

# NOTICES

## DEPARTMENT OF BANKING

### Action on Applications

The Department of Banking, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending September 16, 2003.

#### BANKING INSTITUTIONS

##### Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
9-8-03	Pebblespring Holding Company (now named Eagle National Bancorp, Inc.), Berwyn, to acquire 100% of the voting shares of Eagle National Bank, Upper Darby	Berwyn	Effective

##### Absorptions, Mergers and Consolidations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-5-03	The Legacy Bank Harrisburg Dauphin County  Purchase of assets/assumption of liabilities of four branch offices of Leesport Bank, Wyomissing Located at: 101 North Main Street Shenandoah Schuylkill County Route 309 Drums Luzerne County	Harrisburg      140 Can-Do Expressway Hazleton Luzerne County 1 West Broad Street Hazleton Luzerne County (Drive-Up Facility)	Effective

*Note:* Effective 9-8-03, the drive-up facility at 1 West Broad Street, Hazleton, was consolidated into The Legacy Bank's existing branch located at One South Church Street, Hazleton.

##### Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-5-03	Leesport Bank Wyomissing Berks County	101 N. Main St. Shenandoah Schuylkill	Effective
9-5-03	Leesport Bank Wyomissing Berks County	Route 309 Drums Luzerne County	Effective
9-5-03	Leesport Bank Wyomissing Berks County	140 Can-Do Expressway Hazleton Luzerne County	Effective
9-5-03	Leesport Bank Wyomissing Berks County	1 West Broad Street Hazleton Luzerne County (Drive-Up Facility)	Effective

**Articles of Amendment**

<i>Date</i>	<i>Name of Bank</i>	<i>Purpose</i>	<i>Action</i>
9-12-03	Berkshire Bank (In Organization) Wyomissing Berks County	Article Ninth amended and restated in its entirety to provide for an increase in the number of First Directors.	Approved and Effective

**SAVINGS INSTITUTIONS**

No activity.

**CREDIT UNIONS****Articles of Amendment**

<i>Date</i>	<i>Name of Credit Union</i>	<i>Purpose</i>	<i>Action</i>
9-12-03	NBA Credit Union Bristol Bucks County	Amendment to Article 8 provides for a change in the field of membership.	Approved and Effective

A. WILLIAM SCHENCK, III,  
*Secretary*

[Pa.B. Doc. No. 03-1937. Filed for public inspection October 3, 2003, 9:00 a.m.]

**Action on Applications**

The Department of Banking, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending September 23, 2003.

**BANKING INSTITUTIONS****Holding Company Acquisitions**

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
9-18-03	First Commonwealth Financial Corporation, Indiana, to acquire 100% of the voting shares of Pittsburgh Financial Corp., Pittsburgh	Indiana	Filed
9-23-03	Community Bank System, Inc., DeWitt, NY, to acquire Grange National Banc Corp., Tunkhannock, PA, and thereby indirectly acquire Grange National Bank, Laceyville, PA	DeWitt, NY	Filed

**Charter Applications**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-22-03	NPB Interim Bank Boyertown Berks County	Boyertown	Filed
9-23-03	Berkshire Bank Wyomissing Berks County	1101 Woodland Road Wyomissing Berks County	Commenced Operations

Interim bank being formed solely to facilitate the acquisition of Hometowne Heritage Bank, Lancaster, by National Penn Bancshares, Inc., Boyertown.

## NOTICES

**Consolidations, Mergers and Absorptions**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-18-03	First Commonwealth Bank, Indiana, and Pittsburgh Savings Bank, Pittsburgh Surviving Institution— First Commonwealth Bank, Indiana	Indiana	Filed

**Branch Applications**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-23-03	Fulton Bank Lancaster Lancaster County	950 Willow Valley Lakes Drive West Lampeter Township Lancaster County	Filed

**Branch Relocations/Consolidations**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-22-03	Fulton Bank Lancaster Lancaster County	<i>Into:</i> 185 Memory Lane Springettsbury Township York County  <i>From:</i> 2415 East Market Street Springettsbury Township York County	Filed
9-22-03	Fulton Bank Lancaster Lancaster County	<i>Into:</i> 1500 Kenneth Road West Manchester Township York County  <i>From:</i> 1750 Loucks Road West Manchester Township York County	Filed
9-23-03	Peoples State Bank of Wyalusing, Pa. Wyalusing Bradford County	<i>To:</i> Route 6 East Wyalusing Township Bradford County  <i>From:</i> 201 Church Street Wyalusing Bradford County (Customer Services Only)	Filed

**Branch Discontinuances**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-12-03	Lebanon Valley Farmers Bank Lebanon Lebanon County	Lebanon Plaza Mall 1205 Quentin Rd. Lebanon Lebanon County	Effective
9-17-03	First Columbia Bank & Trust Co. Bloomsburg Columbia County	1010 S. Market St. Bloomsburg Columbia County	Filed

**SAVINGS INSTITUTIONS**

No activity.

**CREDIT UNIONS**

No activity.

A. WILLIAM SCHENCK, III,  
*Secretary*

[Pa.B. Doc. No. 03-1938. Filed for public inspection October 3, 2003, 9:00 a.m.]

### Maximum Lawful Rate of Interest for Residential Mortgages for the Month of October 2003

The Department of Banking (Department), under the authority contained in section 301 of the act of January 30, 1974 (P. L. 13, No. 6) (41 P. S. § 301), hereby determines that the maximum lawful rate of interest for residential mortgages for the month of October 2003 is 7 3/4%.

The interest rate limitations under the State's usury statute were preempted to a great extent by Federal law, the Depository Institutions Deregulation and Monetary Control Act of 1980 (Pub. L. No. 96-221). Further preemption was instituted with the signing of Pub. L. No. 96-399, which overrode State interest rate limitations on any individual who finances the sale or exchange of residential real property which the individual owns and which

the individual occupies or has occupied as a principal residence.

Each month the Department is required by State law to compute and announce the ceiling rate on residential mortgages in this Commonwealth. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board and/or the United States Treasury. The latest yield rate on long-term government securities is 5.33 to which was added 2.50 percentage points for a total of 7.83 that by law is rounded off to the nearest quarter at 7 3/4%.

A. WILLIAM SCHENCK, III,  
*Secretary*

[Pa.B. Doc. No. 03-1939. Filed for public inspection October 3, 2003, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

#### APPLICATIONS

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

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

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

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

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

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

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

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

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

### I. NPDES Renewal Applications

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0056251	Timothy J. Longmore 2518 Rickert Road Perkasie, PA 18944	Bucks County Hilltown Township	UNT to Morris Run	Y
PA0024651	Atglen Borough Wastewater Treatment Plant 120 West Main Street Atglen, PA 19310	Chester County Atglen Borough	Valley Creek	Y

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0041076 Minor Renewal	Department of Conservation and Natural Resources P. O. Box 8451 400 Market Street Harrisburg, PA 17105-8451	Pocono Township Monroe County	Unnamed tributary to Scot Run 01E	Y

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0210196 Amendment No. 1	Seneca Landfill, Inc. P. O. Box 1080 Mars, PA 16046	Jackson Township Butler County	Connoquenessing Creek 20-C	Y
PA0044016	Fish and Boat Commission Benner Spring Fish Research Station 1225 Shiloh Road State College, PA 16801-8495	Pine Township Crawford County	Pymatuning Reservoir 20-A	Y
PA0222682	Leasa A. Maley 6118 Maley Drive Limestone, NY 14753	Corydon Township McKean County	Unnamed tributary to Willow Creek	Y
PA0102784	Waste Treatment Corporation 1 Harmar Street P. O. Box 1561 Warren, PA 16365	City of Warren Warren County	Allegheny River 16-B	Y

### II. Applications for New or Expanded Facility Permits, Renewal of Major Permits and EPA Non-Waived Permit Applications

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

**PA0026450, Amendment No. 1, Sewage, Bristol Township Authority**, 2501 Bath Road, Bristol, PA 19007. This application is for amendment of an NPDES permit to discharge treated sewage from sewage treatment plant in Bristol Township, **Bucks County**. This is an existing discharge to Delaware River (Zone-2).

The receiving stream is classified for WWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001, based on an average flow of 2.25, are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	21	32	42
Suspended Solids	30	45	60
Ammonia (as N)	35.0		70.0
CBOD <sub>20</sub>	590 (lbs/day)		
Dieldrin	Monitor and Report	Monitor and Report	Monitor and Report
Total Residual Chlorine	0.5		1.3
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 stormwater monitoring point MP 101 are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>			Monitor and Report
COD			Monitor and Report
Oil and Grease			Monitor and Report
pH			Monitor and Report
Total Suspended Solids			Monitor and Report
Total Kjeldahl Nitrogen			Monitor and Report
Total Phosphorus			Monitor and Report
Iron (Dissolved)			Monitor and Report

85% reduction of total suspended solids per Disciplinary Board of the Supreme Court (DRBC) requirements. 88.5% reduction of BOD<sub>5</sub> per DRBC requirements.

The EPA waiver is not in effect.

**PA0051331**, Sewage, SIC 22,221, **Girls Scouts of Southeastern Pennsylvania**, P. O. Box 27540, Philadelphia, PA 19118. This proposed facility is in Upper Frederick Township, **Montgomery County**.

Description of Proposed Activity: Discharge of treated sewage at annual rate of 45,000 gpd to Swamp Creek.

The receiving stream, Swamp Creek, is in the State Water Plan watershed 3E and is classified for TSF. The nearest downstream public water supply intake for the Philadelphia Suburban Water Company is on the Perkiomen Creek, 17.2 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 45,000 gpd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum mg/l</i>
CBOD <sub>5</sub>	9		25		50
Suspended Solids	11		30		60
Ammonia Nitrogen	7.5		20		40
Phosphorus as P (4-1 to 10-31)	0.8		2		4
pH (STD)			6 min		9
Fecal Coliform # Col/100 ml			200		
Dissolved Oxygen			3 min		
Total Residual Chlorine			0.5		1.2

In addition to the effluent limits, the permit contains the following major special conditions: abandon STP when municipal sewers available; remedial measures if unsatisfactory effluent; minimization of chlorine; and sludge disposal.

---

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

**PA0031135**, Sewage, **Borough of Kutztown**, 45 Railroad Street, Kutztown, PA 19536-1112. This facility is in Maxatawny Township, **Berks County**.

Description of activity: Renewal of an NPDES permit for an existing discharge of treated sewage.

The receiving stream, Sacony Creek, is in Watershed 3-B and classified for TSF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for the Reading Area Water Authority is on Lake Ontelaunee. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 1.5 MGD are:

## NOTICES

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub> (5-1 to 10-31)	15	22.5	30
(11-1 to 4-30)	25	40	50
Total Suspended Solids	30	45	60
NH <sub>3</sub> -N (5-1 to 10-31)	5		10
(11-1 to 4-30)	15		30
Total Residual Chlorine (Interim)	Monitor and Report		
(Final)	0.29		0.95
Dissolved Oxygen	minimum of 5.0 at all times		
pH	from 6.0 to 9.0 inclusive		
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric average		
(10-1 to 4-30)	3,270/100 ml as a geometric average		

Individuals may make an appointment to review the Department files on this case by calling the File Review Coordinator at (717) 705-4732.

The EPA waiver is not in effect.

**PA0247308**, Sewage, **Bright Hope Fellowship BIC Church**, Deodate Road, Middletown, PA 17057. This facility is in Londonderry Township, **Dauphin County**.

Description of activity: Issuance of an NPDES permit for a new discharge of treated sewage.

The receiving stream, unnamed tributary of Lynch Run, is in Watershed 7-G and classified for TSF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for the Columbia Water Company is on the Susquehanna River, approximately 24 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.0018 MGD are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25		50
Total Suspended Solids	30		60
NH <sub>3</sub> -N (5-1 to 10-31)	23		46
(11-1 to 4-30)	Monitor and Report		Monitor and Report
Total Residual Chlorine	0.5		1.63
Dissolved Oxygen	minimum of 5.0 at all times		
pH	from 6.0 to 9.0 inclusive		
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric average		
(10-1 to 4-30)	14,000/100 ml as a geometric average		

In addition to the effluent limits, the permit contains the following major special condition: chlorine minimization.

Individuals may make an appointment to review the Department files on this case by calling the File Review Coordinator at (717) 705-4732.

The EPA waiver is in effect.

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

**PA0026034**, Sewage, **City of Johnstown Bureau of Sewage**, 414 Washington Street, Johnstown, PA 15901. This application is for renewal of an NPDES permit to discharge treated sewage from Johnstown STP (Dornick Point STP) in West Taylor Township, **Cambria County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Conemaugh River, which are classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Saltsburg Municipal Water Works.

*Outfall 020*: existing discharge, design flow of 12 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 <sub>5</sub>	25	38		50
Suspended Solids	30	45		60
Ammonia Nitrogen				

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
(5-1 to 10-31)	17	26		34
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	30,000/100 ml as a geometric mean			
Total Residual Chlorine	0.5			1.6
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is not in effect.

**PA0038211**, Sewage, **The Hempfield Township Municipal Authority**, R. D. 6, Box 501, Greensburg, PA 15601. This application is for renewal of an NPDES permit to discharge treated sewage from the West Hempfield Plaza Sewage Treatment Plant in Hempfield Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as unnamed tributary of Little Sewickley Creek, which are classified as a TSF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the McKeesport Municipal Water Authority.

*Outfall 001*: existing discharge, design flow of 0.064 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 <sub>5</sub>	25			50
Suspended Solids	30			60
Ammonia Nitrogen (5-1 to 10-31)	2.0			4.0
(11-1 to 4-30)	3.5			7.0
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	0.1			0.2
Dissolved Oxygen	not less than 6.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA0095087**, Sewage, **Chippewa Township Sanitary Authority**, Municipal Building, 2568 Darlington Road, Beaver Falls, PA 15010-1742. This application is for renewal of an NPDES permit to discharge treated sewage from the Chippewa Township Sanitary Authority STP in Chippewa Township, **Beaver County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Bradys Run (mouth), which are classified as a TSF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the ARCO Chemical Company BV Plant.

*Outfall 001*: existing discharge, design flow of 2.13 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 <sub>5</sub>	25	37.5		50
Suspended Solids	30	45		60
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	0.5			1.6
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is not in effect.

**PA0252506**, Sewage, **Indiana County Municipal Services Authority**, 827 Water Street, Indiana, PA 15701. This application is for issuance of an NPDES permit to discharge treated sewage from Margaret Sewage Treatment Plant in Cowanshannock Township, **Armstrong County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as unnamed tributary to Huskins 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 Kittanning Suburban Joint Water Authority on the Allegheny River.



Outfall 001: new discharge, design flow of 0.0061 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	4.5			9.0
(11-1 to 4-30)	13.5			27.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	3,800/100 ml as a geometric mean			
Total Residual Chlorine*	0.6			1.5
pH	not less than 6.0 nor greater than 9.0			

\* This parameter shall be effective if chlorination is used for disinfection.

The EPA waiver is in effect.

**PA0252522**, Sewage, **Somerset Township Municipal Authority**, P. O. Box 247, 2209 North Center Avenue, Somerset, PA 15501-0247. This application is for issuance of an NPDES permit to discharge treated sewage from Lavansville Sewage Treatment Plant in Somerset Township, **Somerset County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as West Branch Coxes 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 Ohiopyle Municipal Water Works.

Outfall 001: new discharge, design flow of 0.15 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	25	38		50
Suspended Solids	30	45		60
Ammonia Nitrogen				
(5-1 to 10-31)	5.0	7.5		10.0
(11-1 to 4-30)	15.0	22.5		30.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 mls a geometric mean			
Total Residual Chlorine	0.3			1.0
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.

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

**PA0239283**, Industrial Waste, **Castle Cheese, Inc.**, Route 19 Box 378, Portersville, PA 16051. This proposed facility is in Scott Township, **Lawrence County**.

Description of Proposed Activity: Discharge of treated industrial waste.

The receiving water, an unnamed tributary to Slippery Rock Creek, is in State Water Plan 20-C and is classified for CWF, aquatic life, water supply and recreation. The nearest downstream potable water supply is the Salvation Army Camp Allegheny intake on the Slippery Rock Creek and, approximately 11.81 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.01 MGD.

Parameters	Loadings		Concentrations		
	Average Monthly (lb/day)	Maximum Daily (lb/day)	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
CBOD <sub>5</sub>	2.7	5.3	XX	XX	80
Total Suspended Solids	2.8	4.6	XX	XX	85
Oil and Grease	1.3	2.5	XX		30
Total Residual Chlorine			1.4		3.3
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 to 9.0 standard units at all times				

The EPA waiver is in effect.

---

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


---

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

**WQM Permit No. 1503204**, Industrial Waste, **Hanover Land Corporation**, 614 E. Barnard Street, West Chester, PA 19382. This proposed facility is in North Coventry, **Chester County**.

Description of Proposed Action/Activity: Construction and operation of a groundwater cleanup treatment facility.

**WQM Permit No. 09034150**, Sewerage, **Upper Makefield Township**, 1076 Eagle Road, Newtown, PA 18940. This proposed facility is in Upper Makefield Township, **Bucks County**.

Description of Proposed Action/Activity: Construction and operation of a 80-lot age restricted development.

**WQM Permit No. 2303406**, Sewerage, **Lower Frederick Township**, P. O. Box 253, Zieglerville, PA 19492. This proposed facility is in Lower Frederick Township, **Montgomery County**.

Description of Proposed Action/Activity: Construction and operation of a replacement pump station and force main.

**WQM Permit No. 4603413**, Sewerage, **Whitemarsh Township Authority**, 616 Germantown Pike, Lafayette Hill, PA 19444-1821. This proposed facility is in Whitemarsh Township, **Montgomery County**.

Description of Proposed Action/Activity: Relocation of sewage pump station no. 13.

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

**WQM Permit No. 5403404**, **Schuylkill Valley Sewer Authority**, P. O. Box 314, Mary-D, PA 17952. This proposed facility is in Blythe and Schuylkill Townships and New Philadelphia and Middleport Boroughs, **Schuylkill County**.

Description of Proposed Action/Activity: Installation of a new sanitary sewage collection and conveyance system and sewage treatment plant for Blythe Township, Middleport Borough, New Philadelphia Borough and Schuylkill Township. There will be four pump stations within the collection system. The design flow for the treatment plant is 550,000 GPD.

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

**WQM Permit No. 0703404**, Sewerage, **Hollidaysburg Sewer Authority**, 401 Blair Street, Hollidaysburg, PA 16648. This proposed facility is in Hollidaysburg Borough and Allegheny Township, **Blair County**.

Description of Proposed Action/Activity: Realignment, replacement, capacity augmentation of Legion Park Interceptor, including Fort Fetter, North Juniata Street and Bel Air Drive Sanitary Sewer Extensions, Northfield Sewer Separation and Juniata Street Extension.

**WQM Permit No. 0603408**, Sewerage, **Cheri and Doug Wright**, 131 Camp Strauss Road, Bethel, PA 19597. This proposed facility is in Bethel Township, **Berks County**.

Description of Proposed Action/Activity: Construction/operation of a small flow sewage treatment plant to correct a malfunctioning on-lot sewage system at their residence.

**WQM Permit No. 2101402**, Sewerage, **FIDI CMBS I, LLC**, 135 S. Lasalle—Department 5668, Chicago, IL 60674-5668. This proposed facility is in Dickinson Township, **Cumberland County**.

Description of Proposed Action/Activity: Amendment/transfer of permit.

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

**WQM Permit No. 6599415**, Sewerage, **Max Environmental Technologies Inc.**, 1815 Washington Road, Pittsburgh, PA 15241. This proposed facility is in South Huntingdon Township, **Westmoreland County**.

Description of Proposed Action/Activity: Application for the modification and operation of the Max Environmental Technologies—Yukon Plant sewerage treatment facility.

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

**WQM Permit No. 4303414**, Sewerage, **Eva Tataseo**, 47 Hermitage Hills Blvd., Hermitage, PA 16148. This proposed facility is in South Pymatuning Township, **Mercer County**.

Description of Proposed Action/Activity: A single residence sewage treatment plant.

**WQM Permit No. 2003426**, Sewerage, **David M. Ball**, 10897 State Highway 285, Conneaut Lake, PA 14316. This proposed facility is in Sadsbury Township, **Crawford County**.

Description of Proposed Action/Activity: A single residence sewage treatment plant.

**WQM Permit No. 4203405**, Sewerage, **Richard H. and Gail A. Cannon**, 2482 West Washington Street, Bradford, PA 16701. This proposed facility is in Corydon Township, **McKean County**.

Description of Proposed Action/Activity: A single residence sewage treatment plant.

**IV. NPDES Applications for Stormwater Discharges from MS4**

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>Department Protocol (Y/N)</i>
PAG133696	Penn Township 100 Municipal Building Rd. Duncannon, PA 17020	Perry	Penn Township	Susquehanna River WWF	Y
PAG133697	Lebanon County 400 S. Eighth St., Room 207 Lebanon, PA 17042	Lebanon	Lebanon City	Quittapahilla Creek TSF	Y

**V. Applications for NPDES Waiver Stormwater Discharges from MS4**

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>Department Protocol (Y/N)</i>
PAG133696	Penn Township 100 Municipal Building Rd. Duncannon, PA 17020	Perry	Penn Township	Susquehanna River WWF	Y

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Department Protocol (Y/N)</i>
PAG136265	Hanover Township 901 Steubenville Pike Burgettstown, PA 15021	Washington	Hanover Township	Y

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI011503087	Wilmer Hostetter Hearthstone at Oxford 481 Limestone Road Oxford, PA 19363	Chester	Lower Oxford	Muddy Run TSF-MF West Branch Big Elk Creek HQ-TSF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024803028	Dolores Grunstra P. O. Box 82 Hellertown, PA 18055	Northampton	Lower Saucon Township	Cooks Creek EV
PAI024803029	Henry Lubsen, President Newpro Iv, Inc. 824 Eighth Ave. Bethlehem, PA 18018	Northampton	Stockertown Borough	Bushkill Creek HQ-CWF

*Pike County Conservation District: HC6, Box 6770, Hawley, PA 18428, (570) 226-8220.*

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI025203012	Richard Kayton P. O. Box 1447 Milford, PA 18337	Pike	Milford Township	Sawkill Creek EV

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

NPDES Permit No.	Applicant Name and Address	County	Municipality	Receiving Water/Use
PAS10S046-1-R	S. I. D. E. Corporation P. O. Box 1050 Blakeslee, PA 18610	Monroe	Tobyhanna Township	Goose Run Creek HQ-CWF Tobyhanna Creek HQ-CWF

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

NPDES Permit No.	Applicant Name and Address	County	Municipality	Receiving Water/Use
PAI023903039	Roberto and Eileen Fischmann 3003 West Turner Allentown, PA 18104	Lehigh	Upper Macungie Township	Little Lehigh Creek HQ-CWF

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

PAG-12	CAFOs
PAG-13	Stormwater Discharges from MS4

## CAFO Notices of Intent Received

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

**PAG123578**, CAFO, **Jay L. Hess, Bacon Acres**, 2615 Main Street, Conestoga, PA 17516. This proposed facility is in Conestoga Township, **Lancaster County**.

Description of Size and Scope of Proposed Operation/Activity: Bacon Acres consists of two swine finishing barns with a total capacity of 3,200 finishing hogs. There is also a small beef cow/calf herd on the farm. Hog Barn No. 1 (upper barn), constructed in 1984, has a shallow pit manure storage with pull plugs that flows into a 1.3-million gallon (140 feet by 116 feet by 12 feet) outside earthen lagoon. Barn No. 2 (lower barn), constructed in 1995, has deep pit manure storages underneath the barn's slatted floors and has a holding capacity of 230,000 gallons (183 feet by 40 feet by 6 feet). In 2002, both barns (Bacon Acres No. 1 and No. 2) were remodeled and additional manure storage pits were added to the ends of each barn. The additional storages were certified at the time of construction by a P. E. certified engineer. Approximately 1,845,932 gallons of manure is generated annually by this operation, most of which is exported off the farm to neighboring farmers. All the beef cow/calf manure is utilized on the farm. There are approximately 78 acres of total cropland (both owned and rented) that are eligible to receive manure associated with this operation. Liquid swine manure is applied on the farm in the spring and fall of the year and exported off the farm in the spring to fall months.

The receiving stream, UNT to Pequea Creek, is in watershed 7K-Pequea Creek and classified for CWF.

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

**PAG123579**, CAFO, **James Snavelly, Snavelly Farms CAFO**. This proposed facility is in Mount Joy Township, **Lancaster County**.

Description of Size and Scope of Proposed Operation/Activity: An existing 466-AEU steer and crop operation. This operation is proposed to construct a new 2,200 head feeder to finish swine operation and to construct a new concrete manure storage structure for the steer facility. Manure produced on this operation will be utilized on the 67.5 acres of agricultural crops grown by James Snavelly and the 8.2 acres of grass hay. Additional manure will be exported to neighboring farms to be utilized for agricultural purposes.

