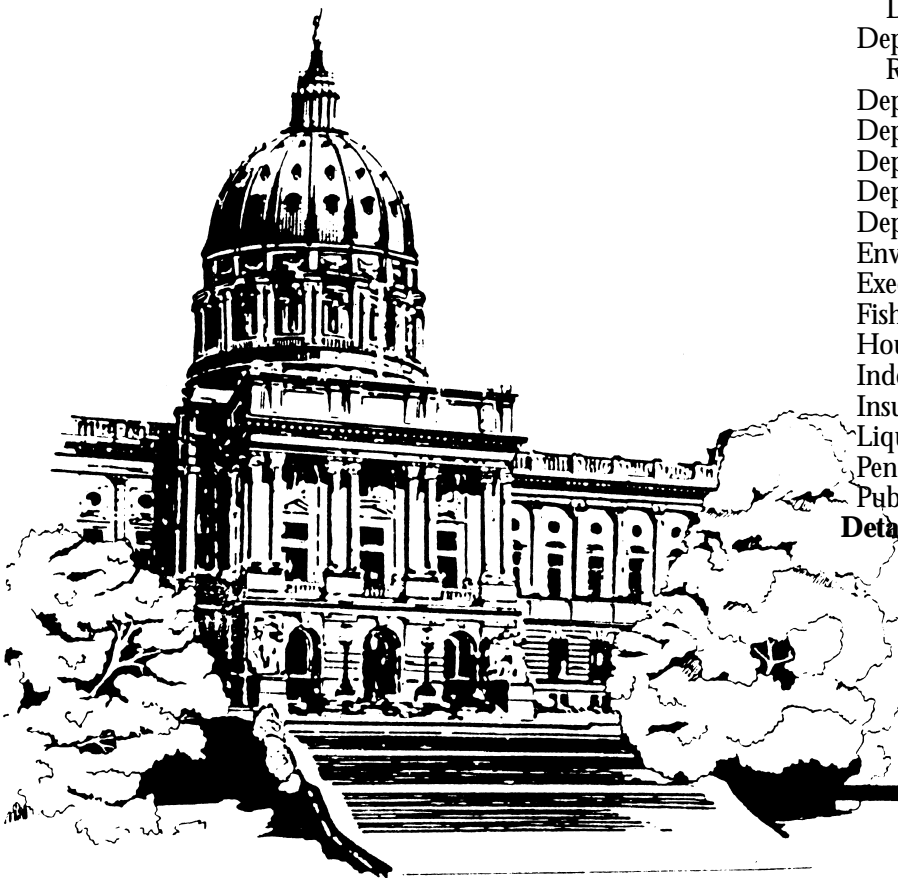


PENNSYLVANIA BULLETIN

Volume 33
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No. 347, October 2003

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Pennsylvania Bulletin

The *Pennsylvania Bulletin* is the official gazette of the Commonwealth of Pennsylvania. It is published every week and includes a table of contents. A cumulative subject matter index is published quarterly.

The *Pennsylvania Bulletin* serves several purposes. First, it is the temporary supplement to the *Pennsylvania Code*, which is the official codification of agency rules and regulations and other statutorily authorized documents. Changes in the codified text, whether by adoption, amendment, repeal or emergency action must be published in the *Pennsylvania Bulletin*. Further, agencies proposing changes to the codified text do so in the *Pennsylvania Bulletin*.

Second, the *Pennsylvania Bulletin* also publishes: Governor's Executive Orders; State Contract Notices; Summaries of Enacted Statutes; Statewide and Local Court Rules; Attorney General Opinions; Motor Carrier Applications before the Public Utility Commission; Applications and Actions before the Department of Environmental Protection; Orders of the Independent Regulatory Review Commission; and other documents authorized by law.

The text of certain documents published in the *Pennsylvania Bulletin* is the only valid and enforceable text. Courts are required to take judicial notice of the *Pennsylvania Bulletin*.

Adoption, Amendment or Repeal of Regulations

Generally an agency wishing to adopt, amend or repeal regulations must first publish in the *Pennsylvania Bulletin* a Notice of Proposed Rulemaking. There are limited instances where the agency may omit the proposal step; they still must publish the adopted version.

The Notice of Proposed Rulemaking contains the full text of the change, the agency contact person, a fiscal note required by law and background for the action.

The agency then allows sufficient time for public comment before taking final action. An adopted proposal must be published in the *Pennsylvania*

Bulletin before it can take effect. If the agency wishes to adopt changes to the Notice of Proposed Rulemaking to enlarge the scope, they must re-propose.

Citation to the *Pennsylvania Bulletin*

Cite material in the *Pennsylvania Bulletin* by volume number and page number. Example: Volume 1, *Pennsylvania Bulletin*, page 801 (short form: 1 Pa.B. 801).

Pennsylvania Code

The *Pennsylvania Code* is the official codification of rules and regulations issued by Commonwealth agencies and other statutorily authorized documents. The *Pennsylvania Bulletin* is the temporary supplement to the *Pennsylvania Code*, printing changes as soon as they occur. These changes are then permanently codified by the *Pennsylvania Code Reporter*, a monthly, loose-leaf supplement.

The *Pennsylvania Code* is cited by title number and section number. Example: Title 10 *Pennsylvania Code*, § 1.1 (short form: 10 Pa.Code § 1.1).

Under the *Pennsylvania Code* codification system, each regulation is assigned a unique number by title and section. Titles roughly parallel the organization of Commonwealth government. Title 1 *Pennsylvania Code* lists every agency and its corresponding *Code* title location.

How to Find Documents

Search for your area of interest in the *Pennsylvania Code*.

The *Pennsylvania Code* contains, as Finding Aids, subject indexes for the complete *Code* and for each individual title, a list of Statutes Used As Authority for Adopting Rules and a list of annotated cases. Source Notes give you the history of the documents. To see if there have been recent changes, not yet codified, check the List of *Pennsylvania Code* Chapters Affected in the most recent issue of the *Pennsylvania Bulletin*.

The *Pennsylvania Bulletin* also publishes a quarterly List of Pennsylvania Code Sections Affected which lists the regulations in numerical order, followed by the citation to the *Pennsylvania Bulletin* in which the change occurred.

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Printing Format

Material proposed to be added to an existing rule or regulation is printed in **bold face** and material proposed to be deleted from such a rule or regulation is enclosed in brackets [] and printed in **bold face**. Asterisks indicate ellipsis of *Pennsylvania Code* text retained without change. Proposed new or additional regulations are printed in ordinary style face.

Fiscal Notes

Section 612 of The Administrative Code of 1929 (71 P. S. § 232) requires that the Office of Budget prepare a fiscal note for regulatory actions and administrative procedures of the administrative departments, boards, commissions or authorities receiving money from the State Treasury stating whether the proposed action or procedure causes a loss of revenue or an increase in the cost of programs for the Commonwealth or its political subdivisions; that the fiscal note be published in the *Pennsylvania Bulletin* at the same time as the proposed change is advertised; and that the fiscal note shall provide the following information: (1) the designation of the fund out of which the appropriation providing for expenditures under the action or procedure shall be made; (2) the probable cost for the fiscal year the program is implemented; (3) projected cost estimate of the program for each of the five succeeding fiscal years; (4) fiscal history of the program for which expenditures are to be made; (5) probable loss of revenue for the fiscal year of its implementation; (6) projected loss of revenue from the program for each of the five succeeding fiscal years; (7) line item, if any, of the General Appropriation Act or other appropriation act out of which expenditures or losses of Commonwealth funds shall occur as a result of the action or procedures; (8) recommendation, if any, of the Secretary of the Budget and the reasons therefor.

The required information is published in the foregoing order immediately following the proposed change to which it relates; the omission of an item indicates that the agency text of the fiscal note states that there is no information available with respect thereto. In items (3) and (6) information is set forth for the first through fifth fiscal years; in that order, following the year the program is implemented, which is stated. In item (4) information is set forth for the current and two immediately preceding years, in that order. In item (8) the recommendation, if any, made by the Secretary of Budget is published with the fiscal note. See 4 Pa. Code § 7.231 *et seq.* Where “no fiscal impact” is published, the statement means no additional cost or revenue loss to the Commonwealth or its local political subdivision is intended.

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List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2003.

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THE GOVERNOR

Title 4—ADMINISTRATION

PART I. GOVERNOR'S OFFICE

[4 PA. CODE CH. 6]

[EXECUTIVE ORDER NO. 2003-12]

Governor's Cabinet on Children and Families

September 18, 2003

Whereas, there is no higher priority in public service than ensuring the health, welfare, and safety of our children, who are the foundation for the future success and development of this Commonwealth; and

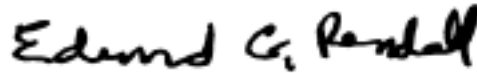
Whereas, the needs of our children and families are increasingly complex, and the network of services available to them are managed by a myriad of agencies, often with differing goals and objectives; and

Whereas, streamlining programs and processes, encouraging closer coordination among government agencies, and establishing clearer goals would allow more comprehensive solutions to the problems confronting children and families and allow both public and private agencies to better address the needs of our children and families; and

Whereas, the problems and issues that confront Pennsylvania's children will best be addressed by strong families and strong communities; and

Whereas, it is imperative that all parts of the Commonwealth continually seek new, innovative, and creative ways to manage scarce resources in order to strengthen families and improve the lives of the children of this Commonwealth.

Now, Therefore, I, Edward G. Rendell, Governor of the Commonwealth of Pennsylvania, by virtue of the authority invested in me by the Constitution of the Commonwealth of Pennsylvania and other laws of the Commonwealth, do hereby establish the Governor's Cabinet on Children and Families (hereinafter referred to as the "Cabinet") and do order and direct as follows:



Governor

Fiscal Note: GOV 03-13. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 4. ADMINISTRATION

PART I. GOVERNOR'S OFFICE

CHAPTER 6. ADDITIONAL COUNCILS AND COMMITTEES

Subchapter I. GOVERNOR'S CABINET ON CHILDREN AND FAMILIES

Sec.	Purpose.
6.111.	Purpose.
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§ 6.111. Purpose.

The purpose of the Governor's Cabinet on Children and Families is to make recommendations to the Governor on ways to improve the delivery of services to children and families by making the services more responsive, efficient and effective.

§ 6.112. Powers and duties.

The Governor's Cabinet on Children and Families (Cabinet) will have the power to:

(1) Review and evaluate State government programs that provide services for children and families.

(2) Review and evaluate the policies of State government agencies that affect the health and well-being of children and families and make recommendations to the Governor regarding the policies.

(3) Maximize the coordination of programs that affect children and families between and among State government agencies.

(4) Recommend the creation of new programs to serve the unmet needs of children and families.

(5) Identify program measures to evaluate the efficacy of State government programs affecting children and families, to redirect, revamp, consolidate or eliminate the programs.

(6) Work with charitable foundations, local government agencies, child advocacy groups, community and religious leaders, academia, policy and research organizations and other entities as may be appropriate to carry out the purpose of the Cabinet.

§ 6.113. Composition.

(a) The Governor's Cabinet on Children and Families (Cabinet) will consist of the Secretary of Public Welfare who will serve as Chairperson. The Chairperson will designate an individual to serve as Executive Director. Members include the following:

(1) The Secretary of Education.

(2) The Secretary of Health.

(3) The Secretary of Labor and Industry.

(4) The Insurance Commissioner.

(5) The Director of the Governor's Office of Health Care Reform.

(6) The Director of the Governor's Office of Policy or the Director's designee.

(7) The Chairperson of the Juvenile Court Judges' Commission.

(8) The Chairperson of the Pennsylvania Commission on Crime and Delinquency.

(9) The Governor's Chief of Staff or a designee.

(10) The Secretary of the Budget or a designee.

(b) Each agency represented on the Cabinet shall designate an individual to serve as a key staff contact. Agencies may assign staff, as necessary, to complete the work of the Cabinet.

§ 6.114. Responsibilities of Commonwealth agencies.

Commonwealth agencies under the direction of the Governor shall cooperate with the Governor's Cabinet on Children and Families (Cabinet). At a minimum, Commonwealth agencies will:

(1) Provide staff resources, information, records and materials, as necessary, for the Cabinet to carry out its responsibilities.

(2) Implement program improvements identified and adopted by the Cabinet.

(3) Evaluate the efficiency and effectiveness of management and productivity improvements.

(4) Recommend to the Cabinet areas of investigation that might result in improvements to Commonwealth government operations or removal of barriers that adversely affect the delivery of services to children and families.

§ 6.115. Commission on Children and Families.

(a) The Governor will appoint a Commission on Children and Families (Commission) to assist and advise the Governor's Cabinet on Children and Families to:

(1) Identify policy, program and systemic barriers that prevent State and local governments from effectively and efficiently serving the needs of children and families.

(2) Formulate remedies and solutions to identified problems.

(b) The Commission will consist of members appointed by the Governor, in numbers the Governor deems appropriate. The Governor will designate one Commission member to serve as chairperson.

§ 6.116. Compensation.

Members of the Commission on Children and Families will receive no compensation for their services, except that the members may be reimbursed for actual travel and related expenses in accordance with Commonwealth policy. See Chapter 40 (relating to travel and subsistence).

[Pa.B. Doc. No. 03-1973. Filed for public inspection October 10, 2003, 9:00 a.m.]

THE GENERAL ASSEMBLY

Recent Actions during the 2003 Regular Session of the General Assembly

The following is a summary of recent actions of the General Assembly during the 2003 Regular Session.

2003 GENERAL ACTS ENACTED—ACT 023

<i>Doc. No.</i>	<i>Date of Action</i>	<i>Bill Number</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
023	Sep 24	HB1148	PN2160	immediately	General Local Government Code (53 Pa.C.S.)—scope of unfunded debt, number of interest rates, treatment of debt costs upon refunding and interest rate risk and interest cost management

* denotes an effective date with exceptions

Effective Dates of Statutes

The effective dates specified above for laws and appropriation acts were contained in the applicable law or appropriation act. Where no date is specified or where the effective date specified is prior to the date of enactment, the effective date is 60 days after final enactment except for statutes making appropriations or affecting budgets of political subdivisions. See 1 Pa.C.S. §§ 1701—1704 (relating to effective dates of statutes).

Advance Copies of Statutes

Section 1106 of Title 1 of the *Pennsylvania Consolidated Statutes* provides that the prothonotaries of each county shall file advance copies of statutes in their offices for public inspection until the Laws of Pennsylvania are generally available. Section 2406(h) of The Administrative Code of 1929 provides that the Department of General Services shall distribute advance sheets of the Laws of Pennsylvania to each law judge of the courts, to every county and public library of this Commonwealth and to each member of the General Assembly. These copies shall be furnished without charge. The Department shall also mail one copy of each law enacted during any legislative session to any person who pays to it the sum of \$20.

Requests for annual subscriptions for advance copies of statutes should be sent to the State Bookstore-PHMC, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120-0053, accompanied by a check or money order in the sum of \$20, payable to the "Commonwealth of Pennsylvania."

ROBERT W. ZECH, Jr.,
Director
Legislative Reference Bureau

[Pa.B. Doc. No. 03-1974. Filed for public inspection October 10, 2003, 9:00 a.m.]

Recent Actions during the 2003 Regular Session of the General Assembly

The following is a summary of recent actions of the General Assembly during the 2003 Regular Session.

2003 GENERAL ACTS ENACTED—ACT 024 through 025

<i>Doc. No.</i>	<i>Date of Action</i>	<i>Bill Number</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
024	Sep 30	SB0008	PN1173	Sept. 30, 2003*	Crimes Code (18 Pa.C.S.), Judicial Code (42 Pa.C.S.) and Vehicle Code (75 Pa.C.S.)—impairment due to alcohol or controlled substances, Department of Transportation records and investigation by police officers
025	Sep 30	HB0297	PN2623	immediately*	Public Welfare Code—nursing facility assessments and Kinship Care Program

* denotes an effective date with exceptions

Effective Dates of Statutes

The effective dates specified above for laws and appropriation acts were contained in the applicable law or appropriation act. Where no date is specified or where the effective date specified is prior to the date of enactment, the effective date is 60 days after final enactment except for statutes making appropriations or affecting budgets of political subdivisions. See 1 Pa.C.S. §§ 1701—1704 (relating to effective dates of statutes).

Advance Copies of Statutes

Section 1106 of Title 1 of the *Pennsylvania Consolidated Statutes* provides that the prothonotaries of each county shall file advance copies of statutes in their offices for public inspection until the Laws of Pennsylvania are generally available. Section 2406(h) of The Administrative Code of 1929 provides that the Department of General Services shall distribute advance sheets of the Laws of Pennsylvania to each law judge of the courts, to every county and public library of this Commonwealth and to each member of the General Assembly. These copies shall be furnished without charge. The Department shall also mail one copy of each law enacted during any legislative session to any person who pays to it the sum of \$20.

Requests for annual subscriptions for advance copies of statutes should be sent to the State Bookstore-PHMC, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120-0053, accompanied by a check or money order in the sum of \$20, payable to the "Commonwealth of Pennsylvania."

ROBERT W. ZECH, Jr.,
Director
Legislative Reference Bureau

[Pa.B. Doc. No. 03-1975. Filed for public inspection October 10, 2003, 9:00 a.m.]

THE COURTS

Title 210—APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE PART II. INTERNAL OPERATING PROCEDURES OF THE SUPERIOR COURT

[210 PA. CODE CHS. 35 AND 65]

Amendments to Business of the Superior Court and the Superior Court Internal Operating Procedures

Rules of Appellate Procedure, Business of the Superior Court

The Superior Court of Pennsylvania has amended procedures by which requests that a decision of the Court be published are made. This policy is reflected in the Pennsylvania Rules of Appellate Procedure—Business of the Superior Court, with the amendment to Rule 3519, appearing in 210 Pa. Code Chapter 35.

Superior Court Internal Operating Procedures

The Superior Court of Pennsylvania has amended procedures by which requests that a decision of the Court be published are made. This policy is reflected in the Superior Court Internal Operating Procedures with the amendment to 210 Pa. Code Sec. 65.37.

These changes were approved on September 24, 2003, and become effective November 24, 2003.

ERNEST GENNACCARO,
*Chief Staff Attorney to the
Superior Court of Pennsylvania*

Annex A

TITLE 210. APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE ARTICLE III. MISCELLANEOUS PROVISIONS CHAPTER 35. BUSINESS OF THE SUPERIOR COURT

APPEALS AND ARGUMENT LISTS

Rule 3519. Requests for Publication.

* * * * *

(b) After an unpublished memorandum decision has been filed, the panel may sua sponte, or on the motion of any party to the appeal, or on request by the trial judge, convert the memorandum to a published opinion. In the case of a motion **of any party to the appeal** or a request from the trial judge, such motion or request must be filed with the Prothonotary within 14 days after the entry of the judgment or other order involved. The decision to publish is solely within the discretion of the panel.

PART II. INTERNAL OPERATING PROCEDURES

CHAPTER 65. INTERNAL OPERATING PROCEDURES OF THE SUPERIOR COURT

DECISIONAL PROCEDURES

§ 65.37. Unpublished Memoranda Decisions.

* * * * *

B. After an unpublished memorandum decision has been filed, the panel may sua sponte, or on the motion of any party to the appeal, or on request by the trial judge, convert the memorandum to a published opinion. In the case of a motion **of any party to the appeal** or a request from the trial judge, such motion or request must be filed with the Prothonotary within 14 days after the entry of judgment or other order involved. The decision to publish is solely within the discretion of the panel.

* * * * *

[Pa.B. Doc. No. 03-1976. Filed for public inspection October 10, 2003, 9:00 a.m.]

Title 231—RULES OF CIVIL PROCEDURE

PART I. GENERAL

[231 PA. CODE CH. 1910]

Amendments to the Rules of Civil Procedure Relating to Domestic Relations; No. 400 Civil Procedural Rules; Doc. No. 5

Order

Per Curiam:

And Now, this 24th day of 2003, Pennsylvania Rules of Civil Procedure 1910.16-5 and 1910.16-6 are amended as follows.

This order shall be processed in accordance with Pa.R.J.A. 103(b) and shall be effective immediately.

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 1910. ACTIONS FOR SUPPORT

Rule 1910.16-5. Support Guidelines. Deviation.

* * * * *

(c) In determining the duration of an award for spousal support or alimony pendente lite, the trier of fact shall consider the period of time during which the parties lived together from the date of marriage to the date of final separation.

Rule 1910.16-6. Support Guidelines. Adjustments to the Basic Support Obligation.

* * * * *

(c) *Unreimbursed Medical Expenses.* Unreimbursed medical expenses of the obligee or the children shall be allocated between the parties in proportion to their respective net incomes [and]. The court may direct that obligor's share be added to his or her basic support obligation, or paid directly to the obligee or to the health care provider.

(1) For purposes of this subdivision, medical expenses are annual unreimbursed medical expenses in excess of \$250 per person [which are recurring and can be reasonably predicted by the court at the time of establishment or modification of the support or

der]. Medical expenses include insurance co-payments and deductibles and all expenses incurred for reasonably necessary medical services and supplies, including but not limited to surgical, dental and optical services, and orthodontia. Medical expenses do not include cosmetic, chiropractic, psychiatric or psychological services unless specifically directed in the order of court.

* * * * *

[(2) If there are annual medical expenses in excess of \$250 per person which are unpredictable or non-recurring, the court may order that such expenses, if incurred, be allocated in proportion to the parties' net incomes. The court may direct obligor to pay his or her share either to the obligee or directly to the health care provider.]

[(3) (2) * * *

[(4) (3) * * *

* * * * *

[Pa.B. Doc. No. 03-1977. Filed for public inspection October 10, 2003, 9:00 a.m.]

Title 246—MINOR COURT CIVIL RULES

PART I. GENERAL

[246 PA. CODE CH. 400]

Clarification Regarding Distribution of Proceeds of Sale

The Minor Court Rules Committee is planning to recommend that the Supreme Court of Pennsylvania amend Rule 416 of the Rules of Conduct, Office Standards and Civil Procedure for District Justices to clarify that an executing officer shall distribute the proceeds of a sale directly to the party or parties entitled to receive the proceeds. The Committee has not submitted this proposal for review by the Supreme Court of Pennsylvania.

The following explanatory Report highlights the Committee's considerations in formulating this proposal. The Committee's Report should not be confused with the Committee's Official Notes to the rules. The Supreme Court does not adopt the Committee's Official Notes or the contents of the explanatory reports.

The text of the proposed changes precedes the Report. Additions are shown in bold; deletions are in bold and brackets.

We request that interested persons submit suggestions, comments, or objections concerning this proposal to the Committee through counsel,

Michael F. Krimmel, Counsel
 Supreme Court of Pennsylvania
 Minor Court Rules Committee
 5035 Ritter Road, Suite 700
 Mechanicsburg, PA 17055
 Fax 717-795-2175

or e-mail to: minorrules@pacourts.us

no later than Monday, November 17, 2003.

By the Minor Court Rules Committee

THOMAS E. MARTIN, Jr.,
Chair

Annex A

TITLE 246. MINOR COURT CIVIL RULES

PART I. GENERAL

CHAPTER 400. EXECUTION OF JUDGMENTS FOR THE PAYMENT OF MONEY

Rule 416. Distribution of Proceeds. Priorities.

A. Not later than five **[(5)]** days after the sale of personal property the officer executing the order shall prepare a **proposed** schedule of **[(proposed)]** distribution of the proceeds of sale which shall be kept on file in the office of the district justice from which the order issued and shall be available for inspection. No schedule of distribution need be filed when the property is sold to the plaintiff for costs only.

B. When a receipt of the plaintiff has been accepted on account of the purchase price, the schedule shall set forth **[(his)]** the plaintiff's name and address, the amount of **[(his)]** the judgment and the amount of credit claimed or allowed upon the purchase price.

C. **[(The officer executing the order shall distribute the proceeds of the sale in accordance with the proposed schedule of distribution unless written exceptions are filed in the office of the district justice from which the order issued not later than ten (10) days after the filing of the proposed schedule.)** Unless written exceptions are filed in the office of the district justice from which the order issued not later than ten days after the filing of the proposed schedule of distribution, the officer executing the order shall distribute the proceeds of the sale directly to the party or parties entitled to receive the proceeds in accordance with the proposed schedule.

* * * * *

REPORT

Proposed Amendment to Rule 416 of the Rules of Conduct, Office Standards and Civil Procedure for District Justices

CLARIFICATION REGARDING DISTRIBUTION OF PROCEEDS OF SALE

The Minor Court Rules Committee (hereinafter the Committee) undertook a review of Pa. R.C.P.D.J. No. 416 (Distribution of Proceeds. Priorities.) in response to an inquiry about who is to distribute the proceeds of a sale of personal property held in accordance with an order of execution. The Committee learned that some executing officers (sheriffs and constables) are forwarding the proceeds of the sale to the district justice court for distribution. The Committee believes that the appropriate procedure, and the intent of Rule 416C, is for the executing officer to distribute the proceeds of the sale directly to the party or parties entitled to receive the proceeds. The Committee noted that the district justice has very limited direct involvement in the execution process beyond the issuance of the order of execution and the determination of property claims and disputes, if any.¹ Importantly, the Committee believes that there is no specific accounting mechanism in the district justice courts to receive, account for, and distribute the proceeds of a sale.

Accordingly, the Committee proposes that Rule 416C be amended to further clarify that "the officer executing the

¹ See generally Pa.R.C.P.D.J. Nos. 401—482 (relating to execution of judgments for the payment of money).

order shall distribute the proceeds of the sale directly to the party or parties entitled to receive the proceeds." In addition, the Committee proposes minor technical or "housekeeping" amendments to the Rule to address gender neutrality and to conform to modern drafting style.

[Pa.B. Doc. No. 03-1978. Filed for public inspection October 10, 2003, 9:00 a.m.]

Title 255—LOCAL COURT RULES

CLARION COUNTY

Order Amending Local Rules of Procedure for Civil Actions; Misc. Doc. No. 1211 MISC 2003

Order

And Now, September 25, 2003 it is hereby ordered:

1. Clarion County Local Rule of Civil Procedure L1915.3, Actions For Custody, Partial Custody and Visitation of Minor Children and Local Rules of Civil Procedure L1940.3 Mediation in Custody Actions and Local Rule 1940.5 Duties of Mediator, copies of which follow this order, are adopted, effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

2. The Clarion County Court Administrator is directed to:

A. File seven (7) certified copies of this Order and the attached Rules with the Administrative Office of Pennsylvania Courts.

B. Distribute two (2) certified copies of this Order and the attached Rules to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

C. File one (1) certified copy of this Order and the attached Rules with the Pennsylvania Domestic Relations Procedural Rules Committee.

D. Provide the Clarion County Prothonotary with a copy of the new Rules. The Clarion County Prothonotary shall, upon adoption of Local Rules L1915.3, 1940.3 and 1940.5, include a copy of the new adopted Rules in all copies of the Local Rules of Procedure when those rules are delivered to persons requesting a copy.

By the Court

JAMES G. ARNER,
President Judge

ACTIONS FOR CUSTODY, PARTIAL CUSTODY AND VISITATION OF MINOR CHILDREN

Rule L1915.3. Commencement of Action. Complaint. Order for Conciliation Conference. Conciliation Conference.

(a) Upon commencement of an action for custody, partial custody or visitation of minor children, or the filing of a petition seeking modification or contempt of an existing order or seeking relocation, the plaintiff/petitioner shall attach an order to the original complaint or petition, directing the defendant/respondent to attend a conciliation conference. The court will schedule the conciliation conference at a court facility and the Prothonotary will provide a copy of a scheduling order to the plaintiff/petitioner for service on the defendant/respondent.

(b) The parties and their attorneys shall attend the conciliation conference.

(c) At the conference, the parties and their attorneys shall meet and discuss the issues and use their best efforts to reach a settlement based on the best interests and welfare of the child/children.

(d) Upon reaching a settlement, the attorneys and parties shall immediately dictate a consent order. The court will make a member of its staff available to prepare the order. The parties shall sign the order and present it to the court staff before leaving the court facility.

(e) If the parties are unable to reach a settlement of the issues, they shall notify the court before leaving the court facility.

(f) In the event Pa.R.C.P. 1940.3(b) or another rule or law prevents the court from ordering a mediation orientation session, the parties and their attorneys shall so notify the court at the conclusion of the conciliation conference and the court will proceed to schedule a pre-hearing conference. Otherwise, the court will order a mediation orientation session and mediation pursuant to Rule L1940.3.

In those cases which proceed to a pre-hearing conference, a pre-hearing statement shall be filed with the court by each party at least seven (7) days before the pre-hearing conference. If no agreement is reached at the pre-hearing conference the court will schedule a hearing.

MEDIATION IN CUSTODY ACTIONS

Rule L1940.3. Order for Orientation Session and Mediation. Selection of Mediator

(a) In those cases where the parties have participated in a conciliation conference pursuant to Rule L1915.3 and have been unable to reach a settlement, except when mediation is prohibited by Pa.R.C.P. 1940.3(b) or another rule or law, the court will order an orientation session and a mediation conference ("the mediation") and the parties and their counsel shall attend and participate as ordered.

(b) The court shall set a date and time for the mediation as soon as practical after the pleading asserting the child custody issue is brought to the attention of the court.

(c) The cost of the mediation shall be paid equally by the parties and each party shall deposit his/her share with the court administrator not later than seven (7) days prior to date of the mediation.

(d) All applications for continuance shall be made in writing to the court and shall follow Clarion County Rule L216. No requests for continuance shall be made less than seven (7) days prior to the scheduled mediation.

Rule L1940.5. Duties of Mediator

(a) The child custody mediator shall ascertain the issues in the action through discussion with the attorneys and/or the parties. He/she shall not take testimony and the mediation shall not be of record. Rather, the mediator shall attempt to determine the relevant facts through discussion and shall suggest or recommend a proposed settlement.

(b) The mediation procedure shall at all times be in the sole discretion of the child custody mediator, in accordance with applicable rules of court.

(c) When the child custody mediator determines that the parties have reached full agreement concerning the matter, he/she shall immediately have the parties and

their attorneys report to the court administrator. The court administrator shall make a member of the court staff available to prepare a consent order, which shall be dictated either by the attorneys or by the mediator. Upon preparation and execution thereof the same shall be submitted to the court for approval and signature.

(d) If the parties can reach only partial agreement concerning the action, the child custody mediator in his/her discretion may dictate a consent order covering the partial agreement and refer the disputed areas to the court for decision, or may refer the entire action to the court for decision. The child custody mediator may further, in his/her discretion, dictate a consent order based upon the submission of a written stipulation executed by the attorneys and/or the parties.

(e) If, when the mediation is called, one party does not appear either personally or by counsel, the mediator shall ascertain whether service and notice of the mediation have been made upon the non-appearing party. If service and notice have been made, the mediator may, in his/her discretion, dictate an order granting the relief requested by the appearing party. If no party appears either personally or through an attorney, the mediator shall submit a report to the court, together with a proposed order to dismiss the action, in which event costs shall be assessed and collected.

(f) If it appears to the mediator that psychological evaluations and/or home studies are needed for ultimate resolution of the matter, he/she shall report that decision to the court. The court will then decide whether to issue an order of court directing such psychological evaluations and/or home studies. The costs of such evaluations and/or home studies shall be paid equally by the parties unless for cause shown the court directs otherwise.

(g) In those actions where the parties cannot reach agreement, the mediator shall prepare and file a report pursuant to Pa.R.C.P. 1940.6.

(h) With the consent of the parties, the mediator shall state in the report a concise summary of the mediation, including the background of the action, the allegations of the parties concerning the areas of dispute, and the recommendations, if any, of the mediator concerning disposition. The mediator shall attach any evaluation reports and home studies to such report. The report shall also include pre-trial information, which the attorneys shall be prepared to provide to the child custody mediator, such as lists of witnesses, exhibits, and stipulations, and an estimate of trial time.

(i) A proposed order setting the matter for a pre-hearing conference before the court and requiring the filing of pre-hearing statements at least seven (7) days before the pre-hearing conference shall be attached to any report submitted by the mediator.

[Pa.B. Doc. No. 03-1979. Filed for public inspection October 10, 2003, 9:00 a.m.]

SOMERSET COUNTY

Consolidated Rules of Court; No. 58 Misc. 2003

Adopting Order

Now, this 10th day of September, 2003, it is *Ordered*:

1. Somerset County Rules of Civil Procedure (Som.R.C.P.) 3103, Attachment Of Personal Earnings To

Satisfy Judgment Awarded To A Judgment Creditor-Landlord, and 3252, Form Of Writ Of Execution-Attachment Of Personal Earnings To Satisfy Judgment Awarded To A Judgment Creditor-Landlord, are amended to read in their entirety as reflected in revised Som.R.C.P. 3103 and Som.R.C.P. 3252, as follows, effective thirty days after publication in the *Pennsylvania Bulletin*.

2. The Somerset County Court Administrator is directed to:

A. File seven (7) certified copies of this Order and the attached Rules with the Administrative Office of Pennsylvania Courts.

B. Distribute two (2) certified copies of this Order and the attached Rules to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

C. File one (1) certified copy of this Order and the attached Rules with the Pennsylvania Civil Procedural Rules Committee.

D. File proof of compliance with this Order in the docket for these Rules, which shall include a copy of each transmittal letter.

By the Court

EUGENE E. FIKE, II
President Judge

Som.R.C.P. 3103. Attachment Of Personal Earnings To Satisfy Judgment Awarded To A Judgment Creditor-Landlord.

A. To execute on a judgment by means of attachment of personal earnings of a judgment debtor-tenant, to recover amounts awarded to a landlord on a residential lease, the judgment creditor-landlord shall file in the Prothonotary's Office a praecipe for writ of execution in substantially the form specified in applicable Pennsylvania Rules of Civil Procedure.

B. The judgment creditor-landlord shall attach to the praecipe a signed statement certifying:

1. The amount awarded to the judgment creditor-landlord, and the amount subject to attachment.

2. That the amount awarded arose out of a residential lease upon which a court has rendered final judgment.

3. That forfeited security deposits, if any, have been deducted as required by § 8127 of the Judicial Code, 42 Pa.C.S.A. § 8127, or that, if not deducted, the security deposit has been applied to payment of rent due on the subject premises.

C. Upon presentation of the praecipe with attached statement as required by subparagraph B. of this Rule, a writ of execution-attachment shall issue, in substantially the form specified in Som.R.C.P. 3252. The writ of execution-attachment shall have attached a copy of § 8127 of the Judicial Code, 42 Pa.C.S.A. § 8127.

D. The judgment creditor-landlord shall be responsible for effecting service of the writ of execution-attachment through the Sheriff's Office. The writ of execution-attachment shall have attached a copy of § 8127 of the Judicial Code, 42 Pa.C.S.A. § 8127.

Som.R.C.P. 3252. Form Of Writ Of Execution-Attachment Of Personal Earnings To Satisfy Judgment Awarded To A Judgment Creditor-Landlord.

(Caption)
WRIT OF EXECUTION-ATTACHMENT
NOTICE

This paper is a writ of execution-attachment. It has been issued because there is a judgment against you. It may cause your personal earnings, including wages, to be taken to pay the judgment. You may have legal rights to prevent your earnings from being taken. A lawyer can advise you more specifically of these rights. If you wish to exercise your rights, you must act promptly.

The law provides that earnings, including wages, cannot be taken under certain circumstances. There are exemptions which may be applicable to you.

If you believe your earnings should be exempt, you should do the following promptly: (1) Fill out the attached claim form and demand for a prompt hearing. (2) Deliver the form or mail it to the Sheriff's Office at the address noted.

You should come to court ready to explain your exemption. If you do not come to court and prove your exemption, a portion of your earnings will be attached, deducted and paid toward satisfaction of the judgment.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Southwestern Pennsylvania Legal Services, Inc.
132 East Catherine Street
Somerset, PA 15501
(814) 443-4615

WRIT OF EXECUTION-ATTACHMENT
COMMONWEALTH OF PENNSYLVANIA)
)ss:
COUNTY OF SOMERSET)

TO THE SHERIFF OF SOMERSET COUNTY:

To satisfy the judgment, interest, and costs against _____, defendant, you are directed to attach the personal earnings, including wages, of the defendant, due or to become due from the defendant's employer, _____

(Name of Employer-Garnishee)
as garnishee, and to notify the employer-garnishee that the employer-garnishee is required to deduct from the defendant's personal earnings, including wages, and pay over to the Prothonotary's Office, a sum which shall be no more than ten (10%) percent of the net wages per pay

period of the defendant or a sum not to place the defendant's net income below the poverty income guidelines as provided annually by the Federal Office of Management and Budget, whichever is less, as provided for, and subject to the restrictions contained in, § 8127 of the Judicial Code, 42 Pa.C.S.A. § 8127, copy of which is attached. Deduction shall continue until the amount of the judgment is satisfied.

AMOUNT DUE \$ _____

Seal of the Court: _____
(Name of Prothonotary or Clerk)

By _____
(Prothonotary or Deputy)

(Caption)

CLAIM FOR EXEMPTION

TO THE SHERIFF OF SOMERSET COUNTY:

I, the above named defendant, claim exemption of personal earnings, including wages, from attachment for the following reasons (specify amount and basis of claim of exemption):

I request a prompt court hearing to determine the exemption. Notice of the hearing should be given to me at: _____

(Address and Telephone Number)

I verify that the statements made in this claim for exemption are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.

(Date)

(Defendant)

THIS CLAIM IS TO BE FILED WITH THE OFFICE OF THE SHERIFF OF SOMERSET COUNTY:

127 East Fairview Street
Somerset, PA 15501
(814) 445-1500

[Pa.B. Doc. No. 03-1980. Filed for public inspection October 10, 2003, 9:00 a.m.]

RULES AND REGULATIONS

Title 28—HEALTH AND SAFETY

DEPARTMENT OF HEALTH

[28 PA. CODE CH. 1103]

[Correction]

Supplemental Nutrition Program for Women, Infants and Children

An error occurred in the final-form rulemaking which appeared at 33 Pa.B. 4900, 4908 (October 4, 2003). An error appeared in § 1103.4. The correct version is as follows, with ellipses referring to the existing text of the regulation:

Annex A

TITLE 28. HEALTH AND SAFETY

PART VIII. SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS AND CHILDREN (WIC PROGRAM)

CHAPTER 1103. AUTHORIZATION OF STORES

§ 1103.4. Selection criteria for authorization and reauthorization.

