and the Township of Hanover, Lehigh County, and return.

Applications of the following for *amendment to the certificate of public convenience approving the operation of motor vehicles as common carriers for transportation of persons as described under each application.*

A-00110720, Folder 2, Am-B. Jack M. Pavella, t/d/b/a Jack Pavella's Lamplighter Limousine Service. (31 Woodside Drive, Washington, Washington County, PA 15201)—persons in limousine service, between points in Pennsylvania: *So As to Permit* the transportation of persons in limousine service, between points in Allegheny County.

A-00117603, Folder 1, Am-A. Peter Molnar, t/d/b/a Molnar Limousine Service. (3437 Denny Street, Pittsburgh, Allegheny County, PA 15201)—persons in limousine service, between points in Pennsylvania: *So As to Permit* the transportation of persons in limousine service, between points in Allegheny County.

A-00117756, Folder 1, Am-A. Gateway Limousine Service, LLC. (4215 Main Street, Pittsburgh, Allegheny County, PA 15224)—a limited liability company of the Commonwealth of Pennsylvania—to transport, persons in limousine service, between points in Pennsylvania: *So As to Permit* the transportation of persons, in limousine service, between points in the county of Allegheny.

A-00117885, Folder 1, Am-A. John W. Caldwell, T/D/B/A Caldwell's Airport and Sedan Service. (1432 Cooper Avenue, Pittsburgh, Allegheny County, PA 15212)—persons in limousine service, between points in Pennsylvania: *So As to Permit* persons in limousine service, between points in the county of Allegheny.

A-00107211, Folder 1, Am-B. Rainbow Cab, Inc. (539 South Bolmar Street, West Chester, Chester County, PA 19382)—a corporation of the Commonwealth of Pennsylvania—inter alia—persons upon call or demand in the Borough of West Chester, Chester County: *So As to Permit* persons upon call or demand in the Townships of Uwchlan, West Whiteland, East Caln, East Whiteland, Willistown and Easttown, and in that portion of the Township of Tredyffrin, bordered on the north by Interstate Route 76 and on the east by Route 252, the Boroughs of Downingtown and Malvern, all located in Chester County, and the Township of Edgemont, Delaware County.

A-00117559, Folder 1, Am-A. Stephen J. Malik, Sr., T/D/B/A Corporate Sedan Service. (660 Means Avenue, Floor # 2, Pittsburgh, Allegheny County, PA 15202)—persons in limousine service, between points in Pennsylvania: *So As to Permit* persons in limousine service, between points in the county of Allegheny. Attorney: David M. O'Boyle, 1450 Two Chatham Center, Pittsburgh, PA 15219.

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.*

A-00115254, Folder 2. Majesty Company, Inc. (PO Box 3062, Munhall, Allegheny County, PA 15120)—a corporation of the Commonwealth of Pennsylvania, to transport, as a common carrier, by motor vehicle, persons in limousine service, between points in the County of Allegheny, and from points in said County, to points in Pennsylvania, and return.

Complaint

Motor Freight Transportation Inc., 350 Chestnut Street, York, PA 17403; A-00115976C0201; A-00115976, F.1

Dear Respondent:

On June 10, 2002, the Bureau of Transportation and Safety instituted a Complaint against Motor Freight Transportation, Inc., respondent, alleging failure to pay outstanding assessments of \$364 for the fiscal year 2000, a violation of the Public Utility Code at 66 Pa.C.S. § 510(c).

In accordance with 52 Pa. Code § 5.61, the Bureau of Transportation and Safety notified the Respondent that it must file an Answer to the Complaint within twenty days of the date of service. The Notice further specified that, if respondent failed to answer the Complaint within twenty days, the Bureau of Transportation and Safety would request the Commission issue an order cancelling respondent's Certificate of Public Convenience, directing the Pennsylvania Department of Transportation to put an administrative hold on the respondent's motor vehicle registrations and notifying the Pennsylvania Department of Revenue and respondent's insurance carriers that respondent's Certificate is revoked.

The Complaint was served on respondent on June 27, 2002. To date, more than twenty days later, respondent has failed to file an Answer to the Complaint.

