

NOTICES

DEPARTMENT OF BANKING

Action on Applications

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

BANKING INSTITUTIONS

Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
12-12-03	National Penn Bancshares, Inc., Boyertown, to acquire 100% of the voting shares of HomeTowne Heritage Bank, Lancaster	Boyertown	Effective

Charter Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
12-12-03	NPB Interim Bank Boyertown Berks County	Boyertown	Effective
Interim bank being formed solely to facilitate the acquisition of HomeTowne Heritage Bank, Lancaster, by National Penn Bancshares, Inc., Boyertown.			

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
12-12-03	HomeTowne Heritage Bank, Lancaster, and NPB Interim Bank, Boyertown Surviving Institution—HomeTowne Heritage Bank, Lancaster	Lancaster	Effective
12-15-03	National Penn Bank, Boyertown, and HomeTowne Heritage Bank, Lancaster Surviving Institution—National Penn Bank, Boyertown	Boyertown	Effective

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
12-8-03	Landmark Community Bank Pittston Luzerne County	1320 Wyoming Avenue Forty Fort Luzerne County	Opened
12-9-03	Community Bank and Trust Company Clarks Summit Lackawanna County	Route 611 Tannersville Pocono Township Monroe County	Opened

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

Conversions

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
12-10-03	St. Basil Parish Credit Union Pittsburgh Allegheny County	Pittsburgh	Filed

Application represents a request to convert to a community chartered credit union to include a field of membership beyond the parishioners of St. Basil Parish.

Change in Place of Business

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
12-10-03	Erie Community Credit Union Erie Erie County	Change in Place of Business filed with the Department of State to provide for address change <i>From</i> : 135 East 6th Street; <i>To</i> : 1129 State Street, both locations in Erie, Erie County	Approved and Effective

A. WILLIAM SCHENCK, III
Secretary

[Pa.B. Doc. No. 03-2455. Filed for public inspection December 26, 2003, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Request for Proposals for Evaluation of the Pennsylvania Teacher Quality Enhancement Grant

The Department of Education announces this Request for Proposals (RFP) to seek candidates to evaluate the effectiveness of its Accelerated Certification Program for Teachers (ACT) and components of the Aligning Curriculum to Standards in Pennsylvania Program (ACTS in PA). The goal of ACT and ACTS in PA is to aid in the recruitment, preparation and retention of quality teachers in high-need academic areas for preidentified school districts in this Commonwealth: Philadelphia school district (awarded to Eastern University/Chestnut Hill College/Gwynedd Mercy College, Cheyney University of Pennsylvania and Holy Family University); the Pittsburgh school district (awarded to the University of Pittsburgh/Duquesne University); and the school districts of Harrisburg, Allentown, Reading, York and Lancaster (awarded to Eastern University). This RFP will provide for an independent, formal and comprehensive evaluation of ACT, as well as examine specific aspects of ACTS in PA.

Funding Source and Eligibility Requirements

ACT and ACTS in PA are funded by the Department's successful application to the United States Department of Education Teacher Quality Enhancement Grant under Title II, Section 202 of the Higher Education Act. The

Commonwealth has up to \$90,000 per year to fund a comprehensive evaluation of the sponsored programs. Awards will be available for the term of the contract, up to 3 years. Funding is available on a competitive basis to any institution in this Commonwealth of postsecondary or higher education offering an approved teacher education program. However, postsecondary institutions directly connected to the implementation of ACT or ACTS in PA are ineligible.

Important Dates and Application Deadline

The contract period is from March 1, 2004, through September 30, 2006. There will be a pre-proposal conference on January 15, 2004. Proposals must be submitted by February 20, 2004, to receive consideration. Electronic or faxed copies of the application will not be accepted. Prospective contractors may download application materials from the Department's website: www.teaching.state.pa.us.

Contact and Additional RFP Information

To receive a paper copy of the complete RFP or to ask additional questions about the application process, contact Helen Rodriguez, Bureau of Teacher Certification and Preparation, Division of Teacher Education, Department of Education, 333 Market Street, 3rd Floor, Harrisburg, PA 17126-0333, (717) 772-3566, c-hrodrigu@state.pa.us.

VICKI L. PHILLIPS, Ed.D.,
Secretary

[Pa.B. Doc. No. 03-2456. Filed for public inspection December 26, 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

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>
PA0222585	Brokenstraw Valley Area Authority R. R. 2, Box 284 Youngsville, PA 16371-0284	Pleasant Township Warren County	Allegheny River 16-B	Y
PA0222623	CSX Transportation New Castle Rail Yard 500 Water Street (J275) Jacksonville, FL 32202	Taylor Township Lawrence County	Shenango River 20-A	Y

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

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

PA0043443, Sewage, **Alexandria Borough-Porter Township Joint Sewer Authority**, P. O. Box 113, Alexandria, PA 16611-0113. This facility is in Porter Township, **Huntingdon County**.

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

The receiving stream, Frankstown Branch Juniata River, is in Watershed 11-A and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for the Newport Borough Water Authority is on the Juniata River, approximately 95 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.240 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
Total Suspended Solids	30	45	60

Parameter	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
Total Residual Chlorine	0.5		1.6
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)		77,000/100 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.

PA0252531, Sewage, **Independence-Cross Creek Joint Sewer Authority**, P. O. Box 156, 34 Campbells Run Road, Avella, PA 15312. This application is for issuance of an NPDES permit to discharge treated sewage from Independence-Cross Creek Joint Sewer Authority Wastewater Treatment Plant in Cross Creek Township, **Washington County**.

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

Outfall 001: new discharge, design flow of 0.236 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅ (5-1 to 10-31)	15	22.5		30
(11-1 to 4-30)	20	30		40
Suspended Solids	30	45		60
Ammonia Nitrogen (5-1 to 10-31)	2.0	3.0		4.0
(11-1 to 4-30)	4.0	6.0		8.0
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
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.

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

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

WQM Permit No. 6703411, Sewerage, **Jackson Township Sewer Authority**, 439 Roth's Church Road, Spring Grove, PA 17362. This proposed facility is in Jackson Township, **York County**.

Description of Proposed Action/Activity: Construction of pump station and sewer extension to serve the Roth's Farm Village Condominiums.

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

WQM Permit No. 0303404, Sewerage, **Mahoning Township Supervisors**, R. D. 1 Box 110A, New Bethlehem, PA 16242. This proposed facility is in Mahoning Township, **Armstrong County**.

Description of Proposed Action/Activity: Application for the construction and operation of a sewerage treatment plant to serve the Village of Distant and nearby community of Seminole.

The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, has been identified as a possible funding source. The Department's review of the sewage facilities plan revision has not identified any significant environmental impacts resulting from this proposal.

WQM Permit No. 0373405-A1, Sewerage, **United Mobile Homes Inc.**, Juniper Business Plaza, 349 Route 9 North, Suite 3C, Freehold, NJ 07728. This proposed facility is in Kiskiminetas Township, **Armstrong County**.

Description of Proposed Action/Activity: Application for the modification and operation of the Pine Valley Estates Mobile Home Park sewerage treatment plant.

WQM Permit No. 0403403, Sewerage, **Keller Land Development Company LLC**, 2002 McMinn Street, Aliquippa, PA 15001. This proposed facility is in Conway Borough, **Beaver County**.

Description of Proposed Action/Activity: Application for the construction and operation of a sewerage treatment plant to serve the Birchwood Falls Plan of Lots.

WQM Permit No. 0484408-A1, Sewerage, **New Brighton Borough Sanitary Authority**, 610 Third Avenue, New Brighton, PA 15066. This proposed facility is in New Brighton Borough, **Beaver County**.

Description of Proposed Action/Activity: Application for the construction and operation of the New Brighton Sanitary Authority Sewerage Treatment Plant.

WQM Permit No. 1103404, Sewerage, **Eugene Cuomo**, 177 Fairway Drive, Cresson, PA 16630. This proposed facility is in Dean Township, **Cambria County**.

Description of Proposed Action/Activity: Application for the construction and operation of a single residence sewerage treatment plant to serve the Cuomo residence.

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

WQM Permit No. 2503431, Sewerage, **LeRoy G. and Rebecca L. Wells**, 15630 Tionesta Road, Pleasantville, PA 16341. This proposed facility is in North East Township, **Erie County**.

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

WQM Permit No. 4303420, Sewerage, **Brenda K. and Mark J. DelMaramo**, 217 Morneweck Road, Greenville, PA 16125. This proposed facility is in Perry Township, **Mercer County**.

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

IV. NPDES Applications for Stormwater Discharges from MS4

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>
PAI132210	City of Bethlehem 10 E. Church St. Bethlehem, PA 18018	Northampton	City of Bethlehem	Monocacy Creek HQ-CWF Saucon Creek HQ-CWF Lehigh River WWF East Branch of Saucon Creek CWF Black River CWF	Y

V. Applications for NPDES Waiver Stormwater Discharges from MS4

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>
PAG136118	Pitcairn Borough 582 Sixth Street Pitcairn, PA 15140	Allegheny	Pitcairn Borough	Y

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.

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI032103007	GVH (Carlisle) LP 323 Union Street, Suite 300 Nashville, TN 37201	Cumberland	Carlisle Borough	Letort Spring Run HQ-CWF

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

PAG-12 CAFOs
 PAG-13 Stormwater Discharges from MS4

**PUBLIC WATER SUPPLY (PWS)
 PERMIT**

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

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

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

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

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

SAFE DRINKING WATER

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

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

Permit No. 0903507, Public Water Supply.

Applicant	Milford Township Water Authority
Township	Milford
Responsible Official	Harry Koenig P. O. Box 516 Spinnerstown, PA 18968
Type of Facility	PWS
Consulting Engineer	Pennoni Associates, Inc. 875 North Easton Road, Suite 10 Doylestown, PA 18901
Application Received Date	December 10, 2003

Description of Action	Construction of a well house to meter and disinfect water from Milford Township Water Authority Well No. 5 and to augment the existing water supply system.
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Southcentral Region: Water Supply Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

Permit No. 2803509, Public Water Supply.

Applicant	Molly Pitcher Mini Mall
Municipality	Antrim Township
County	Franklin
Responsible Official	John D. Turner, Owner 650 Marpete Drive Hampstead, MD 21074
Type of Facility	PWS
Consulting Engineer	Stephen R. Morse, P. E. Skelly and Loy, Inc. 2601 North Front Street Harrisburg, PA 17110-1185
Application Received Date	October 30, 2003

Description of Action	Installation of GAC treatment to address MTBE and VOC contamination. In addition to the GAC system, the chlorination system will be upgraded.
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Central Office: Bureau Director, Water Supply and Wastewater Management, P. O. Box 8467, Harrisburg, PA 17105-8467.

Permit No. 9996472, Public Water Supply.

Applicant	Northern Springs, Inc.
Township or Borough	Brentwood, NH
Responsible Official	Joseph Cimino, President
Type of Facility	Out-of-State Bottled Water System
Application Received Date	December 4, 2003

Description of Action	Applicant requesting Department approval to sell bottled water in this Commonwealth under the brand names Northern Springs Natural Spring Water, IGA Pure and Natural Spring Water, Richfood Natural Spring Water and Whole Foods Market Spring Water.
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MINOR AMENDMENT

Applications Received under the Pennsylvania Safe Drinking Water Act

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

Application No. 0903506, Minor Amendment.

Applicant	Warminster Municipal Authority
Township	Warminster

Responsible Official Geoffrey Smith
415 Gibson Avenue
Warminster, PA 18974

Type of Facility PWS

Consulting Engineer CKS Engineers, Inc.
88 South Main Street
Doylestown, PA 18901

Application Received Date December 5, 2003

Description of Action An interconnect water main between Warminster Municipal Authority and Warminster Heights.

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

Application No. 0203506, Minor Amendment.

Applicant **East Deer Township**
927 Freepoint Road
Creighton, PA 15030

Township or Borough East Deer Township

Responsible Official Anthony Taliani, President
Board of Commissioners
East Deer Township
927 Freepoint Road
Creighton, PA 15030

Type of Facility Water Treatment Plant

Consulting Engineer Senate Engineering Company
U-PARC
420 William Pitt Way
Pittsburgh, PA 15238

Application Received Date December 11, 2003

Description of Action Emergency Interconnect with Fawn Frazer Joint Water Authority.

**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:

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

Pennsylvania State University—Eastview Terrace Housing Complex—Soil, State College Borough, Centre County. Meiser & Earl, Inc., on behalf of The Pennsylvania State University, Office of Physical Plant, University Park, PA 16802, has submitted a Notice of Intent to Remediate soil contaminated with fuel oil no. 2. The applicant proposes to remediate the site soils to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Centre Daily Times* on November 14, 2003.

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

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

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

Permit Application No. 101226. Savoy's Transfer Station, P. O. Box 339, Claymont, DE 19703-0339, Chester Township, Delaware County. The application

was received for a renewal of a permit for a new 10-year term. The application was received by the Southeast Regional Office on December 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 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.

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

62-032A: Ellwood National Forge Co. (1 Front Street, Irvine, PA 16329) for post-construction plan approval of a baghouse to control particulate emissions from the crankshaft file and grind process at their facility in Brokenstraw Township, **Warren 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.

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

61-007B: IA Construction—Franklin Hot Mix Plant (Routes 8 and 62, Franklin, PA 16323) for modification of existing Permit 61-007A by replacing burner, dryer, baghouse, including exhaust fan and automatic damper in Sugar Creek Township, **Venango County**.

In accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department intends to issue a plan approval to modify existing Permit 61-007A by replacing burner, dryer, baghouse, including exhaust fan and automatic damper. The plant will increase rated capacity from 180 tons to 400 tons per hour. Alternative fuels: reprocessed fuel no. 5 (RFO 5), no. 2 fuel oil, liquid propane and natural gas will be burned. This is the Franklin Hot Mix Asphalt Plant in Sugar Creek Township, Venango County. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into a State-only operating permit through an administrative amendment at a later date.

Issuance of the plan approval is recommended with the appropriate conditions in the plan approval:

1. This facility is limited to producing 400 tons per hour and an annual cap of 495,000 tons of hot mix asphalt paving materials to be produced during any 12 consecutive months.
2. Particulate emissions from the source shall not exceed 0.02 grain/dscf and the visible emissions shall not exhibit 20% opacity or greater. EPA Method 9 shall be used to determine opacity.
3. The facility shall be permitted to use the following fuels: RFO 5, no. 2 fuel oil, liquid propane or natural gas.
4. Air pollutant emissions from the source from the use of no. 2 fuel oil shall not exceed:

Criteria Pollutants	Emission	
	Limit Lbs/ton	Emission Limit Tons/year 12-Month Rolling Total
SOx	0.088	21.78
CO	0.4	99.00
NOx	0.120	29.70
VOC	0.0082	2.03

5. Air pollutant emissions from the source from the use of RFO 5 shall not exceed:

Criteria Pollutants	Emission	
	Limit Lbs/ton	Emission Limit Tons/year 12-month rolling total
SOx	0.088	21.78
CO	0.4	99.00
NOx	0.12	29.70
VOC	0.036	8.91

6. The source shall comply with 25 Pa. Code §§ 123.1, 123.31 and 123.41.

7. The plant entrance road must be maintained to keep fugitive emissions to a minimum. The road shall be routinely swept or dust suppressant shall be applied on an as needed basis. A log shall be kept onsite documenting road maintenance.

8. A magnehelic gauge shall be permanently installed and maintained at a conveniently readable location to indicate the pressure drop across the collector.

9. The pressure drop across the collector shall be recorded on a daily basis. A daily log shall be maintained and kept on file for at least 2 years and made available to Department personnel upon request.

10. Whenever a condition in this permit requires the measurement of pressure drop across any part of the unit or its control device, the gauge employed shall have a scale so that the expected normal reading shall be no less than 20% of full scale.

11. The operating range for pressure drop of the collector shall be determined within 30 days of startup of the control device and shall be indicated to the Department in writing. If stack testing is required, the pressure drop range developed during compliant stack testing shall become standard operating parameters for the control device. The pressure drop ranges shall be made part of the facility operating permit.

12. An inspection/maintenance log for the collector shall be maintained onsite. The log shall contain all records of maintenance, as suggested by the manufacturer. The records shall be kept on file for 5 years and shall be made available to the Department personnel upon request.

13. The company shall maintain hourly production rates for both base coarse and wearing coarse (top) types of mixes. The records shall be kept on file for 5 years and shall be made available to the Department personnel upon request.

14. Twenty percent of the total number of bags in the baghouse is required to be onsite (157 bags).

15. The two aboveground storage tanks (1-10,000 gallon for no. 2 fuel oil and 1-20,000 gallon for RFO 5) are subject to New Source Performance Standards, Subpart Kb—Standards of Performance for Volatile Organic Liquid Storage Vessels for which Construction, Reconstruction, or Modification Commenced after July 23, 1984. Specifically, the tank is subject to 40 CFR 60116b—monitoring of operations.

16. Within 7 days of changing to a permitted fuel that has not been used before, the Department shall be notified in writing.

17. The company shall not accept shipment of RFO 5 without an analysis. This analysis shall meet the specifications listed in Attachment A. This documentation must be kept on file for 2 years and shall be made available to the Department personnel upon request.

18. Within 30 days after the affected facility will be operated using RFO 5 or no. 2 fuel oil as a fuel, test procedures for PM, CO, SO_x, NO_x and VOC including a sketch with dimensions indicating the location of sampling ports and other data to ensure the collection of representative samples shall be submitted to the Department.

19. Within 45 days of the Department's approval of the test protocol or a schedule approved by the Department,

stack tests shall be performed in accordance with 25 Pa. Code Chapter 139 to demonstrate compliance with Conditions 5, 7 and 8.

a. EPA Reference Method 5 shall be used to determine the particulate matter concentration.

b. During the stack tests, opacity observations shall be conducted in accordance with EPA Reference Method 9.

20. At least one of the runs of the stack tests for particulate emissions and opacity shall be performed while top mix or the product produced by the facility containing the greatest percentage of sand is being produced at the maximum rate possible. The production rate during the stack tests will then become the legal operating limit of the plant for each type of fuel used for this particular product.

21. After the protocol has been approved and at least 2 weeks prior to the test, the Department shall be informed of the date and time of the test.

22. Within 30 days after completion of the test, two copies of the complete test report, including all operating conditions, shall be submitted to the Department for approval.

23. If the results of the stack tests performed in conformance with the conditions of this plan approval exceed the emission levels specified in any condition of this approval, the permittee shall take appropriate corrective actions. The permittee shall submit a description of these corrective actions to the Department, within 30 days of receipt of the test results. The permittee shall take appropriate action to minimize emissions from the affected facility while the corrective actions are being implemented. The Department shall notify the permittee with 30 days, if the corrective actions taken are deficient. The permittee shall submit a description of additional corrective actions taken to the Department within 30 days of receipt of the notice of deficiency. The Department reserves the authority to use enforcement activities to resolve noncompliant stack tests.

24. If the results of the stack tests performed in conformance with the conditions of this plan approval exceed the emission levels specified in any condition of this approval, a retest to demonstrate compliance shall be performed within 120 days of receipt of the original test results. Should the permittee demonstrate to the Department that retesting in 120 days is not practicable, the Department may extend the deadline. Failure of the second test to demonstrate compliance with the appropriate approval conditions may be grounds for immediate revocation of the approval to operate the affected facility.

25. Within 30 days of changing to a permitted fuel other than RFO 5 or no. 2 fuel oil that has not been previously used at the facility, a procedure for stack testing shall be submitted and a stack test performed as required by Conditions 22—27. The Company may request in writing to the Department, a waiver of stack testing when switching fuels. The Department in its sole discretion may grant a waiver on a case by case basis.

26. This facility may process recycled asphalt product (RAP). A maximum of 25% RAP will be added to the mix. Records will be kept of amounts of RAP processed and the percentage of RAP used in both top and base mixes. At least one of the runs during stack testing shall be performed when the maximum percentage of RAP is being added to the mix. This percentage of RAP will become the legal operating limit of RAP for the plant.