The Department will use the following selection criteria to identify stores that meet the operational criteria to serve as a WIC authorized store:

- (1) The store shall be located within this Commonwealth.

* * * * *

[Pa.B. Doc. No. 03-1933. Filed for public inspection October 3, 2003, 9:00 a.m.]

PROPOSED RULEMAKING

FISH AND BOAT COMMISSION

[58 PA. CODE CHS. 51, 63 AND 93]

General Provisions; Fishing; Boating

The Fish and Boat Commission (Commission) proposes to amend Chapters 51, 63 and 93 (relating to administrative provisions; general fishing regulations; and boat registration and numbering). The Commission is publishing this proposed rulemaking under the authority of 30 Pa.C.S. (relating to the Fish and Boat Code) (code). The proposed rulemaking relates to permits for fish collecting activities, fishing and registration and titling.

A. Effective Date

The proposed rulemaking, if approved on final-form, will go into effect upon publication of an order in the *Pennsylvania Bulletin*.

B. Contact Person

For further information on the proposed rulemaking, contact Laurie E. Shepler, Assistant Counsel, P. O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7815. This proposed rulemaking is available electronically through the Commission's website (<http://www.fish.state.pa.us>).

C. Statutory Authority

The proposed additions of §§ 51.72 and 51.73 (relating to permits for commercial pest control agents; and general permits for fish collecting activities) are published under the statutory authority of section 2905 of the code (relating to permits for scientific and educational fish collecting activities). The proposed amendments to §§ 63.6 and 63.8 (relating to authorized devices for game fish, baitfish and fishbait; and long bows, spears and gigs) are published under the statutory authority of section 2102(b) of the code (relating to rules and regulations). The proposed amendments to § 93.9 (relating to surrender of certificate of registration) are published under the statutory authority of section 5122 of the code (relating to registrations, licenses, permits, plates and statistics). The proposed amendments to § 93.102 (relating to application procedure and contents of applications for certificates of title) are published under the statutory authority of section 5325 of the code (relating to rules and regulations).

D. Purpose and Background

The proposed rulemaking is designed to update, modify and improve the Commission's regulations pertaining to permits for fish collecting activities, fishing and registration and titling.

E. Summary of Proposed Rulemaking

(1) *Sections 51.72 and 51.73.* From time to time, the Commission's regional law enforcement offices receive calls from individuals seeking assistance in removing snakes or other unwanted "visitors" from their residences. Generally, the response is to refer the individuals to a commercial pest control business. Unlike the Game Commission, the Commission does not have regulations governing commercial pest control agents. Commercial entities that wish to engage in this business as it pertains to fish have been advised by Commission staff in the past to obtain a scientific collectors' permit under § 51.71 (relat-

ing to scientific collectors' permits). The Commission believes that there are issues associated with commercial pest control agents that require regulations that are tailored to this business. Accordingly, the Commission proposes to add § 51.72 to read as set forth in Annex A. The Commission also proposes to add § 51.73 to read as set forth in Annex A to cover fish collecting activities other than for scientific or educational research purposes or pest control.

(2) *Section 63.6.* A recent review of the Commission's regulations has revealed the need to clarify that nets may not be used to catch or take game fish. This issue has arisen with regard to the Lake Erie tributaries and the illegal netting of steelhead. Accordingly, the Commission proposes to amend this section to read as set forth in Annex A.

(3) *Section 63.8.* In recent years, crossbows have become more popular and the Game Commission has relaxed restrictions for their use during the regular firearms season for deer and during the elk and bear seasons. Allowing their use in fishing would have no or little impact and would eliminate the need for a permit for their use for persons with disabilities. Accordingly, the Commission proposes to amend this section to read as set forth in Annex A.

(4) *Section 93.9.* This section sets forth the conditions under which an individual is required to surrender a certificate of registration. The condition in this section dealing with documented vessels is not valid. Documented vessels are exempt from the requirement to display the registration number but are required to be registered, in part, to serve as proof of payment of sales tax. Because documented vessels are required to be registered, their owners must possess a certificate of registration and display a validation decal. Accordingly, the Commission proposes to amend this section to read as set forth in Annex A.

(5) *Section 93.102.* A question has arisen regarding whether it is appropriate for the Commission to issue a certificate of title for a boat that is currently registered in another state. For example, a North Carolina resident recently sought to obtain a Pennsylvania title for a boat that is currently registered in North Carolina. Although North Carolina does not have a mandatory titling program, it does allow individuals to voluntarily title their boats. The individual did not want to title the boat in North Carolina, but wished to keep the boat registered there.

The Commission has determined that as a matter of policy it should not issue certificates of title for boats that are currently registered in other states. Accordingly, the Commission proposes to amend this section to read as set forth in Annex A.

F. Paperwork

The proposed additions of §§ 51.72 and 51.73 will create new paperwork requirements in that individuals who wish to apply for permits for commercial pest control agents and general permits for fish collecting activities will have to complete an application on the form prescribed by the Commission. However, the Commission currently is issuing permits covering these activities under its already existing scientific collectors' permit program. Thus, the increase in paperwork will be modest.

The remainder of the proposed rulemaking will not increase paperwork and will create no new paperwork requirements.

G. Fiscal Impact

The proposed rulemaking will have no adverse fiscal impact on the Commonwealth or its political subdivisions. The proposed additions of §§ 51.72 and 51.73 will impose new costs on the private sector and the general public in that individuals applying for permits for commercial pest control agents and general permits for fish collecting activities will have to pay a fee. The remainder of the proposed rulemaking will impose no new costs on the private sector or the general public.

H. Public Comments

Interested persons are invited to submit written comments, objections or suggestions about the proposed rulemaking to the Deputy Executive Director, Fish and Boat Commission, P. O. Box 67000, Harrisburg, PA 17106-7000 within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

Comments also may be submitted electronically to ra-pfbcregs@state.pa.us. A subject heading of the proposal and a return name and address must be included in each transmission. In addition, all electronic comments must be contained in the text of the transmission, not in an attachment. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt.

DENNIS T. GUISE,
Deputy Executive Director

Fiscal Note: 48A-149. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART II. FISH AND BOAT COMMISSION

Subpart A. GENERAL PROVISIONS

CHAPTER 51. ADMINISTRATIVE PROVISIONS

Subchapter H. PERMITS FOR FISH COLLECTING ACTIVITIES

§ 51.72. Permits for commercial pest control agents.

(a) *General.* An annual commercial pest control permit is required to take, catch, possess, transport, release or dispatch fish, reptiles and amphibians, for another person for a fee or other consideration, that are creating a nuisance or are a risk to human health or safety. This permit authorizes the agent to control designated fish, reptiles and amphibians for another at any time of the year.

(b) *Application.* In addition to the requirements of § 51.42 (relating to applications), an application for an annual commercial pest control permit shall be accompanied by a nonrefundable fee of \$50.

(c) *Operation.*

(1) An agent shall have the approval of the property owner or lessee and confine all activities to that property.

(2) An agent shall carry the permit and a valid Pennsylvania fishing license at all times and present it upon the request of any officer authorized to enforce the code.

(3) An agent shall comply with the terms and conditions of the permit.

(d) *Records and reports.* An agent shall keep a record of all activities conducted under the authority of the permit on the form prescribed by the Commission.

(1) The agent shall keep the records for 3 years following the expiration of the permit, and the records shall be the basis of any reports required by the Commission. Records shall be available for inspection during normal business hours at the request of any officer authorized to enforce the code.

(2) An agent shall submit an annual report of activities to the Commission on the form prescribed by the Commission. The agent shall submit the report by January 31 of the year following the year for which the permit was issued. The report shall list the number of each species taken and their disposition.

(e) *Unlawful acts.* It is unlawful:

(1) To catch, take, kill, possess, export or import any threatened or endangered species without the proper permits and approval of the Commission.

(2) Except with the prior written permission of the Commission, to sell, trade, barter or transfer to another person any live or dead fish, reptile or amphibian, including parts, taken under the authority of a permit.

(3) To release nonnative species of fish, reptiles or amphibians into the waters or other areas of this Commonwealth.

§ 51.73. General permits for fish collecting activities.

(a) A valid and current general permit for fishing collecting activities for purposes other than those described in §§ 51.71 and 51.72 (relating to scientific collectors' permits; and permits for commercial pest control agents) is required to collect, take or maintain any species of Pennsylvania fishes, amphibians, reptiles or aquatic organisms, during seasons not permitted by regulations governing holders of a valid Pennsylvania license, individual rattlesnake hunter permit, organized amphibian and reptile hunt permit or other license or permit.

(b) Holders of general permits and their assistants shall comply with terms and conditions of the permit, including the requirement for a report of collecting activities.

Subpart B. FISHING

CHAPTER 63. GENERAL FISHING REGULATIONS

§ 63.6. Authorized devices for game fish, baitfish and fishbait.

* * * * *

(e) It is unlawful to use any type of net or seine to catch or take game fish. A landing net may be used to land game fish legally caught by hook and line.

§ 63.8. Long bows, crossbows, spears and gigs.

(a) *General.* Except as otherwise provided in this part, carp, gar, suckers and eels may be taken with [a long bow, including compound, and arrow; a spear; or

gig] long bows and arrow, including compound bows, crossbows, spears or gigs any hour of the day or night aided by a light at night if so desired, in Commonwealth waters and waters bounding and adjacent thereto[; except that there may be no spearing in the tributaries of Lake Erie from 7 p.m. to 7 a.m. daily].

(b) *Delaware River.* The following provisions apply to use of long bows **and arrow**, including compound **bows, crossbows**, spears and gigs on the Delaware River:

* * * * *

(2) It is unlawful to use long bows and arrow, including compound, **crossbows**, spears or gigs to take fish within 275 yards of an eel weir.

(3) Except as provided in paragraph (1), it is unlawful to take any fish on the Delaware River by means of long bows and arrow, **including compound bows, crossbows**, spears or gigs.

* * * * *

(d) *Restrictions.* Spears or gigs may not be mechanically propelled, may not have more than five barbed points, and may not be used in approved trout waters. **[Except as provided in subsection (e), the use of crossbows is prohibited.**

(e) *Persons with disabilities.* The Executive Director, or a designee, may issue permits to persons exempt from the fishing license requirement under section 2709(b) of the code (relating to exemptions from license requirements)—except a person who is blind—and a person who is permanently deprived of the use of a leg or an arm or both arms allowing them to use crossbows or mechanically propelled spears and gigs subject to limitations and conditions as set forth in the permit. Persons who wish to apply for a permit under this section may apply on forms provided by: Director, Bureau of Law Enforcement, Pennsylvania Fish and Boat Commission, Post Office Box 67000, Harrisburg, Pennsylvania 17106-7000.]

Subpart C. BOATING

CHAPTER 93. BOAT REGISTRATION AND NUMBERING

Subchapter A. REGISTRATION OF BOATS

§ 93.9. Surrender of certificate of registration.

(a) The person whose name appears on the certificate of registration as owner of a boat shall surrender the certificate and the validation decals to the Commission, within 15 days after it becomes invalid, for one or more of the following reasons:

(1) **[The boat becomes documented.**

(2) **] The owner transfers ownership of the boat.**

[(3)] (2) * * *

[(4)] (3) * * *

[(5)] (4) * * *

[(6)] (5) * * *

[(7)] (6) * * *

(b) If the certificate of registration becomes invalid for the reasons in subsection **[(a)(1), (4) or (6)] (a)(3) or (5)**, the person whose name appears on the certificate as the owner shall remove the number and validation decal from the boat. If the registration becomes invalid for the reasons in subsection (a)**[(7)](6)**, the owner shall remove the validation decal but shall leave the registration number fixed to the boat.

* * * * *

Subchapter B. TITLING OF BOATS

§ 93.102. Application procedure and contents of applications for certificates of title.

* * * * *

(e) **The Commission will not issue a certificate of title for a boat that is registered or titled, or both, in another state or that is documented by the United States Coast Guard unless the application for title is accompanied by the current certificates of registration or title, or both, for the boat or evidence that the marine document for the boat is no longer in effect.**

[Pa.B. Doc. No. 03-1981. Filed for public inspection October 10, 2003, 9:00 a.m.]

STATEMENTS OF POLICY

Title 4—ADMINISTRATION

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

Reorganization of the Department of General Services

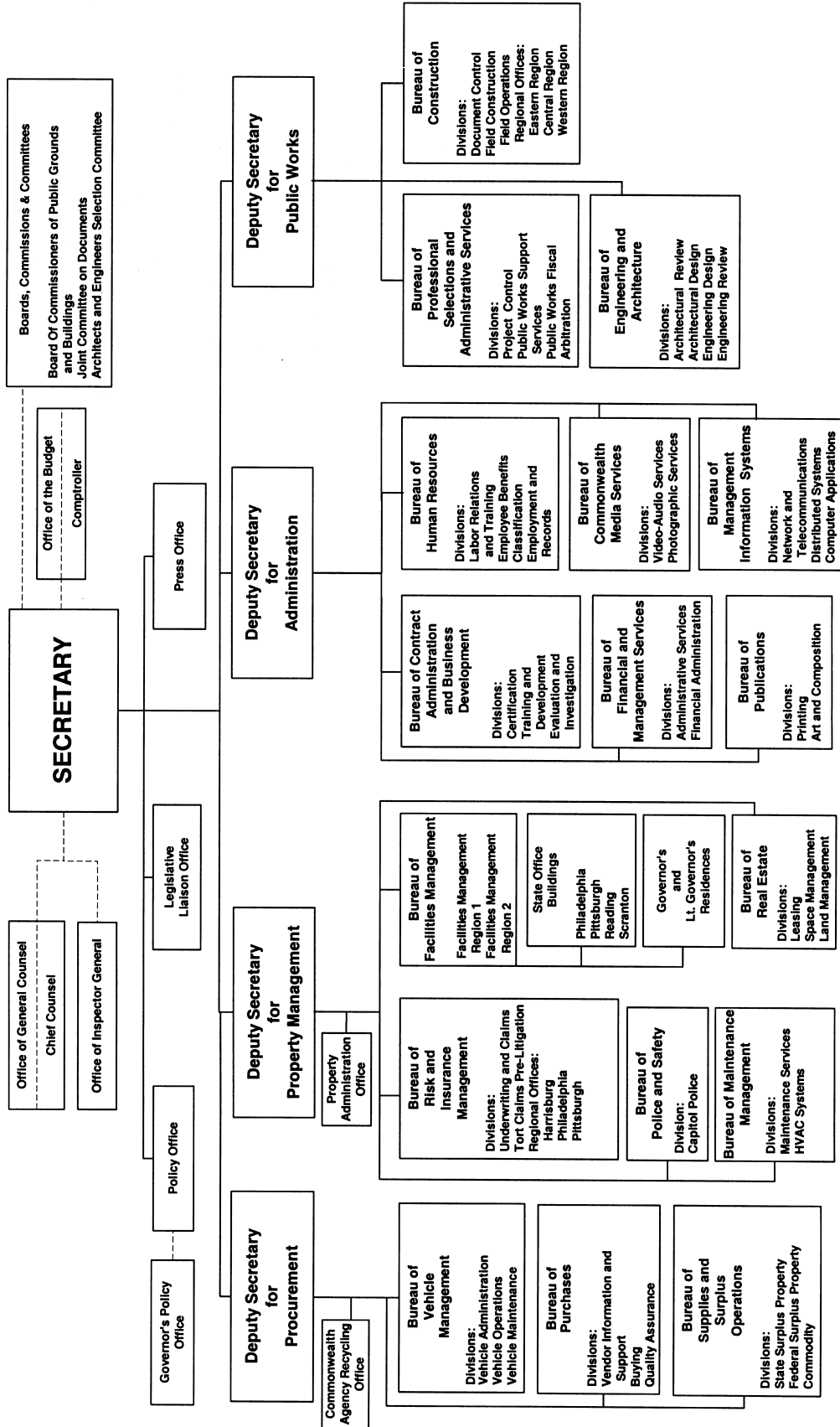
The Executive Board approved a reorganization of the Department of General Services effective September 24, 2003.

The organization chart at 33 Pa.B. 5085 (October 11, 2003) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of Code).

(Editor's Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) as a document general and permanent in nature which shall be codified in the Pennsylvania Code.)

[Pa.B. Doc. No. 03-1982. Filed for public inspection October 10, 2003, 9:00 a.m.]

DEPARTMENT OF GENERAL SERVICES



NOTICES

DELAWARE RIVER BASIN COMMISSION

Meeting and Public Hearing

The Delaware River Basin Commission (Commission) will hold an informal conference followed by a public hearing on Wednesday, October 15, 2003. The hearing will be part of the Commission's regular business meeting. Both the conference session and business meeting are open to the public and will be held at the Commission's offices at 25 State Police Drive, West Trenton, NJ.

The conference among the commissioners and staff will begin at 9:30 a.m. Topics of discussion will include: an update on development of the Water Resources Plan for the Delaware River Basin, including a proposed resolution authorizing the executive director to solicit public comment on the draft plan; an update on establishment of the TMDLs for PCBs in the Delaware Estuary; an update on activities concerning the TMDL Implementation Advisory Committee (IAC), including a summary of a meeting among the regulatory agency participants, IAC membership status, fundraising and plans for an initial 2-day meeting on October 21 and 22, 2003; a discussion on the status of the Lake Wallenpaupack drought operating plan approved by Resolution No. 2002-33 on November 25, 2002, including a proposal to extend beyond December 3, 2003, the credit granted PPL to satisfy its consumptive use compensation requirement; and a presentation by a representative from PSEG updating their Estuary Enhancement Program.

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

1. *Borough of Jim Thorpe D-81-71 CP Renewal 3*. An application for the renewal of a ground water withdrawal project to continue withdrawal of 14.1 million gallons per 30 days (mg/30 days) to supply the applicant's public distribution system from existing Wells Nos. 1 and 4 in the Maunch Chunk Formation in the Silkmill Run Watershed. The project is located in Jim Thorpe Borough, Carbon County.

2. *Borough of Alpha D-87-62 CP Renewal 2*. An application to renew a ground water withdrawal of 13.0 mg/30 days to supply the applicant's public distribution system from existing Wells Nos. 1—3 in the Lopatcong Creek and Pohatcong Creek watersheds. The project is located in Alpha Borough, Warren County, NJ.

3. *City of Bridgeton D-98-50 CP*. An application to replace Wells Nos. 3 and 6—9 in the applicant's public water distribution system, which have become unreliable, with replacement Wells Nos. 18—21 and to add new Wells Nos. 22—24. The applicant requests that the combined allocation for the new wells be limited to 60 mg/30 days of water and that the total withdrawal from all wells be limited to 170 mg/30 days. The project is located in the Cohansey River Watershed in the City of Bridgeton, Cumberland County, NJ.

4. *Saville Rustin Water Company D-2003-19 CP*. An application for approval of a ground water withdrawal project to supply up to 1.296 mg/30 days of water to the applicant's public water distribution system from new Well No. 6 and to retain the existing withdrawal from all wells of 7.5 mg/30 days. The project well is located in the

Little Bushkill Watershed in Lehman Township, Pike County.

5. *East Penn Manufacturing D-2003-23*. An application for approval of a ground water withdrawal project to supply up to 15 mg/30 days of water to the applicant's industrial facility from new Wells Nos. 2 and 4—9 in the Leithsville and Hardyston Formations and to establish the withdrawal from all wells at 15 mg/30 days. The project wells are located in the Moselem Creek Watershed in Richmond Township, Berks County.

6. *Great Lakes Companies, Inc. D-2003-25*. An application to construct a 0.09 mgd STP to provide tertiary treatment of wastewater from the proposed Great Wolf Lodge, a 400-unit hotel with an indoor water park. The project is located on the northwest corner of the intersection of State Route 611 and Interstate 80 in Pocono Township, Monroe County. Following tertiary treatment, a portion of the effluent will be spray applied to onsite areas. The remaining effluent will be discharged to Scot Run, a tributary of Pocono Creek in the Brodhead Creek Watershed, approximately 18 river miles upstream from DRBC Special Protection Waters.

In addition to the public hearing items, the Commission will address the following at its 1:30 p.m. business meeting: minutes of the September 3, 2003, business meeting; announcements; a report on Basin hydrologic conditions; a report by the executive director; a report by the Commission's general counsel; a resolution suspending the authority of the applicant to proceed with its project in Docket D-98-11 CP (the Cornog Quarry Project), at the applicant's request, pending a further decision of the Commission; a resolution authorizing the executive director to solicit public comment on the draft Water Resources Plan for the Delaware River Basin; a resolution authorizing the executive director to enter into a contract for the development of public outreach materials for the Basin Plan; and a resolution for the minutes amending the *Administrative Manual: By-Laws, Management and Personnel* by increasing the limit on employee contributions to Unreimbursed Medical Spending Accounts, in accordance with section 125 of the Internal Revenue Code (26 U.S.C.A. § 125).

Draft dockets scheduled for public hearing on October 15, 2003, are posted on the Commission's website, <http://www.drbc.net>, where they can be accessed through the Notice of Commission Meeting and Public Hearing. Additional documents relating to the dockets and other items may be examined at the Commission's offices. Contact Thomas L. Brand at (609) 883-9500, Ext. 221 with docket-related questions.

Persons wishing to testify at this hearing are requested to register in advance with the Commission Secretary at (609) 883-9500, Ext. 203. Individuals in need of an accommodation as provided for in the Americans With Disabilities Act who wish to attend the hearing should contact the Commission Secretary at (609) 883-9500, Ext. 203 or through the Telecommunications Relay Services at 711 to discuss how the Commission may accommodate their needs.

PAMELA M. BUSH,
Secretary

[Pa.B. Doc. No. 03-1983. Filed for public inspection October 10, 2003, 9:00 a.m.]

DEPARTMENT OF AGRICULTURE

Order of Quarantine; Plum Pox Virus

Whereas, the Plant Pest Act (3 P. S. §§ 258.1—258.27) empowers the Pennsylvania Department of Agriculture (PDA) to take various measures to detect, contain and eradicate plant pests in this Commonwealth; and

Whereas, the powers granted PDA under the Plant Pest Act include (at 3 P. S. § 258.21) the power to establish quarantines to prevent the dissemination of plant pests within this Commonwealth; and

Whereas, Plum Pox Virus—a plant pest indigenous to Europe—is a serious plant pest that injures and damages stone fruits such as peaches, nectarines, plums, and apricots by drastically reducing the fruit yields from these stone fruit trees and by disfiguring the fruit to the point it is unmarketable; and

Whereas, as a result of the presence of Plum Pox Virus in several townships and boroughs, PDA has issued a series of quarantine orders establishing and adjusting a quarantine area; and

Whereas, to date these quarantine orders have established a quarantine area covering the following:

1. Adams County: Latimore Township and Huntington Township (29 Pa.B. 5735—November 6, 1999)
2. Cumberland County: South Middleton Township (30 Pa.B. 3269—July 1, 2000)
3. Adams and Cumberland Counties: Dickinson Township (Cumberland County) and portions of Menallen Township and Tyrone Township (Adams County) (30 Pa.B. 4357—August 19, 2000)
4. Adams and Cumberland Counties: the Borough of York Springs (Adams County) and the Borough of Mount Holly Springs (Cumberland County) (30 Pa.B. 5852—November 11, 2000)
5. York County: Washington Township and Franklin Township (31 Pa.B. 3560—July 7, 2001)
6. Cumberland County: Southampton Township (31 Pa.B. 3559—July 7, 2001)
7. Franklin County: Quincy Township and the Borough of Mont Alto (31 Pa.B. 5117—September 8, 2001)
8. York County: Conewago Township and Monaghan Township (32 Pa.B. 4045—August 17, 2002)

Whereas, Plum Pox Virus has since been detected on stone fruit trees located in Butler Township and in portions of north-central Menallen Township, Adams County—areas adjoining or near the current quarantine area; and

Whereas, Plum Pox Virus has the potential to cause serious damage to the stone fruit production industry within this Commonwealth; and

Whereas, Plum Pox Virus is transmitted from infected trees by aphids and by budding or grafting, and can be spread into new areas by movement of infected nursery stock; and

Whereas, the movement of Plum Pox Virus-infected fruit trees poses a danger to stone fruit trees in non-infected areas; and

Whereas, there is no known control for Plum Pox Virus other than destruction of infected trees.

Now, therefore, under authority of Section 21 of the Plant Pest Act (act of December 16, 1992, P. L. 1228, No. 162) (3 P. S. § 258.21), the Pennsylvania Department of Agriculture hereby establishes a quarantine effective in the following areas:

A. That portion of southwestern Butler Township, Adams County, having a roughly-rectangular shape and being bounded as follows:

1. On the East, by Pennsylvania State Highway Route 34 (Biglerville Road);
2. On the South, by the Cumberland Township Line;
3. On the West, by the Franklin Township Line, continuing Northwest to Blue Ribbon Road, east along Blue Ribbon Road to Beecherstown Road, along Beecherstown Road to Rose Lane, along Rose Lane to Ziegler Mill Road, and east along Ziegler Mill Road to the intersection of State Highway Route 34.

B. That portion of Menallen Township, Adams County, having a roughly-triangular shape and being bounded as follows:

1. On the North, by the Adams/Cumberland County Line;
2. On the East, by Pine Grove Furnace Road;
3. On the Southwest, by a line extending from the intersection of Pine Grove Furnace Road (SR 4007) and Bendersville-Wenksville Road (SR 4008), along Bendersville-Wenksville Road to West Point Road, along West Point Road to Back Road (T386), along Back Road to Coon Road (SR 4012), along Coon Road to the Michaux State Forest, and along the boundary of the Michaux State Forest to the Adams/Cumberland County Line.

This quarantine prohibits the movement of stone fruit trees and stone fruit budwood within the quarantined area, and prohibits the movement of stone fruit trees and stone fruit budwood out of the quarantined area.

This quarantine order also prohibits the planting of stone fruit trees (apricot, nectarine, peach and plum) in the quarantined area. This prohibition applies to both fruit-bearing and ornamental varieties of stone fruit trees. Examples of common varieties of ornamental stone fruit trees include purpleleaf plum, flowering almond, flowering peach, purpleleaf sandcherry, flowering cherry, and weeping cherry.

PDA will consult with the United States Department of Agriculture, European experts and scientific authorities with respect to the most efficacious measures by which to contain and eliminate this serious plant pest. PDA will issue further restrictions under authority of this Quarantine Order, as is required under the Plant Pest Act (at 3 P. S. § 258.21(a)). These restrictions may address aphid control, elimination or reduction of aphid habitat, destruction of Plum Pox Virus-infected stone fruit trees and budwood, destruction of endangered or exposed stone fruit trees or budwood and any other measures necessary to the containment and elimination of the Plum Pox Virus in this Commonwealth.

This Order applies to commercial orchards, commercial nurseries, homeowners and all persons within the quarantine areas described above.

This quarantine is effective as of September 26, 2003.

DENNIS C WOLFF,
Secretary

[Pa.B. Doc. No. 03-1984. Filed for public inspection October 10, 2003, 9:00 a.m.]

DEPARTMENT OF BANKING

Action on Application

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 30, 2003.

BANKING INSTITUTIONS

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-26-03	Minersville Safe Deposit Bank & Trust Company Minersville Schuylkill County Purchase of assets/assumption of liabilities of one branch of Community Banks, Millersburg Located at: 29 East Main Street Tremont Schuylkill County	Minersville	Approved

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-17-03	S & T Bank Indiana Indiana County	WalMart One Hollywood Boulevard Delmont Westmoreland County	Opened
9-24-03	Landmark Community Bank Pittston Luzerne County	1318-1320 Wyoming Avenue Forty Fort Luzerne County	Filed

Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-4-03	First Commonwealth Bank Indiana Indiana County	52 Main Street Falls Creek Jefferson County	Effective
9-4-03	First Commonwealth Bank Indiana Indiana County	719 Bedford Street Johnstown Cambria County	Effective
9-4-03	First Commonwealth Bank Indiana Indiana County	Route 66 North Leechburg Armstrong County	Effective
9-26-03	Community Banks Millersburg Dauphin County	29 East Main Street Tremont Schuylkill County	Approved
9-25-03	First Commonwealth Bank Indiana Indiana County	15 South Main Street Chambersburg Franklin County	Approved
9-25-03	First Commonwealth Bank Indiana Indiana County	1720 Lincoln Way East Chambersburg Franklin County	Approved

Articles of Amendment

<i>Date</i>	<i>Name of Bank</i>	<i>Purpose</i>	<i>Action</i>
9-26-03	Pitcairn Trust Company Jenkintown Montgomery County	Provides for amendment to Article 5 increasing the number of authorized shares from 30,000 to 45,000 shares of common stock at a par value of \$10 each.	Approved and Effective

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS**New Charter Applications**

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
9-21-03	New Life Community Development Credit Union Philadelphia Philadelphia County	1152 North 63rd Street Philadelphia Philadelphia County	Commenced Operations

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
9-26-03	Montgomery County Employees Credit Union, Norristown, and American Heritage Federal Credit Union, Philadelphia Surviving Institution— American Heritage Federal Credit Union, Philadelphia	Norristown	Filed
9-30-03	Lee Hospital Credit Union, Johnstown, and Cambria-Somerset COG Federal Credit Union, Windber Surviving Institution— Lee Hospital Credit Union, Johnstown	Johnstown	Approved and Effective

A. WILLIAM SCHENCK, III,
Secretary

[Pa.B. Doc. No. 03-1985. Filed for public inspection October 10, 2003, 9:00 a.m.]

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

Emergency Shelter Grant Program

The Department of Community and Economic Development (Department), Center for Community Building, Office of Community Development is anticipating applying for funding through the United States Department of Housing and Urban Development.

The Emergency Shelter Grant Program (program) is established under Title IV, Subtitle B of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C.A. §§ 11371—11378). The program authorizes grants for the rehabilitation or conversion of buildings for use as emergency shelters for the homeless, for the payment of certain operating expenses and essential services in connection with emergency shelters for the homeless and for homeless prevention activities. The program is designed to be the first step in a continuum of assistance to enable homeless individuals and families to move toward independent living as well as to prevent homelessness.

One copy of the application may be submitted, in accordance with the Department's single application requirements, to the Department by local governments to the Customer Service Center, DCED, 4th Floor, Commonwealth Keystone Building, Harrisburg, PA 17120. A copy of the application must also be sent to the appropriate regional office. The application window will open on October 13, 2003, and close at 5 p.m. on December 19,

2003. Applications received prior to or after these dates may not be considered for funding.

Application forms and instructions may be obtained by contacting the Center for Community Building, Office of Community Development in Harrisburg, (717) 787-5327 or the Department's regional offices. Persons with a disability who wish to submit an application in accordance with the provisions stated herein and who require assistance with that application and persons who require copies of this notice in an alternate format (large type, Braille, and the like) should contact Edward Geiger, 4th Floor, Commonwealth Keystone Building, Harrisburg, PA 17120, (717) 787-5327 to discuss how the Department may best accommodate their needs. The following is the listing of the Department regional offices and the counties they serve.

Regional Offices

Southeast
Bucks, Chester, Delaware, Montgomery and Philadelphia Counties

Department of Community and Economic Development
908 State Office Building
Broad and Spring Garden Streets
Philadelphia, PA 19130
(215) 560-2256

Northeast
Berks, Bradford, Carbon, Lackawanna, Lehigh, Luzerne, Monroe, Northampton, Pike, Schuylkill, Sullivan, Susquehanna, Tioga, Wayne and Wyoming Counties

Department of Community and Economic Development
Suite 201, Samters Building
101 Penn Avenue
Scranton, PA 18503-2025
(717) 963-4571

Central

Adams, Cumberland, Dauphin, Franklin, Lancaster, Lebanon, Perry, York, Bedford, Blair, Cambria, Centre, Clinton, Columbia, Fulton, Huntingdon, Juniata, Lycoming, Mifflin, Montour, Northumberland, Snyder, Somerset and Union Counties

Department of Community and Economic Development
4th Floor, Commonwealth Keystone Building
Harrisburg, PA 17120
(717) 720-7300

Southwest

Allegheny, Armstrong, Beaver, Butler, Fayette, Greene, Indiana, Washington and Westmoreland Counties

Department of Community and Economic Development
1405 State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222
(412) 565-5002

Northwest

Cameron, Clarion, Clearfield, Crawford, Elk, Erie, Forest, Jefferson, Lawrence, McKean, Mercer, Potter, Venango and Warren Counties

Department of Community and Economic Development
1200 Lovell Place
Erie, PA 16503
(814) 871-4241

Main Office

Center for Community Building
Office of Community Development
4th Floor Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120
(717) 787-5327

DENNIS YABLONSKY,
Secretary

[Pa.B. Doc. No. 03-1986. Filed for public inspection October 10, 2003, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Conservation and Natural Resources Advisory Council Meeting

The Conservation and Natural Resources Advisory Council to the Department of Conservation and Natural Resources (Department) will hold a meeting on Wednesday, October 22, 2003, at 10 a.m. in Room 105, Lobby Level, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

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

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Claire Guisewite at (717) 705-0031 or through the

Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

MICHAEL F. DIBERARDINIS,
Secretary

[Pa.B. Doc. No. 03-1987. Filed for public inspection October 10, 2003, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Cyber Charter School Application Hearing

The Department of Education (Department) has scheduled a public hearing regarding the cyber charter school application that it received on August 4, 2003. The hearing will be held at 1 p.m. on Friday, November 14, 2003, in Heritage Room A, 333 Market Street, Harrisburg, PA. The hearing pertains to the Pennsylvania Hinterland Mobile Cyber Charter School, which is seeking a charter to operate a cyber charter school. The purpose of the hearing is to receive information from the applicant about the cyber charter school and to receive comments from interested persons regarding the application. The application can be viewed on the Department's website at www.pde.state.pa.us.

The charter applicant will have 30 minutes to present information about the cyber charter school. Individuals who wish to provide comments at the hearing must send the Department and the applicant a copy of the comments on or before October 31, 2003. Failure to comply with this deadline will preclude the respective individual from providing verbal comments at the hearing. Verbal comments may be limited based on the number of individuals requesting time to provide comments and may also be limited if the comments are duplicative or repetitive of other individual's comments. The hearing will be conducted by a panel of individuals who have reviewed the renewal application. The panel members may question the applicant regarding issues identified during their review, as well as issues raised in the written comments filed before the hearing date. Panel members may also question individuals who offer verbal comments. Commentators will not be permitted to question either the applicant or the panel members.

Individuals who are unable to attend the hearing may also provide the Department and the applicant with written comments on or before November 7, 2003. Written comments provided to the Department by this deadline will become part of the certified record.

Comments sent to the Department should be addressed to Betsy Becker, School Services Unit, 333 Market Street, 5th Floor, Harrisburg, PA 17126.

An agenda will be prepared after November 7, 2003, when the Department is aware of the number of individuals who wish to provide verbal comments at the hearing. That agenda will provide the order of presentation, as well as specify the amount of time allotted to each commentator. Individuals wanting a copy of the agenda should call Betsy Becker at (717) 346-3356.

VICKI L. PHILLIPS, Ed.D.,
Secretary

[Pa.B. Doc. No. 03-1988. Filed for public inspection October 10, 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>
PA0057541	Marc and Jody Detweiler 2144 Old Skippack Road Harleysville, PA 19438	Montgomery County Upper Salford Township	Vaughn Run	Y
PA0012891	Upper Hanover Authority P. O. Box 205 East Greenville, PA 18041	Montgomery County Upper Hanover Township	Perkiomen 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>
PA0060712	Grace & Truth Evangelistic Association P. O. Box 64 South Gibson, PA 18842-0064	Susquehanna County Gibson Township	UNT to Tunkhannock Creek 4F	Y
PA0061107 Sewage	Stillwater Sewer Corporation c/o NEPA Management Associates 304 Park Avenue Stroudsburg, PA 18360	Coolbaugh Township Monroe County	UNT Stillwater Lake 1E	Y
PA0061654 Renewal	Wallenpaupack Area School District HC 6, Box 6075 Hawley, PA 18428-9045	Wayne County Dreher Township	Wallenpaupack Creek 01C	Y
PA0063231	Lehigh Township Municipal Authority 1069 Municipal Road Walnutport, PA 18088	Lehigh Township Northampton County	Indian Creek 2C	Y
PA0063568-A1	Northampton Borough Municipal Authority 1 Clear Springs Drive P. O. Box 156 Northampton, PA 18067	Lehigh County Whitehall Township	Spring 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>
PA0030911	Eastern Lancaster County School District Caernarvon Elementary School 669 East Main Street New Holland, PA 17557-0609	Lancaster County Caernarvon Township	Conestoga River 7J	Y

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

<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>
PA0021733	Borough of Watsontown Fourth and Main Streets Watsontown, PA 17777	Northumberland County Borough of Watsontown	West Branch Susquehanna River 10D	Y
PA0021652 Sewerage Public	Kreamer Municipal Authority P. O. Box 220 Kreamer, PA 17833-0220	Snyder County Middlecreek Township	Middle Creek 6A	Y
PA0228061	Total Environmental Solutions Inc. Treasure Lake Development— West Side Facility P. O. Box 4037 Houma, LA 70361	Sandy Township Clearfield County	Narrows Creek 17C	Y
PA0033251	Total Environmental Solutions Inc. Treasure Lake Development— East Side Facility P. O. Box 4037 Houma, LA 70361	Sandy Township Clearfield County	Narrows Creek 17C	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>
PA0102784	Waste Treatment Corporation 1 Harmar Street P. O. Box 1561 Warren, PA 16365	City of Warren Warren County	Allegheny River	Y
PA0028428	Brockway Area Sewer Authority 501 Main Street Brockway, PA 15824	Brockway Borough Jefferson County	Little Toby Creek	Y
PA0222739	Blooming Valley United Methodist Church 24740 State Street Meadville, PA 16335	Blooming Valley Borough Crawford County	Unnamed tributary to Woodcock Creek	Y
PA0222453	Scenic Heights Golf Course West 7616 Knoyle Road Erie, PA 16510	Venango Township Erie County	Unnamed tributary to Six Mile Creek	Y
PA0222631	Wendy A. Gray 17242 Enterprise Road Titusville, PA 16354	Oil Creek Township Venango County	Unnamed tributary to Pine Creek	Y
PA0222372	VFW Post 740 10613 Route 98 Edinboro, PA 16412	Franklin Township Erie County	Little Elk Creek	Y

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

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

PA0051438, Industrial Waste, SIC 3089, **Westlake Plastics Company**, P. O. Box 127, Lenni, PA 19052. This proposed facility is in Chester Heights Borough, **Delaware County**.

