

PENNSYLVANIA BULLETIN

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Agencies in this issue:

The General Assembly

The Courts

Coal and Clay Mine Subsidence Insurance
Board

Department of Banking

Department of Conservation and Natural
Resources

Department of Environmental Protection

Department of General Services

Department of Health

Department of Labor and Industry

Department of Revenue

Department of Transportation

Environmental Quality Board

Executive Board

Independent Regulatory Review Commission

Insurance Department

Liquor Control Board

Pennsylvania Public Utility Commission

Public School Employees' Retirement Board

State Board of Veterinary Medicine

Detailed list of contents appears inside.



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**Latest Pennsylvania Code Reporter
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No. 352, March 2004

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CONTENTS

THE GENERAL ASSEMBLY

Recent actions during the 2004 regular session of the General Assembly 1319

THE COURTS

APPELLATE PROCEDURE

Order adopting Pa.R.A.P. 2117; no. 149 appellate procedural rules; doc. no. 1 1320

LOCAL COURT RULES

Bucks County

Judicial and related account 1320

Butler County

Local rules of court; CP-10-AD0000001-2004 1321

Indiana County

Adoption of new local rules of court nos. L-1915.1, L-1915.2, L-1915.3 and L-1920.51; no. 188 misc. 1994 1321

Tioga County

Bench warrant fee for domestic relations section; no. 45 M.S. 2004 1326

EXECUTIVE AGENCIES

COAL AND CLAY MINE SUBSIDENCE INSURANCE BOARD

Proposed Rulemaking

Mine subsidence fund 1329

DEPARTMENT OF BANKING

Notices

Action on applications 1339

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Notices

Snowmobile and ATV Advisory Committee meeting . 1340

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices

Applications, actions and special notices 1340

Availability of general water quality management permit for construction of small flow treatment facilities (WQG-1) 1393

Availability of technical guidance 1394

Certification Program Advisory Committee meeting cancellation 1394

15-day extension to the public notice of proposed revision to general NPDES permit for stormwater discharges associated with industrial activities (PAG-3) 1394

Proposed revisions to general NPDES permit for discharges from hydrostatic testing of tanks and pipelines (PAG-10) 1395

Proposed revision to the State implementation plan for ozone for the Pittsburgh-Beaver Valley area; public hearing 1395

Solid Waste Advisory Committee; Residual Waste Subcommittee special meeting 1396

State Board for Certification of Water and Wastewater Systems Operators meeting cancellation 1396

DEPARTMENT OF GENERAL SERVICES

Notices

State contracts information 1416

DEPARTMENT OF HEALTH

Notices

Health Policy Board meeting 1396

Health Research Advisory Committee meeting 1396

Notice of intent to request release of funds 1397

Notice to the public of lead-based paint hazard control action located within floodplain 1397

Requests for exception; long-term care nursing facilities 1398

DEPARTMENT OF LABOR AND INDUSTRY

Notices

Copying cost reimbursement rate for workers' compensation utilization review 1399

Range of fees charged by utilization review organizations and peer review organizations for services performed under the Workers' Compensation Act 1399

DEPARTMENT OF REVENUE

Notices

Pennsylvania Monte Carlo instant lottery game (correction) 1399

Pennsylvania Mummy Money instant lottery game.. 1400

DEPARTMENT OF TRANSPORTATION

Rules and Regulations

Corrective amendment to 67 Pa. Code § 175.42 1327

ENVIRONMENTAL QUALITY BOARD

Notices

Acceptance of rulemaking petitions for study 1402

Environmental Quality Board meeting cancellation . 1402

EXECUTIVE BOARD

Statements of Policy

Reorganizations:

Department of Banking 1335

Department of Revenue 1337

INDEPENDENT REGULATORY REVIEW COMMISSION

Notices

Notice of comments issued 1402

INSURANCE DEPARTMENT

Notices

Agency contract termination of Loring M. Reagle & Sons, Inc. under Act 143; Selective Insurance Company of America; doc no. AT04-02-014 1403

Bozzi, Dominic J., Insurance Solutions Concepts, Inc. and Comprehensive Insurance Services, Inc.; hearing 1404

Now Available Online at <http://www.pabulletin.com>

Conseco Senior Health Insurance Company; rate filing 1404

Erie Insurance Exchange; home protector rate revision; rate filing 1404

Geisinger Health Plan HMO; modification of rate relativities; rate filing 1404

Harleysville Mutual Insurance Company; homeowners insurance rate and rule revision; rate filing 1405

HealthGuard; demographic rate filing 1405

Keystone Health Plan West, Inc.; rate filing 1405

Mara, Philip J., Jr.; hearing 1405

Review procedure hearings; cancellation or refusal of insurance 1406

Review procedure hearings under the Unfair Insurance Practices Act 1406

Spay, Ronald R.; hearing 1407

Voluntary surrender of certificate of authority to operate a life insurance company 1407

Wean, Lawrence P., M.D.; hearing 1407

LIQUOR CONTROL BOARD

Notices

Expiration of leases 1408

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Notices

Natural gas service 1408

Service of notice of motor carrier applications 1408

Telecommunications (2 documents) 1414

Wastewater service 1415

Water service 1415

PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

Notices

Hearing scheduled 1415

STATE BOARD OF VETERINARY MEDICINE

Proposed Rulemaking

Implanting electronic identification; veterinary technician 1331

READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND PENNSYLVANIA CODE

Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Documents

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

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

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

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Printing Format

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

Fiscal Notes

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

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

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Information published under this part, which information includes, but is not limited to, cross references, tables of cases, notes of decisions, tables of contents, indexes, source notes, authority notes, numerical lists and codification guides, other than the actual text of rules or regulations may be reproduced only with the written consent of the Bureau. The information which appears on the same leaf with the text of a rule or regulation, however, may be incidentally reproduced in connection with the reproduction of the rule or regulation, if the reproduction is for the private use of a subscriber and not for resale. There are no other restrictions on the reproduction of information published under this part, and the Commonwealth hereby consents to a reproduction.

List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2004.

4 Pa. Code (Administration)		39	55
Adopted Rules		41	60
5	366		
6	366		
Statements of Policy			
9	855, 1234, 1335, 1337		
114	63		
7 Pa. Code (Agriculture)			
Proposed Rulemaking			
76	831		
104	561		
12 Pa. Code (Commerce, Trade and Local Government)			
Statements of Policy			
123	488		
25 Pa. Code (Environmental Protection)			
Adopted Rules			
86	388		
Proposed Rulemaking			
401	1329		
28 Pa. Code (Health and Safety)			
Adopted Rules			
1001	677		
1003	677		
1005	677		
1007	677		
1051	677		
31 Pa. Code (Insurance)			
Proposed Rulemaking			
147	844		
151	850		
34 Pa. Code (Labor and Industry)			
Adopted Rules			
401	319		
403	319		
405	319		
37 Pa. Code (Law)			
Proposed Rulemaking			
42	853		
49 Pa. Code (Professional and Vocational Standards)			
Adopted Rules			
9	235		
13	39		
16	40		
18	43		
25	47		
31	388		
Proposed Rulemaking			
16	56		
21	851		
25	58, 563		
29	565		
31	1331		
35	61		
		55 Pa. Code (Public Welfare)	
		Statements of Policy	
		6000	1234
		58 Pa. Code (Recreation)	
		Rules and Regulations	
		63	1231, 1232
		65	1231
		93	1231, 1232
		Proposed Rulemaking	
		141	484
		143	484
		147	485, 486
		61 Pa. Code (Revenue)	
		Adopted Rules	
		872	50
		67 Pa. Code (Transportation)	
		Proposed Rulemaking	
		103	843
		212	951
		Rules and Regulations	
		175	1327
		Statements of Policy	
		86	567
		88	567
		204 Pa. Code (Judicial System General Provisions)	
		Adopted Rules	
		81	9
		85	948
		87	948
		89	948
		210 Pa. Code (Appellate Procedure)	
		Adopted Rules	
		21	1320
		65	379
		231 Pa. Code (Rules of Civil Procedure)	
		Adopted Rules	
		200	9, 557
		400	9
		1000	9
		1300	22
		1500	9
		1600	9
		2000	9
		2020	9
		2050	9
		2100	9
		2120	9
		2150	9
		2170	9
		2200	9
		2220	9
		2250	9
		2300	9
		2320	9

1318

2350 9
2950 22
3000 9, 22
4000 9

Proposed Rulemaking
3000 476
3300 476

234 Pa. Code (Rules of Criminal Procedure)
Proposed Rulemaking
4 34

246 Pa. Code (Minor Court Civil Rules)
Proposed Rulemaking
200 480
300 480
500 480

249 Pa. Code (Philadelphia Rules)
Unclassified 36

255 Pa. Code (Local Court Rules)
Unclassified 37, 231, 379, 482, 483, 557, 829,
830, 949, 1229, 1230, 1320, 1321, 1326

THE GENERAL ASSEMBLY

Recent Actions during the 2004 Regular Session of the General Assembly

The following is a summary of recent actions of the General Assembly during the 2004 Regular Session.