The receiving stream, UNT Conoy Creek, is in watershed 7G-Chickies Creek and classified for TSF.

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

**MS4 Notices of Intent Received**

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Department Protocol (Y/N)</i>
PAG136263	Bradford Woods Borough 4908 Wexford Run Road Bradford Woods, PA 15015	Allegheny	Bradford Woods Borough	Y
PAG136264	Edgewood Borough 2 Race Street Edgewood, PA 15218	Allegheny	Edgewood Borough	Y
PAG136265	Hanover Township 901 Steubenville Pike Burgettstown, PA 15021	Washington	Hanover Township	Y
PAG136266	Economy Borough 2856 Conway Wallrose Road Baden, PA 15005	Beaver	Economy Borough	Y
PAG136267	North Fayette Township 400 North Branch Road Oakdale, PA 15071	Allegheny	North Fayette Township	Y
PAG136268	Green Tree Borough 10 W. Manilla Avenue Pittsburgh, PA 15220	Allegheny	Green Tree Borough	Y
PAG136269	Etna Borough 437 Butler Street Pittsburgh, PA 15223	Allegheny	Etna Borough	Y
PAG136270	Upper St. Clair Township 1820 McLaughlin Run Road Pittsburgh, PA 15241	Allegheny	Upper St. Clair Township	Y
PAG136271	Brentwood Borough 3624 Brownsville Road Pittsburgh, PA 15227	Allegheny	Brentwood Borough	Y
PAG136272	Center Township 224 Center Grange Road Aliquippa, PA 15001	Beaver	Center Township	Y
PAG136273	Frazer Township 2129 Butler Logan Road Tarentum, PA 15084	Allegheny	Frazer Township	Y
PAG136274	Moon Township 1000 Beaver Grade Road Coraopolis, PA 15108	Allegheny	Moon Township	Y
PAG136275	Mt. Lebanon Township 710 Washington Road Pittsburgh, PA 15228	Allegheny	Mt Lebanon Township	Y

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

of comments received during the 30-day public comment period.

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

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

Persons with a disability who require an auxiliary aid, service or other accommodations to participate during the 30-day public comment period should contact the office

listed before the application. TDD users 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. 6703510 MA, Public Water Supply.

Applicant	<b>Windsor Borough</b>
Municipality	Windsor Borough
County	<b>York</b>
Responsible Official	Brian L. Feree, Chairperson P. O. Box 190 Windsor, PA 17366
Type of Facility	PWS
Consulting Engineer	Gordon L. Brown, Jr., P. E. Gordon L. Brown & Assoc. Inc. 2238 South Queen Street York, PA 17402
Application Received Date	April 24, 2003
Description of Action	Installation of approximately 8,800 LF of 8-inch distribution mains and associated valves and the construction of a booster pump station to augment fire flows.

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

##### Permit No. 1103503, Public Water Supply.

Applicant	<b>Northern Cambria Municipal Authority</b> 1202 Philadelphia Avenue Northern Cambria, PA 15714
Township or Borough	Northern Cambria Borough and Susquehanna Township
Responsible Official	David E. Suchar, Chairperson Northern Cambria Municipal Authority 1202 Philadelphia Avenue Northern Cambria, PA 15714
Type of Facility	Water treatment plant
Consulting Engineer	Stiffler, McGraw & Associates, Inc. 19 North Juniata Street Hollidaysburg, PA 16648
Application Received Date	September 15, 2003
Description of Action	Complete replacement of the distribution system and upgrade of the existing treatment facility.

##### Permit No. 3003501, Public Water Supply.

Applicant	<b>Southwestern Pennsylvania Water Authority</b> 1442 Jefferson Road P. O. Box 187 Jefferson, PA 15344
Township or Borough	Center, Gray and Richhill Townships
Responsible Official	Joseph J. Simatic, Manager Southwestern Pennsylvania Water Authority 1442 Jefferson Road P. O. Box 187 Jefferson, PA 15344
Type of Facility	Water treatment plant
Consulting Engineer	Bankson Engineers, Inc. 267 Blue Run Road P. O. Box 200 Indianola, PA 15051
Application Received Date	September 11, 2003
Description of Action	Installation of water lines, a water pump station and a 1.0-million gallon concrete water storage tank.

### MINOR AMENDMENT

#### Applications Received under the Pennsylvania Safe Drinking Water Act

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

##### Application No. Minor Amendment.

Applicant	<b>Elizabethtown Crystal Pure Water Co.</b>
Township or Borough	Minersville Borough <b>Schuylkill County</b>
Responsible Official	Ray R. Diener, President
Type of Facility	Vended Water System
Application Received Date	September 2, 2003
Description of Action	Vending Machine Installation

### 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

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

**WA56-12A**, Water Allocations, Resubmittal, **Somerset Borough Municipal Authority**, P. O. Box 71, Somerset, PA 15501, **Somerset County**. The applicant is requesting the right to withdraw 1.75 million gallons per day (average day) from the Laurel Hill Creek Reservoir, **Somerset County**.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

### PREAMBLE 1

---

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

---

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use the Background Standard, Statewide Health Standard, the Site-Specific Standard or who intend to remediate a site as a special industrial area must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one, a combination of the cleanup standards or who receives approval of a special industrial area remediation identified under the act will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

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

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

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

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

**Department of Transportation, Pike County Maintenance Facility**, Milford Borough, **Pike County**. Eric B. Schmidley, P. G., Apex Environmental, Inc., 269 Great Valley Parkway, Malvern, PA 19355 has submitted a Notice of Intent to Remediate (on behalf of Department of Transportation, 2140 Herr Street, Harrisburg, PA 17103-1900) concerning the remediation of soils found to be contaminated by arsenic. The applicant proposes to meet the residential Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in *The Dispatch* on August 19, 2003. A Final Report was simultaneously submitted.

---

### INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSES

---

**Applications received or withdrawn under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and the act of July 13, 1988 (P. L. 525, No. 93) (35 P. S. §§ 6019.1—6019.6) and regulations to transport infectious and chemotherapeutic waste.**

---

*Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471.*

#### *Renewal Applications Received*

**Altoona Hospital**, 620 Howard Avenue, Altoona, PA 16601, License No. PA-HC 0124. Received on September 2, 2003.

**Bestrans, Inc.**, 931 Red Toad Road, North East, MD 21901, License No. PA-HC 0209. Received on September 2, 2003.

---

### 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. 101069. Southeastern Chester County Refuse Authority**, P. O. Box 221, Kennett Square, PA 19348, London Grove Township, **Chester County**. Phase I component of a waste application submitted for a permit area (65 acres) and disposal capacity (37 acres) increase. An LMIP meeting was held on August 28, 2003, and an alternative project timeline of 240 days for the Phase I component was negotiated. The Phase II timeline was estimated at 240 days, subject to renegotiation prior to the submittal of the Phase II component of the application. The Phase I component of the waste application considered received under 25 Pa. Code § 271.202(b) by the Southeast Regional Office on September 16, 2003.

## AIR QUALITY

### PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

#### NEW SOURCES AND MODIFICATIONS

The Department of Environmental Protection (Department) has developed an "integrated" plan approval, State Operating Permit and Title V Operating Permit program. This integrated approach is designed to make the permitting process more efficient for the Department, the regulated community and the public. This approach allows the owner or operator of a facility to complete and submit all the permitting documents relevant to its application one time, affords an opportunity for public input and provides for sequential issuance of the necessary permits.

The Department has received applications for plan approvals and/or operating permits from the following facilities.

Copies of the applications, subsequently prepared draft permits, review summaries and other support materials are available for review in the regional office identified in this notice. Persons interested in reviewing the application files should contact the appropriate regional office to schedule an appointment.

Persons wishing to receive a copy of a proposed plan approval or operating permit must indicate their interest to the Department regional office within 30 days of the date of this notice and must file protests or comments on a proposed plan approval or operating permit within 30 days of the Department providing a copy of the proposed document to that person or within 30 days of its publication in the *Pennsylvania Bulletin*, whichever comes first. Interested persons may also request that a hearing be held concerning the proposed plan approval and operating permit. Comments or protests filed with the Department regional offices must include a concise statement of the objections to the issuance of the Plan approval or operating permit and relevant facts which serve as the basis for the objections. If the Department schedules a hearing, a notice will be published in the *Pennsylvania Bulletin* at least 30 days prior the date of the hearing.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodation to participate should contact the regional office identified before the application. TDD users 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 (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.**

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

**65-00016F: Latrobe Steel Co.** (2626 Ligonier Street, P. O. Box 31, Latrobe, PA 15650) for installation of Ladle Furnace at the Latrobe Plant in Latrobe Borough, **Westmoreland County**.

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

**37-322A: Joseph A. Tomon, Jr. Funeral Home** (123 5th Street, Ellwood City, PA 16117) for construction of a human cremation retort in Ellwood City, **Lawrence County**.

**Intent to Issue Plan Approvals and Intent to Issue or Amend Operating Permits under the Air Pollution Control Act 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: Edward Brown, Facilities Permitting Chief, (610) 832-6242.*

**09-0087C: Air Products and Chemicals, Inc.** (351 W. Philadelphia Avenue, Morrisville, PA 19067) for modification of an existing source at their Morrisville Plant (previously known as Solkatronic Chemicals), Falls Township, **Bucks County**. This is a minor facility. The modifications include an increase in production of the existing anhydrous ammonia purification and filling operations. The amount of ammonia processed at this facility shall be limited to 2,291,800 pounds per year. The existing scrubber would continue to be the control device for routine operations. The scrubber shall use a neutralizing solution of acid (phosphoric, sulfuric, hydrochloric or nitric) and water. Emissions of ammonia will be limited to 0.02 lb/hr and 0.02 ton per year (as a 12-month rolling sum). The Plan Approval will require stack tests to be performed. Appropriate monitoring and recordkeeping requirements will be included.

**23-0038B: Delaware County Regional Water Quality Control Authority (DELCORA)** (3201 W. Front St., Chester, PA 19016) for the installation of a replacement scrubbing system on each of their sewage sludge incinerators in the City of Chester, **Delaware County** under 25 Pa. Code §§ 127.44(b) and 127.424(b). The Department intends to issue Plan Approval PA-23-0038B to DELCORA. DELCORA operates a wastewater treatment plant and two sewage sludge incinerators. The wastewater treatment facility currently has Title V Permit No. 23-00038. The Plan Approval will subsequently be incorporated into the Title V Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Plan Approval No. PA-23-0038B is for the installation of a replacement scrubbing system on each of the sewage sludge incinerators. Each scrubbing system will consist of a quench chamber, a two-tray impingement scrubber and a variable throat Venturi scrubber. Based on the information provided by the applicant and the Department's own analysis, each sewage sludge incinerator will emit 1.3 pounds of particulate matter per ton of dry sewage input.

Copies of the application, the Department's analysis and other documents used in the evaluation are available for public inspection between 8 a.m. and 4 p.m. weekdays at the following address. To make an appointment, contact Records Management at (610) 832-6268.



Persons wishing to provide the Department with additional information they believe should be considered may submit the information to the following address. Comments must be received by the Department within 30 days of the last day of publication. Written comments should include the name, address and telephone number of the person submitting comments, identification of proposed Plan Approval No. PA-23-0038B and a concise statement regarding the relevancy of the information or any objections to issuance of the Plan Approval.

A public hearing may be held, if the Department, in its discretion, decides that a hearing is warranted on the comments received during the public comment period. Persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in a local newspaper of general circulation or the *Pennsylvania Bulletin* or by telephone, where the Department determines notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Francine Carlini, Regional Air Quality Manager, Department of Environmental Protection, Southeast Regional Office, 555 North Lane, Lee Park, Suite 6010, Conshohocken, PA 19428, (610) 832-6242.

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

**06-05014C: Garden State Tanning Co.** (16 South Franklin Street, Fleetwood, PA 19522) for modification of the no. 1 whole hide coating line by constructing a roll coater prior to the existing spray coater and oven in the Borough of Fleetwood, **Berks County**. The modification will not result in any changes in the potential to emit from the coating line. The coating line is subject to 40 CFR Part 63, Subpart TTTT—National Emission Standards for Hazardous Air Pollutants from Leather Coating. The plan approval will include monitoring, work practices, recordkeeping and reporting requirements designed to keep the source operating within all applicable air quality requirements. The facility is presently covered by the Title V Operating Permit No. 06-05014. The plan approval will be incorporated into this permit in accordance with 25 Pa. Code § 127.450.

**67-03069A: H and H Castings, Inc.** (4300 Lincoln Highway, York, PA 17406) for construction of a no-bake molding line and a sand storage bin controlled by two fabric collectors and a bin vent filter, respectively, at their aluminum foundry in Hellam Township, **York County**. Annual emissions from this process are expected to be 17 tons VOC, 5 tons PM10 and 1 ton NOx.

**67-05024E: Lehigh Cement Co.** (200 Hokes Mill Road, York, PA 17404) for reactivation of a limestone/clay handling system controlled by an existing fabric filter in West Manchester Township, **York County**. Particulate matter emissions from the reactivation are conservatively estimated at less than 25 tons annually. The equipment is subject to 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants. The plan approval will contain emission limits, monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality requirements. These requirements will be incorporated into the company's Title V Operating Permit No. 67-05024.

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

**18-00016A: Pine Creek Veterinary Associates** (P. O. Box 82, McElhattan, PA 17748) for construction of an animal crematory incinerator in Pine Creek Township, **Clinton County**.

The crematory incinerator will have a rated capacity of 75 pounds per hour. The air contaminant emissions from the incinerator will be controlled by an integral secondary combustion chamber. The resultant particulate matter emissions are expected to be less than .2 pound per hour.

The Department's review of the information contained in the application indicates that the proposed incinerator will comply with all applicable requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirements in 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department intends to issue plan approval for the construction of the proposed animal crematory incinerator.

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

1. Only animal remains shall be incinerated.
2. The particulate matter emissions shall not exceed .08 grain per dry standard cubic foot, corrected to 7% oxygen and the opacity shall not equal or exceed 10% for more than 3 minutes in any 1 hour or 30% at any time.
3. A secondary combustion chamber temperature of at least 1,800°F shall be maintained at any time incineration is occurring.
4. The incinerator shall be equipped with instrumentation to continuously monitor and record the secondary combustion chamber temperature. All temperature records shall be retained for at least 5 years and shall be made available to the Department upon request.

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

**30-00072D: CONSOL Energy, Inc.** (1800 Washington Road, Pittsburgh, PA 15241) to upgrade the refuse conveyor system and to expand the wash plant at their Bailey Mine complex in Richhill Township, **Greene County** under 25 Pa. Code § 127.44(a)(4). The Department intends to issue a Plan Approval as described in their application to the Department received on April 4, 2003.

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

For the Department to assure compliance with all applicable standards, the Department proposes to place the following conditions on the Plan Approval:

*Special Conditions for Plan Approval PA-30-00072D*

1. This Plan Approval is for the construction of a fifth circuit at the washing plant, construction of additional refuse conveyors, crushers and screens and other changes at the Consol Pennsylvania Coal Company's (Consol) Bailey Mine complex in Richhill Township, Greene County (25 Pa. Code § 127.12b).

2. The facility-wide maximum allowable emission rate for VOC is not increased and remains at 879 tons in any consecutive 12-month period (25 Pa. Code § 127.12b).

3. The wash plant maximum allowable emission rate for VOC is not increased and remains at 280 tons in any consecutive 12-month period (25 Pa. Code § 127.12b).

4. The facility-wide maximum allowable emission rate for PM is 433 tons in any consecutive 12-month period (25 Pa. Code § 127.12b).

5. The facility-wide maximum allowable emission rate for PM10 is 342.4 tons in any consecutive 12-month period (25 Pa. Code § 127.12b).

6. The owner/operator shall keep monthly records of frother usage, diesel usage, antifreeze usage, flocculant usage and the related VOC emission calculations for the entire wash plant. These records shall be kept and maintained onsite for 5 years and be made available to the Department for review upon request (25 Pa. Code § 127.12b).

7. Raw coal throughput is not increased and remains limited to 41.3 million tons in any consecutive 12-month period (25 Pa. Code § 127.12b).

8. The throughput of the coal cleaning plant shall be limited to 6,300 tons per hour (25 Pa. Code § 127.12b).

9. The owner/operator shall keep monthly records of raw coal throughput at the facility and the related PM/PM10 emission calculations for the entire facility. These records shall be kept and maintained onsite for 5 years and be made available to the Department for review upon request (25 Pa. Code § 127.12b).

10. The crushing and screening operations at screens 2 and 3 and crusher 3 shall be conducted in an enclosed building (25 Pa. Code § 127.12b).

11. The sources at this facility are subject to the fugitive emission requirements of 25 Pa. Code §§ 123.1 and 123.2.

14. The Bailey Coal Preparation Plant (including thermal dryer nos. 1 and 2) is subject to the new source performance standards for coal preparation plants, 40 CFR Par 60, Subpart Y. In accordance with 40 CFR 60.4, copies of all request, reports, applications, submittals and other communications shall be forwarded to both the EPA and the Department at the following addresses unless otherwise noted (40 CFR 60, Subpart Y): Director, Air Toxics and Radiation, U. S. EPA, Region III, 841 Chestnut Street, Philadelphia, PA 19107; and Department of Environmental Protection, Office of Air Quality Control, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

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

(a) The Department must receive written notice from the owner/operator of the completion of construction and the operator's intent to commence operation at least 5 working days prior to the completion of construction. The notice should state when construction will be completed and when operator expects to commence operation.

(b) Operation is authorized only to facilitate the start-up and shake-down of sources and air cleaning devices, to permit operations pending the issuance of an Operating Permit or to permit the evaluation of the sources for compliance with all applicable regulations and requirements.

(c) This condition authorizes temporary operation of the sources for a period of 180 days from the date of

commencement of operation, provided the Department receives notice from the owner/operator under subpart (a).

(d) The owner/operator may request an extension if compliance with all applicable regulations and Plan Approval requirements has not been established. The extension request shall be submitted in writing at least 15 days prior to the end of this period of temporary operation and shall provide a description of the compliance status of the source, a detailed schedule for establishing compliance and the reasons compliance has not been established.

(e) The notice submitted by the owner/operator under subpart (a), prior to the expiration of this Plan Approval, shall modify the plan approval expiration date. The new plan approval expiration date shall be 180 days from the date of the written notice.

Persons wishing to provide the Department with additional information which they believe should be considered prior to the issuance of the Plan Approval may submit the information to the Department at the following address. A 30-day comment period, from the date of this publication, will exist for the submission of comments. Written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval (specify the Plan Approval number) and concise statements regarding the relevancy of the information or objections to issuance of the Plan Approval.

A public hearing may be held, if the Department, in its discretion, decides that a hearing is warranted based on the information received. Persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in this newspaper or by the *Pennsylvania Bulletin* or by telephone, where the Department determines notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to the Regional Air Quality Program Manager, Department of Environmental Protection, Southwest Region—Field Operation, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

For additional information, contact Thomas J. Joseph, P. E., Air Pollution Control Engineer III, Air Quality, Department of Environmental Protection, Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

**04-00059: Koppel Steel Corp.** (P. O. Box 750, Beaver Falls, PA 15010) for issuance of an Air Quality Plan Approval for their plant in the Borough of Koppel, **Beaver County** in accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b). The facility currently has Title V Operating Permit No. 04-00059. The provisions of this plan approval will subsequently be incorporated into the Title V Operating Permit through an amendment in accordance with 25 Pa. Code § 127.450.

The proposed replacement is subject to the applicable requirements of 25 Pa. Code Chapter 127. The Department believes that the facility will meet these requirements by complying with the following Plan Approval conditions:

1. The facility is to be constructed in accordance with the plans submitted with the application (as approved herein).

2. Upon completion of the construction of the facility, an operating permit must be obtained. Notify the Department when the installation is completed so that the facility can be inspected for issuance of an operating permit.

3. This plan approval is to allow the operation of and increase in production from previously modified sources at Koppel Steel Corporation's Koppel Plant in the Borough of Koppel, Beaver County (25 Pa. Code § 127.12b).

4. Modifications covered under this plan approval include (25 Pa. Code § 127.12b): eccentric bottom tap conversion; replacement multilance manipulator; hot arms project; and sidewall burner upgrade (three Phoenix Model No. HD Burners, each rated at 27 mmBtu/hr).

Modification to the valve train and natural gas supply piping are not authorized by this Plan Approval.

5. This modification is subject to the prevention of significant deterioration provisions of 40 CFR 52.21 for CO and SO<sub>2</sub>.

6. Meltshop effluent shall be captured by the Direct Evacuation System (DEC) and ducted to nos. 3 and 4 electric arc furnace (EAF) baghouse (25 Pa. Code § 127.12b).

7. The owner/operator shall not permit the emission to the outdoor atmosphere of any odorous air contaminants from any source determined to be objectionable by the Department in a manner so that the odorous air contaminants are detectable outside the property on which the source is being operated (25 Pa. Code § 127.12b).

8. Fugitive air contaminants from the Koppel Steel Corporation meltshop shall comply with 25 Pa. Code §§ 123.1 and 123.2 and 40 CFR 60, Subpart AAA.

9. The EAF baghouse shall not exhaust TSP/PM10 in excess of 0.004 gr/dscf (25 Pa. Code § 127.12b).

10. Steel production at the facility shall not exceed 598,000 tons in any consecutive 12-month period (prime cast tons) (25 Pa. Code § 127.12b).

11. Steel throughput through the rotary hearth furnace (RHF) shall be limited to 420,000 tons in any consecutive 12-month period (25 Pa. Code § 127.12b).

12. Operation of the EAF shall not exceed 8,320 hours in any consecutive 12-month period (25 Pa. Code § 127.12b).

13. Emissions of the following contaminants from the nos. 3 and 4 EAF baghouses shall not exceed the following, based on 598,000 prime cast tons per year (25 Pa. Code § 127.12b):

Pollutant	lb/hr	tons/yr
CO	500.0	1,345.5
NOx (as NO <sub>2</sub> )	60.0	164.5
SOx (as SO <sub>2</sub> )	50.0	149.5
VOC (as propane)	35.0	104.7

Pollutant	Long-Term Emission Factor (lb/ton)	Short-Term Emission Factor* (lb/ton)
CO	4.50	5.0
NOx (as NO <sub>2</sub> )	0.55	0.60
SOx (as SO <sub>2</sub> )	0.50	0.50
VOC (as propane)	0.35	0.35

\* Short term factors were derived based on 90 tons per heat and a tap-to-tap time of 54 minutes.

14. Per 25 Pa. Code § 127.211, the facility-wide maximum allowable emissions rate for NOx and VOC are as follows:

Steel Production (tpy)	Potential NOx (tpy)	Potential VOC (tpy)
420,000	234.1	79.9
598,000	273.9	111.1

By increasing production from 420,000 tpy to 598,000 tpy, the facility has consumed 39.8 tons for NOx and 31.2 tons for VOC of the 40-ton major modification increment. The facility has also consumed a creditable decrease of 9.2 tons for NOx resulting from the shutdown of two meltshop boilers (sources 031 and 032).

15. The owner/operator shall keep a record of all charge materials, charge weights, tap weights and tap-to-tap times for each heat of steel (25 Pa. Code § 127.12b).

16. The owner/operator shall install natural gas meters and record the amount of natural gas burned in the EAF sidewall burners for each heat of steel (25 Pa. Code § 127.12b).

17. The combined heat input to the three sidewall burners shall be limited to 30 mmBtu/hr (25 Pa. Code § 127.12b).

18. The owner/operator shall monitor and record the amount of electrical energy consumed for each heat of steel produced (25 Pa. Code § 127.12b).

19. The owner/operator shall perform monthly maintenance inspections of the DEC. At a minimum, records of these inspections shall include fan current readings, observations of the physical appearance and function of the equipment, any deficiencies noted, corrective action taken and be maintained in a log (25 Pa. Code § 127.12b).

20. The owner/operator shall conduct visible emission observations of the meltshop baghouse at least once per day when the furnace is operating during the melting and refining period. These observations shall be taken in accordance with EPA Method 9 by a certified visible emission observer for at least three 6-minute periods and the readings recorded and maintained in a log (25 Pa. Code § 127.12b).

21. The owner/operator shall perform daily observations of visible emissions from the meltshop and monthly operational status inspections of the equipment that is important to the performance of the total capture system (that is, dampers, duct expansion joints, damper switches, and the like). These inspections shall include observations of the physical appearance and function of the equipment (for example, presence of holes in the ductwork or hoods, flow constriction, fan imbalance, and the like). Any deficiencies shall be noted and corrected. A preventative maintenance program shall be instituted and the owner/operator shall keep a log of any malfunctions of the air cleaning device (25 Pa. Code § 127.12b).

22. At a minimum, the owner/operator shall read and record the pressure differential readings of the meltshop baghouse once per shift. These readings shall be recorded in a log and include the name of the individual recording the reading (25 Pa. Code § 127.12b).