27. This source is subject to Subpart I of the Standards of Performance for New Stationary Sources and shall comply with all applicable requirements of this subpart; 40 CFR 60.4 requires submission of copies of all requests, reports, applications, submittals and other communications to both the EPA and the Department. The EPA copies shall be forwarded to Director; Air, Toxics and Radiation Division; US EPA, Region III; 1650 Arch St.; Philadelphia, PA 19103-2029.

37-013E: CEMEX, Inc.—Wampum Plant (2001 Portland Park, Wampum, PA 16157) for modification of Plan Approval PA-37-013A (slag feed equipment), to allow the slag feed equipment to be used to feed cement kiln dust and other raw materials into their kiln in Wampum Borough, **Lawrence County**. This will result in an additional 2.3 tpy of particulate emissions. This is a Title V facility. The public notice is required for sources required to obtain a Plan Approval at Title V facilities in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V operating permit through an administrative amendment at a later date. The source shall comply with the following conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b and will demonstrate Best Available Technology for the source: existing Plan Approval PA-37-013A with no additional requirements.

37-322A: Joseph A. Tomon, Jr. Funeral Home (123-5th Street, Ellport, PA 16117) to construct a human cremation retort in Ellport, **Lawrence County**.

In accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department intends to issue a plan approval. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into a State-only operating permit through an administrative amendment at a later date.

Issuance of the plan approval is recommended with the appropriate conditions in the plan approval:

1. The source shall comply with 25 Pa. Code §§ 121.1 and 121.31 for fugitive and odor emissions, respectively.

2. Particulate matter emissions from the source shall not exceed 0.08 grain per dry standard cubic foot, corrected to 7% O₂.

3. The temperature of the secondary chamber shall be maintained at a minimum 1,800°F with a minimum gas residence time of 1 second during all periods of operation.

4. A temperature recorder shall be installed to measure and record primary and secondary combustion chamber temperatures. Temperatures shall be continually monitored and recorded during all periods of operation. Sensors shall be so that the flames from the burners do not impinge on the sensors. Continuous monitoring shall be conducted in accordance with 25 Pa. Code Chapter 139 and shall be approved by the Department.

5. Records of temperatures shall be maintained for a minimum of 5 years and shall be made available to the Department upon request.

6. Visible air contaminants shall not be emitted in a manner that the opacity of the emissions is equal to or greater than 10% for a period or periods aggregating more than 3 minutes in any 1 hour, or equal to or greater than 30% at any time.

7. The firing of the burners and the combustion air shall be modulated automatically to maintain the required temperature.

8. The source shall process human remains and containers only. No radioactive, infectious/hospital, municipal or industrial, or any significant amount of plastic waste shall be burned.

9. The stack shall be constructed with a minimum discharge height of 28 feet above grade.

42-117A: Zippo Manufacturing Corp. (Congress Street Extension, Bradford, PA 16701) for post-construction of several buffing machine sources controlled by dust collectors at the Zippo Manufacturing site in the Township of Bradford, **McKean County**.

In accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), the intends to issue a plan approval. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into a State-only operating permit through an administrative amendment at a later date.

Issuance of the plan approval is recommended with the appropriate conditions in the plan approval:

1. The buffing and soft grinding operations shall comply with Pa. Code §§ 123.1, 123.31 and 123.41 for fugitive, odor and visible emissions, respectively.

2. The following sources shall be controlled by the indicated dust collectors:

<i>Source</i>	<i>Air Pollution Control Device</i>
Old Harper Edge Buffing Machine	East Dust Collector
Six Polishing Lathes	East Dust Collector
Old High Polish Buffing Machine	Center Dust Collector
New High Polish Buffing Machine	Center Dust Collector
Acme Edge Buffing Machine	West Dust Collector

3. Particulate emissions from the sources shall not exceed 0.02 grain/dscf.

4. The sources shall not operate when the control device is not operating.

5. A magnehelic gauge shall be permanently installed and maintained at a conveniently readable location to indicate the pressure drop across each collector.

6. Whenever a condition in this permit requires the measurement of pressure drop across any part of the unit or its control device, the gauge employed shall have a scale so that the expected normal reading shall be no less than 20% of full scale.

7. The pressure drop across the filters shall be maintained in the appropriate pressure drop range, as dictated by the gauge manufacturer and previous gauge operating parameters. Readings will be recorded weekly and a record of the readings and a maintenance log, which would include when filters are changed, will be kept for 5 years.

8. The facility shall maintain sufficient replacement filters (20% or 32 filters for each collector) for the dust collection systems onsite or shall have immediate access to spare cartridges in the event of failure.

9. The facility shall comply with 25 Pa. Code § 127.25 as follows:

No person shall cause or permit the operation of the sources unless the source and air cleaning devices are operated and maintained in accordance with specifications in the Plan Approval application and Condition Nos.

1—8. A person may not cause or permit the operation of this source in a manner inconsistent with good operating practices.

OPERATING PERMITS

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

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

06-03015: FM Brown's Sons (P. O. Box 67, South Furnace Street, Birdsboro, PA 19508) for operation of their feed mill in Birdsboro Borough, **Berks County**. The facility has a potential to emit 14.2 tons/yr. of a PM (PM10). 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.

36-03035: Stiegel Castings, Inc. (411 West Stiegel Street, Manheim, PA 17545) for operation of a foundry in Manheim Borough, **Lancaster County**. This is a non-Title V State-only facility. The State-only operating permit shall contain testing, monitoring, recordkeeping and reporting requirements, emission restrictions and work practice standards designed to keep the facility operating within all applicable air quality requirements.

PUBLIC HEARINGS

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

OP-15-0104: Tasty Baking Oxford, Inc. (700 Lincoln Street, Oxford, PA) for revision to their State implementation plan for VOCs in Oxford Township, **Chester County**.

The Department has made a preliminary determination to approve a Reasonably Available Control Technology (RACT) plan as an amendment to the State Implementation Plan (SIP) for the aforementioned facility. The proposed SIP revision does not adopt any regulations. The SIP revision incorporates the provisions and requirements contained in the RACT approval for the aforementioned facility to comply with current regulations. This preliminary determination, if finally approved, will be incorporated into an Operating Permit (OP-15-0104) for the facility and will be submitted to the EPA as a revision to the Commonwealth's SIP.

The preliminary RACT determination for this facility will include a 48.8 tons/year VOC emission limitation, require good housekeeping techniques and operation in accordance with manufacturer's specifications.

Copies of the application, the Department's analysis and other documents used in the evaluation are available for public inspection between of 8 a.m. and 4 p.m. weekdays at the Department of Environmental Protection, Southeast Regional Office, 555 North Lane, Lee Park, Suite 6010, Conshohocken, PA 19428. To make an appointment, contact Records Management at (610) 832-6003. After January 15, 2004, the Department's new address will be 2 East Main Street, Norristown, PA 19401, (484) 250-5900.

Individuals wishing to provide the Department with additional information they believe should be considered

may submit the information to the previous addresses. Written comments should be directed to Francine Carlini, Air Quality Program Manager by February 16, 2004. Written comments should include the name, address and telephone number of the person submitting comments, identification of proposed Permit No. OP-15-0104 and a concise statement regarding the relevancy of the information or any objections to issuance of the Operating Permit.

A public hearing will be held for the purpose of receiving comments on the proposed RACT operating permit at 2 p.m. on February 18, 2004, in the Schuylkill River Room, Southeast Regional Office, 2 East Main Street, Norristown, Montgomery County.

Individuals wishing to present testimony at the hearing should contact Lynda Rebarchak, Community Relations Coordinator, (610) 832-6219 (until January 15, 2004), (484) 250-5820 (after January 15, 2004), Irebarchak@state.pa.us to register by February 16, 2004. Individuals with questions on a proposal should contact Lynda Rebarchak prior to the hearing date. Individuals with a disability should call Lynda Rebarchak to discuss how the Department may accommodate their needs.

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.

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

49830202R4. Split Vein Coal Company, Inc. (R. R. 1, Drawer 2, Paxinos, PA 17860), renewal of an existing coal refuse reprocessing operation in Coal Township, **Northumberland County**, affecting 276.5 acres. Receiving stream: none. Application received December 8, 2003.

49931601R2. Black Creek Breaker Company (R. R. 2 Box 630, Shamokin, PA 17872), renewal of an existing coal preparation plant operation in West Cameron Township, **Northumberland County**, affecting 5.7 acres. Receiving stream: none. Application received December 9, 2003.

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

32841303. NPDES Permit No. PA0001775, Helvetia Coal Company (400 Overview Drive, P. O. Box 219, Shelocta, PA 15774), to revise the permit for the Lucerne No. 6 Mine in Center Township, **Indiana County**, to change the post-mining land use. No additional discharges. Application received November 4, 2003.

30010701. NPDES Permit No. PA0235440, RAG Cumberland Resources, L. P. (158 Portal Road, Waynesburg, PA 15370), to revise the permit for the Cumberland Mine No. 2 Coal Refuse Disposal Facility in Whiteley Township, **Greene County**, to add acreage for the construction and operation of a coarse coal refuse conveyor belt. CRDP Support Acres Proposed 18. No additional discharges. Application received November 10, 2003.

11991301. NPDES Permit No. PA0215210, Rosebud Mining Company (301 Market Street, Kittanning, PA 16201), to revise the permit for the Twin Rocks Mine in Blacklick Township, **Cambria County**, to add and delete

underground permit acres and add subsidence control plan acres. Underground Acres Proposed 2705, SCP Acres Proposed 2705. No additional discharges. Application received November 17, 2003.

30810703. NPDES Permit No. PA0092894, Consol Pennsylvania Coal Company (1800 Washington Road, Pittsburgh, PA 15241-1421), to revise the permit for the Bailey Central Mine Complex Coal Refuse Disposal Area No. 1 in Richhill Township, **Greene County**, to add acreage for the conveyor system. CRDP Support Acres Proposed 8.0. No additional discharges. Application received December 2, 2003.

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

33990103 and NPDES Permit No. PA0227986. Falls Creek Energy Co., Inc. (R. D. 6, Box 231, Kittanning, PA 16201). Renewal of an existing bituminous strip operation in McCalmont Township, **Jefferson County**, affecting 71.6 acres. Receiving streams: Camp Run (CWF). There are no potable surface water supply intakes within 10 miles of downstream. This renewal is for reclamation only. Application received December 5, 2003.

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

03990101 and NPDES Permit No. PA0202436. Reichard Contracting, Inc. (212 Olean Trail, New Bethlehem, PA 16242). Renewal application for reclamation only of an existing bituminous surface mine, in Redbank Township, **Armstrong County**, affecting 91.5 acres. Receiving stream: unnamed tributary to Nolf Run (CWF). The first potable water supply intake within 10 miles downstream from the point of discharge: Hawthorn Municipal Authority. Renewal application received December 8, 2003.

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

17970112 and NPDES Permit No. PA0220680. Hilltop Coal Company (12 Dutchtown Road, Houtzdale, PA 16651). Renewal and transfer of an existing bituminous surface mine-auger permit from Cougar Contracting, Inc. The permit is in Bigler Township, **Clearfield County**

and affects 209 acres. Receiving streams: unnamed stream to Muddy Run (CWF). Application received October 17, 2003.

17960198 and NPDES Permit No. PA0220337. Hilltop Coal Company (12 Dutchtown Road, Houtzdale, PA 16651). Transfer of an existing bituminous surface mine permit from Cougar Contracting, Inc. The permit is in Bigler Township, **Clearfield County** and affects 13.7 acres. Receiving streams: unnamed streams to Muddy Run (CWF). Application received October 21, 2003.

17030116 and NPDES Permit No. PA0243621. Hepburnia Coal Company (P. O. Box I, Grampian, PA 16838). Commencement, operation and restoration of a bituminous surface mine-auger permit in Jordan Township, **Clearfield County**, affecting 173 acres. Receiving streams: North Witmer Run, tributaries to North Witmer Run, unnamed tributaries to Wilson (CWF). The first downstream potable water supply intake from the point of discharge is: none. Application received November 10, 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:

Parameter	30-Day Average	Daily Maximum	Instantaneous Maximum
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.

35030301. Pioneer Aggregates, Inc. (202 Main Street, Laflin, PA 18702), commencement, operation and restoration of a quarry operation in Fell Township, **Lackawanna County**, affecting 230.0 acres. Receiving stream: none. Application received December 2, 2003.

21022801. Mostoller Landfill, Inc. (7095 Glades Pike, Somerset, PA 15502), Stage I and II bond release for a quarry operation in Hopewell Township, **Cumberland County**, affecting 2.5 acres on property owned by WSI—Community Refuse Service, LLC. Application received December 8, 2003.

28940804. Carl L. Robinson (7633 Dusty Road, Mercersburg, PA 17236), Stage I and II bond release for a quarry operation in Montgomery Township, **Franklin County**, affecting 3.5 acres on property owned by Jonathan L. Souders. Application received December 10, 2003.

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

37800303. Slippery Rock Materials, Inc. (R. D. 2, Box 228, Golf Course Road, Volant, PA 16156). Renewal of NPDES Permit No. PA0122734, Plain Grove Township, **Lawrence County**. Receiving streams: Taylor Run (WWF). There are no potable surface water supply in-

takes within 10 miles downstream. NPDES Renewal application received December 5, 2003.

10940306 and NPDES Permit No. PA0212091. Quality Aggregates, Inc. (200 Neville Road, Neville Island, PA 15225). Revision to an existing limestone operation for a land use in Marion Township, **Butler County**. The land use is to change cropland to unmanaged natural habitat on the Vilma Obidean property. Receiving streams: unnamed tributaries to Slippery Rock Creek and unnamed tributaries to Blacks Creek (CWF). There are no potable surface water supply intakes within 10 miles downstream. Application received October 7, 2003.

ABANDONED MINE RECLAMATION

Under Act 181 of 1984, the Department of Environmental Protection (Department) gives notice of an unsolicited proposal received from Commonwealth Stone, Somerset, PA, to reclaim an abandoned surface mine in Jenner Township, Somerset County. The Department intends to enter into negotiations with Commonwealth Stone to contract for site reclamation, if funding is available.

The project, Beahr Mine, involves reclamation of an existing abandoned mine area abandoned by Laura D. Coal, Inc., where the Department under Surface Mining Permit No. 56920107 collected bonds.

Commonwealth Stone proposes to revegetate about 4 acres. All areas will be regraded to promote surface drainage and provide integration with surrounding unmined areas.

All interested parties should send comments to Steven C. Faish, Bureau of Mining Operations, 286 Industrial Park Road, Ebensburg, PA 15931-4119 by 4 p.m. on January 20, 2004.

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

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

E15-711. Wilkinson Builders, 1020 Broad Run Road, Landenberg, PA 19350, East and West Brandywine Township, **Chester County**, ACOE Philadelphia District.

To perform the following activities associated with the proposed Hide-A-Way Farm residential development:

1. To construct and maintain a 70-foot long, 12-foot span and 5-foot rise reinforced concrete box culvert and associated wingwalls at Patriot Lane over an unnamed tributary to Culbertson Run (HQ-TSF-MF) impacting 98 linear feet of stream and 0.07 acre of adjacent wetlands (PFO).

2. To construct and maintain twin 63-foot long, 19-foot 5-inch span and 6-foot 9-inch rise reinforced concrete arch culverts and associated wingwalls at Randolph Drive over an unnamed tributary to Culbertson Run impacting 93 linear feet of stream and 0.18 acre of adjacent wetlands (PFO). This work includes the installation of the associated utilities.

3. To construct and maintain triple 54-foot long, 18-foot 1-inch span and 4-foot 9-inch rise reinforced concrete arch culverts and associated wingwalls at Emima Court over an unnamed tributary to Culbertson Run impacting 80 linear feet of stream and 0.32 acre of wetlands (PEM). This work includes the installation of the associated utilities.

4. To construct and maintain triple 54-foot long, 20-foot 8-inch span and 5-foot 5-inch rise reinforced concrete arch culverts and associated wingwalls at Willow Oak Way over an unnamed tributary to Culbertson Run impacting 75 linear feet of stream and 0.15 acre of wetlands (PEM). This work includes the installation of the associated utilities and the removal of the existing culvert.

5. To construct and maintain a 101-foot long, 30-inch diameter reinforced concrete pipe culvert and associated wingwalls at Emma Court over an unnamed tributary to Culbertson Run impacting 139 linear feet of stream.

6. To construct and maintain a 6-foot wide pedestrian bridge across an unnamed tributary to Culbertson Run.

7. To construct an 8-inch sanitary sewer line across 0.01 acre of wetlands (PEM) at four locations.

8. To construct a sanitary sewer force main across an unnamed tributary to Culbertson Run impacting 10 linear feet of stream and 0.01 acre of adjacent wetlands (PEM).

9. To construct and maintain various temporary cofferdams associated with the previous activities.

The project proposes to directly impact a total of 0.35 acre of watercourse and 0.91 acre of wetlands. The site is just northwest of the intersection of Special School Road and Little Washington Road (Wagontown, PA USGS Quadrangle N: 10.3 inches; W: 2.8 inches) in East and West Brandywine Townships, Chester County.

E09-868. Tincum Township, 163 Municipal Road, Pipersville, PA 18947, Tincum Township, **Bucks County**, ACOE Philadelphia District.

To restore, stabilize and maintain approximately 130 linear feet of eroded streambank along the Tincum Creek (EV) utilizing bioengineering methods. Work will also include the installation of riprap current deflectors to abate future erosion. The site is along Sheep Hole Road, between Geigel Hill Road and Headquarters Road (Bedminster USGS Quadrangle N: 19.0 inches; W: 3.1 inches).

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

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

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

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

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

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

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

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

E36-767: City of Lancaster, 120 N. Duke Street, Lancaster, PA 17608 in the City of Lancaster, **Lancaster County**, ACOE Philadelphia District.

To: (1) construct and maintain an 8-foot by 6-foot precast concrete combined sewer overflow outfall discharging to the channel of the Conestoga River (WWF); and (2) regrade 200 lineal feet of roadway shoulder within 100-year floodplain of the Conestoga River at a point approximately 550 feet south of the intersection of SR 324

and SR 222 (Lancaster, PA Quadrangle N: 3.9 inches; W: 7.7 inches) in the City of Lancaster, Lancaster County.

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

E08-409. Troy Borough, 110 Elmira Street, Troy, PA 16947. Bridge Replacement in Troy Borough, **Bradford County**, ACOE Baltimore District (Troy, PA Quadrangle N: 6.38 inches, W: 5.5 inches).

To: (1) remove the existing single-span concrete encased I-beam bridge with a steel I-beam, timber deck structure with a clear span length of 23 feet 4 inches and a measured vertical under clearance of 5.5 feet to 5.9 feet; a waterway opening of 130 square feet on a skew of 81 degrees; and (2) construct and maintain a single-span concrete encased I-beam bridge with steel I-beams and a

timber deck structure with a clear span length of 23 feet 4 inches and a vertical underclearance of 6 feet. The original abutment walls to be used to support the proposed superstructure will be raised slightly to improve the underclearance. The project will not impact wetlands or waterways while no earth disturbance is anticipated. The West Branch of Sugar Creek is a trout stocked fisheries.

E17-390. Huston Township, 12024 Bennetts Valley Highway, P. O. Box 38, Penfield, PA 15849. Huston Township Bridge Operation and Maintenance in Huston Township, **Clearfield County**, ACOE Baltimore District (Penfield, PA Quadrangle N: 15.1 inches; W: 10.3 inches).