<i>Doc. No.</i>	<i>Date of Action</i>	<i>Bill Number</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
2004 GENERAL ACTS ENACTED—013 through 014					
013	Feb 19	HB1654	PN3305	immediately	Pennsylvania Construction Code Act—regulations, revised or successor codes, administration and enforcement, funding for education and training program for municipal code officials, etc.
014	Feb 19	SB0152	PN1324	60 days	Commerce and Trade (12 Pa.C.S.) and Crimes and Offenses (18 Pa.C.S.)—trade secrets and offense of theft of trade secrets

Effective Dates of Statutes

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

Advance Copies of Statutes

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

Requests for annual subscriptions for advance copies of statutes should be sent to the State Bookstore, State Records Center Building, 1825 Stanley Drive, Harrisburg, PA 17103, accompanied by a check or money order in the sum of \$20, payable to the "Commonwealth of Pennsylvania."

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

[Pa.B. Doc. No. 04-362. Filed for public inspection March 5, 2004, 9:00 a.m.]

THE COURTS

Title 210—APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE [210 PA. CODE CH. 21]

Order Adopting Pa.R.A.P. 2117; No. 149 Appellate Procedural Rules; Doc. No. 1

Order

Per Curiam:

And Now, this 18th day of February, 2004, upon the recommendation of the Appellate Court Procedural Rules Committee, the proposal having been published before adoption at 33 Pa.B. 4552 (September 13, 2003),

It Is Ordered, pursuant to Article V, Section 10 of the Constitution of Pennsylvania, that the amendment to Pa.R.A.P. 2117 is adopted.

This *Order* shall be processed in accordance with Pa.R.J.A. 103(b), and shall become effective immediately.

Annex A

Title 210. APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE

ARTICLE II. APPELLATE PROCEDURE

CHAPTER 21. BRIEFS AND REPRODUCED RECORD

CONTENT OF BRIEFS

Rule 2117. Statement of the Case.

* * * * *

(d) *Appeals from [case stated] cases submitted on stipulated facts.*—When the appeal is from an order on a case [stated, in the nature of a special verdict] submitted on stipulated facts, the statement of the case may consist of the facts as [agreed upon] stipulated by the parties.

Official Note:

* * * * *

The 2004 amendment replaces references in subdivision (d) to appeals from a “case stated” because this procedure was abolished pursuant to Pa.R.C.P. 1038.2. In its place, the Supreme Court adopted Pa.R.C.P. 1038.1 providing for a “case submitted on stipulated facts.” The statement of the case under subdivision (a)(1) of this rule may now only consist of those facts stipulated to by the parties.

[Pa.B. Doc. No. 04-363. Filed for public inspection March 5, 2004, 9:00 a.m.]

Title 255—LOCAL COURT RULES

BUCKS COUNTY Judicial and Related Account

Order

And Now, this 13th day of February, 2004, the original Order of November 9, 1978 establishing the Judicial and Related Account and subsequently amended August 6, 1993, September 9, 1999, March 5, 2002 and March 21, 2003, is hereby amended as follows:

The Judicial and Related Account shall be composed of the following budget accounts:

1. 0135 Domestic Relations
2. 0139 Law Library
3. 0140 Main Courts
4. 0141 Grand Jury
5. 0142 Judge Commissioners
6. 0147 Court Reporters
7. 0151 Adult Probation and Parole
8. 0152-0153 Juvenile Probation
9. 0325-0375 Youth Detention Center (County)
10. 0330-0380 Juvenile Reimbursable Administration
11. 0334-0384 Juvenile Counseling
12. 0335-0385 Juvenile Day Treatment
13. 0336-0385 Juvenile Life Skills
14. 0337-0387 Juvenile Protective Services General
15. 0338-0388 Juvenile Protective Services Planning
16. 0339-0389 Juvenile Alternative Treatment
17. 0340-0390 Juvenile Community Residential (Group Home)
18. 0341-0391 Juvenile Foster Family
19. 0342-0392 Juvenile Detention (Out of County)
20. 0343-0393 Juvenile Residential (Non Group Home)
21. 0344-0394 Juvenile Revenue (Act 148 Related)
22. 0201 Magisterial District 07-1-01
23. 0202 Magisterial District 07-1-02
24. 0203 Magisterial District 07-1-03
25. 0204 Magisterial District 07-1-04
26. 0206 Magisterial District 07-1-06
27. 0207 Magisterial District 07-1-07
28. 0208 Magisterial District 07-1-08
29. 0209 Magisterial District 07-1-09
30. 0210 Magisterial District 07-1-10
31. 0211 Magisterial District 07-1-11
32. 0212 Magisterial District 07-2-01

33.	0213	Magisterial District 07-2-02
34.	0214	Magisterial District 07-2-03
35.	0215	Magisterial District 07-3-01
36.	0216	Magisterial District 07-2-05
37.	0217	Magisterial District 07-3-03
38.	0218	Magisterial District 07-2-07
39.	0219	Magisterial District 07-2-08
40.	0220	Supplemental Judicial Clerks
41.	2540	Court's Capital
42.	2640	Court's Capital
43.	0130	Register of Wills
44.	0131	Sheriff
45.	0133	Prothonotary
46.	0134	Clerk of Courts

and such other accounts as the Court may from time to time direct.

In all other respects, Administrative Order No. 1 dated November 9, 1978, remains in full force and effect.

This Order to be effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

By the Court

DAVID W. HECKLER,
President Judge

[Pa.B. Doc. No. 04-364. Filed for public inspection March 5, 2004, 9:00 a.m.]

BUTLER COUNTY

Local Rules of Court; CP-10-AD0000001-2004

Administrative Order of Court

And Now, this 18th day of February, 2004, it is hereby ordered and decreed that the Butler County local rule of criminal procedure (L-507) is hereby approved and adopted and is herewith made a part of the Butler County Local Rules of Criminal Procedure for use in the Court of Common Pleas of Butler County, Pennsylvania, the 50th Judicial District of Pennsylvania, effective thirty (30) days after the publication of the rule in the *Pennsylvania Bulletin*.

It is further ordered and decreed that the Court Administrators Office of Butler County shall:

1. File seven (7) certified copies of this Administrative Order & Local Rule and the District Attorney's Certification with the Administrative Office of the Pennsylvania Courts.

2. File two (2) certified copies of this Administrative Order & Local Rule and one (1) diskette in the required format with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3. File one (1) certified copy of this Administrative Order & Local Rule and the District Attorney's Certification with the Pennsylvania Criminal Procedural Rules Committee.

4. Forward one (1) copy of this Administrative Order to the administrative office of the *Butler County Legal Journal* for publication.

5. Keep continuously available for public inspection copies of this Administrative Order in the Office of the Butler County Clerk of Courts, in the Office of the Court Administrator and the Butler County Law Library.

By the Court

THOMAS J. DOERR,
President Judge

L-507. Approval of Police Complaints by the Attorney for the Commonwealth

The District Attorney of Butler County having filed a certificate pursuant to Pa.R.Crim.P. 507, criminal complaints and arrest warrant affidavits by police officers, as defined in the Rules of Criminal Procedure charging:

Criminal Homicide in violation of 18 Pa.C.S.A. § 2501;
Murder in any degree in violation of 18 Pa.C.S.A. § 2502;
Voluntary Manslaughter in violation of 18 Pa.C.S.A. § 2503;

Involuntary Manslaughter in violation of 18 Pa.C.S.A. § 2504;

Rape in violation of 18 Pa.C.S.A. § 3121;

Statutory Sexual Assault in violation of 18 Pa.C.S.A. § 3122.1;

Involuntary Deviate Sexual Intercourse in violation of 18 Pa.C.S.A. § 3122.2;

Aggravated Indecent Assault in violation of 18 Pa.C.S.A. § 3125;

Indecent Assault in violation of 18 Pa.C.S.A. § 3126;

Homicide by Vehicle in violation of 75 Pa.C.S.A. § 3732;

Homicide by Vehicle While Driving Under the Influence in violation of 75 Pa.C.S.A. § 3735;

and/or

Criminal Attempt in violation of 18 Pa.C.S.A. § 901;

Criminal Solicitation in violation of 18 Pa.C.S.A. § 902;

Criminal Conspiracy in violation of 18 Pa.C.S.A. § 903 to commit any of the above enunciated crimes;

shall not hereafter be accepted by any judicial officer unless the complaint and affidavit has the approval of an attorney for the Commonwealth prior to filing.

[Pa.B. Doc. No. 04-365. Filed for public inspection March 5, 2004, 9:00 a.m.]

INDIANA COUNTY

Adoption of New Local Rules of Court Nos. L-1915.1, L-1915.2, L-1915.3 and L-1920.51; No. 188 Misc. 1994

Order of Court

And Now, this 19th day of February 2004, it is hereby Ordered and Directed, pursuant to Rule 239 of the Pennsylvania Rules of Civil Procedure, that Indiana County Local Rules L-1915.1, L-1915.2, L-1915.3 and L-1920.51 are adopted and shall become effective thirty (30) days after publication in the *Pennsylvania Bulletin* and shall apply to all civil proceedings pending at that time.