23. The owner/operator shall keep a 12-month rolling total for the following (25 Pa. Code § 127.12b):

- a. Tons of steel production at the facility.
- b. Operating hours of the EAF.
- c. Tons of steel throughput for the RHF.

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

25. The owner/operator shall stack test the effluent from the nos. 3 and 4 EAF baghouses for the following pollutants: CO, NO<sub>x</sub> (as NO<sub>2</sub>), SO<sub>x</sub> (as SO<sub>2</sub>) and VOC (as propane) in accordance with 25 Pa. Code Chapter 139 and the Department's Source Testing Manual within 180 days of issuance of this Plan Approval. When stack testing is required due to source modifications it shall be stated in future stack test protocols that one of the objectives of the test is to quantify the effect of the modifications on short term (lbs/hr) and long term (tons/yr) emissions identified in Condition 13 (25 Pa. Code § 127.12b):

a. Two copies of the stack test protocol shall be submitted to the Department at least 60 days in advance of the stack test date. Stack testing shall not take place until the owner/operator has received written approval of the stack test protocol.

b. The owner/operator shall notify the Department of the stack test date at least 2 weeks prior to the test so the an observer may be present.

c. Two copies of the stack test results shall be submitted to the Department within 60 days of completion of the test.

d. The owner/operator shall record all pertinent operating data during the stack test and include this data with the stack test results. This data shall include, but not be limited to, a record of all charge materials, charge weights, tap weights and tap-to-tap times for each heat of steel.

e. The Department reserves the right to revise the emission limits established herein based on the results of the stack tests.

26. The owner/operator shall stack test the exhaust from the EAF baghouse for the following pollutants: TSP/PM10, NO<sub>x</sub> (as NO<sub>2</sub>), CO, SO<sub>x</sub> (as SO<sub>2</sub>) and VOC (as propane) in accordance with 25 Pa. Code Chapter 139 and the Department's Source Testing Manual and prior to each renewal of the Title V Operating Permit. The owner/operator shall stack test the exhaust from the EAF baghouse for the following pollutants: NO<sub>x</sub> (as NO<sub>2</sub>) and CO in accordance with 25 Pa. Code Chapter 139 and the Department's Source Testing Manual Title V Operating Permit every year during the term of the Title V Operating Permit (25 Pa. Code § 127.12b):

a. Two copies of the stack test protocol shall be submitted to the Department at least 60 days in advance of the stack test date. Stack testing shall not take place until the owner/operator has received written approval of the stack test protocol.

b. The owner/operator shall notify the Department of the stack test date at least 2 weeks prior to the test so the an observer may be present.

c. Two copies of the stack test results shall be submitted to the Department within 60 days of completion of the test.

d. The owner/operator shall record all pertinent operating data during the stack test and include this data with the stack test results. This data shall include, but not be limited to, a record of all charge materials, charge weights, tap weights and tap-to-tap times for each heat of steel.

e. The Department reserves the right to revise the emission limits established herein based on the results of the stack tests.

27. Compliance with the hourly emission limits shall be determined based on the average of up to three runs in a representative protocol test. Compliance with the annual emission limit shall be determined based on the average of all representative protocol tests performed in any 12-month period, considering the actual steel production for the same 12-month period. Production records must be included for each run in the stack test report (25 Pa. Code § 127.12b).

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

(a) The Department must receive written notice from the owner/operator of the completion of construction and the operator's intent to commence operation at least 5 days prior to the completion of construction. The notice should state when construction will be completed and when the operator expects to commence operation.

(b) Operation is authorized only to facilitate the start-up and shakedown of sources and air cleaning devices, to permit operations pending the issuance of an Operating Permit or to permit the evaluation of the source for compliance with all applicable regulations and requirements.

(c) This condition authorizes temporary operation of the sources for a period of 180 days from the commencement of operation, provided the Department receives notice from the owner/operator under subpart (a).

(d) The owner/operator may request an extension if compliance with all applicable regulations and Plan Approval requirements has not been established. The extension request shall be submitted in writing at least 15 days prior to the end of the period of temporary operation and shall provide a description of the compliance status of the source, a detailed schedule for establishing compliance and the reasons compliance has not been established.

(e) The notice submitted by the owner/operator under subpart (a) prior to the expiration of this Plan Approval shall modify the Plan Approval expiration date. The new Plan Approval date shall be 180 days from the date of the notice.

The change in potential emissions for CO, NO<sub>x</sub> and SO<sub>2</sub> are estimated by the applicant are as follows:

	<i>Steel Production (tpy)</i>	<i>Potential CO Emission Rate (tpy)</i>	<i>Potential NO<sub>x</sub> Emission Rate (tpy)</i>	<i>Potential SO<sub>2</sub> Emission Rate (tpy)</i>
Baseline	420,000	945.0	115.5	105.0
Future Capacity	598,000	1345.5	164.5	149.5
Creditable Decreases			9.2	
Increase	178,000	400.5	39.8	44.5

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

Interested persons may submit written comments, suggestions or objections concerning the proposed Plan Approval to the regional office within 30 days of publication of this notice. Written comments submitted to the Department during the 30-day public comment period shall include the name, address and telephone number of the commentator, identification of proposed Permit No. TV-04-00059 and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department, in its discretion, decides that a hearing is warranted based on the comments received. Persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where the Department determines notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Mark R. Gorog, New Source Review, 400 Waterfront Drive, Pittsburgh, PA 15222, (412) 442-4333.

### OPERATING PERMITS

#### Intent to Issue Title V Operating Permits under the Air Pollution Control Act 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.*

**09-00015: Rohm and Haas Co.—Bristol Facility** (200 Route 413, Bristol, PA 19007) for an administrative amendment to the Title V Operating Permit at their Bristol facility in Bristol Township, **Bucks County**. The facility is a diverse chemical manufacturing plant producing emulsions, plastics, coatings and resins.

The permit is being amended to incorporate changes approved under Plan Approval PA-09-0015C for the operation of a regenerative thermal oxidizer, Plan Approval PA-09-0015D for the operation of a catalytic oxidizer on the CRU and CRUX Processes and to install a closed loop vent system on Methyl Methacrylate (MMA) tank no. 35 and Plan Approval PA-09-0015E for modification of the hours of operation and hourly emissions for a 1.7 mW diesel emergency generator.

The amended Title V operating permit will contain additional monitoring, recordkeeping, control device efficiency, testing, reporting and work practice standards to keep the facility operating within all applicable air quality requirements. Those conditions from the plan approvals that have been addressed in the amended Title V Permit are as follows:

*From Plan Approval 09-0015C*

- Sections A and D, Sources 516 and 735A—Revised permit maps.
- Section D, Source 516—Revised emissions restriction condition to restrict NOx emissions from the regenerative thermal oxidizer.
- Section D, Sources 516 and 735A—Incorporated emission restrictions associated with regenerative thermal oxidizer for this source.

*From Plan Approval 09-0015D*

- Sections A and D, Sources 401 and 441—Revised permit maps.
- Section D, Source 401—Revised testing requirement to remove reference to scrubber and replace it with the phrase "Catalytic Oxidizer (C09)."
- Section D, Source 401—Incorporated emission restrictions conditions associated with catalytic oxidizer for this source.
- Section D, Source 441—Revised to remove reference to scrubber and replace it with the phrase "Catalytic Oxidizer (C09)."
- Section D, Source 441—Incorporated emission restrictions and additional requirement conditions associated with catalytic oxidizer for this source.
- Section D, Source 744—Incorporated condition requiring that source be equipped and operated with a closed loop vapor recovery system.

*From Plan Approval 09-0015E*

- Sections A and D, Sources 103—Revised permit maps to remove the 2.0 mW diesel generator and replace it with a 1.7 mW diesel emergency generator.
- Section D, Source 103—Incorporated new emission restrictions, fuel restrictions and operation hours restrictions.
- Section G. Miscellaneous—Removed items "(k)-Six Diesel Generators" and "(p) 2-1000 HP Diesel Generators."

Other Sources that have minor conditions changes are Source 032, 033, 137, 201, 300, 516 and 517.

Administrative Amendment of Title V Operating Permit issued under the Air Pollution Control Act and 25 Pa. Code § 127.450.

**15-00002: Quebecor World Atglen, Inc.** (4581 Lower Valley Road, West Sadsbury, PA 19310) for an administrative amendment to the Title V Operating Permit at their Atglen facility in West Sadsbury Township, **Chester County**. The facility is a printing company that employs two printing processes—publication rotogravure and in a very limited circumstances, flexography—to provide printing to the publishing industry.

The permit is being amended to incorporate changes approved under the following plan approval: BAQ-GPA/GP-1 for operation of an 11.7 mmBtu/hr, 350-Hp boiler; PA-15-0002A for the operation of a publication rotogravure press controlled by a carbon adsorption system; and PA-15-0002B for the operation of two heatset web offset lithographic presses. The amended Title V operating permit will contain additional monitoring, recordkeeping, reporting, testing and work practice standards to keep the facility operating within all applicable air quality requirements. Those conditions from the plan approvals that have been addressed in the amended Title V Permit are as follows:

Source ID: 032 (350-Hp boiler)—Incorporated restrictions for PM, NOx and CO emissions and fuel type.

Source ID: 107 (four-color rotogravure press 7)—Incorporated conditions restricting emission of VOCs.

Source IDs: 221 and 222 (four-color heatset offset litho web presses nos. 21 and 22)—Incorporated conditions restricting emissions of VOCs and (NOx).

Section C, Site Level Requirements for CFC sources (HVAC)—Incorporate applicable recordkeeping, reporting and work practice standard condition per 40 CFR 82, Subpart F (Recycling and Emission Reduction) for sources containing chlorofluorocarbons solutions.

Administrative Amendment of Title V Operating Permit issued under the Air Pollution Control Act and 25 Pa. Code § 127.450.

**15-00029: Dopaco, Inc.** (241 Woodbine Road, Downingtown, PA 19335) in Downingtown Borough, **Delaware County**. The facility's major emission points include a boiler, three rotogravure presses, four Flexographic presses, ink mixing room, parts washers and die room which have the potential to emit major levels of VOCs.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701; Contact: Muhammad Zaman, Program Manager; (570) 327-0512.*

**49-00003: ACF Industries** (P. O. Box 109, Milton, PA 17847) for renewal of the Title V operating permit for their AMCAR Division Plant in Milton Borough, **Northumberland County**. The facility's sources include 51 combustion units, 4 furnaces, 5 paint booths, 1 paint curing oven, 3 grit blasting operations, propane cutting torches, solvent stencil and paint cleaning operations, 1 metal cutter, 1 air wash separator and 3 storage tanks. The facility has the potential to emit major quantities of VOCs, HAPs and PM10. The facility has the potential to emit NOx, CO and SOx below the major emission thresholds. The proposed Title V operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

**42-00009: Pittsburgh Corning Corp.** (701 North Main Street, Port Allegany, PA 16743-0039) for reissuance of a Title V Permit to operate a pressed and blown glass manufacturing facility in Port Allegany Borough, **McKean County**. The facility's major emission sources include melting furnace, cellululating furnace, glass block edge coaters, distributors, foreheaters, presses/sealers, crushing, grinding and dispense system, batch mixer, mold release application. The facility is a major facility due to its potential to emit of NOx and VOCs.

**25-00924: Erie Forge and Steel, Inc.** (1341 West 16th Street, Erie, PA 16512-1522) for reissuance of a Title V Permit to operate an iron and steel forging manufacturing facility in City of Erie, **Erie County**. The facility's major emission sources include natural gas steam boiler, electric arc furnaces, refining furnaces, heat treat furnaces, forge furnaces, preheaters, grinder units, hood furnace, vacuum degassing, torch cutting operation, furnace baghouse and scrubber. The furnace baghouse is subject to the compliance assurance monitoring rule. The facility is a major facility due to its potential to emit of NOx and CO.

---

**Intent to Issue Operating Permits under the Air Pollution Control Act 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.*

**09-00154: Bucks County Water and Sewer Authority** (Pine Run Road and Old Dublin Pike, Doylestown, PA 18976) for the operation of a sewage pumping station wet well and associated wet scrubber and emergency generator, from which the main pollutants emitted are PM and NOx in Doylestown Township, **Bucks County**. The permit is for a non-Title V Facility, State-only, Natural Minor Operating Permit. The permit will include monitoring, recordkeeping, reporting and work practice standards designed to keep the facility operating within all applicable air quality requirements.

**15-00059: Paulsonbilt, Ltd.** (1000 West 11th Avenue, Chester, PA 19320) for operation of their facility in Coatesville, **Chester County**. The permit is for a non-Title V (State-only) facility. The facility's main sources include a large spray booth used to surface coat metal containers. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**15-00054: Highway Materials, Inc.** (680 Morehall Rd., Malvern, PA 19355) in East Whiteland Township, **Chester County**. The permit is for a non-Title V (State-only) facility. The facility's source includes a hot mix batch asphalt plant. The permittee has elected to take emission restrictions, hours of operation and throughput restrictions to be compliant with synthetic minor requirements. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**46-00171: John Evans' Sons, Inc.** (One Spring Avenue, Lansdale, PA 19446), for a non-Title V, State-only, Natural Minor Operating Permit in Lansdale Borough, **Montgomery County**. The facility manufactures springs. Per customer specifications, the edges of the springs require grinding to smooth out rough edges. There are six grinders at the facility to accomplish this. All of the grit and metal fines that are generated by grinding are sent to a dust collector outside the building. There are particulate matter limits of 0.3 pound per hour, 2.4 pounds per day and 0.3 ton per 12-month rolling period for the grinding process. Other sources of emissions include a 5.2 mmBtu/hr boiler and a parts washer.

**23-00091: Union Packaging** (6250 Baltimore Pike, Yeadon, PA 19050) for a non-Title V Facility, State-only, Natural Minor Permit in Pottstown Borough, **Montgomery County**. Union Packaging is a printing facility for the food industry. The sources of emissions include rotogravure press and space heaters. Monitoring, recordkeeping and reporting requirements have been added to the permit to address applicable limitations.

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

**06-03089: Reading Materials, Inc.** (P. O. Box 196, Skippack, PA 19474) for operation of a nonmetallic mineral crushing plant at their Pottstown Traprock Quarry in Douglass Township, **Berks County**. The plant is not subject to Title V (State-only operating permit). The plant has the potential to emit 95 tons per year of particulate. The plant is subject to 40 CFR Part 60, Subpart 000—Standards of Performance for New Stationary Sources. The State-only operating permit will include monitoring, work practices, recordkeeping and reporting requirements designed to keep the foundry operating air quality requirements.

**06-03093: Reading Materials, Inc.** (P. O. Box 79, Skippack, PA 19474) for operation of a railcar unloading station in Cumru Township, **Berks County**. The plant is subject to 40 CFR Part 60, Subpart 000—Standards of Performance for New Stationary Sources. The facility is not subject to Title V. The plant has the potential to emit 87 tons per year of particulate. The State-only operating permit will include monitoring, work practices, recordkeeping and reporting requirements designed to keep the plant operating within all applicable air quality requirements.

**36-03063: Kearney A. Snyder Funeral Home, Inc.** (141 East Orange Street, Lancaster, PA 17602) for operation of a cremation chamber in the City of Lancaster, **Lancaster County**. The State-only operating permit will include monitoring, recordkeeping, reporting requirements, emission restrictions and work practice standards designed to keep the facility operating within all applicable air quality requirements.

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

**24-00001: Buehler Lumber Co., Inc.** (260 West Main Street, Ridgway, PA 15853) for a Natural Minor Operating Permit to operate a sawmill and a wood-fired boiler in Ridgway Borough, **Elk County**.

**42-00181: Elkhorn Field Services—Lewis Run** (8801 South Yale, Suite 420, Tulsa, OK 74137) for Natural Minor operating permit for emissions from a nonfractionating, 4-million CFD natural gas processing plant in Bradford Township, **McKean County**.

**COAL AND NONCOAL MINING  
ACTIVITY APPLICATIONS**

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

ronmental Protection (Department). A copy of the application is available for inspection at the District Mining Office indicated before an application. Where a 401 Water Quality Certification is needed for any aspect of a particular proposed mining activity, the submittal of the permit application will serve as the request for certification.

Written comments, objections or requests for informal conferences on applications may be submitted by any person or any officer or head of any Federal, State or local government agency or authority to the Department at the 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.

Where any of the mining activities listed will have discharges of wastewater to streams, the Department will incorporate NPDES permits into the mining activity permits issued in response to these applications. NPDES permits will contain, at a minimum, technology-based effluent limitations as identified in this notice for the respective coal and noncoal applications. In addition 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 who 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 the person 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 wishes to have the conference conducted in the locality of the proposed mining activities.

*Coal Applications Received*

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

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

\* The parameter is applicable at all times.

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

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

**33950108 and NPDES Permit No. PA0227111. T. L. H. Coal Company** (4401 Pollock Road, Marion Center, PA 15759). Revision to an existing bituminous surface strip and auger operation in Perry Township, **Jefferson County** affecting 67.0 acres. Receiving streams: McCracken Run (CWF). There are no potable surface water supply intakes within 10 miles downstream. Revision to include a land use change from wildlife habitat to pastureland on lands of Raymond E. and Cora Belle Smith. Application received September 15, 2003.

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

**32980105 and NPDES Permit No. PA0234761. Amerikohl Mining, Inc.**, 202 Sunset Drive, Butler, PA 16001, permit renewal for reclamation only and for continued restoration of a bituminous surface and auger mine in Center Township, **Indiana County**, affecting 81.5 acres. Receiving streams: UNT to Tearing Run (CWF). There are no potable water supply intakes within 10 miles downstream. Application received September 12, 2003.

**32030110 and NPDES Permit No. PA0249491. Fossil Fuel, Inc.**, 690 Weaver Road, Marion Center, PA 15759, commencement, operation and restoration of a bituminous surface and auger mine in East Mahoning

and Grant Townships, **Indiana County**, affecting 43.0 acres. Receiving streams: unnamed tributaries to Crooked Run to Little Mahoning Creek (HQ-CWF). There are no potable water supply intakes within 10 miles downstream. Application received September 10, 2003.

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

**26980601 and NPDES Permit No. 0202193. Better Materials Corp.** (2200 Springfield Pike, Connellsville, PA 15425). NPDES renewal for an existing industrial mineral mining operation for continued mining, in Bullsken Township, **Fayette County**, affecting 559.1 acres. Receiving streams: unnamed tributary to Breckneck Run to Whites Run to Mounts Creek (WWF). There is no potable water supply intake within 10 miles from the point of discharge. Renewal application received September 12, 2003.

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

**17823101 and NPDES Permit No. PA0609412. Hepburnia Coal Company**, P. O. Box I, Grampian, PA 16838. Renewal of an existing bituminous surface mine permit in Union Township, **Clearfield County** affecting 128 acres. Receiving streams: two unnamed tributaries of Laborde Branch, to Laborde Branch, to Sandy Lick Creek, to Little Mill Creek, to Redbank Creek to Anderson Creek and Anderson Creek to West Branch Susquehanna River to Susquehanna River. Application received September 15, 2003.

#### *Noncoal Applications Received*

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

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

\* The parameter is applicable at all times.

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

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

**7273SM8C5 and NPDES Permit No. PA0613185. Lehigh Asphalt Paving & Construction Co.** (P. O. Box 549, Tamaqua, PA 18252), renewal of NPDES Permit for discharge of treated mine drainage in West Penn Township, **Schuylkill County**, receiving stream: unnamed tributary to Lizard Creek (TSF). Application received September 12, 2003.

**5777SM4C5 and NPDES Permit No. PA0034690. Barletta Materials & Construction, Inc.** (P. O. Box

550, Tamaqua, PA 18252), renewal of NPDES Permit for discharge of treated mine drainage in Nescopeck Township, **Luzerne County**, receiving stream: unnamed tributary to Susquehanna River (CWF) and Susquehanna River (WWF). Application received September 12, 2003.

## **FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401**

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



proval of a request for certification under section 401 of the FWPCA or to the issuance of a Dam Permit, Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment must submit comments, suggestions or objections within 30 days of the date of this notice, as well as questions, to the office noted before the application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

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

Persons with a disability who wish to attend a hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the specified program. TDD users 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 FWPCA (33 U.S.C.A. § 1341(a)).**

---

#### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E09-865. Richland Township**, 1328 California Road, Suite A, Quakertown, PA 18951, Richland Township, Bucks County, ACOE Philadelphia District.

To perform the following activities in wetlands adjacent to Beaver Run (TSF), a tributary within the Tohickon Creek watershed:

1. To construct and maintain a pedestrian trail consisting of course materials and macadam. Eight 8-inch PVC pipes will be placed at the appropriate intervals under the base course of the proposed trail to provide a connection to natural up-gradient wetland hydrology to down-gradient wetland hydrology.

The project proposes to directly affect 0.07 acre of emergent wetlands and the application proposes to make a monetary contribution to the wetland replacement fund as mitigation. The site is 3,000 feet south of the intersection of Mill Road and Trumbauersville Road (Quakertown, PA Quadrangle N: 10.0 inches; W: 14.9 inches).

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

**E48-338. Hornstein Enterprises, Inc.**, 1150 Cedarcrest Boulevard, Allentown, PA 18103 in Forks Township, Northampton County, U. S. Army Corps of Engineers, Philadelphia District.

To construct and maintain three stormwater outfall structures in Bushkill Creek (HQ-TSF) which are associated with the proposed Penn's Ridge planned residential development. The project is approximately 0.4 mile north of the intersection of SR 2019 (Bushkill Drive) and SR 2036 (Zucksville Road) (Easton, PA-NJ Quadrangle N: 17.9 inches; W: 16.9 inches).

**E64-243. Wayne Memorial Hospital**, West and Park Streets, Honesdale, PA 18431 in Honesdale Borough, Wayne County, U. S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a single-span prefabricated steel truss pedestrian bridge, having a span of 140 feet and an underclearance of approximately 17 feet, across West Branch Lackawaxen River (HQ-CWF). The bridge will provide access to a parking area on the south side of the river. The project is south of the intersection of SR 0006 (Park Street) and West Street (Honesdale, PA Quadrangle N: 13.7 inches; W: 1.3 inches).

**E48-337. Lower Saucon Township**, 3700 Old Philadelphia Pike, Bethlehem, PA 18015 in Lower Saucon Township, Northampton County, U. S. Army Corps of Engineers, Philadelphia District.

To repair and maintain an existing two span cast iron pony truss pedestrian bridge across Saucon Creek (CWF). The proposed work consists of structural upgrades to the superstructure and rehabilitation of the concrete and stone center pier. The project is northeast of the intersection of Old Mill Road and Reading Road (Hellertown, PA Quadrangle N: 11.1 inches; W: 13.7 inches).

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

**E34-109: Dobson Run Farm**, R. R. 2 Box 197, Millerstown, PA 17062 in Susquehanna Township, Juniata County, ACOE Baltimore District.

To replace and maintain two pipe crossings across Dobson Run, within Susquehanna Township, Juniata County (Reward, PA Quadrangle N: 19.3 inches; W: 7.8 inches).

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

**E14-453. Department of Transportation, Engineering District 2-0**, 1924-30 Daisy Street, Clearfield, PA 16830. SR 0026 Section 134 Slab Cabin Run culvert replacement in Ferguson Township, Centre County, ACOE Susquehanna River Basin District (Pine Grove Mills, PA Quadrangle N: 20.8 inches; W: 0.6 inch).

To remove two existing structurally deficient culvert pipes and construct and maintain a total of 288 feet (two pipes) of 36-inch reinforced concrete pipe in Slab Cabin Run 0.5 mile northwest of the intersection of SR 0550 and SR 3006 along SR 3006 in Ferguson Township, Centre County. This project proposes to have a minimal impact on Slab Cabin Run (HQ-CWF). This project does not propose to impact any jurisdictional wetlands.

**E17-385. City of DuBois**, P. O. Box 408, DuBois, PA 15801. Interstate 80 Spill Containment Facility—Anderson Creek in Union Township, Clearfield County, ACOE Baltimore District (Elliot Park, PA Quadrangle N: 22.0 inches; W: 16.0 inches).