To operate and maintain nine existing municipal bridges across Bennett's Branch and its tributaries. The operation and maintenance of the nine municipal bridges line may require in-stream activity at locations as follows:

<i>Township Road and Stream Name</i>	<i>Water Quality Designation</i>	<i>Latitude Coordinates</i>	<i>Longitude Coordinates</i>
T-518 over Bennetts Branch	CWF	41° 10' 56"	78° 36' 20"
T-518 over South Branch, Bennetts Branch	HQ-CWF	41° 10' 39"	78° 36' 11"
T-512 over South Branch, Bennetts Branch	HQ-CWF	41° 10' 42"	78° 36' 10"
T-519 over Mountain Run	CWF	41° 11' 38"	78° 36' 04"
T-815 over Moose Run	CWF	41° 12' 26"	78° 34' 16"
T-815 over Moose Run	CWF	41° 12' 22"	78° 34' 11"
T-527 over Laurel Run	HQ-CWF	41° 09' 46"	78° 32' 01"
T-522 over Middle Branch, Wilson Run	HQ-CWF	41° 13' 20"	78° 35' 14"
T-525 over Mill Run	CWF	41° 13' 47"	78° 33' 02"

Maintenance activities shall be limited to abutment underpinning, debris and deposition removal, inlet and outlet stream bank protection, wearing surface refurbishment and concrete footer grouting. All bridge maintenance activities shall be conducted during stream low flow conditions and shall be conducted from the stream banks to the extent possible. Since Bennetts Branch and Wilson Run are stocked trout streams, no maintenance work shall be conducted in or along the stream channels between March 1 and June 15 without prior written approval from the Fish and Boat Commission. Since Mountain Run and Wilson Run are wild trout fisheries, no maintenance work shall be conducted in or along the stream channels between October 1 and December 15 without prior written approval from the Fish and Boat Commission. This permit also authorizes construction, operation, maintenance and removal of temporary maintenance access roads, causeways, cofferdams and rock stream diversions for abutment underpinning and footer grouting. All rock used for temporary structures shall be only be clean nonpolluting rock.

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

E10-388, Department of Transportation District 10-0, 2500 Oakland Avenue, Indiana, PA 15701-0429, South Bear Creek Bridge No. 2 replacement Project in Fairview Township, **Butler County**, ACOE Pittsburgh District (Chicora, PA Quadrangle N: 20.18 inches; W: 15.14 inches).

To remove the existing reinforced concrete slab bridge having a clear span of 22 feet a minimum under clearance of 1.7 feet and to construct and maintain a precast concrete box culvert having an effective waterway opening 21 feet in length with a 3.5-foot rise and an instream length of 40 feet and to fill approximately .02 acre of PEM and PFO wetlands (de minimis) at a point along SR

1010, Section 250 Segment 310 Offset 0016 within the South Branch of Bear Creek (CWF).

E10-389, Department of Transportation, District 10-0, 2500 Oakland Avenue, Indiana, PA 15701-0429, South Bear Creek Bridge No. 2 replacement Project in Karns City Borough, **Butler County**, ACOE Pittsburgh District (Chicora, PA Quadrangle N: 19.53 inches; W: 14.19 inches).

To remove the existing reinforced concrete slab bridge having a clear span of 21.8 feet a minimum under clearance of 2.4 feet and to construct and maintain a precast concrete box culvert having an effective waterway opening 21.3 feet in length with a 4.0-foot rise and an instream length of 40.5 feet and to fill approximately .0023 acre of Riverine wetlands (de minimis) at a point along SR 1010, Section 251 Segment 310 Offset 1828 within the South Branch of Bear Creek (CWF).

E10-390, Key Properties Holdings, L. P., 939 Sheraton Drive, Mars, PA 16046. Summit Square of Cranberry Commercial Development in Cranberry Township, **Butler County**, ACOE Pittsburgh District (Mars, PA Quadrangle N: 12.6 inches; W: 14.1 inches).

The applicant proposes to fill 0.49 acre of PEM and PEM/PSS wetlands for the construction of commercial and office buildings approximately 0.6 mile north of the intersection of U. S. Route 19 and SR 228. The project includes relocating and enclosing a total of 855 feet of stream channel of three unnamed tributaries to Brush Creek (WWF) each with a drainage area less than 100 acres and filling 80 linear feet of an unnamed tributary to Brush Creek with a drainage area less than 100 acres. The project proposes to directly affect 0.49 acre of PEM and PEM/PSS wetlands and 935 linear feet of stream. Wetland creation of 0.59 acre and stream conservation

easements for 350 linear feet of an onsite UNT to Brush Creek and 850 feet on an UNT to Glade Run are proposed.

E25-675, CSX Transportation, 1 Bell Crossing Rd., Selkirk, NY 12158. UNT Twelvemile Creek Crossing in Harborcreek Township, **Erie County**, ACOE Pittsburgh District (Harborcreek, PA Quadrangle N: 13.15 inches; W: 3.8 inches).

The applicant proposes to remove the steel girder superstructure of the existing railroad bridge and to construct and maintain a 60-foot long, 15.25-foot wide multiplate open bottom arch with a maximum underclearance of 11.41 feet in a UNT to Twelvemile Creek (HQ, CWF, MF, perennial) approximately 0.5 mile southeast of the intersection of U. S. Route 20 and Moorheadville Road. The proposed structure would be set on the existing stone masonry abutments. The project proposes to directly affect a total of approximately 60 linear feet of stream channel.

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
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 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 of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

ACTIONS

THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

FINAL ACTIONS TAKEN FOR NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS AND WATER QUALITY MANAGEMENT (WQM) PERMITS

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

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

I. NPDES Renewal Permit Actions

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>
PA0217361 Sewage	East Huntingdon Township P. O. Box 9 Alverton, PA 15612-0009	Westmoreland County East Huntingdon Township	Jacobs Creek	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>
PA0210510	Jim Fedor Plaza 14504 West Ridge Road West Springfield, PA 16443	Springfield Township Erie County	Unnamed tributary to Turkey Creek 15	Y

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

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

NPDES Permit No. PA0087742, Sewage, **E/P Campground, Inc.**, 10305 U. S. No. 1, Sebastian, FL 32958. This proposed facility is in Millcreek Township, **Lebanon County**.

Description of Proposed Action/Activity: Authorization to discharge to an unnamed tributary of Furnace Creek in Watershed 3-C.

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

NPDES Permit No. PAS706101-A1, Industrial, **Derry Construction Company, Inc.**, R. D. 5, Box 34, Latrobe, PA 1565. This proposed facility is in Salem Township, **Westmoreland County**.

Description of Proposed Action/Activity: Addition of Outfall 003.

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. 4603414, Sewerage, **Lower Providence Township Sewer Authority**, 100 Parklane Drive, Eagleville, PA 19408. This proposed facility is in Lower Providence Township, **Montgomery County**.

Description of Proposed Action/Activity: Reconstruction and upgrading of wastewater pumping station facility and equipment.

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

WQM Permit No. 3703405, Sewerage, **Neshannock Township Sewer Department**, 3131 Mercer Road, New Castle, PA 16105. This proposed facility is in City of New Castle, **Lawrence County**.

Description of Proposed Action/Activity: This project is for the construction of the Shenango Interceptor and sewer extension for the West Bank Sewer Project.

WQM Permit No. 2703403, Sewerage, **Department of General Services**, 18th and Herr Streets, Harrisburg, PA 17120. This proposed facility is in Jenks Township, **Forest County**.

Description of Proposed Action/Activity: This project is for the construction and operation of a sewage lift station to serve a new 2,000-bed State correctional institute. Flows will be pumped to new conveyance facilities to be constructed by Jenks Township.

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>
PAI024003003	Back Mountain Recreation, Inc. 1183 Old Route 115 P. O. Box 244 Lehman, PA 18627	Luzerne	Lehman Township	Harveys Creek HQ-CWF
PAI025803002	Department of General Services 18th and Herr Streets Harrisburg, PA 17120	Susquehanna	New Milford Township	Salt Lick Creek HQ-CWF

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

Indiana County Conservation District: 1432 Route 286 Highway E, Indiana, PA 15701-1467, (724) 463-8547.

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI053203001	Indiana County Municipal Services Authority 827 Water Street Indiana, PA 15701	Indiana	Cherry Tree Borough	Cush Cushion Creek WWF/HQ-CWF

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

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

List of NPDES and/or Other General Permit Types

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

General Permit Type—PAG-2

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Northampton County Washington Township	PAG2004803024	Bruce Lauerman Nestle Water North American, Inc. 405 Nestle Way Breinigsville, PA 18031	Martins Creek TSF	Northampton County Conservation District (610) 746-1971
Northampton County Lower Nazareth Township	PAG2004803035	Mark Babbitt Higgins Development Partners 1420 Spring Hill Rd. Suite 470 McLean, VA 22102	Shoeneck Creek WWF	Northampton County Conservation District (610) 746-1971
Union Township Lebanon County	PAG2003803028	Victor Diener R. D. 3 Jonestown, PA 17038	Swatara Creek WWF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 (717) 272-3908
North Annville, North Londonderry and Swatara Townships Lebanon County	PAR10P176	Texas Eastern Transmission LP 5400 Westheimer Court Houston, TX 77056	Swatara and Little Swatara Creeks WWF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 (717) 272-3908

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
East Pennsboro Township Cumberland County	PAG2002103045	Yingst Homes Inc. Magaro Hills 4712 Smith Road Harrisburg, PA 17109	Holtz Run WWF	Cumberland County Conservation District 43 Brookwood Avenue Suite 4 Carlisle, PA 17013 (717) 240-7812
Bradford County Athens Township	PAG2000803005	Beldon and Blake Corp. 22811 Titusville Rd. Pleasantville, PA 16341	Tutelow Creek WWF	Bradford County Conservation District R. R. 5, Box 5030C Stoll Natural Resource Center Towanda, PA 18848 (570) 265-5539, Ext. 205
Lycoming County Woodward Township	PAG2004103013	Lycoming County Water and Sewer Authority 216 Old Cement Rd. Montoursville, PA 17754	Susquehanna River, UNT WWF Daugherty's Run WWF	Lycoming County Conservation District 542 County Farm Rd. Suite 202 Montoursville, PA 17754 (570) 433-3003
Tioga County Mansfield Borough	PAG2005903019	New Corey Creek Apartments Inc. 555 Virginia Dr. Fort Washington, PA 19034	Tioga River WWF	Tioga County Conservation District 29 East Ave. Wellsboro, PA 16901 (570) 724-1801
Centre County College, Ferguson and Patton Townships	PAG2001403040	Bellefonte Central Rail Trail 0107 Physical Plant Bldg. University Park, PA 16802	Big Hollow CWF	Centre County Conservation District 414 Holmes Ave. Suite 4 Bellefonte, PA 16823 (814) 355-6817
Centre County Spring Township	PAG2001403048	Pleasant Gap Elementary School Park 1309 Blanchard St. Bellefonte, PA 1823	UNT Logan Branch CWF	Centre County Conservation District 414 Holmes Ave. Suite 4 Bellefonte, PA 16823 (814) 355-6817
Armstrong County Mahoning Township	PAG2000303007	Mahoning Township R. D. 1 Box 110A New Bethlehem, PA 16242	Redbank Creek TSF Mahoning Creek WWF	Armstrong County Conservation District (724) 548-3425
Fayette County Smithfield Borough	PAG002603019	Dean Marunyak and Art Jarrett 701 Old Frame Rd. Smithfield, PA 15478	Georges Creek WWF	Fayette County Conservation District (724) 438-4497
Luzerne Township Brownsville Borough Fayette County	PAG2102603010	BAMR P. O. Box 8476 Harrisburg, PA 17105-8476	Dunlap Creek WWF	BAMR P. O. Box 8476 Harrisburg, PA 17105-8476 (717) 783-1311
Dunbar Township Fayette County	PAG2102603009	BAMR P. O. Box 8476 Harrisburg, PA 17105-8476	UNT to Dickerson Run CWF UNT to Youghioghney River CWF	BAMR P. O. Box 8476 Harrisburg, PA 17105-8476 (717) 783-1311

NOTICES

6449

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>
East Huntingdon Township Westmoreland County	PAR116104	Sony Electronics Inc. 1001 Technology Drive Mt. Pleasant, PA 15666	Belson Run	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Hempfield Township Westmoreland County	PAR116117	Carbidie Corp. 425 Arona Road Irwin, PA 15642	UNT to Little Sewickley Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
East Huntingdon Township Westmoreland County	PAR806229	Sony Electronics Inc. 1001 Technology Drive Mt. Pleasant, PA 15666	Belson Run	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

General Permit Type—PAG-4

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Cecil Township Washington County	PAG046168	Art and Sheila Harding 245 County Line Road Bridgeville, PA 15017	Swale to Coal Run	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
South Fayette Township Allegheny County	PAG046170	Michael and Dawna Raimondi 414 Coal Pit Run Road Bridgeville, PA 15017	Coal Run	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

General Permit Type—PAG-5

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Cornplanter Township Venango County	PAG058328	Pennzoil-Quaker State Co.—Plant No. 2 260 Elm Street P. O. Box 99 Oil City, PA 16301	Oil Creek Watershed 16-E	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>Contact Office and Telephone No.</i>
West Pennsboro Township Cumberland County	PAG083585	Newville Borough Water and Sewer Authority 99 Cove Avenue Newville, PA 17241	SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707

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>
PAG136140	Town of McCandless 9957 Grubbs Road Wexford, PA 15090	Allegheny	McCandless Township	Pine Creek Basin, Source to North Park Dam CWF Lowries Run TSF Girty's Run WWF Pine Creek Basin, North Park Lake Dam to Mouth of Allegheny River TSF	Y
PAG136263	Bradford Woods Borough 4908 Wexford Run Road Bradford Woods, PA 15015	Allegheny	Bradford Woods Borough	Pine Creek WWF	Y
PAG136271	Brentwood Borough 3624 Brownsville Road Pittsburgh, PA 15227	Allegheny	Brentwood Borough	Saw Mill Run WWF Streets Run WWF Tributaries to the Monongahela River	Y
PAG136274	Moon Township 1000 Beaver Grade Road Coraopolis, PA 15108	Allegheny	Moon Township	Boggs Run, Flaugherty Run WWF Shouse Run WWF Spring Run, Narrows Run WWF Thorn Run WWF McCabe Run WWF Montour Run TSF McClarens Run, Trout Run, Ohio 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>
PAG136281	Hampton Township 3101 McCully Road Allison Park, PA 15101	Allegheny	Hampton Township	Pine Creek TSF Montour Run TSF Willow Run TSF Crouse Run TSF Gourdhead Run TSF McCaslin Run TSF Little Pine Creek TSF UNT to Pine Creek TSF UNT to West Branch of Deer Creek WWF Cedar Run WWF Shafers Run WWF	Y
PAG136285	Jefferson Hills Borough 925 Old Clairton Road Clairton, PA 15025-3143	Allegheny	Jefferson Hills Borough	Lick Run TSF Peters Creek TSF Lewis Run TSF Lobbs Run WWF Beams Run, Monongahela WWF	Y
PAG136287	City of Clairton 551 Ravensburg Blvd. Clairton, PA 15025-1297	Allegheny	Clairton City	Monongahela River WWF Peters Creek TSF	Y
PAG136306	Marshall Township P. O. Box 2094 Warrendale, PA 15086	Allegheny	Marshall Township	Pine Creek CWF East Branch of Big Sewickley Creek TSF Big Sewickley Creek TSF UNT to Brush Creek WWF	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 of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

SAFE DRINKING WATER

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

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

Permit No. 3603506, Public Water Supply.

Applicant	Kitchen Kettle Foods Inc.
Municipality	Leacock Township
County	Lancaster
Type of Facility	Installation of new carbon bed treatment to treat for VOC contamination and replacement of the existing disinfection system with sodium hypochlorite. Project also request approval for the existing softening and nitrate treatment system.
Consulting Engineer	Charles A. Kehew II, P. E. James R. Holley & Assoc., Inc. 18 South George St. York, PA 17401
Permit to Construct Issued	October 31, 2003

Permit No. 6703510 MA, Public Water Supply.

Applicant	Windsor Borough
Municipality	Windsor Borough
County	York
Type of Facility	Installation of approximately 8,800 LF of 8-inch distribution mains and associated valves and the construction of a booster pump station to augment fire flows.
Consulting Engineer	Gordon L. Brown Jr., P. E. Gordon L. Brown & Assoc. Inc. 2238 South Queen Street York, PA 17402
Permit to Construct Issued	July 11, 2003

Permit No. 6702502, Public Water Supply.

Applicant	Department of Conservation and Natural Resources
Municipality	Warrington Township
County	York
Type of Facility	Construction of a modified raw water intake on Pinchot Lake, a new 0.094 mgd membrane filtration facility, chemical treatment, sodium hypochlorite disinfection and a 0.096 mg finished water storage tank.
Consulting Engineer	Peter Lusardi, P. E. CET Engineering Services 1240 N. Mountain Rd. Harrisburg, PA 17112
Permit to Construct Issued	November 14, 2003

Permit No. 3603503 MA, Minor Amendment, Public Water Supply.

Applicant	West Earl Water Authority
Municipality	West Earl Township
County	Lancaster
Type of Facility	New Akron Hill Water Storage Tank
Consulting Engineer	David T. Lewis, P. E. ARRO Consulting Inc. 270 Granite Run Drive Lancaster, PA 17601
Permit to Construct Issued	April 25, 2003

Permit No. 3603504, Public Water Supply.

Applicant	Columbia Water Company
Municipality	Manor Township
County	Lancaster
Type of Facility	Installation of a 1 million gallon storage tank and chlorine booster pump station.
Consulting Engineer	David T. Lewis, P. E. ARRO Consulting Inc. 270 Granite Run Drive Lancaster, PA 17601
Permit to Construct Issued	June 30, 2003

Permit No. 2103504 E, Public Water Supply.

Applicant	Pennsylvania Suburban Water Company
Municipality	Monroe Township
County	Cumberland
Type of Facility	Emergency permit for use of well no. 4.
Consulting Engineer	Peter Lusardi, P. E. CET Engineering Services 1240 N. Mountain Rd. Harrisburg, PA 17112
Permit to Construct Issued	November 21, 2003

Permit No. 3602522, Public Water Supply.
 Applicant **West Earl Water Authority**
 Municipality West Earl Township
 County **Lancaster**
 Type of Facility Construction of a 133,000 gpd booster pumping station at Old Akron Road and Tobacco Road. Project will also include a booster chlorine station.

Consulting Engineer David T. Lewis, P. E.
 ARRO Consulting Inc.
 270 Granite Run Drive
 Lancaster, PA 17601

Permit to Construct Issued March 25, 2003

Permit No. 3603502, Public Water Supply.
 Applicant **Quarryville Presbyterian Home**
 Municipality East Drumore Township
 County **Lancaster**
 Type of Facility The addition of Cornfield Well to augment the existing sources of supply. The project will also include the addition of reverse osmosis, softening and UV disinfection to the system.

Consulting Engineer David T. Lewis, P. E.
 ARRO Consulting Inc.
 270 Granite Run Drive
 Lancaster, PA 17601

Permit to Construct Issued June 24, 2003

Permit No. 2803502, Public Water Supply.
 Applicant **Mont Alto Municipal Authority**
 Municipality Quincy Township
 County **Franklin**
 Type of Facility Construction Permit Application for a proposed 436,000-gallon finished water storage tank, 8- and 10-inch DIP to connect the tank to the existing system and a chlorine booster station.

Consulting Engineer William T. Hemsley, P. E.
 Nasaux-Hemsley, Inc.
 56 N. 2nd St.
 Chambersburg, PA 17201

Permit to Construct Issued September 17, 2003

Permit No. 0698508-T1, Minor Amendment, Public Water Supply.
 Applicant **Donald D. Klopp and Randy M. Klopp**
 Municipality Bethel Township
 County **Berks**
 Type of Facility Permit transfer for Shikellamy Springs Bulk Water Hauling Facility.

Permit to Construct Issued December 10, 2003

Operations Permit issued to **Bear Valley Franklin County Pennsylvania Joint Authority**, 7280043, Peters, **Franklin County** on December 9, 2003, for the operation of facilities approved under Construction Permit No. 2801504 MA.