Description of Proposed Activity: Renewal of an NPDES permit to discharge cooling water from a thermoplastic extrusion manufacturing facility.

The receiving stream, Chester Creek, is in the State Water Plan watershed 3G and is classified for TSF, aquatic life, water supply and recreation. The nearest downstream public water supply intake for Media Borough (auxiliary intake) is on the Chester Creek, 1.4 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on an average flow of 200 gpd.

<i>Parameters</i>	<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum mg/l</i>
Total Suspended Solids	30	60	75
Oil and Grease	15		30
Temperature			110°F
pH	within limits of 6.0—9.0 standard units at all times		

In addition to the effluent limits, the permit contains the following major special conditions: DMR to the Department; remedial measures; no additives; change of ownership; proper sludge disposal; and laboratory certification.

PA0058751, Sewage, SIC, **Christopher Day and William M. Leach, III**, 105 Yerkes Road, Collegeville, PA 19426. This proposed facility is in Upper Providence Township, **Montgomery County**.

Description of Proposed Activity: Issuance of an NPDES permit to discharge 800 gallons per day of treated sewage to Perkiomen Creek from the Christopher Day and William Leach small-flow sewage treatment plant.

The receiving stream, Perkiomen Creek, is in the State Water Plan watershed 3E and is classified for WWF, aquatic life, water supply and recreation. The nearest downstream public water supply intake for the Audubon Water Company is on the Perkiomen Creek, approximately 1.5 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 800 gpd.

<i>Parameters</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>	<i>Measurement Frequency</i>
CBOD ₅	10	20	Upon Request
Total Suspended Solids	20	40	Upon Request
Fecal Coliform	200 Col/100 ml		1/Year
Total Residual Chlorine	0.50		1/Month
Dissolved Oxygen			Upon Request

In addition to the effluent limits, the permit contains the following major special conditions: submit annual monitoring and maintenance plan once per year; abandon sewage discharge when municipal facilities become available; obtain necessary property rights; and maintain sewage treatment plant.

PA0024121A1, Sewage, SIC 4952, **Little Washington Wastewater Company**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010. This proposed facility is in Upper Providence Township, **Delaware County**.

Description of Proposed Activity: Amendment of an NPDES permit to discharge stormwater from Media STP.

The receiving stream, Ridley Creek, is in the State Water Plan watershed 3G and is classified for TSF, aquatic life, water supply and recreation. There is no downstream public water supply intake below the point of discharge.

The proposed effluent limits for Outfalls 002 and 003 are based on an average stormwater event.

<i>Parameters</i>	<i>Maximum Daily (mg/l)</i>
CBOD ₅	Monitor and Report
COD	Monitor and Report
Oil and Grease	Monitor and Report
pH (STD)	Monitor and Report
Total Suspended Solids	Monitor and Report
Total Kjeldahl Nitrogen	Monitor and Report
Fecal Coliform (#Col/100 ml)	Monitor and Report
Total Phosphorus	Monitor and Report
Iron (Dissolved)	Monitor and Report

The proposed effluent limits for Outfall 001 are based on a design flow of 1.8 mgd.

The Whole Effluent Toxicity limit is removed from the permit.

In addition to the effluent limits, the permit contains the following major special conditions: stormwater only outfall; and WETT at renewal.

PA0021741, Sewage, **Borough of Dublin**, 119 Maple Avenue, P. O. Box 52, Dublin, PA 18917-0052. This proposed facility is in Bedminster Township, **Bucks County**.

Description of Proposed Activity: Renewal of an application to discharge treated sewage.

The receiving stream, Deep Run, is in the State Water Plan watershed 2D and is classified for WWF, aquatic life, water supply and recreation. The nearest downstream public water supply intake for the Forest Park Water Treatment Plant, North Penn and North Wales Water Authority is on the Delaware River at Point Pleasant, PA.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.5 MGD:

<i>Parameters</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅				
(5-1 to 10-31)	20	30		40
(11-1 to 4-30)	25	40		50
Suspended Solids	30	45		60
Ammonia (as N)				
(5-1 to 10-31)	1.3			2.6
(11-1 to 4-30)	3.9			7.8
Phosphorous (as P)				
(4-1 to 10-31)	2.0			4.0
Total Residual Chlorine	0.02			0.05
Copper, Total	Monitor and Report			
Fecal Coliform		200/100 ml as a geometric mean		
Dissolved Oxygen		minimum of 6.0 mg/l at all times		
pH		within limits of 6.0—9.0 standard units at all times		

In addition to the effluent limits, the permit contains the following major special conditions: DMR to the Department, DMR to BCHD, average weekly definition, remedial measures, no stormwater, obtain property rights, small stream discharge, change of ownership, TMDL/WLA analysis, sludge disposal, laboratory certification.

The EPA waiver is in effect

PA0039004, Sewage, **Upper Gwynedd Towamencin Municipal Authority**, 2225 Kriebel Road, Lansdale, PA 19446. This application is for renewal of an NPDES permit to discharge treated sewage from Upper Gwynedd Towamencin Municipal Authority's sewage treatment plant in Towamencin Township, **Montgomery County**. This is an existing discharge to Towamencin Creek, which is in State Water Plan Watershed 3E-Perkiomen.

The receiving stream is classified for TSF, aquatic life, water supply and recreation. The nearest downstream water supply intake for Audubon Water Company is approximately 7 miles below the point of discharge.

The proposed effluent limits for Outfall 003 and Outfalls 001 and 002 (only during emergency and high stream flows, respectively), based on an average flow of 6.5 mgd, 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 ₅ (5-1 to 10-31)	10	15	20
(11-1 to 4-30)	20	30	40
Suspended Solids	30	45	60
Ammonia (as N) (5-1 to 10-31)	2.0		4.0
(11-1 to 4-30)	4.0		8.0
Phosphorus (as P) (4-1 to 10-31)	2.0		4.0
Fecal Coliform	200 colonies/100 ml as a geometric average		
Dissolved Oxygen	minimum of 5.0 mg/l at all times		
pH	within limits of 6.0—9.0 standard units at all times		
Total Residual Chlorine	0.014		0.047
Copper, Total	Monitor and Report		
Cyanide, Free	0.005		0.022
Iron, Total	0.005		0.022
Arsenic, Total	Monitor and Report		
Cadmium, Total	Monitor and Report		
Chromium, Total	Monitor and Report		
Lead, Total	Monitor and Report		
Mercury, Total	Monitor and Report		
Nickel, Total	Monitor and Report		
Silver, Total	Monitor and Report		
Zinc, Total	Monitor and Report		

The proposed effluent limits for Outfalls 004—007, stormwater outfalls, are as follows (monitoring is required once per year at Outfall 005 only):

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

Major Permit Conditions: implementation of industrial pretreatment program requirements; effective disinfection; special test methods for certain pollutants; final water quality based effluent limitations for total residual chlorine; discharge is to small stream, which affords limited dilution potential; and develop and maintain an operations and maintenance plan.

The EPA waiver is not in effect.

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

PA0247219, Industrial Waste, SIC Code 2873, **Susquehanna Valley Organics Corporation**, 3705 Trindle Road, Camp Hill, PA 17011-4334. This facility is in Harrisburg, City, **Dauphin County**.

Description of activity: Issuance of an NPDES permit for a new discharge of treated industrial waste and stormwater.

The receiving stream, Susquehanna River, is in Watershed 7-C and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for the Columbia Borough Water Company is on the Susquehanna River, approximately 22 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 based on a design flow of 3.5 MGD are:

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	XXX	XXX	XXX	XXX	XXX
pH			from 6.0 to 9.0 inclusive		
Temperature	XXX	XXX	XXX	110°F	XXX

Outfall 002 (discharging to Spring Creek) receives stormwater from industrial activity.

In addition to the effluent limits, the permit contains the following major special condition: requirements for stormwater outfalls.

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.

PA0084701, Amendment No. 1, Sewage, Penn Township Municipal Authority (Cove Facility), 102 Municipal Building Road, Duncannon, PA 17020. This facility is in Penn Township, **Perry County.**

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

The receiving stream, an unnamed tributary to the Susquehanna River, is in Watershed 7-A and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for the United Water Company is on the Susquehanna River, approximately 4 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.100 MGD are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	10	15	20
Total Suspended Solids	30	45	60
NH ₃ -N			
(5-1 to 10-31)	2.0		4.0
(11-1 to 4-30)	6.0		12.0
Total Residual Chlorine	0.1		0.2
Dissolved Oxygen		minimum of 5.0 at all times	
pH		from 6.0 to 9.0 inclusive	
Fecal Coliform			
(5-1 to 9-30)		200/100 ml as a geometric average	
(10-1 to 4-30)		2,100/100 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 in effect.

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

PA0001198, Industrial Waste, SIC, 2821 and 2851, PPG Industries, Inc., 125 Colfax Street, Springdale, PA 15144. This application is for renewal of an NPDES permit to discharge untreated cooling water stormwater from the Springdale Complex in Springdale Borough, **Allegheny County.**

The following effluent limitations are proposed for discharge to the receiving waters, Allegheny River, classified as WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is the Oakmont Borough Municipal Authority at River Mile Index 13.3, about 2.81 miles below the discharge point.

Outfall 001: existing discharge, design flow of 0.90 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	Monitor and Report				
Temperature (°F)					110
Total Residual Chlorine			0.5		1.25
pH	not less than 6.0 nor greater than 9.0				

Outfall 002: existing discharge, design flow of 0.3 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	Monitor and Report				
Temperature (°F)					110
Total Residual Chlorine			0.5		1.25
pH	not less than 6.0 nor greater than 9.0				

Outfall 003: existing discharge, design flow of 0.34 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	Monitor and Report				
Temperature (°F)	110				
Total Residual Chlorine	0.5				
pH	not less than 6.0 nor greater than 9.0				

Outfall 103: existing discharge, design flow of 0.04 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	Monitor and Report				
Total Suspended Solids	30				
Aluminum	4.0				
Iron	2.0				
Manganese	1.0				
pH	not less than 6.0 nor greater than 9.0				

Outfalls 004—008: existing discharge, design flow of varied mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
The discharge from these outfalls shall consist of uncontaminated stormwater runoff only.					

The EPA waiver is in effect.

PA0217972, Industrial Waste, **The Waterfront Partners, LLC**, 285 East Waterfront Drive, Suite 150, Homestead, PA 15120. This application is for renewal of an NPDES permit to discharge stormwater from The Waterfront in Homestead Borough, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, Monongahela River, classified as WWF with existing and/or potential uses for aquatic life, water supply and recreation.

Outfalls 001—011: existing stormwater discharge.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	Monitor and Report				
Suspended Solids	50				
Lead	0.2				
Zinc	0.7				
Aluminum	4.0				
Iron	3.5				
Manganese	1.0				
Acrolein	0.02				
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is in effect.

PAS216102, Industrial Waste, SIC, 3229, **St. George Crystal, Ltd.**, P. O. Box 709, Brown Avenue, Jeannette, PA 15644. This application is for issuance of an NPDES permit to discharge stormwater from St. George Crystal in Jeannette, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, Brush Creek, classified as TSF with existing and/or potential uses for aquatic life and recreation.

Outfall 001: new stormwater discharge.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow	Monitor and Report				
Suspended Solids	Monitor and Report				

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Nitrate + Nitrite—Nitrogen			Monitor and Report		
Lead			Monitor and Report		
Nickel			Monitor and Report		
Zinc			Monitor and Report		
Sulfate			Monitor and Report		
Cobalt			Monitor and Report		
Antimony			Monitor and Report		
Fluoride			Monitor and Report		
Ammonia-Nitrogen			Monitor and Report		
pH			Monitor and Report		

The EPA waiver is in effect.

PA0021148, Amendment No. 1, Sewage, **Borough of Mt. Pleasant**, Etze Avenue, Mt. Pleasant, PA 15666. This application is for amendment of an NPDES permit to discharge uncontaminated stormwater from the Mt. Pleasant Sewage Treatment Plant Site in Mt. Pleasant Township, **Westmoreland County**.

The receiving waters are known as Shupe Run, which are classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation.

Outfalls SW1—SW3 existing stormwater discharges.

This amendment adds Outfall SW1—SW3 to NPDES Permit PA0021148 and authorizes a discharge of uncontaminated stormwater from the sewage treatment plant roadways and site. There are at this time no specific effluent limitations on Outfalls SW1—SW3. These discharges must meet the “stormwater discharges” requirements in Part C of the Amendment.

The EPA waiver is not in effect.

PA0023701, Amendment No. 1, Sewage, **Midland Borough Municipal Authority**, 10th Street and Railroad Avenue, Midland, PA 15059. This application is for amendment of an NPDES permit to discharge treated sewage from Midland Borough Municipal Authority STP in Midland Borough, **Beaver County**.

The following stormwater outfalls are added to the NPDES permit:

Outfalls 101 and 003, which discharge to the receiving waters known as Ohio River, serve as stormwater discharges from areas in and around the treatment plant site. There are at this time no effluent limitations on these outfalls. These stormwater discharges shall meet the requirements in Part C of the NPDES Permit.

The EPA waiver is not in effect.

PA0027456, Amendment No. 1, Sewage, **Greater Greensburg Sewage Authority**, P. O. Box 248, Greensburg, PA 15601-0248. This application is for amendment of an NPDES permit to discharge treated sewage from Greater Greensburg STP in Hempfield Township, **Westmoreland County**.

The following stormwater outfalls are added to the NPDES permit:

Outfalls SW-1 and SW-2, which discharge to the receiving waters known as Jacks Run, serve as stormwater discharges from areas in and around the treatment plant site. There are at this time no effluent limitations on these outfalls. These stormwater discharges shall meet the requirements in Part C of the NPDES permit.

The EPA waiver is not in effect.

PA0034797, Sewage, **United States Department of Justice, Federal Bureau of Prisons**, Northeast Regional Office, U. S. Customs House, 7th Floor, Second and Chestnut Streets, Philadelphia, PA 19106. This application is for renewal of an NPDES permit to discharge treated sewage from Loretto Federal Correctional Institution STP in Allegheny Township, **Cambria County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as unnamed tributary of Clearfield Creek, which are classified as CWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Pennsylvania American Water Company on the West Branch Susquehanna River near Milton.

Outfall 001: existing discharge, design flow of 0.2 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅				
(5-1 to 10-31)	20	30		40
(11-1 to 4-30)	25	38		50
Suspended Solids	30	45		60
Ammonia Nitrogen				
(5-1 to 10-31)	3.0	4.5		6.0
(11-1 to 4-30)	7.7	11.6		15.4

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,500/100 ml as a geometric mean			
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0038229, Sewage, **Hempfield Township Municipal Authority**, R. D. 6, Woodward Drive, Greensburg, PA 15601. This application is for renewal of an NPDES permit to discharge treated sewage from the Earl Lohr Sewage Treatment Plant in Hempfield Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Township Line Run, which are classified as 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 McKeesport Municipal Water Authority.

Outfall 001: existing discharge, design flow of .347 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25	38		50
Suspended Solids	30	45		60
Ammonia Nitrogen (5-1 to 10-31)	2.0	3.0		4.0
(11-1 to 4-30)	3.5	5.0		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	.035			
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0038237, Sewage, **Rostraver Township Sewage Authority**, 202 Port Royal Road, Belle Vernon, PA 15012. This application is for amendment of an NPDES permit to discharge treated sewage from Sweeney-Fellsburg Water Pollution Control Plant in Rostraver Township, **Westmoreland County**.

The following stormwater outfall is added to the NPDES permit.

Outfall SW-1, which discharges to the receiving waters known as Pollock Run, serves as a stormwater discharge from areas in and around the treatment plant site. There are at this time no effluent limitations on this outfall. This stormwater discharge shall meet the requirements in Part C of the NPDES permit.

The EPA waiver is not in effect.

PA0092126, Sewage, **Apollo Ridge School District**, P. O. Box 219, Spring Church, PA 15686. This application is for renewal of an NPDES permit to discharge treated sewage from Elders Ridge Elementary School STP in Young Township, **Indiana County**.

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

Outfall 001: existing discharge, design flow of .003080 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen (5-1 to 10-31)	5			10
(11-1 to 4-30)	15			30
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	5,000/100 ml as a geometric mean			
Total Residual Chlorine	1.0			
				2.4

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Dissolved Oxygen	not less than 3 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0092355, Sewage, **The Municipal Authority of the Borough of Belle Vernon**, P. O. Box 181, 10 Main Street, Belle Vernon, PA 15012. This application is for renewal of an NPDES permit to discharge treated sewage from the Belle Vernon Water Pollution Control Plant in Belle Vernon, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as a warm water, 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 Charleroi Borough Water Authority.

Outfall 001: existing discharge, design flow of 0.5 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25	38		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)	10,000/100 ml as a geometric mean			
Total Residual Chlorine	0.5			1.0
pH	not less than 6.0 nor greater than 9.0			

Other Conditions: Outfalls 002—017 will serve as combined sewer overflows.

The EPA waiver is in effect.

PA0096113, Sewage, **McGuffey School District**, 117 Main Street, Claysville, PA 15323. This application is for renewal of an NPDES permit to discharge treated sewage from the McGuffey Jr.-Sr. High School STP in Buffalo Township, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as an unnamed tributary of Buffalo Creek, which are classified as HQ 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 on the Ohio River in West Virginia.

Outfall 001: existing discharge, design flow of .024 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25			50
Suspended Solids	25			50
Ammonia Nitrogen				
(5-1 to 10-31)	4.0			8.0
(11-1 to 4-30)	12.0			24.0
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	0.5			1.0
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0098582, Sewage, **Ronald W. Shearer**, 171 Cedar Lane, P. O. Box 141, Indiana, PA 15701-0141. This application is for renewal of an NPDES permit to discharge treated sewage from Shearer single residence sewage treatment plant in Rayne Township, **Indiana County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as McKee Run, which are classified as a CWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Ernest Borough System on McKee Run.

Outfall 001: existing discharge, design flow of .0005 mgd.

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

The EPA waiver is in effect.

PA0110001, Sewage, **Conemaugh Township Supervisors**, Municipal Building, Route 403, 1120 Tire Hill Road, Johnstown, PA 15905. This application is for renewal of an NPDES permit to discharge treated sewage from Crescent Acres Sewage Treatment Plant in Conemaugh Township, **Somerset County**.

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

Outfall 001: existing discharge, design flow of .0375 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25	37.5		50
Suspended Solids	30	45		60
Ammonia Nitrogen				
(5-1 to 10-31)	2	3		4
(11-1 to 4-30)	4.5	6.7		9
Phosphorus				
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine				
(1st Month to 36th Month)	Monitor and Report			
(37th Month to Expiration)	.1			.3
Dissolved Oxygen not	less than 6 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0110477, Sewage, **Conemaugh Township Supervisors**, Municipal Building, Route 403, 1120 Tire Hill Road, Johnstown, PA 15905. This application is for renewal of an NPDES permit to discharge treated sewage from Riverside Grace Brethren Church STP in Conemaugh Township, **Somerset County**.

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

Outfall 001: existing discharge, design flow of .0145 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25	37.5		50
Suspended Solids	30	45		60
Ammonia Nitrogen				
(5-1 to 10-31)	3.0	4.5		6.0
(11-1 to 4-30)	7.0	10.5		14.5
Phosphorus				
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			1.1
Dissolved Oxygen	not less than 5 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0218413-A1, Sewage, **Economy Borough Municipal Authority**, 2860 Conway Walrose Road, Baden, PA 15005. This application is for amendment of an NPDES permit to discharge treated sewage from Big Sewickley Creek STP in Economy Borough, **Beaver County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Big Sewickley Creek, which are classified as 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 BV Plant.

Outfall SW1 serves as a stormwater discharge from areas in and around the treatment plant. There are at this time no numerical effluent limitations on the outfall. This discharge must meet the stormwater discharge requirements in Part C of the NPDES permit.

The EPA waiver is not in effect.

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

PA0239305, Sewage, **Cable Hollow Evangelical Church**, R. D. 2 P. O. Box 2747, Russell, PA 16345. This proposed facility is in Rine Grove Township, **Warren County**.

Description of Proposed Activity: New discharge of treated sewage.

The receiving water, an unnamed tributary to North Branch Akeley Run, is in State Water Plan 16-B and is classified for CWF, aquatic life, water supply and recreation. The nearest downstream potable water supply, at Emlenton, is on the Allegheny River, approximately 78 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0016 MGD.

<i>Parameters</i>	<i>Loadings</i>		<i>Concentrations</i>		<i>Instantaneous Maximum (mg/l)</i>
	<i>Average Monthly (lb/day)</i>	<i>Average Weekly (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	
Flow	XX				
CBOD ₅			10		20
Total Suspended Solids			20		40
NH ₃ -N			XX		
Fecal Coliform (all year)		200/100 ml as a geometric average			
Total Residual Chlorine			1.4		3.3
Dissolved Oxygen		minimum of 3 mg/l at all times			
pH		6.0 to 9.0 standard units at all times			

XX—Monitor and Report

The EPA waiver is in effect.

PA0026204, Amendment No. 1, Sewage, **City of Oil City**, Osborne Street, Oil City, PA 16301-1313. This proposed facility is in Oil City, **Venango County**.

Description of Proposed Activity: Amendment of permit to include existing stormwater discharges at treatment plant site.

The receiving water, the Allegheny River and Oil Creek (CSO only), is in State Water Plan 16-E and is classified for WWF, aquatic life, water supply and recreation. The nearest downstream potable water supply, Emlenton Water Company, is on the Allegheny River, approximately 33 miles below the point of discharge.

The proposed effluent limits for Outfalls 018—020 are based on a design flow of n/a MGD.

<i>Parameters</i>	<i>Loadings</i>		<i>Concentrations</i>		<i>Instantaneous Maximum (mg/l)</i>
	<i>Average Monthly (lb/day)</i>	<i>Average Weekly (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	
This outfall shall consist of uncontaminated stormwater only.					

XX—Monitor and report.

The EPA waiver is not in effect.

PA0239232, Industrial Waste, **Taylor Ramsey Corporation**, P. O. Box 11888, Lynchburg, VA 24506-1888. This proposed facility is in City of Titusville, **Crawford County**.

Description of Proposed Activity: New discharge of nonprocess water and stormwater.

The receiving water, Oil Creek, is in State Water Plan 16-E and is classified for CWF, aquatic life, water supply and recreation. The nearest downstream potable water supply Emlenton Water Company is on the Allegheny River, approximately 60 miles below the point of discharge.

The proposed effluent limits for Outfalls 001—003 based on a design flow of N/A MGD stormwater only.

The proposed effluent limits for Outfall 004 based on a design flow of 0.000765 MGD.

Parameters	Loadings		Concentrations		
	Average Monthly (lb/day)	Maximum Daily (lb/day)	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
Flow	XX				
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. 0903416, Sewerage, **Bucks County Water and Sewer Authority**, 1275 Almshouse Road, Warrington, PA 18976. This proposed facility is in Richland Township, **Bucks County**.

Description of Proposed Action/Activity: Construction and operation of a pump station and sewer extension to service 82 single family homes.

WQM Permit No. 0903417, Sewerage, **Orleans Homebuilders, Inc.**, 3333 Street Road, Suite 101, Bensalem, PA 19020. This proposed facility is in Falls Township, **Bucks County**.

Description of Proposed Action/Activity: Construction and operation of a wastewater pumping station and force main for a proposed residential development consisting for 40 duplex buildings.

WQM Permit No. 4603417, Sewerage, **Horsham Water and Sewer Authority**, 617B Horsham Road, Horsham, PA 19044. This proposed facility is in Horsham Township, **Montgomery County**.

Description of Proposed Action/Activity: Construction and operation of a sewage pump station.

WQM Permit No. 1503420, Sewerage, **Wallace Township Municipal Authority**, P. O. Box 96, 1250 Creek Road, Glenmoore, PA 19343. This proposed facility is in Wallace Township, **Chester County**.

Description of Proposed Action/Activity: Construction and operation of a wastewater treatment facility subdivision for 63 single family homes.

WQM Permit No. 1503419, Sewerage, **Stonewall Limited Partnership**, P. O. Box 203, Elverson, PA 19520. This proposed facility is in Warwick Township, **Chester County**.

Description of Proposed Action/Activity: Construction and operation of a secondary facilities to main golf course clubhouse including wastewater disposal.

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

WQM Permit No. 4503407, **Pocono Mountain Industrial Park Authority**, 556 Main Street, Stroudsburg, PA 18360. This proposed facility is in Coolbaugh Township, **Monroe County**.

Description of Proposed Action/Activity: This project is for the construction of a 50,000 gpd sewage treatment/storage lagoon to serve Camp Tegawitha in Coolbaugh Township, Monroe County. Sewage will be disposed of by means of a 19.5-acre spray irrigation system.

WQM Permit No. 3903404, **Slatington Borough Authority**, 125 S. Walnut Street, Slatington, PA 18080. This proposed facility is in Washington Township, **Lehigh County**.

Description of Proposed Action/Activity: This is to rerate the Slatington Borough Authority's WWTP from an average daily flow of 0.995 MGD to 1.5 MGD to accommodate Washington Township's future connection.

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

WQM Permit No. 0103404, Sewerage, **Martin Mill Work, Glen I. Martin, Jr.**, 12560 Shimpstown Road, Mercersburg, PA 17236. This proposed facility is in Montgomery Township, **Franklin County**.

Description of Proposed Action/Activity: Construction/operation of a small flow sewage treatment plant to serve their millwork plant and two single family residences.

WQM Permit No. 2903401, Sewerage, **Dublin Township Supervisors**, 29195 Great Cove Road, Fort Littleton, PA 17223. This proposed facility is in Dublin Township, **Fulton County**.

Description of Proposed Action/Activity: Construction/operation of sewage treatment facilities.

WQM Permit No. 2803404, Sewerage, **Greg and Christina Gress**, 8446 Cumberland Highway, Chambersburg, PA 17201. This proposed facility is in Letterkenny Township, **Franklin County**.

Description of Proposed Action/Activity: Operation of a small flow sewage treatment plant to serve their single family residence.

WQM Permit No. 0503406, Sewerage, **Department of Conservation and Natural Resources**, Rachel Carson State Office Building, P. O. Box 8451, Harrisburg, PA 17105-8451. This proposed facility is in Napier Township, **Bedford County**.

Description of Proposed Action/Activity: Modifications/upgrades to the existing wastewater treatment plant at Shawnee State Park.

WQM Permit No. 2896401, Amendment 03-1, **Licking Creek Homeowners Association**, 15811 Crabbs Branch Way, Rockville, MD 20855. This proposed facility is in Montgomery Township, **Franklin County**.

Description of Proposed Action/Activity: Change the existing wastewater treatment plant facility to a modified Norweco™ extended aeration plant as manufactured by Dutchland, Inc. The structure will be precast concrete tankage, 5,000 PSI with approximate nominal 4.75-inch thick walls. The wastewater treatment plant shall be designed to process 12,500 GPD of domestic residential wastewater.

WQM Permit No. 3691201, Amendment 03-1, Industrial Waste, **Valley Proteins, Inc., Terre Hill Division**, 151 ValPro Drive, P. O. Box 3588, Winchester, PA 22604-2586. This proposed facility is in East Earl Township, **Lancaster County**.

Description of Proposed Action/Activity: Addition of a new flotation clarifier to their existing treatment plant.

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

WQM Permit No. 4703201, CAFO Operation, SIC 0213, **Doug Beachel**, 1894 Continental Boulevard, Danville, PA 17821. The proposed facility will be in Anthony Township, **Montour County**.

Description of Proposed Action/Activity: The applicant is applying for authorization to construct and operate two new underhouse manure storage structures. The structures will have a combined total usable storage of approximately 1.034 million gallons. Each barn will hold 2,180 head of swine and the total number of AEU's at the site will be 606.3.

WQM Permit No. 1803202, Industrial Waste, 4244, **Fish and Boat Commission**, 450 Robinson Lane, Bellefonte, PA 16823. This proposed facility is in Logan Township, **Clinton County**.

Description of Proposed Action/Activity: The Commission proposes to upgrade the industrial wastewater treatment system at the Tylersville Fish Culture Station with the addition of high capacity disc filters (microscreens) and a traveling bridge sand filter.

WQM Permit No. 1703203, Industrial Waste 4941, **Burnside Borough**, P. O. Box 208, Burnside, PA 15721. This proposed facility is in Burnside Borough, **Clearfield County**.

Description of Proposed Action/Activity: WQM Part II Permit application for land application of 900 gpd of treated water to be discharged from Burnside Borough's new public water supply bag/cartridge filtration plant.

IV. NPDES Applications for Stormwater Discharges from MS4

V. Applications for NPDES Waiver Stormwater Discharges from MS4

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

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

NPDES Permit No.	Applicant Name and Address	County	Municipality	Receiving Water/Use
PAI032103006	S & A Homes, Inc. 5709 Linglestown Road Harrisburg, PA 17112	Cumberland	South Middleton Township	Letort Spring Run EV

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

Centre Conservation District: 414 Holmes Ave., Bellefonte, PA 16823, (814) 355-6817.

NPDES Permit No.	Applicant Name and Address	County	Municipality	Receiving Water/Use
PAI041403015	Hubler Ridge Subdivision 267 Sandy Lane Bellefonte, PA 16823	Centre	Marion and Walker Townships	Little Fishing Creek HQ-CWF

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

Elk County Conservation District: Courthouse Annex, 300 Center St., Ridgway, PA 15853, (814) 776-5373.

NPDES Permit No.	Applicant Name and Address	County	Municipality	Receiving Water/Use
PAI062403002	Catalyst Energy, Inc. 120 Shangri Lane Pittsburgh, PA 15237-3384	Elk	Highland Township	South Branch Tionesta Creek HQ-CWF Crane Run EV

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

PAG-12	CAFOs
PAG-13	Stormwater Discharges from MS4

MS4 Notices of Intent Received

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

<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>
PAG132264	Borough of Moosic 715 Main St. Moosic, PA 18507	Lackawanna	Moosic Borough	Lackawanna River CWF Mill Creek CWF Spring Brook CWF Stafford Meadow Brook CWF	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>
PAG136276	East McKeesport Borough 907 Florence Avenue East McKeesport, PA 15035-0160	Allegheny	East McKeesport Borough	Y
PAG136277	Allegheny Township 136 Community Bldg. Road Leechburg, PA 15656	Westmoreland	Allegheny Township	Y
PAG136278	Whitaker Borough 1001 Ardmore Boulevard Suite 100 Pittsburgh, PA 15221	Allegheny	Whitaker Borough	Y
PAG136279	Rankin Borough 320 Hawkins Avenue Rankin, PA 15104-1008	Allegheny	Rankin Borough	Y
PAG136280	New Sewickley Township 233 Miller Road Rochester, PA 15074	Beaver	New Sewickley 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 per-

mit. 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)

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

Permit No. 4303502, Public Water Supply.
 Applicant **Reynolds Water Co.**
 Township or Borough Pymatuning Township,
Mercer County
 Responsible Official Bradley R. Gosser, Director of
 Operations
 Type of Facility PWS
 Consulting Engineer Gannett Fleming, Inc.
 Application Received September 15, 2003
 Date
 Description of Action Installation of ammonia feed
 system for post-chloramination of
 finished water at a treatment
 plant.

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 **Group Mountain Springs**
 Township or Borough Foster Township,
Luzerne County
 Responsible Official Gary L. Troutman, General
 Partner
 Group Mountain Springs
 R. R. 1, Box 114T
 Northumberland, PA 17857
 Type of Facility Bulk Water Hauling System
 Application Received September 19, 2003
 Date
 Description of Action This application requests the
 transfer of PWS Permit No.
 2406498 from the Tulpehocken
 Spring Water, Inc. to Group
 Mountain Springs.

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

Application No. 3203502, Minor Amendment.

Applicant **Ernest Borough Council**
 P. O. Box 55
 Ernest, PA 15739
 Township or Borough Ernest Borough
 Responsible Official John Tortella, Council President
 Ernest Borough Council
 P. O. Box 55
 Ernest, PA 15739
 Type of Facility Water Treatment Plant
 Consulting Engineer Keller Engineers, Inc.
 420 Allegheny Street
 P. O. Box 61
 Hollidaysburg, PA 16648
 Application Received August 18, 2003
 Date

Description of Action Replacement of wooden filtration
 tank with a stainless steel tank
 of the same size.

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:

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

David Talucci Residence, Downingtown Borough, **Chester County**. Chris A. Purvis, Lewis Environmental Group, P. O. Box 639, Royersford, PA 19468, on behalf of David Talucci, 419 W. Church St., Downingtown, PA, has submitted a Notice of Intent to Remediate soil contaminated with BTEX and PHC. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Brandywine Ledger* on February 6, 2003.

Pusey Property aka The Hills of London Grove, London Grove Township, **Chester County**. Tim Carson, Environmental Consultants, Inc., 100 Lake Drive, Suite 3, Newark, DE 19702, on behalf of Phil Pusey, P. O. Box 485, Avondale, PA 19390, has submitted a Notice of Intent to Remediate soil contaminated with lead. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Daily Local News* on September 1, 2003.

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

Custer Residence, City of Reading, **Berks County**. Hydrocon Services, Inc., 16 East Minor Street, Emmaus, PA 18049, on behalf of Stroud Custer, 1522 Snyder Street, Reading, PA 19601, submitted a Notice of Intent to Remediate site soils contaminated with no. 2 fuel oil. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Reading Eagle* on July 30, 2003.

SICO Former Lubricant Plant, Mount Joy Borough, **Lancaster County**. Onesky Engineering, Inc., 210 Carter Drive, Suite 8, West Chester, PA 19382-4984, on behalf of The SICO Foundation, P. O. Box 127, Mount Joy, PA 17552, submitted a Notice of Intent to Remediate site soils contaminated with lead, BTEX and PAHs and site groundwater contaminated with BTEX and PAHs. The applicant proposes to remediate the site to meet the requirements of the Site-Specific and Statewide Health Standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Intelligence Journal* on September 4, 2003.

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

Cognis, Castanea Township, **Clinton County**. Cognis Corporation, 300 Brookside Avenue, Ambler, PA 19002 has submitted a Notice of Intent to Remediate groundwater contaminated with other organics and PAHs. The applicant proposes to remediate the site to meet the Site-Specific Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Lock Haven Express* on September 15, 2003.

SMS Sutton, Bellefonte Borough, **Centre County**. Chambers Environmental Group, Inc., on behalf of SMS Eumuco, Inc., 234 South Potter Street, Bellefonte, PA 16823, has submitted a Notice of Intent to Remediate soil and groundwater contaminated with lead and inorganics. The applicant proposes to remediate the site to meet a combination of the Site-Specific and Statewide Health Standards. A summary of the Notice of Intent to Remediate

was reported to have been published in the *Centre Daily Times* on September 8, 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 to 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.

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

52-310-009: Springbrook Enterprises, Inc. (HC-8, Box 8210, Hawley, PA 18428) for modification of the stone crushing operation and associated air cleaning device at their Pike County concrete facility in Blooming Grove Township, **Pike County**.

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

67-03030B: Bickel's Snack Foods, Inc. (1120 Zinns Quarry Road, York, PA 17404) for relocation of manufacturing equipment from their Emigsville plant to their Zinns Quarry Road plant in the City of York, **York County**.

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

49-00024B: Sunbury Property LLC—Knight-Celotex LLC (1400 Susquehanna Avenue, Sunbury, PA 17801) for construction of a fiberboard sander and associated air cleaning device (a cartridge collector) in the City of Sunbury, **Northumberland County**.

19-304-008D: Benton Foundry, Inc. (5297 SR 487, Benton, PA 17814) for construction of an isocure foundry core making machine to be controlled by an existing air cleaning device (a packed bed scrubber) in Sugarloaf Township, **Columbia County**.

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

AMS 03124: Sunoco Inc.—R and M (3144 Passyunk Avenue, Philadelphia, PA 19145) for installation of a selective hydrogenation unit in Philadelphia, **Philadelphia County**.

AMS 03129: Purolite Co. (3620 G Street, Philadelphia, PA 19134) for replacement of a dryer with a fluidbed dryer in Philadelphia, **Philadelphia County**.

AMS 03134: Henry H. Ottens Manufacturing Co. (7800 Holstein Avenue, Philadelphia, PA 19153) for permitting a liquid compounding and spray drying operation in Philadelphia, **Philadelphia County**.

AMS 03135: Purolite Co. (3620 G Street, Philadelphia, PA 19134) for installation of an acid scrubber in Philadelphia, **Philadelphia County**.

AMS 03157: Southern Graphic Systems (2781 Roberts Avenue, Philadelphia, PA 19129) for installation of a flexographic plate processor in Philadelphia, **Philadelphia County**.

AMS 03158: App Tec Laboratory Services (4751 League Island Boulevard, Philadelphia, PA 19112) for installation of two boilers, one emergency generator and ten air heaters in Philadelphia, **Philadelphia County**.

AMS 03159: Purolite Co. (3620 G Street, Philadelphia, PA 19134) for modification of the copolymer plant in Philadelphia, **Philadelphia 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.

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

54-308-020: Alcoa Engineered Products (53 Pottsville Street, P. O. Box 187, Cressona, PA 17929-0187) for the modification of melting furnaces nos. 8 and no. 9 at their facility in Cressona Borough, **Schuylkill County**. The facility is a Title V facility. The modification of melting furnaces no. 8 and no. 9 is to install new low NOx burners to melt aluminum. The modification and operation of the melting furnaces will result in annual emissions of 27.56 tons of NOx, 0.16 ton of SO₂, 22.17 tons of CO, 1.47 tons of VOC and 0.6 ton of lead. The melting furnaces are subject to Subpart RRR of the National Emission Standards for Hazardous Air Pollutants, 40 CFR 63.1500—63.1520. The plan approval will include all appropriate monitoring, recordkeeping and reporting requirements designed to keep the source and control device operating within all applicable air quality requirements and will be incorporated into the Title V Operating Permit through an Administrative Amendment in accordance with 25 Pa. Code § 127.450.