It is hereby *Ordered* and *Directed* that the Prothonotary:

(1) File seven (7) certified copies of said rules with the Administrative Office of Pennsylvania Courts;

(2) Furnish two (2) certified copies and a diskette of said rules to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;

(3) Distribute and file one (1) certified copy of said rules with the Civil Procedural Rules Committee of the Pennsylvania Supreme Court; and,

(4) Distribute and file one (1) certified copy with the Indiana County Law Library.

It is further *Ordered and Directed* that these Local Rules shall be kept continuously available for public inspection and copying in the Office of the Prothonotary of Indiana County. Upon request and payment of reasonable costs of reproduction and mailing, the Prothonotary of Indiana County shall furnish to any person a copy of any Local Rule.

By the Court

WILLIAM J. MARTIN,
President Judge

Actions for Custody, Partial Custody and Visitation of Minor Children

Rule L-1915.1. Initial Custody Conference

(a) In all cases in which a party seeks an Order of Court, or modification of an existing Order of Court, regarding custody, partial custody and/or visitation of minor children, including proceedings commenced under the Domestic Relations Code of 1990 (23 Pa.C.S. §§ 5301 et. seq.), unless both parties by certification verify that an Initial Custody Conference would be fruitless, the moving party shall proceed by moving the Court to schedule an Initial Custody Conference. This motion shall be submitted in a form in substantial compliance with that found in L-1915.3(a). The Initial Custody Conference shall be scheduled by the Court Administrator within forty-five (45) days of the date the motion is filed. The Initial Custody Conference shall be attended by the parties and their respective counsel, if any, and they shall attempt to reach amicable settlement of the matter.

(b) The parties shall be notified of the scheduled Initial Custody Conference by Order of Court per L-1915.3(b). It shall be the responsibility of the moving party to see that copies of the Order of Court scheduling the Initial Custody Conference are served on all parties and their respective counsel.

(c) Should the parties reach full agreement at the Initial Custody Conference, unless the parties agree otherwise, the moving party shall have such agreement reduced to the form of a Consent Order of Court. The Consent Order shall indicate that the agreement was reached at an Initial Custody Conference and include the date of the Initial Custody Conference. Upon preparation and execution thereof, either party may submit this Consent Order to the Court for approval and signature. A copy of the Consent Order shall be transmitted to the Court Administrator.

(d) Initial Custody Conferences shall be held at the Indiana County Courthouse unless otherwise agreed upon by the parties.

Rule L-1915.2. Custody Mediation

(a) Either party may seek Mediation under any one of the following circumstances:

(1) An Initial Custody Conference has been held and the parties were not able to reach an agreement;

(2) An Initial Custody Conference was held and one party, while served notice of same, failed to appear; or

(3) Counsel for both parties have agreed that an Initial Custody Conference would be fruitless. (In this circumstance, counsel for both parties must sign the Motion for Mediation).

(b) The Motion for Child Custody Mediation shall be submitted on a form in substantial compliance with that found in L-1915.3(c). The Court shall then order Mediation per form L-1915.3(d). It shall be the responsibility of the moving party to see that copies of the Order of Court scheduling the Child Custody Mediation are served on all parties and their respective counsel.

(c) Not later than seven (7) days prior to a scheduled Mediation, each attorney/party shall forward to the Child Custody Mediator the following:

(1) Proof of attendance or registration for the Parent Education Course, also known as the Children-in-the-Middle Parent Education Course. (Out of county/state litigants may attach proof of equivalent services in their jurisdiction.);

(2) Proof of payment of his or her Mediation Fee to the Prothonotary of Indiana County or copy of an approved IFP Petition; and,

(3) A completed Child Custody Questionnaire or a form in substantial compliance with that found at L-1915.3(e).

(d) Failure to provide any part of the information set forth in L-1915.2(c), above, shall be deemed a contemptible act under Pennsylvania Rule of Civil Procedure 1915.12 and shall be included in any recommendation by the Child Custody Mediator to the Court. Mediation shall not be canceled or continued for noncompliance with the requirements of L-1915.2(c), above.

(e) Any motion for continuance of Mediation must be directed to the Court and made on a form in substantial compliance with Form F.3 of these Local Rules.

(f) The Mediator shall ascertain the issues in the action through discussion with counsel and/or the parties. The Mediator shall not take testimony, and the conference shall not be of record; rather, the Mediator shall attempt to determine the relevant facts through discussion and shall suggest or recommend a proposed settlement. The Mediator may discuss the action with the parties or children concerned in the presence of, or without, counsel; for this purpose, children seven (7) years of age or older must be present for the Mediation. Mediation Procedure shall at all times be in the sole discretion of the Mediator.

(g) Following proper notice and conference, the Mediator shall take one of the following actions:

(1) If the Mediator determines that the parties have reached full agreement, the Mediator shall reduce the agreement to the form of a Consent Order of Court, which shall be submitted to the Court for approval and signature.

(2) If the parties cannot reach full agreement, the Mediator shall refer the entire action to the Court. The Mediator may recommend a Temporary Order of Court, which shall immediately be submitted to the Court, and, upon its entry, shall remain in effect until further Order of Court.

(3) If one of the parties, without just cause, fails to appear at Mediation, the Mediator may recommend a Temporary Order of Court, which shall immediately be submitted to the Court, and, upon its entry, shall remain in effect until further Order of Court.

(4) If, without just cause, neither party appears for Mediation, the Mediator may recommend an Order dismissing the action, in which event costs shall be assessed and collected.

(5) Should further Court action be required, the Mediator shall include a Scheduling Order with his/her Report. The Report also shall indicate whether psychological evaluations, home studies, or other pre-hearing reports are to be ordered.

(h) The Mediation Fee shall be refunded only if, by a writing signed by both parties or counsel and submitted to the Court not less than seven (7) days before the scheduled date of Mediation, the parties agree that the Mediation should be canceled.

Rule L-1915.3. Custody Forms

(a) The motion for Initial Custody Conference shall be substantially in the following form:

(Caption)

MOTION FOR INITIAL CUSTODY CONFERENCE

_____, (Plaintiff) (Defendant), moves the Court to schedule an Initial Custody Conference.

Date: _____, 20____
(Plaintiff) (Defendant)
Attorney for (Plaintiff) (Defendant)

(b) The order of court scheduling the Initial Custody Conference shall be substantially in the following form:

(Caption)

ORDER SCHEDULING INITIAL CUSTODY CONFERENCE

You, _____, (Plaintiff) (Defendant), have been sued in Court to modify custody, partial custody or visitation of the following child or children: _____. You, _____, Plaintiff, and _____, Defendant, are ORDERED to attend a Parent Education Class conducted by the [Name of Agency]. You should contact the [Name and Telephone Number of Agency] immediately to make arrangements to attend the class prior to the date scheduled for the Initial Custody Conference. Each party will be responsible for a \$_____ fee, payable to the [Name of Agency] and collected at the time of class attendance. This fee will be waived for parties who have filed Petitions for In Forma Pauperis. A party who fails to attend as ordered may be found in contempt of Court. In the event it is necessary to reschedule a party's attendance because of his or her failure to attend the originally scheduled class, there shall be an additional \$_____ fee. This fee shall be payable regardless of whether the party cancels in advance or merely fails to appear at the designated time.

You, _____, (Plaintiff) (Defendant), are ORDERED to appear in person at Jury Room No. __, Floor 4M, Indiana County Courthouse, 825 Philadelphia Street, Indiana, Pennsylvania, on _____, 20____, at _____ o'clock __.M., for an Initial Custody Conference.

If you fail to appear as provided by this Order, an Order for custody, partial custody, or visitation may be entered against you, or the Court may issue a warrant for your arrest.

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

Court Administrator
4th Floor
Indiana County Courthouse
825 Philadelphia Street
Indiana, PA 15701
Telephone: (724) 465-3955

AMERICANS WITH DISABILITIES ACT OF 1990

The Court of Common Pleas of Indiana County is required by law to comply with the Americans with Disabilities Act of 1990. For information about accessible facilities and reasonable accommodations available to disabled individuals having business before the Court, please contact our office. All arrangements must be made at least 72 hours prior to any hearing or business before the Court. You must attend the scheduled conference or hearing.

BY THE COURT:

Date: _____, 20____
J.

(c) The motion for Child Custody Mediation shall be substantially in the following form:

(Caption)

MOTION FOR CHILD CUSTODY MEDIATION

_____, (Plaintiff) (Defendant), moves the Court to schedule a Custody Mediation Conference because:

___ The parties met for Initial Custody Conference and were unable to reach an agreement.

___ Counsel for both parties certify that an Initial Custody Conference would be fruitless (if this box is checked, both counsels must sign this Motion).

The moving party attended/has registered to attend the Children-in-the-Middle Parent Education Course on the ___ day of _____, 20____.