To construct, operate and maintain a spill collection and containment facility requiring encroachment and

obstruction of Anderson Creek (HQ-CWF) to protect the public water supply for the City of DuBois. The spill containment facility and its appurtenances in, along and across Anderson Creek shall be limited to six spill-boom structures, four containment ponds and a permanent single span access bridge that are as follows:

Structure	Latitude	Longitude
Spill Boom No. 1	41° 06' 45.1"	78° 37' 52.2"
Spill Boom No. 3	41° 06' 48.7"	78° 37' 29.8"
Spill Boom No. 4	41° 07' 10.9"	78° 37' 01.58"
Spill Boom No. 5	41° 07' 29.0"	78° 36' 49.2"
Spill Boom No. 6	41° 07' 28.9"	78° 36' 48.9"
Southeast Pond No. 1	41° 07' 17.3"	78° 36' 59.3"
Southeast Pond No. 2	41° 07' 17.1"	78° 36' 58.4"
Northwest Pond No. 1	41° 07' 19.6"	78° 37' 05.5"
Northeast Pond No. 1	41° 07' 20.9"	78° 36' 58.3"
Single Span Bridge	41° 07' 22.5"	78° 36' 57.0"

The bridge shall be constructed, operated and maintained with a minimum span of 50 feet, width of 10 feet and underclearance of 3 feet. All bridge and spill boom construction and its repair shall be conducted at stream low flow. Since Anderson Creek is a wild trout fishery, no project construction or future repair work shall be completed in or along the stream channel between October 1 and April 1 without prior written authorization from the Fish and Boat Commission. This permit does not authorize any temporary or permanent impact to wetlands and the permittee shall ensure all precautionary measures are taken to avoid any wetland impact during construction, operation and maintenance of the spill containment facilities, appurtenances and its access roads. The single span bridge across Anderson Creek permanently impacts 15 feet of waterway. The project is along the right-of-way of the eastbound and westbound lanes of SR 0080 at the overpass that carries SR 0080 over Anderson Creek Road. This permit also authorizes the construction, operation, maintenance and removal of temporary construction crossing of Blanchard Run, which shall be constructed with clean rock free of silt and fines. Upon completion of southeast containment ponds, the temporary crossing of Blanchard Run shall be removed, the stream bank restored to original contours and elevations and all final stabilization applied.

**E55-193. Moyer's Marine Sales**, R. R. 2, Box 263-M, Selinsgrove, PA 17870. Water Obstruction and Encroachment Permit in Shamokin Dam Borough, **Snyder County**, ACOE Susquehanna River Basin District (Sunbury, PA Quadrangle N: 19.4 inches; W: 8.7 inches).

To construct and maintain 85 feet of 12-foot diameter corrugated steel pipe in a tributary to the Susquehanna River (WWF). The project is along SR 0015 north 0.2 mile north of the intersection of SR 0015 and SR 0011 in Shamokin Dam Borough, Snyder County. The project does not propose to impact any jurisdictional wetlands.

**E59-447. Grace Engle, Rachael and Joseph Kolb, Susan Shellman and Faith Matelski**, One Charles St.,

Wellsboro, PA 16901. Kolb property crossing in Middlebury Township, **Tioga County**, ACOE Baltimore District (Crooked Creek, PA Quadrangle N: 14.7 inches; W: 12.6 inches).

The permittees propose to replace the existing twin cell 24-inch culvert pipe crossing with a twin cell 3-foot by 4-foot corrugated metal pipe arches measuring 30 inches long. One additional 3-foot by 4-foot corrugated pipe arch will be added to accommodate a braided channel off of the main stem of an unnamed tributary to Hills Creek (WWF). Riprap stabilization is proposed on the outlet of the new culvert pipes. This project proposes to impact 50 linear feet of two separate channels for a total of 100 linear feet of channel.

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

**E03-416. Allegheny Energy Supply Company, LLC**, 4350 Northern Pike, Monroeville, PA 15146-2841. Armstrong Power Station CCB landfill facility culvert and wetland fill in Washington Township, **Armstrong County**, Pittsburgh ACOE District (Latitude: 40° 55' 22"—Longitude: 79° 28' 27") (Templeton, PA Quadrangle N: 8.5 inches; W: 13.2 inches). The applicant proposes to remove the existing culvert, to construct and maintain a 90.0-foot long, 1.0-foot depressed two-cell concrete box culvert with each a span of 6.0 feet and an underclearance of 4.0 feet in an unnamed tributary to the Allegheny River (WWF) and to place and maintain fill in 0.097 acre of wetland as part of the proposed new CBB landfill project. The project is off of SR 4006 southwest of the Armstrong Power Station.

**E63-549. Charleroi Borough**, 4th and Fallowfield Avenue, Charleroi, PA 15022. Calvary Road bridge in Charleroi Borough, **Washington County**, Pittsburgh ACOE District (Latitude: 40° 7' 47"—Longitude: 79° 54' 6") (Monongahela, PA Quadrangle N: .9 inch; W: 3.6 inches). The applicant proposes to remove the existing structures and to construct and maintain a conspan arch bridge having a span of 28 feet and underclearance of 8 feet over Maple Creek (WWF). The bridge is on Calvary Road, approximately 200 feet south of its intersection with Lincoln Avenue. The total stream impact is approximately 24 feet.

**E63-551. Department of Transportation, Engineering District 12-0**, P. O. Box 459, Uniontown, PA 15401. SR 3008, Section 01R Bridge in South Franklin Township, **Washington County**, Pittsburgh ACOE District (Latitude: 40° 7' 18"—Longitude: 80° 17' 24") (Prosperity, PA Quadrangle N: 22.1 inches; W: 5.6 inches). The applicant proposes to remove the existing bridge and appurtenant structures and: (1) to construct and maintain a pre-stressed concrete spread box beam bridge having a normal span of 28.12 feet and an underclearance of 6.99 feet over Chartiers Creek (WWF); (2) to construct and maintain a temporary crossing consisting of three 58-inch by 91-inch elliptical pipes in Chartiers Creek; and (3) to construct and maintain a 65 feet long, R-4 rock-lined outfall along Chartiers Creek. The project will directly affect through bridge construction and scour protection, 60 linear feet of stream channel. No vegetated wetlands will be impacted.

---

**ACTIONS**


---

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

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

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

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

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users 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. NPDES Renewal Permit Actions**


---

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0057223	William and Donna Hodson 999 Longmill Road Telford, PA 18969	Montgomery County Franconia Township	East Branch of the Perkiomen Creek	Y
PA0052566	Owen J. Mooney 2015 Valley Road Newtown Square, PA 19073	Delaware County Edgmont Township	UNT to Ridley Creek 3G Watershed	Y

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PAG042202	Dean and Marybeth Ritter Single Family Residence	Lehigh County Heidelberg Township	Jordan Creek 2C	Y

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0080331	Ephrata Area Joint Authority 124 South State Street Ephrata, PA 17522	Lancaster County Ephrata Borough	UNT Cocalico Creek 7K	Y
PA0088714 Transfer	Hostetter Management Company Middle Creek Swine Farm 120 Lake Street Ephrata, PA 17522	Lancaster County West Cocalico Township	Watershed 7J	Y
PA0088706	Hostetter Management Company Hilbred Pig Company 120 Lake Street Ephrata, PA 17522	Lancaster County West Cocalico Township	Watershed 7J	Y

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0030449	Long's Mobile Home Park 406 Lutz School Road Indiana, PA 15701-9255	Indiana County White Township	UNT of McKee Run	Y
PA0093149	Creekside Mushrooms, LTD One Moonlight Drive Worthington, PA 16262-9730	Armstrong County West Franklin Township	Buffalo Creek (Outfall 001) and UNT of Buffalo Creek (Outfalls 002—006)	Y

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0222607	David Q. Steele 3462 Glen Hazel Road Wilcox, PA 15870	Jones Township Elk County	East Branch Clarion River	Y
PA0104141	Jay Township Authority Box 186 Weedville, PA 15868	Jay Township Elk County	Bennett Branch Sinnemahoning Creek	Y
PA0222577	Schmader Lumber Co., Inc. 1997 Corvette Drive P. O. Box 24 Lucinda, PA 16235	Knox Township Clarion County	Unnamed tributary to Step Creek	Y

## II. New or Expanded Facility Permits, Renewal of Major Permits and EPA Non-Waived Permit Actions

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

**NPDES Permit No. PA0012815**, Industrial Waste, **Sonoco Products Company**, 300 South Brandywine Avenue, Downingtown, PA 19335. This proposed facility is in Downingtown Borough, **Chester County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge 1,028 MGD of treated industrial wastewater from Outfall 001 and 0.657 MGD noncontact

cooling water from Outfall 002 from Sonoco Products Inc. into East Branch of Brandywine Creek.

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

**NPDES Permit No. PA0247197**, Industrial Waste, **City of Lancaster, Conestoga Water Treatment Plant**, 120 North Duke Street, Lancaster, PA 17608. This proposed facility is in Lancaster City, **Lancaster County**.

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

**NPDES Permit No. PA0043257, Amendment No. 1**, Sewage, **New Freedom Borough Authority**, 49 East Main Street, New Freedom, PA 17349.

On September 22, 2003, the Southcentral Regional Office, Water Management Program revoked NPDES Permit No. PA0043257 Amendment No. 1, issued on June 26, 2003, due to inaccuracies in the notice published at 33 Pa.B. 2390 (May 17, 2003) for the draft permit amendment. The Department will reissue Amendment No. 1 and republish notice of a draft permit amendment in a future edition of the *Pennsylvania Bulletin*.

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

**NPDES Permit No. PA00219380**, Industrial Waste, **Myppodiamond, Inc.**, Fayette Business Park, 1101 Mt. View Drive, Smithfield, PA 15478. This proposed facility is in Georges Township, **Fayette County**.

Description of Proposed Action/Activity: Discharge from an industrial waste facility to a UNT to Georges Creek.

**NPDES Permit No. PA0026417-A1**, Sewage, **Penn Hills Municipality**, 12245 Frankstown Road, Pittsburgh, PA 15235. This proposed facility is in Penn Hills Township, **Allegheny County**.

Description of Proposed Action/Activity: Discharge of stormwater from areas in and around the Plum Creek STP.

**NPDES Permit No. PA0026522-A1**, Sewage, **West Mifflin Sanitary Sewer Municipal Authority**, 1302 Lower Bull Run Road, West Mifflin, PA 15122-2902. This proposed facility is in West Mifflin Borough, **Allegheny County**.

Description of Proposed Action/Activity: Discharge of stormwater from areas in and around the New England Sewage Treatment Plant.

**NPDES Permit No. PA0026883-A1**, Sewage, **City of Beaver Falls**, 715 15th Street, Beaver Falls, PA 15010. This proposed facility is in the City of Beaver Falls, **Beaver County**.

Description of Proposed Action/Activity: Discharge of stormwater from areas in and around the STP in the City of Beaver Falls.

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

**NPDES Permit No. PA0025569**, Sewage Amendment No. 1, **Slippery Rock Municipal Authority**, P. O. Box 157, Slippery Rock, PA 16057. This proposed facility is in Slippery Rock Township, **Butler County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to Slippery Rock Creek.

**NPDES Permit No. PA0025569**, Sewage Amendment No. 1, **Breakneck Creek**, P. O. Box 1180, Mars, PA 16046. This proposed facility is in Adams Township, **Butler County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to Breakneck Creek.

**NPDES Permit No. PA0027227**, Sewage Amendment No. 2, **City of Farrell**, 500 Roemer Boulevard, Farrell, PA 16121. This proposed facility is in City of Farrell, **Mercer County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to the Shenango River.

**NPDES Permit No. PA0020257**, Sewage Amendment No. 1, **Borough of Grove City**, P. O. Box 110, Grove City, PA 16127-0100. This proposed facility is in Borough of Grove City, **Mercer County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to Wolf Creek.

**NPDES Permit No. PA0024571**, Sewage Amendment No. 3, **Cranberry Township**, 2525 Rochester Road, Suite 400, Cranberry Township, PA 16066-6499. This proposed facility is in Cranberry Township, **Butler County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to Brush Creek.

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

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

**WQM Permit No. 1503413**, Sewerage, **Valley Forge Sewer Authority**, 333 Pawling Road, Phoenixville, PA 19460. This proposed facility is in Charlestown Township, **Chester County**.

Description of Proposed Action/Activity: Construction of a wastewater pumping station for a single family home development.

**WQM Permit No. 0903413**, Sewerage, **Kilcar House, Inc.**, 199 Union Road, Quakertown, PA 18951. This proposed facility is in Richland Township, **Bucks County**.

Description of Proposed Action/Activity: Construction and operation of a 1,400 gpd sewage treatment plant.

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

**WQM Permit No. 6403401**, Sewerage, **DVS, Inc. d/b/a J & J Lounge**, P. O. Box 87, Hamlin, PA 18427. This proposed facility is in Salem Township, **Wayne County**.

Description of Proposed Action/Activity: Issuance of a Water Quality Management Permit.

**WQM Permit No. 6403402**, Sewerage, **Waymart Area Authority, Rear Railroad Lane**, P. O. Box 3300, Waymart, PA 18472-0224. This proposed facility is in Canaan Township, **Wayne County**.

Description of Proposed Action: Issuance of a Water Quality Management Permit.

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

**WQM Permit No. 5002404**, Sewerage, **Catherine Campbell**, 1961 New Valley Road, Marysville, PA 17058. This proposed facility is in Rye Township, **Perry County**.

Description of Proposed Action/Activity: Installation of a SFTF treatment system consisting of a dual compartment, septic tank, dosing tank, 600 square foot subsurface sand filter, tablet chlorinator and a 200-gallon chlorine contact tank with a discharge to a UNT of Fishing Creek.

**WQM Permit No. 6703404**, Sewerage, **David Raver, Manchester Township**, 3200 Farmtrail Road, York, PA 17402. This proposed facility is in Manchester Township, **York County**.

Description of Proposed Action/Activity: This permit authorizes the installation of a 10-inch gravity sewer between Church Road and Lewisberry Road, bypassing an 8-inch sewer main. The new sewer will enter existing

manhole 29 Lewisberry Road. The 8-inch sewer from this manhole will be upgraded in accordance with the schedule contained in the ACT 537 Plan or no later than December 31, 2009. This permit also authorizes the replacement of a 12-inch sewer main with 16-inch and 18-inch ductile iron sewers that will connect to Springettsbury Township's main interceptor near Mundis Race Road, with two stream crossings.

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

**WQM Permit No. 2503519**, Sewerage, **Raymond P. Stempka**, 230 Zwilling Road West, Erie, PA 16509. This proposed facility is in Summit Township, **Erie County**.

Description of Proposed Action/Activity: Sewage discharge for a single residence.

**WQM Permit No. 2503418**, Sewerage, **Municipal Authority of the Borough of Waterford**, 224 East Third Street, P.O. Box 49, Waterford, PA 16441. This proposed facility is in Borough of Waterford, **Erie County**.

Description of Proposed Action/Activity: This project is for the replacement of chlorine disinfection with UV disinfection equipment as well as a conversion from anaerobic digestion to an aerobic process.

**WQM Permit No. 2002410**, Sewerage, 2002410, **City of Titusville**, 107 North Franklin Street, Titusville, PA 16354. This proposed facility is in City of Titusville, **Crawford County**.

Description of Proposed Action/Activity: This project is for upgrades to the wastewater treatment facility, sewer system improvements and a parallel interceptor from Brown Street to the wastewater treatment facility.

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

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

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

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

*NPDES Permit*

<i>No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI010903006	Mill Street Industrial Associates, Inc. Mill Street Flex Building 2880 Bergey Road Hatfield, PA 19440-1764	Bucks	Quakertown Borough	Tohickon Creek TSF
PAI011503072	Cardile Mushrooms, Inc. Cardile Mushroom Site 540 Church Road Avondale, PA 19311	Chester	New Garden Township	East Branch Whiteclay Creek EV
PAI014603001	JB and EB, LLC Dodge Tract 404 Main Street Pennsburg, PA 18073	Montgomery	Pennsburg Borough	Macoby Creek TSF
PAI011503041	Department of Transportation SR 100, Section S35 7000 Geedes Boulevard King of Prussia, PA 19406	Chester	Upper Uwchlan Township	Unnamed tributary Pickering Creek HQ-TSF

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

*NPDES Permit*

<i>No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023903009	City of Allentown Bureau of Parks 2700 Parkway Blvd. Allentown, PA 18104-5399	Lehigh	City of Allentown	Little Cedar Creek HQ-CWF
PAI023903023	Sharp Corporation 23 Carland Road Conshohocken, PA 19428	Lehigh	Upper Macungie Township	Little Lehigh Creek HQ-CWF
PAI025203011	Dominic Bradlee 113 7th St. No. 122 Milford, PA 18337	Pike	Dingman Township	Sawkill Creek EV
PAI025203010	David E. Ruby and Mary Ann Bonarti 601 West Harford St. Milford, PA 18337	Pike	Milford Township	Tributary to Delaware River HQ-CWF

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

*NPDES Permit*

<i>No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS101922-1	Amy Gottesfeld Kettle Creek Watershed Assoc. Trout Unlimited 32 Long Bow Lane Mill, PA 17751	Clinton	Leidy and Noyes Townships	Shintown Run Two Mile Run EV

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

*NPDES Permit*

<i>No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI064203001	Bradford Regional Airport Authority 212 Airport Rd., Suite E Lewis Run, PA 16738	McKean	Lafayette Township	East Branch Tununguant Creek HQ-CWF Tributary to Kinzua Creek (Three Mile Run) CWF

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

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

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

PAG-1	General Permit for Discharges from Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated with Construction Activities (PAR)
PAG-3	General Permit for Discharges of Stormwater from Industrial Activities
PAG-4	General Permit for Discharges from 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 Residential Septage by Land Application to Agricultural Land, Forest or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
PAG-12	CAFOs
PAG-13	Stormwater Discharges from MS4

*General Permit Type—PAG-2*

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Franconia Township Montgomery County	PAG2004602001	Indian Valley Greenes, LP 66 South County Line Road Souderton, PA 18964	Indian Creek WWF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Whitpain Township Montgomery County	PAG2004603140	Parec Phipps Station Associates Phipps Station 731 Skippack Pk. P. O. Box 1205 Blue Bell, PA 19422	Willow Run WWF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000

## NOTICES

4963

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Hatfield Township Montgomery County	PAG2004603133	Logan Land Development 1514/1540 Maple Avenue Site 55 Lynn Avenue Oreland, PA 19075	West Branch Neshaminy Creek WWF/MF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Upper Merion Township Montgomery County	PAG2004603126	Acorn Development Corporation 1000 Continental Square Site 400 Oaks Corporate Center Suite 105 Oaks, PA 19456	Trout Creek WWF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Horsham Township Montgomery County	PAG2004603162	Naval Air Station Joint Reserve Base Nexcom Navy Lodge Building 78, Code 89 Willow Grove, PA 19090	Unnamed tributary Pennypack Creek TSF-MF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Franconia Township Montgomery County	PAG2004603163	WB Homes, Inc. Vistas at Highland Ridge 404 Sumneytown Pike Suite 200 North Wales, PA 19454	Indian Creek WWF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Lackawanna County Dickson City Borough	PAG2003503012	Thomas Logan 540 Main St. Dickson City, PA 18519	Lackawanna River CWF	Lackawanna County Conservation District (570) 281-9495
Luzerne County Jenkins Township	PAG2004003034	United Realty 635 Main St. Pittston, PA 18640	Susquehanna River CWF	Luzerne County Conservation District (570) 674-7991
Lehigh County Whitehall Township	PAG2003903016	Larken Associates 249 Homestead Rd., Bldg. 5 No. 11 Hillsborough, NJ 08844	Coplay Creek CWF	Lehigh County Conservation District (610) 391-9583
Lehigh County Upper Saucon Township	PAG2003903022	Mary Faith Rhoads 3921 Liberty Rd. Center Valley, PA 18934	Saucon Creek CWF	Lehigh County Conservation District (610) 391-9583
Graystone Manor along Brough Road approximately 1,000 feet north of Short Cut Road Hamilton Township Adams County	PAG2000103019 Formerly PAR100063	John Lingg Lebing Development Company, Inc. 301 Broadway Hanover, PA 17331	UNT to Beaver Creek Conewago Creek WWF	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325-3404 (717) 334-0636
Oak Hills Subdivision with offsite utilities (gas and water) Conewago Township Adams County	PAG2000103020 Formerly PAR100069	Laverne Leese LABRE, LLC 982 Bollinger Road Littlestown, PA 17340	South Branch of the Conewago Creek WWF	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325-3404 (717) 334-0636
Morgantown Rd. Industrial Area City of Reading Berks County	PAG2000603056	Adam Mukerji Reading Redevelopment Authority 815 Washington Street Reading, PA 19601-3690	Angelica Creek CWF	Berks County Conservation District 1238 County Welfare Rd. P. O. Box 520 Leesport, PA 19533 (610) 372-4657, Ext. 201
Mt. Penn Dam closure modifications Lower Alsace Township Berks County	PAG2000603080	Mt. Penn Borough Municipal Authority 200 N. 25th Street Reading, PA 19606	UNT to Antietam Creek CWF	Berks County Conservation District 1238 County Welfare Rd. P. O. Box 520 Leesport, PA 19533 (610) 372-4657, Ext. 201



<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Cumru Township Maintenance and Recreational Facilities Cumru Township Berks County	PAG2000603068	Cumru Township 1775 Welsh Road Mohnton, PA 19540	Angelica Creek CWF	Berks County Conservation District 1238 County Welfare Rd. P. O. Box 520 Leesport, PA 19533 (610) 372-4657, Ext. 201
Carlisle Borough Cumberland County	PAR10H269	S & A Custom Built Homes, Inc. The Highlands, Phase 3 Section 2 5709 Linglestown Rd. Harrisburg, PA 17112	UNT to Conodoguinet Creek WWF	Cumberland County Conservation District 43 Brookwood Avenue Carlisle, PA 17013 (717) 240-7812
Upper Allen Township Cumberland County	PAG2002103033	Arnold/Knaub Partners Meadowview Estates, Section II 1929 Fisher Road Mechanicsburg, PA 17055	UNT to Yellow Breeches Creek CWF	Cumberland County Conservation District 43 Brookwood Avenue Carlisle, PA 17013 (717) 240-7812
Lower Paxton Township Dauphin County	PAG2002203029	HC Partners 2256 S. Queen St. York, PA 17402-4631	Beaver Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Rd. Dauphin, PA 17018 (717) 921-8100
Huntingdon Hospitality, 4th St., North of US 22, Huntingdon, PA 16652 Huntingdon Borough and County	PAG2003103009	Arthur Bushyeager Huntingdon Hospitality, Inc. P. O. Box 265 Clarion, PA 16214	Crooked Creek WWF Juniata River WWF	Huntingdon County Conservation District R. D. 1, Box 7C, Rt. 26 S. Huntingdon, PA 16652 (814) 627-1627
Huntingdon Storage and Distribution, L. P. Fairgrounds Road Huntingdon, PA 16652 Smithfield Township Huntingdon County	PAG2003103006	John L. Radionoff Huntingdon Storage and Distribution, L. P. 5506 Sixth Ave. Rear Altoona, PA 16601	Crooked Creek WWF	Huntingdon County Conservation District R. D. 1, Box 7C, Rt. 26 S. Huntingdon, PA 16652 (814) 627-1627
East Lampeter Township Lancaster County	PAG2003603062	Curt Stumpf 1974 Lincoln Hwy. East Lancaster, PA 17602	UNT Mill Creek WWF	Lancaster County Conservation District 1383 Arcadia Rd., Rm. 6 Lancaster, PA 17601-3149 (717) 299-5361
East Lampeter Township Lancaster County	PAG2003603075	David S. Esh 2316 Norman Rd. Lancaster, PA 17601	Mill Creek CWF	Lancaster County Conservation District 1383 Arcadia Rd., Rm. 6 Lancaster, PA 17601-3149 (717) 299-5361
Penn Township Lancaster County	PAG2003603079	Nelson Wenger 1805 Swamp Bridge Rd. Stevens, PA 17678	UNT Chiques Creek WWF	Lancaster County Conservation District 1383 Arcadia Rd., Rm. 6 Lancaster, PA 17601-3149 (717) 299-5361
Mount Joy Township Lancaster County	PAG2003603084	Jon Brandt 1444 Cloverleaf Rd. Mount Joy, PA 17552	UNT Little Chickies Creek WWF	Lancaster County Conservation District 1383 Arcadia Rd., Rm. 6 Lancaster, PA 17601-3149 (717) 299-5361