39-304-009D: Ransom Industries, LP—Tyler Pipe-Penn Division (101 North Church Street, Macungie, PA 18062) for installation and operation of an additional wheel grinder at their facility in the Borough of Macungie, **Lehigh County**. The wheel grinder will be exhausted to an existing fabric collector which controls particulate emissions from eight wheel grinders and a cut-off wheel grinder. The facility is a non-Title V facility. The total particulate emissions from the fabric collector will not exceed the best available technology standard of 0.01 grain/dscf (6.04 tons per year). The plan approval will include monitoring, reporting and recordkeeping requirements designed to keep the sources operating within all applicable air quality requirements.

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

ER-07-05002: Norfolk Southern Railway Corp. (200 North Fourth Avenue, Altoona, PA 16601) for certification of annual emission reduction credits totaling 69.80 tons of VOC and 4.35 tons of NOx from the shut down of the Hollidaysburg Car Shop in Hollidaysburg Borough, **Blair County**.

01-05023A: Carmeuse Lime, Inc. (11 Stanwix Street, Pittsburgh, PA 15222) for modifying the used oil fired in three lime kilns controlled by individual wet scrubbers at their Hanover lime plant in Oxford Township, **Adams County**. Potential emissions of hydrogen chloride (HCl) are estimated to increase by around 25 tons annually. The plan approval will include used oil restrictions, stack testing, monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality requirements.

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

41-303-008A: Glenn O. Hawbaker, Inc. (711 East College Avenue, Bellefonte, PA 16823) for construction of a recycled asphalt pavement (RAP) screen and five associated conveyors and four associated feeders, construction of 2,000-gallon fuel oil storage tank and a 25,000-gallon fuel oil storage tank, construction of an oil preheater and modification of a drum mix asphalt concrete plant by using no. 5 and no. 6 fuel oil and reprocessed/recycled oil as fuel in addition to the natural gas and no. 2 fuel oil when the plant is currently allowed to use at their Montoursville Asphalt Facility (Plant No. 15) in Loyalsock Township, **Lycoming County**.

Fugitive particulate matter emissions from the plant's RAP crushing system are projected by the applicant to be no greater than 7.74 tons in any 12 consecutive month period following the construction of the proposed screen and associated conveyors and feeders but are actually expected by the Department to be much less than this. The NOx, CO, SOx, VOCs and PM emissions from the proposed oil preheater will be no greater than .816, .685, .005, .045 and .062 ton, respectively, in any 12 consecutive month period. The VOC emissions from the two proposed fuel oil storage tanks are expected to be negligible. The asphalt concrete plant will emit no more than 38.51 pounds of NOx, 91 pounds of CO, 102.2 pounds of SOx and 22.4 pounds of VOCs when firing no. 5 fuel oil, no. 6 fuel oil or reprocessed/recycled oil nor will its fabric collector emit more than .02 grain of particulate matter per dry standard cubic foot of collector exhaust. The total combined HAP emissions from the asphalt plant are not expected to exceed 6.79 tons in any 12 consecutive month period and the formaldehyde and toluene emissions are not expected to exceed 2.1 and 1.9 tons, respectively, in the same period.

Following the completion of the proposed construction and modification, the entire facility will not emit more than 38.17 tons of NOx, 88.96 tons of CO, 99.14 tons of SOx, 21.78 tons of VOCs, 44.38 tons of PM and 22.19 tons of PM10, respectively, in any 12 consecutive month period.

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

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

1. The asphalt plant shall only be fired on gas (natural or LP), virgin no. 2 fuel oil, virgin no. 5 fuel oil, virgin no. 6 fuel oil or reprocessed/recycled oil.
2. The sulfur content of the virgin no. 5 fuel oil, virgin no. 6 fuel oil and reprocessed/recycled oil shall not exceed .5% (by weight).
3. The reprocessed/recycled oil used as fuel in the asphalt plant shall not contain contaminants equal to or in excess of the following limitation:

<i>Contaminant</i>	<i>Limitation</i>
Arsenic	5 parts per million
Cadmium	2 parts per million
Chromium	10 parts per million
Lead	100 parts per million
Total halides	1,000 parts per million
Polychlorinated biphenyls (PCB)	None detected (detection limit no higher than 2 parts per million)

Additionally, the flashpoint of the reprocessed/recycled oil shall not be less than 140°F.

4. The permittee shall not accept for use in the asphalt plant any shipment of reprocessed/recycled oil for which the arsenic, cadmium, chromium, lead, total halides and PCB content and/or flashpoint are unknown, or which fails to meet any established limitation for any of these,

nor shall the permittee accept for use any shipment of any oil to be used as fuel for which the sulfur content is unknown, or which fails to meet the limitation established herein for sulfur content.

5. A sample of each load of reprocessed/recycled oil delivered to the asphalt plant shall be taken at the time of delivery to the plant using a sampling technique capable of achieving a representative composite sample of the entire load and shall be retained onsite for at least 2 years for random selection and analysis by the Department. The samples are to be sealed and identified as to the date of delivery, delivery invoice number, and the like.

6. A sample of each shipment of reprocessed/recycled oil delivered to the asphalt plant shall be taken at the time of delivery to the plant using a sampling technique capable of achieving a representative composite sample of the entire load and analyzed for total halide concentration using EPA Method 9077. The result of these analyses will not, however, be accepted by the Department as a demonstration of compliance with the limitation established herein for total halides should they differ from the results of analyses performed using EPA Method 9076. The permittee shall also perform a complete analysis for all contaminants and parameters for which limitations have been established herein using reference methods specified by the Department on at least 1 out of every 15 shipments of reprocessed/recycled oil received.

7. The following analytical methods are to be employed to determine compliance with the contaminant limitations and flashpoint limitation specified herein unless the Department specifies an alternate method:

<i>Contaminant/Property</i>	<i>Analytical Method</i>
Arsenic	EPA 200.8 and/or EPA 200.7
Cadmium	EPA 200.8 and/or EPA 200.7
Chromium	EPA 200.8 and/or EPA 200.7
Lead	EPA 200.8 and/or EPA 200.7
Total halides	EPA 9076
Sulfur	ASTM D 4294
PCBs	EPA 3580 for extraction and EPA 608 for analysis
Flashpoint	ASTM D 93

8. The permittee shall submit an annual report to the Department listing the delivery date, quantity delivered, origin and delivery invoice number of each shipment of reprocessed/recycled oil delivered to the asphalt plant during the previous calendar year as well as identifying the arsenic, cadmium, chromium, lead, total halide, PCB and sulfur content and the flashpoint of each shipment. This report shall further identify the specific source of all analytical data provided and describe why this analytical data accurately represents the contaminant concentrations and flashpoint of the reprocessed/recycled oil delivered to the plant. This report shall be submitted by March 15 of each year.

9. The emission of particulate matter from the exhaust of the fabric collector controlling the emissions from the asphalt plant shall not exceed .02 grain per dry standard cubic foot of exhaust.

10. The NOx emissions from the asphalt plant shall not exceed .055 pound per ton of asphalt concrete produced when firing no. 5 fuel oil, no. 6 fuel oil or reprocessed/recycled oil.

11. The CO emissions from the asphalt plant shall not exceed .13 pound per ton of asphalt concrete produced when firing no. 5 fuel oil, no. 6 fuel oil or reprocessed/recycled oil.

12. The SOx emissions from the asphalt plant shall not exceed .141 pound per ton of asphalt concrete produced when firing no. 5 fuel oil, .139 pound per ton of asphalt concrete produced when firing no. 6 fuel oil or .146 pound per ton of asphalt concrete produced when firing reprocessed/recycled oil.

13. The VOC emissions (expressed as methane) from the asphalt plant shall not exceed .032 pound per ton of asphalt concrete produced when firing no. 5 fuel oil, no. 6 fuel oil or reprocessed/recycled oil.

14. The total combined HAP emissions from the asphalt plant shall not exceed 6.79 tons in any 12 consecutive month period, the formaldehyde emissions shall not exceed 2.1 tons in any 12 consecutive month period, the toluene emissions shall not exceed 1.9 tons in any 12 consecutive month period and the emission of any other individual HAP shall not exceed 1 ton in any 12 consecutive month period.

15. The quantity of asphalt concrete produced in the asphalt plant shall not exceed 1.358 million tons in any 12 consecutive month period.

16. The asphalt plant shall be stacked tested to determine the NOx, CO and VOC emission rates when firing no. 5 fuel oil and processing virgin material, when firing no. 5 fuel oil and processing a combination of virgin material and recycled asphalt pavement, when firing no. 6 fuel oil and processing virgin material, when firing no. 6 fuel oil and processing a combination of virgin material and recycled asphalt pavement, when firing reprocessed/recycled oil and processing virgin material and when firing reprocessed/recycled oil and processing a combination of virgin material and recycled asphalt pavement. The plant shall additionally be stacked tested to determine its particulate matter emission rate while operating in any one of these six operating scenarios. Should the required NOx, CO and VOC stack testing not be performed for any of the six operating scenarios identified herein, the asphalt plant will not be authorized to operate using that operating scenario.

17. The oil preheater shall be fired on natural gas only.

18. The operation of the recycled asphalt pavement screen and associated conveyors and feeders shall not result in the emission of any visible fugitive air contaminants (other than steam or water vapor).

19. No material other than virgin no. 2, no. 5 or no. 6 fuel oil and reprocessed/recycled oil shall be stored in the oil storage tanks. Additionally, no material having a vapor pressure equal to or greater than 10.5 kilopascals (1.5 psia) shall be stored in the tanks.

20. Following the completion of the construction and modification approved herein, the NOx, CO, SOx, VOCs, PM and PM 10 emissions from the entire facility shall not exceed 38.17, 88.96, 99.14, 21.78, 44.38 and 22.19 tons, respectively, in any 12 consecutive month period.

21. Comprehensive accurate records shall be maintained of the quantity of asphalt concrete produced each month as well as the amount of each type of fuel burned each month. All records shall be retained for at least 5 years and shall be made available to the Department upon request.

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

AMS 3071: Arway Linen and Rental (1696 Foulkrod Street, Philadelphia, PA 19124) for installation of one 300 HP no. 4 oil fired boiler, two 2.5 mmBtu/hr natural gas dryers and one 300,000 Btu/hr natural gas garment tunnel. Total NOx emissions from these facility installations will be 8.16 tons in any rolling 12-month period. The plan approval will contain operating and recordkeeping requirements to ensure operation within all applicable requirements.

AMS 3129, 3135, 3159: Purolite Co. (3620 G Street, Philadelphia, PA 19134) for replacement of an existing dryer with a fluidbed dryer, for connection of various equipment to the existing caustic scrubber and for installation of an acid scrubber to treat odor producing emissions in the City of Philadelphia, **Philadelphia County**. No increase in emissions is expected from these changes. The plan approval will contain operating and recordkeeping requirements to ensure operation within all applicable requirements.

OPERATING PERMITS

Intent to Issue Title V Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter G.

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

V03-002: The Children's Hospital of Philadelphia (34th and Civic Center Boulevard, Philadelphia, PA 19104) for the operation of a hospital in the City of Philadelphia, **Philadelphia County**.

The City of Philadelphia, Air Management Services (AMS) intends to issue a Title V/State Operating Permit. The Title V facility's air emission sources include three 800 Hp boilers, three 500 Hp boilers, a 250 Hp boiler, four 1,085 Hp peak-shaving generators, seven emergency generators and two ethylene oxide sterilizers which vent to an ethylene oxide abator.

The Operating Permit will be issued under 25 Philadelphia Code Title 3 and air management regulation XIII. Permit copies and other supporting information are available for public inspection at the AMS, 321 University Ave., Philadelphia, PA 19104. For further information, contact Edward Wiener, (215) 685-9426.

Persons wishing to file protest or comments on the previous operating permit must submit the protest or comments within 30 days from the date of this notice. Protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the operating permit or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least 30 days before the hearing.

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.

09-00106: Univar USA, Inc. (200 Dean Sievers Place, Morrisville, PA 19067) for a non-Title V Facility, State-only, Synthetic Minor Operating Permit in Falls Town-

ship, **Bucks County**. The facility receives chemicals in bulk and processes them for sale to small-volume consumers. The facility's major emissions are VOCs. The facility's emissions limits are 24.9 tpy for VOCs and the aggregate of HAPs and 9.9 tpy for an individual HAP. The permit will contain monitoring, recordkeeping, reporting and work practice standards designed to keep the facility operating within all applicable air quality requirements.

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

06-03022: Perkiomen Animal Hospital (919 Gravel Pike, Palm, PA 18070) for operation of a pathological incinerator in Hereford Township, **Berks 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.

06-03069: Highway Materials, Inc. (P. O. Box 1667, Blue Bell, PA 19422) for operation of a nonmetallic mineral crushing plant at the Temple Quarry in Alsace 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. Several of the sources in the plant are subject to 40 CFR Part 60, Subpart OOO—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 plant operating within all applicable air quality requirements.

28-05029: Fayetteville Contractors, Inc. (3185 Lincoln Way East, Fayetteville, PA 17222) for operation of a batch mix asphalt plant controlled by a fabric filter in Antrim Township, **Franklin County**. The asphalt plant is subject to 40 CFR Part 60, Subpart I—Standards of Performance for Hot Mix Asphalt Facilities. The liquid asphalt cement storage tanks are subject to 40 CFR Part 60, Subpart Kb—Standards of Performance for Volatile Organic Liquid Storage Vessels. The State-only operating permit will contain emission limits for all pollutants along with work practices, monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

36-03078: Hamilton Precision Metals, Inc. (1780 Rohrerstown Road, Lancaster, PA 17601) for operation of a manufacturing facility in East Hempfield Township, **Lancaster County**. The facility has the potential to emit 15 tons per year of VOCs, 8 tons per year of NO_x, 3 tons per year of CO and less than 1 ton per year of PM, SO_x and combined HAPs. The State-only operating permit shall contain additional testing, monitoring, recordkeeping and reporting requirements, emission restrictions and work practice standards designed to keep the facility operating within all applicable air quality requirements.

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

25-00969: Union Electric Steel Corp.—Erie Plant (1712 Greengarden Road, Erie, PA 16505) Natural Minor operating permit for emissions from secondary steel production in the City of Erie, **Erie 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 Environmental 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.

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

03901601. NPDES Permit No. PA0214221. Bradys Bend Dock Company (R. R. 1, Box 109, East Brady, PA 16028), to renew the permit for the Blue Row Tipple in Bradys Bend Township, **Armstrong County** and related NPDES permit, no additional discharges. Application received September 11, 2003.

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

33990102 and NPDES Permit No. PA0227978. McKay Coal Company, Inc. (P. O. Box 343, Punxsutawney, PA 15767). Renewal of an existing bituminous surface strip and auger operation in Perry Township, **Jefferson County** affecting 76.5 acres. Receiving streams: two unnamed tributaries of Foundry Run (CWF). There are no potable surface water supply intakes within 10 miles downstream. Application received September 22, 2003.

16830113 and NPDES Permit No. PA0201799. Colt Resources, Inc. (1824 Fisher Road, Strattanville, PA 16258). Renewal of an existing bituminous and tipple refuse disposal operation in Perry Township, **Clarion County** affecting 112.5 acres. Receiving streams: two unnamed tributaries to the Clarion River (CWF). There are no potable surface water supply intakes within 10 miles downstream. Application received September 26, 2003.

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

56813006 and NPDES Permit No. PA0125466. NSM Coals, Inc., P. O. Box 260, Friedens, PA 15541, permit renewal for reclamation only and for continued restoration of a bituminous surface mine and discharge of treated mine drainage in Stonycreek Township, **Somerset County**, affecting 929.7 acres. Receiving streams: unnamed tributaries to Clear Run and to Clear Run and Boone Run (CWF). The first downstream potable water supply intake from the point of discharge is Hooversville Borough Municipal Authority Stonycreek surface water intake. Application received September 18, 2003.

56880109 and NPDES Permit No. PA0598283. PBS Coals, Inc., P. O. Box 260, Friedens, PA 15541, permit renewal for continued operation of a bituminous surface and limestone removal mine in Brothersvalley Township, **Somerset County**, affecting 154.2 acres. Receiving

streams: unnamed tributaries of Bluelick Creek and Bluelick Creek (CWF). There are no potable water supply intakes within 10 miles downstream. Application received September 18, 2003.

56823033 and NPDES Permit No. PA0607541. Croner, Inc., P. O. Box 260, Friedens, PA 15541, permit renewal for continued operation of a bituminous surface, auger and limestone removal mine in Brothersvalley Township, **Somerset County**, affecting 126.6 acres. Receiving streams: unnamed tributary to Bluelick Creek and Swamp Creek, Swamp Creek, Bluelick Creek (CWF). There are no potable water supply intakes within 10 miles downstream. Application received September 18, 2003.

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

2966BSM50 and NPDES Permit No. PA0202851. Kaiser Refractories (R. R. 1, Box 35, Ohio, PA 15470-9616). NPDES renewal for discharge treatment of a noncoal industrial surface mine in Stewart Township, **Fayette County**, affecting 65 acres. Receiving streams: Laurel Run and an unnamed tributary to Laurel Run (CWF). There is no potable water supply intake within 10 miles from the point of discharge. Renewal application received September 19, 2003.

65930601 and NPDES Permit No. PA0200379. Timothy M. Hoover (3497 Route 981, Saltsburg, PA 15681-9106). NPDES renewal for continuation of a noncoal surface mine, in Loyalhanna Township, **Westmoreland County**, affecting 77.4 acres. Receiving stream: unnamed tributary to Conemaugh River (CWF). The first potable water supply intake within 10 miles downstream from the point of discharge: Saltsburg Water Authority. Renewal application received September 24, 2003.

Coal Applications Returned

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

65990103 and NPDES Permit No. PA0202550. TCNC Industries (384 Foster Road, North Versailles, PA 15137). Returned transfer application to the existing bituminous surface mine permitted to Gary Gioia Coal Company, in Hempfield Township, **Westmoreland County**, affecting 21.5 acres. Receiving streams: unnamed tributaries to Wilson Run and Wilson Run. Transfer application received March 5, 2003. Transfer application returned: September 23, 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.

66980302C and NPDES Permit No. PA0223956. Joseph W. Keller (158 Anderson Street, Tunkhannock, PA 18657), renewal of NPDES Permit for discharge of treated mine drainage in Lemon Township, **Wyoming County**, receiving stream: unnamed tributary to Loomis Swamp (CWF). Application received September 22, 2003.

PROJECTS UNDER THE ENVIRONMENTAL GOOD SAMARITAN ACT

The Environmental Good Samaritan Act (27 Pa.C.S. §§ 8001—8114) provides certain protections and immunities from civil liability for landowners and persons who voluntarily undertake reclamation and abatement projects to address land and water adversely affected by mining or oil or gas extraction or exploration for natural resources and left in an unreclaimed condition or left discharging water pollution. For landowners and persons to qualify for immunity, the projects must be approved by the Department of Environmental Protection (Department).

The following project proposals have been received by the Department. A copy of the proposals is available for inspection at the office indicated before each proposal.

Written comments or objections may be submitted by any person or any office 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.

Written comments or objections should contain the name, address and telephone number of the person submitting comments or objections; the proposal identification number; and a statement of sufficient detail to inform the Department of the basis of the comment or objection and the relevant facts upon which it is based.

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

EGS, 54002 Schuylkill County Conservation District. A project to provide treatment to an abandoned drift mine discharge in Tremont Township, **Schuylkill County**, affecting 0.5 acre, receiving stream—Swatara Creek. Project proposal received September 24, 2003.

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

EGS 56005. Wells Creek Watershed Association, 1019 Pompey Hill Road, Stoystown, PA 15563. A water pollution abatement project to construct a passive abandoned mine drainage treatment system on 2.2 acres of the Betty R. Brown property 1 mile northeast of Listie on the east side of T-575 in Somerset Township, **Somerset County**. Wells Creek is the receiving stream for this

Adams Station Discharge No. 6 Project proposal. Project 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 approval of a request for certification under section 401 of the FWPCA or to the issuance of a Dam Permit, Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment must submit comments, suggestions or objections within 30 days of the date of this notice, as well as questions, to the 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

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

E45-454. The Great Lakes Companies, Inc., 122 West Washington Avenue, Madison, WI 53703, Pocono Township, **Monroe County**, U. S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a 36-inch diameter stormwater outfall structure and a 12-inch diameter

sewage treatment plant outfall structure in the floodway of Scot Run (HQ-CWF). This work is associated with the proposed Great Wolf Lodge, a 400-unit resort hotel containing indoor recreation amenities. The project is between SR 0080 and SR 0611, north of Interchange 44 (Mount Pocono, PA Quadrangle N: 10.5 inches; W: 9.8 inches).

E66-131. Richard Brewer, 104 Dark Hollow Road, Tunkhannock, PA 18657 in Tunkhannock Township, **Wyoming County**, U. S. Army Corps of Engineers, Baltimore District.

To place fill in 0.17 acre of palustrine forested wetlands for the purpose of constructing a professional office building. The project is on the west side of SR 0006, just north of the intersection of SR 0006 and Township Road T430 (Dark Hollow Road) (Tunkhannock, PA Quadrangle N: 12.4 inches; W: 12.2 inches).

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

E27-073, Pennsylvania General Energy, 208 Liberty Street, Warren, PA 16365. Warrant 5135 in Kingsley Township, **Forest County**, ACOE Pittsburgh District (Marienville West, PA Quadrangle N: 19.5 inches; W: 12.6 inches).

To construct and maintain a steel beam bridge having a clear span of 59 feet and an underclearance of 8 feet across Salmon Creek and a de minimis area of wetland on an access road into Warrant 5135, approximately 750 feet northwest of Forest Roadway 145, 2.9 miles north of SR 3004.

E43-298, Christner Realty, 235 Alpha Drive, Pittsburgh, PA 15238. Village Park Phase IV, Lots 108-111 in Pine Township, **Mercer County**, ACOE Pittsburgh District (Grove City, PA Quadrangle N: 3.2 inches; W: 10.0 inches).

To fill a 0.27 acre wetland for development of Lots 108—111 between Hunt Drive and Park Drive within the Village Park Phase IV residential development southeast of Grove City. Project proposes creation of 0.75 acre of replacement wetland.

ENVIRONMENTAL ASSESSMENTS

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

D1113-117EA. Ken McCullough, Beaver Lodge Recreation Center, 937 Lions Road, Cherry Tree, PA 15724. Susquehanna Township, **Cambria County**. ACOE Baltimore District.

Project proposes to remove approximately 3.7 acres of accumulated sediment from Beaver Lodge Recreation Center reservoir. The reservoir will be temporarily drawn down to remove the sediment. The sediment will then be stored on Beaver Lodge Recreation Center property at a predetermined site. There will be no direct impacts to wetlands during the dredging. The reservoir is supplied by Beaver Run (CWF). The reservoir is 0.2 mile northwest of the intersection of SR 4025 and T579 (Barnesboro, PA Quadrangle N: 17.8 inches; W: 1.4 inches).

D4613-154EA. Brian and Joan Gail, 1314 Mount Pleasant Road, Villanova, PA 19085 and **Ralph and Sharon Harris**, 1320 Mount Pleasant Road, Villanova,

PA 19085. Lower Merion Township, **Montgomery County**. ACOE Philadelphia District.

Project proposes to remove approximately 2.7 acres of accumulated silt and sediment from the reservoir impounded by the Mitchell Dam. The reservoir is supplied by Arrowmink Creek (WWF). The reservoir will be temporarily drawn down to complete the dredging. There will be no direct impacts to wetlands during the dredging. The reservoir is approximately 1,500 feet northwest of the intersection of Spring Mill Road and Mount Pleasant Road (Norristown, PA Quadrangle N: 10.30 inches; W: 8.45 inches).

D4613-339EA. Upper Dublin Township, 801 Loch Alsh Avenue, Fort Washington, PA 19034. Upper Dublin Township, **Montgomery County**. ACOE Philadelphia District.

Project proposes to breach and remove Twining Valley Golf Course Dam across a tributary to Sandy Run (TSF), to eliminate a public safety hazard and to return the stream to its free-flowing condition. The dam is the fairway of the 15th hole of the Twining Valley Golf Course, 1,200 feet north of the intersection of Twining Road and Susquehanna Road (Ambler, PA Quadrangle N: 2.60 inches; W: 4.85 inches).

D0613-041EA. Game Commission, 1601 Elmerton Avenue, P. O. Box 67000, Harrisburg, PA 17106-7000. Heidelberg and Marion Townships, **Berks County**. ACOE Philadelphia District.

Project proposes to breach and remove Charming Forge Dam across Tulpehocken Creek (TSF), to eliminate a public safety hazard and for stream and fishery restoration. The dam is immediately upstream of Charming Forge Road Bridge (SR 3037), approximately 1,000 feet southeast of the intersection of T512 and SR 3037 (Strausstown, PA Quadrangle N: 2.2 inches; W: 6.5 inches).

D0613-168EA. Foundation for the Reading Public Museum, 500 Museum Road, Reading, PA 19611-1425. City of Reading, **Berks County**. ACOE Philadelphia District.

Project proposes to breach and remove Mirror Pool Dam (lower dam) across Wyomissing Creek (CWF) to return the stream to its free-flowing condition and to promote unobstructed fish passage. Project also proposes to install in-stream structures to stabilize approximately 1,400 feet of stream channel. The dam is on the property of the Reading Public Museum approximately 500 feet west of the intersection of Museum Road and Parkside Drive South (Reading, PA Quadrangle N: 14.2 inches; W: 10.6 inches).

D0613-170EA. Foundation for the Reading Public Museum, 500 Museum Road, Reading, PA 19611-1425. City of Reading, **Berks County**. ACOE Philadelphia District.

Project proposes to breach and remove Mirror Lake Dam (upper dam) across Wyomissing Creek (CWF) to return the stream to its free-flowing condition and to promote unobstructed fish passage. Project also proposes to install in-stream structures to stabilize approximately 1,400 feet of stream channel. The dam is on the property of the Reading Public Museum approximately 700 feet west of the intersection of Museum Road and Parkside Drive South (Reading, PA Quadrangle N: 14.2 inches; W: 10.6 inches).

STORAGE TANKS**SITE-SPECIFIC INSTALLATION PERMITS**

The following Storage Tank Site-Specific Installation Permit application has been received by the Department of Environmental Protection (Department) and is currently under review. Persons wishing to comment on the proposed permit are invited to submit a statement to the Bureau of Land Recycling and Waste Management, Division of Storage Tanks, P. O. Box 8763, Harrisburg, PA 17105-8763 within 30 days from the date of this publication. Comments received within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of the comment and the relevant facts upon which it based.

The following applications have been received for Storage Tank Site-Specific Installation Permits under the authority of the Storage Tank Spill Prevention Act (35 P. S. §§ 6021.304, 6021.504, 6021.1101 and 6021.1102) and 25 Pa. Code Chapter 245, Subchapter C.

<i>SSIP Application No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
03006	Bob Arnold Hershey Foods Corp. 1025 Reese Avenue Hershey, PA 17033	Dauphin	Lower Swatara	Two ASTs storing jet fuel	12,000 each

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>
PA0053139	Richard O'Leary 1409 Newman Road Pennsburg, PA 18073	Montgomery County Upper Hanover Township	Tributary to Perkiomen Creek	Y

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

<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>
PA0112470 Sewerage Public	Upper Augusta Township R. D. 1, Box 313 Sunbury, PA 17801	Northumberland County Upper Augusta Township	Unnamed tributary of Susquehanna River 5E	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>
PA0204943 Industrial Waste	Borough of Glen Campbell P. O. Box 43 Glen Campbell, PA 15706	Indiana County Glen Campbell Borough	UNT of Cush Creek	Y
PA0001350 Sewage	Eighty Four Mining Company P. O. Box 355 Eighty Four, PA 15330	Washington County Somerset Township	Center Branch of Pigeon Creek	Y
PA0001473 Sewage	Mon River Sewage Corporation 1428 Delberts Drive Monongahela, PA 15063	Allegheny County Forward Township	Monongahela River	Y
PA0097667 Sewage	Pittsburgh International Industrial Park 1001 International Drive P. O. Box 15 Imperial, PA 15126	Allegheny County North Fayette Township	UNT of North Branch Robinson Run	Y
PA0203670 Sewage	Judith A. Krysa 2080 Old State Road Gibsonia, PA 15044	Allegheny County Pine Township	UNT to Breakneck Creek	Y
PA0215988 Sewage	Sonnynick Inc. R. D. 4 Box 240 Elizabeth, PA 15037	Fayette County Menallen Township	UNT of Saltlick Run	Y
PA0215996 Sewage	3R Development 1025 Rostraver Road Belle Vernon, PA 15012	Westmoreland County Rostraver Township	UNT of Speers Run	Y
PA0216160 Sewage	Eighty Four Mining Company P. O. Box 355 Eighty Four, PA 15330	Washington County South Strabane Township	Pigeon Creek from mine borehole and underground mine drainage system	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>
PA0030031	Kebert Industrial Park P. O. Box 418 Meadville, PA 16335	Greenwood Township Crawford County	Unnamed tributary to Conneaut Outlet 16D	Y
PA0103225	KRS Development, Inc. 17933 Paint Boulevard Shippensburg, PA 16254	Paint Township Clarion County	Unnamed tributary to Clarion River	Y

<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>
PA0210781	Hamlin Township R. D. 1 Box 185A Kane, PA 16735	Hamlin Township McKean County	Marvin Creek	Y

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

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

NPDES Permit No. PA0054305, Industrial Waste, **Sunoco Partners Marketing and Terminals, L. P.**, 1801 Market Street, 15/10 Penn Center, Philadelphia, PA 19103-1699. This proposed facility is in West Whiteland Township, **Chester County**.

Description of Proposed Action/Activity: Renewal to discharge stormwater runoff into an unnamed tributary to Valley Creek-3H Watershed.

NPDES Permit No. PA0053074, Sewage, **Valley Green Corporate Center c/o Sentry Realty Services, Inc.**, P. O. Box 310, Abington, PA 19001-0310. This proposed facility is in Whitemarsh Township, **Montgomery County**.

Description of Proposed Action/Activity: Renewal to discharge into Sandy Run Creek-3F Wissahickon Watershed.

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

NPDES Permit No. PA0083941, Industrial Waste, **Community Refuse Service, Inc., Cumberland County Landfill**, 135 Vaughn Road, Shippensburg, PA 17257. This proposed facility is in Hopewell Township, **Cumberland County**.

Description of Proposed Action/Activity: Authorization to discharge to Conodoguinet Creek in Watershed 7-B.

NPDES Permit No. PA0246948, CAFO, **Donald M. Eckman**, 357 Black Barren Road, Peach Bottom, PA 17563. This proposed facility is in Fulton Township, **Lancaster County**.

Description of Size and Scope of Proposed Operation/Activity: Authorization to operate a 516.35 AEU swine and dairy CAFO in Watershed 7-K.

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

PA0026557, SIC 4952, **The Municipal Authority of the City of Sunbury**, 462 South Fourth Street, Sunbury, PA 17801. This proposed action is for renewal of an NPDES permit for an existing discharge of treated sewage to Shamokin Creek in the City of Sunbury, **Northumberland County**.

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

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the downstream potable water supply considered during the evaluation is the Dauphin Borough.

Outfall 001: The proposed effluent limits, based on a design flow of 4.2 MGD, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Suspended Solids	30	45	60
Total Chlorine Residual	0.5		1.6
Fecal Coliform	200/100 ml as a geometric average		
(5-1 to 9-30)	2,000/100 ml as a geometric average		
(10-1 to 4-30)	6.0—9.0 SU at all times		
pH			

Other Conditions: monitoring of stormwater Outfall S101; and monitoring of CSO Outfalls 002—007 for cause, frequency, duration and quantity.

The EPA waiver is not in effect.

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

NPDES Permit No. PA0026506-A1, Sewage, **West Mifflin Sanitary Sewer Municipal Authority**, 1302 Lower Bull Run Road, West Mifflin, PA 15122. This proposed facility is in West Mifflin Borough, **Allegheny County**.

Description of Proposed Action/Activity: Discharge to Thompson Run.

NPDES Permit No. PA0027669-A1, Sewage, **McCandless Sanitary Authority**, 9600 Perry Highway, Pittsburgh, PA 15237. This proposed facility is in Hampton Township, **Allegheny County**.

Description of Proposed Action/Activity: Discharge to Pine Creek STP to Pine Creek.

NPDES Permit No. PA0028410-A1, Sewage, **Municipal Authority of the Borough of Baden**, P. O. Box 134, Baden, PA 15005. This proposed facility is in Baden Borough, **Beaver County**.

Description of Proposed Action/Activity: Discharge of uncontaminated stormwater from the STP roadway and roof drains.

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

NPDES Permit No. PA0002666, Industrial Waste, **Crompton Corporation**, 100 Sonneborn Lane, Petrolia, PA 16050. This proposed facility is in Fairview Township, **Butler County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to South Branch Bear Creek.

NPDES Permit No. PA0024571, Sewage Amendment No. 3, **Cranberry Township, Brush Creek Water Pollution Control Facility**, 2525 Rochester Road, 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.

NPDES Permit No. PA0239160, Sewage, **McCalmont Township**, P. O. Box 276, Anita, PA 15711. This proposed facility is in McCalmont Township, **Jefferson County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to Elk Run.

NPDES Permit No. PA0239216, Sewage, **Jerry and Gail Pazak**, 7517 Tuscarora Street, Pittsburgh, PA 15208. This proposed facility is in Cranberry Township, **Venango County**.

Description of Proposed Action/Activity: Allegheny River.

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. 1503411, Sewerage, **Borough of Phoenixville**, 140 Church Street, Phoenixville, PA 19460. This proposed facility is in Borough of Phoenixville, **Chester County**.

Description of Proposed Action/Activity: Construction and operation of 9,200 linear feet of 8, 12, 15 and 18-inch diameter PVC and ductile iron sewers with precast concrete manholes.

WQM Permit No. 4603412, Sewerage, **Berks-Montgomery Municipal Authority**, 136 Municipal Drive, Gilbertsville, PA 19525-0370. This proposed facility is in Douglass Township, **Montgomery County**.

Description of Proposed Action/Activity: An existing sanitary sewerage pumping station.

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

WQM Permit No. 4003402, Sewerage, **Johnson's Home for the Aged**, R. R. 2, Box 72, Wapwallopen, PA 18660. This proposed facility is in Hollenback Township, **Luzerne County**.

Description of Proposed Action/Activity: This project is for the construction of a small flow sewage treatment facility to serve a home for the aged, which will generate a sewerage flow of approximately 2,000 GPD. The system is to replace the present on-lot system, which is malfunctioning.

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

WQM Permit No. 3103401, Sewerage, **Alexandria Borough—Porter Township Joint Municipal Authority**, P. O. Box 113, Alexandria, PA 16611-0113. This proposed facility is in Porter Township, **Huntingdon County**.

Description of Proposed Action/Activity: Approval for the construction/operation of sewage treatment facilities and sewers and appurtenances.

WQM Permit No. 0503405, Sewerage, **East Providence Township Municipal Authority**, P. O. Box 83, Municipal Lane, Breezewood, PA 15333. This proposed facility is in East Providence Township, **Bedford County**.

Description of Proposed Action/Activity: Construction of sewer extension and related appurtenances on Graceville Road and South Main Street to serve 35 EDUs. Modifications at the treatment plant include installation of a centrifuge to dewater sludge, construction of a 150,000-gallon equalization tank, construction of a new vortex grit separator, installation of a belt fine screen in the headwork, conversion of gaseous to liquid chlorine for disinfection and an installation of froth spray system on both aeration tank.

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

WQM Permit No. 5503403, Sewerage 4952, **Beavertown Municipal Authority**, 419 Old Orchard Drive, Beavertown, PA 17813. This proposed facility is in Beavertown Borough, **Snyder County**.

Description of Proposed Action/Activity: Issuance of a Water Quality Management Part II Permit for construction of a new ball field pump station, rehabilitation of a large portion of the sewage collection system and replacement of the existing wastewater treatment plant with a sequencing batch reactor plant.

WQM Permit No. 1900404-T1, Sewerage 4952, **Michael B. Karaffa**, 1077 SR 93, Berwick, PA 18603. This proposed facility is in North Centre Township, **Columbia County**.

Description of Proposed Action/Activity: The applicant proposes an ownership transfer of the respective permit for a small flow treatment facility to serve a residence. The treatment facility will discharge to Fester Hollow (CWF).

WQM Permit No. 4703404, Sewerage 4952, **Miles M. Betz**, 4439 Muncy Exchange Road, Turbotville, PA 17772. This proposed facility is in Anthony Township, **Montour County**.

Description of Proposed Action/Activity: Construction of small flow sewage treatment system to serve the Betz/Cox residences.

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

WQM Permit No. 0202411, Sewerage, **Municipal Authority of the Township of South Fayette**. This proposed facility is in South Fayette Township, **Allegheny County**.

Description of Proposed Action/Activity: Construction of Fishing Run sanitary sewer extension.

WQM Permit No. 3203404, Sewerage, **Jack Lentz**, 12554 Route 286 Highway West, Clarksburg, PA 15725. This proposed facility is in Young Township, **Indiana County**.

Description of Proposed Action/Activity: Construction of a sewage treatment plant to serve Clarksburg Mobile Home Park.

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

WQM Permit No. 6103401, Sewerage, **Jerry and Gail Pazak**, 7517 Tuscarora Street, Pittsburgh, PA 15208. This proposed facility is in Cranberry Township, **Venango County**.

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

WQM Permit No. 4203404, Sewerage, **John E. Jr. and Kimberly D. Thompson**, 5004 Route 446, Eldred, PA 16731. This proposed facility is in Eldred Township, **McKean County**.

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

WQM Permit No. 6203415, Sewerage, **Michael C. Hornstrom**, R. R. 1, Box 79, Youngsville, PA 16371. This proposed facility is in Sugar Grove Township, **Warren County**.

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

WQM Permit No. 6203414, Sewerage, **Jerome V. Kobzowicz**, 9470 Cherokee Tr., Streetsboro, OH 44241. This proposed facility is in Pittsfield Township, **Warren County**.