The moving party is filing this Motion by:

___ Paying to the Prothonotary of Indiana County \$ _____

___ Filing an In Forma Pauperis Petition

Name, address and telephone number of Plaintiff: _____

Name, address and telephone number of Plaintiff's attorney: _____

Name, address and telephone number of Defendant: _____

Name, address and telephone number of Defendant's attorney: _____

Date: _____, 20____
(Plaintiff)

Date: _____, 20____
(Defendant)

Date: _____, 20____
(Attorney for Plaintiff)

Date: _____, 20____
(Attorney for Defendant)

(d) The order of court scheduling the Child Custody Mediation shall be substantially in the following form:

(Caption)

ORDER SCHEDULING CHILD CUSTODY MEDIATION

AND NOW, this ____ day of _____, 20__, upon consideration of the Motion for Child Custody Mediation, a Mediation is set for the _____ day of _____, at ____ M. in Mediation Conference Room on the Fourth Floor of the Indiana County Courthouse, 825 Philadelphia Street, Indiana, Pennsylvania. It is hereby ORDERED AND DIRECTED that no later than seven (7) days prior to the date for Mediation, each party must have submitted to the Indiana County Child Custody Mediator the following documentation:

1. Proof of payment of his or her \$ _____ Mediation Fee or that he or she has petitioned the Court for, and been granted IFP status.

2. Proof that he or she has attended or registered for the Children-in-the-Middle Parent Education Course or its equivalent for parties residing outside of Indiana County.

3. A completed Mediation Questionnaire including complete names, addresses and telephone numbers of all parties.

No Mediation will be canceled or continued for non-payment of fees. Failure to comply with 1, 2, or 3 above, will be held to be contemptible action under Pennsylvania Rule of Civil Procedure 1915.12, and the offending party shall be brought before the Court. Any party failing to appear for Mediation without having filed a Motion for Continuance and been granted a Continuance by the Court, may have an Order entered against his or her custodial interest.

The Party who has physical custody of the minor child(ren) is hereby directed to bring any child(ren) over the age of seven (7) years with him or her to the Mediation Conference.

BY THE COURT:

J.

(e) The Mediation Questionnaire shall be substantially in the following form:

(Caption)

MEDIATION QUESTIONNAIRE

I, _____, the Plaintiff () or Defendant () (Please Print Name)

(Check one) undersigned below, hereby certify that the following information is true and correct to the best of my knowledge and belief.

_____, 20____
(Please Sign Name) (Date)

I am (), am not () represented by an attorney. My attorney's address and telephone number is as follows:

_____ Esquire
_____ (Address)

_____ (Phone including Area Code)

My address and telephone number is as follows:

Date of birth: _____

Educational background: _____

Brief Description of current residence: _____

Subject children of this action:

Name	Date of Birth	Age	Grade Level	School
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Other children in household:

Name	Age	Relationship to Party
_____	_____	_____
_____	_____	_____
_____	_____	_____

Marital/Cohabitation History:

Date of Marriage or Cohabitation: (if applicable) _____

Date of Separation: _____

Cause of Separation: (brief explanation) _____

Date of Divorce: (if applicable) _____

Is a divorce action pending? _____

Current Marital Status/Living Arrangements: _____

(i.e.): Remarriage or Cohabitation-provide name of new spouse or cohabitant)

Procedural History:

Verbal Custody/Visitation Arrangements: (Describe arrangement with applicable dates) _____

Written Custody/Visitation Arrangements: (Summarize arrangement and applicable dates) _____

Orders of Court: (Summarize or Attach, including Orders from foreign jurisdictions and dates of entry) _____

Current Custody/Visitation Arrangement: _____

Proposed changes in current custody/visitation arrangement: _____

Does child(ren) have any special needs? _____

Have home studies or psychological evaluations been completed? If so, by whom and dates: _____

What is your present employment status?:
() Employed () Unemployed () Unable to Work
() Other
Do you work in the home? ___ yes ___ no
Do you work in the town in which you reside?
___ yes ___ no
If, no, how far do you commute? ___ miles.
Does your employment take you out of town? For how long? How often? Explain: _____

Name, Address and Phone Number (including Area Code) of each employer or your own business:

Name(s) Address Phone #

Circle the days you work:
M T W TH F SAT SUN From ___ to
M T W TH F SAT SUN From ___ to
Do you work any type of alternating or unusual shifts? Explain: _____

Is your employer () flexible or () inflexible about working around you child custody/visitation needs? How long have you worked for this employer? ___ #1 ___ #2

State your present physical/mental condition: () Good () Fair () Poor

Are you presently under a doctor's care? Explain your condition: _____

Name of Doctor: _____

Address: _____

Phone: _____

Are you taking any prescription drugs? Name of Drug _____

(Check N/A if you are taking none) and Amount (mg./day etc.) _____

Do you drink alcohol? ___ yes ___ no If so, how much? ___ heavy ___ moderate ___ occasionally

Have you remarried? _____ Are you cohabitating? _____

What is the person's name? _____

Does he/she have children? If so, what ages, sexes and with whom do they reside? _____

When did you remarry?: _____ When did you begin cohabitation? _____ Does the other party to this action know your current spouse or cohabitant? _____ Explain: _____

How long have you known your current spouse or cohabitant? ___ yrs. ___ mos.

Do your children know them? _____ For how long? _____

FACTORS, CONDITIONS AND/OR CONCERNS I CONSIDER VERY IMPORTANT THAT I WOULD ASK BE TAKEN INTO ACCOUNT BY THE MEDIATOR WHEN ENDEAVORING TO PROVIDE THE BEST SITUATION FOR THE CHILDREN IN THE ACTION ARE AS FOLLOWS: [Use extra pages, if necessary.] _____

Have you, or any adult member of your household, been convicted of or have charges pending with regard to any of the following? Check any that apply.

- ___ 1. Drunkenness ___ 9. Aggravated Assault
___ 2. Disorderly Conduct ___ 10. Traffic Violation
___ 3. Physical Abuse ___ 11. Hit and Run
___ 4. Child Molestation ___ 12. Driving Under the Influence
___ 5. Robbery ___ 13. Court Order Violation
___ 6. Firearms Violation ___ 14. Forgery
___ 7. Desertion
___ 8. Indecent Exposure

If you have checked any of the above, please explain: _____

ATTACH PROOF OF PAYMENT OF \$ _____ TO THE PROTHONOTARY OF INDIANA COUNTY OR COPY OF AN APPROVED PETITION FOR IN FORMA PAUPERIS (INDIGENT) STATUS AND COPY OF CERTIFICATE OF ATTENDANCE OR PROOF OF REGISTRATION FOR CHILDREN-IN-THE-MIDDLE COURSE AND FORWARD TO:

[Name and Address of Child Custody Mediator]

ALL MATERIALS MUST BE RECEIVED BY THE CHILD CUSTODY MEDIATOR NO LATER THAN 7 DAYS PRIOR TO MEDIATION.

Adopted _____, 200___, effective _____, 200___, and applied to pending actions.

Actions of Divorce or for Annulment of Marriage

Rule L1920.51. Appointment of Family Law Master in Divorce and Annulment of Marriage and Ancillary Proceedings

(a) In all divorce and annulment of marriage proceedings where a pleading has been filed raising an issue which Pa.R.C.P. 1920.51 authorizes to be heard by a Master and where the Court, upon its own motion or the motion of either party, appoints a Master pursuant to Pa.R.C.P. 1920.51, the Prothonotary shall forthwith refer the case to the Indiana County Family Law Master. The motion for appointment of Master shall be in the form as set forth in Pa.R.C.P. 1920.74 (A copy of the form is attached hereto for counsel's convenience.) Within thirty (30) days thereafter, the Master shall schedule a preliminary/settlement conference with the parties and their counsel to explore the possibility of resolving the issues in dispute without further litigation. Counsel for each party shall submit to the Master and opposing counsel a pre-trial statement in conformity with Pa.R.C.P. 1920.33(b) at least two (2) weeks in advance of the preliminary/settlement conference. As to those issues that cannot be resolved at preliminary/settlement conference, the Master shall establish a timetable for the progress of the litigation and shall proceed to promptly hold such hearings as are necessary to determine the unresolved issues. Upon concluding a hearing on a particular issue or issues, the Master shall report to the Court as provided in Pa.R.C.P. 1920.53.

(b) Before setting the time and place of taking testimony, the Master shall examine the pleadings and determine the formal sufficiency and regularity of the proceedings and the question of jurisdiction. If defective in any fatal particular, the Master shall so report to the Court and at the same time notify counsel. If defective in a particular curable by amendment, the Master shall notify counsel and suspend further action for a reasonable period of time to enable the necessary correction to be made. Upon the expiration of said period without such correction having been made, the Master shall make a report to the Court, applying for instructions as to further action on the Master's part. When satisfied of the formal sufficiency and regularity of the proceedings and the existence of jurisdiction, or when directed by the Court to proceed, the Master shall appoint the time and place of taking testimony and proceed with action.

(c) Before proceeding to take testimony with respect to a contested claim for divorce and/or an issue which Pa.R.C.P. 1920.51 authorizes to be heard by a Master, the Master shall verify that the fees specified in subsection (d) of this Rule have been paid into the Court, unless the Master determines that the payment of said fees is not necessary before holding the hearing.