Operations Permit issued to **Spring Grove Water Company**, 7670091, Spring Grove, **York County** on November 26, 2003, for the operation of facilities approved under Construction Permit No. 6703516 MA.

Operations Permit issued to **Borough of Everett Area Municipal Authority**, Everett Borough, **Bedford County** on November 21, 2003, for the operation of facilities approved under Construction Permit No. 0502508.

Operations Permit issued to **Thompsontown Municipal Authority**, Thompsontown Borough, **Juniata County** on November 19, 2003, for the operation of facilities approved under Construction Permit No. 3402501.

Operations Permit issued to **Ephrata Mennonite School**, Ephrata Borough, **Lancaster County** on June 25, 2003, for the operation of facilities approved under Construction Permit No. 3602524.

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

Permit No. 3203501, Public Water Supply.
 Applicant **Homer City OL1-OL8, LLC**
 1750 Power Plant Road
 Homer City, PA 15748-9558

Borough or Township Center Township
 County **Indiana**
 Type of Facility Improvements to water system

Consulting Engineer Dakota Engineering Etna
 Technical Center, Suite 200
 35 Wilson Street
 Pittsburgh, PA 15223

Permit to Construct Issued December 10, 2003

Permit No. 0403502, Public Water Supply.
 Applicant **Beaver Falls Municipal Authority**
 1425 8th Avenue
 P. O. Box 400
 Beaver Falls, PA 15010

Borough or Township Eastvale Borough
 County **Beaver**
 Type of Facility Clearwell/Eastvale WTP

Consulting Engineer Michael Baker Jr., Inc.
 4301 Dutch Ridge Road
 P. O. Box 280
 Beaver, PA 15009

Permit to Construct Issued December 10, 2003

SEWAGE FACILITIES ACT PLAN APPROVAL

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Peters Township	610 East McMurray Road McMurray, PA 15317	Washington

Plan Description: The approved plan provides for construction of a 600-gallon per day single residence sewage treatment plant to serve enlargement of the existing Santa Lucia single family home. The property is at 262 Justabout Road, Peters Township, Washington County. The proposed discharge point is a tributary of Brush Run (WWF). 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 applicant as appropriate.

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Upper Milford Township	Municipal Building Box 210 Zionsville, PA 18068	Lehigh

Plan Description: The approved plan provides for a small flow treatment facility to repair a malfunctioning cesspool which currently serves a single family residence on a 2.3-acre lot. The proposed treatment facility will include a two-compartment septic tank with a Zabel® filter on the tank outlet, an Eco-Flow® St-650 peat filter followed by an ultraviolet radiation disinfection unit. The discharge will be to Indian Creek, a tributary to Hosensack Creek, which flows into the Perkiomen Creek. The residence is at 6005 Woodlawn Drive, Upper Milford Township, Lehigh County.

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>
New Buffalo Borough	P. O. Box 245 New Buffalo, PA	Perry

Plan Description: The approved plan provides for the construction of a 17,500 gpd wastewater treatment facility and a gravity sanitary sewer collection and conveyance system. The proposed wastewater treatment facility will be in Watts Township with a discharge to the Susquehanna River. 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>
Ontelaunee Township	P. O. Box 746 Leesport, PA 19533	Berks

Plan Description: The approved plan provides for the construction of sewage collection and conveyance systems to serve areas of the township as depicted on Drawing Number D-012A (dated June 2, 2003) of the Official Plan. This Plan constitutes a change from the previous plan

(DEP Code No. A1-06949-ACT) due to modifications of the service areas that will be tributary to the Maiden Creek Township Authority wastewater treatment facility and the Leesport Borough Authority 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.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

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

Strathman Lumber Company, Southampton Township, **Bucks County**. Jennifer Sherman, GHR Consulting Services, Inc., 300 Welsh Rd., Bldg. 3, Horsham, PA 19044, on behalf of Peter Iliff, 620 Knowles Ave., Southampton, PA 18966, has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with BTEX and PHC. The Final Report did not demonstrate attainment of the Statewide Health Standard and was disapproved by the Department on December 2, 2003.

Former Mrs. Paul's Kitchen Facility (Groundwater), Doylestown Borough, **Bucks County**. Ethan E. Prout, P. G., American Resource Consultants, Inc., P. O. Box 579, Quakertown, PA 18951, on behalf of Telford Industrial Development Authority, Pat Hunn, Esq., 119 Keys Town Dr., Montgomeryville, PA 18936, has submitted a Final Report concerning the remediation of site groundwater contaminated with chlorinated solvents. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on December 1, 2003.

Aspire, Inc., Falls Township, **Bucks County**. John M. Ash, P. G., URS Corp., 2325 Maryland Rd., Willow Grove, PA 19090, on behalf of Mickey Briggs, Esq., Attorney for PA Building, LLC c/o Cox, Hodgman & Gianmarco PC, 101 W. Big Beaver Rd., Columbia Center, Troy, MI 48084, has submitted a Final Report concerning the remediation of site soil contaminated with MTBE and unleaded gasoline and groundwater contaminated with lead, MTBE and unleaded gasoline. The Final Report demonstrated attainment of Statewide Health and Site-Specific Standards and was approved by the Department on December 2, 2003.

Former Sears Auto Center, North Coventry Township, **Chester County**. David Side, GHR Consulting Services, Inc. has submitted a Final Report concerning remediation of site soil and groundwater contaminated with leaded gasoline, lead, MTBE and unleaded gasoline. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on December 3, 2003.

407 South Chester Pike Property, Glenolden Borough, **Delaware County**. Paul Ledebur, RT Environmental Services, Inc., 215 W. Church Rd., King of Prussia, PA 19406, on behalf of Marie Panna, 302 E. Poplar St., Unit A., Wildwood, NJ 08260, has submitted a Final Report concerning remediation of site soils contaminated with inorganics. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on December 3, 2003.

Former Quaker Chemical Facility, Conshohocken Borough, **Montgomery County**. Christopher Orzechowski, RT Environmental Services, Inc., 215 W. Church Rd., King of Prussia, PA 19406, on behalf of Quaker Park Associates, LP, 1200 River Rd., Suite 1303, Conshohocken, PA 19428, has submitted a Final Report concerning remediation of site soils contaminated with PAH and site groundwater contaminated with heavy metals and VOCs. The Final Report demonstrated attainment of Statewide Health and Site-Specific Standards and was approved by the Department on December 8, 2003.

10 Union Avenue, Lower Merion Township, **Montgomery County**. Samuel J. Kucia, Environmental Consulting Inc., 500 E. Washington St., Norristown, PA 19401, on behalf of Fred Weitzman, 10 Union Ave., Associates, LP and Wynnewood Development Inc., 33 Rock Hill Rd., Bala Cynwyd, PA 19004, has submitted a Final Report concerning remediation of site soil contaminated with fuel oil no. 2. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on December 3, 2003.

Former Hajoca Building, City of Philadelphia, **Philadelphia County**. Bruce Middleman, P. G., Jacques Whitford Co., Inc., 450 S. Gravers Rd., Suite 105, Plymouth Meeting, PA 19462, on behalf of University of Pennsylvania, Attn: Kyle Rosato, 3160 Chestnut St., Philadelphia, PA 19104-6287, has submitted a Final Report concerning the remediation of site soil contaminated with fuel oil no. 2 and lead; and site groundwater contaminated with fuel oil no. 2. The Final Report demonstrated attainment of Statewide Health and Site-Specific Standards and was approved by the Department on November 13, 2003.

Anzon Facility, City of Philadelphia, **Philadelphia County**. Christopher Orzechowski, RT Environmental Services, Inc., 215 W. Church Rd., King of Prussia, PA 19406, on behalf of Cookson America, Inc., 1 Cookson Pl., Providence, RI 12903, has submitted a Final Report concerning remediation of site soil contaminated with inorganics, lead, other organics and PAH; and site groundwater contaminated with chlorinated solvents, inorganics, lead, MTBE, other organics and PAH. The Final Report demonstrated attainment of Site-Specific Standards and was approved by the Department on November 25, 2003.

Rosenberg Tract, City of Philadelphia, **Philadelphia County**. James M. Barish, CPG, Gannett Fleming, Inc., Research Park, 202 Wall St., Princeton, NJ 08540, on behalf of Paul Rosenberg, 2204 S. Christopher Columbus Blvd., Philadelphia, PA 19148, has submitted a Final Report concerning remediation of site soil contaminated with inorganics, lead, other organics and PAH; and site groundwater contaminated with inorganics, lead and other organics. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on December 3, 2003.

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

Wilhold Facility (former) a/k/a NewellRubbermaid Sunbury Site, City of Sunbury, **Northumberland County**. Cummings/Riter Consultants on behalf of NewellRubbermaid, 6833 Stalter Drive, Suite 101, Rockford, IL 61108, has submitted a Final Report concerning soil contaminated with heavy metals and solvents. This Final Report demonstrated attainment of the site to meet the Statewide Health Standard and was approved by the Department on December 4, 2003.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Determination of Applicability for General Permit Issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and residual waste regulations for a general permit to operate residual waste processing facilities and/or the beneficial use of residual waste other than coal ash.

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

General Permit No. WMGR016D001. Kulp Foundry Inc., 30 Stokes Ave., East Stroudsburg, PA 18301-0179. For the beneficial use of waste molding sand from gray and ductile iron foundries for use as pipe bedding. The Department issued the determination of applicability on November 26, 2003

Persons interested in reviewing the general permit may contact the General Permits/Beneficial Use Section, Division of Municipal Waste, Rachel Carson State Office Building, P. O. Box 8472, Harrisburg, PA 17105-8472, (717) 787-7381. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

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.

Lykens Valley Ag., 279 Picnic Road, Lykens, PA 17048. Authorization No. WH4032. Effective December 8, 2003.

Back In Black Transport, LLC, P. O. Box 134, Branford, CT 06405. Authorization No. WH5637. Effective December 8, 2003.

Great Valley Auto Salvage Inc., 59 East Lancaster Ave., Malvern, PA 19355. Authorization No. WH5564. Effective December 8, 2003.

Stan Godshall Excavating Inc., 674 Haldeman Road, Harleysville, PA 19438. Authorization No. WH5639. Effective December 8, 2003.

Joseph C. Shelmet, P. O. Box 471, Langhorne, PA 19047-0471. Authorization No. WH5651. Effective December 8, 2003.

Rent A Dumpster, 1704 Olive St., Scranton, PA 18510. Authorization No. WH5653. Effective December 8, 2003.

Alicia Transport Inc., Apt. 6T, 1230 Ave. X, Brooklyn, NY 11235. Authorization No. WH5654. Effective December 8, 2003.

Max Trucking, 624 N. Poplar St., Allentown, PA 18102. Authorization No. WH5655. Effective December 8, 2003.

Quirino Sanchez, 211 Fulton St., Elizabeth, NJ 07206. Authorization No. WH5656. Effective December 8, 2003.

Michael P. Taddy, 1415 12th St., Altoona, PA 16601. Authorization No. WH5657. Effective December 8, 2003.

Ross Transport Co., Inc., 4220 Almond St., Philadelphia, PA 19137. Authorization No. WH3880. Effective December 10, 2003.

East Lake Contracting, P. O. Box 536, Ridley Park, PA 19078. Authorization No. WH5663. Effective December 10, 2003.

ARVI Logistics Inc., 24 Old Berwick Road, Drums, PA 18222. Authorization No. WH5664. Effective December 10, 2003.

Ralph E. Hoover Excavating, 345 Treasure Lake, DuBois, PA 15801-9007. Authorization No. WH5665. Effective December 10, 2003.

Nicholas Evanoff, P. O. Box 4222, 997 Peiffers Lane, Harrisburg, PA 17109. Authorization No. WH5666. Effective December 10, 2003.

Christian Trucking, 151 Tracy Dale Road, Howard, PA 16841. Authorization No. WH5668. Effective December 10, 2003.

C-Sar Transport Inc., Apt. B, 143 Duncan Ave., Jersey City, NJ 07306. Authorization No. WH5669. Effective December 10, 2003.

V Express Trucking Corp., 43 Hilton St., Clifton, NJ 07011. Authorization No. WH5670. Effective December 10, 2003.

Victor S. Bennett, 1603 17th Ave., Beaver Falls, PA 15010. Authorization No. WH5671. Effective December 10, 2003.

John Rotundo, R. R. 4, Box 4782, Honesdale, PA 18431. Authorization No. WH5581. Effective November 24, 2003.

William Haggerty, 427 Montana Road, Washington, NJ 07882. Authorization No. WH5602. Effective December 9, 2003.

Tipperary Enterprises, Inc., 901 Bushkill Drive, Easton, PA 18042. Authorization No. WH5605. Effective December 9, 2003.

S & B Transfer, Inc., 146 Bellport Ave., Medford, NJ 11763. Authorization No. WH5606. Effective December 9, 2003.

Union City Express, Inc., 412 35th St., Union City, NJ 07087. Authorization No. WH5615. Effective December 9, 2003.

La Gavoita Transport, Inc., 411 Demarest Ave., Cloister, NJ 07624. Authorization No. WH5616. Effective December 9, 2003.

BMP Express Inc., 376 Duncan Ave., Jersey City, NJ 07306. Authorization No. WH5216. Effective December 11, 2003.

Bucktail Excavators Inc., 282 Belsole Road, Saint Marys, PA 15857. Authorization No. WH5667. Effective December 11, 2003.

J & S Trucking, 18 Heritage Lane, Berkley, MA 02779. Authorization No. WH5688. Effective December 11, 2003.

Juan Calle, 226 Garside St., Newark, NJ 07104. Authorization No. WH5626. Effective December 11, 2003.

Skyline Investments, 409 Evergreen Circle, Tobyhanna, PA 18466. Authorization No. WH3683. Effective December 11, 2003.

AIR QUALITY

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

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

GP1-06-05096B: The Reading Hospital and Medical Center (Sixth Avenue and Spruce Street, Reading, PA 19611) on December 9, 2003, authorized to operate three small gas and two oil fired combustion units under GP1 in West Reading Borough, **Berks County**.

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

42-203: M and M Royalty, Ltd.—Hamilton Township Plant (Forestry Road 455, McKean, PA 16426) on November 30, 2003, for installation of a second gas fired compressor in Hamilton Township, **McKean County**.

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

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

09-0024C: Waste Management of PA (200 Bordertown Rd., Tullytown, PA 19007) on December 11, 2003, for operation of a landfill in Tullytown Borough, **Bucks County**.

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

62-150A: Superior Tire and Rubber (1818 Pennsylvania Avenue, West, Warren, PA 16365) on December 4, 2003, for construction of an adhesive spray and finish coating operation in Warren, **Warren 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.

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

65-00659B: Better Materials Corp. (Salem Place, Suite 340, 390 Route 22, Delmont, PA 15626) on December 8, 2003, to construct an asphalt plant in Hempfield Township, **Westmoreland County**. This plan approval was extended.

04-00226B: Better Materials Corp. (Salem Place, Suite 340, 290 Route 22, Delmont, PA 15626) on December 8, 2003, to construct an asphalt batch plant in Economy Borough, **Beaver County**. This plan approval was extended.

56-00025E: New Enterprise Stone and Lime (P. O. Box 77, New Enterprise, PA 16664) on December 8, 2003, to install a crusher at the Bakersville Quarry/Hot Mix Asphalt Plant in Jefferson Township, **Somerset County**. This plan approval was extended.

03-00023A: Allegheny Energy Supply Co., LLC (4350 Northern Pike, Monroeville, PA 15146) on December 3, 2003, to install two coal fired boilers at the Armstrong Power Station, Washington Township, **Armstrong County**.

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

25-974A: Hi-Tech Plating Co., Inc. (1015 West 18th Street, Erie, PA 16502) on October 31, 2003, for post construction of chrome plating operations in Erie, **Erie County**.

24-083E: Carbone of America—Graphite Materials Div. (1032 Trout Run Road, Saint Marys, PA 15857) on October 31, 2003, for installation of a scrubber in Benzinger Township, **Elk County**.

24-083D: Carbone of America—Graphite Materials Div. (1032 Trout Run Road, Saint Marys, PA 15857) on October 31, 2003, for installation of a scrubber in Benzinger Township, **Elk County**.

10-021J: INDSPEC Chemical Corp. (133 Main Street, Petrolia, PA 16050) on October 31, 2003, for modifications to Reactor 507 in Petrolia, **Butler County**.

43-170E: Werner Co. (93 Werner Road, Greenville, PA 16125) on October 31, 2003, for modifications to the pultrusion process in Sugar Grove Township, **Mercer County**.

25-090B: Zurn Industries, Inc. (1301 Raspberry Street, Erie, PA 16502) on October 31, 2003, for modification of the cupola and installation of a scrubber in Erie, **Erie County**.

43-152A: Sharon Tube Co. (134 Mill Street, Sharon, PA 16146) on December 3, 2003, for installation of a baghouse in Sharon, **Mercer County**.

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

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

42-00009: Pittsburgh Corning Corp. (701 North Main Street, Port Allegany, PA 16743-0039) on December 2, 2003, to reissue a Title V Permit to operate a pressed and blown glass manufacturing facility in Port Allegany Borough, **McKean County**. The facility's major emission sources include melting furnace, cellululating furnace, glass block edge coaters, distributors, foreheaters, presses/sealers, crushing, grinding and dispense system, batch mixer, mold release application. The facility is a major facility due to its potential to emit of NOx and VOCs.

25-00924: Erie Forge and Steel, Inc. (1341 West 16th Street, Erie, PA 16512-1522) on December 2, 2003, to reissue a Title V Permit to operate an iron and steel forging manufacturing facility in the City of Erie, **Erie County**. The facility's major emission sources include natural gas steam boilers, electric arc furnaces, refining furnaces, heat treat furnaces, forge furnaces, preheaters, grinder units, hood furnace, vacuum degassing, torch cutting operation, furnace baghouse and scrubber. The furnace baghouse is subject to the Compliance Assurance Monitoring rule. The facility is a major facility due to its potential to emit NOx and CO.

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

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

07-03040: Pennfield Corp. (711 Rohrerstown Road, Lancaster, PA 17603) on December 9, 2003, for operation of a feed mill in Martinsburg Borough, **Blair County**.

36-05129: Haines and Kibblehouse, Inc. (2052 Lucon Road, P. O. Box 196, Skippack, PA 19474) on December 8, 2003, for operation of their asphalt plant at their Silver Hill Quarry in Brecknock Township, **Lancaster County**.

38-05018: Department of Veterans Affairs (1700 South Lincoln Avenue, Lebanon, PA 17042) on December 9, 2003, for operation of their Lebanon VA Medical Center in South Lebanon Township, **Lebanon County**.

67-03018: Penn Mar Castings, Inc. (500 Broadway Avenue, Hanover, PA 17331) on December 8, 2003, for operation of their iron foundry in Hanover Borough, **York County**.

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

25-00197: TSK Partners, Inc.—Erie Bronze and Aluminum Co. (6300 West Ridge Road, P. O. Box 8099, Erie, PA 16505) on November 26, 2003, for an administrative amendment due to a change in ownership. The Natural Minor operating permit is for a bronze and aluminum foundry in Fairview Township, **Erie County**.

25-00972: Insul Board (2120 Colonial Avenue, Erie, PA 16505) on December 2, 2003, for a Natural Minor Permit to operate an expanded polystyrene manufacturing plant in Millcreek Township, **Erie County**.

37-00181: New Castle Industries, Inc.—Tanner Plating Division (925 Industrial Street, New Castle, PA) on December 9, 2003, a Natural Minor operating permit for a hard chromium electroplating facility in the City of New Castle, **Lawrence 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.