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

WQM Permit No. 3303401, Sewerage, **McCalmont Township**, P. O. Box 276, Anita, PA 15711. This proposed facility is in McCalmont Township, **Jefferson County**.

Description of Proposed Action/Activity: This project is for the construction and operation of a new sewage treatment facility to serve the Village of Anita.

IV. NPDES Stormwater Discharges from MS4 Permit Actions

V. NPDES Waiver Stormwater Discharges from MS4 Actions

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024503007	Harmon Homes, Inc. R. R. 5, Box 5234 East Stroudsburg, PA 18301	Monroe	Hamilton Township	Lake Creek HQ-CWF
PAI025203003	New Jersey YMHA-YWHA Camps 21 Plymouth St. Fairfield, NJ 02000	Pike	Dingman Township	Sawkill Creek EV
PAI023903025	Penn Foam Corp. 2625 Mitchell Ave. Allentown, PA 18103	Lehigh	City of Allentown	Trout Creek HQ-CWF
PAI023903022	Landscape Products Co., Inc. Route 512, P. O. Box 117 Bath, PA 18014	Lehigh	Upper Macungie Township	Iron Run HQ-CWF
PAI023903026	Robert Susko 2620 Fish Hatchery Rd. Allentown, PA 18103	Lehigh	Salisbury Township	Little Lehigh Creek HQ-CWF

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>
PAI2030503002	Hopewell Township Supervisors 2759 Raystown Road Hopewell, PA 16650	Bedford	Hopewell Township	Yellow Creek HQ-CWF

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

Westmoreland County Conservation District: 211 Donohoe Road, Greensburg, PA 15601-9217, (724) 837-5271.

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI056503004	DeCesare Corporation 4241 William Penn Highway Suite 300 Murrysville, PA 15668	Westmoreland	Murrysville	Steels Run (tributary to Turtle Creek Watershed) HQ

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI061003003	Sarver Square Associates Inc. P. O. Box 42 Murrysville, PA 15668	Butler	Buffalo Township	Little Buffalo Creek HQ-TSF

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

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

List of NPDES and/or Other General Permit Types

PAG-1	General Permit for Discharges from Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated with Construction Activities (PAR)
PAG-3	General Permit for Discharges of Stormwater from Industrial Activities
PAG-4	General Permit for Discharges from 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>
Luzerne County Fairview Township	PAG2004003033	TDG Development, LLC 100 Colliery Rd. Dickson City, PA 18519	Big Wapwallopen Creek CWF	Luzerne County Conservation District (570) 674-7991
Luzerne County Plains Township	PAG2004003035	Penn National Gaming, Inc. 855 Berkshire Blvd. Wyomissing, PA 19610	Mill Creek CWF	Luzerne County Conservation District (570) 674-7991
Northampton County City of Easton	PAG2004803036	Glenn Reibman County of Northampton 669 Washington St. Easton, PA 18042	Lehigh River WWF	Northampton County Conservation District (610) 746-1971
Northampton County Williams Township	PAG2004803033	Smooth-on, Inc. 2000 Saint John St. Easton, PA 18042	Delaware River WWF, MF	Northampton County Conservation District (610) 746-1971

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<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>
Lehigh County Upper Saucon Township	PAR10Q126-1	Robert Bower Stabler Land Co. 4401 Camp Meeting Rd. Center Valley, PA 18034	Saucon Creek CWF	Lehigh County Conservation District (610) 391-9583
Breezy Meadows Subdivision Berks County Ruscombmanor Township	PAG2000603048	Gregg Bogia 100 Seyer Road Fleetwood, PA 19522	Furnace Creek TSF	Berks County Conservation District 1238 County Welfare Rd., P. O. Box 520 Leesport, PA 19533 (610) 372-4657 Ext. 201
Cumberland County Silver Spring Township	PAG2002103035	Lobar Associates 4 Barlo Circle Dillsburg, PA 17019	Conodoguinet Creek WWF	Cumberland Conservation District 43 Brookwood Avenue Carlisle, PA 17013 (717) 240-7812
Cumberland County North Middleton Township	PAG2002103038	The Commons at Parker Spring Partnership P. O. Box 248 Claremont Rd. Carlisle, PA 17013	Parker Spring	Cumberland Conservation District 43 Brookwood Avenue Carlisle, PA 17013 (717) 240-7812
Cumberland County Lower Allen Township	PAG2002103024	New Penn Motor Express Inc. High Meadow—Phase V Ken Vandenburg 625 S. 5th Ave. Lebanon, PA 17042	Yellow Breeches Creek CWF	Cumberland Conservation District 43 Brookwood Avenue Carlisle, PA 17013 (717) 240-7812
Cumberland County East Pennsboro Township	PAG2002103037	Weswood Hills Associates LLC Don Erwin 4216 Little Run Road Harrisburg, PA 17110	UNT to Susquehanna River WWF	Cumberland Conservation District 43 Brookwood Avenue Carlisle, PA 17013 (717) 240-7812
Dauphin County Lower Paxton Township	PAG2002203041	Triple Crown Corp. 5351 Jaycee St. Harrisburg, PA 17112	Beaver Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Rd. Dauphin, PA 17018 (717) 921-8100
York County Conewago Township	PAG2006703104	John Gilliland Sovereign National 20 Walden Court York, PA 17404	Fox Run TSF Little Conewago TSF	York County Conservation District Pleasant Acres Road Suite E York, PA 17402 (717) 840-7430
York County Shrewsbury Township and Borough	PAG2006703063	Allen Smith D. A. K. Properties Edgegrove Road Hanover, PA 17331	UNT to South Branch Codorus Creek WWF	York County Conservation District Pleasant Acres Road Suite E York, PA 17402 (717) 840-7430
York County East Manchester Township	PAG2006703118	Asbury Pointe Richard Shreiber 135 N. George Street York, PA 17401	Codorus Creek WWF	York County Conservation District Pleasant Acres Road Suite E York, PA 17402 (717) 840-7430
York County Newberry Township	PAR10Y335R	Alvin Fisher Grandview Acres 404 Coppenhaffer Road York, PA 17404	UNT to Susquehanna River WWF	York County Conservation District Pleasant Acres Road Suite E York, PA 17402 (717) 840-7430

<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>
York County Manchester Township	PAG2006703099	Gary Stewart, Jr. Sunrise Holdings P. O. Box 2587 York, PA 17404	Willis Run TSF	York County Conservation District Pleasant Acres Road Suite E York, PA 17402 (717) 840-7430
York County Manchester Township	PAG2006703049	James Craft J. G. Leasing Co. P. O. Box 8 York Haven, PA 17370	Little Conewago Creek TSF	York County Conservation District Pleasant Acres Road Suite E York, PA 17402 (717) 840-7430
York County Manchester Township	PAG2006703093	In Suk Pak MacGregor Downs 950 E. Cherrywine Drive	UNT to Codorus Creek WWF	York County Conservation District Pleasant Acres Road Suite E York, PA 17402 (717) 840-7430
York County Fawn Township	PAG2006703102	John Linkous 308 Main Street Delta, PA 17314	UNT to Bald Eagle Creek TSF	York County Conservation District Pleasant Acres Road Suite E York, PA 17402 (717) 840-7430
York County East Manchester Township	PAR10Y349R	Tim Kinsley Kinsley Equities 2700 Walter Street York, PA 17403	Little Conewago Creek TSF	York County Conservation District Pleasant Acres Road Suite E York, PA 17402 (717) 840-7430
York County Spring Garden Township	PAG2006703060	Wellspan Properties 45 Monument Road York, PA 17403	Codorus Creek WWF	York County Conservation District Pleasant Acres Road Suite E York, PA 17402 (717) 840-7430
Union County East Buffalo Township	PAG2006003008	John Mathias Smoketown Fields 403 Lakeside Dr. Lewisburg, PA 17837	Limestone Run (Bull Run) WWF	Union County Conservation District 88 Bull Run Crossing, Suite 5 Lewisburg, PA 17837 (570) 523-8782
Cambria County Richland Township	PAG2001103009	United Cerebral Palsy 616 Somerset Street Johnstown, PA 15901	Sandy Run CWF	Cambria County Conservation District (814) 472-2120
Somerset County Conemaugh Township	PAG2005603006	Joseph DiBartola Conemaugh Township Area School District 300 West Campus Ave. Davidsville, PA 15928	UNT to Stonycreek River CWF	Somerset County Conservation District (814) 445-4652

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>
Bridgewater Township Susquehanna County	PAR212226	Cayuga Concrete Pipe Co. Division of Oldcastle Precast P. O. Box 129 Montrose, PA 18801	Snake Creek CWF	NERO Water Management Program 2 Public Square Wilkes-Barre, PA 18711-0790 (570) 826-2511

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<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>
Hazleton City Luzerne County	PAR232209	Alcoa Kama 600 Dietrich Avenue Hazleton, PA 18201	Storm sewer to Hazle Creek CWF	NERO Water Management Program 2 Public Square Wilkes-Barre, PA 18711-0790 (570) 826-2511
Montoursville Borough Lycoming County	PAR804844	Sunoco Inc. (R & M)/Montour Service Oil Company 112 Broad Street Montoursville, PA 17777	Storm sewer to Loyalsock Creek TSF	Northcentral Regional Office Water Management Program 208 West Third Street, Suite 101 Williamsport, PA 17701 (570) 327-3666
Loyalsock Township Lycoming County	PAR804845	Sunoco Inc. (R & M)/Montour Service Oil Company 112 Broad Street Montoursville, PA 17777	Storm Sewer to Loyalsock Creek TSF	Northcentral Regional Office Water Management Program Manager 208 West Third Street Williamsport, PA 17701 (570) 327-3666
Borough of Wellsboro Tioga County	PAR904805	Borough of Wellsboro 28 Crafton Street Wellsboro, PA 16901	Marsh Creek WWF	Northcentral Regional Office Water Management Program 208 West Third Street, Suite 101 Williamsport, PA 17701 (570) 327-3666
<i>General Permit Type—PAG-4</i>				
<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>
Franklin County Letterkenny Township	PAG043710	Greg and Christina Gress 8446 Cumberland Highway Chambersburg, PA 17201	Lehman Run WWF 7-B	SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Perry County Rye Township	PAG043711	Camille Mayka 100 Reed Drive Marysville, PA 17053	UNT Fishing Creek CWF 7-A	SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Anthony Township Montour County	PAG045163	Miles M. Betz 4439 Muncy Exchange Road Turbotville, PA 17772	UNT West Branch Chillisquaque Creek WWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666

<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 Centre Township Columbia County	PAG045097	Michael B. Karaffa 1077 SR 93 Berwick, PA 18603	Fester Hollow CWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Sugar Grove Township Warren	PAG048926	Michael C. Hornstrom R. R. 1, Box 79 Youngsville, PA 16371	Unnamed tributary of Matthews Run	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Eldred Township McKean County	PAG048928	John E. Jr. and Kimberly D. Thompson 5004 Route 446 Eldred, PA 16731	Unnamed tributary to the Allegheny River	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Pittsfield Township Warren County	PAG048924	Jerome V. Kobzowicz 9470 Cherokee Tr. Streetsboro, OH 44241	Unnamed tributary of Little Brokenstraw Creek	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Waterford Township Erie County	PAG048592	Thomas A. Platz 12704 Smedley Road Waterford, PA 16441	Unnamed tributary to French Creek	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Perry Township Lawrence County	PAG048509	Charles J. and Deborah L. Santilo 248S VanGorder Mill Road Ellwood City, PA 16117	Unnamed tributary to Slippery Rock Creek	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Washington Township Erie County	PAG048551	John R. Suminski 3400 Crane Road Edinboro, PA 16412	Unnamed tributary to Conneauttee Creek	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
<i>General Permit Type—PAG-5</i>				
<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	PAG050043	Exxon Mobil Corporation 1121 North Bethlehem Pike Suite 60, 312 Spring House, PA 19477	Towamencin Creek 3E Perkiomen Watershed	Southeast Regional Office Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428
Conewango Township Warren County	PAG058335	Erie Petroleum, Inc. P. O. Box 6345 Erie, PA 126512	Allegheny River	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

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>
West Pennsboro Township Cumberland County	PAG083570	Borough of Carlisle 53 W. South St. Carlisle, PA 17013	Walter Fickes Farm West Pennsboro Township Cumberland County	SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707
North Middleton Township Cumberland County	PAG083570	Borough of Carlisle 53 W. South St. Carlisle, PA 17013	Ronald Egolf Farm North Middleton Township Cumberland County	SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707

General Permit Type—PAG-9

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Contact Office and Telephone No.</i>
Upper Nazareth Township Northampton County	PAG092211	Henry Yeska & Sons, Inc. 821 Georgetown Rd. Nazareth, PA 18064	NERO 2 Public Square Wilkes-Barre, PA 180711
Farmington Township Tioga County	PAG094808	B & L Portable Toilet Rental Inc. R. R. 1, Box 112 Tioga, PA 16946	Northcentral Regional Office (570) 327-3655

General Permit Type—PAG-13

<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>
PAG136110	Kennedy Township 340 Forest Grove Road Coraopolis, PA 15108	Allegheny	Kennedy Township	UNT to Chartiers Creek WWF Ohio River WWF	Y
PAG136142	Munhall Borough 1900 West Street West Homestead, PA 15120	Allegheny	Munhall Borough	Homestead Run WWF West Run WWF	Y
PAG136176	Municipality of Monroeville 2700 Monroeville Boulevard Monroeville, PA 15146	Allegheny	Monroeville Borough	Abers Creek TSF Leak Run WWF Piersons Run WWF Simpson Run TSF Thompson Run WWF Turtle Creek TSF	Y
PAG136192	Liberty Borough 2921 Liberty Way McKeesport, PA 15133	Allegheny	Liberty Borough	Youghiogheny River WWF	Y
PAG136199	Homestead Borough 1705 Maple Street, Rm. 112 Homestead, PA 15120	Allegheny	Homestead Borough	Monongahela River WWF	Y

<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>
PAG136219	McKeesport City 201 Lysle Boulevard McKeesport, PA 15132	Allegheny	McKeesport City	Monongahela River WWF Youghiogheny River WWF Crooked Run WWF Long Run TSF	Y

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).

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

Permit No. 0903504, Public Water Supply.

Applicant	Northampton Bucks County Municipal Authority 111 Township Road Richboro, PA 18954
Township	Northampton
County	Bucks

Type of Facility	PWS
Consulting Engineer	Pennoni Associated, Inc. P. O. Box 2079 Doylestown, PA 18901
Permit to Construct Issued	September 30, 2003

Operations Permit issued to **Philadelphia Suburban Water Company**, 762 W. Lancaster Avenue, Bryn Mawr, PA 19010, PWS ID 1150098, East Bradford Township, **Chester County** on September 23, 2003, for the operation of facilities approved under Construction Permit No. 1501502.

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

Permit No. 6603501, Public Water Supply.

Applicant	Wyoming County Housing Authority P. O. Box 350 Nicholson, PA 18446
Borough or Township	Overfield Township
County	Wyoming County
Type of Facility	PWS
Consulting Engineer	Acher Associates P. O. Box 899 Moscow, PA
Permit to Construct Issued	September 18, 2003

Operations Permit issued to **Pennsylvania Suburban Water Company**, 762 West Lancaster Avenue, Bryn Mawr, PA 19018, PWS ID 2350057, Jefferson Township, **Lackawanna County** on August 26, 2003, for the operation of facilities approved under Construction Permit N/A.

Operations Permit issued to **Pennsylvania Suburban Water Company d/b/a Consumers PA Water Co.**, 204 East Sunbury Street, Shamokin, PA, PWS ID 2580010, Brooklyn Township, **Susquehanna County** on September 4, 2003, for the operation of facilities approved under Construction Permit Minor Amendment.

Operations Permit issued to **Group Mountain Springs**, R. R. 1, Box 114T, Northumberland, PA 17857, PWS ID 2406498, Foster Township, **Luzerne County** on September 25, 2003, for the operation of facilities approved under Construction Permit Minor Amendment.

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

Permit No. 6303502, Public Water Supply.
 Applicant **Pennsylvania American Water Company**
 P. O. Box 1290
 300 Galley Road
 McMurray, PA 15317
 Borough or Township **Robinson Township**
 County **Washington**
 Type of Facility **Pump station, booster chlorination station, interconnection.**
 Consulting Engineer **Gwin, Dobson and Foreman**
 Permit to Construct Issued **September 23, 2003**

Permit No. 5046492-T1, Minor Amendment. Public Water Supply.
 Applicant **Creekside Springs LLC**
 667 Merchant Street
 Ambridge, PA 15003
 Borough or Township **Ambridge Borough**
 County **Beaver**
 Type of Facility **Bottled water plant—transfer of ownership.**
 Permit to Operate Issued **September 25, 2003**

Permit No. 5687502-T1, Minor Amendment. Public Water Supply.
 Applicant **Ligonier Mountain Land Company**
 146 West Main Street
 Somerset, PA 15501
 Borough or Township **Jenner Township**
 County **Somerset**
 Type of Facility **Transfer of ownership from Hutchinson Property Development.**
 Permit to Operate Issued **September 29, 2003**

Permit No. 5687502-A1-T1, Minor Amendment. Public Water Supply.
 Applicant **Ligonier Mountain Land Company**
 146 West Main Street
 Somerset, PA 15501
 Borough or Township **Jenner Township**
 County **Somerset**
 Type of Facility **Transfer of ownership from Ligonier Highlands Water & Sewer.**
 Permit to Operate Issued **September 29, 2003**

Permit No. 5692520-A1, Minor Amendment. Public Water Supply.
 Applicant **Conemaugh Township Municipal Authority**
 P. O. Box 429
 Davidsville, PA 15928
 Borough or Township **Conemaugh Township**

County **Somerset**
 Type of Facility **Disinfection system for well no. 2**
 Consulting Engineer **The EADS Group**
 450 Aberdeen Drive
 P. O. Box 837
 Somerset, PA 15501
 Permit to Construct Issued **September 30, 2003**
Northwest Region: Water Supply Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

Permit No. 6103502, Public Water Supply.
 Applicant **Kennerdell Community North Water System, Inc.**
 P. O. Box 88
 Kennerdell, PA 16374
 Borough or Township **Kennerdell Borough**
 County **Venango County**
 Type of Facility **PWS, Community Water System**
 Consulting Engineer **Rusty VanEpps, P. E.**
 Northwest Engineering
 R. D. 1, P. O. Box Q
 Tidioute, PA 16351
 Permit to Construct Issued **September 25, 2003**

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
West Lampeter Township	852 Village Rd. P. O. Box 237	Lancaster

Plan Description: The approved plan provides for 88 EDUs for 29 single family units, 26 semidetached homes and 32 townhouses. Sewage flows of 30,800 gpd will be tributary to a proposed pump station and force main to be dedicated to the Suburban Lancaster Sewer Authority system. Sewage will be treated at the City of Lancaster STP. The project is on Breneman Road at the terminus of Hawthorne Circle in West Lampeter Township, Lancaster County. The Department code number is A3-36961-229-3. 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>
Allegheny Township	3131 Old Sixth Ave. North Duncansville, PA 16635	Blair
Blair Township	575 Cedarcrest Drive Duncansville, PA 16635	Blair
Hollidaysburg Borough	401 Blair St. Hollidaysburg, PA 16648	Blair

Plan Description: The approved plan provides for the replacement, capacity augmentation and realignment of

the existing Legion Park Interceptor that currently conveys sewage to the Hollidaysburg Regional Wastewater Treatment Facility. 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.

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Eldred Township	R. D. 2, Box 123A Pittsfield, PA 16340	Warren

Plan Description: The approved plan provides for sanitary sewers and sewage treatment for the Village of Grand Valley extending outward along SR 27, Hoover Road (T322), Eldred Center Road (T-316), Sanford Road (SR 3015) and Newton-Sanford Road (T-381) in Eldred Township. 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.

HAZARDOUS SITES CLEAN-UP UNDER THE ACT OF OCTOBER 18, 1988

Public Notice of Proposed Consent Order and Agreement

Wilmington Securities, Inc., Mays/Hickman Road Site, Robinson Township, Allegheny County

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (HSCA) (35 P. S. §§ 6020.101—6020.1305), has entered into a Consent Order and Agreement (CO&A) with Wilmington Securities, Inc. The site is in Robinson Township, Allegheny County.

Beginning in the 1950s and continuing sometime into the 1960s, Jake Phillips, Sr. (Phillips) hauled to the site carbon sweepings and industrial waste. Phillips' hauling to the site resulted in a pile of approximately 1,200 tons of carbon sweepings and industrial waste, including eight leaking 55-gallon drums. A part of the carbon sweepings and industrial waste Phillips hauled to the site was generated by Pittsburgh Coke & Chemical Company (PC&C). Wilmington Securities, Inc. (Wilmington) is a successor in interest to PC&C.

In 2001, the Department conducted an investigative interim response at the site under the authority of the HSCA. The Department's soil and waste samples showed that the site contained areas contaminated with organic compounds, arsenic and mercury resulting from Phillips' disposal activities. The Department's investigation found that there existed at the site a direct contact threat to individuals and wildlife that might come into contact with the waste on the site. Additionally, the Department found that runoff from the site discharged directly into Montour Run and the adjacent wetland area.

In 2003, the Department conducted an interim response under the authority of the HSCA to clean up the waste Phillips disposed of at the site and to clean up soil contamination related to the waste. The Department

entered into negotiation with Wilmington over reimbursement of costs the Department expended during its response actions at the site. As a result of those negotiations, the Department executed a proposed CO&A with Wilmington on September 19, 2003.

Under section 1113 of the HSCA (35 P. S. § 6020.1113), the Department is publishing notice of this CO&A and will provide a 60-day period for public comment on the CO&A beginning with the date of this publication. Copies of the CO&A can be obtained by contacting Terry Goodwald, (412) 442-4000. The proposed CO&A will be open for public comment from October 11, 2003, through December 11, 2003. Persons may submit comment into the record, during this time only, by sending them to Terry Goodwald, Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222 or by delivering them in person to this office.

The Department has reserved the right to withdraw its consent to the CO&A if comments submitted during the public comment period disclose facts or considerations which indicate, in the Department's discretion, that the CO&A is inappropriate or not in the public interest.

Notice of Prompt Interim Response

Oreville Quarry Site in Longswamp Township, Berks County

The Department, under the authority of the HSCA, is initiating a prompt interim response at the Oreville Quarry Site (site) in Longswamp Township, Berks County.

Groundwater serving residential wells is contaminated with tetrachloroethylene, also referred to as perchloroethylene or PCE. The site is the suspected source of this contamination. The total area encompassed by the site is approximately 72 acres. This includes the quarry and the extent of groundwater contamination based on residential well sampling. The quarry consists of a large northern portion and a lesser southern portion. Residences lie to the south of the quarry, a go-kart track lies to the west and agricultural fields lie to the east. Portions of Old Topton Road, Kurt Drive and grassy field areas are also part of the 72-acre site.

The quarry was formerly mined for iron ore to an average depth of 30 feet from the original ground surface. The abandoned quarry contains waste from local dumping and wastes from the Caloric Corporation (Caloric). The Caloric facility is in nearby Topton Borough. Caloric terminated operations at the Topton facility in the mid-1990s. During its operation, local residents observed trucks from Caloric dumping waste material and chemicals into the quarry.

The sampling of residential wells surrounding the quarry showed eight residences with PCE contamination at or above the groundwater Statewide Health Standard of 5 parts per billion. The Department conducted a prompt interim response at this site to provide individual water treatment units to the eight impacted residences. This action was taken to protect public health and safety or the environment. This determination is based on the continued release of VOCs to the groundwater and the actual human exposure to hazardous substances via ingestion, inhalation and dermal contact.

The Department considered three alternatives: (1) no action, which allows the residents to have continued exposure to the VOC contamination; (2) bottled water, which effectively removes the risk posed by ingestion, but does not remove the risk posed by inhalation and dermal contact; and (3) point-of-use water treatment systems

that will treat the contaminated water to effectively remove the current human ingestion, inhalation and dermal contact threats.

The Department is providing this notice under sections 505(b) and 506(b) of HSCA (35 P. S. §§ 6020.505(b) and 6020.506(b)) and the publication of this notice starts the administrative record period under the HSCA. The Administrative Record, which contains information about this site and which supports the Department's decision to perform this action at the site, is available for public review and comment from 8 a.m. to 4 p.m. at the Department's Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110 by contacting Ed Schaffstall at (717) 705-4705. The Administrative Record can also be reviewed at the Department's Reading District Office, 1005 Crossroads Boulevard, Reading, PA 19605 from 8 a.m. to 4 p.m. by calling (610)-916-0100.

The Administrative Record will be open for comment from the date of publication of this notice in the *Pennsylvania Bulletin* and will remain open for 90 days. Persons may submit written comments regarding this action to the Department before January 9, 2004, by mailing them to Ed Schaffstall at the previous address.

The public will have an opportunity to present oral comments regarding the proposed action at a public hearing. The hearing has been scheduled for November 3, 2003, at 7 p.m. at the Longswamp Elementary School, 1160 State Street, Mertztown, PA. Persons wishing to present formal oral comment at the hearing should register before 4 p.m. on October 30, 2003, by calling Sandra Roderick, (717) 705-4931.

If no person registers to present oral comments by October 30, 2003, the hearing will not be held, but will be replaced with an informational meeting. Persons interested in finding out if anyone has registered and if the hearing will be held should also contact Sandra Roderick at the previous number. An informational meeting will be held following the hearing.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should call Sandra Roderick at the previous number or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

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:

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

David Talucci Residence, Downingtown Borough, **Chester County**. Chris A. Purvis, Lewis Environmental Group, P. O. Box 639, Royersford, PA 19468, on behalf of David Talucci, 419 W. Church St., Downingtown, PA, has submitted a Final Report concerning remediation of site soil contaminated with BTEX and PHC. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Former Mrs. Paul's Kitchen Facility, Doylestown Borough, **Bucks County**. Staci N. Cottone, American Resource Consultants, Inc., P. O. Box 1809, Doylestown, PA 18901, on behalf of Telford Industrial Development Authority, Pat Hunn, Esq., 119 Keystone Dr., Montgomeryville, PA 18936, has submitted a Final Report concerning remediation of site soil contaminated with inorganics, lead, other organics, PAH and PCB; and groundwater contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Wawa, Inc. (Market No. 163), Yeadon Borough, **Delaware County**. Joseph W. Standen, Jr., Leggette, Brashears & Graham, Inc., 426 Brandywine Parkway, West Chester, PA 19380, on behalf of Wawa, Inc., 260 W. Baltimore Pike, Wawa, PA 19063-5699, has submitted a Final Report, Addendum No. 1, concerning remediation of site groundwater contaminated with BTEX. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

Coyne Textile Services, West Manchester Township, **York County**. Dolphin Environmental, 3319 Hartwell Court, Falls Church, VA 22042, on behalf of Coyne Textile Services, 140 Cortland Avenue, Syracuse, NY 13221, submitted a combined Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated with perchloroethylene. The report is intended to document remediation of the site to the Site-Specific Standard.

Custer Residence, City of Reading, **Berks County**. Hydrocon Services, Inc., 16 East Minor Street, Emmaus, PA 18049, on behalf of Stroud Custer, 1522 Snyder Street, Reading, PA 19601, submitted a Notice of Intent to Remediate site soils contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to the Statewide Health Standard.

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

Loyal Plaza, Loyalsock Township, **Lycoming County**. Civil & Environmental Consultants, Inc., on behalf of Loyal Plaza Venture, L. P., 20 South Third Street, Columbus, OH 43215, has submitted a Remedial Investigation Report concerning soil, groundwater and surface water contaminated with solvents. This submission was made in partial fulfillment of the Site-Specific Standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

Provisions of 25 Pa. Code § 250.8 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 environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by provisions of the act for compliance with selection of remediation to a Site-Specific Standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media, benefits of refuse of the property and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by provisions of the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department regional office 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:

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

GE Betz, Bensalem Township, **Bucks County**. Michael Sykes, MWH Americas, Inc., 10 Airline Dr., Albany, NY 12205, has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with fuel oil no. 2. The report demonstrated attainment of the Statewide Health Standard and was approved by the Department on September 16, 2003.

Former Krupp Foundry, Quakertown Borough, **Bucks County**. Blake Moyer, on behalf of Borough of Quakertown, Dave Woglom, 35 N. Third St., Quakertown, PA 18951, has submitted a Final Report concerning remediation of site soil contaminated with fuel oil no. 2, 4 and 6. The report demonstrated attainment of the Statewide Health Standard and was approved by the Department on September 29, 2003.

CVS Pharmacy 0987 (Former Carr's Towing and Repair), Montgomery Township, **Montgomery County**. Robert Botterman, TolTest, Inc., 339 Haymaker Rd., Suite 1101, Monroeville, PA 15146, on behalf of Greg L. England, SCP 2002E-56 LLC, 15601 Dallas Parkway, Addison, TX 75244, has submitted a Final Report concerning the remediation of site soil contaminated with lead and used motor oil and site groundwater contaminated with MTBE. The report demonstrated attainment of Background and Statewide Health Standards and was approved by the Department on September 16, 2003.

Former Whitman's Chocolates (Pillsbury) Warehouse, City of Philadelphia, **Philadelphia County**. Blake N. Moyer, Jr., URS Corp., 2325 Maryland Rd., 2nd Fl., Willow Grove, PA 19090, on behalf of Gershal Brothers, Larry Gershal, 720 N. Fifth St., Philadelphia, PA 19123, has submitted a Remedial Investigation/Final Report concerning remediation of site soil and groundwater contaminated with fuel oil no. 4. The report demonstrated attainment of the Statewide Health Standard and was approved by the Department on September 18, 2003.

PDDC (Philadelphia Design and Distribution Center Site), City of Philadelphia, **Philadelphia County**. Craig Herr, RT Environmental Services, Inc., 215 W. Church Rd., King of Prussia, PA 19406, on behalf of Equivest, 215 S. Broad St., Philadelphia, PA 19123, has submitted a Remedial Investigation/Final Report concerning remediation of site groundwater contaminated with chlorinated solvents and fuel oil no. 2, 4 and 6. The report demonstrated attainment of Site-Specific Standards and was approved by the Department on September 19, 2003.

Devore/Hill Site—Royal Petroleum, City of Philadelphia, **Philadelphia County**. James S. Meenan, III, Marshall Miller & Associates, 3913 Hartzdale Dr., Suite 1306, Camp Hill, PA 17011, on behalf of Clarence Devore, 1326 S. Rudy St., Philadelphia, PA 19143, has submitted a Final Report concerning remediation of site soil contaminated with BTEX and PAH. The report demonstrated attainment of the Statewide Health Standard and was approved by the Department on September 22, 2003.

Chelsea Housing, City of Philadelphia, **Philadelphia County**. William F. Schmidt, P. E., Pennoni Associates, Inc., 3001 Market St., Philadelphia, PA 18964, on behalf of James L. McMahon, Chelsea Historic Properties, LP, 4041 Ridge Ave., Philadelphia, PA 19129, has submitted a Final Report concerning remediation of site soil contaminated with chlorinated solvents, fuel oil nos. 2 and 6,

inorganics, lead, other organics, PAH, PCB and pesticides; and groundwater contaminated with chlorinated solvents, fuel oil no. 2 and 6, other organics and PAH. The report demonstrated attainment of Statewide Health and Site-Specific Standards and was approved by the Department on September 22, 2003.

Penn Ventilation Co., Inc., City of Philadelphia, **Philadelphia County**. Erik W. Stephens, Manko, Gold, Katcher & Fox, LLP, 401 City Ave., Bala Cynwyd, PA 19004, on behalf of Don Silver, Silver Realty Co., 1370 Welsh Rd., North Wales, PA 19454, has submitted a Final Report concerning remediation of site soil and groundwater contaminated with BTEX and PHC. The report demonstrated attainment of the Statewide Health Standard and was approved by the Department on September 26, 2003.

Eastern Electric Property, City of Philadelphia, **Philadelphia County**. Bruce Middleman, Jacques Whitford Co., 450 S. Gravers Rd., Plymouth Meeting, PA 19462, on behalf of University of Pennsylvania, Attn: Kyle Rosato, 3160 Chestnut St., Philadelphia, PA 19104-6287, has submitted a combined Remedial Investigation/Final Report concerning remediation of site soil contaminated with lead and PAH; and site groundwater contaminated with lead and PCB. The report demonstrated attainment of Site-Specific Standards and was approved by the Department on September 26, 2003.

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

Dana Structural Solutions International Division, Reading City, **Berks County**. RMT Integrated Environmental Solutions, 527 Plymouth Road, Suite 406, Plymouth Meeting, PA 19462-0490, on behalf of Dana Structural Solutions International-Division, Robeson and Weiser Streets, Reading, PA 19612-3459, submitted a Remedial Investigation and Risk Assessment concerning remediation of site soils and groundwater contaminated with PCBs, lead, heavy metals, BTEX, PHCs, PAHs and solvents. The report was approved by the Department on September 29, 2003.

HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

Draft permits Issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations to operate a hazardous waste treatment, storage, or disposal facility.

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

PAD002375376. United States Steel Corp., 600 Grant St., Pittsburgh, PA 15219-2702, Falls Township, **Bucks County**. Draft permit for renewal of the Borrow Pit 20 postclosure permit issued on September 30, 2003.

PAD000429589. Waste Management Disposal Services of Pennsylvania, Inc., 1121 Bordentown Road, Morrisville, PA 19067, Falls Township, **Bucks County**. Draft permit for renewal of the Old GROWS post-closure permit issued on September 30, 2003.

Persons wishing to comment on a previous draft permit are invited to submit a statement to the Southeast Regional Office within 45 days from the date of this public notice. Comments received within this 45-day period will be considered in the formulation of the final determination regarding this application. Responses should include the name, address and telephone number

of the writer and a concise statement to inform the Regional Office of the exact basis of any comment and the relevant facts upon which it is based. A public hearing may be held if the Regional Office considers the public response significant. Following the 45-day comment period and/or public hearing, the Department will make a final determination regarding the proposed permit action. Notice of this action will be published in the *Pennsylvania Bulletin*.

Permits issued under the Solid Waste Management Act and regulations to operate a hazardous waste treatment, processing, storage or disposal facility.

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

Permit No. 301071. MAX Environmental Technologies, Inc., 233 Max Lane, Yukon, PA 15698. Operation of a residual waste processing and disposal facility in South Huntington Township, **Westmoreland County**. Permit modification (for a Radiation Protection Action Plan, acceptance of petroleum contaminated soil, modification of hexavalent chromium waste disposal limit, authorization to store treated hazardous waste in proposed container storage area no. 5 on impoundment no. 6, disposal of treated electric arc furnace dust and revisions to groundwater monitoring in the Pittsburgh Limestone and Pittsburgh Coal Mine Spoil near impoundment no. 6) issued in the Regional Office on September 23, 2003.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Permits issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and regulations to operate solid waste processing or disposal area or site.

Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Permit ID No. 101623. WSPA Inc., P. O. Box 58, Spraggs, PA 15362. Operation of a municipal waste transfer/processing facility in Wayne Township, **Greene County**. Permit modification approving a radioactive materials testing and monitoring plan approved in the Regional Office on September 25, 2003.

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.

Sainas KN Trucking Corp., 1st Floor, 69-59 44th Avenue, Woodside, NY 11377. Authorization No. WH3204. Effective September 19, 2003.

CJO Design & Construction, 1204 Roberts Ave., Feasterville, PA 19053. Authorization No. WH5267. Effective September 19, 2003.

Riverside Appliance & Furniture Haul, 3804 Castor Ave., Philadelphia, PA 19124. Authorization No. WH5271. Effective September 22, 2003.

Acatalan Trucking, 557 Sayre Ave., Perth Amboy, NJ 08861. Authorization No. WH5196. Effective September 25, 2003.

Bhupinder Singh, 52 Spruce St., Carteret, NJ 07008. Authorization No. WH5260. Effective September 25, 2003.

Town Supply Co., Inc., 101 Buchanan St., Phoenixville, PA 19460-3793. Authorization No. WH5305. Effective September 25, 2003.

Tim Krape Trucking, 903 Buffalo Run Road, Bellefonte, PA 16823. Authorization No. WH5306. Effective September 25, 2003.

Jose A. Loa, 97 Coolidge Ave., Parlin, NJ 08859. Authorization No. WH5307. Effective September 25, 2003.

Sprint Recycling Inc., 605 West 48 St., New York, NY 10036. Authorization No. WH5308. Effective September 25, 2003.

ACI Absolute Cable Inc., 4699 SR 42, P. O. Box 31, Unityville, PA 17774. Authorization No. WH5309. Effective September 25, 2003.

Damon Enterprises, 259 Kaufman Road, Gibsonia, PA 15044. Authorization No. WH5310. Effective September 25, 2003.

Extreme Roofing Inc., P. O. Box 238, Perryopolis, PA 15473. Authorization No. WH5311. Effective September 25, 2003.

C & K Trucking LLC, 417 Mashamoquet Road, Pomfrey Center, CT 06259. Authorization No. WH4613. Effective September 26, 2003.

John D. Safko d/b/a Safko Trucking, 376 Old Tire Hill Road, Johnstown, PA 15905. Authorization No. WH5297. Effective September 26, 2003.

Selmek Trucking Inc., 187 Harvey Road, Sarver, PA 16055. Authorization No. WH5300. Effective September 26, 2003.

Oscar J. Carbajal, 24 Rosedale Ave., Elmwood Park, NJ 07407. Authorization No. WH5288. Effective September 29, 2003.

B & R Recycling, 336 Breakneck Road, Connellsville, PA 15425. Authorization No. WH5293. Effective September 29, 2003.

Peter J. Radocha & Sons Inc., P. O. Box 36, 113 E. Water St., Coaldale, PA 18718. Authorization No. WH5295. Effective September 29, 2003.

Michael Cichonke, 620 Excelsior Ave., Croydon, PA 19021-6646. Authorization No. WH5296. Effective September 29, 2003.

Zaheed Ghanie, 2nd Floor, 119 Hutton St., Jersey City, NJ 07307. Authorization No. WH5298. Effective September 29, 2003.