## NOTICES

4965

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
East Lampeter Township Lancaster County	PAG2003603100	Pankaj M. Patel 2069 N. Reading Rd. Denver, PA 17535	UNT Mill Creek WWF	Lancaster County Conservation District 1383 Arcadia Rd., Rm. 6 Lancaster, PA 17601-3149 (717) 299-5361
Rye Township Perry County	005003010	Sherwood Acres II Michael Vishnesky P. O. Box 129 Marysville, PA 17053	UNT Fishing Creek	Perry County Conservation District P. O. Box 36 New Bloomfield, PA 17068
Centre County Ferguson Township	PAG2001403020	Russian Church of Christ 3645 W. College Ave. State College, PA 16801	Slab Cabin Run CWF	Centre County Conservation 414 Holmes Ave., Suite 4 Bellefonte, PA 16823 (814) 355-6817
Clearfield County Bradford Township	PAG2001703011	Department of Transportation Engineering Dist. 2-0 1924-30 Daisy St. Clearfield, PA 16830	Roaring Run CWF	Clearfield County Conservation District 650 Leonard St. Clearfield, PA 16830 (814) 765-2629
Clearfield County Lawrence Township	PAG2001703015	Hyde Wesleyan Church Box 264 Hyde, PA 16843	West Branch Susquehanna River WWF	Clearfield County Conservation District 650 Leonard St. Clearfield, PA 16830 (814) 765-2629
Clinton County Wayne Township	PAG2001803005	First Quality Products P. O. Box 270 McElhattan, PA 17748	UNT West Branch Susquehanna River CWF	Clinton County Conservation District 45 Cooperation Lane Mill Hall, PA 17751 (570) 726-3798x5
Montour County Liberty Township	PAG200470309	Starrett and Marlene Raup 636 Smith Rd. Danville, PA 17821	Chillisquaque Creek WWF	Montour County Conservation District 112 Woodbine Lane Suite 2 Danville, PA 17821 (570) 271-1140
Allegheny County Harmar Township	PAR10A371	The Woodmont Corp. 2100 West Seventh St. Fort Worth, TX 76107-2306	Deer Creek WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County South Park Township	PAG2000203037	County of Allegheny 501 County Office Bldg. 542 Forbes Avenue Pittsburgh, PA 15219	Piney Fork Creek TSF	Allegheny County Conservation District (412) 241-7645
Allegheny County South Park Township	PAG2000203041	Charles W. Cline 604 Hidden Oak Drive Clairton, PA 15025	Lick Run TSF	Allegheny County Conservation District (412) 241-7645
Allegheny County Robinson Township	PAG2000203042	Pleasant View Condominiums, Inc. 100 Wingate Drive Pittsburgh, PA 15205	Little Chartiers Creek WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Elizabeth Township	PAG2000203050	TICO Electric Liquidating Trust 1005 August Way Pittsburgh, PA 15236  True Line Corporation 470 Frankstown Road Monroeville, PA 15146	Youghioghney River WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Richland Township	PAG2000203057	Cleveland-Richland Partners, LP 3637 Green Road Beechwood, OH 44122	Deer Creek CWF	Allegheny County Conservation District (412) 241-7645

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Allegheny County Collier Township	PAG2000203063	Greicon Construction & Development Co., LLC 8 Alice Street Pittsburgh, PA 15205	UNT to Robinson Run WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Pine Township	PAG2000203070	Oakview Development Wexford Prof. Bldg. No. 1 11676 Perry Highway Wexford, PA 15090	Brush Creek WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Municipality of Monroeville	PAG2000203080	Beasley Land Management Co., Inc. 140 Misty Meadows Lane Murrysville, PA 15668	Turtle Creek TSF	Allegheny County Conservation District (412) 241-7645
Indiana County White Township	PAG003203008	Joe Patterson Indian Springs Mulch 1150 Indian Springs Road Indiana, PA 15701	Tributary to McCarthy Run which flows into Stoney Run CWF	Indiana County Conservation District (724) 463-8547
Butler County Butler Township	PAG2001003024	Wal-Mart Store, Inc. 2001 South East 10th St. Bentonville AR 72716-0550	Tributary to Connoquenessing Creek CWF	Butler County Conservation District (724) 284-5270
Butler County Cranberry Township	PAG2001003026	Cranberry Township 2525 Rochester Township Cranberry Township, PA 16066	Tributary to Wolfe Run WWF	Butler County Conservation District (724) 284-5270
Crawford County Vernon Township	PAG2002003011	James P. Mcbrier 3939 W. Ridge Rd. Erie, PA 16506	French Creek WWF	Crawford County Conservation District (814) 724-1793
Elk County Ridgway Borough	PAG20024003007	CDR Pigments & Dispersions Flint Ink NA Corp. 4600 Arrowhead Drive Ann Arbor, MI 48105-2773	Elk Creek CWF	Elk County Conservation District (814) 776-5373
Lawrence County Wayne Township	PAG2093703007	Bureau of Abandoned Mine Reclamation Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119	UNT to Duck Run to Connoquenessing Creek WWF	Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119 (814) 472-1800
Jefferson County Gaskill Township	PAI093303002	Bureau of Abandoned Mine Reclamation Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119	Clover Run HQ-CWF	Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119 (814) 472-1800

*General Permit Type—PAG-3*

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Archbald Borough Lackawanna County	PAR112215	Lockheed Martin JFK Drive Archbald, PA 18403	Swale to Lackawanna River	NERO Water Management Program 2 Public Square Wilkes-Barre, PA 18711-0790 (570) 826-2511
Wright Township Luzerne County	PAR232218	New Dana Perfumes Corp. 470 Oakhill Road Crestwood Industrial Park Mountaintop, PA 18707	Unnamed tributary to Big Wapwallopen Creek	NERO Water Management Program 2 Public Square Wilkes-Barre, PA 18711-0790 (570) 826-2511

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
North Union Township Fayette County	PAR806103	United Defense 300 University Drive Lemont Furnace, PA 15456	UNT of Gist Run	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
City of Meadville Crawford County	PAR608305	Lincoln Metal Processing Company, Inc. P. O. Box 8127 Erie, PA 16505	French Creek	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
City of Hermitage Mercer County	PAR808302	G. D. Leasing of Indiana, Inc. P. O. Box 6105 Youngstown, OH 44501	Shenango River	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

*General Permit Type—PAG-4*

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Sewickley Township Westmoreland County	PAG046103	Bruce W. Huber Jr. 19 Greenhills Road Hermine, PA 15637	Tributary to Little Sewickley Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
New Sewickley Township Beaver County	PAG046160	Daniel B. Musgrave 136 Brewer Road Freedom, PA 15042	Tributary to Snake Run	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Adams Township Butler County	PAG048922	Ronald J. Shemela 139 Hammond Road Mars, PA 16046	Unnamed tributary to Glade Run	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
West Salem Township Mercer County	PAG048559	James Carlson 340 Vernon Road Greenville, PA 16125	Tributary to Big Run	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

*General Permit Type—PAG-5*

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
East Norriton Township Montgomery County	PAG050042	Exxon Mobil Corporation 1121 North Bethlehem Pike Suite 60, No. 312 Spring House, PA 19477	Stony Creek TSF	Southeast Region Lee Park, Suite 6010 Conshohocken, PA 19428 (610) 832-6130

*General Permit Type—PAG-8*

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Site Name and Location</i>	<i>Contact Office and Telephone No.</i>
North Cornwall and West Cornwall Townships Lebanon County	PAG080004 PAG080007	Mobile Dredging and Pumping Co. 3100 Bethel Rd. Chester, PA 19013	Patrick Arnold Farm North Cornwall and West Cornwall Townships Lebanon County	SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Site Name and Location</i>	<i>Contact Office and Telephone No.</i>
Antrim Township Franklin County	PAG080003 PAG080006 PAG080008 PAG080009 PAG082201 PAG082203 PAG083501 PAG083502 PAG083506 PAG083515 PAG083517 PAG083518 PAG083522 PAG083540 PAG083542 PAG083547 PAG083551 PAG083825 PAG089903 PAG089904 PAG089905	Synagro Mid Atlantic 1605 Dooley Road P. O. Box B Whiteford MD 21160	Joe Shearer Farm Antrim Township Franklin County	SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707
Lower Frankford Township Cumberland County	PAG083570	Borough of Carlisle 53 West South Street Carlisle, PA 17013	Ronald Hoover Farm No. 1 Lower Frankford Township Cumberland County	SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707
Upper Frankford Township Cumberland County	PAG083570	Borough of Carlisle 53 West South Street Carlisle, PA 17013	Ronald Hoover Farm No. 2 Lower Frankford Township Cumberland County	SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707

## PUBLIC WATER SUPPLY (PWS) PERMITS

The Department of Environmental Protection has taken the following actions on applications received under the 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).

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

**Operations Permit 6830-MA3** issued to **Brookville Municipal Authority**, Three Jefferson Court, Brookville, PA 15825, Brookville Borough, **Clarion County** on September 17, 2003.

**Operations Permit 6188501-MA2** issued to **Barkeyville Municipal Authority**, 1610 Barkeyville Road, Grove City, PA 16127-7904, Barkeyville Borough, **Venango County** on September 19, 2003.

**Operations Permit 1002505** issued to **Marc A. Fort, Stoneworth LLC**, 887 New Castle Road, Slippery Rock, PA 16057, Worth Township, **Butler County** on September 19, 2003.

**Operations Permit 4389501-MA2** issued to **Imperial Development Co./Glen Lake Estates MHP**, Pine Township, **Mercer County** on September 19, 2003.

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

**Permit No. 0603509 MA, Minor Amendment, Public Water Supply.**

Applicant **Birdsboro Municipal Authority**  
 Municipality Birdsboro Borough  
 County **Berks**  
 Type of Facility Upgrade of pump station by replacing two 7.5 HP centrifugal water pumps with two new 25 HP centrifugal water pumps. This will increase capacity of existing pumping station from 155 gpm to 320 gpm.  
 Consulting Engineer Russell M. Smith, P. E.  
 Spotts Stevens and McCoy Inc.  
 345 North Wyomissing Boulevard  
 Reading, PA 19610-0307  
 Permit to Construct September 22, 2003  
 Issued

**Operations Permit** issued to **United Water Pennsylvania**, 7220015, Susquehanna Township, **Dauphin County** on September 22, 2003, for the operation of facilities approved under Construction Permit No. 2202508 MA.

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

**Permit No. 4496031—Amendment 13—Operation.** Public Water Supply.

Applicant **Tulpehocken Spring Water Co., Inc.**  
**Joseph V. Malloy, President**  
 R. R. 1, Box 114T  
 Northumberland, PA 17857  
 Township Point  
 County **Northumberland**  
 Type of Facility PWS—This permit is for 13 new bottled water labels.  
 Permit to Operate September 18, 2003  
 Issued

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

**Permit No. 0203501, Public Water Supply.**

Applicant **Municipal Authority of the Borough of Oakmont**  
 P. O. Box 73  
 721 Allegheny Avenue  
 Oakmont, PA 15139-1901  
 Borough or Township Oakmont Borough  
 County **Allegheny**  
 Type of Facility Modifications to the Hulton Water Treatment Plant  
 Consulting Engineer NIRA Consulting Engineers  
 Permit to Construct September 11, 2003  
 Issued

**Operations Permit** issued to **NOVA Chemicals, Inc.**, 400 Frankfort Road, Monaca, PA 15061-2298, PWS ID 5040300, Potter Township, **Beaver County** on September 15, 2003, for the designation of water quality performance parameters.

**Operations Permit** issued to **Wilksburg-Penn Joint Water Authority**, 2200 Robinson Boulevard, Pittsburgh, PA 15221, PWS ID 5040056, Wilksburg Borough, **Allegheny County** on September 15, 2003, for the designation of water quality performance parameters.

#### WATER ALLOCATIONS

**Actions taken on 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.**

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

**WA2-778A, Water Allocations, Fawn-Frazer Joint Water Authority**, 326 Donnellville Road, Natrona Heights, PA 15065, Natrona Heights, **Allegheny County**. The right to purchase 500,000 gpd as a daily average from Harrison Township Water Authority, Allegheny County and a combined total of 877,000 gpd as a daily average from the Harrison Township Water Authority, Springdale Borough and Brackenridge Borough, Allegheny County.

**WA2-778B, Water Allocations, Fawn-Frazer Joint Water Authority**, 326 Donnellville Road, Natrona Heights, PA 15065, Natrona Heights, **Allegheny County**. The right to purchase, during an emergency, 360,000 GPD, as a peak day, from Springdale Borough in Allegheny County and a combined total of 877,000 gpd as a daily average from the Harrison Township Water Authority, Springdale Borough and Brackenridge Borough, Allegheny County.

**WA2-778C, Water Allocations, Fawn-Frazer Joint Water Authority**, 326 Donnellville Road, Natrona Heights, PA 15065, Natrona Heights, **Allegheny County**. The right to purchase 483,000 gpd as a peak month from Brackenridge Borough, Allegheny County and a combined total of 877,000 gpd as a daily average from the Harrison Township Water Authority, Springdale Borough and Brackenridge Borough, Allegheny County.

#### 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>
Clifford Township	R. R. 1, Box 71S Uniondale, PA 18470	Susquehanna

Plan Description: The approved plan provides for construction of a centralized sewage collection system/low pressure sewer system to serve the Crystal Lake and Dundaff areas and on-lot sewage disposal system management program to serve the Villages of Clifford, Royal and West Clifford and Lake Idlewild, Elkview Lake and Coterell Lake. The proposed sewer system will be owned by Clifford Township and will be operated and maintained by the Greenfield Township Sewer Authority (GTSA). The proposed sewer system will connect with GTSA's system at the Clifford/Greenfield Township line. Wastewater from the proposed sewer system will be treated at GTSA's existing wastewater treatment plant in Greenfield Township, Lackawanna County. The Department's review of

the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES permits or WQM permits must be obtained in the name of the municipality or authority as appropriate.

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

**Plan Location:**

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Lower Windsor Township	111 Walnut Valley Court Wrightsville, PA 17368	York
Wrightsville Borough	129 Second Street P. O. Box 187 Wrightsville, PA 17368	
Hellam Township	44 Walnut Springs Road York, PA 17406	

**Plan Description:** The Hill at Lauxmont and The Wrightsville Borough Sewer Extension—A3-67937-189-3, A3-67968-021-3 and A3-68929-189-3. The approved plan consists of a 59-lot single-family residential subdivision on 79 acres with total proposed sewage flows of 23,600 gpd tributary to the Wrightsville Borough Wastewater Treatment Plant. Conveyance of the sewage flows to the Borough's wastewater treatment plant will be made possible through the use of a pump station and sanitary sewer lines that will extend through Hellam Township along Long Level Road to a point of connection in Wrightsville Borough. This project will also include seven sewer connections to existing developed lots within the Borough of Wrightsville with ultimate sewage disposal at the Borough's wastewater treatment plant. The Hill at Lauxmont is on the east side of Hiltz Road, the west side of Long Level Road and the north side of Knights View Road in Lower Windsor Township, York County. The proposed Wrightsville Borough sanitary sewer extension is on the east side of South Front Street, just south of its intersection with Kreutz Creek. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES permits or WQM permits must be obtained in the name of the municipality or authority as appropriate.

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

**Plan Location:**

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Mahoning Township Supervisors	R. D. 1, Box 110A New Bethlehem, PA 16240	Armstrong

**Plan Description:** The approved plan provides for the construction of a .09 MGD treatment plant and a collection and conveyance system to serve the Village of Distant. The discharge shall be to an unnamed tributary to Redbank Creek. The location of the new sewage treatment plant discharge is approximately at the coordinates of 40° 58' 10" Latitude and 79° 21' 45" Longitude. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES permits or WQM permits must be obtained in the name of the municipality or authority as appropriate.

**Plan Location:**

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Fairfield Township	R. D. 1, Box 231-A Bolivar, PA 15923	Westmoreland

**Plan Description:** The approved plan provides for the temporary use of a holding tank until the permits for a small flow sewage treatment facility are obtained. Then the applicant will construct a 500-gallon per day single residence sewage treatment plant to serve an existing structure owned by Father Simeon Marro. The property is along Bailey Road (T847), approximately 2,400 feet west of the intersection of Canfield Road (T448) and Bailey Road in Fairfield Township, Westmoreland County. The proposed discharge point is to Hypocrite Creek (TSF). 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 applicant as appropriate.

**BIOSOLIDS INDIVIDUAL PERMITS  
(PABIG, SSN AND PABIS)**

The Department of Environmental Protection has taken the following actions on the previously received individual permit applications for the land application of treated sewage sludge (biosolids).

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.

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

**PABIS 3501. Municipal Authority of the Borough of Bedford, 244 West Penn Street, Bedford, PA 15522, Colerain Township, Bedford County.** Approved to beneficially use their biosolids on the Michael Stoltzfus Farm in Colerain Township, Bedford County.

## 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 a final report, contact the environmental cleanup program manager in the Department regional office after 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. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following final reports:

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

**Former Penn Fuel Gas Manufactured Gas Plant—Slatington Site**, Borough of Slatington, **Lehigh County**. RETEC Group, Inc., 3040 William Pitt Way, Pittsburgh, PA 15238 has submitted a Risk Assessment Report (on behalf of PFG Gas, Inc., a subsidiary of PPL Gas Utilities Corporation, Two North Ninth Street, Allentown, PA 18101) concerning the risk assessment of the subject site for residual contaminants in soil, groundwater and adjacent surface water found or suspected to have been contaminated with metals, polycyclic aromatic hydrocarbons, phenolics, cyanides and BTEX compounds related to historic manufactured gas plant operations. The report was submitted in partial fulfillment of a combination of both the Statewide Health and Site-Specific Standards.

**Former Dalton Shell Station**, City of Bethlehem, **Northampton County**. Matthew C. Blanchard, Project Manager, Earth Tech, Inc., 2 Market Plaza Way, Mechanicsburg, PA 17055 has submitted a Final Report (on behalf of CRL Holdings, L. P., c/o Apple Hill Business Advisors, Inc., 33 North 2nd Street, Harrisburg, PA 17101) concerning the remediation of soils found or suspected to have been contaminated with naphthalene and other no. 2 fuel oil constituents. The report was submitted to demonstrate attainment of the Residential Statewide Health Standard.

**Department of Transportation, Pike County Maintenance Facility**, Milford Borough, **Pike County**. Eric

B. Schmidley, P. G., Apex Environmental, Inc., 269 Great Valley Parkway, Malvern, PA 19355 has submitted a Final Report (on behalf of Department of Transportation, 2140 Herr Street, Harrisburg, PA 17103-1900) concerning the remediation of soils found to be contaminated by arsenic. The report was submitted to demonstrate attainment of the residential Statewide Health Standard. A Notice of Intent to Remediate was simultaneously submitted.

**Cherry Valley—Domotor Location (Pocono Wildlife Rehab Center, 361 Cherry Drive)**, Hamilton Township, **Monroe County**. David A. Everitt, III, Senior Environmental Scientist, MEA, Inc., 1365 Ackermanville Road, Bangor, PA 18013 has submitted a Final Report (on behalf of The Nature Conservancy, Hauser Nature Center, P. O. Box 55, Long Pond Road, Long Pond, PA 18334) concerning the remediation of soils found or suspected to have been contaminated with no. 2 fuel oil. The report was submitted to demonstrate attainment of the Statewide Health Standard. A Notice of Intent to Remediate was simultaneously submitted.

**PPL—Providence Substation (Theodore Street and North Lincoln Avenue)**, City of Scranton, **Lackawanna County**. PPL Electric Utilities, 2 North Ninth Street, Allentown, PA 18101 has submitted a Final Report concerning the remediation of site soils found or suspected to be contaminated with polychlorinated biphenyls (PCBs). The report was submitted to demonstrate attainment of the Statewide Health Standard.

**PPL—Peckville Substation (N. Main Street)**, Archbald Borough, **Lackawanna County**. PPL Electric Utilities, 2 North Ninth Street, Allentown, PA 18101 has submitted a Final Report concerning the remediation of site soils found or suspected to be contaminated with PCBs. The report was submitted to demonstrate attainment of the Statewide Health Standard.

**Meade Residence**, Middle Smithfield Township, **Monroe County**. Ronald S. Carvalho, Principal, FT Associates, LLC, 12 Marshall Street, Unit 8B, Irvington, NJ 07111 has submitted a Final Report (on behalf of William Meade, Mountain Top Road, East Stroudsburg, PA 18301) concerning the remediation of soils found or suspected to have been contaminated with no. 2 fuel oil. The report was submitted to demonstrate attainment of the Statewide Health Standard. A Notice of Intent to Remediate was simultaneously submitted.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

### PREAMBLE 3

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

Provisions of 25 Pa. Code § 250.8 and the administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of 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. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environ-



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

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department regional office after which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

**Former Foster Wheeler Energy Corporation Facility, Wright Township, Luzerne County.** American Geosciences, Inc., 3925 Reed Boulevard, Suite 400, Murrysville, PA 15668-1848 submitted a Baseline Environmental Report (on behalf of Wabtec, 1001 Air Brake Avenue, Wilmerding, PA 15148) concerning the characterization of site soil and groundwater that was found or suspected to have been contaminated with solvents. The report was submitted in partial fulfillment of the Special Industrial Area Standard and was approved on September 8, 2003.

**Fox Auto Body Property, Waymart Borough, Wayne County.** Rich Sarmonis, Project Manager, Leeward Construction, R. R. 6, Box 6825, Honesdale, PA 18431 submitted a Final Report concerning the remediation of soils that were accidentally contaminated by an overflow delivery of diesel fuel. The report was submitted within 90

days of the release. The report demonstrated attainment of the Statewide Health Standard and was approved on September 11, 2003.

#### **HAZARDOUS WASTE TRANSPORTER LICENSE**

#### **Actions on applications for Hazardous Waste Transporter License received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations to transport hazardous waste.**

*Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471.*

#### *Hazardous Waste Transporter License Renewed*

**Clean Streams, Inc.,** P. O. Box 3059, Munster, IN 46321. License No. PA-AH 0441. Effective August 29, 2003.

**Environmental Products and Services, Inc.,** P. O. Box 315, Syracuse, NY 13209. License No. PA-AH 0327. Effective September 12, 2003.

**Fred Pugliese d/b/a Lainfield Motor Service,** 724 West Route 126, Plainfield, IL 60544. License No. PA-AH 0573. Effective September 17, 2003.

**Heritage Transport, LLC,** 7901 West Morris Street, Indianapolis, IN 46231. License No. PA-AH 0200. Effective August 21, 2003.

**Miller Environmental Group, Inc.,** 528 Edwards Avenue, Calverton, NY 11933. License No. PA-AH 0501. Effective August 20, 2003.

**Onyx Environmental Services, LLC,** 1 Eden Lane, Flanders, NJ 07836. License No. PA-AH 0500. Effective September 9, 2003.

**Philip Transportation and Remediation, Inc.,** P. O. Box 150, San Martin, CA 95046. License No. PA-AH 0395. Effective September 3, 2003.

**Robbie D. Wood, Inc.,** P. O. Box 125, Dolomite, AL 35061. License No. PA-AH 0504. Effective August 21, 2003.

**RSO, Inc.,** P. O. Box 1450, Laurel, MD 20725-1450. License No. PA-AH 0578. Effective September 19, 2003.

**Ryan Environmental, Inc.,** Route 4, Box 260, Bridgeport, WV 26330. License No. PA-AH 0646. Effective September 9, 2003.

**Safety-Kleen Systems, Inc.,** 5400 Legacy Drive, Cluster II Building 3, Plano, TX 75024. License No. PA-AH 0172. Effective August 25, 2003.

**Set Environmental, Inc.,** 450 Sumac Road, Wheeling, IL 60090. License NO. PA-AH S226. Effective August 27, 2003.

**SMP, Inc.,** 402 Route 519, Phillipsburg, NJ 08865. License No. PA-AH S221. Effective September 19, 2003.

**Vexor Technology, Inc.,** 955 West Smith Road, Medina, OH 44256. License No. PA-AH 0685. Effective August 28, 2003.

*Hazardous Waste Transporter License Voluntarily Terminated*

**Eaglebrook Transport of Ohio, Inc.,** 1431 Chardon Road, Euclid, OH 44117. License No. PA-AH 0369. Effective September 4, 2003.

## INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSE

**Actions on applications for Infectious and Chemotherapeutic Waste Transporter License received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and the act of July 13, 1988 (P. L. 525, No. 93) (35 P. S. §§ 6019.1—6019.6) and regulations to transport infectious and chemotherapeutic waste.**

*Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471.*

*Infectious and Chemotherapeutic Waste Transporter License Renewed*

**Altoona Hospital**, 620 Howard Avenue, Altoona, PA 16601, License No. PA-HC 0124. Effective September 3, 2003.

**Bestrans, Inc.**, 931 Red Toad Road, North East, MD 21901, License No. PA-HC 0209. Effective September 3, 2003.

*Infectious and Chemotherapeutic Waste Transporter License Expired*

**Medwaste Management, Inc. of New England**, P. O. Box 1281, Cromwell, CT 06416, License No. PA-HC 0198. Effective August 31, 2003.

## RESIDUAL WASTE GENERAL PERMITS

**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 residual waste regulations for a general permit to operate residual waste processing facilities and the beneficial use of residual waste other than coal ash.**

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

**General Permit No. WMGR089. LWB Refractories Co.**, 320 North Baker Road, York, PA 17405-1189. The general permit authorizes the beneficial use of limekiln dust for stabilization/solidification of soils and sludges, treatment of acid mine drainage, roadway subbase stabilization and conditioning, filler material or ingredient in various agricultural and construction products and general fill for nonresidential construction activities. The general permit was issued by Central Office on September 19, 2003.

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

## REGISTRATION FOR GENERAL PERMIT—RESIDUAL WASTE

**Registration Approved under the Solid Waste Management Act, the Residual Waste Planning, Recycling and Waste Reduction Act and residual waste regulations for a general permit to operate residual waste processing facilities and/or the beneficial use of residual waste other than coal ash.**

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

**General Permit No. WMGR090R019. Swatara Township Board of Commissioners**, 599 Eisenhower Boulevard, Harrisburg, PA 17111. General Permit No. WMGR090 authorizes the processing and beneficial use of reclaimed asphalt pavement (RAP) materials as a roadway construction material. The Central Office approved this registration for coverage under the general permit on September 19, 2003.