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

25-00891: Corry Contract Inc. (21 Maple Avenue, Corry, PA 16407) on December 9, 2003, to modify the Synthetic Minor Permit to operate an office furniture manufacturing facility in City of Corry, **Erie County**. The facility's major emission sources include miscellaneous natural gas usage, boiler, third floor paint booths (five), three touch-up booths, batch oven touch up, cure oven, pyrolysis oven, five paint booths in plant II and plant II curing oven. The modification includes the five paint booths presently emitting VOC from liquid spray paint. Previously the source was insignificant because the paint booths were used for only powder coating operation and exhausted inside.

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 Bitumi-

nous 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

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

30743704. NPDES Permit NA, Duquesne Light Company (P. O. Box 457, Greensboro, PA 15338), to revise the permit for the Warwick Mine No. 2 Coal Refuse Disposal Area in Monongahela Township, **Greene County**, to reclaim 72 acres and add beneficial ash and biosolids. No additional discharges. Permit issued December 5, 2003.

6323707. NPDES Permit No. PA0215520, Maple Creek Mining, Inc. (Spinner Shaft—918 Route 917, Bentleyville, PA 15314), to revise the permit for the Ginger Hill Refuse Area II in Carroll, Fallowfield and Nottingham Townships, **Washington County**, to add 34 acres and delete 21 acres. No additional discharges. Permit issued December 8, 2003.

32961302. NPDES Permit No. PA0214949, AMFIRE Mining Company, LLC (One Energy Place, Latrobe, PA 15650), to revise the permit for the Ondo Mine in Brush Valley Township, **Indiana County** and to delete 193.5 SCP acres. Underground Acres Proposed 38.3, SCP Acres Proposed 94.8. No additional discharges. The first downstream potable water supply intake from the point of discharge is Pennsylvania American Water Company and Two Lick Creek. Permit issued December 11, 2003.

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

24820107 and NPDES Permit No. PA0605085. AMFIRE Mining Company, LLC (One Energy Place, Latrobe, PA 15650). Renewal of an existing bituminous strip and auger operation in Horton Township, **Elk County**, affecting 134.0 acres. Receiving streams: unnamed tributaries to Brandy Camp Run. Application received September 8, 2003. Permit issued December 4, 2003.

Noncoal Permit Actions

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

7473SM2AC9 and NPDES Permit No. PA0118460. Hercules Cement Co., LP d/b/a Hercules Cement Company (P. O. Box 69, Stockertown, PA 18082), correction to an existing quarry and NPDES Permit in Upper Nazareth Township, **Northampton County**, affecting 301.3 acres. Receiving stream: Bushkill and Schoeneck Creeks. Application received July 7, 2003. Correction issued December 8, 2003.

58012806. Steven Jones (R. R. 2 Box 69, New Milford, PA 18834), commencement, operation and restoration of a quarry operation in New Milford Township, **Susquehanna County**, affecting 3.0 acres. Receiving stream:

unnamed. Application received September 13, 2001. Permit issued December 9, 2003.

28030301 and NPDES Permit No. PA0613371. D. L. George & Sons Construction Co., Inc. (13321 Midvale Road, Waynesboro, PA 17268), commencement, operation and restoration of a quarry operation and for discharge of treated mine drainage in Antrim Township, **Franklin County**, affecting 43.0 acres. Receiving stream: Paddy Run. Application received December 30, 2002. Permit issued December 10, 2003.

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

37020301. Mayberry Sand & Gravel, Inc. (442 18 South, New Castle, PA 16102). Transfer of an existing sand and gravel operation from William H. Mayberry in North Beaver Township, **Lawrence County**, affecting 120.7 acres. Receiving streams: unnamed tributaries to Beaver River. Application received May 13, 2003. Permit issued December 5, 2003.

37020306. The East Fairfield Coal Co. (10900 South Avenue, P. O. Box 217, North Lima, OH 44452). Commencement, operation and restoration of a limestone operation in North Beaver Township, **Lawrence County**, affecting 169.4 acres. Receiving streams: unnamed tributaries to Honey Creek. Application received November 13, 2002. Permit issued December 4, 2003.

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

18031001. Glenn O. Hawbaker, Inc. (711 E. College Avenue, Bellefonte, PA 16823), authorization to extract industrial minerals in Bald Eagle Township, **Clinton County**, to supply fill material for the First Quality Tissue Construction Project—Edwards property. Receiving streams: Plunket Run, tributary to Bald Eagle Creek to West Branch Susquehanna River. Authorization approved: October 30, 2003.

18031002. Glenn O. Hawbaker, Inc. (711 E. College Avenue, Bellefonte, PA 16823), authorization to extract industrial minerals in Bald Eagle Township, **Clinton County**, to supply fill material for the First Quality Tissue Construction Project—Keystone Central property. Receiving streams: unnamed tributary to Bald Eagle Creek, tributary to Bald Eagle Creek to West Branch Susquehanna River. Authorization approved: November 4, 2003.

18031003. Glenn O. Hawbaker, Inc. (711 E. College Avenue, Bellefonte, PA 16823), authorization to extract industrial minerals in Bald Eagle Township, **Clinton County**, to supply fill material for the First Quality Tissue Construction Project—Clark property. Receiving streams: unnamed tributary to Bald Eagle Creek, tributary to Bald Eagle Creek to West Branch Susquehanna River. Authorization approved: November 18, 2003.

08030804. Brian M. Edsall, R. R. 2, Box 94A, Towanda, PA 18848. Commencement, operation and restoration of a Small Industrial Minerals (Bluestone) permit in Asylum Township, **Bradford County**, affecting 5 acres. Receiving streams: Bennetts Creek, tributary to the Susquehanna River. Application received August 18, 2003. Permit issued October 28, 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.

21034067. Hall Explosives, Inc. (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting in Silver Spring Township, **Cumberland County**, with an expiration date of December 25, 2004. Permit issued December 5, 2003.

01034013. Hall Explosives, Inc. (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting for Gateway at Gettysburg in Straban Township, **Adams County**, with an expiration date of December 25, 2004. Permit issued December 5, 2003.

360340119. Hall Explosives, Inc. (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting at Sanitary Sewer Replacement in East Cocalico Township, **Lancaster County**, with an expiration date of December 31, 2004. Permit issued December 5, 2003.

360340117. Warren's Excavating & Drilling, Inc. (P. O. Box 189, Bowmansville, PA 17507), construction blasting at Somerset Crossing Phase III, Village Homes in East Donegal Township, **Lancaster County**, with an expiration date of December 25, 2008. Permit issued December 5, 2003.

15034045. Allan A. Myers, L. P. (P. O. Box 98, Worcester, PA 19490), construction blasting at West Chester High School/Bayard Rustin High in Westtown Township, **Chester County**, with an expiration date of December 25, 2005. Permit issued December 8, 2003.

46034052. American Rock Mechanics, Inc. (7531 Chestnut Street, Zionsville, PA 18092), construction blasting at Indian Valley Greenes in Franconia Township, **Montgomery County**, with an expiration date of December 25, 2004. Permit issued December 8, 2003.

45034052. Ron Lutz, West End Drilling & Blasting (P. O. Box 1646, Brodheadsville, PA 18322) and **Austin Powder Company** (Route 329, P. O. Box 289, Northampton, PA 18067), construction blasting at Nottingham Manor in Pocono Township, **Monroe County**, with an expiration date of December 31, 2004. Permit issued December 8, 2003.

67034075. Handwerk Contractors (P. O. Box 236, Hummelstown, PA 17036) and **Douglas Explosives, Inc.** (P. O. Box 77, Philipsburg, PA 16866), construction blasting at Mazi Gabe Elementary School in Windsor Township, **York County**, with an expiration date of January 21, 2004. Permit issued December 5, 2003.

40034040. Popple Construction Co., Inc. (202 Main Street, Laflin, PA 18702) and **D. C. Guelich Explosive Co.** (P. O. Box 29, Bloomsburg, PA 17815), construction blasting at F.E. Walters Dam Access Project in Bear Creek and Kidder Townships, **Luzerne and Carbon Counties**, with an expiration date of November 30, 2004. Permit issued December 5, 2003.

21034068. David H. Martin Excavating, Inc. (4961 Cumberland Highway, Chambersburg, PA 17201), construction blasting at Bard Meadows in Shippensburg Township, **Cumberland County**, with an expiration date of December 25, 2006. Permit issued December 9, 2003.

28034042. David H. Martin Excavating, Inc. (4961 Cumberland Highway, Chambersburg, PA 17201), construction blasting at Licking Creek Estates in Montgom-

ery Township, **Franklin County**, with an expiration date of December 25, 2008. Permit issued December 9, 2003.

28034041. David H. Martin Excavating, Inc. (4961 Cumberland Highway, Chambersburg, PA 17201), construction blasting at MelRose Meadows/Phase II in Antrim Township, **Franklin County**, with an expiration date of December 25, 2008. Permit issued December 9, 2003.

06034058. Keystone Blasting Service (381 Reifsnnyder Road, Lititz, PA 17543), construction blasting for an animal waste storage facility in Marion Township, **Berks County**, with an expiration date of January 25, 2004. Permit issued December 10, 2003.

48034028. Rock Work, Inc. (1257 DeKalb Pike, R. D. 2, Blue Bell, PA 19422), construction blasting at Saddle Creek in Upper Mt. Bethel Township, **Northampton County**, with an expiration date of November 30, 2006. Permit issued December 10, 2003.

06034059. PAVEX Inc. (4400 Gettysburg Road, Camp Hill, PA 17011) and **Kesco, Inc.** (127 Oneida Valley Road, Butler, PA 16001), construction blasting at Morgantown Industrial Park Development in the City of Reading, **Berks County**, with an expiration date of January 25, 2004. Permit issued December 10, 2003.

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

10034005. Mark Mashuda Excavating (113 Lakeland Drive, Mars, PA 16046). Blasting Activity Permit to blast Penn Detroit Diesel—Allison in Cranberry Township, **Butler County**, for 90 days. Application received November 21, 2003. Permit issued December 8, 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 of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

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 of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

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

E46-947. REIT Management and Research, Centre Square, 1500 Market Street, Lower Mezzanine, Philadelphia, PA 19102-2100, ACOE Philadelphia District.

To perform the following activities associated with the REIT Stormwater Improvement Project within the floodway of Rap Run (TSF) and another unnamed tributary of the Pine Run:

1. Excavation and grading within the floodway to accommodate the construction of two retention basins and underground infiltration stormwater pipes and trenches.
2. Minor filling within the floodway to facilitate the construction of berms and spreader basins connected to outfall structures.

3. Construction of three outfall structures to discharge water from retention basin into the streams.

The project will temporarily impact approximately 1,440 feet of streambanks and approximately 480 feet of streambank permanently. The site is approximately 690 feet east of intersection of Delaware and Virginia Drives and within the Virginia Drive roadway loop bounded on the east and west by Virginia Drive (Ambler, PA Quadrangle N: 2.03 inches; W: 10.00 inches).

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

E41-531: Edward and Susan Myers, 539 Fink Road, Trout Run, PA 17771. Small Projects Water Obstruction and Encroachment Joint Permit Application in Lewis Township, **Lycoming County**, ACOE Susquehanna River Basin District (Cogan Station, PA Quadrangle N: 21.08 inches; W: 9.9 inches).

To construct and maintain a 20 feet wide by 36 feet long nonresidential structure in the floodway of Lycoming Creek, all of which is 1.0 mile south of Trout Run along Fink Road in Lewis Township, Lycoming County. The construction granted under this permit is a pole barn to take the place of four onsite existing structures; the new construction will not increase the overall enclosed area on the property. This permit was issued under section 105.13(e) "Small Projects."

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

E03-415. Gilpin Township, R. D. 1, Box 269, Leechburg, PA 15656. Elder Run box culvert in Gilpin Township, **Armstrong County**, Pittsburgh ACOE District (Leechburg, PA Quadrangle N: 8.7 inches; W: 13.3 inches) (Latitude: 40° 40' 22" —Longitude: 79° 35' 45"). To remove the existing structure and to construct and maintain a 27.0-foot long, 1.0-foot depressed 10.0-foot by 8.0-foot concrete box culvert in Elder Run (WWF) for the purpose of improving transportation safety and roadway standards. The project is on Hillview Manor Road.

SPECIAL NOTICES

Categorical Exclusion

Southwest Regional Office, Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Location: Leechburg Borough, 260 Market Street, Leechburg, PA 15656.

Description: The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's

State Revolving Fund, is intended to be the funding source for this project. The Borough proposes to replace a portion of their combined sewer system and to abandon a combined sewer overflow. The Department of Environmental Protection's (Department) review of the project and the information received has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby categorically excludes this project from the State Environmental Review Process.

Proposed Permit Transfers for Facilities

Bethlehem Steel Corporation to ISG Plate Inc.

The Department of Environmental Protection (Department) proposes to transfer certain permits, licenses and approvals at the following facilities. Certain permits, licenses and approvals previously issued to Bethlehem Steel Corporation are proposed to be transferred to ISG Plate Inc. A complete listing of the permits, licenses and approvals proposed for transfer follows. Questions should be directed to the following contact person. This list is also available on the Department's website: www.dep.state.pa.us (DEP Keyword: Bethlehem Steel Corporation).

Persons wishing to comment on the proposed permit transfers are invited to submit comments to the following contact person within 30 days from the date of this public notice. Comments received within this 30-day period will be considered in the formulation of the final determination regarding the proposed transfers. 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 the comment and the relevant facts upon which it is based. A public hearing may be held if the Department considers the public response significant.

Following the 30-day comment period, the Department will make a final decision concerning the permit, license and approval transfers. Notice of this determination will be published in the *Pennsylvania Bulletin*, at which time the determination may be appealed to the Environmental Hearing Board (Board).

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

Central Office: Lori Althoff, Bureau Director, Bureau of Regional Coordination and Program Evaluation, Rachel Carson State Office Building, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 783-7402.

<i>Facility</i>	<i>Permit, License, Approval</i>	<i>Permit or ID No.</i>	<i>Municipality</i>	<i>County</i>
Bethlehem Steel Corporation	Residual Waste Landfill	300176	Coatesville	Chester
	NPDES Permit	PA0011568		
	NPDES Permit	1590201		
	NPDES Permit	1676202		
	AQ Title 5 Permit	15-00010		
	Dam Permit	1573601		
	NPDES Permit	PA0050326		
AQ Title 5 Permit	46-00011			

Proposed Permit Transfers for Facilities

Brandywine Valley Railroad Company to ISG Railways, Inc.

The Department proposes to transfer certain permits, licenses and approvals at the following facilities. Certain permits, licenses and approvals previously issued to Brandywine Valley Railroad Company are proposed to be transferred to ISG

Railways, Inc. A complete listing of the permits, licenses and approvals proposed for transfer follows. Questions should be directed to the following contact person. This list is also available on the Department's website: www.dep.state.pa.us (DEP Keyword: Bethlehem Steel Corporation).

Persons wishing to comment on the proposed permit transfers are invited to submit their comments to the following contact person within 30 days from the date of this public notice. Comments received within this 30-day period will be considered in the formulation of the final determination regarding the proposed transfers. 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 the comment and the relevant facts upon which it is based. A public hearing may be held if the Department considers the public response significant.

Following the 30-day comment period, the Department will make a final decision concerning the permit, license and approval transfers. Notice of this determination will be published in the *Pennsylvania Bulletin*, at which time the determination may be appealed to the Board.

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

Central Office: Lori Althoff, Bureau Director, Bureau of Regional Coordination and Program Evaluation, Rachel Carson State Office Building, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 783-7402.

<i>Facility</i>	<i>Permit, License, Approval</i>	<i>Permit or ID No.</i>	<i>Municipality</i>	<i>County</i>
Brandywine Valley Railroad Company	NPDES Permit	PAR800076	South Coatesville	Chester

Proposed Permit Transfers for Facilities

Bethlehem Steel Corporation to ISG Steelton Inc.

The Department proposes to transfer certain permits, licenses and approvals at the following facilities. Certain permits, licenses and approvals previously issued to Bethlehem Steel Corporation are proposed to be transferred to ISG Steelton Inc. A complete listing of the permits, licenses and approvals proposed for transfer follows. Questions should be directed to the following contact person. This list is also available on the Department's website: www.dep.state.pa.us (DEP Keyword: Bethlehem Steel Corporation).

Persons wishing to comment on the proposed permit transfers are invited to submit their comments to the following contact person within 30 days from the date of this public notice. Comments received within this 30-day period will be considered in the formulation of the final determination regarding the proposed transfers. 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 the comment and the relevant facts upon which it is based. A public hearing may be held if the Department considers the public response significant.

Following the 30-day comment period, the Department will make a final decision concerning the permit, license and approval transfers. Notice of this determination will be published in the *Pennsylvania Bulletin*, at which time the determination may be appealed to the Board.

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

Central Office: Lori Althoff, Bureau Director, Bureau of Regional Coordination and Program Evaluation, Rachel Carson State Office Building, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 783-7402.

<i>Facility</i>	<i>Permit, License, Approval</i>	<i>Permit or ID No.</i>	<i>Municipality</i>	<i>County</i>
Bethlehem Steel Corporation	Residual Waste GP	WMGR065	Steelton	Dauphin
	NPDES Permit	PA0008303		
	AQ Title 5 Permit	22-05012		
	Hazardous Waste Permit	PAD003026531		

Proposed Permit Transfers for Facilities

Bethlehem Steel Corporation to Tecumseh Redevelopment, Inc.

The Department proposes to transfer certain permits, licenses and approvals at the following facilities. Certain permits, licenses and approvals previously issued to Bethlehem Steel Corporation are proposed to be transferred to Tecumseh Redevelopment, Inc. A complete listing of the permits, licenses and approvals proposed for transfer follows. Questions should be directed to the following contact person. This list is also available on the Department's website: www.dep.state.pa.us (DEP Keyword: Bethlehem Steel Corporation).

Persons wishing to comment on the proposed permit transfers are invited to submit their comments to the following contact person within 30 days from the date of this public notice. Comments received within this 30-day period will be considered in the formulation of the final determination regarding the proposed transfers. 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 the comment and the relevant facts upon which it is based. A public hearing may be held if the Department considers the public response significant.

Following the 30-day comment period, the Department will make a final decision concerning the permit, license and approval transfers. Notice of this determination will be published in the *Pennsylvania Bulletin*, at which time the determination may be appealed to the Board.

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

Central Office: Lori Althoff, Bureau Director, Bureau of Regional Coordination and Program Evaluation, Rachel Carson State Office Building, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 783-7402.

Facility	Permit, License, Approval	Permit or ID No.	Municipality	County
Bethlehem Works	NPDES Permit	PAR10U134	Bethlehem	Northampton
	NPDES Permit	PAR202236		
	NPDES Permit	PAR202237		
Riders Disposal Area	Hazardous Waste Facility	PAD004344222	Johnstown	Cambria
	NPDES Permit	PA0002992		

Proposed Permit Transfers for Facilities

Bethlehem Steel Corporation to Tow Path Valley Business Park Corporation

The Department proposes to transfer certain permits, licenses and approvals at the following facilities. Certain permits, licenses and approvals previously issued to Bethlehem Steel Corporation are proposed to be transferred to Tow Path Valley Business Park Corporation. A complete listing of the permits, licenses and approvals proposed for transfer follows. Questions should be directed to the following contact person. This list is also available on the Department's website: www.dep.state.pa.us (DEP Keyword: Bethlehem Steel Corporation).

Persons wishing to comment on the proposed permit transfers are invited to submit their comments to the following contact person within 30 days from the date of this public notice. Comments received within this 30-day period will be considered in the formulation of the final determination regarding the proposed transfers. 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 the comment and the relevant facts upon which it is based. A public hearing may be held if the Department considers the public response significant.

Following the 30-day comment period, the Department will make a final decision concerning the permit, license and approval transfers. Notice of this determination will be published in the *Pennsylvania Bulletin*, at which time the determination may be appealed to the Board.