Harry R. Mader, Jr., R. R. 1 Box 67C, Wyalusing, PA 18853-9737. Authorization No. WH5299. Effective September 29, 2003.

Revoked applications for Municipal and Residual Waste Transporter Interim Authorization received under the Waste Transportation Safety Act 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.

Stefanos Hellas Inc., 821 6th Street, Secaucus, NJ 07094. Authorization No. WH3029. Revoked September 24, 2003.

Anthony A. Dimuzio Construction Company, Inc., 8 Fickler Place, Berkeley Heights, NJ 07992. Authorization No. WH3638. Revoked September 24, 2003.

D. L. Claire, Inc., 2209 Kingsford Lane, Atco, NJ 08004. Authorization No. WH4230. Revoked September 22, 2003.

Big A Trucking, P. O. Box 242, 159 N. Main St., York, New Salem, PA 17371. Authorization No. WH3858. Revoked September 26, 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.

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

23-302-137GP: WAWA Inc. (1393 W. Baltimore Pike, W/WA, PA 19063) on September 26, 2003, for a 300 HP boiler in Middletown Township, **Delaware County**.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790; Contact: Michael Safko, Facilities Permitting Chief, (570) 826-2531.

39-310-019GP: Haines and Kibblehouse Inc. (P. O. Box 196, 2052 Lucon Road, Skippack, PA 19474) to construct and operate a portable stone crushing plant and associated air cleaning device at Rahn's Construction Materials, Upper Saucon Township, **Lehigh County**.

58-310-006GP: Eastern Industries Inc.—State Aggregates Division (4401 Camp Meeting Road, Center Valley, PA 18034) to construct and operate a portable stone crushing plant and associated air cleaning device at their State Aggregates Clifford Operation, Clifford Township, **Susquehanna County**.

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

GP1-21-03060: Holy Spirit Hospital (503 North 21st Street, Camp Hill, PA 17011) on September 26, 2003, authorized to operate a small gas and no. 2 oil fired combustion unit under GP1 in East Pennsboro Township, **Cumberland County**.

GP1-22-03043A: The Middletown Home (999 West Harrisburg Pike, Middletown, PA 17057) on September 23, 2003, authorized to operate two small gas and no. 2 oil fired combustion units under GP1 in Lower Swatara Township, **Dauphin County**.

GP6-67-03012: Formprest, Inc. (52 North Ridge Avenue, City of York, PA 17403) on September 26, 2003, authorized to operate three petroleum dry cleaning units under GP6 in the City of York, **York County**.

GP6-22-03015: Riverside Cleaners (3114 Hoffman Street, City of Harrisburg, PA 17110) on September 26,

2003, authorized to operate two petroleum dry cleaning units under GP6 in the City of Harrisburg, **Dauphin County**.

GP3-06-03126: Popple Construction (202 Main Street, Laffin, PA 18702) on September 26, 2003, authorized to operate a portable nonmetallic mineral processing plant under GP3 in Bern Township, **Berks County**.

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

AMS 03051: Kinder Morgan Liquid Terminals (3300 N. Delaware Avenue, Philadelphia, PA 19134) to install an internal floating roof in tank 210 in Philadelphia, **Philadelphia County**.

AMS 03098 and 03123: Sunoco Inc. (2501 Margaret Road, Philadelphia, PA 19137) to install two VOC storage tanks in Philadelphia, **Philadelphia 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.

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

63-00628A: Specialty Printing Inc. (P. O. Box 104, Third Street and PA RR, Charleroi, PA 15022) on September 29, 2003, to install a regenerative thermal oxidizer at their Charleroi facility in Charleroi Borough, **Washington County**.

11-00506A: Ebensburg Power Co. (P. O. Box 845, 2840 New Germany Road, Ebensburg, PA 15931) on September 26, 2003, to install a coal refuse preparation plant powered by a diesel engine at Nanty Glo West Refuse in Nanty Glo Borough, **Cambria 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.

09-0158: Allied Cremation Inc. (864 Bristol Pike, Bensalem, PA 19020) on September 25, 2003, to operate a crematory in Bensalem Township, **Bucks County**.

15-0002A: Quebecor Printing Atglen, Inc. (4581 Lower Valley Road, Atglen, PA 19310) on September 25, 2003, to operate a publication rotogravure press in West Sadsbury Township, **Chester County**.

15-0002B: Quebecor Printing Atglen, Inc. (4581 Lower Valley Road, Atglen, PA 19310) on September 25, 2003, to operate a publication rotogravure press in West Sadsbury Township, **Chester County**.

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

39-0064: Howmet Castings—Division of Alcoa (2175 Avenue C, Bethlehem, PA 18017-2119) to modify and operate the company's shell room equipment and to

install an air cleaning device at their facility in Bethlehem, **Lehigh County**. This RACT approval is being extended.

54-310-027A: Wheelabrator Culm Services Inc. (500 Morea Road, Frackville, PA 17934) to construct a coal crushing operation and associated air cleaning device at their Vulcan/Buck Mountain Operation in Mahanoy Township, **Schuylkill County**.

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

8-322-001B: Northern Tier Solid Waste Authority (P. O. Box 10, Burlington, PA 18814) on September 17, 2003, to construct a municipal solid waste landfill expansion (cells 6—8) at their Northern Tier Solid Waste Authority Landfill in West Burlington Township, **Bradford County**. The plan approval has been extended.

55-399-005: Professional Building Systems, Inc. (72 East Market Street, Middleburg, PA 17842) on September 19, 2003, to operate a modular home manufacturing facility on a temporary basis, to January 17, 2004, in Middleburg Borough, **Snyder County**. The plan approval and authorization have been extended.

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

03-00228A: Rosebud Mining Co. (301 Market Street, Kittanning, PA 16201) on September 23, 2003, to install a coal preparation plant at their Stitt facility in Rayburn Township, **Armstrong County**. The Plan Approval for this facility has been revised to include additional requirements to prevent material drag-out from the facility. These and other changes to the Plan Approval conditions are as follows:

- Plan Approval Condition No. 5: This condition has been modified to account for the fact that records for this facility are kept on a computer at the home office and not onsite. The records can be made available immediately upon request. Condition No. 5 now reads "Daily records of coal shipped from the facility shall be kept and maintained for a period of five years and be made available to the Department upon request. [Title 25 PA Code § 27.12b]"

- Plan Approval Condition No. 12: This condition has been modified to account for the water sprays used on the facility screen versus an enclosure. Condition No. 12 now reads "The screening operations at this facility shall be performed with an enclosed screen or one equipped with water sprays. [Title 25 PA Code § 27.12b]"

- Plan Approval Condition No. 13: This condition has been modified to require the plant exit roadway to be paved versus the entrance roadway. Condition No. 13 reads "The plant roadway must be paved from the truck scale to the exit and routinely vacuum swept or pressure washed; the remainder must be delineated by paving or periodic chipping. [Title 25 PA Code § 27.12b]"

65-302-071: Koppers Industries, Inc. (436 Seventh Avenue, Pittsburgh, PA 15219) on September 23, 2003, to revise and finalize the monitoring, recordkeeping and reporting requirements not previously established for the two coke oven gas/natural gas-fired boilers at their Monessen Coke Works Plant in Monessen Borough, **Westmoreland County**.

03-00234A: Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001) on September 26, 2003, to install

a portable coal crusher in Madison Township, **Armstrong County**. This plan approval was extended.

32-00311A: IA Construction Corp. (158 Lindsay Road, Zelienople, PA 16063) on September 25, 2003, to install storage tanks in Center Township, **Indiana County**. This plan approval was extended.

Title V Operating Permits Issued 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.

15-00015: Sartomer Company, Inc. (610 Bolmar Street, West Chester, PA 19382) on September 25, 2003, the Title V Permit was revised to address appeal issues in West Chester Borough, **Chester County**. The testing requirements for the condensers was changed. Additions have been listed in the insignificant activities. Dedicated tanks subject to the requirements of 25 Pa. Code § 129.57 were placed under Source ID No. 900. The requirements from 25 Pa. Code § 129.63(a) were applied to the parts washer. The changes previously listed do not result in an increase of emissions at the facility.

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

43-00270: CCL Container—Advanced Monobloc Aerosol Division (One Llodio Drive, Hermitage, PA 16148) on September 24, 2003, a Title V Operating Permit to operate a can manufacturing facility in the City of Hermitage, **Mercer County**.

Operating Permits for Non-Title V Facilities Issued 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.

09-00104: Daniel C. Tanney, Inc. (3268 Clive Avenue, P. O. Box 272, Bensalem, PA 19020) on September 24, 2003, to operate a natural minor operating permit in Bensalem Township, **Bucks County**.

46-00138: Hopewell Veterinary Hospital (640 N. Cedar Rd., Jenkintown, PA 19046) on September 26, 2003, to administratively amend the Natural Minor Operating Permit issued for their facility in Abington Township, **Montgomery County**. The permit is being amended to revise source level Work Practice Standard conditions pertaining to hours of operation and the required preheating of the crematory. This change will not result in an increase in emissions. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

01-05006: Reliant Energy—Mid-Atlantic Power Holdings, LLC (1001 Broad Street, Johnstown, PA 19907) on September 25, 2003, to operate an electrical generating station at their Orrtanna Station in Highland Township, **Adams County**.

22-03002: Conopco, Inc. d/b/a Unilever—Bestfoods North America (523 South 17th Street, Harrisburg, PA 17105) on September 26, 2003, to operate a pasta manufacturing facility in the City of Harrisburg, **Dauphin County**.

22-03040: Advanced Communications Agency, Inc. (3000 Canby Street, Harrisburg, PA 17103) on September 26, 2003, to operate a printing facility in the Borough of Penbrook, **Dauphin County**.

28-03030: Voge America, Inc. (1445 Sheffler Drive, Chambersburg, PA 17201) on September 23, 2003, to operate their asphalt paving machine manufacturing facility in Chambersburg Borough, **Franklin County**.

31-03031: FCI USA, Inc. (Lenape Drive, R. R. 1 Box 212, Mount Union, PA 17066) on September 22, 2003, to operate their electronic connector manufacturing facility in Shirley Township, **Huntingdon County**.

36-05010: American LaFrance Aerials (64 Cocalico Creek Road, Ephrata, PA 17522) on September 22, 2003, to operate a manufacturing plant at their Ephrata facility in West Earl Township, **Lancaster County**.

36-05131: Keystone Quality Products (83 South Groffdale Road, Leola, PA 17540) on September 24, 2003, to operate a surface coating facility for the painting of wood cabinets and furniture in Upper Leacock Township, **Lancaster County**.

36-05124: Guyon Industries, Inc. (1344 North Penryn Road, Manheim, PA 17545-8518) on September 22, 2003, to operate their lumber prefinishing facility in Penn Township, **Lancaster 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.

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

46-00230: East Norriton Whitpain Plymouth Joint Sewer Authority (200 Ross Street, Norristown, PA 19401) on September 24, 2003, to amend the permit for a non-Title V (State-only) facility in Plymouth Township, **Montgomery County**. This amendment is to address several typographical errors. Administrative Amendment of State-only Operating Permit issued under the Air Pollution Control Act and 25 Pa. Code § 127.450.

46-00138: Hopewell Veterinary Hospital (640 N. Cedar Rd., Jenkintown, PA 19046) on September 26, 2003, to administratively amend the Natural Minor Operating Permit issued for their facility in Abington Township, **Montgomery County**. The permit is being amended to revise source level Work Practice Standard conditions pertaining to hours of operation and the required preheating of the crematory. This change will not result in an increase in emissions. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

67-03096: Souriau USA, Inc. (25 Grumbacher Road, York, PA 17502) on September 18, 2003, to operate an

electronics connectors manufacturing facility in Manchester Township, **York County**. The State-only operating permit was administratively amended to reflect a change in ownership from FCI USA, Inc. to Souriau USA, Inc. This is Revision No. 1 of the operating permit.

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

41-00005: Lycoming Engines (652 Oliver Street, Williamsport, PA 17701) on September 2, 2003, issued a revised Title V operating permit through an administrative amendment to incorporate terms and conditions from Plan Approval 41-00005A into operating permit TVOP 41-00005 for the replacement of an existing spray booth by a new spray booth with an integral dry filter system at their facility in the City of Williamsport, **Lycoming County**. The operating permit is also revised through a minor operating permit modification to include 3 new dip tanks, which replaced 3 existing dip tanks, removal of 1 cooper tank, 1 spray booth and 31 dip tanks at the facility. The name of the facility is changed from Textron-Lycoming to Lycoming Engines. The revised operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

18-00011: Croda, Inc. (8 Croda Way, Mill Hall, PA 17751) on September 22, 2003, issued a revised operating permit, Revision No. 2, for their synthesized organic chemical intermediates manufacturing facility in Bald Eagle Township, **Clinton County**. The revision of this permit authorizes the operation of a newly constructed 15,000-gallon methyl chloride storage tank (identified as TNK-08100) and associated bulk unloading station and distribution system. This Title V operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

55-00012: Wood Metal Industries (100 East Sherman Street, Selinsgrove, PA 17870) on September 18, 2003, for operation of a wood furniture manufacturing facility in Selinsgrove Borough, **Snyder County**. This includes a number of small heaters, a natural gas fired air make-up unit, gluing operations, three coating spray booths with two associated ovens and sanding/milling equipment formerly owned and operated by Wood Metal Industries with Federal Tax ID 23-1232284.

59-00003: OSRAM Sylvania Products, Inc. (1 Jackson Street, Wellsboro, PA 16901) on September 17, 2003, issued a revised operating permit, Revision No. 2, for their light bulb manufacturing facility in Wellsboro, **Tioga County**. The revision of this permit authorizes the operation of a new ribbon machine (designated no. 9). This revision also reflects the shutdown of a number of sources and the addition of a 5,000-gallon aboveground aqueous ammonia storage tank as specified in the letter from OSRAM Sylvania Products, Inc. to the Department dated February 18, 2003, and the applicability of 25 Pa. Code § 129.63(a) to five parts washers. This Title V operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

V95-014: ConocoPhillips Company—Philadelphia Terminal (G Street and Hunting Park Avenue, Philadelphia, PA 19124) on September 26, 2003, administratively amended to change the operator from Tosco Corporation

and to change the Responsible Official in Philadelphia, **Philadelphia County**. The Title V operating permit was originally issued on April 19, 2001.

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

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

30-00099: Allegheny Energy Supply Co., LLC (4350 Northern Pike, Monroeville, PA 15146) on September 29, 2003, to increase site emissions of PM10 by 0.07 ton per year at their Hatfield's Ferry Power Station in Monongahela Township, **Greene County**. The emission increases are due to the construction of a bottom ash screening operation. The Department has approved these emissions as de minimis increases in accordance with 25 Pa. Code § 127.449.

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.

54861601R3. Schuylkill Coal Processing, Inc. (P. O. Box 134, Ashland, PA 17921), renewal of an existing coal preparation plant operation in Butler Township, **Schuylkill County** affecting 18.3 acres, receiving stream: none. Application received February 13, 2002. Renewal issued September 23, 2003.

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

30031601. NPDES Permit No. PA0235474, AMD Reclamation, Inc. (1040 Great Plain Avenue, Needham, MA 02492), to operate the Shannopin Mine Dewatering Project in Dunkard Township, **Greene County**, to construct a treatment plant and discharge treated water and to install a yellowboy disposal borehole into Warwick No. 3 Mine, Surface Acres Proposed 9.5, Dunkard Creek (WWF), Meadow Run (WWF) and Monongahela River (WWF). The first downstream potable water supply intake from the point of discharge is Southwestern Pennsylvania Water Authority. Permit issued September 9, 2003.

03911302. NPDES Permit No. PA0213411, Rosebud Mining Company (R. D. 9, Box 379A, Kittanning, PA

16201-9642), to renew the permit for the Roaring Run Mine in Kiskiminetas Township, **Armstrong County** and its prep plant and related NPDES permit, no additional discharges. Permit issued September 24, 2003.

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

16-03-05 and NPDES Permit No. PA0242381. Neiswonger Construction, Inc. (17592 Route 322, Strattanville, PA 16258). Proposal to enter into a Government Financed Reclamation Construction Contract on a 15.7-acre site in Clarion Township, **Clarion County**. The proposal includes total reclamation of 15.7 acres of abandoned mine lands as well as 3.1 acres of coal removal incidental and necessary to the reclamation activities. Receiving streams: unnamed tributary to Brush Run. Application received May 12, 2003. Contract issued September 17, 2003.

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

56763036 and NPDES Permit No. PA0125015. Shade Landfill, Inc., 1176 No. 1 Road, Cairnbrook, PA 15924, permit renewal for reclamation only and for continued restoration of a bituminous surface mine in Shade Township, **Somerset County**, affecting 84.2 acres. Receiving streams: Miller Run (CWF). The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Stonycreek Surface Water Intake. Application received September 2, 2003. Permit issued September 22, 2003.

56910103 and NPDES Permit No. PA0599247. Barbuschak Excavating, 132 Algonquin Path, Stoystown, PA 15563, permit renewal for reclamation only and for continued restoration of a bituminous surface mine in Shade Township, **Somerset County**, affecting 19.8 acres. Receiving streams: unnamed tributary to and Miller Run (CWF). The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Stonycreek Surface Water Intake. Application received September 2, 2003. Permit issued September 22, 2003.

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. Permit issued September 22, 2003.

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

26870202 and NPDES Permit No. PA0589608. Carbon Fuel Resources, Inc. (200 College Drive, Suite 300, Lemont Furnace, PA 15456). Transfer from Carriage Mining, Inc. for an existing coal refuse reprocessing surface mine, in German Township, **Fayette County**, affecting 103.2 acres. Receiving streams: unnamed tributaries to Browns Run to the Monongahela River. Transfer application received March 5, 2003. Transfer permit issued September 23, 2003.

65020101 and NPDES Permit No. PA0250082. AMFIRE Mining Co., LLC (One Energy Place, Latrobe, PA 15650). Transfer from Laurel Energy, L.P. for an existing bituminous surface mine in Unity Township, **Westmoreland County**, affecting 68 acres. Receiving

stream: unnamed tributary to Nine Mile Run. Transfer application received March 11, 2003. Transfer permit issued September 26, 2003.

26970106 and NPDES Permit No. PA0202061. T. L. Hill Coal Company (R. D. 3, Box 690A, Uniontown, PA 15401). Permit renewal issued for continued operation and reclamation of a bituminous surface/auger mine in Georges Township, **Fayette County**, affecting 243 acres. Receiving streams: unnamed tributaries to York Run, York Run, Georges Creek, Monongahela River. Application received July 28, 2003. Renewal issued September 29, 2003.

Noncoal Permit Actions

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

61830609. Joe Klapac & Son, Inc. (218 SR 428, Oil City, PA 16301). Transfer of an existing sandstone operation from Michael J. Klapac in Pinegrove Township, **Venango County** affecting 10 acres. Receiving streams: unnamed tributary to Porcupine Creek. Application received March 13, 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.

46034039. Brubacher Excavating, Inc. (P. O. Box 528, 825 Reading Road, Bowmansville, PA 17507), construction blasting at Iron Bridge Corp. Center in Perkiomen Township, **Montgomery County** with an expiration date of October 15, 2004. Permit issued September 23, 2003.

22034022. Hall Explosives, Inc. (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting at Allentown Boulevard Storage in Lower Paxton Township, **Dauphin County** with an expiration date of October 15, 2004. Permit issued September 23, 2003.

22034023. J. Roy's, Inc. (Box 125, Bowmansville, PA 17507), construction blasting at Chelsey Park in Lower Patton Township, **Dauphin County** with an expiration date of December 31, 2004. Permit issued September 23, 2003.

06034047. Schlouch Inc. (Excelsior Industrial Park, P. O. Box 69, Blandon, PA 19510), construction blasting at Ashley Run Housing in Cumru Township, **Berks County** with an expiration date of October 15, 2005. Permit issued September 23, 2003.

01034011. Brubacher Excavating, Inc. (P. O. Box 528, 825 Reading Road, Bowmansville, PA 17507), construction blasting at 1270 Fairfield Road in Cumberland Township, **Adams County** with an expiration date of October 16, 2004. Permit issued September 23, 2003.

36034093. Brubacher Excavating, Inc. (P. O. Box 528, 825 Reading Road, Bowmansville, PA 17507), construction blasting at West Lampeter Township Municipal Building in West Lampeter Township, **Lancaster County** with an expiration date of October 16, 2006. Permit issued September 23, 2003.

45034041. Explosive Services, Inc. (7 Pine Street, Bethany, PA 18431), construction blasting at Delta Home/Evergreen Estates in Middle Smithfield Township, **Monroe County** with an expiration date of September 2, 2004. Permit issued September 23, 2003.

36034092. J. Roy's, Inc. (Box 125, Bowmansville, PA 17507), construction blasting at Harrisburg Area Community College in East Lampeter Township, **Lancaster County** with an expiration date of December 31, 2004. Permit issued September 23, 2003.

21034056. Hall Explosives, Inc. (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting at Barnstable Road in East Pennsboro Township, **Cumberland County** with an expiration date of October 16, 2004. Permit issued September 23, 2003.

21034057. M & J Explosives, Inc. (P. O. Box 608, Carlisle, PA 17013), construction blasting at Greygoose Lane/Westbrook in Middlesex Township, **Cumberland County** with an expiration date of September 5, 2004. Permit issued September 23, 2003.

36034098. Hall Explosives, Inc. (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting at Harrisburg Area Community College in East Lampeter Township, **Lancaster County** with an expiration date of November 15, 2004. Permit issued September 24, 2003.

06034048. Brubacher Excavating, Inc. (P. O. Box 528, 825 Reading Road, Bowmansville, PA 17507), construction blasting at Advanced Industrial in Muhlenberg Township, **Berks County** with an expiration date of October 18, 2006. Permit issued September 25, 2003.

36034094. Keystone Blasting Service (381 Reifsnyder Road, Lititz, PA 17543), construction blasting at Homestead Village Development in East Hempfield, **Lancaster County** with an expiration date of October 15, 2008. Permit issued September 25, 2003.

28034034. David H. Martin Excavating, Inc. (4961 Cumberland Highway, Chambersburg, PA 17201), construction blasting at Cold Spring Estates in Waynesboro Borough, **Franklin County** with an expiration date of October 18, 2004. Permit issued September 25, 2003.

28034035. David H. Martin Excavating, Inc. (4961 Cumberland Highway, Chambersburg, PA 17201), construction blasting at the Mark Garber Job in Quincy Township, **Franklin County** with an expiration date of October 18, 2004. Permit issued September 25, 2003.

28034033. David H. Martin Excavating, Inc. (4961 Cumberland Highway, Chambersburg, PA 17201), construction blasting at Nicholson Square in Chambersburg Borough, **Franklin County** with an expiration date of October 18, 2005. Permit issued September 25, 2003.

36034095. Hall Explosives, Inc. (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting at Millcreek Community Development in West Lampeter Township, **Lancaster County** with an expiration date of November 10, 2004. Permit issued September 25, 2003.

36034096. Keystone Blasting Service (381 Reifsnyder Road, Lititz, PA 17543), construction blasting at Sandstone Village Development in Brecknock Township, **Lancaster County** with an expiration date of October 18, 2008. Permit issued September 25, 2003.

46034040. Brubacher Excavating, Inc. (P. O. Box 528, 825 Reading Road, Bowmansville, PA 17507), construction blasting at Brenton Pointe in Upper Providence Township, **Montgomery County** with an expiration date of October 18, 2006. Permit issued September 25, 2003.

36034097. Keystone Blasting Service (381 Reifsnyder Road, Lititz, PA 17543), construction blasting at Alvin Lapp Cut Road in Salisbury Township, **Lancaster County** with an expiration date of April 19, 2004. Permit issued September 25, 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 P. S. §§ 691.1—691.702) and Notice of Final Action for Certification under section 401 of the FWPCA (33 U.S.C.A. § 1341).

Permits, Environmental Assessments and 401 Water Quality Certifications Issued

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E46-944. Borough of Norristown, 235 East Airy Street, Norristown, PA 19401, Norristown Borough, **Montgomery County**, ACOE Philadelphia District.

To construct and maintain a storm sewer project in the 100-year floodplain of the Schuylkill River to relieve recurring flooding on East Main Street and accommodate the Borough's revitalization project. The project consists of inlets, connectors and laterals along East Main Street and a 72-inch reinforced concrete pipe discharge line which extends 1,020 feet, of which 230 feet is in the floodplain. The line terminates at a concrete headwall and rock-lined outfall channel along the left riverbank. The site is approximately 200 feet west of the Norristown Borough/Plymouth Township municipal boundary and extends to the Schuylkill River (Norristown, PA Quadrangle N: 19.25 inches; W: 10.75 inches).

E09-851. County Builders, Inc., P. O. Box 2579, Warminster, PA 18974, Lower Southampton Township, **Bucks County**, ACOE Philadelphia District.

To construct a 92-unit townhouse residential development on 26 acres which will include the following water obstructions and encroachment activities:

1. To place and maintain fill in 0.07 acre of wetlands (PFO) associated with the widening of Philmont Avenue to provide a sidewalk and a deceleration lane for the entrance to the proposed residential development.

2. To place and maintain fill in 0.15 acre of wetland (PEM and PFO) as an access road crossing. The crossing includes a multisegment culvert starting at headwall 2; running 23 linear feet of 15-inch HDPE pipe to catch basin 44, which includes a stormwater outfall; then proceeds 45 linear feet of 15-inch HDPE pipe to catch basin 45. Another 26 linear feet of 15-inch HDPE pipe continues to the outfall at headwall 3, including riprap protection, to sustain the hydrology to wetlands adjacent to the proposed fill.

3. To construct and maintain an 8-inch PVC sanitary sewer utility line crossing of wetlands beneath the culvert and fill proposed in Items 1 and 2.

4. To construct and maintain an 8-inch DIP water main utility line crossing of wetlands beneath the culvert and fill proposed in Items 1 and 2.

5. To place and maintain an 18-inch HDPE stormwater outfall and riprap along wetlands (PEM) associated with basin A.

6. To place and maintain fill in a 0.06-acre isolated body of water (POW) associated with the construction of dwellings 17—19.

7. To place and maintain fill in a 0.16-acre isolated body of water (POW) associated with the construction of an open space garden.

8. To dewater, excavate and regrade a 0.06-acre isolated body of water (POW) associated with the construction of dwellings 72 and 73.

9. To construct 0.33 acre of wetland replacement adjacent to existing wetlands areas to compensate for wetland losses as previously noted.

The project proposes to directly affect a maximum of 0.31 acre of wetland. The permittee is required to provide a minimum of 0.33 acre of replacement wetlands. The site is approximately 2,000 feet northeast of the intersection of Philmont Avenue (SR 2040) and County Line Road in Lower Southampton Township, Bucks County.

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

E39-422. Mobil Pipe Line Company, 675 Brooks Avenue, Rochester, NY 14619, Whitehall Township/North Whitehall Township, **Lehigh County**, Army Corps of Engineers Philadelphia District.

To stabilize and maintain a 40-foot by 50-foot section of Jordan Creek (CWF) with an articulating concrete mat and rip-rap for the purpose of protecting a 6-inch petroleum pipeline; and to stabilize and maintain a 20-foot by 30-foot section of a tributary to the Lehigh River (TSF, MF) with an articulating concrete mat and rip-rap for the purpose of protecting an exposed 8-inch petroleum pipeline.

The first project is approximately 2,600 feet southwest of the intersection of SR 0145 and Mickley Road (Catasauqua, PA Quadrangle N: 0.9 inch; W: 16.5 inches) in Whitehall Township, Lehigh County. The second project is approximately 2,800 feet southwest of the intersection of Red Hill Road and Riverview Road (Cementon, PA Quadrangle N: 17.0 inches; W: 10.6 inches) in North Whitehall Township, Lehigh County (Subbasin 2C).

E58-254. Gary Schweppenheiser, Jr., R. R. 1, Box 1378, Nicholson, PA 18446, Lenox Township, **Susquehanna County**, Army Corps of Engineers Baltimore District, Subbasin 4F.

To construct and maintain a single-span bridge, having a span of approximately 35 feet and an underclearance of approximately 6.6 feet, across a tributary to East Branch Tunkhannock Creek (CWF, perennial) to provide access to a future home. The project is along the west side of Township Road T-460 (Barney Hollow Road), approximately 1,500 feet north of the intersection of T-460 and SR 0374 (Lenoxville, PA Quadrangle N: 5.8 inches; W: 7.0 inches). The project proposes to directly affect 12 linear feet of stream channel.

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

E05-312: Art Riexinger and Judith Faulkner, 690 Steinman Court, Lancaster, PA 17603 in Broad Top Township, **Bedford County**, ACOE Baltimore District.

To construct and maintain a 15-foot wide bridge having a span of 32 feet and an attached 6-inch sewer line and place riprap for scour protection on both left and right banks 18 feet upstream and 18 feet downstream of the bridge in Sherman Valley Run (CWF, perennial) at a point approximately 3 miles west of the intersection of SR 1020 and SR 915 (Wells Tannery, PA Quadrangle N: 16.6 inches; W: 16.8 inches) in Broad Top Township, Bedford County. The project includes the replacement of a 12-foot by 12-inch culvert with a 35-foot by 18-inch culvert on an unnamed tributary to Sherman Valley Run (CWF) which is waived under 105.12.(a)(2). The project proposes to directly affect a total of 86 feet of stream channel.

E21-352: George and Linda Ely, 11 Brenely Lane, Mount Holly Springs, PA 17065 in the Borough of Mt. Holly Springs, **Cumberland County**, ACOE Baltimore District.

To construct and maintain a 410 square foot addition to an existing private residence at 11 Brenely Lane along Mountain Creek (TSF), approximately 210 feet downstream of the Pine Street Bridge (Mt. Holly Springs, PA Quadrangle N: 20.92 inches; W: 8.85 inches) in the Borough of Mt. Holly Springs, **Cumberland County**.

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

E12-141. Vernon Michael Grom, 545 Meadow Rd., Emporium, PA 15834. Grom addition in Shippen Township, **Cameron County**, ACOE Baltimore District (Emporium, PA Quadrangle N: 3.5 inches; W: 12.8 inches).

To construct, operate and maintain an addition to an existing building structure in the floodway of the Sinnemahoning Portage Creek (CWF). The addition will take up 944 square feet of the existing floodway along with 578 square feet porch roof. The porch roof is not authorized to be enclosed unlike the larger addition. This project is 1 mile north on SR 155 from the intersection with SR 120. This permit was issued under section 105.13(e) "Small Projects."

E53-386. Dominion Transmission, Inc., 445 West Main Street, Clarksburg, WV 263012. Dominion LN-20 and LN-16 Gas Transmission Line, Allegany, Genesee, Hebron and Roulette Townships, **Potter County**, ACOE Pittsburgh District (Roulette, PA Quadrangle N: 6.0 inches; W: 10.4 inches).

To replace, operate and maintain an existing 16-inch diameter pipeline over 29 miles within an existing 75-foot right-of-way for the transmission of natural gas. Replacement or maintenance of the 16-inch diameter pipeline may require 30 stream crossings are as follows:

<i>Stream</i>	<i>Stream Classification</i>	<i>Latitude</i>	<i>Longitude</i>
Burt Hollow	CWF	41° 46' 59"	78° 12' 05"
Card Creek	CWF	41° 47' 12"	78° 11' 17"
Allegheny River	CWF	41° 47' 17"	78° 10' 45"
UNT—Allegheny	CWF	41° 47' 20"	78° 10' 10"
UNT—Fishing Creek	CWF	41° 47' 36"	78° 09' 13"
Fishing Creek	CWF	41° 47' 43"	78° 08' 58"
Fishing Creek	CWF	41° 47' 45"	78° 08' 56"
Fishing Creek	CWF	41° 47' 46"	78° 08' 54"
UNT—East Branch, Fishing Creek	HQ-CWF	41° 48' 05"	78° 08' 11"
East Branch, Fishing Creek	HQ-CWF	41° 48' 15"	78° 07' 52"
East Branch, Fishing Creek	HQ-CWF	41° 48' 37"	78° 07' 06"
UNT—East Branch, Fishing Creek	HQ-CWF	41° 48' 38"	78° 07' 02"
East Branch, Fishing Creek	HQ-CWF	41° 48' 38"	78° 06' 49"
UNT—East Branch, Fishing Creek	HQ-CWF	41° 48' 49"	78° 06' 16"
UNT—East Branch, Fishing Creek	HQ-CWF	41° 49' 00"	78° 05' 30"
UNT—East Branch, Fishing Creek	HQ-CWF	41° 49' 46"	78° 03' 50"
UNT—East Branch, Fishing Creek	HQ-CWF	41° 50' 08"	78° 03' 15"
UNT—Whitney Creek	EV	41° 51' 00"	78° 01' 47"
UNT—South Branch, Oswayo Creek	EV	41° 51' 43"	78° 00' 34"
UNT—South Branch, Oswayo Creek	EV	41° 51' 51"	78° 00' 06"
Peet Brook	CWF	41° 51' 49"	77° 56' 35"
UNT—Peet Brook	CWF	41° 52' 00"	77° 56' 34"
Peet Brook	CWF	41° 52' 08"	77° 56' 33"
UNT—Peet Brook	CWF	41° 52' 13"	77° 56' 32"
UNT—Oswayo Creek	CWF	41° 53' 50"	77° 56' 05"
Oswayo Creek	CWF	41° 54' 10"	77° 56' 02"
UNT—Hemlock Hollow Run	HQ-CWF	41° 57' 15"	77° 55' 53"

<i>Stream</i>	<i>Stream Classification</i>	<i>Latitude</i>	<i>Longitude</i>
UNT—Irish Settlement Brook	HQ-CWF	41° 58' 09"	77° 55' 51"
UNT—Irish Settlement Brook	HQ-CWF	41° 58' 24"	77° 55' 50"
UNT—Irish Settlement Brook	HQ-CWF	41° 59' 05"	77° 55' 44"

All gas transmission lines under streambeds shall be replaced so there will be a minimum of 3 feet of cover between the top of the pipe and the lowest point in the streambed. Trench plugs or clay dikes shall be used at every waterway and wetland crossing to ensure the existing hydrology is not altered. If upon investigation the Department determines the gas transmission line approved by this permit is serving to degrade water quality, stream profile, meander pattern or channel geometries, then the permittee shall be required to implement all measures necessary to mitigate the degradation. This permit also authorizes the crossing of any wetland that may occur along the 25 miles of pipeline right-of-way; during replacement and maintenance operations, the permittee shall take all precautions necessary to ensure that wetland impacts along the right-of-way are temporary.

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

E65-825. Department of Transportation, Engineering District 12-0, P. O. Box 459, Uniontown, PA 15401. Realignment of SR 3031 in South Huntingdon Township, **Westmoreland County**, Pittsburgh ACOE District. As part of the realignment of SR 3031, the applicant proposes to remove four existing bridges and appurtenant structures and: (1) to construct and maintain a single span concrete adjacent box beam bridge having a span of 9.0 meters on a 72° skew and an underclearance of 2.3 meters over an unnamed tributary to the Youghiogheny River (WWF) (Station 10 + 062) (Smithton, PA Quadrangle N: 5.5 inches; W: 15.7 inches); (2) to construct and maintain a reinforced concrete box culvert having a single waterway opening of 5.03 meters wide by 1.75 meters high (0.3 meter depressed invert). The enclosure is 40 meters long with wingwalls on a 30° skew in an unnamed tributary to the Youghiogheny River (WWF) (Station 10 + 784) (Smithton, PA Quadrangle N: 6.4 inches; W: 15.1 inches); (3) to relocate and maintain 240 linear meters of the channel of an unnamed tributary to the Youghiogheny River (WWF) along SR 3031 (Station 10 + 140 to 10 +

380) and 108 linear meters at the structure's approaches (Station 10 + 784) (Smithton, PA Quadrangle N: 5.6 inches; W: 15.6 inches to N: 6.5 inches; W: 15.1 inches); (4) to construct and maintain two 450-mm diameter outfalls in an unnamed tributary to the Youghiogheny River (Station 10 + 056 and 10 + 077) (Smithton, PA Quadrangle N: 5.5 inches; W: 15.7 inches); (5) to construct and maintain a 600-mm diameter outfall in an unnamed tributary to the Youghiogheny River (Station 10 + 160) (Smithton, PA Quadrangle N: 5.6 inches; W: 15.6 inches); (6) to construct and maintain a 750-mm diameter outfall in an unnamed tributary to the Youghiogheny River (Station 10 + 175) (Smithton, PA Quadrangle N: 5.6 inches; W: 15.6 inches); (7) to construct and maintain a 600-mm diameter outfall in an unnamed tributary to the Youghiogheny River (Station 10 + 759) (Smithton, PA Quadrangle N: 6.4 inches; W: 15.1 inches); and (8) to construct and maintain a 3.0 meter wide by 239.4 meter long maintenance access road within the floodway of the relocated stream channel (Station 10 + 168 to Station 10 + 385) (Smithton, PA Quadrangle Latitude: 40° 09' 21"—Longitude: 79° 44' 12" to Latitude 40° 09' 39"—Longitude: 79° 43' 59"). The project proposes to directly affect 388 linear meters of stream channel through relocation, 40 linear meters of stream channel through bridge road construction; no vegetated wetlands will be affected by this project.

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

E10-380, INDSPEC Chemical Corporation. Security fence modification in the Borough of Petrolia, **Butler County**, ACOE Pittsburgh District (Parker, PA Quadrangle N: 3.2 inches; W: 13.2 inches).

The applicant proposes to modify the existing security fence across the South Branch Bear Creek (WWF, perennial) approximately 400 feet north of the intersection of SR 268 and SR 1006 to provide additional security at the INDSPEC Chemical Corporation manufacturing facility.