**General Permit No. WMGR090R020. Keystone Lime Co., Inc.**, P. O. Box 278, Springs, PA 15562. General Permit No. WMGR090 authorizes the processing and beneficial use of RAP materials as a roadway construction material. The Central Office approved this registration for coverage under the general permit on September 19, 2003.

Persons interested in obtaining more information or obtaining a copy of one of the previous general permits may contact Ronald C. Hassinger, Chief, General Permits and Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Land Recycling and Waste Management, Rachel Carson State Office Building, P. O. Box 8472, Harrisburg, PA 17105-8472, (717) 787-7381. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

## 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.**

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

**Permit No. 101649. Phoenix Resources Inc.**, 38, 248 Main St., Blossburg, PA 16912-1100 in Duncan Township, **Tioga County** for Phoenix Resources C/D Landfill. A permit modification for the expansion of the landfill was issued by the Williamsport Regional Office on September 11, 2003.

**Permit No. 101217. Casella Waste Mgmt. Inc.**, 16 State Street, Montpelier, VT 05602, in Delmar Township, **Tioga County**. The permit modification, for the implementation of a Radiation Protection Action Plan, was issued by the Williamsport Regional Office on September 15, 2003.

**Permit No. 101125. County of Lycoming.** Lycoming County Courthouse, 48 West Third Street, Williamsport, PA 17701-6536, located in Williamsport City, **Lycoming County**. A permit modification for the implementation of a Radiation Protection Action Plan was issued by the Williamsport Regional Office on September 5, 2003.

Persons interested in reviewing one of the previous permits may contact John C. Hamilton, P. E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3653. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

*Northwest Region: Regional Solid Waste Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**Permit No. 101187. County Landfill.** 344 Wally Run Drive, P. O. Box 237, Leeper, PA 16233-4128, Farmington Township, **Clarion County**. Application to implement Radiation Protection Plan. This was separated from an earlier application, which was issued on April 29, 2003. The Radiation Protection Plan permit was issued by the Northwest Regional Office on September 17, 2003.

**Permit withdrawn under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act and regulations to operate solid waste processing or disposal area or site.**

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

**Permit No. 101252. Waste Management of Central PA.** 4300 Industrial Park Road, Camp Hill, PA 17011-5749, for the Picture Rocks Transfer Station in Picture Rocks Borough, **Lycoming County**. The application for the Radiation Protection and Action Plan was withdrawn as of July 21, 2003.

Persons interested in reviewing the permit may contact John C. Hamilton, P. E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3653. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

**Permit renewal issued under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act and regulations to operate solid waste processing or disposal area or site.**

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

**Permit No. 101217. Casella Waste Management Inc.,** 16 State Street, Montpelier, VT 05602, Delmar Township, **Tioga County**. A permit renewal was issued by the Williamsport Regional Office on September 16, 2003.

Persons interested in reviewing the permit may contact John C. Hamilton, P. E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3653. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

## MUNICIPAL AND RESIDUAL WASTE TRANSPORTER AUTHORIZATION

**Issued applications for Municipal and Residual Waste Transporter Interim Authorization received under the Waste Transportation Safety Act (27 Pa.C.S. §§ 6201—6209) and regulations to transport municipal or residual waste.**

*Central Office: Bureau of Land Recycling and Waste Management, Division of Municipal and Residual Waste, P. O. Box 8472, Harrisburg, PA 17105-8472.*

**Dura Seal Asphalt Paving & Construction,** P. O. Box 2603, Weirton, WV 26062. Authorization No. WH5285. Effective September 15, 2003.

**Azzie Trucking,** 52 Hilltop Road, Newfoundland, NJ 07435. Authorization No. WH5286. Effective September 15, 2003.

**Stephen Dyne Excavating,** 3913 Route 6 West, P. O. Box 733, Kane, PA 16735. Authorization No. WH5221. Effective September 16, 2003.

**Tri State Express Transportation d/b/a APO Trucking,** 210 Elizabeth St., Bordertown, NJ 08505. Authorization No. WH5287. Effective September 16, 2003.

**Poborsky Excavating,** 123 Wood St., Windber, PA 15963-8282. Authorization No. WH5302. Effective September 16, 2003.

**J & E Trucking Enterprises,** 10 Oak Lane, Kulpmont, PA 17834. Authorization No. WH5284. Effective September 16, 2003.

**Meridian Precision Inc.,** 80 Roberts Road, P. O. Box 206, Pine Grove, PA 17963-0206. Authorization No. WH5289. Effective September 16, 2003.

**Knibiehly Trucking,** P. O. Box 412, Blakeslee, PA 18610. Authorization No. WH5290. Effective September 16, 2003.

**Uver Soto,** Apt. 28B, 1227 E. Front St., Plainfield, NJ 07062. Authorization No. WH5291. Effective September 16, 2003.

**Environmental Services Inc.,** 90 Brookfield St., South Windsor, CT 06074. Authorization No. WH5292. Effective September 16, 2003.

**John O. McGill,** R. R. 3 Box 414, Alverton, PA 15612. Authorization No. WH2540. Effective September 18, 2003.

**John D. McNally,** R. R. 3 Box 383A, Alverton, PA 15612. Authorization No. WH4746. Effective September 18, 2003.

## 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.**

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

**GP1-28-03006: Cumberland Valley Cooperative Association** (908 Mount Rock Road, Shippensburg, PA 17257) on September 17, 2003, authorized to operate a small gas and no. 2 oil fired combustion unit under GP1 in Southampton Township, **Franklin County**.

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

**62-172: Glenn O. Hawbaker, Inc.—Brokenstraw Gravel** (Route 6, Pittsfield, PA 16340) on September 11, 2003, to operate their mineral processing plant in Pittsfield Township, **Warren County**.

**10-284: Seneca Landfill** (421 Hartman Road, Evans City, PA 16033) on September 15, 2003, to operate a rock crusher in Jackson Township, **Butler County**.

**Plan Approvals Issued under the Air Pollution Control Act and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.**

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

**09-0110C: Riverside Construction Materials, Inc.** (7900 North Radcliff Street, Bristol, PA 19007) on September 22, 2003, to operate a pneumatic ship unloader in Bristol Township, **Bucks County**.

**Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act 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.*

**23-0068: Cremation Specialists** (43 East Baltimore Avenue, Media, PA 19063) on September 17, 2003, to operate a cremator in Media Borough, **Delaware County**.

**46-0003A: Stroehmann Bakeries, Inc.** (1810 East Ridge Pike, Norristown, PA 19404) on September 23, 2003, to operate a catalytic oxidizer in Plymouth Township, **Montgomery County**.

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

**63-307-027: American Iron Oxide Production Co.** (Foster Plaza, No. 7, 661 Andersen Drive, Pittsburgh, PA 15220) on September 12, 2003, to install an iron oxide production plant in Allenport Borough, **Washington County**. This plan approval was extended.

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

**16-035A: Commodore Corp.** (Route 66 North, Shippenville, PA 16254) on July 31, 2003, to operate a manufactured housing facility in Clarion, **Clarion County**.

**Operating Permits for non-Title V Facilities Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.**

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

**01-03012: Inland Container Corp.** (P. O. Box 808, Biglerville, PA 17307) on September 16, 2003, to operate a corrugated box manufacturing facility in the Borough of Biglerville, **Adams County**.

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

**25-00994: Advanced Mold Technologies, Inc.** (2004 West 16th Street, Erie, PA 16505) on September 16, 2003, for a Natural Minor Operating Permit to operate chromium electroplating and other electroplating operations in Erie City, **Erie County**.

**Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act 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.*

**36-05101: Highway Materials, Inc.** (1750 Walton Road, Blue Bell, PA 19422) on September 16, 2003, to operate their Lititz Plant in Warwick Township, **Lancaster County**. The State-only Operating Permit was administratively amended to incorporate Plan Approval 36-05101A into the operating permit. This is Revision No. 1 of the operating permit.

**67-05080: York Building Products Co., Inc.** (P. O. Box 1708, York, PA 17405) on September 17, 2003, to operate their Thomasville Quarry in Jackson Township, **York County**. The State-only Operating Permit was administratively amended to correct conditions in the operating permit. This is Revision No. 1 of the operating permit.

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

**56-00181: Southern Alleghenies Landfill, Inc.** (843 Miller Picking Road, Davidsville, PA 15928) to revise the operating permit for their landfill in Conemaugh Township, **Somerset County**. The Department has revised the Title V Operating Permit to incorporate the following changes:

1. On Page 35: The equation was missing from Condition No. 011. This was added manually as the system language is in error.
2. On Page 80: The language was edited to state that there is no alternate operating scenario for the leachate evaporator system.
3. On Page 86: The quantities and description of equipment were changed and soil screening was added to the list of insignificant activities.

4. The new responsible official for the facility is Darrell G. Klink. The new permit contact person is Brian Stewart.

**56-00181: Southern Alleghenies Landfill Inc.** (843 Miller Picking Road, Davidsville, PA 15928) to modify the operating permit for their landfill in Conemaugh Township, **Somerset County**. The Department has approved Southern Alleghenies' request to modify their Title V Operating Permit to include an alternate operating scenario for their Soil Processing Plant to permit operation of crushing equipment on an as needed basis. Applicable requirements have been added to the permit and include the provisions of 40 CFR Part 60, Subpart OOO, Standards for Performance for Non-metallic Mineral Processing Plants and work practice standards for the water spray control device.

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

**V95-078: Kraft-Nabisco Biscuit Division—Philadelphia Bakery** (12000 East Roosevelt Boulevard, Philadelphia, PA 19116) on September 22, 2003, administratively amended to change contact information. The Title V operating permit was originally issued on March 3, 2000.

**Operating Permits Denied, Terminated, Suspended or Revoked under the Air Pollution Control Act 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.*

**23-00003: ConocoPhillips, Co.** (4101 Post Road, Trainer, PA 19061) on September 16, 2003, revoked Facility Title V Operating Permit in Trainer Borough, **Delaware 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); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the request for 401 Water Quality Certification and the NPDES permit application. Mining activity permits issued in response to the applications will also address the application permitting requirements of the following statutes: the Air Quality Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).**

*Coal Permit Actions*

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

**54830105R4. Joe Kuperavage Coal Company** (916 Park Avenue, Port Carbon, PA 17965), renewal of an anthracite surface mine operation in Schuylkill Township,

**Schuylkill County** affecting 412.66 acres, receiving stream: none. Application received May 5, 2003. Renewal issued September 15, 2003.

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

**30743711. NPDES Permit No. PA0033511, RAG Cumberland Resources, LP** (158 Portal Road, P. O. Box 1020, Waynesburg, PA 15370), to revise the permit for the Cumberland Coal Refuse Disposal Facility No. 1 in Whiteley Township, **Greene County**, to increase the height of the slurry pond embankment and final reclamation plan, no additional discharges. Permit issued September 16, 2003.

**30841316. NPDES Permit No. PA0213535, Consol Pennsylvania Coal Company** (P. O. Box 355, 172 Route 519, Eighty Four, PA 15330), to revise the permit for the Bailey Mine in Richhill Township, **Greene County**, to extend the 20A Longwall Panel, no additional discharges. Permit issued September 16, 2003.

**65840701. NPDES Permit No. PA0214809, Crows Nest Synfuels, LP** (113 Elm Street, Suite 300, Cohasset, MA 02025), to revise the permit for the Crows Nest Wash Plant in Hempfield Township, **Westmoreland County**, for post mining land use, no additional discharges. Permit issued September 17, 2003.

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

**32020104 and NPDES Permit No. PA0249033. Thomas J. Smith, Inc.**, R. D. 1, Box 260D, Shelocta, PA 15774, commencement, operation and restoration of a bituminous surface mine and for discharge of treated mine drainage in South Mahoning Township, **Indiana County**, affecting 78.5 acres. Receiving streams: unnamed tributary to Little Mahoning Creek (HQ-CWF). There are no potable water supply intakes within 10 miles downstream. Application received May 22, 2002. Permit issued September 16, 2003.

**56803020 and NPDES Permit No. PA0121177. Action Mining, Inc.**, 1117 Shaw Mines Road, Meyersdale, PA 15552, permit renewal for continued operation of a bituminous surface and coal refuse disposal mine in Summit Township, **Somerset County**, affecting 79.5 acres. Receiving streams: Blue Lick Creek, an unnamed tributary to Blue Lick Creek and an unnamed tributary to the Casselman River (CWF). There are no potable water supply intakes within 10 miles downstream. Application received July 18, 2003. Permit issued September 16, 2003.

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

**02020201 and NPDES Permit No. PA0250121. Robindale Energy Services, Inc.** (1001 Broad Street, Suite 130, Johnstown, PA 15906). Transfer of permit formerly issued to Coal Valley Sales Corp. for continued operation and reclamation of a bituminous coal surface mine/refuse reprocessing facility in Plum Borough, **Allegheny County**, affecting 157.8 acres. Receiving streams: Little Plum Creek. Application received March 24, 2003. Transfer permit issued September 16, 2003.

*Noncoal Permit Actions*

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

**58030820. Garrett Hannigan** (18-B Cosmello Road, New Milford, PA 18834), commencement, operation and restoration of a small bluestone quarry operation in Lenox Township, **Susquehanna County** affecting 5.0 acres. Receiving stream: Martins Creek. Application received June 26, 2003. Permit issued September 15, 2003.

**8073SM2A1C5 and NPDES Permit No. PA0595519. Glasgow, Inc.** (P. O. Box 1089, Glenside, PA 19038), renewal of NPDES Permit for discharge of treated mine drainage in Upper Merion Township, **Montgomery County**, receiving stream: unnamed tributary to Schuylkill River. Application received July 31, 2003. Renewal issued September 15, 2003.

**7974SM2A2C6 and NPDES Permit No. PA0611999. Better Materials Corporation**, P. O. Box 196, Penns Park, PA 18943), renewal of NPDES Permit for discharge of treated mine drainage in Nockamixon Township, **Bucks County**, receiving stream: Rapp Creek. Application received July 23, 2003. Renewal issued September 17, 2003.

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

**56030801. Durst Stone**, 323 Broadway Street, Meyersdale, PA 15552, commencement, operation and restoration of a small noncoal flagstone/fieldstone mine in Greenville Township, **Somerset County**, affecting 2.5 acres. Receiving streams: unnamed tributary to Miller Run (CWF). There are no potable water supply intakes within 10 miles downstream. Application received June 17, 2003. Permit issued September 16, 2003.

#### ACTIONS ON BLASTING ACTIVITY APPLICATIONS

**Actions on applications under the Explosives Acts of 1937 and 1957 (73 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.**

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

**09034025. Brubacher Excavating, Inc.** (P. O. Box 528, 825 Reading Road, Bowmansville, PA 17507), construction blasting at Regency Manor in Richland Township, **Bucks County** with an expiration date of October 12, 2004. Permit issued September 15, 2003.

**67034061. Hall Explosives, Inc.** (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting at Daisey Data in Newberry Township, **York County** with an expiration date of April 4, 2004. Permit issued September 15, 2003.

**52034024. RT Thompson Construction** (R. R. 9 Box 9257, Moscow, PA 18444) and **Hayduk Enterprises** (P. O. Box 554, Dalton, PA 18414), construction blasting at Tamiment in Lehman Township, **Pike County** with an expiration date of February 28, 2004. Permit issued September 15, 2003.

**45034040. Explosive Services, Inc.** (7 Pine Street, Bethany, PA 18431), construction blasting at Wyndham Hills Development in Paradise Township, **Monroe County** with an expiration date of September 2, 2004. Permit issues: September 15, 2003.

**39034013. Schlouch Inc.** (Excelsior Industrial Park, P. O. Box 69, Blandon, PA 19510), construction blasting at Windsor Woods Housing in Lower Macungie Township,

**Lehigh County** with an expiration date of October 26, 2005. Permit issued September 15, 2003.

**35034017. Latona Trucking** (620 South Main Street, Pittston, PA 18640) and **Hayduk Enterprises** (P. O. Box 554, Dalton, PA 18414), construction blasting at the Vito property in North Abington Township, **Lackawanna County** with an expiration date of March 3, 2004. Permit issued September 15, 2003.

**40034028. Explosive Services, Inc.** (7 Pine Street, Bethany, PA 18431), construction blasting at Humboldt Industrial Park in Hazle and East Union Townships, **Luzerne and Schuylkill Counties** with an expiration date of August 18, 2004. Permit issued September 16, 2003.

**40034029. Explosive Services, Inc.** (7 Pine Street, Bethany, PA 18431), construction blasting at the Greek Orthodox Monastery in White Haven Borough, **Luzerne County** with an expiration date of August 22, 2004. Permit issued September 16, 2003.

**40034030. Explosive Services, Inc.** (7 Pine Street, Bethany, PA 18431), construction blasting at Yannuzzi, Inc. in Hazle Township, **Luzerne County** with an expiration date of September 1, 2004. Permit issued September 16, 2003.

**44034002. Hall Explosives, Inc.** (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting at Back Mountain Road in Armagh Township, **Mifflin County** with an expiration date of September 30, 2004. Permit issued September 16, 2003.

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

**14034017. Triangle Construction**, 1076 E. Bishop Street, Bellefonte, PA 16823, for construction blasting, in Benner Township, **Centre County**, with an expected duration of 120 days. Permit issued September 16, 2003.

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).

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

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users 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 §§ 691.1—691.702) and Notice of Final Action for Certification under section 401 of the FWPCA (33 U.S.C.A. § 1341).**

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

### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E39-405A. City of Allentown, Bureau of Parks,** 2700 Parkway Boulevard, Allentown, PA 18104-5399, Army Corps of Engineers Philadelphia District.

To construct and maintain a stream restoration project in a 4,135-foot reach of Little Cedar Creek (HQ-CWF). The project is known as the Allentown Municipal Golf Course Little Cedar Creek Rehabilitation Project.

Phase III of the multiphase project includes: (1) restoration of 640 linear feet of Little Cedar Creek with work

consisting of reshaping portions of the channel and stabilizing the banks with a combination of soil reinforcement matting, a cellular soil confinement system, rock armor and vegetation; (2) removing the existing structure known as Bridge No. 11 and constructing and maintaining a golf cart bridge having a span of 30 feet and underclearance of 5.7 feet; (3) removing the existing structure known as Bridge No. 12 and constructing and maintaining a golf cart bridge having a span of 30 feet and underclearance of 4.8 feet; and (4) constructing and maintaining a concrete encased electrical utility line crossing buried 3 feet below streambed elevation.

Phase III begins approximately 1,150 feet upstream of Little Cedar Creek's intersection with SR 1002 (Tilghman Street) (Allentown West, PA Quadrangle N: 17.6 inches; W: 5.3 inches) and extends downstream to SR 1002 (Allentown West, PA Quadrangle N: 17.3 inches; W: 5.0 inches) in the City of Allentown, Lehigh County (Sub-basin: 2C).

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

**E12-142. Leonard Bosworth,** 784 Sizerville Road, Emporium, PA 15834. Shed installation in Shippen, **Cameron County,** ACOE Baltimore District (Emporium, PA Quadrangle N: 3.3 inches; W: 12.25 inches).

The applicant proposes to install a 12-foot by 24-foot by 9-foot shed on a bed of shale. The proposed project is in the floodway Sinnemahoning Portage Creek (CWF). This permit does not authorize any additional work in the floodway. This permit was issued under section 105.13(e) "Small Projects."

**E18-362. Department of Transportation, Engineering District 2-0,** 1924-30 Daisy Street, P. O. Box 342, Clearfield, PA 16830. Bridge replacement in Lamar Township, **Clinton County,** ACOE Baltimore District (Mill Hall, PA Quadrangle N: 15.5 inches; W: 10.0 inches).

To remove the existing open grated steel deck bridge and to construct and maintain a 15-foot wide by 6-foot precast concrete box culvert depressed 1 foot below streambed with a clear span along the center line of approximately 28 feet, a clear span normal to the channel of 15 feet and a minimum underclearance of 5 feet on a skew of 32 degrees left with concrete wingwalls and approximately 35 linear feet by 6 feet wide of R-6 rip-rap placed in the inlet and outlet ends of the culvert for scour protection and to construct a temporary coffer dam with 42-inch diameter by approximately 80-foot long stream diversion pipe over an unnamed tributary to Long Run (HQ-CWF). The project is on SR 0477 approximately one mile east of the intersection of SR 477 with SR 0220. The project will not impact wetlands while impacting approximately 200 feet of waterway. Approximately 0.2 acre of earth will be disturbed by the project.

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

**E02-1416. Mills Corporation—Pittsburgh Mills LP,** 1300 Wilson Boulevard, Suite 400, Arlington, VA 22209. Route 28 Interchange in Frazer and Springdale Townships, Allegheny County, Pittsburgh ACOE District (Latitude: 40° 34' 8"—Longitude: 79° 45' 51") (New Kensington West, PA Quadrangle N: 12.5 inches; W: 6.6 inches). To remove existing structures, to operate and maintain an existing 6-foot by 6-foot concrete box culvert for a distance of 251 feet to reconstruct and maintain approximately 94 feet of existing 6-foot by 6-foot concrete box culvert, to construct and maintain 6-foot by 6-foot concrete box culvert extension for 208 feet to the up-

stream end of the existing 6-foot by 6-foot concrete box culvert, to construct and maintain a 6-foot by 6-foot concrete box culvert for a distance of 624 feet, to construct and maintain a 7.5-foot by 7.5-foot concrete box culvert for a distance of 840 feet, to construct and maintain an energy dissipater for a distance of approximately 86 feet, to construct and maintain various outfall structures in and to Tawney Run (WWF), to relocate and maintain approximately 370 feet of a tributary to Tawney Run in a new 720-foot long channel (WWF), to construct and maintain a 60-inch diameter CMP culvert extension for approximately 40 feet to an existing 60-inch diameter culvert in a tributary to Tawney Run (WWF) and to place and maintain fill in 1.09 acres of wetlands (PSS/PEM). This permit is for a proposed interchange to provide access to the proposed Pittsburgh Mills Development and Tawney Run Road on Rt. 28, 1.5 miles north of the Springdale/Cheswick Interchange, Exit 12. The permittee is required to provide 2.89 acres of replacement wetlands in Emmerling Park, along the right bank side of Deer Creek in Indiana Township, 1.09 acres for the proposed interchange and 1.78 acres for the proposed mall and to provide for stream mitigation they will construct and maintain 11,000 feet of stream habitat improvements within the delayed harvest area of Deer Creek in West Deer Township. Both of these have been permittee under E02-843A-1. This project will also impact approximately 435 feet of tributaries to Tawney Run, which qualifies for authorization under the Department's waiver 105.12(a)(2).

**E26-310. Fayette County Commissioners**, Court House, 61 East Main Street, Uniontown, PA 15401. County Bridge No. 40 in South Union Township, **Fayette County**, Pittsburgh ACOE District (Latitude: 39° 53' 31"—Longitude: 79° 43' 14") (Uniontown, PA Quadrangle N: 3.1 inches; W: 13.4 inches). To remove County Bridge No. 40 and to construct and maintain a bridge having a normal clear span of 30 feet and an under clearance of 6.9 feet across Redstone Creek (WWF). The bridge is on T-477 (Grant Street) at its intersection with Cinder Road.

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

**E20-519, City of Titusville**, 107 North Franklin Street, Titusville, PA 16345. Phase II Upgrades Project in City of Titusville, **Crawford County**, ACOE Pittsburgh District (Titusville South, PA Quadrangle N: 22.4 inches; W: 4.3 inches).

The applicant proposes to construct and maintain the following structures associated with the upgrade of the City of Titusville wastewater treatment system in the City of Titusville, Crawford County to increase system efficiency and to reduce combined sewer overflows:

1. To construct and maintain new headworks facilities at the location of the wastewater treatment plant and within the 100-year floodplain of Oil Creek (Titusville South, PA Quadrangle N: 22.4 inches; W: 4.3 inches).
2. To construct and maintain the upgrade of the Bank and Roberts Pump Station within the 100-year floodplain of Oil Creek (Titusville South, PA Quadrangle N: 22.4 inches; W: 6.6 inches).
3. To construct and maintain the upgrade of the Bank and Allen Pump Station within the 100-year floodplain of Oil Creek (Titusville South, PA Quadrangle N: 22.5 inches; W: 5.1 inches).

4. To construct and maintain Stormwater Outfall 020 to Trout Run having a 1.25-foot diameter HDPE plastic pipe (Titusville South, PA Quadrangle N: 22.0 inches; W: 6.7 inches).

5. To remove the existing sewer line and to construct and maintain a 0.67-foot diameter PVC plastic pipe sewer line across Trout Run (Titusville South, PA Quadrangle N: 22.1 inches; W: 6.8 inches).

6. To construct and maintain a 2,400-foot long parallel interceptor sewer from South Brown Street to the wastewater treatment plant and within the 100-year floodplain of Oil Creek (Titusville South, PA Quadrangle N: 22.6 inches; W: 4.6 inches). Project includes the crossing of an unnamed tributary to Oil Creek.