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

Central Office: Lori Althoff, Bureau Director, Bureau of Regional Coordination and Program Evaluation, Rachel Carson State Office Building, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 783-7402.

Facility	Permit, License, Approval	Permit or ID No.	Municipality	County
Bethlehem Steel Corporation	NPDES Permit	PA0040614	City of Bethlehem Bethlehem	Lehigh Northampton
	Storage Tanks Registration	48-08814		

[Pa.B. Doc. No. 03-2457. Filed for public inspection December 26, 2003, 9:00 a.m.]

Board and Committee Meeting Schedules for 2004

August 25, 2004
October 20, 2004
December 15, 2004

The following is a list of 2004 meetings of advisory and other boards and committees associated with the Department of Environmental Protection (Department). Notice of these meetings is being given in accordance with 65 Pa.C.S. §§ 701—716 (relating to Sunshine Act).

These schedules and an agenda for each meeting, including meeting materials, will be available through the Public Participation Center on the Department's website at <http://www.dep.state.pa.us> (DEP Keyword: Participate).

Most of the meetings will be held in the Rachel Carson State Office Building, 400 Market Street, Harrisburg, across from the AMTRAK station. Public parking is available in the Chestnut Street Parking Garage.

Agricultural Advisory Board

The Agricultural Advisory Board meetings for 2004 will be held at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg. The meeting dates are as follows:

February 18, 2004
April 21, 2004
June 16, 2004

Contact: Dean Auchenbach, Bureau of Watershed Management, P. O. Box 8465, Harrisburg, PA 17105-8465, (717) 772-5668, dauchenbac@state.pa.us.

Air Quality Technical Advisory Committee (AQTAC)

The AQTAC will meet at 8:30 a.m. as follows on the dates and at the following locations:

- February 27, 2004 Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA
- April 27, 2004 Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA
- June 29, 2004 Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA
- August 10, 2004 Field Trip—location to be announced
- October 28, 2004 2nd Floor Training Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA

December 14, 2004 2nd Floor Training Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA

Contact: Terry L. Black, Bureau of Air Quality, P. O. Box 8468, Harrisburg, PA 17105-8468, (717) 787-2030, tblack@state.pa.us.

Certification Program Advisory Committee

The Certification Program Advisory Committee has selected the following dates for meetings in 2004:

February 19, 2004
March 18, 2004
October 6, 2004
December 9, 2004

The meetings will begin at 10 a.m. and be held in the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Contact: Lynn Rice, Bureau of Office Systems and Services, P. O. Box 8454, Harrisburg, PA 17105-8454, (717) 787-5326, mlrice@state.pa.us.

Chesapeake Bay Advisory Committee

The Chesapeake Bay Advisory Committee will hold quarterly meetings on the following dates. All meetings will begin at 9 a.m. and be held in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

March 4, 2004
June 3, 2004
September 2, 2004
December 2, 2004

Contact: Dave Reed, Bureau of Watershed Management, P. O. Box 8465, Harrisburg, PA 17105-8465, (717) 772-5649, davreed@state.pa.us.

Citizens Advisory Council (CAC)

Meetings of the CAC will be held in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meetings typically begin at 10:30 a.m. unless otherwise noted on the CAC's website at <http://www.cacdep.state.pa.us>. The meeting dates are as follows:

January 20, 2004
February 17, 2004
March 16, 2004
April 20, 2004
May 18, 2004
June 23, 24, 25, 2004 (Erie Regional Meeting)
July 20, 2004
September 21, 2004
October 19, 2004
November 16, 2004

Contact: Stephanie Mioff, Citizens Advisory Council, P. O. Box 8459, Harrisburg, PA 17105-8459, (717) 787-4527, smioffstate.pa.us.

Cleanup Standards Scientific Advisory Board (CSSAB)

Meetings of the CSSAB will begin at 9:30 a.m., Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

May 6, 2004
September 24, 2004
December 16, 2004

Contact: Marilyn Wooding or Thomas Fidler, Bureau of Land Recycling and Waste Management, (717) 783-7509, mwooding@state.pa.us, tfidler@state.pa.us.

Coal and Clay Mine Subsidence Insurance Fund Board

The annual meeting of the Coal and Clay Mine Subsidence Insurance Fund Board will begin at 10 a.m., 10th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting date is as follows:

December 16, 2004

Contact: Lawrence Ruane, Bureau of Mining and Reclamation, P. O. Box 8462, Harrisburg, PA 17105-8462, (717) 783-9590, lruane@state.pa.us.

Coastal Zone Advisory Committee

Meetings of the Coastal Zone Advisory Committee will begin at 9:30 a.m., 2nd Floor Training Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting date is:

January 21, 2004

Contact: Andrew Zemba, Coastal Zone Bureau, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 772-5633, azemba@state.pa.us.

Environmental Justice Advisory Board

The meetings for the Environmental Justice Advisory Board will begin at 10:30 a.m., Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

February 3, 2004
April 6, 2004
June 1, 2004
August 3, 2004
October 5, 2004
December 7, 2004

Contact: Lorraine Wagner, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 783-1566, lowagner@state.pa.us.

Environmental Quality Board (EQB)

Meetings of the EQB will begin at 9 a.m. the third Tuesday of each month in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. Meetings will only be held when there are a sufficient number of agenda items for consideration.

Meeting dates are as follows:

January 20, 2004 (Cancelled)	July 20, 2004
February 17, 2004	August 17, 2004
March 16, 2004	September 21, 2004
April 20, 2004	October 19, 2004
May 18, 2004	November 16, 2004
June 15, 2004	December 21, 2004

Contact: Sharon Trostle or Michele Tate, Environmental Quality Board, P. O. Box 8477, Harrisburg, PA 17105-8477, (717) 787-4526, shtrorstle@state.pa.us or mtate@state.pa.us.

Laboratory Accreditation Advisory Committee

Meetings of the Laboratory Accreditation Advisory Committee will begin at 10 a.m. and be held in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

February 10, 2004
April 13, 2004
June 8, 2004
August 12, 2004
October 12, 2004
December 14, 2004

Contact: Richard H. Sheibley, Bureau of Laboratories, P. O. Box 1467, Harrisburg, PA 17105-1467, (717) 705-2425, rsheibley@state.pa.us.

Low-Level Waste Advisory Committee (LLWAC)

The annual meeting of the LLWAC will begin at 9 a.m. and be held on the following date:

September 23, 2004 Room 105, Rachel Carson State Office Building, Harrisburg PA

Contact: Rich Janati, Bureau of Radiation Protection, (800) 232-2786 (toll-free), (717) 787-2163, e-mail rjanati@state.pa.us.

Mining and Reclamation Advisory Board (MRAB)

The MRAB will hold quarterly meetings in the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA will begin at 10 a.m. The meeting dates and locations are as follows:

January 8, 2004 16th Floor Delaware Room, Rachel Carson State Office Building, Harrisburg, PA

April 22, 2004 Room 105, Rachel Carson State Office Building, Harrisburg, PA

July 8, 2004 Field Meeting—location and time to be announced

October 28, 2004 Room 105, Rachel Carson State Office Building, Harrisburg, PA

Contact: G. Nevin Strock or Lara Logan, Bureau of Mining and Reclamation, P. O. Box 8461, Harrisburg, PA 17105-8461, (717) 787-5103, gstrock@state.pa.us or llogan@state.pa.us.

Nonpoint Source Liaison Workgroup (NPS)

Meetings of the NPS will begin at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

June 2, 2004
October 21, 2004

Contact: Fran Koch, Bureau of Watershed Management, P. O. Box 8555, Harrisburg, PA 17105-8555, (717) 783-2289, fkoch@state.pa.us.

Oil and Gas Technical Advisory Board

Meetings of the Oil and Gas Technical Advisory Board will begin at 10 a.m., 10th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

April 22, 2004
October 28, 2004

Contact: James E. Erb or Joyce Williams, Bureau of Oil and Gas Management, P. O. Box 8765, Harrisburg, PA 17105-8765, (717) 772-2199, jerb@state.pa.us or joywilliam@state.pa.us.

Pennsylvania Association of Sewage Enforcement Officers (PASEO)/DEP Work Group

Meetings of the PASEO/DEP Work Group will be held at 10 a.m., Ramada Inn in State College, PA. The meeting dates are as follows:

April 13, 2004
October 5, 2004

Contact: John McHale, Bureau of Water Supply and Wastewater Management, P. O. Box 8774, Harrisburg, PA 17105-8774, (717) 787-8184, jomchale@state.pa.us.

Radiation Protection Advisory Committee (RPAC)

Meetings of the RPAC will begin at 9 a.m. and be held in the 12th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

April 22, 2004
October 7, 2004

Contact: Louis Ray Urciuolo, Bureau of Radiation Protection, P. O. Box 8469, Harrisburg, PA 17105-8469, (717) 787-3720, lurciuolo@state.pa.us.

Recycling Fund Advisory Committee (RFAC)

Meetings of the RFAC will begin at 10 a.m. as follows:

March 11, 2004 Room 105, Rachel Carson State Office Building, Harrisburg, PA

July 8, 2004 Room 105, Rachel Carson State Office Building, Harrisburg, PA

November 4, 2004 Room 105, Rachel Carson State Office Building, Harrisburg, PA

Contact: Tammy Snyder or Gayle Leader, Bureau of Land Recycling and Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471, (717) 787-9871, tasnyder@state.pa.us, gleader@state.pa.us.

Sewage Advisory Committee (SAC)

Meetings of the SAC will begin at 10 a.m. in Room 105, Rachel Carson State Office Building. The meeting dates are as follows:

March 31, 2004
October 6, 2004

Contact: Jay Africa, Bureau of Water Supply and Wastewater Management, P. O. Box 8774, Harrisburg, PA 17105-8774, (717) 787-8184, jafrika@state.pa.us.

Small Business Compliance Advisory Committee

Meetings of the Small Business Compliance Advisory Committee will hold quarterly meetings as follows. The meetings will begin at 10 a.m., 14th Floor Conference Room of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. Prior to the meeting, check the meeting information at the Department's website, <http://www.dep.state.pa.us> (DEP Keyword: Small Business) to confirm meeting date, time and location.

January 28, 2004
April 28, 2004
July 28, 2004
October 27, 2004

Contact: Jon Miller, Bureau of Air Quality, P. O. Box 8468, Harrisburg, PA 17105-8468, (717) 787-7019, jonmiller@state.pa.us.

Solid Waste Advisory Committee (SWAC)

The SWAC meetings will be held the second Thursday of every other month; additional meetings may be scheduled to accommodate the agenda items for the Committee. All meetings are expected to begin at 10 a.m. and will be held at the following locations, on the following dates:

January 8, 2004 Room 105, Rachel Carson State Office Building, Harrisburg, PA

*April 8, 2004 14th Floor, Rachel Carson State Office Building, Harrisburg, PA

May 13, 2004 Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA

September 9-10, 2004 King's Gap Environmental Education Center, Carlisle, PA

Contact: Tammy Snyder or Gayle Leader, Bureau of Land Recycling and Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471, (717) 787-9871, tasnyder@state.pa.us, gleader@state.pa.us.

*Note: State Solid Waste Plan Subcommittee Meeting.
State Board for Certification of Sewage Enforcement Officers

Meetings of the State Board for Certification of Sewage Enforcement Officers will begin at 10 a.m. in the 10th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

March 19, 2004
June 18, 2004
September 17, 2004
December 17, 2004

Contact: Renee Nease, Certification, Licensing and Bonding, P. O. Box 8454, Harrisburg, PA 17105-8454, (717) 787-6045, mnease@state.pa.us.

State Board for Certification of Water and Wastewater Systems Operators

The State Board for Certification of Water and Wastewater Systems Operators has selected the following dates for meetings in 2004:

January 9, 2004
March 11, 2004
May 21, 2004
July 30, 2004
October 15, 2004
December 10, 2004

The meetings will begin at 9 a.m. and be held in the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Contact: Lynn Rice, Bureau of Office Systems and Services, P. O. Box 8454, Harrisburg, PA 17105-8454, (717) 787-5326, mlrice@state.pa.us.

Storage Tank Advisory Committee (STAC)

Meetings of the STAC will begin at 10 a.m. in the 10th Floor Conference Room, Rachel Carson State Office Building. The meeting dates are as follows:

March 2, 2004
June 1, 2004
September 14, 2004
December 7, 2004

Contact: Ruth M. Carmen, Bureau of Land Recycling and Waste Management, P. O. Box 8762, Harrisburg, PA 17105-8762, (717) 772-5831, (800) 42-TANKS (within PA), rcarmen@state.pa.us.

Stormwater Manual Oversight Committee

Meetings of the Stormwater Manual Oversight Committee will begin at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

January 27, 2004
March 2, 2004
May 4, 2004
July 27, 2004
September 28, 2004
December 8, 2004

Contact: Kenneth Reisinger, Bureau of Watershed Management, P. O. Box 8555, Harrisburg, PA 17105-8555, (717) 787-6827, kereisinger@state.pa.us.

Technical Advisory Committee on Diesel-Powered Equipment

Meetings of the Technical Advisory Committee on Diesel-Powered Equipment will begin at 10 a.m. in the Fayette County Health Center, Uniontown, PA. The meeting dates are as follows:

January 20, 2004
April 20, 2004
July 20, 2004
October 19, 2004

Contact: Allison Gaida, Bureau of Deep Mine Safety, Fayette County Health Center, 100 New Salem Road, Room 167, Uniontown, PA 15401, (724) 439-7469, agaida@state.pa.us.

Small Water Systems Technical Assistance Center Advisory Board

The Small Water Systems Technical Assistance Center Board announces its schedule of 2004 meetings. The meetings will begin at 10 a.m. as follows:

February 12, 2004 Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA
May 13, 2004 Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA
August 19, 2004 Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA
November 4, 2004 Susquehanna Room B, Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg

Contact: Ray Braun, Bureau of Water and Wastewater Management, (717) 787-0122, rbraun@state.pa.us.

Water Resources Advisory Committee (WRAC)

Meetings of the WRAC will begin at 9:30 a.m., Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

January 14, 2004
March 10, 2004
May 12, 2004
July 14, 2004
September 8, 2004
November 10, 2004

Contact: Carol Young, Bureau of Water Supply and Wastewater Management, (717) 787-9637, cayoung@state.pa.us.

Wetlands Protection Advisory Committee (WETPAC)

Meetings of the WETPAC will begin at 10 a.m., Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

February 19, 2004
May 20, 2004
August 26, 2004
November 23, 2004

Contact: Kelly Heffner, Bureau of Watershed Management, (717) 772-5970, kheffner@state.pa.us.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should

contact the individual listed for each board or committee, or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 03-2458. Filed for public inspection December 26, 2003, 9:00 a.m.]

Proposed Revision to the State Implementation Plan for Ozone for the Philadelphia Ozone Nonattainment Area; 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 Philadelphia ozone nonattainment area (Bucks, Chester, Delaware, Montgomery and Philadelphia Counties).

The Clean Air Act requires the Philadelphia area to have made incremental reductions in the emissions that cause ground-level ozone through 2005. The United States Environmental Protection Agency (EPA) approved the most recent "rate of progress" demonstration in October 2001. In January 2002, the EPA revised the methodology by which highway vehicle emissions are calculated. The Department is now proposing to revise its SIP to include a demonstration that the area continues to meet the 2005 rate of progress requirements with this new methodology.

This proposal is available through the following contact persons or on the Department's website: www.dep.state.pa.us (DEP Keyword: Clean Air Plans).

The Department will hold a public hearing to receive comments on the SIP revision on Thursday, January 29, 2004, at 1 p.m. at the Delaware Valley Regional Planning Commission, The Bourse Building, 111 South Independence Mall East, 8th Floor, Philadelphia. Directions can be found at www.dvrpc.org.

Persons wishing to present testimony at the hearing should reserve a time by contacting Susan Ferree, P. O. Box 8468, Harrisburg, PA 17105, (717) 787-9495. Persons 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 participate in the proceeding should contact Wick Havens, (717) 787-9495. TDD users may contact the AT&T Relay Service at (800) 654-5984 to discuss how the Department can best accommodate their needs.

Written comments on the proposed revisions to the SIP should be sent to Wick Havens, Chief, Division of Air Resource Management, Bureau of Air Quality, P. O. Box 8468, Harrisburg, PA 17105-8468 by the close of business on January 30, 2004.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 03-2459. Filed for public inspection December 26, 2003, 9:00 a.m.]

Request for Proposals for Professional Ethics Course

The Department of Environmental Protection (Department) is seeking a consultant to create a professional ethics course for licensed professional engineers and geologists, unlicensed engineering and geologic staff and supervisors and managers of employees in engineering or geologic job classifications. The purpose of the course is to: (1) provide information on ethical conduct of licensed professionals, practice of licensed professionals and professional in charge at the Department; (2) differentiate situations where a clear answer is possible from situations where "professional judgment" applies; (3) educate and develop unlicensed engineering and geologic staff regarding ethical conduct on their path toward getting licenses; and (4) educate licensed engineers and geologists, unlicensed engineering and geologic staff and their supervisors and managers regarding Act 367. The contact is for 3 years with a 2-year renewal.

To request a copy of the Request for Proposals (RFP), contact the Bureau of Human Resources, Department of Environmental Protection, Rachel Carson State Office Building, 400 Market Street/2nd Floor, Harrisburg, PA 17105-2357, (717) 783-5374, (717) 787-2938, nhuizinga@state.pa.us. A pre-proposal conference will be held on Tuesday, January 20, 2004, at 11 a.m. in the 14th Floor Conference Room, Rachel Carson State Office Building. A written response to the RFP must be delivered to the previous address by 2 p.m. on Wednesday, March 3, 2004.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 03-2460. Filed for public inspection December 26, 2003, 9:00 a.m.]

DEPARTMENT OF HEALTH

Application of Evangelical Community Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Evangelical Community Hospital has requested an exception to the requirements of 28 Pa. Code § 51.23 (relating to positron emission tomography).

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

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation

to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons, V/TT (717) 783-6514 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. 03-2461. Filed for public inspection December 26, 2003, 9:00 a.m.]

Application of Southwestern Endoscopy Center, LLC for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Southwestern Endoscopy Center, LLC has requested an exception to the requirements of 28 Pa. Code § 551.3 (relating to definitions).

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

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons, V/TT (717) 783-6514 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. 03-2462. Filed for public inspection December 26, 2003, 9:00 a.m.]

Health Policy Board Meetings

The Health Policy Board has set its calendar for the year 2004. The meeting dates are scheduled as follows:

March 17, 2004
June 16, 2004
September 15, 2004
December 15, 2004

All meetings will begin at 10 a.m. in Room 812, Health and Welfare Building, 7th and Forster Streets, Harrisburg, PA.

These meetings are subject to cancellation without notice.

For additional information or persons with a disability who wish to attend the meetings and require an auxiliary aid, service or other accommodation to do so, contact Joseph May, (717) 772-5298, 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. 03-2463. Filed for public inspection December 26, 2003, 9:00 a.m.]

DEPARTMENT OF PUBLIC WELFARE

Payment for Nursing Facility Services; Change of the Definition of MA Day of Care

The purpose of this announcement is to provide advance notice under 42 CFR 447.205 that the Department of Public Welfare (Department) intends to make changes in its methods and standards for payment of Medical Assistance (MA) nursing facility services beginning fiscal year 2003-2004. More specifically, the Department intends to publish a proposed rulemaking which, if adopted, will amend 55 Pa. Code § 1187.2 (relating to definitions) by changing the definition of "MA day of care."

The expansion of the HealthChoices Program and the expansion of the Long Term Care Capitated Assistance Program (LTCCAP) has increased the likelihood that an MA recipient who is admitted to a nursing facility will be enrolled in either a managed care organization (MCO) under contract with the Department or the LTCCAP. As a result, MCOs and LTCCAP providers will pay nursing facilities for a greater number of resident days of care.