STORAGE TANKS

SITE-SPECIFIC INSTALLATION PERMITS

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

<i>SSIP Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
03-02-021	Mark J. Wanner Clearwater International LLC 100 Industrial Drive Leetsdale, PA 15056	Allegheny	Leetsdale Borough	14 ASTs storing hazardous substances	104,720 gallons total
03-36-002	Frederick L. Shaak R. R. Donnelley & Sons Co. 216 Greenfield Road Lancaster, PA 17601-5885	Lancaster	Lancaster	1 AST storing recovered solvent blend	100,000 gallons total

SPECIAL NOTICES

Hanson Aggregates, PMA, Inc., Glacial Sand and Gravel Company, Tri-State River Products v. Commonwealth of Pennsylvania, Department of Environmental Protection and Clean Water Action and Clean Water Action v. Commonwealth of Pennsylvania, Department of Environmental Protection and Glacial Sand and Gravel, Pioneer Mid-Atlantic, Inc. and Tri-State River Products, Inc.;
EHB Doc. No. 2001-138-R (Consolidated with 2001-139-R, 2001-140-R, 2001-157-R, 2001-158-R and 2001-159-R)

Appellants Hanson Aggregates, PMA, Inc. (Hanson), Glacial Sand and Gravel Company (Glacial), Tri-State River Products, Inc. (Tri-State) (Permittees) and Clean Water Action (CWA) challenged permits issued by the Department of Environmental Protection (Department) in the previously captioned consolidated appeal. The permits authorize dredging activities in the Allegheny River and Ohio River.

The parties have agreed to a settlement of the previously captioned consolidated appeals, which is memorialized in a Consent Order and Agreement, the major provisions of which include:

a. The Permittees shall provide \$22,000 as funding to conduct a study to evaluate the effectiveness of the current Department and U. S. Army Corps of Engineers (ACOE) approved Mussel Survey Protocol.

b. The Department shall revise the current Protocol by requiring increased diving times in Pools 5—9 in the Allegheny River for the remaining terms of the existing dredging permits.

c. The Department shall make its malacologist available to provide to CWA, the Permittees and other qualified participants, including the Western Pennsylvania Conservancy, information regarding upcoming malacology conferences and other scientific symposia.

d. The Permittees shall refrain from dredging in Pools 6 and 9 of the Allegheny River until at least December 31, 2005, but may request the Department to reconsider authorization to dredge in Pool 9 later in 2004, if the ACOE issues a Federal permit authorizing dredging in Pool 9.

e. The Department agrees to defer implementation of additional restrictions on dredging that affect State threatened or endangered species until the expiration of the term of the current permits.

f. The Permittees shall maintain as an isolation distance between dredging and any public water supply well a radius of 1,000 feet, unless a Permittee demonstrates to the satisfaction of the Department that a lesser distance will maintain a travel time of 90 days or greater.

g. The Department reserves the right to establish a setback laterally or upstream of any industrial or commercial surface water supply intake, or of any other private or public ground or surface water supply, if necessary, to protect the supply from adverse water quality impacts.

h. When the updated National Environmental Policy Act documentation relative to commercial sand and gravel dredging on the Allegheny and Ohio Rivers is finalized, the Department may reopen and/or modify the current permits.

i. The Department shall require the commercial dredging companies to submit a plan to mitigate the environ-

mental impacts of dredging in accordance with the requirements of 25 Pa. Code Chapter 105 in all new permit applications.

j. The Permittees shall conduct a study of the potential for the suspension and transport of certain organic and inorganic sediments in the Ohio and Allegheny Rivers.

k. The Permittees shall submit to the Department, ACOE Navigation Charts, of areas anticipated to be dredged during the next calendar year period. Navigation charts shall be maintained by the Department as public records, available for inspection by the public.

Copies of the full agreement are in the possession of:

Charney Regenstein, Assistant Counsel
 Department of Environmental Protection
 Office of Chief Counsel
 400 Waterfront Drive
 Pittsburgh, PA 15222-4745
 (412) 442-4262

and

Thomas C. Reed, Esquire
 Dinsmore & Shohl LLP
 Suite 2415, Grant Building
 Pittsburgh, PA 15219
 (412) 281-5000

and

Thomas C. Buchele, Director, Environmental Law Clinic
 University of Pittsburgh—School of Law
 P. O. Box 7226
 Pittsburgh, PA 15213-0221
 (412) 648-1992

Copies of the full agreement are also at the offices of the Environmental Hearing Board and may be reviewed by interested persons on request during normal business hours.

If information concerning this notice is required in an alternative form, contact the Department at (412) 442-4262. TDD users may telephone the Department through the AT&T Pennsylvania Relay Service at (800) 654-5984.

Dated: October 1, 2003

[Pa.B. Doc. No. 03-1989. Filed for public inspection October 10, 2003, 9:00 a.m.]

Extension of General NPDES Permit for Stormwater Discharges Associated with Industrial Activities (PAG-3)

Under the authority of The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and sections 1905-A, 1917-A and 1920-A of The Administrative Code of 1929 (71 P. S. §§ 510-5, 510-17 and 510-20), the Department of Environmental Protection (Department) by this notice issues an 8-month time extension of the terms of its current General NPDES Permit for stormwater discharges associated with industrial activities (PAG-3). The terms of the current general permit, originally scheduled to expire October 4, 2003, are extended until June 4, 2004. The extension will be effective October 11, 2003, and shall expire June 4, 2004. The Department will continue to grant coverage under the existing general permit and enforce permit compliance in accordance with existing requirements until the general permit is reissued following the public review process.

The Department will redact and post the current permit and associated documents (the NOI and the

instructions, Fact Sheet and DMRs) on the Department's website (www.dep.state.pa.us) on or before October 4, 2003.

The extension permit documents package will continue to be available from the Department's central and regional offices until it is replaced or updated.

The permit document package is on file in the Department's Central Office of the Bureau of Water Supply and Wastewater Management at the following location. It is also available on the Department's website. The package can also be obtained by contacting the Department of Environmental Protection, Bureau of Water Supply and Wastewater Management, 11th Floor, Rachel Carson State Office Building, P. O. 8467, Harrisburg, PA 17105-8467, (717) 783-3795, trutrouma@state.pa.us. Persons with a disability may use the AT&T Relay Service, (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 03-1990. Filed for public inspection October 10, 2003, 9:00 a.m.]

Proposed Revision to the State Implementation Plan for Ozone for the Reading Area (Berks County); Public Hearing

Ground-level ozone concentrations above the Federal health-based standard are a serious human health threat and can also cause damage to crops, forests and wildlife. The Department of Environmental Protection (Department) is seeking public comment on a State Implementation Plan (SIP) revision for the Reading ozone maintenance area (Berks County).

On May 7, 1997, the Environmental Protection Agency (EPA) approved the Commonwealth's One-Hour Ozone Redesignation Request and Maintenance Plan for the Reading Area (plan). The plan included a demonstration that through 2007, air quality would continue to meet National health-based standards and that emissions would be no greater than those in 1992. On January 29, 2002, the EPA revised the methodology by which highway emissions are to be calculated. The Department is proposing to amend its maintenance plan to update the highway emissions inventory with this methodology. Once approved by the EPA, the SIP revision will establish new 2004 and 2007 motor vehicle emissions budgets for the purposes of transportation conformity.

This proposal is available on the Department's website at <http://www.dep.state.pa.us> (choose Subjects/Air Quality/Ozone/Clean Air Plans) or through the following contact persons.

The Department will hold a public hearing to receive comments on the SIP revision on Wednesday, November 12, 2003, at 10 a.m. at the Berks County Planning Commission, 633 Court Street, 14th Floor, Reading, PA.

Persons wishing to present testimony at the hearing should contact Susan Ferree, P. O. Box 8468, Harrisburg, PA 17105, (717) 787-9495, sferree@state.pa.us to reserve a time. Individuals who do not reserve a time will be able to testify after pre-registrants. Witnesses should keep testimony to 10 minutes and should also provide two written copies of their testimony at the hearing. Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to partici-

pate in the proceeding should contact the Department at the previous telephone number. TDD users may contact the AT&T Relay Service at (800) 654-5984 to discuss how the Department can best accommodate their needs.

Written or e-mail comments should be sent to Arleen Shulman, Division of Air Resource Management, Bureau of Air Quality, P. O. Box 8468, Harrisburg, PA 17105-8468, ashulman@state.pa.us by November 14, 2003.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 03-1991. Filed for public inspection October 10, 2003, 9:00 a.m.]

DEPARTMENT OF HEALTH

Availability of Plan Required by Section 1932 of the ADAMHA Reorganization Act of 1992

The Bureau of Drug and Alcohol Programs of the Department of Health (Department) is making available for public review and comment, under section 1941 of the Alcohol, Drug Abuse, and Mental Health Administration (ADAMHA) Reorganization Act of 1992 (act), 42 U.S.C.A. § 290aa et seq., the Department's Final Plan (Plan) for the 2002-2003 Federal fiscal year required by section 1932 of the act.

The Plan included provisions for complying with the funding agreements set out in the act, which are prerequisites for receiving block grant funds, and a description of the manner in which the Department expended the grant.

The grant amount was approximately \$57 million for the period of October 1, 2002, to September 30, 2003.

Persons wishing to submit written comments on the Department's Plan may do so. Comments received will be considered by the Department in the development of the Department's Plan that will be part of the Commonwealth's application for Substance Abuse Prevention and Treatment Block Grant funding for fiscal year 2003—2004 and future years.

Copies of the Plan are available from and comments should be addressed to Terry Matulevich, Bureau of Drug and Alcohol Programs, Department of Health, P. O. Box 90, Harrisburg, PA 17108-0090, (717) 783-8200.

For additional information or persons with a disability who require an auxiliary aid, service or other accommodation to do so, contact Terry Matulevich at (717) 787-9564, 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. 03-1992. Filed for public inspection October 10, 2003, 9:00 a.m.]

Alcohol, Drug Abuse, and Mental Health Administration (ADAMHA) Reorganization Act of 1992

The Bureau of Drug and Alcohol Programs of the Department of Health (Department) is making available for public review and comment, under section 1941 of the

Alcohol, Drug Abuse, and Mental Health Administration (ADAMHA) Reorganization Act of 1992 (act), 42 U.S.C.A. § 290aa et seq., the Department's Final Plan (Plan) for the 2003-2004 Federal fiscal year required by section 1932 of the act.

The Plan includes provisions for complying with the funding agreements set out in the act, which are prerequisites for receiving block grant funds, and a description of the manner in which the Department expends to the grant.

The grant amount is approximately \$58 million for the period of October 1, 2003, to September 30, 2004.

Persons wishing to submit written comments on the Department's Plan may do so. Comments received will be considered by the Department in the development of the Department's Plan that will be part of the Commonwealth's application for Substance Abuse Prevention and Treatment Block Grant funding for fiscal year 2003—2004 and future years.

Copies of the Plan are available from and comments should be addressed to Terry Matulevich, Bureau of Drug and Alcohol Programs, Department of Health, P. O. Box 90, Harrisburg, PA 17108-0090, (717) 783-8200.

For additional information or persons with a disability who require a copy of the plan in an alternative format or an auxiliary aid, service or other accommodation to make comments and submit, contact Terry Matulevich at (717) 787-9564, 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. 03-1993. Filed for public inspection October 10, 2003, 9:00 a.m.]

Equipment to Determine Blood Alcohol Content

The Department of Health (Department) has approved the following equipment for determining alcohol content of the blood by analysis of a person's breath. This list of approved equipment replaces the previous list published at 29 Pa.B. 708 (February 6, 1999) and is published under the authority in the Motor Vehicle Code (75 Pa.C.S. § 1547(c)(1) (relating to chemical testing to determine amount of alcohol or controlled substance)), the Fish and Boat Code (30 Pa.C.S. § 5125(c)(1) (relating to chemical testing to determine amount of alcohol or controlled substance)), the Game and Wildlife Code (34 Pa.C.S. § 2502(c) (relating to chemical test to determine amount of alcohol)) and The Administrative Code of 1929 (71 P. S. § 532).

Equipment approved under this notice may be used by law enforcement officials to obtain test results which will

be admissible in evidence in any summary or criminal proceeding in which the defendant is charged with a violation of 75 Pa.C.S. § 3731 (relating to driving under the influence of alcohol or controlled substance), any other violation of the Vehicle Code arising out of the same action, 30 Pa.C.S. § 5502 (relating to operating watercraft under influence of alcohol or controlled substance), any other violation of the Fish and Boat Code arising out of the same action, 34 Pa.C.S. § 2501 (relating to hunting or furtaking prohibited while under influence of alcohol or controlled substance) or any other violation of the Game and Wildlife Code arising out of the same action. Law enforcement agencies should determine that an approved training program in the use of the equipment is available in accordance with the previously referenced statutes before purchasing any of the devices contained on this list.

The approval of equipment by the Department is based on the evaluation of the equipment by the National Highway Traffic Safety Administration (NHTSA) of the United States Department of Transportation. Equipment which met the Federal requirements was published at 67 FR 62091 (October 3, 2002) as a Conforming Products List. The list contained in this notice is based on that Conforming Products List.

Instruments marked with an asterisk (*) meet the Model Specifications detailed at 49 FR 48854 (December 14, 1984) (that is, instruments tested at breath alcohol concentrations of 0.000, 0.050, 0.101 and 0.151 gram of alcohol per 210 liters of air). Instruments not marked with an asterisk meet the Model Specifications detailed at 58 FR 48705 (September 17, 1993) and were tested at breath alcohol concentrations of 0.000, 0.020, 0.040, 0.080 and 0.160 gram of alcohol per 210 liters of air. Instruments whose precision and accuracy have been evaluated in the latter concentration range (that is, devices not marked with an asterisk) should be used when reliable results are required at blood concentrations below 0.050%.

NHTSA also evaluates equipment to determine if it must be operated at fixed locations (that is, nonmobile equipment) or can be transported to nonfixed operational sites in the field (mobile equipment). Equipment on the list is approved for both mobile or nonmobile operation, or both unless otherwise specified as indicated on the list.

Inquiries concerning this notice should be directed to M. Jeffery Shoemaker, Ph.D., Director, Division of Chemistry and Toxicology, Bureau of Laboratories, Department of Health, P. O. Box 500, Exton, PA 19341-0500, (610) 280-3464.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape or Braille) should contact Dr. Shoemaker at the previously referenced address or phone number or persons who are speech or hearing impaired may use V/TT: (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

Conforming Products List of Evidential Breath Measurement Devices

<i>Manufacturer and Model</i>	<i>Mobile</i>	<i>Nonmobile</i>
<i>Alcohol Countermeasure Systems Corp., Mississauga, Ontario, Canada:</i>		
Alert J3AD*	X	X
Alert J4X.ec	X	X
PBA3000C	X	X
<i>BAC Systems, Inc., Ontario, Canada:</i>		
Breath Analysis Computer*	X	X

<i>Manufacturer and Model</i>	<i>Mobile</i>	<i>Nonmobile</i>
<i>CAMEC Ltd., North Shields, Tyne and Ware, England:</i>		
IR Breath Analyzer*	X	X
<i>CMI, Inc., Owensboro, KY:</i>		
Intoxilyzer 200	X	X
Intoxilyzer 200D	X	X
Intoxilyzer 300	X	X
Intoxilyzer 400	X	X
Intoxilyzer 400PA	X	X
Intoxilyzer 1400	X	X
Intoxilyzer 4011*	X	X
Intoxilyzer 4011A*	X	X
Intoxilyzer 4011AS*	X	X
Intoxilyzer 4011AS-A*	X	X
Intoxilyzer 4011AS-AQ*	X	X
Intoxilyzer 4011AW*	X	X
Intoxilyzer 4011A27-10100*	X	X
Intoxilyzer 4011A27-10100 with filter*	X	X
Intoxilyzer 5000	X	X
Intoxilyzer 5000 (w/Cal. Vapor Re-Circ.)	X	X
Intoxilyzer 5000 (w/3/8" ID hose option)	X	X
Intoxilyzer 5000CD	X	X
Intoxilyzer 5000CD/FG5	X	X
Intoxilyzer 5000EN	X	X
Intoxilyzer 5000 (CAL DOJ)	X	X
Intoxilyzer 5000 (VA)	X	X
Intoxilyzer 8000	X	X
Intoxilyzer PAC 1200*	X	X
Intoxilyzer S-D2	X	X
Intoxilyzer S-D5	X	X
<i>Draeger Safety, Inc., Durango, CO:</i>		
Alcotest 7010*	X	X
Alcotest 7110*	X	X
Alcotest 7110 MKIII	X	X
Alcotest 7110 MKIII-C	X	X
Alcotest 7410	X	X
Alcotest 7410 Plus	X	X
Breathalyzer 900*	X	X
Breathalyzer 900A*	X	X
Breathalyzer 900BG*	X	X
Breathalyzer 7410	X	X
Breathalyzer 7410-II	X	X
<i>Gall's Inc., Lexington, KY:</i>		
Alcohol Detection System-A.D.S. 500	X	X
<i>Intoximeters, Inc., St. Louis, MO:</i>		
Photo Electric Intoximeter*	—	X
GC Intoximeter MK II*	X	X
GC Intoximeter MK IV*	X	X
Auto Intoximeter*	X	X
Intoximeter 3000*	X	X
Intoximeter 3000 (rev B1)*	X	X
Intoximeter 3000 (rev B2)*	X	X
Intoximeter 3000 (rev B2A)*	X	X
Intoximeter 3000 (rev B2A) w/FM option*	X	X
Intoximeter 3000 (Fuel Cell)*	X	X
Intoximeter 3000D*	X	X
Intoximeter 3000DFC*	X	X
Alcomonitor	—	X
Alcomonitor CC	X	X
Alco-Sensor III	X	X
Alco-Sensor III (Enhanced with Serial Numbers above 1,200,000)	X	X
Alco-Sensor IV	X	X
Alco-Sensor IV-XL	X	X
Alco-Sensor AZ	X	X
RBT-AZ	X	X
RBT III	X	X
RBT III-A	X	X
RBT-IV	X	X
RBT-IV with CEM (cell enhancement module)	X	X

<i>Manufacturer and Model</i>	<i>Mobile</i>	<i>Nonmobile</i>
Intox EC/IR	X	X
Intox EC/IR 2	X	X
Portable Intox EC/IR	X	X
<i>Komyo Kitagawa, Kogyo, K. K.:</i>		
Alcolyzer DPA-2*	X	X
Breath Alcohol Meter PAM 101B*	X	X
<i>Lifeloc Technologies, Inc. (formerly Lifeloc, Inc.) Wheat Ridge, CO:</i>		
PBA 3000-B	X	X
PBA 3000-P*	X	X
PBA 3000-C	X	X
Alcohol Data Sensor	X	X
Phoenix	X	X
FC 10	X	X
FC 20	X	X
<i>Lion Laboratories, Ltd., Cardiff, Wales, UK:</i>		
Alcolmeter 300	X	X
Alcolmeter 400	X	X
Alcolmeter SD-2*	X	X
Alcolmeter EBA*	X	X
Intoxilyzer 200	X	X
Intoxilyzer 200D	X	X
Intoxilyzer 1400	X	X
Intoxilyzer 5000 CD/FG5	X	X
Intoxilyzer 5000 EN	X	X
<i>Luckey Laboratories, San Bernardino, CA:</i>		
Alco-Analyzer 1000*	—	X
Alco-Analyzer 2000*	—	X
<i>National Draeger, Inc., Durango, CO:</i>		
Alcotest 7010*	X	X
Alcotest 7110*	X	X
Alcotest 7110 MKIII	X	X
Alcotest 7110 MKIII-C	X	X
Alcotest 7410	X	X
Alcotest 7410 Plus	X	X
Breathalyzer 900*	X	X
Breathalyzer 900A*	X	X
Breathalyzer 900BG*	X	X
Breathalyzer 7410	X	X
Breathalyzer 7410-II	X	X
<i>National Patent Analytical Systems, Inc., Mansfield, OH:</i>		
BAC Datamaster (with or without the Delta-1 accessory)	X	X
BAC Verifier Datamaster (with or without the Delta-1 accessory)	X	X
Datamaster cdm (with or without the Delta-1 accessory)	X	X
<i>Omicron Systems, Palo Alto, CA:</i>		
Intoxilyzer 4011*	X	X
Intoxilyzer 4011AW*	X	X
<i>Plus 4 Engineering, Minturn, CO:</i>		
5000 Plus 4*	X	X
<i>Seres, Paris, France:</i>		
Alco Master	X	X
Alcopro	X	X
<i>Siemens-Allis, Cherry Hill, NJ:</i>		
Alcomat*	X	X
Alcomat F*	X	X
<i>Smith and Wesson Electronics, Springfield, MA:</i>		
Breathalyzer 900*	X	X
Breathalyzer 900A*	X	X
Breathalyzer 1000*	X	X
Breathalyzer 2000*	X	X
Breathalyzer 2000 (Nonhumidity Sensor)*	X	X
<i>Sound-Off Inc., Hudsonville, MI:</i>		
AlcoData	X	X
Seres Alco Master	X	X
Seres Alcopro	X	X
<i>Stephenson Corp.:</i>		
Breathalyzer 900*	X	X
<i>U. S. Alcohol Testing, Inc./Protection Devices, Inc., Rancho Cucamonga, CA:</i>		
Alco-Analyzer 1000	—	X

Manufacturer and Model

Alco-Analyzer 2000
 Alco-Analyzer 2100
Verax Systems, Inc., Fairport, NY:
 BAC Verifier*
 BAC Verifier Datamaster
 BAC Verifier Datamaster II*

<i>Mobile</i>	<i>Nonmobile</i>
—	X
X	X
X	X
X	X
X	X

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

[Pa.B. Doc. No. 03-1994. Filed for public inspection October 10, 2003, 9:00 a.m.]

Requests for Exception; Long-Term Care Nursing Facilities

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.17 (relating to location):

Butler Memorial Hospital Transitional Care Facility
 911 East Brady Street
 Butler, PA 16001

The following long-term care nursing facilities are seeking an exception to 28 Pa. Code § 201.18(e) (relating to management):

United Community Hospital Transitional Care Unit
 631 North Broad Street Extension
 Grove City, PA 16127

Orchard Manor, Inc.
 20 Orchard Drive
 Grove City, PA 16127

The following long-term care nursing facilities are seeking an exception to 28 Pa. Code § 205.6(a) (relating to function of building):

Orchard Manor, Inc.
 20 Orchard Drive
 Grove City, PA 16127

Forestview
 2301 Edinboro Road
 Erie, PA 16509

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.36(b)—(h) (relating to bathing facilities):

Maple Farm Nursing Center
 604 Oak Street
 Akron, PA 17501-0136

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax: (717) 772-2163, paexcept@health.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 15 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who require an alternative format of this document or who wish to comment in an alternative format (for example, large print, audiotape or

Braille) should contact the Division of Nursing Care Facilities at the previous address or phone number, 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. 03-1995. Filed for public inspection October 10, 2003, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Secret Santa Instant Lottery Game

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

1. *Name:* The name of the game is Pennsylvania Secret Santa.

2. *Price:* The price of a Pennsylvania Secret Santa instant lottery game ticket is \$20.

3. *Play Symbols:* Each Pennsylvania Secret Santa instant lottery game ticket will contain one play area featuring a "Secret Santa Numbers" area and a "Your Numbers" area. The play symbols and their captions located in the "Secret Santa Numbers" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTHR), 23 (TWYTHR), 24 (TWYFOR), 25 (TWFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN) and 30 (THIRTY). The play symbols and their captions located in the "Your Numbers" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTHR), 23 (TWYTHR), 24 (TWYFOR), 25 (TWFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY) and a Holly Symbol (HOLLY).

4. *Prize Play Symbols:* The prize play symbols and their captions located in the "Your Numbers" area are: \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20\$ (TWENTY), \$25\$ (TWY FIV), \$50\$ (FIFTY), \$100 (ONE HUN), \$150 (ONEHUNFTY), \$500 (FIV HUN), \$5,000 (FIV THO) and \$100,000 (ONEHUNTHO).

5. *Prizes:* The prizes that can be won in this game are \$5, \$10, \$20, \$25, \$50, \$100, \$150, \$500, \$5,000 and \$100,000. A player can win up to 15 times on a ticket.

6. *Approximate Number of Tickets Printed for the Game:* Approximately 960,000 tickets will be printed for the Pennsylvania Secret Santa instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "Your Numbers" play symbols matches any of the "Secret Santa Numbers" play symbols and a prize play symbol of \$100,000 (ONEHUNTHO) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$100,000.

(b) Holders of tickets upon which any one of the "Your Numbers" play symbols matches any of the "Secret Santa Numbers" play symbols and a prize play symbol of \$5,000 (FIV THO) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(c) Holders of tickets upon which any one of the "Your Numbers" play symbols matches any of the "Secret Santa Numbers" play symbols and a prize play symbol of \$500 (FIV HUN) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(d) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Holly Symbol (HOLLY), and a prize play symbol of \$500 (FIV HUN) appears under the Holly Symbol (HOLLY) on a single ticket, shall be entitled to a prize of \$500.

(e) Holders of tickets upon which any one of the "Your Numbers" play symbols matches any of the "Secret Santa Numbers" play symbols and a prize play symbol of \$150 (ONEHUNFTY) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$150.

(f) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Holly Symbol (HOLLY), and a prize play symbol of \$150 (ONEHUNFTY) appears under the Holly Symbol (HOLLY) on a single ticket, shall be entitled to a prize of \$150.

(g) Holders of tickets upon which any one of the "Your Numbers" play symbols matches any of the "Secret Santa Numbers" play symbols and a prize play symbol of \$100 (ONE HUN) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(h) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Holly Symbol (HOLLY), and a prize play symbol of \$100 (ONE HUN) appears under the Holly Symbol (HOLLY) on a single ticket, shall be entitled to a prize of \$100.

(i) Holders of tickets upon which any one of the "Your Numbers" play symbols matches any of the "Secret Santa Numbers" play symbols and a prize play symbol of \$50\$

(FIFTY) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(j) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Holly Symbol (HOLLY), and a prize play symbol of \$50\$ (FIFTY) appears under the Holly Symbol (HOLLY) on a single ticket, shall be entitled to a prize of \$50.

(k) Holders of tickets upon which any one of the "Your Numbers" play symbols matches any of the "Secret Santa Numbers" play symbols and a prize play symbol of \$25\$ (TWY FIV) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$25.

(l) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Holly Symbol (HOLLY), and a prize play symbol of \$25\$ (TWY FIV) appears under the Holly Symbol (HOLLY) on a single ticket, shall be entitled to a prize of \$25.

(m) Holders of tickets upon which any one of the "Your Numbers" play symbols matches any of the "Secret Santa Numbers" play symbols and a prize play symbol of \$20\$ (TWENTY) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(n) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Holly Symbol (HOLLY), and a prize play symbol of \$20\$ (TWENTY) appears under the Holly Symbol (HOLLY) on a single ticket, shall be entitled to a prize of \$20.

(o) Holders of tickets upon which any one of the "Your Numbers" play symbols matches any of the "Secret Santa Numbers" play symbols and a prize play symbol of \$10⁰⁰ (TEN DOL) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(p) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Holly Symbol (HOLLY), and a prize play symbol of \$10⁰⁰ (TEN DOL) appears under the Holly Symbol (HOLLY) on a single ticket, shall be entitled to a prize of \$10.

(q) Holders of tickets upon which any one of the "Your Numbers" play symbols matches any of the "Secret Santa Numbers" play symbols and a prize play symbol of \$5⁰⁰ (FIV DOL) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(r) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Holly Symbol (HOLLY), and a prize play symbol of \$5⁰⁰ (FIV DOL) appears under the Holly Symbol (HOLLY) on a single ticket, shall be entitled to a prize of \$5.

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

When Any of Your Numbers Match Any of the Secret Santa Numbers, Win With Prize(s) of:

\$5 w/Holly
\$5

Win
\$5
\$5

Approximate Odds
1:2.68
1:3.95

Approximate No. of Winners Per 960,000 Tickets
358,400
243,200

*When Any of Your
Numbers Match Any
of the Secret Santa*

			<i>Approximate No. of</i>
\$10 w/Holly	\$10	1:37.50	25,600
\$10	\$10	1:50	19,200
\$5 × 4	\$20	1:15	64,000
\$20 w/Holly	\$20	1:15	64,000
\$20	\$20	1:18.75	51,200
\$5 × 5	\$25	1:75	12,800
\$20 + \$5	\$25	1:75	12,800
\$25 w/Holly	\$25	1:50	19,200
\$25	\$25	1:50	19,200
\$5 × 10	\$50	1:150	6,400
\$20 × 2 + \$5 × 2	\$50	1:150	6,400
\$25 × 2	\$50	1:150	6,400
\$50 w/Holly	\$50	1:150	6,400
\$50	\$50	1:150	6,400
\$5 × 10 + \$25 × 2	\$100	1:150.94	6,360
\$20 × 5	\$100	1:150.94	6,360
\$25 × 4	\$100	1:150.94	6,360
\$50 × 2	\$100	1:151.13	6,352
\$100 w/Holly	\$100	1:151.13	6,352
\$100	\$100	1:150.94	6,360
\$5 × 10 + \$20 × 5	\$150	1:30,000	32
\$25 × 6	\$150	1:30,000	32
\$50 × 3	\$150	1:30,000	32
\$150 w/Holly	\$150	1:30,000	32
\$150	\$150	1:30,000	32
\$25 × 10 + \$50 × 5	\$500	1:60,000	16
\$50 × 10	\$500	1:60,000	16
\$100 × 5	\$500	1:60,000	16
\$500 w/Holly	\$500	1:60,000	16
\$500	\$500	1:60,000	16
\$5,000	\$5,000	1:120,000	8
\$100,000	\$100,000	1:120,000	8

Holly = Win Prize Automatically

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

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

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

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

Pennsylvania Secret Santa or through normal communications methods.

GREGORY C. FAJT,
Secretary

[Pa.B. Doc. No. 03-1996. Filed for public inspection October 10, 2003, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

**Delaware Riverkeeper a/k/a Maya vanRossum,
Delaware Riverkeeper Network and The American Littoral Society v. DEP and Borough of
Portland, Permittee; EHB Doc. No. 2003-229-MG**

Delaware Riverkeeper, et al. has appealed the issuance by the Department of Environmental Protection of an NPDES permit to the Borough of Portland for a facility in Portland Borough, Northampton County.

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

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel

Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457 and may be reviewed by interested parties on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the AT&T Pennsylvania Relay Center at (800) 654-5984.

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

MICHAEL L. KRANCER,
Chairperson

[Pa.B. Doc. No. 03-1997. Filed for public inspection October 9, 2003, 9:00 a.m.]

HOUSING FINANCE AGENCY

Invitation to Submit Summary of Qualifications for Housing Conference Coordinator

The Housing Finance Agency (Agency) invites a Summary of Qualifications from organizations or individuals (applicants) to act as conference coordinator for the 2004 Statewide Housing Forum (forum). The forum is an event that emphasizes the central role of housing and its importance to the family and covers many facets of the subject. It will be attended by developers, property managers, lenders, suppliers, tax credit syndicators, advocates, planners and a wide variety of other individuals involved in many aspects of rental and ownership housing. This will be the fourth conference the Agency has held. The last conference was in November 2002.

Approximately 600—700 attendees are expected. Dates have not been determined.

It is anticipated that the conference coordinator will handle all matters concerned with scheduling, planning, organizing and executing the forum's plenary sessions, meals, workshops and receptions, including arrangements for registration, speakers, conference logistics, exhibitors and food service functions.

By this notice, the Agency is inviting submission of a Summary of Qualifications from applicants wishing to be considered as conference coordinator for this event. The Summary of Qualifications will be reviewed by the Agency, which may take into consideration factors the Agency, in its discretion, deems appropriate. The applicant selected will work directly with the Agency to manage the forum.

The Summary of Qualifications must be received by the Agency by 2 p.m. on Wednesday, November 1, 2003, at the Agency's offices, 2101 North Front Street, Harrisburg, PA 17110. The Summary of Qualifications should provide a brief outline of the applicant's experience and background and should provide general information about fees typically charged by the applicant for event coordination.

Submit the Summary of Qualifications to Paula Brightbill at the previous address, fax (717) 780-3905, pbrightbill@phfa.org. It may be advisable to require that the applicant confirm receipt of the submission if they submit via fax or email.

The Agency's decision will be made as soon as possible after it has considered submissions. The Agency reserves the right to withdraw, amend or modify this invitation or to select more than one applicant or to reject all applicants, in its sole discretion. Information submitted to the Agency is the property of the Agency and may be public information.

BRIAN A. HUDSON,
Executive Director

[Pa.B. Doc. No. 03-1998. Filed for public inspection October 10, 2003, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Actions Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10:30 a.m., Thursday, September 25, 2003, and announced the following:

Regulation Approved

State Board of Veterinary Medicine #16A-5712: Professional Conduct; Prescription Drugs (amends 49 Pa. Code § 31.21)

Approval Order

Public Meeting held
September 25, 2003

Commissioners Voting: John R. McGinley, Jr., Esq., Chairperson, by phone; Alvin C. Bush, Vice Chairperson; Daniel F. Clark, Esq.; Arthur Coccodrilli; Murray Ufberg, Esq.

State Board of Veterinary Medicine—Professional Conduct; Prescription Drugs; Regulation No. 16A-5712

On June 10, 2002, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Veterinary Medicine (Board). This rulemaking amends 49 Pa. Code § 31.21. The proposed regulation was published in the June 22, 2002 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on June 17, 2003. At its July 24, 2003, public meeting, the Commission voted to disapprove the final-form regulation. On September 5, 2003, the Board submitted its report containing the revised final-form regulation to the Commission.

The final-form regulation establishes requirements and standards for prescribing and dispensing both prescription and nonprescription drugs. In acting on our disapproval order, dated July 24, 2003, the Board deleted a provision that required veterinarians to provide written prescriptions upon request except when a veterinarian has a good faith belief that the prescription may be misused.

The revised regulation contains beneficial provisions relating to drugs and dispensing including requirements for child-resistant packaging, detailed labeling, adequate directions for use and precautions concerning expiration dates. Even though we support these provisions in the

regulation and believe they are in the public interest, we are disappointed by the deletion of the written prescription provision that was in both the proposed rulemaking and the original final-form version of this regulation.

When the Commission voted to disapprove this regulation on July 24, 2003, we noted one issue. In explaining this concern, our order stated:

One issue, which we raised in our comments, remains a concern. Our comments suggested that the final-form regulation require veterinarians to inform clients that they have the option of receiving a written prescription that can be filled elsewhere. The Board did not include such a requirement in the final-form regulation.

We believe that notification to the consumer of the opportunity to request a written prescription is in the public interest and will not impose an unreasonable burden upon veterinarians (71 P. S. §§ 745.5b(b)(1)(i) and (ii), and (b)(3)).

In its report, the Board misrepresents the Commission's position on this regulation. It asserts that the Commission concluded it was unreasonable to require a veterinarian to give a written prescription at the client's request "if the Board did not also require the veterinarian to notify clients that the clients could obtain a written prescription." This is an erroneous interpretation of our order.

Nothing in our comments or order on this regulation supports this interpretation of the Commission's position. At the public meeting on July 24, 2003, Commissioners expressed support for the entire regulation including the written prescription option. However, the order, as previously stated, affirmed that notification to clients of this option is also in the public interest. The vote to disapprove provided an opportunity for the Board to improve the regulation by adding a public notice provision. A provision such as this would expand the economic benefits of the written prescription option by insuring greater public awareness of the option. In this light, it would be cost effective, reasonable and in the public interest. The vote on July 24, 2003, was not a rejection of any part of the regulation.

We must assert that we are very displeased with the deletion of the written prescription provision. As previously stated, we were looking for further improvement of this provision, not its deletion. Even though we are dismayed by this action, the Board did state in its report that it will review the written prescription provision and public notice issue. Furthermore, the Board counsel advised the Commission that the written prescription provision will be the subject of a rulemaking in the very near future and that the public notice issue will also be considered at that time. We note that the American Veterinary Medical Association and consumer organizations, such as *Consumer Reports* magazine, have studied the written prescription issue. The Board should take advantage of this research. We urge the Board to expedite its review and to publish a proposed rulemaking addressing the written prescription and public notice issues at the earliest possible opportunity.

Finally, the Commission believes that the General Assembly should review these issues under section 5.2(b)(4) of the Regulatory Review Act (71 P. S. § 745.5b(b)(4)).

Having considered all the criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 03-1999. Filed for public inspection October 10, 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. To obtain a copy of the regulation, contact the promulgating agency.

<i>Final-Form</i>		
<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
15-418	Department of Revenue Personal Income Tax; Employer Withholding	9/30/03

<i>Final-Omit</i>		
<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
15-423	Department of Revenue Repeal of Obsolete Lottery Regulations	9/30/03

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 03-2000. Filed for public inspection October 10, 2003, 9:00 a.m.]

INSURANCE DEPARTMENT

Davis Eye Group; Prehearing

Appeal of Davis Eye Group under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM03-09-021

On or before October 28, 2003, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's August 8, 2003, 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 November 18, 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 October 14, 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 November 4, 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 12, 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. 03-2001. Filed for public inspection October 10, 2003, 9:00 a.m.]

Andrew Fanelli, D.O.; Hearing

Appeal of Andrew Fanelli, D.O. under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM03-09-031

On or before October 28, 2003, the appellant shall file a concise statement setting forth the factual and/or legal basis for his 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 November 4, 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 October 14, 2003. A hearing shall occur on November 18, 2003, at 1:30 p.m. in Room 200, Administrative Hearings Office, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before November 5, 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 12, 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. 03-2002. Filed for public inspection October 10, 2003, 9:00 a.m.]

Valerie Nowak; Prehearing

Appeal of Valerie Nowak under 40 P. S. §§ 991.2101—991.2193; Doc. No. HC03-09-039

A telephone prehearing conference initiated by this office shall be conducted on November 4, 2003, at 1:30 p.m. Each party shall provide a telephone number to be used for the prehearing telephone conference to the Hearings Administrator on or before October 16, 2003. A date for a hearing shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before October 22, 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 shall be filed on or before October 29, 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. 03-2003. Filed for public inspection October 10, 2003, 9:00 a.m.]