Oil Creek (CWF) and Trout Run (CWF) are perennial streams.

**E33-216, Department of Transportation, District 10-0**, Route 286 South, P. O. Box 429, Indiana, PA 15701. Beechton Intersection Project in Snyder, **Jefferson County**, ACOE Pittsburgh District (Falls Creek, PA Quadrangle N: 22.7 inches; W: 12.2 inches).

The applicant proposes to realign approximately 2,000 feet of SR 0028, Section 570 near the intersection of SR 0028 and SR 1011 (Falls Creek, PA Quadrangle N: 22.7 inches; W: 12.2 inches) in Snyder Township, Jefferson County to improve the alignment and site distances involving: (1) permanently filling 0.08 acre of PEM wetland and 0.02 acre of PSS wetland; (2) temporarily affecting 0.02 acre of PEM wetland; and (3) constructing and maintaining a stormwater outfall structure at the top of the right bank of Mill Creek (CWF), a perennial stream. The project proposes to directly affect 0.1 acre of wetlands. Payment to the Wetland Replacement Project fund shall compensate for wetland impacts.

---

## SPECIAL NOTICES

---

### Public Hearing

The Department of Environmental Protection (Department) has scheduled a public hearing to receive testimony and comments on the application for IESI Blue Ridge Landfill to increase the average and maximum daily tonnage to be received at the facility. The hearing will be held on Wednesday, November 5, 2003, at 7 p.m. at the Scotland Community Center, 3832 Main Street, Scotland, Franklin County.

Persons intending to testify at the hearing should register, by Wednesday, October 22, 2003, by calling Cynthia Wolfe, (717) 705-4703. If no persons register to present oral comments by October 22, 2003, the hearing will not be held. Persons interested in finding out if anyone has registered, and if the hearing will be held, should contact Cynthia Wolfe.

Testimony should be to the point. Individuals will have up to 10 minutes for a presentation. To ensure that all speakers have a fair and equal opportunity to present their testimony, relinquishing of time will be prohibited. Further details relating to the procedures to be followed at the hearing will be outlined at the beginning of the proceedings.

An appointment may be scheduled to review the permit application at the Southcentral Regional Office in Harrisburg by contacting the file room at (717) 705-4732 between 8 a.m. and 4 p.m., Monday through Friday.



Persons with a disability who wish to attend the hearing who require an auxiliary aid, service or other accommodations to participate in the proceedings should contact the Department for assistance. TDD users may use the AT&T Relay Services at (800) 654-5984.

### **BUREAU OF DEEP MINE SAFETY**

#### **Approval of Request for Variance**

The Department of Environmental Protection (Department), Bureau of Deep Mine Safety (Bureau) has approved Dana Mining Company of PA, Inc.'s request for a variance from the requirements of section 224(b) of the Pennsylvania Bituminous Coal Mine Act (act) at the Titus Mine. This notification contains a summary of this request and the basis for the Department's approval. A complete copy of the variance request may be obtained from Allison Gaida, (724) 439-7469 or from the Bureau website (<http://www.dep.state.pa.us/dep/deputate/minres/dms/dms.htm>).

Summary of the Request: Dana Mining Company of PA, Inc. requested a variance from section 224(b) of the act to utilize horizontal longhole drilling to meet the requirements of act at the Titus Mine. The proposal accords protections to persons and property substantially equal to or greater than the requirements of section 224(b) of the act.

The basis for the Bureau's approval is summarized as follows:

1. The long horizontal borehole method proposed instead of the requirements in section 224 of the act is a proven technology that has been used successfully at other underground mines in this Commonwealth.

2. The long horizontal borehole method proposed is much less labor intensive and provides much less exposure to lifting and strain-type injuries by not having to handle and use hand-held drills and steels. By mining normal depth cuts, the work force will be subjected to fewer equipment place changes rather than mining the entries 8 feet at a time.

3. The long horizontal borehole proposed in lieu of the requirements set forth in section 224(b) of the act will provide a greater barrier than required by section 224(b) of the act. Titus Mine's proposed long horizontal borehole method provides a larger barrier for the protection of the miners and mine from contacting abandoned mines over the requirements of section 224(b) of the act.

4. The accuracy of longhole drilling technology currently in use by contractors such as Target Drilling and REI Drilling is one degree from surveyed position. This corresponds to a variance of up to 17 feet per 1,000 feet drilled. The maximum vertical declination is 0.1 degree from surveyed position. Previous drilling has also proved the vertical declination. The accuracy of the longhole drill proposed at Titus Mine is 1/2 degree from surveyed position. This equals a variance of 4.4 feet at 500 feet borehole depth.

This approval is limited to the alternate method to drill test holes as required in section 224(b) of the act. Continued authorization for operation under the approval is contingent upon compliance with the measures described in Titus Mine's plan and the following stipulations.

1. Change the projected azimuth of the proposed drillhole no. 3 to tighten the distance between drillhole nos. 3 and 4.

2. The actual surveyed locations must be plotted on the Titus Mine map and submitted to the Bureau for its review and approval that sufficient barriers will be left. Mining shall not occur within 200 feet of the boreholes without the Bureau's approval that the proposed mining will leave sufficient barriers.

[Pa.B. Doc. No. 03-1940. Filed for public inspection October 3, 2003, 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](http://www.dep.state.pa.us)) at the Public Participation Center page. The "Current 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.

#### *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 questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

#### *Draft Technical Guidance—Substantive Revision*

DEP ID: 274-4000-004. Title: Compliance Assurance Policy for CEMS on Fluid Catalytic Cracking Units. Description: This policy establishes uniform criteria for assessing monetary penalties for exceedances of emission standards and data availability requirements through agreements rather than criminal citations or civil penalty actions. The Department has found agreements to be effective in resolving violations without resorting to litigation. The benefit of this policy to the source owner is certainty in determining liabilities should violations occur. Anticipated Effective Date: April 1, 2004. Comment Period Ends: November 3, 2003. Contact: Doug Haulik, (717) 772-3976, [dhaulik@state.pa.us](mailto:dhaulik@state.pa.us).

#### *Final Technical Guidance*

DEP ID: 383-0400-104. Title: Health Effects and Risk Management Guidelines. Description: This document was developed as part of the Department's continuing effort to provide basic information and guidance to staff personnel on responding to contamination incidents. This guidance will apply to all public water systems. Effective Date:

October 4, 2003. Contact: Joanne Gordon, (717) 772-4467, joagordon@state.pa.us.

KATHLEEN A. MCGINTY,  
*Secretary*

[Pa.B. Doc. No. 03-1941. Filed for public inspection October 3, 2003, 9:00 a.m.]

**Proposed Chapter 105 General Permit BWM-GP-11 and 401 Water Quality Certification for the Maintenance, Testing, Repair, Rehabilitation or Replacement of Existing Water Obstructions and Encroachments**

The Department of Environmental Protection (Department), under the authority of section 7 of the Dam Safety and Encroachments Act (act) (32 P.S. § 693.7) and 25 Pa. Code Chapter 105, Subchapter L (relating to general permits), proposes to authorize by General Permit BWM-GP-11 the maintenance, testing, repair, rehabilitation or replacement of any existing water obstructions or encroachments. Minor deviations in the structure's configuration or filled area, including those due to changes in materials, construction techniques, current construction codes or safety standards which are necessary to repair, to modify or to replace, are permitted, provided the environmental impacts resulting from the repair, rehabilitation, modification or replacement are minimal and there is no impact on public health and safety. This general permit also authorizes work being funded by the Natural Resources Conservation Service which qualifies as an "exigency situation" (requiring immediate attention) under its Emergency Watershed Protection Program. This permit may not be used for maintenance, repair, rehabilitation, removal or replacement of dams.

The Department is authorized by the act and regulations to issue general permits where it determines a category of projects are similar in nature and can be adequately regulated using standard specifications, performance criteria and conditions. The Department has found the maintenance, testing, repair, rehabilitation or replacement of water obstructions or encroachments to be a category of activity which meets the general permit requirements.

Authorization provided by this general permit will eliminate the need for filing an application for an individual permit by an owner who intends to test, repair, rehabilitate or replace an existing water obstruction or encroachment. The owner will be required to register the project by submitting written notice to the Department indicating the intent to do maintenance in accordance with the conditions and terms of the general permit. Applicants will be able to begin work after receiving a written response from the Department.

Since there is no individual permit application, there will be significant savings of both time and money for those using the general permit. In addition to the monetary savings, the general permit enables applicants to proceed on projects with reduced time and effort while still complying with the act. Traditionally, review times for individual permits reach 120 days. A general permit can be acknowledged in approximately 30 days. A review of the permit data from 1995 to the present indicates that approximately 22% of individual permit applicants will qualify for this proposed general permit.

*401 Water Quality Certification*

The projects covered by the proposed general permit BWM-GP-11 may also require a Federal license or permit. Section 401(a) of the Federal Clean Water Act (33 U.S.C.A. § 1341(a)) requires that an applicant for a Federal license or permit to conduct any activity which may result in any discharge into waters of the United States provide the Federal licensing or permitting agency with certification from the state in which the discharge will originate that the discharge will comply with applicable provisions of the Clean Water Act, as well as applicable state law related to water quality protection.

The Department, by this notice, proposes to certify that the testing, maintenance, repair, rehabilitation or replacement of an existing encroachment or water obstruction as proposed in general permit BWM-GP-11 complies with the applicable provisions of sections 301–303, 306 and 307 of the Clean Water Act (33 U.S.C.A. §§ 1311–1313, 1316 and 1317). The Department further proposes to certify that the testing, maintenance, repair, rehabilitation or replacement of these projects comply with applicable State laws related to water quality protection and standards, provided that the testing, maintenance, repair, rehabilitation or replacement complies with the criteria and conditions of the permit.

Comments concerning the proposed general permit and 401 Water Quality Certification should be directed to Kenneth R. Reisinger, Chief, Division of Waterways, Wetlands and Erosion Control, Bureau of Watershed Management, P. O. Box 8775, Harrisburg, PA 17105-8775, (717) 787-6827 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD). Comments must be submitted in writing and contain the name, address and telephone number of the person commenting and a concise statement of comments, objections or suggestions on this proposal. Comments submitted by facsimile will not be accepted. The Department will consider all relevant and timely comments received. Comments must be submitted by December 3, 2003.

KATHLEEN A. MCGINTY,  
*Secretary*

[Pa.B. Doc. No. 03-1942. Filed for public inspection October 3, 2003, 9:00 a.m.]

**Request for Information Concerning a Multimedia Trading Registry**

*Department Objective*

The Department of Environmental Protection (Department) is seeking the input of all interested parties in its intended development of a Request for Proposal (RFP) for a multimedia trading registry. Multimedia trading involves the exchange of pollution reduction or environmental improvement credits across multiple media formats using watersheds as a basis of trade. By building a program that recognizes the values of multiple environmental benefits created by environmental improvement activities, the Department hopes to help harness the power of markets in meeting and exceeding environmental goals.

The Department, through the use of this Request for Information (RFI), would like to make several important determinations prior to the release of the RFP. The first factor is to ascertain the level of interest and necessary qualifications of third parties in developing and operating

a multicredit registry. The second is to gain a better understanding of the elements needed to build a registry and the resulting resources that would be needed to operate and sustain a registry. The third is to gain a better inventory of the policy issues related to the development and operation of a registry. Lastly, the Department is interested in options or methods that the public and proposers suggest it can pursue. Commentators are encouraged to submit their ideas and suggestions on any other issue related to this RFI.

#### *Current Activities*

The Department is currently involved with several single-medium trading programs or initiatives, such as the Ozone Transport Commission trading program for ozone precursors. The Department is also working with stakeholders in the Conestoga Watershed on a water trading program for nutrients and is working with stakeholders on programs to help address the challenges associated with acid mine drainage. A registry would help to take the next step of building a multimedia effort.

#### *Information of Interest*

The Department will review all submitted information. Examples of information of interest include:

- Examples of existing registries that support trading programs and could either be integrated or expanded to support a multimedia effort.
- Information on resources needed to build and operate multimedia trading registries.
- Concepts of web-based applications and other software approaches to portions or the entirety of a registry.
- Protocols that would assist in the evaluation and quantification of credits.
- Approaches for addressing policy issues.

#### *Information and Recommendations*

Information and recommendations submitted by the deadline will be considered by the Department in its intended development of the RFP. The final date for commentators to submit ideas for consideration by the Department is January 2, 2004. Written responses to this RFI should be submitted to Andrew Zemba, Department of Environmental Protection, Office of Water Management, 400 Market Street, Harrisburg, PA 17105, fax (717) 705-4087, azemba@state.pa.us. Questions concerning the RFI should be directed to Andrew Zemba, (717) 787-4686, azemba@state.pa.us.

KATHLEEN A. MCGINTY,  
*Secretary*

[Pa.B. Doc. No. 03-1943. Filed for public inspection October 3, 2003, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Application of Edgewood Place for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Edgewood Place has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exemption from the

following standard contained in this publication: 7.2.B19 (relating to showers and tubs).

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

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care, (717) 783-8980, for speech and/or hearing impaired persons, V/TT: (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

CALVIN B. JOHNSON, M.D., M.P.H.,  
*Secretary*

[Pa.B. Doc. No. 03-1944. Filed for public inspection October 3, 2003, 9:00 a.m.]

### Approval of Drugs which may be Used by Certain Optometrists

Under the Optometric Practice and Licensure Act (act) (63 P. S. §§ 244.1—244.12), and specifically as the act was amended by the act of December 16, 2002 (P. L. 1950, No. 225) (Act 225), the Secretary of Health (Secretary) has the authority to approve drugs for use in the practice of optometry as the "practice of optometry" is defined in the act. The State Board of Optometry, through the Secretary of State, provided the Secretary with a list of drugs on July 11, 2003, and requested that the Secretary approve the use of those drugs. Act 225 requires that the Secretary, within 90 days of the receipt of the list of drugs, and in consultation with the Physician General, approve or disapprove for good cause each drug. The Secretary has found good cause to approve the use of the following drugs in the practice of optometry:

#### *Topical solutions:*

moxifloxacin  
gatifloxacin  
cyclosporine ophthalmic emulsion

Topical solutions and products only, not oral or injectable formulations.

The approval of the use of these drugs is effective upon publication of this notice in the *Pennsylvania Bulletin*.

Questions regarding this notice should be directed to John C. Hair, Director, Bureau of Community Program Licensure and Certification, 132 Kline Plaza, Suite A, Harrisburg, PA 17104, (717) 783-8665.

Persons with a disability who require an alternative format of this notice (that is, large print, audiotape or Braille) should contact John C. Hair at the number or address listed previously or for speech and/or hearing

impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984 (TT).

CALVIN B. JOHNSON, M.D., M.P.H.,  
*Secretary*

[Pa.B. Doc. No. 03-1945. Filed for public inspection October 3, 2003, 9:00 a.m.]

**Governor’s Council on Physical Fitness and Sports Meeting**

The Governor’s Council on Physical Fitness and Sports will hold a meeting on Tuesday, October 21, 2003, from 10 a.m. to 12 p.m. at the Department of Health, Room 907, Health and Welfare Building, 7th and Forster Streets, Harrisburg, PA.

For additional information, or persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so, contact Matthew Brady, Manager, Physical Activity Program, Room 1011, Health and Welfare Building, Harrisburg, PA, (717) 787-2957, for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

This meeting is subject to cancellation without notice.

CALVIN B. JOHNSON, M.D., M.P.H.,  
*Secretary*

[Pa.B. Doc. No. 03-1946. Filed for public inspection October 3, 2003, 9:00 a.m.]

**Special Supplemental Nutrition Program for Women, Infants and Children (WIC Program)**

**I. 2003-2004 Minimum Inventory Requirements**

Under 28 Pa. Code § 1103.5(a)(3) (relating to minimum inventory), the WIC Program publishes notice of the minimum inventory requirements. Effective October 4, 2003, a store shall have available on the premises, at the time of an onsite review and at all times thereafter while participating as a WIC authorized store, the following foods at shelf prices equal to or less than the maximum allowable prices:

*Formula*

Thirty-one 13-ounce cans of Similac Advance liquid concentrate.

Twenty-five 32-ounce cans of Similac Advance ready-to-feed.

Nine 12.9-ounce cans of Similac Advance powdered.

Thirty-one 13-ounce cans of Isomil Advance liquid concentrate.

Twenty-five 32-ounce cans of Isomil Advance ready-to-feed.

Nine 12.9-ounce cans of Isomil Advance powdered.

Other standard formulas specified on the WIC check are not minimum inventory requirements. The store must be able to provide these within 72 hours after a participant makes a request for the formula.

*Milk*

Fluid whole, vitamin D fortified: ten 1/2 gallons.

Fluid skim, low fat or reduced fat: four 1/2 gallons.

Nonfat dry: 4 pounds in 1 or 2-pound containers.

Evaporated: 24 12-ounce cans.

*Eggs*

Grade “A” eggs: three 1-dozen containers any size raw shell eggs.

*Juices*

Two WIC allowable single strength varieties with a total of seven 46-ounce containers.

Two WIC allowable varieties frozen concentrated or shelf stable concentrated, with a total of seven 11.5 to 12-ounce containers.

Infant, three Gerber varieties with a total of 15 4-ounce individual containers.

*Cereal*

Adult—five WIC allowable varieties in 8-ounce or larger packages totaling at least 40 ounces.

Infant—two Gerber varieties in 8-ounce packages, totaling at least 24 ounces.

*Peanut Butter*

One 15 to 18-ounce WIC allowable container.

*Dried Peas and Beans*

Two varieties WIC allowable, 1 pound each.

*Tuna*

Four 6 to 6.5-ounce cans, chunk, light, packed in water.

**Carrots**

Two pounds of whole, unpeeled fresh carrots in 1 or 2-pound cello pack or two cans of sliced carrots in 14 to 20-ounce cans.

**II. Maximum Allowable Prices**

Under 28 Pa. Code § 1103.4(5), the WIC Program publishes notice of the maximum allowable prices. Effective October 4, 2003, the maximum allowable prices the Department will pay for a WIC allowable food are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
1/2 Gallon of Milk: Whole, Reduced Fat, Low Fat or Skim	\$2.07
12 oz. Evaporated Milk	\$1.03
16 oz. Dry Milk	\$5.22
1/2 gallon Lactose Reduced Milk	\$3.63
1/2 gallon Kosher Milk	\$2.69
1 oz. Kosher Infant Juice	\$0.18
1 oz. Kosher Infant Cereal	\$0.24
1 Dozen Grade A Eggs	\$2.20
1 lb. Fresh Carrots	\$0.98
14 to 16 oz. Canned Carrots	\$0.98
1 lb. Cheese	\$5.06
1 lb. Dry Beans or Peas	\$1.34
1 oz. Adult WIC Cereal	\$0.37
8 oz. Gerber Infant Cereal	\$1.92
15 to 18 oz. Peanut Butter	\$2.66
46 oz. Single Strength Juice or 11.5 or 12 oz. Juice Concentrate	\$2.38

<i>Description</i>	<i>Maximum Allowable Price</i>
6 oz. Cans Juice	\$1.56
6 to 6.5 oz. Chunk Light Tuna Packed in Water	\$0.95
4 oz. Gerber Infant Juice	\$0.69
32 oz. Alimentum Ready-to-Feed	\$8.59
32 oz. Alimentum Advance Ready-to-Feed	\$9.32
16 oz. Alimentum Powdered	\$26.02
13 oz. Isomil Advance Concentrate	\$4.41
32 oz. Isomil Advance Ready-to-Feed	\$5.32
12.9 oz. Isomil Advance Powdered	\$14.42
32 oz. Isomil DF Ready-to-Feed	\$6.07
13 oz. Isomil with Iron Concentrate	\$4.09
12.9 oz. Isomil with Iron Powdered	\$13.29
14 oz. Isomil with Iron Powdered	\$14.42
13 oz. Nutramigen Lipil Concentrate	\$6.81
32 oz. Nutramigen Lipil Ready-to-Feed	\$8.57
13 oz. Nutramigen Concentrate	\$6.81
16 oz. Nutramigen Powdered	\$23.58
32 oz. Nutramigen Ready-to-Feed	\$8.57
8 oz. PediaSure Ready-to-Feed	\$2.24
13 oz. Similac Advance Concentrate	\$4.25
32 oz. Similac Advance Ready-to-Feed	\$5.90
12.9 oz. Similac Advance Powdered	\$13.66
13 oz. Similac Lactose Free Concentrate	\$4.59
12.9 oz. Similac Lactose Free Powdered	\$12.86
14 oz. Similac Lactose Free Powdered	\$13.94
32 oz. Similac Lactose Free Ready-to-Feed	\$5.23
12.9 oz. Similac Neosure Advance Powder	\$15.65
13 oz. Similac with Iron Concentrate	\$3.95
12.9 oz. Similac with Iron Powdered	\$12.95
14.1 oz. Similac with Iron Powdered	\$14.15
32 oz. Similac with Iron Ready-to-Feed	\$5.13

A store must permit purchase of WIC allowable foods that exceed the maximum to WIC participants using a WIC check; however, the amount that exceeds the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2 (relating to price adjustment).

CALVIN B. JOHNSON, M.D., M.P.H.,  
*Secretary*

[Pa.B. Doc. No. 03-1947. Filed for public inspection October 3, 2003, 9:00 a.m.]

## DEPARTMENT OF LABOR AND INDUSTRY

### Pennsylvania Conservation Corps; Grants for Projects

Grants for projects related to conservation, recreation, historical preservation, graffiti removal and the repair of institutional vandalism will be available under the Pennsylvania Conservation Corps (PCC) program.

Agencies eligible to apply for PCC projects are:

- The Departments of Labor and Industry, Conservation and Natural Resources, Public Welfare, Corrections, Military and Veterans Affairs, Aging, Education and Community and Economic Development
- The Game, Fish and Boat and Historical and Museum Commissions
- The Pennsylvania Emergency Management Agency
- Political subdivisions
- Nonprofit agencies in cities of the first class (for projects involving the removal of graffiti and the repair of institutional vandalism only)

The PCC program is designed to provide work experience and educational opportunities to unemployed young adults as they undertake needed projects on Commonwealth public lands. Funds available through the PCC program may be used to purchase approved construction materials and contracted services (political subdivisions must provide a 25% cash match). The wages of PCC members and crew leaders are paid directly by the Department of Labor and Industry (Department).

Applications for PCC projects will be accepted from political subdivisions and eligible nonprofits through Friday, January 2, 2004. State agency applications will be accepted through Monday, February 2, 2004.

For more information or to obtain a grant application packet, contact Pennsylvania Conservation Corps, 1304 Labor and Industry Building, Seventh and Forster Streets, Harrisburg, PA 17120, (717) 783-6385, pcc@state.pa.us. Grant application materials are also available for download from the Department's website: www.state.pa.us (PA Keyword "PCC").

STEPHEN M. SCHMERIN,  
*Secretary*

[Pa.B. Doc. No. 03-1948. Filed for public inspection October 3, 2003, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Application for Lease of Right-of-Way

Under 67 Pa. Code § 495.4(d) (relating to application procedure), an application to lease highway right-of-way has been submitted to the Department of Transportation by NL Parking, Inc., 1 Reed Street, Philadelphia, PA, seeking to lease highway right-of-way at 1001—1023 North Front Street, City of Philadelphia, Philadelphia County, 61,900 square feet/hectares ±, adjacent to SR 67310, Section A01, for purposes of a parking lot.

Interested persons are invited to submit, within 30 days from the publication of this notice in the *Pennsylvania Bulletin*, written comments, suggestions or objections regarding the approval of this application to Andrew L. Warren, District Executive, Engineering District 6-0, 7000 Geerdes Blvd., King of Prussia, PA 19406.

Questions regarding this application or the proposed use should be directed to Matthew Kulpa, Real Estate Specialist, 7000 Geerdes Boulevard, King of Prussia, PA 19406, (610) 205-6514.

ALLEN D. BIEHLER, P. E.,  
*Secretary*

[Pa.B. Doc. No. 03-1949. Filed for public inspection October 3, 2003, 9:00 a.m.]

**Finding  
Clarion County**

Under section 2002(b) of The Administrative Code of 1929 (71 P. S. § 512(b)), the Secretary of Transportation makes the following written finding:

The Department of Transportation plans to replace the existing East Brady Bridge carrying SR 0068 over the Allegheny River in Clarion County. The bridge replacement will impact the habitat of the clubshell and northern riffleshell mussels and require the taking of a limited number of the two species. These two species are both Federally and State listed as endangered species. The effect of this project on the species will be mitigated by the following measures to minimize harm.

1. Mitigation measures will follow those agreed to in the United States Fish and Wildlife Services (USFWS) Biological Opinion. This may include the following: additional USFWS coordination; final design minimization efforts; special construction provisions; mussel salvage, laboratory relocation, replacement and monitoring; and seed stock mussel reintroduction.