Therefore, the allegations in the Complaint are deemed to be admitted. The Complaint is hereby sustained and the Certificate of Public Convenience, issued to respondent at A-00115976 F.1, is hereby cancelled.

Furthermore, this Commission will put an administrative hold on respondent's vehicle registrations. Respondent will not be able to register any new vehicles or

renew any existing vehicle registrations until all past due assessments are paid, all past due fines are paid, all insurance filings are up to date, and it holds an active Certificate of Public Convenience issued by this Commission.

This Secretarial Cancellation Letter will also be served on:

The Department of Revenue
Bureau of Audit Programs
Sales and Use Taxes
Tenth Floor, Strawberry Square
Harrisburg, PA 17128-1061

and on respondent's insurance carriers:

General Accident Insurance
One Beacon St.
Boston, MA 02108

Respondent is hereby notified to cease and desist from further violations of the Public Utility Code, 66 Pa.C.S. §§ 101, et seq. and the regulations of the Commission, 52 Pa. Code §§ 1.1, et seq. In view of the cancellation of respondent's Certificate of Public Convenience, it is specifically prohibited from rendering service as a common carrier by motor vehicle in intrastate commerce in the Commonwealth of Pennsylvania.

Should respondent wish to again begin transportation operations in the Commonwealth of Pennsylvania, respondent must file a new application for authority in order to obtain a Certificate of Public Convenience. The respondent must pay all outstanding assessments and fines before this Commission will act on an application for authority. Payment must be made by certified check or money order payable to the Pa. Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 02-1504. Filed for public inspection August 23, 2002, 9:00 a.m.]

Telecommunications

A-310633F7003. Commonwealth Telephone Company and Level 3 Communications, LLC. Joint Petition of Commonwealth Telephone Company and Level 3 Communications, LLC for approval of a negotiated interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Commonwealth Telephone Company and Level 3 Communications, LLC, by its counsel, filed on August 7, 2002, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of a negotiated 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 Commonwealth Telephone Company and Level 3 Communications, 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. 02-1505. Filed for public inspection August 23, 2002, 9:00 a.m.]

Telecommunications

A-310163F7001. Verizon North Inc. and Excel Telecommunications, Inc. d/b/a Excel. Joint Petition of Verizon North Inc. and Excel Telecommunications, Inc. d/b/a Excel for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon North Inc. and Excel Telecommunications, Inc. d/b/a Excel, by its counsel, filed on August 5, 2002, 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 Verizon North Inc. and Excel Telecommunications, Inc. d/b/a Excel 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. 02-1506. Filed for public inspection August 23, 2002, 9:00 a.m.]

Telecommunications

A-311190F7001. Verizon North Inc. and Millenianet Corporation. Joint Petition of Verizon North Inc. and Millenianet Corporation for approval of a resale agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon North Inc. and Millenianet Corporation, by its counsel, filed on August 5, 2002, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of a resale 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 Millenianet Corporation 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. 02-1507. Filed for public inspection August 23, 2002, 9:00 a.m.]

Telecommunications

A-310569F7001. Verizon North Inc. and OneStar Long Distance Inc. d/b/a OneStar Long Distance. Joint Petition of Verizon Pennsylvania Inc. and OneStar Long Distance Inc. d/b/a OneStar Long Distance for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon North Inc. and OneStar Long Distance Inc. d/b/a OneStar Long Distance, by its counsel, filed on August 5, 2002, 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 Verizon North Inc. and OneStar Long Distance Inc. d/b/a OneStar Long Distance 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. 02-1508. Filed for public inspection August 23, 2002, 9:00 a.m.]

Telecommunications

A-310163F7000. Verizon Pennsylvania Inc. and Excel Telecommunications, Inc. d/b/a Excel. Joint Petition of Verizon Pennsylvania Inc. and Excel Telecommunications, Inc. d/b/a Excel for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and Excel Telecommunications, Inc. d/b/a Excel, by its counsel, filed on August 5, 2002, 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 Verizon Pennsylvania Inc. and Excel Telecommunications, Inc. d/b/a Excel 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. 02-1509. Filed for public inspection August 23, 2002, 9:00 a.m.]