(d) Except as provided in subsection (c), whenever a party in a divorce case requests that an evidentiary hearing be held to hear a claim for divorce and/or an issue which Pa.R.C.P. 1920.51 authorizes to be heard by a Master, said moving party shall deposit the sum of \$750.00 with the Prothonotary to be applied to payment of the Master's fees and stenographic costs. Said deposit shall be applied first to the stenographic costs and thereafter to the Master's fees at the rate established annually by the Court through Administrative Order.

Should the Master determine at the Pre-Trial Conference that additional sums for Master fees or stenographic costs are necessary, the Master may require either or both of the parties to deposit the necessary funds with the Prothonotary prior to proceeding further. Failure to comply with the Master's requirement, after entry of an Order upon motion of the Master, shall subject the offending party to contempt proceedings.

(e) In all cases in which the Master shall be of the opinion that the amount of money on deposit for the Master's fees and stenographic costs is not sufficient, the Master shall make a request in writing to the Court for the allowance of additional compensation and/or stenographic costs. Upon the presentation of such request, the Court will issue a rule upon the parties to show cause why the requested additional allowance should not be granted.

(f) The Master shall engage the services of a stenographer. The testimony shall not be transcribed unless it is requested by the Master or a party. If a transcript is requested by the Master, the Master shall determine which party is to bear the cost of the transcript or how the costs of the transcript are to be divided between the parties. If a transcript is requested by a party, that party shall pay for the transcript, and the cost of the transcription may be allocated to one or both of the parties by a court order. Any party filing exceptions to the Master's report shall immediately serve the exceptions upon all other parties and the stenographer of the Master's hearing and shall request the full transcription of testimony, unless the transcription has previously been filed or unless either party requests a conference with the Judge within ten (10) days of the filing of exceptions to determine the extent of transcription necessary, and at the conclusion of such conference, an order is entered setting forth what portions of the Master's hearing are to be transcribed.

Adopted _____, 2004; effective _____, 2004.

[Pa.B. Doc. No. 04-366. Filed for public inspection March 5, 2004, 9:00 a.m.]

TIOGA COUNTY

Bench Warrant Fee for Domestic Relations Section; No. 45 M.S. 2004

Order

And Now, the 23rd Day of February, 2004, the Court hereby imposes a fee in the amount of \$100.00 for each Bench Warrant issued in all Domestic Relations matters.

The Court further Orders that all fees generated are to be used for the purpose of offsetting the operating costs of the Domestic Relations Section. This order will be effective 30 days following publication in the *Pennsylvania Bulletin*.

By the Court

ROBERT E. DALTON, Jr.,
President Judge

[Pa.B. Doc. No. 04-367. Filed for public inspection March 5, 2004, 9:00 a.m.]

RULES AND REGULATIONS

Title 67—TRANSPORTATION

DEPARTMENT OF TRANSPORTATION

[67 PA. CODE CH. 175]

Corrective Amendment to 67 Pa. Code § 175.42

The Department of Transportation has discovered a discrepancy between the agency text of 67 Pa. Code § 175.42 (relating to recording inspection) as deposited with the Legislative Reference Bureau and as published at 33 Pa.B. 5823 (November 29, 2003), and the official text published in the *Pennsylvania Code Reporter* (Master Transmittal Sheet No. 351) and as currently appearing in the *Pennsylvania Code*. Amendments to this section adopted as proposed at 33 Pa.B. 5823 were not codified in MTS 351.

Therefore, under 45 Pa.C.S. § 901: The Department of Transportation has deposited with the Legislative Reference Bureau a corrective amendment to 67 Pa. Code § 175.42. The corrective amendment to 67 Pa. Code § 175.42 is effective as of February 7, 2004, the date the defective official text was announced in the *Pennsylvania Bulletin*.

The correct version of 67 Pa. Code § 175.42 appears in Annex A.

Annex A

TITLE 67. TRANSPORTATION

PART I. DEPARTMENT OF TRANSPORTATION

Subpart A. VEHICLE CODE PROVISIONS

ARTICLE VII. VEHICLE CHARACTERISTICS

CHAPTER 175. VEHICLE EQUIPMENT AND INSPECTION

Subchapter C. CERTIFICATE OF INSPECTION

§ 175.42. Recording inspection.

(a) *Fraudulent recording.* Fraudulent recording of an inspection report sheet will be considered cause for suspension of inspection privileges.

(b) *Signature.* The certified mechanic who performed the entire inspection shall place his signature in the appropriate column of Form MV-431 or MV-480 immediately following the inspection. Both the mechanic exempted from performing the road test under this chapter and the certified mechanic who performed the road test shall place their signatures in the appropriate column.

(1) When the inspection information is transferred from a work order to the Form MV-431 or MV-480 by anyone other than the certified mechanic who performed the inspection, the work order shall contain the certified mechanic's signature and be retained for 2 years. The person who enters the information shall place the name of the certified mechanic in the appropriate column and the initials of the person putting the information on the form in the appropriate column. A mechanic exempted from performing the road test under this chapter and the certified mechanic who performed the road test shall sign the work order. The person who transfers the information shall place the names of both certified mechanics in the appropriate column.

(2) A work order shall be available for inspection upon request by the inspection station supervisor or an authorized representative of the Department.

(c) *Records retention.* The original official inspection report sheet shall be retained as a garage record and kept on file at the station for 2 years. At the close of each inspection period, the official inspection report sheet shall be placed in the station's files, even though all spaces may not have been used, and a new inspection report sheet shall be started for the new inspection period.

(d) *Content.* The inspection report sheet (Form MV-431 for passenger cars, trucks and buses or MV-480 for motorcycles and trailers) shall be neat and legible and completed in its entirety. Details pertinent to every vehicle inspected, including rejections, shall be recorded on the report sheet. Items inspected, adjusted or repaired shall be recorded. If the report sheet lists a piece of equipment which does not apply to the specific type of vehicle being inspected, a dash shall be placed in the column to indicate it has not been overlooked or neglected. Certificates of inspection issued shall be listed in numeric order.

(1) Temporary inspection approval indicators, if issued in lieu of a certificate of inspection, shall be recorded on a separate report sheet (Form MV-431) and shall be indicated in the area designated for the sticker number. This separate report sheet shall be completed as described in this subsection except a "T" shall be entered in the area designated for the sticker number to indicate that a temporary inspection approval indicator was issued. An inspection station may not impose a sticker charge for the issuance of a temporary inspection approval indicator.

(2) Upon the return of a vehicle for which a temporary inspection approval indicator has been issued, the station which originally affixed the temporary inspection approval indicator shall:

(i) Verify the year, make, body style, VIN and proof of financial responsibility for the vehicle presented for a renewed certificate of inspection to ensure it is the same vehicle indicated on the report sheet (Form MV-431) when the original inspection was performed. This information shall be recorded as a new entry on the regular report sheet (Form MV-431) where all inspection sticker serial numbers issued are recorded.

(ii) Record, on the Form MV-431, the serial number of the new certificate of inspection to be affixed to the vehicle along with the vehicle owner's name, address, VIN, license plate number, vehicle year make and body style. A reference to the date and number of the original inspection performed shall be noted in the shaded area to the left of the area designated for the sticker serial number and total cost (that is, See T-inspection number 123 dated 01/01/97).

(iii) Enter, in the appropriate area of the report sheet (Form MV-431), the name of the certified inspection mechanic that verified the original inspection information and that is replacing the certificate of inspection.

(3) The certified inspection mechanic replacing the certificate of inspection shall sign the back of the new certificate of inspection and record the information from the original inspection entry (wheels pulled, date of inspection, and the like.) on the new certificate of inspection before it is affixed to the vehicle. The expiring certificate of inspection shall be removed prior to affixing the new certificate of inspection as described in paragraph (2).

(4) Inspection stations may not replace a certificate of inspection to which a temporary inspection approval indicator has been affixed if one or more of the following apply:

(i) The inspection station did not perform the original inspection of the vehicle or issue the temporary inspection approval indicator affixed to the current certificate of inspection.

(ii) The vehicle does not display a renewed emission certificate of inspection.

(iii) The original safety certificate of inspection has expired.

(iv) The vehicle is in an obviously unsafe condition, including, but not limited to, bald tires, exhaust leaks, broken glazing and broken or missing lighting.

(e) *Nonrelated items.* Gas, oil or other nonrelated items may not be included in total charges for repair and inspection.

(f) *Classifications.* The form numbers and colors listed in this subsection explain the general classification of vehicles to be recorded on each type of inspection record sheets:

(1) *Form MV-431.* Motor vehicles except motorcycles and motor-driven cycles shall be recorded on this form.

(2) *Form MV-480.* Trailer, motorcycle and motor-driven cycles shall be recorded on this form.

[Pa.B. Doc. No. 04-368. Filed for public inspection March 5, 2004, 9:00 a.m.]