Qualified Annuity Contractors for Awarded Periodic Medical Professional Liability Payments

Under section 509(b)(6) of the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. § 1303.509(b)(6)), the Insurance Commissioner hereby lists insurers designated by the Insurance Department as qualified to participate in the funding of periodic payment judgments:

<i>NAIC No.</i>	<i>Insurers Qualified to Issue Annuity Contracts under the MCARE Act</i>
60607	American General Life Assurance Company
62898	Aviva Life Insurance Company
93432	C. M. Life Insurance Company
29980	First Colony Life Insurance Company
70025	General Electric Capital Assurance Company
65935	Massachusetts Mutual Life Insurance Company
65978	Metropolitan Life Insurance Company
70416	MML Bay State Life Insurance Company
66281	Monumental Life Insurance Company
66915	New York Life Insurance Company
61271	Principal Life Insurance Company
68241	The Prudential Insurance Company of America
87726	The Travelers Insurance Company
69507	Transamerica Life Insurance and Annuity Company

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 03-2004. Filed for public inspection October 10, 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 Philadelphia, 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 Administrative Hearings Office, Capitol Associates Building, Room 200, 901 N. Seventh Street, Harrisburg, PA 17102.

Appeal of Lucas Giles; file no. 03-188-08791; Safe Auto Insurance Company; doc. no. P03-09-012; October 28, 2003, 10:30 a.m.

Appeal of Susan Hendren; file no. 03-188-08439; Leader Insurance Company; doc. no. P03-09-011; October 30, 2003, 1:30 p.m.

The following hearings will be held in the Philadelphia Regional Office, Room 1701 State Office Building, 1400 Spring Garden Street, Philadelphia, PA 19130.

Appeal of Sean P. MacNeal; file no. 03-267-03985; Prudential General Insurance Company; doc. no. PH03-09-014; December 11, 2003, 9 a.m.

Appeal of Lorraine Gilliam; file no. 03-280-03981; Rutgers Casualty Insurance Company; doc. no. PH03-09-016; December 11, 2003, 12:30 p.m.

Appeal of Ira R. Murray; file no. 03-215-03262; Farmers New Century Insurance Company; doc. no. PH03-09-024; December 11, 2003, 2 p.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. 03-2005. Filed for public inspection October 10, 2003, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insurer has 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 policy. The hearing 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 hearing 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 hearing will be held in the Pittsburgh Regional Office, Room 304 State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222.

Appeal of Erie Insurance Exchange; file no. 03-308-71660; Tod A. and Leigh A. Kopco; doc. no. PI03-09-023; November 5, 2003, 2 p.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. 03-2006. Filed for public inspection October 10, 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 companies' termination of the insureds' policies. The administrative hearings will be held in the Insurance Department's regional offices in Harrisburg and 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 Administrative Hearings Office, Capitol Associates Building, Room 200, 901 N. Seventh Street, Harrisburg, PA 17102.

Appeal of Thomas Cooney; file no. 03-182-09021; Liberty Mutual Insurance Company; doc. no. P03-09-040; October 29, 2003, 1:30 p.m.

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 Bruce S. Kosser; file no. 03-267-04154; Erie Insurance Group; doc. no. PH03-09-017; December 11, 2003, 10:30 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. 03-2007. Filed for public inspection October 10, 2003, 9:00 a.m.]

LIQUOR CONTROL BOARD

Expiration of Leases

The following Liquor Control Board leases will expire:

Cumberland County, Wine & Spirits Shoppe #2102, West Shore Plaza Shopping Center, 1200 Market Street, Lemoyne, PA 17043-1417.

Lease Expiration Date: March 31, 2008

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 13,500 net useable square feet of new or existing retail commercial space within 1/4 mile of the intersection of 12th Street and Market Street, Lemoyne Borough.

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

Adams County, Wine & Spirits Shoppe #0101, 1275 York Road, Gettysburg, PA 17325-7565.

Lease Expiration Date: April 30, 2008

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 7,700 net useable square feet of new

or existing retail commercial space within 1/4 mile of the intersection of Shealer Road, Straban Township.

Proposals due: October 31, 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. 03-2008. Filed for public inspection October 10, 2003, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Cancellation Order

Public Meeting held
September 18, 2003

Commissioners present: Terrance J. Fitzpatrick, Chairperson; Robert K. Bloom, Vice Chairperson; Aaron Wilson, Jr.; Glen R. Thomas; Kim Pizzingrilli

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. Easton Telecom Services, Inc.
(2002.0398.00); Doc. No. C-20039301; A-310483*

*Application of Weston Telecommunications, LLC and
Easton Telecom Services, Inc. for Approval to Transfer and
Abandon; A-310483 F2000*

Cancellation Order

By the Commission:

On January 17, 2003, Law Bureau Prosecutory Staff filed a Formal Complaint against Easton Telecom Services, Inc. (Respondent), an IXC reseller certificated at A-310483. In the Complaint, Prosecutory Staff alleged that Commission staff had notified Respondent by both first class and certified mail, return receipt requested, that Respondent had failed to file its 2001 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent's certificate for failure to file its 2001 Annual Report in violation of 66 Pa.C.S. § 504.

Service of the Complaint was perfected on January 27, 2003, and Respondent filed its 2001 Annual Report on March 11, 2003, but without the \$250 late filing fee penalty specified in the Complaint.

The history of this service provider is as follows. In 2001, Easton filed for Chapter 11 Bankruptcy in the Southern District of New York. By order entered November 15, 2001, the Bankruptcy Court granted Respondent, who was the Debtor in the bankruptcy action, the relief of selling its assets and customer base to Weston. Under the Bankruptcy Court order, that sale and transfer took place on November 16, 2001.

On January 14, 2002, Respondent and Weston Telecommunications, LLC (Weston) filed a joint Application to Transfer and Abandon Telecommunication Services at docket no. A-310483F2000. The parties attached a copy of the Bankruptcy Court's November 15, 2001, order and

included the applicable \$350 application fee. By letter dated April 18, 2002, Respondent again notified the Commission of the Bankruptcy Court's order as well as the fact that it had no customers and was no longer operating as an IXC reseller in this Commonwealth. In that letter, Respondent also requested that its certificate be cancelled.

Based upon the foregoing, and upon our determination that Respondent does not have any outstanding assessments or fines, it is appropriate to cancel the certificate of public convenience of Easton Telecom Services, Inc. By this order, we also close the abandonment and transfer application docket at A-310483F2000; *Therefore,*

It Is Ordered That:

1. The allegations in Law Bureau Prosecutory Staff's complaint are deemed admitted and the complaint is hereby sustained; however, due to our disposition of Easton Telecom Services, Inc.'s certificate of public convenience under Ordering Paragraph No. 2, we will waive the \$250 late filing penalty.

2. The Request to Cancel the certificate of public convenience held by Easton Telecom Services, Inc. is approved and the docket at A-310483 is hereby cancelled.

3. The Secretary is directed to close the docket at A-310483F2000 regarding the Application to Transfer and Abandon filed jointly by Easton Telecom Services, Inc. and Weston Telecommunications, LLC.

4. The Secretary strike the name of Easton Telecom Services, Inc. from all active-utility lists maintained by the Annual Report Section of the Secretary's Bureau and the Assessment Section of the Bureau of Administrative Services.

5. Notice of this Cancellation Order shall be published in the *Pennsylvania Bulletin*.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 03-2009. Filed for public inspection October 10, 2003, 9:00 a.m.]

Railroad With Hearing

C-20028065. Borough of Ellwood City v. CSX Transportation, Inc., Lawrence County, Commonwealth of Pennsylvania Department of Transportation. Complainant states that CSX owns two above-grade crossings in the Borough of Ellwood City. The Second Street Bridge is in terrible condition and needs to be replaced. The Fifth Street Bridge is crumbling and requires maintenance. Both bridges are a danger to the public.

An initial hearing on this matter will be held on Wednesday, December 17, 2003, at 10 a.m. in an 11th floor hearing room, Pittsburgh State Office Building, 300 Liberty Avenue, Pittsburgh, PA, when and where all persons in interest may appear and be heard, if they so desire.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 03-2010. Filed for public inspection October 10, 2003, 9:00 a.m.]

Railroad With Hearing

A-00119805. Pittsburgh & Ohio Central Railroad Company. Application of the Pittsburgh & Ohio Central Railroad Company to alter the status of at-grade crossings in the Borough of Carnegie, Allegheny County.

An initial hearing on this matter will be held on Tuesday, December 8, 2003, at 10 a.m. in the 11th Floor Hearing Room, Pittsburgh State Office Building, 300 Liberty Avenue, Pittsburgh, PA, when and where all persons in interest may appear and be heard, if they so desire.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 03-2011. Filed for public inspection October 10, 2003, 9:00 a.m.]

Rescission of Relief Plan for the 215/267 NPAs

Public Meeting held
September 18, 2003

Commissioners Present: Terrance J. Fitzpatrick, Chairperson; Robert K. Bloom, Vice Chairperson; Aaron Wilson, Jr.; Glen Thomas; Kim Pizzingrilli, statement follows

Rescission of Relief Plan for the 215/267 NPAs;
P-00961071F0002

Order

By the Commission:

In this order, the Commission revisits the issue of the implementation of area code relief in southeastern Pennsylvania. The most recent numbering data concerning the 215 and 267 Numbering Plan Areas (NPAs) demonstrates that both of these NPAs have experienced an unprecedented and efficient use of numbering resources due to the implementation of various number conservations measure. As a result, there are adequate numbering resources available for telecommunications carriers in these NPAs. Accordingly, the Commission orders the rescission of the implementation schedule for the 445 NPA in southeastern Pennsylvania.

I. Background

1. Introduction of 267 NPA

When the supply of numbering resources within an NPA or area code¹ is estimated to exhaust, some form of area code relief must be implemented so that customers in that area can continue to obtain the services they desire from the carrier of their choice. It is the duty of the North American Numbering Plan Administrator (NANPA) to monitor the viability of area codes so as to determine when all of the numbers available in the area code are nearing exhaust.²

On May 24, 1996, the NANPA made a filing with the Commission in which the NANPA indicated that the supply of NXX codes, or telephone numbers, in the 215

¹ NPA, or "area code," refers to the first three digits of a ten-digit telephone number in the form of NPA-NXX-XXXX.

² The Industry Numbering Committee (INC) Guidelines provide that when an area code is nearing exhaust, the NANPA, in the appropriate circumstances, must act as the NPA Relief Planner and discuss relief alternatives so as to address the numbering exhaust. See *NPA Code Relief Planning and Notification Guidelines* at §§ 4.0-4.9 (August 2002).

area code was nearing total exhaustion.³ In that filing, the NANPA also informed the Commission that the telecommunications industry had reached consensus to implement an all services distributed overlay as the relief plan. The new NPA was to overlay and share the same geographic boundaries of the 215 NPA. Thus, by an Order entered May 21, 1998,⁴ the Commission directed that the 215 NPA in southeastern Pennsylvania receive an overlay to address the prevailing NXX code shortage problem.⁵ The NANPA assigned the 267 NPA to overlay the 215 NPA.⁶

In June 1999, the 267 overlay NPA was activated and placed into service with a projected life of 4 1/2 years as forecasted by the NANPA. Based upon the initial demand for NXX codes from the 267 NPA by telecommunications service providers in southeastern Pennsylvania, the NANPA recalculated the estimated service life of the 267 NPA and estimated that the 267 NPA would exhaust its supply of NXX codes during the first quarter of 2003. Shortly thereafter, on October 4, 1999, the NANPA, in accordance with its directive to initiate NPA relief planning in areas in sufficient time (30 months) to prevent the exhaust of numbering resources, notified the Commission and the telecommunications industry that it was necessary to begin planning relief alternatives for the 267 NPA.

2. Introduction of the 445 NPA over the 215 and 267 NPAs

On December 2, 1999, the NANPA convened a meeting with the telecommunications industry to discuss relief alternatives for addressing the numbering exhaust in the 267 NPA. The NANPA indicated that 364 NXX codes had been assigned from the 267 NPA since its June 1999 activation date. The industry reached consensus to recommend to the Commission an all services distributed overlay as its preferred alternative for area code relief in the 267 NPA.⁷ This overlay would cover the same geographic boundaries of the existing 215 and 267 NPAs (215/267 NPAs).

In January 2000, the NANPA, on behalf of the industry, filed with the Commission the industry's relief recommendation. The filing informed the Commission that the industry would begin implementation of the overlay NPA on or about April 3, 2000.⁸ The NANPA assigned the 445 NPA as the overlay NPA for the 215/267 NPAs.⁹

3. Modification of the implementation schedule for the 445 NPA

On May 18, 2000, the Pennsylvania telecommunications industry finalized the implementation schedule for the

³ This filing also dealt with the 610 NPA as both NPAs in southeastern Pennsylvania had been declared to be nearing NXX code exhaustion by the NANPA. However, this instant Order only deals with the 215 NPA as the projected exhaust date for the 610 NPA has not changed.

⁴ *Petition of NPA Relief Coordinator Re: 215/610 Area Code Relief Plan*, at Docket No. P-00961061 (Order entered May 21, 1998). Under section 251(e) of the Telecommunications Act of 1996, 47 U.S.C.A. § 251(e), the Federal Communication Commission (FCC) has delegated authority to state commissions to direct the form of area code relief in these situations.

⁵ The FCC has consistently stated that state commissions may not utilize number conservation measures in lieu of implementing timely area code relief. See *Petition for Declaratory Ruling and Request for Expedited Action on the July 15, 1997 Order of the Pennsylvania Public Utility Commission Regarding Area Codes 412, 610, 215, and 717*, Memorandum Opinion and Order on Reconsideration, 13 FCC Rcd 19009, 19025 (1998) (*Pennsylvania Numbering Order*) recon. pending. Accordingly, the Commission permitted the industry consensus plan of implementing an all services distributed overlay to alleviate the number exhaust in the 215 NPA to go forward.

⁶ See NANP Planning Letter No. 134 at www.nanpa.com.

⁷ See fn. 4. This relief planning session dealt with the 610/484 NPAs as well.

⁸ While the FCC regulations in 47 CFR 52.19(a) set forth that "state commissions may resolve matters involving the introduction of new area codes within their states, which includes establishing the necessary dates for the implementation of relief plans. However, the Commission chose not to open a docket on the industry's consensus recommendation.

⁹ See NANP Planning Letter No. 237 at www.nanpa.com.

445 NPA.¹⁰ The implementation schedule, inter alia, established May 1, 2001, as the activation date for the 445 NPA. However, in response to the industry's recommended implementation schedule for the 445 NPA, the Commission reviewed the 2001 number utilization data for both the 215 and 267 area codes and the amount of NXX codes available for assignment within those existing area codes. As a result, by an Order entered March 12, 2001, at P-00961071F0002, the Commission concluded that the previously referenced implementation schedule approved by the telecommunications industry for the new 445 NPA was inappropriate and modified the implementation schedule for the 445 NPA overlay.

In its March 12, 2001, Order, the Commission determined that the 445 NPA should not be activated on May 1, 2001, but rather, established an implementation schedule that was based on the number of NXX codes remaining in the 215/267 NPAs. Accordingly, the Commission concluded that the new 445 overlay NPA should not be activated until 3 months prior to NXX code exhaust in the existing 215/267 NPAs.¹¹ Additionally, the Commission directed the NANPA to provide monthly updates on the projected exhaust dates for the existing 215/267 NPAs.¹² In particular, the NANPA was to inform the Commission when the supply of NXX codes in the 215/267 NPAs was to exhaust in 10 months.¹³

4. Release of the 2003 Numbering Resource Utilization Forecast (NRUF) Data

In its effort to ensure that new area codes are not introduced prematurely, the Commission has continued to monitor vigorously the numbering data that is compiled by the NANPA. In June 2003, the NANPA released the 2003 NPA NRUF exhaust projections for all area codes. The NRUF data indicated that the NPAs in this Commonwealth, including the 215/267 NPAs, experienced an unprecedented, efficient use of numbering resources due to the implementation of thousands-block (1K) number pooling¹⁴ and other number conservation measures such as NXX code reclamation.¹⁵ Accordingly, the NANPA revised the projected exhaust date for the 215/267 NPAs. In particular, the exhaust date for the 215/267 NPAs was changed from the first quarter of 2005 to the fourth quarter of 2008, or nearly 5 years from now.

Discussion

It is beyond dispute that the most recent numbering data concerning the 215/267 NPAs clearly demonstrates that the 445 overlay NPA is no longer necessary. According to information on the NANPA's website,¹⁶ as of September 4, 2003, there were approximately 15 full NXX codes still available for assignment in the 215 NPA and 252 full NXX codes still available for assignment in the 267 NPA. However, the 215/267 NPAs have been utilizing 1K number polling since August 2002, and thus, all telecommunications carriers providing service in the 215/267 NPAs, including wireless carriers, can only receive a block of 1,000 telephone numbers from the Pooling Administrator. Therefore, since all telecommunications carriers providing service in the 215/267 NPAs receive only a block of 1,000 telephone numbers instead of a full 10,000

¹⁰ See fn. 9.

¹¹ Id.

¹² See NANP Planning Letter No. 267 at www.nanpa.com.

¹³ Id.

¹⁴ 1K number pooling is the process by which a 10,000 block of numbers is separated into 10 sequential blocks of 1,000 numbers and allocated separately to providers within a rate center.

¹⁵ NXX code reclamation involves the return of unused NXX codes to the NANPA. Within 6 months of receiving an NXX code, a carrier must assign at least one number to an end user or the entire NXX code must be returned to the NANPA. 47 CFR 52.15(g)(iii).

¹⁶ www.nanpa.com

block of telephone numbers, these 267 (15 + 252) full NXX codes will last longer.¹⁷ Moreover, in addition to the full NXX codes available for assignment in the 215/267 NPAs, there are approximately 1,900 individual 1K blocks of telephone numbers still available for assignment in the 215/267 NPAs according to the Pooling Administrator's data. Clearly, there are adequate numbering resources available the telecommunications carriers providing service in the 215/267 NPAs.

Additionally, the Commission began implementation of its reclamation authority in August 2000¹⁸ and has already reclaimed some 37 NXX codes within the 215/267 NPAs. The Commission believes that additional NXX codes from these NPAs will be subject to reclamation, adding further to the number of NXX codes available for assignment.

More importantly, the NRUF data shows that the utilization rate¹⁹ for the total NXX codes assigned in the 215 NPA is 57% and that the utilization rate for the total NXX codes assigned in the 267 NPA is only 16%. This means that the telecommunications carriers still have the ability to assign many more numbers from their current inventories alone to meet customer demand.

The current numbering data clearly demonstrates that the number conservation measures implemented within the 215/267 NPAs have resulted in the availability of adequate numbering resources for telecommunications carriers providing service in the 215/267 NPAs. Consequently, the 215/267 NPAs will not be nearing exhaustion of their numbering resources in the near future. This fact is evident by the recent change in the projected exhaust date of the 215/267 NPAs from the first quarter of 2005 to the fourth quarter of 2008, which is a significant revision.

The new projected exhaust date for the 215/267 NPAs removes the urgency to implement the 445 NPA. We note that the proliferation of new area codes before they are necessary is detrimental to both consumers and the telecommunications industry. Accordingly, since the numbering data does not justify the retention of the 445 NPA for area code relief in the 215/267 NPAs, we will direct the NANPA to reclaim the 445 NPA and return it to the pool of available area codes within the North American Numbering Plan (NANP).²⁰ However, we recognize that the telecommunications industry completed their network preparation for the implementation of the 445 NPA by February 2001. Therefore, to prevent the telecommunications industry from having to perform the monumental task of undoing their prior implementation work, we shall direct the NANPA to hold the 445 NPA in "reserved" status.²¹

Conclusion

The policy of the Commission is to ensure that numbering resources are made available on an equitable, efficient and timely basis in this Commonwealth while ensuring that the impact of proliferating new area codes on consumers is minimized to the extent possible. The recent numbering data from the NANPA clearly demonstrates

that the implementation of number conservations measures such as mandatory 1,000 block pooling and NXX code reclamation have contributed to the efficient use of numbering resources in the 215/267 NPAs. As a result, telecommunications carriers will have adequate numbering resources available to them and, thus, the implementation and activation of the 445 NPA is no longer necessary and should be rescinded. Furthermore, we believe that the action of directing the NANPA to reclaim the 445 NPA will prolong the life of the NANP. Lastly, we believe that rescinding the 445 NPA will not deter telecommunications carriers from providing services to their customers or compromise the ability of timely area code relief to be implemented in the 215 and 267 NPAs in the future if circumstances warrant; *Therefore,*

It Is Ordered That:

1. The consensus relief plan of the 445 NPA overlaying the 215/267 NPAs in southeastern Pennsylvania and the previously adopted implementation schedule for the 445 overlay NPA is rescinded.
2. The NANPA shall reclaim the 445 NPA and return it to the pool of available area codes within the North American Numbering Plan and place it in "reserved" status.
3. All jurisdictional telecommunications carriers providing service in southeastern Pennsylvania are directed to inform their customers, by means of a bill insert, that the 445 NPA will not be introduced, but that ten-digit dialing will continue in the 215/267 NPAs.
4. A copy of this order shall be sent to the NANPA.
5. A copy of this order shall also be published in the *Pennsylvania Bulletin* and posted on the Commission's website at <http://puc.paonline.com/>.

JAMES J. MCNULTY,
Secretary

Statement of Commissioner Kim Pizzigrilli

Rescission of the Relief Plan
for the 215/267 NPAs

Public Meeting
September 18, 2003
SEP-2003-LAW-0114*
Docket No. P-00961071F0002

In this order, the Commission revisits the issue of the implementation of area code relief in southeastern Pennsylvania. The most recent numbering data concerning the 215 and 267 Numbering Plan Areas (NPAs) demonstrates that both of these NPAs have experienced unprecedented and efficient use of numbering resources due to conservation measures and NXX code reclamation. Based on the success of these measures, the North American Numbering Plan Administrator has revised the projected exhaust date for the 215/267 NPAs to the fourth quarter of 2008, nearly five years from now. Accordingly, retention of the proposed 445 NPA for area code relief in the 215/267 NPAs is no longer justified.

I wish to commend the telecommunications industry for their cooperation and efficient utilization of NXX codes. This action today, and the fact that no new area codes have been opened in Pennsylvania since 1999, has given us proof positive that our conservation and reclamation efforts are working for the benefit of Pennsylvania.

KIM PIZZINGRILLI,
Commissioner

[Pa.B. Doc. No. 03-2012. Filed for public inspection October 10, 2003, 9:00 a.m.]

¹⁷ In fact, for this year-to-date, the NANPA's Central Office Code Assignment Activity Report shows that only three NXX codes have been assigned to carriers.

¹⁸ *Implementation of Number Conservation Measures Granted to Pennsylvania by the Federal Communications Commission in its Order released March 31, 2000—NXX Code Reclamation*, M-00001373 (Order entered August 22, 2000).

¹⁹ "Utilization" rate has been defined as the percentage of NXX codes assigned to end-users from the carriers total inventory of NXX codes within an NPA.

²⁰ The NANP is the basic numbering scheme for the public switched telecommunications networks located in 19 countries, including the United States and its territories. Of the 685 area codes that were available for assignment from the entire NANP, there is currently only a total of 261 area codes remaining.

²¹ By returning the 445 NPA to "reserved" status, the NANPA, in essence, will hold the 445 NPA for reassignment to the 215/267 NPAs, but only if circumstances warrant its use.

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 November 3, 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-00120178. H. Kulp, Inc. t/d/b/a Kulp Car Rentals (1828 Swamp Pike, Gilbertsville, Montgomery County, PA 19525), a corporation of the Commonwealth—persons, in airport transfer service, from points in the City and County of Philadelphia and the Counties of Bucks, Delaware, Montgomery, Berks, Lehigh, Lancaster and Northampton, to the following airports: Philadelphia International Airport, Lehigh Valley International Airport and the Reading Airport. *Attorney:* David L. Allebach, Jr., 1129 High Street, P. O. Box 776, Pottstown, PA 19464-0776.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 03-2013. Filed for public inspection October 10, 2003, 9:00 a.m.]

Telecommunications

A-310999F7001. Joint petition of Verizon North Inc. and IDS Telcom L.L.C. for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon North Inc. and IDS Telcom L.L.C., by its counsel, filed on September 26, 2003, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days

after the date of publication of this notice. Copies of the Verizon North Inc. and IDS Telcom L.L.C. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 03-2014. Filed for public inspection October 10, 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:

October 29, 2003	Marcella Dworkin (Retirement Benefit)	1 p.m.
	Jack Loya (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. 03-2015. Filed for public inspection October 10, 2003, 9:00 a.m.]

STATE CONTRACTS INFORMATION

DEPARTMENT OF GENERAL SERVICES

Act 266 of 1982 provides for the payment of interest penalties on certain invoices of "qualified small business concerns". The penalties apply to invoices for goods or services when payments are not made by the required payment date or within a 15 day grace period thereafter.

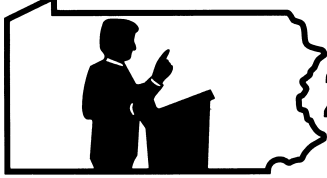
Act 1984-196 redefined a "qualified small business concern" as any independently owned and operated, for-profit business concern employing 100 or fewer employees. See 4 Pa. Code § 2.32. The business must include the following statement on every invoice submitted to the Commonwealth: "(name of business) is a qualified small business concern as defined in 4 Pa. Code 2.32."

A business is eligible for payments when the required payment is the latest of:
 The payment date specified in the contract.
 30 days after the later of the receipt of a proper invoice or receipt of goods or services.
 The net payment date stated on the business' invoice.

A 15-day grace period after the required payment date is provided to the Commonwealth by the Act.

For more information: contact: Small Business Resource Center
 PA Department of Community and Economic Development
 374 Forum Building
 Harrisburg, PA 17120
 800-280-3801 or (717) 783-5700

Reader's Guide



Legal Services & Consultation

① Service Code Identification Number

② Commodity/Supply or Contract Identification No.

B-54137. Consultant to provide three 2-day training sessions, covering the principles, concepts, and techniques of performance appraisal and standard setting with emphasis on performance and accountability, with a knowledge of State Government constraints.

Department: General Services
 Location: Harrisburg, Pa.
 Duration: 12/1/93-12/30/93
 Contact: Procurement Division
 787-0000

③ Contract Information

④ Department

⑤ Location

⑥ Duration

⑦ (For Commodities: Contact:) Vendor Services Section
 717-787-2199 or 717-787-4705

REQUIRED DATA DESCRIPTIONS

① Service Code Identification Number: There are currently 39 state service and contractual codes. See description of legend.

② Commodity/Supply or Contract Identification No.: When given, number should be referenced when inquiring of contract of Purchase Requisition. If more than one number is given, each number represents an additional contract.

③ Contract Information: Additional information for bid preparation may be obtained through the departmental contracting official.

④ Department: State Department or Agency initiating request for advertisement.

⑤ Location: Area where contract performance will be executed.

⑥ Duration: Time estimate for performance and/or execution of contract.

⑦ Contact: (For services) State Department or Agency where vendor inquiries are to be made.
 (For commodities) Vendor Services Section (717) 787-2199 or (717) 787-4705

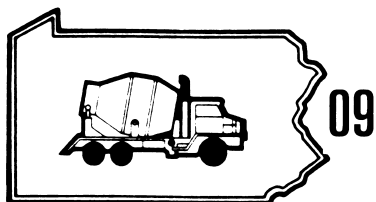
PA TREASURY BUSINESS OUTLET—PLUG INTO IT!

The Treasury Department's Bureau of Contracts and Public Records can help you do business with state government agencies. Our efforts focus on guiding the business community through the maze of state government offices. The bureau is, by law, the central repository for all state contracts over \$5,000. Services are free except the cost of photocopying contracts or dubbing a computer diskette with a list of current contracts on the database. A free brochure explains how to take advantage of available services.

Contact: **Bureau of Contracts and Public Records**

Pennsylvania State Treasury
Room 201 Finance Building
Harrisburg, PA 17120
717-787-4586
1-800-252-4700
BizOutlet@patreasury.org

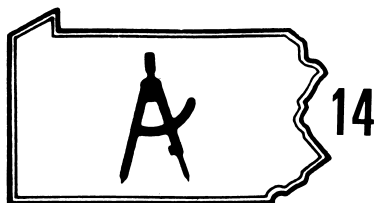
BARBARA HAFER,
State Treasurer



Construction & Construction Maintenance

028042 This Contract will provide manpower, equipment, and incidental guiderail material for installation of approximately 4,000 linear feet of strong post guiderail at various locations within Elk County. All guiderail material will be supplied by the Department of Transportation except for the bolts, nuts, washers, rotating brackets, connection plates, anchor bolts, concrete for the end treatments, and end anchorages. It will be the Contractors responsibility to pick up the material and deliver it to the workites. The Department shall be responsible for the removal of all existing guiderail and for any grading of shoulder stabilization, prior to the placement of the guiderail by the Contractor. A mandatory pre-bid meeting (one day) will be held to include review of guiderail locations, and a site will be determined where the guiderail will be stored. All requests for bid packages must be received by fax at (814) 772-0057, ATTN: Thomas Saline, or by phone at (814) 772-0038. This shall be a one year Contract. All Bidders must be prequalified to bid on this project. Prevailing Wage Act does not apply.

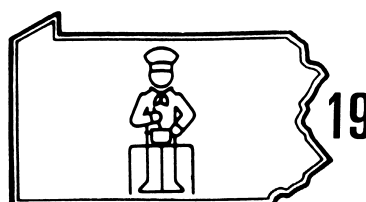
Department: Transportation
Location: Various locations within Elk County.
Duration: This is a one year contract.
Contact: Timothy Hayden, Manager, McKean/Elk County, (814) 465-7754



Engineering Services

PennDOT-ECMS The Pennsylvania Department of Transportation has established a website advertising for the retention of engineering firms. You can view these business opportunities by going to the Department of Transportation's Engineering and Construction Management System at www.dot2.state.pa.us.

Department: Transportation
Location: Various
Contact: www.dot2.state.pa.us



Food

110 EGGS, Fresh, consumer Grade A, medium, must be candled inspected, class I, brown and white, packed 30 dozen/case. Forty pound carton. USDA Certificate required (and all related items). Approximately 1,500 dozen each Monday from July 1, 2003 to June 30, 2004. Bids will be sent out bi-monthly. FROZEN EGGS, pasteurized whole for scrambling, 6/5 lb. containers per case. Must be frozen when delivered and show no signs of previous defrosting. CERTIFICATE OF COMPLIANCE MUST ACCOMPANY EACH ORDER.

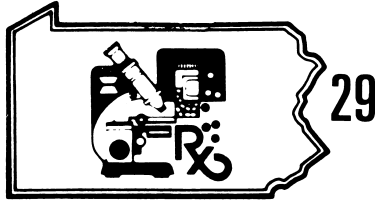
Department: Corrections
Location: SCI—FAYETTE, 50 Overlook Drive, Labelle, PA 15450
Duration: July 1, 2003 to June 30, 2004
Contact: Nancy Keller, (724) 364-2200



Legal Services & Consultation

CN00005332 Provision of legal advise and representation to the PA PUC in regard to personnel and employment law matters. Selected vendor must be in a 20-mile radius of Harrisburg to insure an ability to respond promptly (within 1 hour) to PUC needs and questions regarding employment law matters.

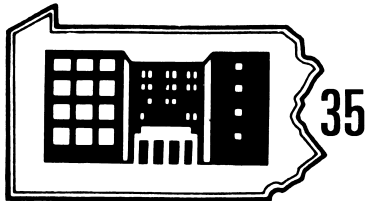
Department: Public Utility Commission
Location: Human Resources, 400 N. Street, Keystone Building, Room N-301, Harrisburg, PA 17120
Duration: Terms of contract shall be for 3 years, with one 2-year renewal option.
Contact: Betsy Crouse, (717) 787-9076



Medical Services

9088A Contractor to provide, on grounds at Warren State Hospital, Physical Therapy Clinic Services for Warren State Hospital patients.

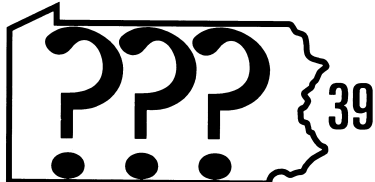
Department: Public Welfare
Location: Warren State Hospital, 33 Main Dr., N. Warren, PA 16365-5099
Duration: 1/05/03—6/30/05
Contact: Ms. Bobbie Muntz, PA III, (814) 726-4496



Real Estate Services

93624 LEASE CAFETERIA SPACE FROM THE COMMONWEALTH OF PA. The Department of General Services (DGS), Bureau of Real Estate has issued Solicitation for Proposals # 93624 (SFP) for 13,680 square feet of useable space for the Capitol Restaurant, Main Capitol and East Wing of the Capitol Complex and 6,790 square feet of useable space for the Keystone Restaurant, Keystone Building, located at North Street and Commonwealth Avenue, Harrisburg, PA. The successful proposer will be required to operate cafeterias at both locations. To download this SFP, please visit the DGS homepage at www.dgs.state.pa.us and click on the link, "Real Estate;" or contact Erin Murphy at (717) 705-6356 to learn more about this SFP which is due on December 2, 2003.

Department: General Services
Location: 500 North Office Building, Harrisburg, PA 17125
Contact: Erin Murphy, (717) 705-6356



Miscellaneous

21096 Centrifuged Chillers - Contractor will provide for maintenance and emergency service to the centrifugal chillers at SCI—Chester. This contract would provide for annual winter maintenance, inspection, scheduled prevention maintenance and emergency service to the centrifugal chillers. Contractor will provide all major labor to diagnose, repair and/or replace failed components of the equipment. More detailed information can be obtained from the Institution.

Department: Corrections
Location: SCI—Chester, 500 E. 4th St., Chester, PA 19013
Duration: January 1, 2004—December 31, 2004
Contact: Jacqueline Newson, Purchasing Agent, (610) 490-4370

SCIH Powerhouse Contractor to provide all personnel and related equipment for testing (2) two institutional boilers for smoke stack emissions. A mandatory site visit will be held and all interested contractors will be provided with PADEP specifications and requirements.

Department: Corrections
Location: State Correctional Institution at Huntingdon, 1100 Pike St., Huntingdon, PA 16654
Duration: 11/01/03 to 10/31/04
Contact: Robert Jessell, Pur. Agt., (814) 643-2400 x 304

2003-APG-1 PennSERVE announces the availability of AmeriCorps Planning Grant funds. Planning grants will fund program development rather than actual programs, but will help prepare organizations to compete for an AmeriCorps operating grant that will fund their proposed program. Planning grant recipients are not guaranteed operating grants, but will have time and resources to produce competitive operating grant proposals. Eligible non-profits may apply for up to \$20,000 and must provide minimum cash and/or in-kind match of at least 33% of the total grant proposal. Grant applications may be downloaded by visiting the PA PowerPort at www.state.pa.us; type

in PA Keyword "pennserve" and click on "grant funds." Application deadline is 4 PM, November 17, 2003. See grant application for specific submission requirements.

Department: Labor and Industry
Location: PennSERVE; The Governor's Office of Citizen Service, 1306 Labor and Industry Bldg., Seventh and Forster Streets, Harrisburg, PA 17120

Duration: Up to one year upon award
Contact: Harry Krot, (717) 787-1971

[Pa.B. Doc. No. 03-2016. Filed for public inspection October 10, 2003, 9:00 a.m.]

DESCRIPTION OF LEGEND

- | | |
|--|---|
| <p>1 Advertising, Public Relations, Promotional Materials</p> <p>2 Agricultural Services, Livestock, Equipment, Supplies & Repairs: Farming Equipment Rental & Repair, Crop Harvesting & Dusting, Animal Feed, etc.</p> <p>3 Auctioneer Services</p> <p>4 Audio/Video, Telecommunications Services, Equipment Rental & Repair</p> <p>5 Barber/Cosmetology Services & Equipment</p> <p>6 Cartography Services</p> <p>7 Child Care</p> <p>8 Computer Related Services & Equipment Repair: Equipment Rental/Lease, Programming, Data Entry, Payroll Services, Consulting</p> <p>9 Construction & Construction Maintenance: Buildings, Highways, Roads, Asphalt Paving, Bridges, Culverts, Welding, Resurfacing, etc.</p> <p>10 Court Reporting & Stenography Services</p> <p>11 Demolition—Structural Only</p> <p>12 Drafting & Design Services</p> <p>13 Elevator Maintenance</p> <p>14 Engineering Services & Consultation: Geologic, Civil, Mechanical, Electrical, Solar & Surveying</p> <p>15 Environmental Maintenance Services: Well Drilling, Mine Reclamation, Core & Exploratory Drilling, Stream Rehabilitation Projects and Installation Services</p> <p>16 Extermination Services</p> <p>17 Financial & Insurance Consulting & Services</p> <p>18 Firefighting Services</p> <p>19 Food</p> <p>20 Fuel Related Services, Equipment & Maintenance to Include Weighing Station Equipment, Underground & Above Storage Tanks</p> <p>21 Hazardous Material Services: Abatement, Disposal, Removal, Transportation & Consultation</p> | <p>22 Heating, Ventilation, Air Conditioning, Electrical, Plumbing, Refrigeration Services, Equipment Rental & Repair</p> <p>23 Janitorial Services & Supply Rental: Interior</p> <p>24 Laboratory Services, Maintenance & Consulting</p> <p>25 Laundry/Dry Cleaning & Linen/Uniform Rental</p> <p>26 Legal Services & Consultation</p> <p>27 Lodging/Meeting Facilities</p> <p>28 Mailing Services</p> <p>29 Medical Services, Equipment Rental and Repairs & Consultation</p> <p>30 Moving Services</p> <p>31 Personnel, Temporary</p> <p>32 Photography Services (includes aerial)</p> <p>33 Property Maintenance & Renovation—Interior & Exterior: Painting, Restoration, Carpentry Services, Snow Removal, General Landscaping (Mowing, Tree Pruning & Planting, etc.)</p> <p>34 Railroad/Airline Related Services, Equipment & Repair</p> <p>35 Real Estate Services—Appraisals & Rentals</p> <p>36 Sanitation—Non-Hazardous Removal, Disposal & Transportation (Includes Chemical Toilets)</p> <p>37 Security Services & Equipment—Armed Guards, Investigative Services & Security Systems</p> <p>38 Vehicle, Heavy Equipment & Powered Machinery Services, Maintenance, Rental, Repair & Renovation (Includes ADA Improvements)</p> <p>39 Miscellaneous: This category is intended for listing all bids, announcements not applicable to the above categories</p> |
|--|---|

DONALD T. CUNNINGHAM, Jr.
Secretary