Telecommunications

A-311190F7000. Verizon Pennsylvania Inc. and Millenianet Corporation. Joint Petition of Verizon Pennsylvania Inc. and Millenianet Corporation for approval of a resale agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and Millenianet Corporation, by its counsel, filed on August 5, 2002, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of a resale 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 Millenianet Corporation 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. 02-1510. Filed for public inspection August 23, 2002, 9:00 a.m.]

Telecommunications

A-311085F7000. Verizon Pennsylvania Inc. and New Access Communications LLC. Joint Petition of Verizon Pennsylvania Inc. and New Access Communications LLC for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and New Access Communications LLC, by its counsel, filed on August 2, 2002, 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 Verizon Pennsylvania Inc. and New Access Communications 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. 02-1511. Filed for public inspection August 23, 2002, 9:00 a.m.]

Telecommunications

A-310569F7000. Verizon Pennsylvania Inc. and OneStar Long Distance Inc. d/b/a OneStar Long Distance. Joint Petition of Verizon Pennsylvania Inc. and OneStar Long Distance Inc. d/b/a OneStar Long Distance for approval of a replacement interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and OneStar Long Distance Inc. d/b/a OneStar Long Distance, by its counsel, filed on August 2, 2002, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of a replacement 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 OneStar Long Distance Inc. d/b/a OneStar Long Distance 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. 02-1512. Filed for public inspection August 23, 2002, 9:00 a.m.]

Telecommunications

A-310433F7000. Verizon Pennsylvania Inc. and PNG Telecommunications, Inc. d/b/a Powernet Global Communications. Joint Petition of Verizon Pennsylvania Inc. and PNG Telecommunications, Inc. d/b/a Powernet Global Communications for approval of adoption of an interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and PNG Telecommunications, Inc. d/b/a Powernet Global Communications, by its counsel, filed on August 6, 2002, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of adoption 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 Verizon Pennsylvania Inc. and PNG Telecommunications, Inc. d/b/a Powernet Global Communications 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. 02-1513. Filed for public inspection August 23, 2002, 9:00 a.m.]

Telecommunications

A-311156F7000. Verizon Pennsylvania Inc. and Remi Retail Communications, LLC d/b/a Remi Communications. Joint Petition of Verizon Pennsylvania Inc. and Remi Retail Communications, LLC d/b/a Remi Communications for approval of adoption of an interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and Remi Retail Communications, LLC d/b/a Remi Communications, by its counsel, filed on August 5, 2002, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of adoption 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 Verizon Pennsylvania Inc. and Remi Retail Communications, LLC d/b/a Remi Communications 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. 02-1514. Filed for public inspection August 23, 2002, 9:00 a.m.]

Water Service
Without Hearing

A-212285F0106. Pennsylvania-American Water Company. Application of Pennsylvania-American Water Company for approval of the right to offer, render, furnish or supply water service to the public in a portion of Earl Township, Berks County, PA.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before September 9, 2002, under 52 Pa. Code (relating to public utilities).

Applicant: Pennsylvania-American Water Company

Through and By Counsel: Velma A. Redmond, Esquire, Susan Simms Marsh, Esquire, 800 West Hersheypark Drive, P. O. Box 888, Hershey, PA 17033.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 02-1515. Filed for public inspection August 23, 2002, 9:00 a.m.]

**Water Service
Without Hearing**

A-212285F0107. Pennsylvania-American Water Company. Application of Pennsylvania-American Water Company for approval of the right to offer, render, furnish or supply water service to the public in a portion of Lower Heidelberg Township, Berks County, PA.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before September 9, 2002, under 52 Pa. Code (relating to public utilities).

Applicant: Pennsylvania-American Water Company

Through and By Counsel: Velma A. Redmond, Esquire, Susan Simms Marsh, Esquire, 800 West Hersheypark Drive, P. O. Box 888, Hershey, PA 17033.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 02-1516. Filed for public inspection August 23, 2002, 9:00 a.m.]