PROPOSED RULEMAKING

COAL AND CLAY MINE SUBSIDENCE INSURANCE BOARD

[25 PA. CODE CH. 401]
Mine Subsidence Fund

The Coal and Clay Mine Subsidence Insurance Board (Board) proposes to amend Chapter 401 (relating to mine subsidence fund) regarding the administration of the Mine Subsidence Insurance Fund (Fund) and the Mine Subsidence Insurance Program (Program). The rulemaking is proposed to revise ambiguous terms and provisions in Chapter 401 and to remove dynamic provisions of the insurance policy—that is, coverage limits, premium surcharges and policy durations. The dynamic provisions of the insurance policy are established by the Board and are contained in the Insuring Agreement, the contract between the Fund and its policyholders and part of the insurance policy, so that they can expeditiously be modified by the Board as needed.

This proposed rulemaking was adopted by the Board at its meeting of December 18, 2003.

A. Effective Date

The proposed rulemaking will go into effect upon final-form publication in the *Pennsylvania Bulletin*.

B. Contact Persons

For further information, contact Lawrence Ruane, Administrator, Mine Subsidence Program, P. O. Box 8462, Rachel Carson State Office Building, Harrisburg, PA 17105-8462, (717) 783-9590; or Marc Roda, Assistant Counsel, Bureau of Regulatory Counsel, P. O. Box 8464, Rachel Carson State Office Building, Harrisburg, PA 17105-8464, (717) 787-7060. Information regarding submitting comments on this proposal appears in Section I of this preamble. Persons with a disability may use the AT&T Relay Service by calling (800) 654-5984 (TDD users) or (800) 654-5988 (voice users). This proposal is available on the Department of Environmental Protection's (Department) website: www.dep.state.pa.us.

C. Statutory Authority

Section 19 of the act of August 23, 1961 (P. L. 1068, No. 484) (52 P. S. § 3219) (Act 484) provides that the Board shall have the power to make rules and regulations and other conditions of the policies.

D. Background and Purpose

The Fund was created in 1961 to provide a reliable source of compensation for losses caused by coal and clay mine subsidence, a risk excluded from standard homeowners insurance policies. The Fund is vital to the economic well being of this Commonwealth's coal mining regions because it underwrites potential losses to real property and thereby facilitates the collateralization of real property that is needed for economic growth in the housing industry.

Section 1 of Act 484 (52 P. S. § 3201) created the Board. It consists of the Secretary of the Department as Chairperson and the State Treasurer and the Insurance Commissioner as members. A listing of the Board members is

available upon request from Lawrence Ruane, whose name, address and phone number appear in Section B of this preamble.

Section 19 of Act 484 provides that "the Board may make such rules and regulations and such other conditions of the policies as it deems just and expedient in keeping with the fulfillment of the purposes herein set out . . ." Chapter 401 codifies terms and definitions used by the Fund, establishes procedures that are followed in the administration of the Fund and the Program and establishes static provisions of coverage, such as eligibility criteria, that are not expected to be routinely changed. In prior amendments to Chapter 401, more dynamic provisions of the insurance policy—that is, coverage limits, premium surcharges and policy durations, which are coverage provisions that are continually reviewed and revised by the Board—were added to Chapter 401. This proposed rulemaking removes the dynamic provisions of coverage from Chapter 401 and thereby facilitates the Board's efforts to provide policyholders with relevant coverage while safeguarding the solvency of the Fund. It will also eliminate confusion and the potential for conflicts between provisions in Chapter 401 and provisions in the insurance policy.

E. Summary of Proposed Amendments

This proposed rulemaking amends Chapter 401. There are no companion Federal laws or regulations that govern the administration of the Fund and the Program.

The specific regulatory changes are as follows:

§ 401.1. Definitions.

The term "mine subsidence" is being revised to reflect the definition in the insurance policy. The definition in the insurance policy more clearly identifies that subsidence must result from the partial or complete cave-in or the collapse of mine workings and not mining operations. This amendment eliminates the potential for an interpretation of the term "mine subsidence" to be broadened to include losses caused by surface operations associated with underground mining operations and precisely identifies that losses must be caused by the collapse of underground mine voids.

The term "mine workings" is added because it is used to replace the term "mining operations," the term used in the existing definition of "mine subsidence," which created the ambiguity related to the compensable source of damage.

§ 401.13. Coverage limits and premiums for insurance.

Coverage limits, premium surcharges and policy durations are being deleted from this section and will continue to be established in the insurance policy as is provided in section 19 of Act 484. The dynamic provisions of the insurance policy need to be continually reviewed and amended by the Board. Therefore, they should be established in the insurance policy and then approved by the Attorney General, a process that is prescribed by law. This process is much more expedient and much less expensive than establishing dynamic provisions of the insurance policy through regulations. Adherence to establishing dynamic provisions of the insurance policy in the policy itself, and not through regulations, also eliminates the potential for conflicting provisions.

The effective date of coverage is also being revised to make it clear that coverage is effective when the Board

receives a completed application and receives the premium payment in full. The current language is ambiguous because it does not state the need for a completed application.

F. *Benefits, Costs and Compliance*

Benefits

This proposed rulemaking will bring the provisions in Chapter 401 into conformance with the provisions in the Insuring Agreement, which is the contract between the Fund and the policyholders and is a part of the insurance policy. By eliminating dynamic provisions of the insurance policy from Chapter 401, the Board will be more expedient in making revisions to the insurance policy, as is prescribed in section 19 of Act 484. Most significantly, it will be more agile when making adjustments to coverage limits, which is what Act 484 intends.

Compliance Costs

There are no costs associated with the proposed rulemaking. However, removing the dynamic provisions of the insurance policy from Chapter 401 will eliminate the need to promulgate regulations when changing provisions of the insurance policy, which will result in significant cost savings. Ultimately, those efficiencies will be conveyed to policyholders in the form of lower premium rates.

Compliance Assistance Plan

This proposed rulemaking does not require a compliance assistance plan because it does not propose new or modify existing compliance provisions.

Paperwork Requirements

No additional paperwork will result from this proposed rulemaking.

G. *Sunset Review*

This proposed rulemaking will be reviewed in accordance with the sunset review schedule published by the Department to determine whether the regulation effectively fulfills the goals for which it was intended.

H. *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on February 25, 2004, the Department submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the Senate and House Environmental Resources and Energy Committees. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey any comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections shall specify the regulatory review criteria which have not been met. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the rulemaking, by the Department, the General Assembly and the Governor of comments, recommendations or objections raised.

I. *Public Comments*

Written Comments—Interested persons are invited to submit comments, suggestions or objections regarding the proposed rulemaking to the Coal and Clay Mine Subsidence Insurance Board, P. O. Box 8462, Harrisburg, PA 17105-8462 (express mail: Rachel Carson State Office Building, 5th Floor, 400 Market Street, Harrisburg, PA 17101-2301). Comments submitted by facsimile will not

be accepted. Comments, suggestions or objections must be received by the Board by April 5, 2004. Interested persons may also submit a summary of their comments to the Board. The summary may not exceed one page in length and must also be received by April 5, 2004. The one-page summary will be provided to each member of the Board in the agenda packet distributed prior to the meeting at which time the final regulation will be considered.

Electronic Comments—Comments may be submitted electronically to the Board at RegComments@state.pa.us and must also be received by April 5, 2004. A subject heading of the proposal and a return name and address must be included in each transmission.

KATHLEEN A. MCGINTY,
Chairperson

Fiscal Note: 7-389. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 25. ENVIRONMENTAL PROTECTION

PART III. COAL AND CLAY MINE SUBSIDENCE INSURANCE BOARD

CHAPTER 401. MINE SUBSIDENCE FUND

GENERAL PROVISIONS

§ 401.1. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

* * * * *

Mine subsidence—[**The lateral or vertical subsidence of the earth resulting from past or present underground coal or clay mining operations.**] **The movement of the ground's surface as a result of the partial or complete cave-in or the collapse of underground coal or clay mine workings.**

Mine workings—**The roof, floor or pillars within an underground coal or clay mine.**

* * * * *

INSURANCE POLICIES

§ 401.13. Coverage limits and premiums for insurance.

(a) The maximum amount of insurance for a single covered structure [**is \$150,000 for a residential structure and \$250,000 for a commercial structure or the current market value of the structure, whichever is less**], **the term or duration of the policy, and the premium rate shall be determined by the Board.**

(b) [**The premium charged on a policy, for an amount of coverage which is less than 70% of the current market value of the covered structure, shall, by resolution of the Board, be subject to a surcharge based upon the difference between the amount of available insurance purchased and the current market value of the structure.**

(c) **The premium charged on a policy shall, by resolution of the Board, be subject to additional surcharges of up to 25%, in accordance with the degree of risk, for each of the following conditions:**

(1) The location of the covered structure in an area subject to subsidence from active mining.

(2) The location of the covered structure in an area scheduled for underground flushing operations.

(3) The location of the covered structure in an area having a high risk of subsidence damage.

(4) The covered structure having a history of subsidence damage.

(d)] An insurance policy [will not be] is effective [until] when a complete application is received by the Board or its agents and the premium [has been] associated with that application is received [and the maximum term for all insurance policies will be 1 year, unless otherwise specified by a Board resolution and disclosed to the policyholders] by the Board or its agents.