Neither an MCO or LTCCAP paid day of care qualifies as an MA day of care as the term is currently defined in 55 Pa. Code § 1187.2. The Department intends to propose amendments to the regulatory definition that would expand the definition of an MA day of care to include days of care for which an MCO under contract with the Department or LTCCAP provider pays 100% of the negotiated rate or fee for the MA resident's care in a nursing facility and days of care for which the resident and an MCO under contract with the Department or LTCCAP provider pays 100% of the negotiated rate or fee for the MA resident's care in the nursing facility. In addition, the Department intends to propose amendments that would further expand the definition of an "MA day of care" to include days of care for which the Department makes payment for MA residents receiving hospice services in a nursing facility.

The Department will propose that this change in the definition of an "MA day of care" should take effect January 1, 2004, and should apply to disproportionate share incentive payments for fiscal periods ending on and after December 31, 2003, and to the MA case-mix index for picture dates beginning February 1, 2004.

Fiscal Impact

If these proposed amendments to the definition of an "MA day of care" are adopted, the Department estimates that annual aggregate expenditures for MA nursing facility services for FY 2003-2004 will increase by \$500,000 (\$212,000 in State funds).

Public Comment

A copy of this notice is available for review by contacting Gail Weidman, Long Term Care Policy Section, (717) 705-3705. Interested persons are invited to submit writ-

ten comments regarding this notice to the Department within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Comments should be addressed to Department of Public Welfare, Division of Long-Term Care Client Services, Attn: Gail Weidman, P. O. Box 2675, Harrisburg, PA 17105.

Following review and consideration of any comments received in response to this notice, the Department intends to publish notice of proposed rulemaking in the *Pennsylvania Bulletin* announcing the proposed change in the definition of "MA day of care."

Persons with a disability may use the AT&T Relay Service, (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

ESTELLE B. RICHMAN,
Secretary

Fiscal Note: 14-NOT-376. (1) General Fund; (2) Implementing Year 2003-04 is \$212,000; (3) 1st Succeeding Year 2004-05 is \$237,000; 2nd Succeeding Year 2005-06 is \$245,000; 3rd Succeeding Year 2006-07 is \$252,000; 4th Succeeding Year 2007-08 is \$260,000; 5th Succeeding Year 2008-09 is \$268,000; (4) 2001-02 Program—\$761,877,000; 2000-01 Program—\$722,565,000; 1999-00 Program—\$693,625,000; (7) Medical Assistance—Long Term Care; (8) recommends adoption. Funding for these changes has been provided through the Department's Intergovernmental Transfer Agreement for fiscal years 2003-04 and 2004-05.

[Pa.B. Doc. No. 03-2464. Filed for public inspection December 26, 2003, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Approved Speed-Timing Devices and Appointment of Maintenance and Calibration Stations

The Department of Transportation (Department), Bureau of Motor Vehicles, under the authority of 75 Pa.C.S. § 3368 (relating to speed timing devices), has approved for use, until the next comprehensive list is published, subject to interim amendment, the following electronic speed-timing devices (radar and nonradar) which measure elapsed time between measured road surface points by using two sensors and electronic speed timing devices (nonradar), which calculate average speed between any two points.

Under 75 Pa.C.S. § 3368(c)(2), the Department has approved, for use only by members of the State Police, the following electronic speed-timing devices (radar) when used in the stationary mode only:

(1) Falcon Radar (identified on the radar housing as FALCON). Manufactured by Kustom Signals, Incorporated, 9325 Pflumm, Lenexa, Kansas 66215.

(2) H.A.W.K. Traffic Safety Radar System (identified on the radar housing as H.A.W.K.). Manufactured by Kustom Signals, Incorporated, 9325 Pflumm, Lenexa, Kansas 66215.

(3) KR-10, Stationary Radar (identified on the radar housing as KR-10). Manufactured by Kustom Signals, Incorporated, 9325 Pflumm, Lenexa, Kansas 66215.

(4) KR-10, Stationary Radar (identified on the radar housing as KR-10). Manufactured by Kustom Electronics, Incorporated, 8320 Nieman Road, Lenexa, Kansas 66214.

(5) KR-10SP, Stationary Radar (identified on the radar housing as KR-10SP). Manufactured by Kustom Signals, Incorporated, 9325 Pflumm, Lenexa, Kansas 66215.

(6) KR-10SP, Stationary Radar (identified on the radar housing as KR-10). Manufactured by Kustom Electronics, Incorporated, 8320 Nieman Road, Lenexa, Kansas 66214.

(7) Model 100, Decatur RA-GUN (identified on the radar housing as RA-GUN). Manufactured by Decatur Electronics, Incorporated, 715 Bright Street, Decatur, Illinois 62522.

(8) Genesis-I. Manufactured by Decatur Electronics, Incorporated, 715 Bright Street, Decatur, Illinois 62522.

(9) Genesis Handheld (GHS). Manufactured by Decatur Electronics, Incorporated, 715 Bright Street, Decatur, Illinois 62522.

(10) Stalker Dual, Manufactured by Applied Concepts, Incorporated, 730 F, Avenue, Suite 200, Plano, Texas 75074.

(11) Stalker Dual SL. Manufactured by Applied Concepts, Incorporated, 730 F, Avenue, Suite 200, Plano, Texas 75074.

(12) Stalker Dual DSR, Manufactured by Applied Concepts, Incorporated, 730 F, Avenue, Suite 200, Plano, Texas 75074.

(13) TS-3. Manufactured by MPH Industries, Incorporated, 316 East 9th Street, Owensboro, Kentucky 42303.

(14) Vindicator (VH-1) (Identified on the radar housing as Vindicator). Manufactured by MPH Incorporated, 316 East 9th Street, Owensboro, Kentucky 42303.

(15) MPH Model K-15. Manufactured by MPH Industries, Incorporated, 316 East 9th Street, Owensboro, Kentucky 42303.

(16) Stalker. Manufactured by Applied Concepts, Incorporated, 730 F, Avenue, Suite 200, Plano, Texas 75074.

(17) Eagle Plus. Manufactured by Kustom Signals, Incorporated, 9325 Pflumm, Lenexa, Kansas 66215-3347.

Under 75 Pa.C.S. § 3368(c)(3), the Department has approved, for use by any police officer, the following electronic speed-timing devices (nonradar) which measure elapsed time between measured road surface points by using two sensors:

(1) Electrical Speed Timing System. Manufactured by Richard Hageman, 98 South Penn Dixie Road, Nazareth, Pennsylvania 18064.

(2) Model TK 100, Excessive Speed Preventor. Manufactured by Systems Innovation, Incorporated, Steam Hollow Road, R. D. 2, Hallstead, Pennsylvania 18822.

(3) Model TK 100, Excessive Speed Preventor. Manufactured by Targetron, Incorporated, 190 Angletown Road, Muncy, Pennsylvania 17756.

(4) Speed Chek (identified on the housing as Speed Chek model one, Mfd. for: The Union Agency, Unionville, Pa. 19375). Manufactured by Sterner Lighting Systems, Incorporated, 351 Lewis Avenue, Winsted, Minnesota 55395.

(5) Model TK 100, Excessive Speed Preventor Infrared. Manufactured by Systems Innovation, Incorporated, Steam Hollow Road, R. D. 2, Hallstead, Pennsylvania 18822.

(6) Model TK 100, Excessive Speed Preventor Infrared. Manufactured by Targetron, Incorporated, 190 Angletown Road, Muncy, Pennsylvania 17756.

(7) Enradd, Model EJU-91. Manufactured by Y.I.S. Incorporated, 1049 Hartley Street, P. O. Box 3044, York, Pennsylvania 17404.

(8) Enradd, Model EJU-91 with Non-Contact Road Switch System. Manufactured by Y.I.S. Incorporated, 1049 Hartley Street, P. O. Box 3044, York, Pennsylvania 17404.

(9) Enradd, Model EJU-91 Wireless System. Manufactured by Y.I.S. Incorporated, 1049 Hartley Street, P. O. Box 3044, York, Pennsylvania 17404.

Under 75 Pa.C.S. § 3368(c)(1) and (3), the Department has approved the use of electronic and mechanical stopwatches as speed-timing devices for use by any police officer. The Department has approved these speed-timing devices upon submission of a certificate of stopwatch accuracy indicating that a stopwatch has been successfully tested in accordance with the requirements of 67 Pa. Code Chapter 105 (relating to mechanical, electrical and electronic speed-timing devices). The Department issues an approved speed-timing device certificate for the device, as required by § 105.72 (relating to equipment approval procedure). The Department does not publish a listing of these approved speed-timing devices because they are approved individually by serial number and police department. Therefore, if a citation is contested, it is necessary for the police department to show both the certificate of stopwatch accuracy, which was issued within 60 days of the citation, and an approved speed-timing device certificate issued by the Department.

Under 75 Pa.C.S. § 3368(c)(3), the Department has approved, for use by any police officer, the following electronic speed-timing device (nonradar) which calculates average speed between any two points:

(1) VASCAR-plus. Manufactured by Traffic Safety Systems, a division of Power Systems & Controls, Incorporated, 3206 Lanvale Avenue, Richmond, Virginia 23230.

(2) VASCAR-plus II. Manufactured by Traffic Safety Systems, a division of Power Systems & Controls, Incorporated, 3206 Lanvale Avenue, Richmond, Virginia 23230.

(3) VASCAR-plus III. Manufactured by Traffic Safety Systems a division of Power Systems & Controls, Incorporated 3206 Lanvale Avenue, Richmond, Virginia 23230.

(4) V-SPEC. Manufactured by Y.I.S. Incorporated, 1049 Hartley Street, P. O. Box 3044, York, Pennsylvania 17404.

(5) Tracker by Patco. Manufactured by Kustom Signals, Incorporated, 9325 Pflumm Lenexa, Kansas 66215.

The Department, under 75 Pa.C.S. § 3368(d), has appointed the following stations for calibrating and testing speed-timing devices until the next comprehensive list is published, subject to interim amendment.

The Department has appointed, under 75 Pa.C.S. § 3368(d), the following Official Electronic Device Testing Stations for radar devices, which may only be used by members of the State Police:

Davidheiser's Speedometer Repair, Incorporated, 181 Ridge Road, Telford, Montgomery County, PA 18969 (Appointed: 12/22/01, Station R8).

Guth Laboratories, Incorporated, 590 North 67th Street, Harrisburg, Dauphin County, PA 17111-4511 (Appointed: 01/27/97, Station R2).

S & D Calibration Services, 29 Prosperity Street, Monongahela, Washington County, PA 15063 (Appointed: 08/15/03, Station R11).

Simco Electronics, 2125 South West 28th Street, Allentown, Lehigh County, PA 18103 (Appointed: 09/19/96, Station R9).

Thomas Associates R & E Inc., 65 S Mountain Boulevard, Mountain Top, Luzerne County, PA 18707 (Appointed: 03/28/83, Station R7).

Wisco Calibration Services, Inc. 1002 Mckee Road, Oakdale, Allegheny County, PA 15071 (Appointed: 07/14/99, Station R10).

YIS Inc., 1049 North Hartley Street, York, York County, PA 17402 (Appointed: 01/14/75, Station R3).

The Department has appointed, under 75 Pa.C.S. § 3368(b), the following Official Speedometer Testing Stations:

Auto Electric & Speedometer Service, 7019 Beaver Dam Road, Levittown, Bucks County, PA 19057 (Appointed: 03/14/74, Station S54).

Auto Technology-Vocational Technical School Laboratory, 540 North Harrison Road, Pleasant Gap, Centre County, PA 16823 (Appointed: 02/10/69, Station S22).

Bob's Speedometer Service, Incorporated, 1920 West Marshall Street, Norristown, Montgomery County, PA 19403 (Appointed: 11/15/77, Station S79).

Briggs-Hagenlocher, 1110 Chestnut Street, Erie, Erie County, PA 16501 (Appointed: 03/25/93, Station S39).

James M. Coulston, Incorporated, 2915 Swede Road, Norristown, Montgomery County, PA 19401 (Appointed: 02/11/75, Station S49).

Dave's Service Center, 3617 Nicholas Street, Easton, Northampton County, PA 18045 (Appointed: 10/29/76, Station S33).

Davidheiser's Speedometer Repair, Incorporated, 181 Ridge Road, Telford, Montgomery County, PA 18969—Also authorized to use mobile units (Appointed: 11/25/63, Station S19).

Gabe's Speedometer Service, 2635 West Passyunk Avenue, Philadelphia, Philadelphia County, PA 19145 (Appointed: 06/03/97, Station S85).

Humenicks Auto Electric, 646 East Diamond Avenue, Hazleton, Luzerne County, PA 18201 (Appointed: 11/13/67, Station S74).

Izer Garage, 4616 Buchanan Trail East, Zullinger, Franklin County, PA 17272 (Appointed: 02/23/53, Station S106).

George's Garage, 868 Providence Road, Scranton, Lackawanna County, PA 18508 (Appointed: 04/15/98, Station S8).

K & M Automotive Electric Service, 1004-24th Street, Beaver Falls, Beaver County, PA 15010 (Appointed: 11/13/67, Station S23).

Mack Enterprises of Reading, 4226 Pottsville Pike, Reading, Berks County, PA 19605 (Appointed: 05/15/79, Station S1).

Mahramus Specialty Auto Service, 286 Muse Bishop Road, Canonsburg, Washington County, PA 15317 (Appointed: 01/03/84, Station S7).

Melody Lakes Tire & Auto Care, Incorporated, 1113 North West End Boulevard, Quakertown, Bucks County, PA 18951 (Appointed: 09/15/71, Station S38).

North Boro Speedometer Service, 547 California Avenue, Pittsburgh, Allegheny County, PA 15202 (Appointed: 11/02/78, Station S69).

Powl's Speedometer Service, Incorporated, 2340 Dairy Road, Lancaster, Lancaster County, PA 17601—Also authorized to use mobile units (Appointed: 06/09/97, Station S82).

Rabold's Services, 2034 Boas Street, Harrisburg, Dauphin County, PA 17103—Also authorized to use mobile units (Appointed: 06/29/62, Station S67).

S & D Calibration Services, 1963 Route 837, Monongahela, Washington County, PA 15063—Also authorized to use mobile units (Appointed: 03/22/83, Station S35).

Stewart's Speedometer & Auto Parts, 112 South Third Street, Youngwood, Westmoreland County, PA 15601 (Appointed: 03/20/80, Station S58).

Thoman Auto Electric, Incorporated, 227 Valley Street, Lewistown, Mifflin County, PA 17044 (Appointed: 10/03/78, Station S104).

Thomas Auto Electric, 109 North 9th Street, Stroudsburg, Monroe County, PA 18360 (Appointed: 07/24/89, Station S105).

The Department has appointed, under 75 Pa.C.S. § 3368(d), the following Official Electronic Device Testing Stations for nonradar devices, which measure elapsed time between measured road surface points by using two sensors:

Davidheiser's Speedometer Repair, Incorporated, 181 Ridge Road, Telford, Montgomery County, PA 18969—Also authorized to use mobile units (Appointed: 04/07/93, Station EL3).

Rabolds Services, 2034 Boas Street, Harrisburg, Dauphin County, PA 17103—Also authorized to use mobile units (Appointed: 02/27/92, Station EL22).

S & D Calibration Services, 29 Prosperity Street, Monongahela, Washington County, PA 15063—Also authorized to use mobile units (Appointed: 03/14/02, Station EL1).

S & D Calibration Services, 115 Walnut Drive, Eighty Four, Washington County, PA 15330—Also authorized to use mobile units (Appointed: 09/14/82, Station EL11).

Speed Enforcement, Incorporated, R. D. 1, Box 32, Randolph Road, Great Bend, Susquehanna County, PA 18821—Also authorized to use mobile units (Appointed: 03/26/85, Station EL14).

Systems Innovation, Incorporated, Steam Hollow Road, R. D. 2, Hallstead, Susquehanna County, PA 18822—Also authorized to use mobile units (Appointed: 12/01/78, Station EL2).

Targetron, Incorporated, 190 Angletown Road, Muncy, Lycoming County, PA 17756—Also authorized to use mobile units (Appointed: 05/07/91, Station EL21).

Mahramus Specialty Auto Service, 285 Muse Bishop Road, Cannonsburg, Washington County, PA 15317 (Appointed: 07/31/97, Station EL18).

YIS/Cowden Group, 1049 North Hartley Street, York, York County, PA 17404—Also authorized to use mobile units (Appointed: 02/20/80, Station EL7).

The Department has appointed, under 75 Pa.C.S. § 3368(d), the following Official Stopwatch Testing Stations:

Beebrower Incorporated, 1546 East Pleasant Valley Boulevard, Altoona, Blair County, PA 16602 (Appointed: 09/02/77, Station W14).

George L. Cogley, 1222 Liberty Avenue, Natrona Heights, Allegheny County, PA 15065 (Appointed: 09/27/77, Station W9).

Department of General Services Metrology, Room B-124, Transportation and Safety Building, Harrisburg, Dauphin County, PA 17120 (Appointed: 03/09/79, Station W18).

Davidheiser's Speedometer Repair, Incorporated, 181 Ridge Road, Telford, Montgomery County, PA 18969—Also authorized to use mobile units (Appointed: 10/28/77, Station W29).

Green Jewelers, Route 819, Armbrust, Westmoreland County, PA 15616 (Appointed: 06/23/78, Station W41).

Hostetter's Jewelers, 2 Hill Street, Shrewsbury, York County, PA 17361 (Appointed: 11/18/77, Station W30).

Leitzel's Jewelry, 422 East, Myerstown, Lebanon County, PA 17067 (Appointed: 09/01/87, Station W58).

Leitzel's Jewelry Store, 296 Center Street, Millersburg, Dauphin County, PA 19061 (Appointed: 07/28/77, Station W7).

Mountz Jewelers, 153 North Hanover Street, Carlisle, Cumberland County, PA 17013 (Appointed: 09/21/87, Station W59).

Precision Watch Repair Company, 1015 Chestnut Street, Room 1010, Philadelphia, Philadelphia County, PA 19107 (Appointed: 09/24/80, Station W54).

Rabold's Services, 2034 Boas Street, Harrisburg, Dauphin County, PA 17103—Also authorized to use mobile units (Appointed: 09/15/86, Station W56).

Oscar Roth Jewelers, 659 Memorial Highway, Dallas, Luzerne County, PA 18612 (Appointed: 09/22/78, Station W47).

S & D Calibration Services, 29 Prosperity Street, Monongahela, Washington County, PA 15063—Also authorized to use mobile units (Appointed: 03/14/02, Station W1).

S & D Calibration, 115 Walnut Drive, Eighty Four, Washington County, PA 15330—Also authorized to use mobile units (Appointed: 10/10/89, Station W61).

Servinsky Jewelers, 610 Second Street, Cresson, Cambria County, PA 16630 (Appointed: 05/18/78, Station W40).

Systems Innovation, Incorporated, Steam Hollow Road, R. D. 2, Hallstead, Susquehanna County, PA 18822—Also authorized to use mobile units (Appointed: 04/22/91, Station W63).

Targetron, Incorporated, 190 Angletown Road, Muncy, Lycoming County, PA 17756—Also authorized to use mobile units (Appointed: 05/07/91, Station W64).

Wolf's Jewelry, 314 Market Street, Lewisburg, Union County, PA 17837 (Appointed: 10/06/77, Station W22).

YIS/Cowden Group, 1049 North Hartley Street, York, York County, PA 17404—Also authorized to use mobile units (Appointed: 08/30/89, Station W60).

The Department has appointed, under 75 Pa.C.S. § 3368(d), the following Official Electronic Device Testing Stations for nonradar devices which calculates average speed between any two points:

Davidheiser's Speedometer Repair, Incorporated, 181 Ridge Road, Telford, Montgomery County, PA 18969—Also authorized to use mobile units (Appointed: 02/11/93, Station EM23).

Rabolds Services, 2034 Boas Street, Harrisburg, Dauphin County, PA 17103—Also authorized to use mobile units (Appointed: 02/27/92, Station EM22).