2. Seasonal restrictions (April 1st to June 1st) for all in-water activities.

3. Erosion and sediment plan adherence, coordination with Armstrong and Clarion County Conservation Districts and the Department of Environmental Protection and stabilize and revegetate disturbed stream banks.

4. Wells outside of right-of-way will be monitored during construction and replaced if permanently impacted.

5. The existing United States Army Corps of Engineers wire weigh gauge will be reinstalled on the new SR 68 bridge structure.

6. Conduct detailed waste site evaluation during final design phase and establish a waste management plan.

7. Coordinate with utility companies and relocate utilities within the right-of-way when necessary.

8. Compensation for required right-of-way at fair market value and provision of relocation assistance, as well as compliance with the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

9. State Historic Preservation Officer review of plans for the preferred alternative.

The Secretary has considered the environmental, economic, social and other effects of the proposed project as enumerated in section 2002 of The Administrative Code of 1929 and has concluded that there is no feasible and prudent alternative to the project as designed and all reasonable steps have been taken to minimize the effect.

ALLEN D. BIEHLER, P. E.,  
*Secretary*

[Pa.B. Doc. No. 03-1950. Filed for public inspection October 3, 2003, 9:00 a.m.]

**INDEPENDENT  
REGULATORY REVIEW  
COMMISSION**

**Notice of Comments Issued**

Section 5(g) of the Regulatory Review Act (71 P. S. § 745.5(g)) provides that the Commission may issue comments within 30 days of the close of the Committee comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b).

The Commission has issued comments on the following proposed regulation. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
7-384	Environmental Quality Board Safe Drinking Water; Long Term 1 Enhanced Surface Water Treatment Rule (33 Pa.B. 3609 (July 26, 2003))	8/25/03	9/24/03

**Environmental Quality Board Regulation No. 7-384**

**Safe Drinking Water; Long Term 1 Enhanced  
Surface Water Treatment Rule**

**September 24, 2003**

We submit for consideration the following comments that include references to the criteria in the Regulatory Review Act (71 P. S. § 745.5b) which have not been met. The Environmental Quality Board (EQB) must respond to these comments when it submits the final-form regulation. The public comment period for this regulation closed on August 25, 2003. If the final-form regulation is not delivered within 2 years of the close of the public comment period, the regulation will be deemed withdrawn.

**1. General.—Consistency with Federal regulations; Clarity.**

The Environmental Protection Agency (EPA) Region 3 submitted comments dated August 21, 2003, suggesting five areas where language should be added to the proposed rulemaking. These changes are intended to bring the regulation into greater consistency with the Federal regulations. Comments and concerns raised by EPA Region 3 are included by reference in the Commission's comments.

**2. Section 109.301(1). Performance monitoring for filtration and disinfection.—Clarity.**

The existing language in subparagraph (iv) applies only to water suppliers serving 10,000 or more people. The proposed rulemaking adds new language that applies to suppliers serving fewer than 10,000 people. We have questions in two areas.

First, at the end of the second sentence in subparagraph (iv)(C), EPA Region 3 suggested adding the phrase: "before a violation is incurred." This is consistent with Federal regulations for public water suppliers serving fewer than 10,000 people. However, suppliers serving fewer than 10,000 people have a maximum of 14 days following failure of monitoring equipment to repair or replace it before a violation is incurred. The first sentence in this subparagraph states that suppliers serving 10,000 or more people have a maximum of 5 working days to repair or replace equipment after a failure. It is unclear whether the phrase "before a violation is incurred" would apply to suppliers serving 10,000 or more people. If it does, the EQB should add this phrase to the end of the first sentence in the final-form rulemaking.

Second, each provision in subparagraph (iv) will now apply to both larger and smaller suppliers under the amendments in this proposed rulemaking. The only exception is found in subparagraph (iv)(C). As previously noted, the existing language applies one standard to larger suppliers and the proposed rulemaking adds new language that applies only to the smaller suppliers. The EQB should consider creating a subparagraph (iv)(D) and placing the separate and distinct requirement for suppliers serving fewer than 10,000 people in subparagraph (iv)(D).

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 03-1951. Filed for public inspection October 3, 2003, 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](http://www.irrc.state.pa.us). To obtain a copy of the regulation, contact the promulgating agency.

<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
57-224	Pennsylvania Public Utility Commission Generic Competitive Safeguards	9/19/03

<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
57-227	Pennsylvania Public Utility Commission Electric and Gas Utility Record Retention	9/19/03

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 03-1952. Filed for public inspection October 3, 2003, 9:00 a.m.]

**INSURANCE DEPARTMENT**

**Acquisition of a Controlling Interest**

Onex Corporation, a Canadian corporation, has filed an application to acquire a controlling interest of Magellan Behavioral Health of Pennsylvania, Inc., a Commonwealth domiciled risk assuming preferred provider organization. The initial filing was received on September 18, 2003, and was made under the Insurance Holding Companies Act (40 P. S. §§ 991.1401—991.1413). Persons wishing to comment on the grounds of public or private interest in this acquisition of control 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*. Written statements 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, [cbybee@state.pa.us](mailto:cbybee@state.pa.us).

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 03-1953. Filed for public inspection October 3, 2003, 9:00 a.m.]

**Mark Kaplan, M.D., et al.; Prehearing**

**Appeal of Mark Kaplan, M.D., et al. under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM03-09-003**

On or before October 8, 2003, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for October 29, 2003, at 10 a.m. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before September 23, 2003. A hearing date shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before October 15, 2003, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any, shall be filed on or before October 22, 2003.

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

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 03-1954. Filed for public inspection October 3, 2003, 9:00 a.m.]

### Spiros Kasapidis; Hearing

#### Order to Show Cause; Doc. No. SC03-08-008

A prehearing conference is scheduled for October 30, 2003, at 10 a.m. in Room 200, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

A hearing shall occur on November 13, 2003, at 10 a.m. in Room 200, Administrative Hearings Office, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA 17102.

On or before October 16, 2003, each party shall file with the Administrative Hearings Office a prehearing statement which shall contain: (1) a comprehensive statement of undisputed facts to be stipulated between the parties; (2) a statement of additional contended facts; (3) names and address of witnesses along with the specialties of experts to be called; (4) a list of documents to be used at the hearing; (5) special evidentiary or other legal issues; and (6) the estimated time for that party's case. Contemporaneously with service of the prehearing statement on the opposing party, each party shall supply the other with a copy of any report generated by an expert witness designated on the prehearing statement. Any report subsequently received from a party's expert witness prior to hearing shall be supplied to the other party within 2 business days. Copies of expert reports need not be filed with the Administrative Hearings Office. Failure to list a witness or document on the prehearing statement will result in preclusion of that witness or document at hearing.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before October 23, 2003, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any, shall be filed on or before November 6, 2003.

Persons with a disability who wish to attend the administrative hearing and require an auxiliary aid, service or other accommodation to participate in the

hearing should contact Tracey Pontius, Agency Coordinator, (717) 787-4298.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 03-1955. Filed for public inspection October 3, 2003, 9:00 a.m.]

### Pennsylvania National Mutual Casualty Insurance Company; Pennsylvania Homeowners Program Rate and Rule Revision

On September 17, 2003, the Insurance Department (Department) received from Pennsylvania National Mutual Casualty Insurance Company a filing for a rate level change for homeowners insurance.

The company requests an overall 2.9% increase amounting to \$462,000 annually, to be effective February 1, 2004.

Unless formal administrative action is taken prior to November 16, 2003, the subject filing may be deemed approved by operation of law.

Copies of the filing will be available for public inspection, by appointment, during normal working hours at the Department's regional offices in Harrisburg, Philadelphia, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections to Michael W. Burkett, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, mburkett@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 03-1956. Filed for public inspection October 3, 2003, 9:00 a.m.]

### Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insureds have requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68), in connection with the termination of the insureds' automobile policies. The hearings will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearings will be held in the Insurance Department's regional offices in Harrisburg and Pittsburgh, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 N. Seventh Street, Harrisburg, PA 17102.

Appeal of Tracy Barley; file no. 03-188-08212; Westfield Insurance Company; doc. no. P03-09-006; October 22, 2003, 10:30 a.m.

The following hearing will be held in the Pittsburgh Regional Office, Room 304 State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222.



Appeal of Mary V. Brown; file no. 03-407-90900; Great American Insurance Company; doc. no. E03-09-010; November 6, 2003, 11 a.m.

Parties may appear with or without counsel and offer relevant testimony or evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

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

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 03-1957. Filed for public inspection October 3, 2003, 9:00 a.m.]

### Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insurers have requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68) in connection with the termination of the insureds' automobile policies. The hearings will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearings will be held in the Insurance Department's regional office in Pittsburgh, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearings will be held in the Pittsburgh Regional Office, Room 304 State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222.

Appeal of Kemper Independent Insurance Company; file no. 03-303-71621; Patrick M. Logan; doc. no. PI03-09-008; November 6, 2003, 9 a.m.

Appeal of State Farm Mutual Automobile Insurance Company; file no. 03-184-07574; David W. Geary; doc. no. PI03-09-007; November 6, 2003, 10 a.m.

Parties may appear with or without counsel and offer relevant testimony or evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's order will be sent to those persons participating in the hearing or their designated representatives. The order of the Commissioner may be subject to judicial review by the Commonwealth Court.

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

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 03-1958. Filed for public inspection October 3, 2003, 9:00 a.m.]

### Review Procedure Hearings under the Unfair Insurance Practices Act

The following insureds have requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (40 P. S. § 1171.8) in connection with their company's termination of the insureds' policy. The administrative hearing will be held in the Insurance Department's regional office in Philadelphia, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Philadelphia Regional Office, Room 1701 State Office Building, 1400 Spring Garden Street, Philadelphia, PA 19130.

Appeal of Clarence and Shelley R. Smith; file no. 03-280-03869; Everett Cash Mutual Insurance Company; doc. no. PH03-09-009; November 20, 2003, 9 a.m.

Each party may appear with or without counsel and offer relevant testimony and/or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial

action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

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

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 03-1959. Filed for public inspection October 3, 2003, 9:00 a.m.]

**United Healthcare Insurance Company; Group Policy No. G-36000-4; Requesting Authority to Increase Rates for Group Standardized Medicare Supplement Plans A—J for the AARP Group; Rate Filing**

United HealthCare Insurance Company has filed for approval of increased rates for the AARP group standardized Medicare supplement plans A—J. The filing requests an average increase of 7.2%, varying by standardized plan. The rate increase will impact about 82,390 certificateholders and produce additional annual Pennsylvania premium income of approximately \$9.0 million. The requested effective date of the increase is March 1, 2004.

The proposed rate increase percentages by plan for all ages and areas are as follows:

Plan	Percentage
A	0%
B	0%
C	7.8%
D	9.8%
E	9.8%
F	1.4%
G	3.6%
H	10.1%
I	9.6%
J	10.3%

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's regional offices in Harrisburg, Philadelphia, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections to Michael Gurgiolo, Actuary, Insurance Department, Insurance Product Regulation and Market Enforcement, Bureau of Accident and Health Insurance, 1311 Strawberry Square, Harrisburg, PA 17120 within 30 days of the publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 03-1960. Filed for public inspection October 3, 2003, 9:00 a.m.]

# LIQUOR CONTROL BOARD

## Expiration of Leases

The following Liquor Control Board lease will expire:

Westmoreland County, Wine & Spirits Shoppe #6512, Salem 22 Plaza, 444 Route 22, Delmont, PA 15626.

*Lease Expiration Date:* September 30, 2005

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 2,500 net useable square feet of new or existing retail commercial space within a shopping center environment along Route 22 serving the Delmont area.

*Proposals due:* October 24, 2003, at 12 p.m.

**Department:** Liquor Control Board  
**Location:** Real Estate Division, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, PA 15222  
**Contact:** George Danis, (412) 565-5130

Lehigh County, Wine & Spirits Shoppe #3913, Whitehall Square Shopping Center, 2180 MacArthur Road, Whitehall, PA 18052-4535.

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 12,000 net useable square feet of new or existing retail commercial space within 1/2 mile of the intersection of Route 145 (MacArthur Road) and Schadt Avenue, Whitehall Township.

*Proposals due:* October 24, 2003, at 12 p.m.

**Department:** Liquor Control Board  
**Location:** Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661  
**Contact:** Willard J. Rhodes, (717) 657-4228

JONATHAN H. NEWMAN,  
*Chairperson*

[Pa.B. Doc. No. 03-1961. Filed for public inspection October 3, 2003, 9:00 a.m.]

# MILK MARKETING BOARD

## Hearing and Presubmission Schedule; Milk Marketing Area No. 2

Under the provisions of the Milk Marketing Law (31 P. S. §§ 700j-101—700j-1302), the Milk Marketing Board (Board) will conduct a public hearing for Milk Marketing Area No. 2 on November 5, 2003, at 9 a.m. in Room 202, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA.

The purpose of the hearing is to receive testimony and exhibits concerning cost replacement in Milk Marketing Area No. 2. Evidence will be limited to the following: annualized processing, packaging and delivery costs; updated costs for containers, ingredients and Class II products; updated labor, utility, and insurance costs based on comparisons between costs per point for the second quarters of calendar years 2002 and 2003; consideration of skim and butterfat contents of products regulated by the Board; adjustment for shrinkage, sales of bulk products and cream processing costs; in-store handling costs;

and a reasonable rate of return to milk dealers and stores. Evidence shall be based on the audited costs of a cross-section of milk dealers and stores doing business in Milk Marketing Area No. 2. Cost information for containers and ingredients may be based on data through September 1, 2003; cost information for Class II products shall be based on April 2003 data.

The staff of the Board is deemed to be a party to this hearing, and the attorney representing staff is deemed to have entered his appearance. Other persons that may be affected by the Board order fixing prices in Milk Marketing Area No. 2 may be included on the Board's list of parties by:

1. Having their counsel file with the Board, by 4 p.m. on October 17, 2003, a notice of appearance substantially in the form prescribed by 1 Pa. Code § 31.25 (relating to form of notice of appearance), which shall identify by name and address the party on whose behalf the appearance is made. Thereafter, documents and other written communications required to be served upon or furnished to that party shall be sent to the attorney of record.

2. If unrepresented by counsel and wishing to appear on their own behalf under 1 Pa. Code § 31.21 (relating to appearance in person), filing with the Board, by 4 p.m. on October 17, 2003, an address to which documents and other written communications required to be served upon them or furnished to them may be sent.

The parties shall observe the following requirements for advance filing of witness information and exhibits. The Board may exclude witnesses or exhibits of a party that fails to comply with these requirements. In addition, the parties shall have available in the hearing room at least 20 copies of each document for the use of nonparties attending the hearing.

1. By 4 p.m. on October 27, 2003, each party shall file with the Board six copies and serve on all other parties one copy of:

- a. A list of witnesses who will testify for the party, along with a statement of the subjects concerning which each witness will testify. A witness who will be offered as an expert shall be so identified, along with the witness's area or areas of proposed expertise.

- b. Each exhibit to be presented, including testimony to be offered in written form.

2. By 4 p.m. on October 31, 2003, each party shall file and serve as set forth in paragraph 1 information concerning rebuttal witnesses and copies of rebuttal exhibits.

Parties that wish to offer in evidence documents on file with the Board, public documents, or records in other proceedings before the Board, or who wish the Board to take official notice of facts, shall comply with, respectively, 1 Pa. Code § 35.164, § 35.165, § 35.167 or § 35.173. Whenever these rules require production of a document as an exhibit, copies shall be provided to each Board member and to all other parties; in addition, at least 20 copies shall be available for distribution to nonparties attending the hearing.

Requests by parties for Board staff to provide data pertinent to the hearing shall be made in writing and received in the Board office by 4 p.m. on October 20, 2003.

The filing address for the Board is Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

Persons who require this information in an alternate format should call (717) 787-4194 or (800) 654-5984 (Pennsylvania Relay Service for TDD users).

LYNDA J. BOWMAN,  
*Secretary*

[Pa.B. Doc. No. 03-1962. Filed for public inspection October 3, 2003, 9:00 a.m.]

### Hearing and Presubmission Schedule; Milk Marketing Area No. 3

Under the provisions of the Milk Marketing Law (31 P. S. §§ 700j-101—700j-1302), the Milk Marketing Board (Board) will conduct a public hearing for Milk Marketing Area No. 3 on November 5, 2003, at 11 a.m. in Room 202, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA.

The purpose of the hearing is to receive testimony and exhibits concerning cost replacement in Milk Marketing Area No. 3. Evidence will be limited to the following: annualized processing, packaging and delivery costs; updated costs for containers, ingredients and Class II products; updated labor, utility and insurance costs based on comparisons between costs per point for the second quarters of calendar years 2002 and 2003; consideration of skim and butterfat contents of products regulated by the Board; adjustment for shrinkage, sales of bulk products and cream processing costs; in-store handling costs; and a reasonable rate of return to milk dealers and stores. Evidence shall be based on the audited costs of a cross-section of milk dealers and stores doing business in Milk Marketing Area No. 3. Cost information for containers and ingredients may be based on data through September 1, 2003; cost information for Class II products shall be based on April 2003 data.

The staff of the Board is deemed to be a party to this hearing, and the attorney representing staff is deemed to have entered his appearance. Other persons that may be affected by the Board order fixing prices in Milk Marketing Area No. 3 may be included on the Board's list of parties by:

1. Having their counsel file with the Board, by 4 p.m. on October 17, 2003, a notice of appearance substantially in the form prescribed by 1 Pa. Code § 31.25 (relating to form of notice of appearance), which shall identify by name and address the party on whose behalf the appearance is made. Thereafter, documents and other written communications required to be served upon or furnished to that party shall be sent to the attorney of record.

2. If unrepresented by counsel and wishing to appear on their own behalf under 1 Pa. Code § 31.21 (relating to appearance in person), filing with the Board, by 4 p.m. on October 17, 2003, an address to which documents and other written communications required to be served upon them or furnished to them may be sent.

The parties shall observe the following requirements for advance filing of witness information and exhibits. The Board may exclude witnesses or exhibits of a party that fails to comply with these requirements. In addition, the parties shall have available in the hearing room at least 20 copies of each document for the use of nonparties attending the hearing.

1. By 4 p.m. on October 27, 2003, each party shall file with the Board six copies and serve on all other parties one copy of:

a. A list of witnesses who will testify for the party, along with a statement of the subjects concerning which each witness will testify. A witness who will be offered as an expert shall be so identified, along with the witness's area or areas of proposed expertise.

b. Each exhibit to be presented, including testimony to be offered in written form.

2. By 4 p.m. on October 31, 2003, each party shall file and serve as set forth in paragraph 1 information concerning rebuttal witnesses and copies of rebuttal exhibits.

Parties that wish to offer in evidence documents on file with the Board, public documents, or records in other proceedings before the Board, or who wish the Board to take official notice of facts, shall comply with, respectively, 1 Pa. Code § 35.164, § 35.165, § 35.167 or § 35.173. Whenever these rules require production of a document as an exhibit, copies shall be provided to each Board member and to all other parties; in addition, at least 20 copies shall be available for distribution to nonparties attending the hearing.

Requests by parties for Board staff to provide data pertinent to the hearing shall be made in writing and received in the Board office by 4 p.m. on October 20, 2003.

The filing address for the Board is Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

Persons who require this information in an alternate format should call (717) 787-4194 or (800) 654-5984 (Pennsylvania Relay Service for TDD users).

LYNDA J. BOWMAN,  
*Secretary*

[Pa.B. Doc. No. 03-1963. Filed for public inspection October 3, 2003, 9:00 a.m.]

## PATIENT SAFETY AUTHORITY

### Public Meeting

The Patient Safety Authority (Authority), established by section 303 of the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. § 1303.303), enacted on March 20, 2002, will hold a meeting of the Authority's 11 member board on Tuesday, October 14, 2003, at 9:30 a.m. in Hearing Room 2, Commonwealth Keystone Building, Commonwealth Avenue and North Street, Harrisburg, PA.

Individuals with questions regarding this meeting, which is open to the public, should contact the Authority at (717) 346-0469.

ALAN B.K. RABINOWITZ,  
*Administrator*

[Pa.B. Doc. No. 03-1964. Filed for public inspection October 3, 2003, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Gas Service

**A-122350F2008. T.W. Phillips Gas and Oil Company.** Application of T. W. Phillips Gas and Oil Company for approval to discontinue and abandon gas utility service to four customers located in Madison and Boggs Townships, Armstrong County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before October 20, 2003. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

*Applicant:* T. W. Phillips Gas and Oil Company

*Through and By Counsel:* Jay W. Dawson, Esquire, 205 North Main Street, Butler, PA 16001.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 03-1965. Filed for public inspection October 3, 2003, 9:00 a.m.]

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by October 27, 2003. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

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

**A-00120143. Perryopolis Area Ambulance Service, Inc.** (P. O. Box 522, Perryopolis, Fayette County, PA 15473), a corporation of the Commonwealth—persons in paratransit service, between points in the Borough and Township of Perryopolis, Fayette County, and from points in said area, to points in Pennsylvania, and return.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 03-1966. Filed for public inspection October 3, 2003, 9:00 a.m.]

### Sewage Service

**A-230187F2000. City of Johnstown, Bureau of Sewage.** Application of the City of Johnstown, Bureau of Sewage, for approval of the transfer of assets to the Johnstown Redevelopment Authority and for approval of the abandonment or discontinuance of sanitary sewage collection and disposal service to the public in the Boroughs of Brownstown, East Conemaugh, Franklin, Lorain, Dale, Ferndale, Southmont, Westmont, Geistown and Daisytown and the Townships of Stoneycreek, Upper Yoder, Lower Yoder, Richland, Conemaugh and West Taylor, Cambria County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before October 20, 2003. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

*Applicant:* City of Johnstown, Bureau of Sewage

*Through and By Counsel:* Dennis S. Shilobod, Esquire, 206 North Main Street, Greensburg, PA 15601.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 03-1967. Filed for public inspection October 3, 2003, 9:00 a.m.]

### Wastewater Service

**A-230094F0002. Pennsylvania Suburban Water Company.** Application of Pennsylvania Suburban Water Company for approval of the acquisition by Pennsylvania Suburban Water of the wastewater system assets of Woodloch Pines, Inc., which serves the Woodloch Pines resort community in a portion of Lackawaxen Township, Pike County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before October 20, 2003. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

*Applicant:* Pennsylvania Suburban Water Company

*Through and By Counsel:* Mark J. Kropilak, Esquire, 762 West Lancaster Avenue, Bryn Mawr, PA 19010-3489.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 03-1968. Filed for public inspection October 3, 2003, 9:00 a.m.]

## PHILADELPHIA REGIONAL PORT AUTHORITY

### Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project #03-185.P, Trash Removal, until 2 p.m. on Thursday, October 16, 2003. The bid documents can be obtained from the Director of Procurement, PRPA, 3460 N. Delaware Ave., 2nd Floor, Philadelphia, PA 19134, (215) 426-2600 and will be available October 7, 2003. PRPA is an equal opportunity employer. Contractors must comply with all applicable equal employment opportunity laws and regulations.

JAMES T. MCDERMOTT, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 03-1969. Filed for public inspection October 3, 2003, 9:00 a.m.]

## PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

### Hearings Scheduled

Hearings have been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's (System) denial of claimants' requests concerning the indicated accounts.

The hearings will be held before a hearing examiner at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

December 3, 2003	Grace D'Alo (Purchase of Service)	1 p.m.
	Lillian S. Halpern (Recalculation of Retirement)	2:30 p.m.
December 23, 2003	Ember Hasay (Class T-D)	10 a.m.
	Beverly Tuck (Class T-D)	1 p.m.
	Gloria Bresnitz (Purchase of Service)	2:30 p.m.

Persons with a disability who wish to attend the listed hearings and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Marilyn Fuller-Smith, Assistant to the Executive Director, (717) 720-4921 to discuss how the System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 22

Pa. Code § 201.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

JEFFREY B. CLAY  
*Interim Executive Director*

[Pa.B. Doc. No. 03-1970. Filed for public inspection October 3, 2003, 9:00 a.m.]

---

## STATE EMPLOYEES' RETIREMENT BOARD

### Hearings Scheduled

Hearings have been scheduled, as authorized by 71 Pa.C.S. Part XXV (relating to State Employees' Retirement Code), in connection with the State Employees' Retirement System's denial of Claimants' requests concerning the indicated accounts. Under 1 Pa. Code § 35.30 (relating to filing of petitions to intervene), October 14, 2003, has been established as the last date to file a petition to intervene in these cases.

The hearings will be held before a hearing examiner at the State Employees' Retirement System, 30 North Third Street, Fifth Floor, Harrisburg, PA 17101:

November 6, 2003	Mary Potts (Electing AA Service Credit)	1 p.m.
------------------	--	--------

November 13, 2003	Martin Levan III (Pension Forfeiture)	1 p.m.
-------------------	--	--------

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 4 Pa. Code § 250.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

JOHN BROSIUS,  
*Secretary*

[Pa.B. Doc. No. 03-1971. Filed for public inspection October 3, 2003, 9:00 a.m.]

---