[Pa.B. Doc. No. 04-369. Filed for public inspection March 5, 2004, 9:00 a.m.]

STATE BOARD OF VETERINARY MEDICINE

[49 PA. CODE CH. 31]

Implanting Electronic Identification; Veterinary Technician

The State Board of Veterinary Medicine (Board) proposes to amend § 31.1, 31.31—31.33, 31.35 and 31.38—31.41 to read as set forth in Annex A. The proposed rulemaking would permit a certified veterinary technician to implant electronic identification under indirect veterinary supervision and would permit a noncertified employee to implant electronic identification under direct veterinary supervision.

The Board also proposes to change the term “certified animal health technician” in existing regulations to “certified veterinary technician,” consistent with the act of December 9, 2002 (P. L. 1370, No. 167) (Act 167).

Effective Date

The proposed rulemaking would become effective upon final-form publication in the *Pennsylvania Bulletin*.

Statutory Authority

Section 3(10)(viii) of the Veterinary Medicine Practice Act (act) (63 P. S. § 485.3(10)(viii)) provides that the practice of veterinary medicine includes the practice by any person who “implants electronic identification, as determined by the Board.” Section 5(2) of the act (63 P. S. 485.5(2)) authorizes the Board to adopt rules and regulations of professional conduct appropriate to establish and maintain a high standard of integrity, skills and practice in the profession of veterinary medicine.

Background and Need for the Proposed Rulemaking

The Board currently does not have a regulation to address section 3(10)(viii) of the act, which was added when the act was amended by Act 167, effective on February 9, 2003. The proposed rulemaking is necessary to allow certified veterinary technicians and noncertified employees, under either indirect or direct supervision, to implant electronic identification.

Act 167 amended the act to change the term “animal health technician” to “veterinary technician,” which is

consistent with Nationwide terminology. Consistent with § 31.1 (relating to definitions) and National practice, the Board will continue to refer to these licensed individuals as certified veterinary technicians rather than veterinary technicians.

Description of Proposed Rulemaking

The Board proposes to amend § 31.31 (relating to scope of practice) to authorize certified veterinary technicians and noncertified employees to implant electronic identification under appropriate supervision. In determining the level of supervision necessary to ensure the safety and welfare of animals, the Board considered the large gauge needle necessary to implant electronic identification and how the use of a large gauge needle compared to the scope of practice of certified veterinary technicians and noncertified employees already set forth in § 31.31. The Board determined that implanting electronic identification might raise the same types of risks associated with intravenous catheterization, which is done with a smaller gauge needle, but directly into a vein. Therefore, the Board determined, consistent with the scope of practice of certified veterinary technicians and noncertified employees already in § 31.31, that certified veterinary technicians should be permitted to implant electronic identification under indirect veterinary supervision and noncertified employees should be permitted to implant electronic identification under direct veterinary supervision. Direct and indirect veterinary supervision are defined in § 31.1.

Direct veterinary supervision means that a veterinarian has given either oral or written instructions, is on the premises and is easily and quickly available to assist. Indirect veterinary supervisions means the veterinarian is not on the premises but is acquainted with the keeping and care of the animal by virtue of an examination of the animal and has given written or oral instructions for treatment of the animal. This will allow a noncertified employee, who generally has less formal education in veterinary technology, to implant electronic identification when a veterinarian is on the premises and easily and quickly available to assist. A certified veterinary technician, who has graduated from an approved school of veterinary technology, has passed a National licensing examination and has obtained licensure, need only have orders from the veterinarian who has examined the animal to implant electronic identification.

This proposed rulemaking also amends all sections of the Board's regulations that address certified animal health technicians to change the nomenclature of these licensees to certified veterinary technician, consistent with Act 167.

Finally, this proposed rulemaking would conform the Board's regulations to the amended act by including as grounds for disciplining a veterinary technician the conviction of a misdemeanor related to the profession or a crime of moral turpitude. See section 21(15) of the act (63 P. S. § 485.21(15)).

Fiscal Impact and Paperwork Requirements

The proposed rulemaking should not have financial impact on licensees, the Board or any other State entity. The proposed rulemaking will have a positive financial impact on those members of the public who wish to have their animals implanted with electronic identification by expanding to paraprofessional personnel the ability to undertake the practice of implanting electronic identification.

The Board has already amended its licensing and biennial renewal applications to reflect the change in nomenclature. There are no additional paperwork requirements associated with the proposed rulemaking.

Sunset Date

The Board continuously monitors its regulations. Therefore, no sunset date has been assigned.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on February 24, 2004, the Board submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the Senate Consumer Protection and Professional Licensure Committee and the House Professional Licensure Committee. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey any comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections shall specify the regulatory review criteria which have not been met. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the rulemaking, by the Board, the General Assembly and the Governor of comments, recommendations or objections raised.

Public Comment

Interested persons are invited to submit written comments, recommendations or objections regarding this proposed rulemaking to Robert Kline, State Board of Veterinary Medicine, P. O. Box 2649, Harrisburg, PA 17105-2649, www.dos.state.pa.us within 30 days following publication of this proposed rulemaking in the Pennsylvania Bulletin.

BRIAN V. HARPSTER, V.M.D.,
Chairperson

Fiscal Note: 16A-5715. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 31. STATE BOARD OF VETERINARY MEDICINE

GENERAL PROVISIONS

§ 31.1. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

* * * * *

Certified [animal health] veterinary technician—
[An animal health] A veterinary technician certified by the Board.

* * * * *

Direct veterinary supervision—A veterinarian has given either oral or written instructions to the certified [animal health] veterinary technician or noncertified

[employe] employee, is on the premises and is easily and quickly available to assist the certified [animal health] veterinary technician or the noncertified [employe] employee.

* * * * *

Indirect veterinary supervision—A veterinarian is not on the premises but is acquainted with the keeping and care of the animal by virtue of an examination of the animal or medically appropriate and timely visits to the premises where the animal is kept, and has given written or oral instructions to the certified [animal health] veterinary technician for treatment of the animal patient.

* * * * *

Noncertified [employe] employee—An [employe] employee of a veterinarian who does not hold certification as [an animal health] a veterinary technician and whom the veterinarian deems competent to administer medication or render auxiliary or supporting assistance under direct veterinary supervision or immediate veterinary supervision.

* * * * *

[ANIMAL HEALTH] VETERINARY TECHNICIANS AND NONCERTIFIED EMPLOYEES

§ 31.31. Scope of practice.

(a) Certified [animal health] veterinary technicians. A certified [animal health] veterinary technician may perform the duties enumerated in this subsection under direct veterinary supervision or indirect veterinary supervision as indicated. While some of the enumerated duties may be applicable primarily to small animal practices, the intended scope of this subsection is both large and small animal practices. This subsection does not prohibit the performance by a certified [animal health] veterinary technician of a service which is not listed in this subsection if the service is within the certified [animal health] veterinary technician's skills, forms a usual component of the veterinarian's scope of practice, and is requested by the supervising veterinarian. The veterinarian bears ultimate responsibility for assuring that the certified [animal health] veterinary technician to whom a duty is assigned is competent to perform it.

(1) A certified [animal health] veterinary technician may do the following only under direct veterinary supervision:

* * * * *

(2) Except as provided in paragraph (3), a certified [animal health] veterinary technician may do the following under indirect veterinary supervision:

* * * * *

(x) Implant an electronic identification device.

(3) If an animal is under anesthesia, a certified [animal health] veterinary technician may perform the services listed in paragraph (2) only under direct veterinary supervision.

(4) Emergency treatment by certified [animal health] veterinary technicians is permitted without veterinary supervision when an animal has been placed

in a life-threatening condition and immediate treatment is necessary to sustain the animal's life. The certified [animal health] veterinary technician shall immediately take steps to secure the direct supervision of a veterinarian. Emergency treatment may only consist of those duties enumerated under paragraphs (1) and (2).

(b) Noncertified [employes] employees. Noncertified [employes] employees may perform the duties enumerated in this subsection under direct veterinary supervision or immediate veterinary supervision, as indicated. While some of the enumerated duties may be applicable primarily to small animal practices, the intended scope of this subsection is both large and small animal practices. This subsection does not prohibit a noncertified [employe] employee from administering medication or rendering auxiliary or other supporting assistance which is not listed in this subsection if the service is within the noncertified [employe's] employee's skills and is requested by the supervising veterinarian. The veterinarian bears ultimate responsibility for assuring that the noncertified [employe] employee to whom a duty is assigned is competent to perform it.

(1) A noncertified [employe] employee may do the following under direct veterinary supervision:

* * * * *

(xi) Implant an electronic identification device.

(2) A noncertified [employe] employee may do the following under immediate veterinary supervision:

* * * * *

(c) Prohibited acts. Neither certified [animal health] veterinary technicians nor noncertified [employes] employees may do the following:

* * * * *

§ 31.32. Certification.

(a) As a prerequisite to original certification as [an animal health] a veterinary technician, an applicant shall submit the following documentation to the Board:

(1) A completed and signed application for [animal health] veterinary technician certification.