S & D Calibration Services, 29 Prosperity Street, Monongahela, Washington County, PA 15063—Also authorized to use mobile units (Appointed: 03/14/02, Station EM1).

S & D Calibration, 115 Walnut Drive, Eighty Four, Washington County, PA 15330—Also authorized to use mobile units (Appointed: 09/14/82, Station EM6).

Speed Enforcement, Incorporated, R. D. 1, Box 32, Randolph Road, Great Bend, Susquehanna County, PA 18821—Also authorized to use mobile units (Appointed: 02/27/85, Station EM13).

Systems Innovation, Incorporated, Steam Hollow Road, R. D. 2, Hallstead, Susquehanna County, PA 18822—Also authorized to use mobile units (Appointed: 10/02/80, Station EM2).

Mahramus Specialty Auto Service, 285 Muse Bishop Road, Canonsburg, Washington County, PA 15317 (Appointed: 08/13/97, Station EM12).

Targetron, Incorporated, 190 Angletown Road, Muncy, Lycoming County, PA 17756—Also authorized to use mobile units (Appointed: 05/07/91, Station EM21).

YIS/Cowden Group, 1049 North Hartley Street, York, York County, PA 17404—Also authorized to use mobile units (Appointed: 12/20/80, Station EM5).

Comments, suggestions or questions should be directed to Peter Gertz, Manager, Administrative and Technical Support Section, Vehicle Inspection Division, Bureau of Motor Vehicles, Riverfront Office Center, 1101 South Front Street, Harrisburg, PA 17104, (717) 783-5842.

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

[Pa.B. Doc. No. 03-2465. Filed for public inspection December 26, 2003, 9:00 a.m.]

Finding Wayne County

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

The Federal Highway Administration and the Department of Transportation (Department) plan to replace the Mill Creek Bridge carrying SR 0191 over Mill Creek in Haags Mill, Dreher Township, Wayne County. The subject project will require use of the National Register-listed Mill Creek Bridge.

The environmental, economic, social and other effects of the proposed project as enumerated in section 2002 of The Administrative Code of 1929 have been considered. It has been concluded that there is no feasible and prudent alternative to the project as designed, and all reasonable steps have been taken to minimize effects. To minimize the harm to the Section 2002 property impacted by the project, the following measures will be taken.

Prior to demolition or construction activities for the Mill Creek Bridge replacement, the Department will ensure that the bridge is documented in its existing setting and context in accordance with State level recordation standards that documentation will be submitted to

the State Archives for retention. Landscaping and designs for the new bridge will be developed in consultation with the State Historic Preservation Officer to ensure that the work is compatible with the character of the Lower Mill Creek Historic District. The Department will ensure the salvage of the upstream keystone and the date stone located in the upstream parapet of the bridge during demolition/construction. The Department will ensure the design and installation, on the top of the upstream north stream bank, of a permanent display pedestal veneered with stone salvaged from the arch and incorporating the keystone, date stone and an interpretive plaque. The Department will ensure the design, manufacture and installation of two permanent locational road signs on the north and south approaches to the historic district on SR 0191. The Department will ensure that additional copies of the Phase I Cultural Resources Survey Report are prepared for distribution to local schools, libraries and historic groups.

The Secretary has considered the environmental, economic, social and other effects of the proposed project as enumerated in section 2002 of The Administrative Code of 1929 and has concluded that there is no feasible and prudent alternative to the project as designed and all reasonable steps have been taken to minimize the effect.

ALLEN D. BIEHLER, P. E.,
Secretary

[Pa.B. Doc. No. 03-2466. Filed for public inspection December 26, 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, December 18, 2003, and announced the following:

Regulation Approved

Underground Storage Tank Indemnification Board #11-219: Fees and Collection Procedures (amends 25 Pa. Code Chapter 977)

Regulations Deemed Approved

Insurance Department #11-218: Recognition of the 2001 CSO Mortality Table for Use in Determining Minimum Reserve Liabilities and Nonforfeiture Benefits (amends 31 Pa. Code Chapter 84b)

Approval Order

Public Meeting held
December 18, 2003

Commissioners Voting: John R. McGinley, Jr., Esq., Chairperson; Alvin C. Bush, Vice Chairperson; Daniel F. Clark, Esq.; Arthur Coccodrilli; Murray Ufberg, Esq., recused

Department of Transportation—Vehicle Equipment and Inspection; Regulation No. 18-385

On November 14, 2003, the Independent Regulatory Review Commission (Commission) received this regula-

tion from the Underground Storage Tank Indemnification Board (Board). This rulemaking amends 25 Pa. Code Chapter 977. Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

This final-omitted regulation raises the gallon and capacity fees charged by the Board. Upon review of the annual actuarial report, the Board is increasing these fees by 10% to maintain the solvency of the Underground Storage Tank Indemnification Fund.

We have determined this regulation is consistent with the statutory authority of the Board (35 P. S. § 6021.705) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 03-2467. Filed for public inspection December 26, 2003, 9:00 a.m.]

Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P. S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b).

The Commission has issued comments on the following proposed regulation. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

Reg. No.	Agency/Title	Close of the	IRRC
		Public Comment Period	
7-385	Environmental Quality Board Bond Adjustment and Bituminous Mine Subsidence Control Standards (33 Pa.B. 4554 (September 13, 2003))	11/12/03	12/12/03

**Environmental Quality Board Regulation No. 7-385
Bond Adjustment and Bituminous Mine Subsidence Control Standards
December 12, 2003**

We submit for consideration the following comments that include references to the criteria in the Regulatory Review Act (71 P. S. § 745.5b) which have not been met. The Environmental Quality Board (EQB) must respond to these comments when it submits the final-form regulation. The public comment period for this regulation closed on November 12, 2003. If the final-form regulation is not

delivered within 2 years of the close of the public comment period, the regulation will be deemed withdrawn.

Coordination of State and Federal final regulations.—Statutory authority; Implementation procedures.

This rulemaking satisfies conditions set forth by the Federal Office of Surface Mining and Reclamation and Enforcement (OSM). Section 503(a) of the Federal Surface Mining Control and Reclamation Act (30 U.S.C.A. § 1253(a)) permits a state to assume primacy if its laws and regulations are consistent with Federal laws and regulations. The Commonwealth must meet these conditions to maintain primary enforcement authority over coal mining.

The OSM initiated two rulemakings to assist the Commonwealth in this task. The first OSM rulemaking (68 FR 55134—55137 (December 27, 2001)) will supercede six portions of the Bituminous Mine Subsidence and Land Conservation Act (BMSLCA) (52 P. S. §§ 1406.1—1406.21) that are less effective than their Federal counterparts. The second OSM rulemaking (68 FR 55106—55134 (September 22, 2003)) seeks comments on the EQB's proposed regulations regarding the BMSLCA.

The EQB's existing regulations were promulgated under the statutory authority of the BMSLCA and other Commonwealth statutes. We believe that the EQB does not have the statutory authority to promulgate this regulation until the first OSM rulemaking is in effect. Promulgation of the EQB's rulemaking before the relevant portions of the BMSLCA are superceded by the first OSM rulemaking would result in a conflict between the EQB's regulations and the BMSLCA. Therefore, we recommend that the EQB does not deliver this rulemaking in its final-form until the first OSM rulemaking has been finalized.

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 03-2468. Filed for public inspection December 26, 2003, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Increase in Underwriting Authority of a Domestic Stock Casualty Insurance Corporation

Franklin Homeowners Assurance Company (Franklin Homeowners), a domestic stock property insurance company, has filed an application to increase its approved classes of underwriting authorities. The class of insurance that Franklin Homeowners has applied to add is as mentioned in 40 P. S. § 382(c)(5). Persons wishing to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 13 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Robert Brackbill, Company Licensing Division, Insurance Department, 1345 Straw-

berry Square, Harrisburg, PA 17120, fax (717) 787-8557, rbrackbill@state.pa.us.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 03-2469. Filed for public inspection December 26, 2003, 9:00 a.m.]

Coal Mine Compensation Rating Bureau; Workers' Compensation Loss Cost Filing; Rate Filing

On December 11, 2003, the Insurance Department (Department) received from the Coal Mine Compensation Rating Bureau (CMCRB) a filing for a loss cost level change for Workers' Compensation insurance. This filing is made in accordance with section 705 of the act of July 2, 1993 (P. L. 190, No. 44). The CMCRB requests an overall 9.6% increase in collectible loss costs, effective April 1, 2004, on a new and renewal basis. Also, the CMCRB has calculated the employer assessment factor effective April 1, 2004, to be 4.44%, compared to 5.41% presently in effect.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Department's regional offices in Harrisburg, Philadelphia, Pittsburgh and Erie.

The entire April 1, 2004, loss cost filing is also available for review on the Department's website: www.ins.state.pa.us. To access the filing, click on "Company Information," then click on "Information from the Office of Insurance Product Regulation and Market Enforcement" and then click on "Notices of filings pending before the Insurance Department (published in the PA Bulletin)."

Interested parties are invited to submit written comments, suggestions or objections to Ken Creighton, ACAS, Insurance Department, Insurance Product Regulation and Market Enforcement, 1311 Strawberry Square, Harrisburg, PA 17120, kcreighton@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 03-2470. Filed for public inspection December 26, 2003, 9:00 a.m.]

List of Names of Qualified Unlicensed Reinsurers

Under section 319.1 of The Insurance Company Law of 1921 (40 P. S. § 442.1), the Insurance Commissioner (Commissioner) hereby lists reinsurers not licensed by the Insurance Department (Department) which shall be considered qualified to accept reinsurance from insurers licensed by the Department.

This listing of qualified unlicensed reinsurers shall be published in the *Pennsylvania Bulletin* when additions to or deletions from the listing are made by the Commissioner. This present listing shall replace in their entirety previously published listings of qualified unlicensed reinsurers which appeared at 6 Pa.B. 2423 (September 25, 1976); 6 Pa.B. 3140 (December 18, 1976); 7 Pa.B. 501 (February 19, 1977); 7 Pa.B. 1766 (June 25, 1977); 8 Pa.B. 276 (January 28, 1978); 8 Pa.B. 1646 (June 17, 1978); 8 Pa.B. 1646 (June 17, 1978); 8 Pa.B. 3461 (December 2, 1978); 9 Pa.B. 4235 (December 22, 1979); 11 Pa.B. 38 (January 3, 1981); 12 Pa.B. 37 (January 2, 1982); 12 Pa.B. 2368 (July 23, 1982); 13 Pa.B. 657 (February 5, 1983); 13 Pa.B. 2826 (September 10, 1983); 14 Pa. B. 1053 (March 24, 1984); 14 Pa.B. 3065 (August 18, 1984); 15 Pa.B. 402 (February 2, 1985); 15 Pa.B. 3214 (September 7, 1985); 16 Pa.B. 290 (January 25, 1986); 17 Pa.B. 461 (January 24, 1987); 17 Pa.B. 5368 (December 26, 1987); 18 Pa.B. 5540 (December 10, 1988); 19 Pa.B. 713 (February 18, 1989); 19 Pa.B. 3129 (July 22, 1989); 19 Pa.B. 5476 (December 23, 1989); 20 Pa.B. 6227 (December 15, 1990); 21 Pa.B. 3286 (July 20, 1991); 21 Pa.B. 5445 (November 23, 1991); 22 Pa.B. 4591 (September 5, 1992); 23 Pa.B. 60 (January 2, 1993); 23 Pa.B. 5678 (November 27, 1993); 24 Pa.B. 4151 (August 13, 1994); 24 Pa.B. 6033 (December 3, 1994); 25 Pa.B. 5799 (December 16, 1995); 26 Pa.B. 5665 (November 16, 1996); 27 Pa.B. 2593 (May 24, 1997); 27 Pa.B. 6019 (November 15, 1997); 28 Pa.B. 5733 (November 14, 1998); 28 Pa.B. 5922 (December 5, 1998); 29 Pa.B. 5965 (November 20, 1999); 30 Pa.B. 5033 (November 18, 2000); 31 Pa.B. 205 (January 13, 2001); 31 Pa.B. 6251 (November 10, 2001); 31 Pa.B. 7083 (December 29, 2001) and 33 Pa.B. 92 (January 4, 2003).

Qualified Reinsurers List

1. 10651 AIG Global Trade & Political Risk Insurance Company, Parsippany, New Jersey
2. 37990 American Empire Insurance Company, Cincinnati, Ohio
3. 26883 American International Specialty Lines Insurance Company, Anchorage, Alaska
4. 10316 Appalachian Insurance Company, Johnston, Rhode Island
5. 22680 Aspen Insurance UK Limited, London, England
6. 27189 Associated International Insurance Company, Woodland Hills, California
7. 50687 Attorneys' Title Insurance Fund, Inc., Orlando, Florida
8. 19925 Audubon Indemnity Company, Ridgeland, Mississippi
9. 36552 AXA Corporate Solutions Reinsurance Company, Wilmington, Delaware
10. 36951 Century Surety Company, Columbus, Ohio
11. 39993 Colony Insurance Company, Richmond, Virginia
12. 40371 Columbia Mutual Insurance Company, Columbia, Missouri
13. 27955 Commercial Risk Re-Insurance Company, South Burlington, Vermont
14. 40509 EMC Reinsurance Company, Des Moines, Iowa
15. 90670 ERC Life Reinsurance Corporation, Jefferson City, Missouri
16. 39020 Essex Insurance Company, Wilmington, Delaware
17. 35378 Evanston Insurance Company, Evanston, Illinois
18. 97071 Generali USA Life Reassurance Company, Lansing, Michigan
19. 92673 Gerling Global Life Insurance Company, Los Angeles, California
20. 87017 Gerling Global Life Reinsurance Company, Los Angeles, California

21. 37532 Great American E & S Insurance Company, Wilmington, Delaware
22. 41858 Great American Fidelity Insurance Company, Wilmington, Delaware
23. 88340 Hannover Life Reassurance Company of America, Orlando, Florida
24. 10241 Hannover Ruckversicherungs-Aktiengesellschaft, Hannover, Germany
25. 93505 Hartford International Life Reassurance Corporation, Hartford, Connecticut
26. 78972 Healthy Alliance Life Insurance Company, St. Louis, Missouri
27. 42374 Houston Casualty Company, Houston, Texas
28. 27960 Illinois Union Insurance Company, Chicago, Illinois
29. 22829 Interstate Fire & Casualty Company, Chicago, Illinois
30. 35637 Landmark Insurance Company, Los Angeles, California
31. 19437 Lexington Insurance Company, Wilmington, Delaware
32. 41939 Liberty Northwest Insurance Corporation, Portland, Oregon
33. Lloyd's Underwriters, London, England
34. 10744 Markel International Insurance Company Limited, London, England
35. 32089 Medmarc Mutual Insurance Company, Montpelier, Vermont
36. 14591 Milwaukee Mutual Insurance Company, Milwaukee, Wisconsin
37. 33189 Monticello Insurance Company, Wilmington, Delaware
38. 20079 National Fire & Marine Insurance Company, Omaha, Nebraska
39. 41629 New England Reinsurance Corporation, Hartford, Connecticut
40. 17400 Noetic Specialty Insurance Company, Chicago, Illinois
41. 31143 Old Republic Union Insurance Company, Chicago, Illinois
42. 88099 Optimum Re Insurance Company, Dallas, Texas
43. 38636 Partner Reinsurance Company of the U. S., New York, New York
44. 88536 Protective Life and Annuity Insurance Company, Birmingham, Alabama
45. 29807 PXRE Reinsurance Company, Hartford, Connecticut
46. 10679 St. Paul Reinsurance Company, Limited, London, England
47. 21911 San Francisco Reinsurance Company, Novato, California
48. 87572 Scottish Re (U. S.), Inc., Wilmington, Delaware
49. 41297 Scottsdale Insurance Company, Columbus, Ohio
50. 23388 Shelter Mutual Insurance Company, Columbia, Missouri
51. 10743 Sphere Drake Insurance Company Limited, Brighton, England
52. 10932 Starr Excess Liability Insurance Company, Ltd., Wilmington, Delaware
53. 39187 Suecia Insurance Company, Nanuet, New York
54. 19887 Trinity Universal Insurance Company, Dallas, Texas
55. 37982 Tudor Insurance Company, Keene, New Hampshire
56. 10292 Unionamerica Insurance Company Limited, London, England
57. 36048 Unione Italiana Reinsurance Company of America, Inc., New York, New York
58. 28053 United Coastal Insurance Company, Phoenix, Arizona
59. 13021 United Fire & Casualty Company, Cedar Rapids, Iowa
60. 10172 Westchester Surplus Lines Insurance Company, Atlanta, Georgia
61. 13196 Western World Insurance Company, Keene, New Hampshire
62. 10242 Zurich Specialties London Limited, London, England

Changes to the Qualified Unlicensed Reinsurers List

The following company has been added since the list was published at 33 Pa.B. 92:

Aspen Insurance UK Limited

The following companies have been removed from the list since it was published at 33 Pa.B. 92:

Eagle Insurance Company
E & S Ruckversicherungs Aktiengesellschaft

The following companies have been removed from the list because they merged into a licensed companies since the list was published at 33 Pa.B. 92:

Clarica Life Insurance Company
Swiss-Am Reassurance Company

The following company has been removed from the list because it became licensed in this Commonwealth after the list was published at 33 Pa.B. 92:

National Security Life and Annuity Company

The following company changed its name since the list was published at 33 Pa.B. 92:

Clarica Life Reinsurance Company changed its name to Generali US Life Reassurance Company

The following companies were removed from the list because they were placed in liquidation since it was published at 33 Pa.B. 92:

Legion Indemnity Company by the Illinois Insurance Department

US International Reinsurance Company by the New Hampshire Insurance Department

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 03-2471. Filed for public inspection December 26, 2003, 9:00 a.m.]

Tim and Sue Marti; Prehearing

**Appeal of Tim and Sue Marti under 40 P. S.
§§ 991.2101—991.2193; HealthAssurance; File No.
03-167-09620; Doc. No. HC03-12-001**

A prehearing telephone conference initiated by the Administrative Hearings Office shall be conducted on February 3, 2004, 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 December 24,

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 January 20, 2004, 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 January 27, 2004.

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. 03-2472. Filed for public inspection December 26, 2003, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insureds have requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68), in connection with the termination of the insureds' automobile policies. The hearings will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearings will be held in the Insurance Department's regional offices in Harrisburg and Pittsburgh, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 N. Seventh Street, Harrisburg, PA 17102.

Appeal of Frank S. Konya; file no. 03-182-11849; Hartford Insurance Company of the Midwest; doc. no. P03-12-011; January 21, 2004, 10 a.m.

The following hearings will be held in the Pittsburgh Regional Office, Room 304 State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222.

Appeal of Mark C. English; file no. 03-124-10583; Erie Insurance Exchange; doc. no. PI03-12-013; February 6, 2004, 10 a.m.

Appeal of Richard and Scarlet Brandt; file no. 03-303-72432; Hartford Fire Insurance Company; doc. no. PI03-12-010; February 6, 2004, 1 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. 03-2473. Filed for public inspection December 26, 2003, 9:00 a.m.]

LIQUOR CONTROL BOARD

Expiration of Leases

The following Liquor Control Board lease will expire:

Mercer County, Wine & Spirits Shoppe #4303, Hadley Road, 7 Greenville Plaza, Greenville, PA 16125.

Lease Expiration Date: November 30, 2004

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 3,000 net useable square feet of new or existing retail commercial space serving the Greenville area. Site is required to have off-street parking and good loading facilities.

Proposals due: January 16, 2004, at 12 p.m.

Department: Liquor Control Board
Location: Real Estate Division, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, PA 15222
Contact: Thomas Deal, (412) 565-5130

JONATHAN H. NEWMAN,
Chairperson

[Pa.B. Doc. No. 03-2474. Filed for public inspection December 26, 2003, 9:00 a.m.]