* * * * *

(3) Evidence of satisfactory completion of an approved program for the training and education of [animal] veterinary technicians.

(4) A letter of good standing from the licensure board of each state where the applicant has held a license as [an animal health] a veterinary technician, if any, reporting the outcome of disciplinary actions taken against the applicant in that state.

* * * * *

§ 31.33. Applications.

* * * * *

(b) An applicant for certification as [an animal health] a veterinary technician by endorsement shall complete and file with the Board an application for certification by endorsement on forms prescribed by the Board. The application form may be obtained from the Administrative Office of the State Board of Veterinary Medicine, Post Office Box 2649, Harrisburg, Pennsylvania

17105-2649 or by accessing the Board's web page at www.dos.state.pa.us/bpoa/vetbd/mainpage.htm.

§ 31.35. Examinations.

(a) The examination required for certification as [an animal health] a veterinary technician is the Veterinary Technician National Examination (VTNE).

* * * * *

§ 31.38. Code of ethics for certified [animal health] veterinary technicians.

(a) The certificate of a certified [animal health] veterinary technician will only be valid for use when the holder is in the employ of or under the supervision of a veterinarian licensed in this Commonwealth.

(b) The holder of a certificate may not accept a direct fee for services rendered as a certified [animal health] veterinary technician from other than the [certificateholders'] certificateholder's employer.

(c) A certified [animal health] veterinary technician may not compromise the confidentiality of the doctor-client relationship.

(d) A certified [animal health] veterinary technician who deals or communicates directly with a client shall explain to the client that the certified [animal health] veterinary technician is not a veterinarian.

(e) A certified [animal health] veterinary technician shall be responsible to the client and to the veterinarian in the following respects:

* * * * *

(f) A certified [animal health] veterinary technician may not undertake an assignment that the certificateholder is not capable of performing.

§ 31.39. Grounds for disciplinary proceedings.

(a) The Board may suspend or revoke certification of [an animal health] a veterinary technician or otherwise discipline a certified [animal health] veterinary technician or refuse to certify an applicant, or, upon certification, restrict the practice of an applicant who is found guilty by the Board or by a court of one or more of the following:

* * * * *

(4) Revocation [or], suspension or other discipline by another state of the certification of the person as an animal health technician or a veterinary technician on grounds similar to those which in this Commonwealth allow disciplinary proceedings, in which case the revocation [or], suspension or other discipline shall be conclusive evidence.

* * * * *

(6) Conviction of a felony, a misdemeanor related to the profession or a crime of moral turpitude in the courts of this Commonwealth or of a state, territory or country [which, if committed in this Commonwealth, would be deemed a felony] and suspension [or], revocation [of certification] or other discipline is in the best interest of the public health and the general safety and welfare of the public. A record of conviction in a court of competent jurisdiction shall be

sufficient evidence for disciplinary action to be taken as may be deemed proper by the Board.

* * * * *

(b) Certified [**animal health**] **veterinary** technicians and noncertified [**employees**] **employees** who deviate from the permitted scope of practice as set forth in § 31.31 (relating to scope of practice) will be subject to prosecution and the levying of a civil penalty by the Board under section 28(c) of the act (63 P. S. § 485.28(c)). Veterinarians who permit, order or direct certified [**animal health**] **veterinary** technicians or noncertified [**employees**] **employees** to perform duties which are not authorized by § 31.31 will be subject to disciplinary action by the Board under section 21 of the act (63 P. S. § 485.21).

* * * * *

§ 31.40. Continuing education provider approval.

(a) The Board will approve without application to the Board and the fee required under § 31.41 (relating to schedule of fees), continuing education courses offered by the following providers as long as the programs are specifically designed to increase the skills, knowledge and competence of certified [**animal health**] **veterinary** technicians:

* * * * *

(c) Organizations approved under subsections (a) and (b) shall provide certification of attendance to the certified [**animal health**] **veterinary** technician which includes

the name of the sponsor, the name of the licensee, the title of the course, the date of the course, the number of credit hours and the signature of the person authenticating attendance. Organizations approved under subsection (b) shall also provide the Pennsylvania approval number.

(d) Instructors of continuing education programs may include:

* * * * *

(2) Licensed doctors of veterinary medicine in this Commonwealth or in another state who are not faculty members of those schools covered under paragraph (1) if, by virtue of their professional activities and achievements in a particular field, the doctors are recognized by the Board as qualified to speak on subjects of pertinent value to [**animal health**] **veterinary** technicians.

* * * * *

FEES

§ 31.41. Schedule of fees.

An applicant for a license, certificate or service shall submit a payment at the time of the request under the following fee schedule:

* * * * *

[**Animal health**] **Veterinary technicians:**

* * * * *

[Pa.B. Doc. No. 04-370. Filed for public inspection March 5, 2004, 9:00 a.m.]

STATEMENTS OF POLICY

Title 4—ADMINISTRATION

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

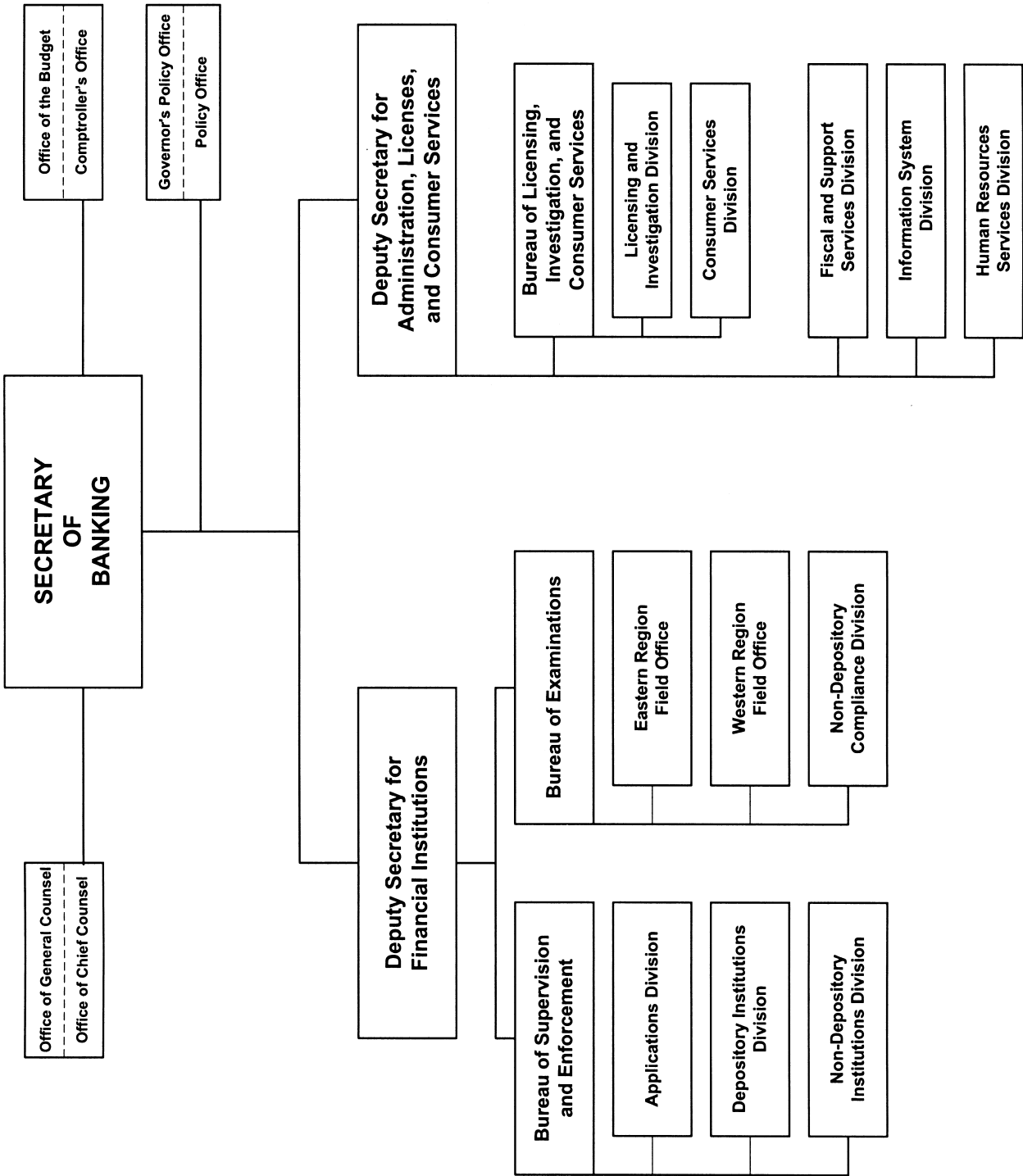
Reorganization of the Department of Banking

The Executive Board approved a reorganization of the Department of Banking effective February 20, 2004.

The organization chart at 34 Pa.B. 1336 (March 6, 2004) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of Code).

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

DEPARTMENT OF BANKING



[Pa.B. Doc. No. 04-371. Filed for public inspection March 5, 2004, 9:00 a.m.]

Title 4—ADMINISTRATION

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

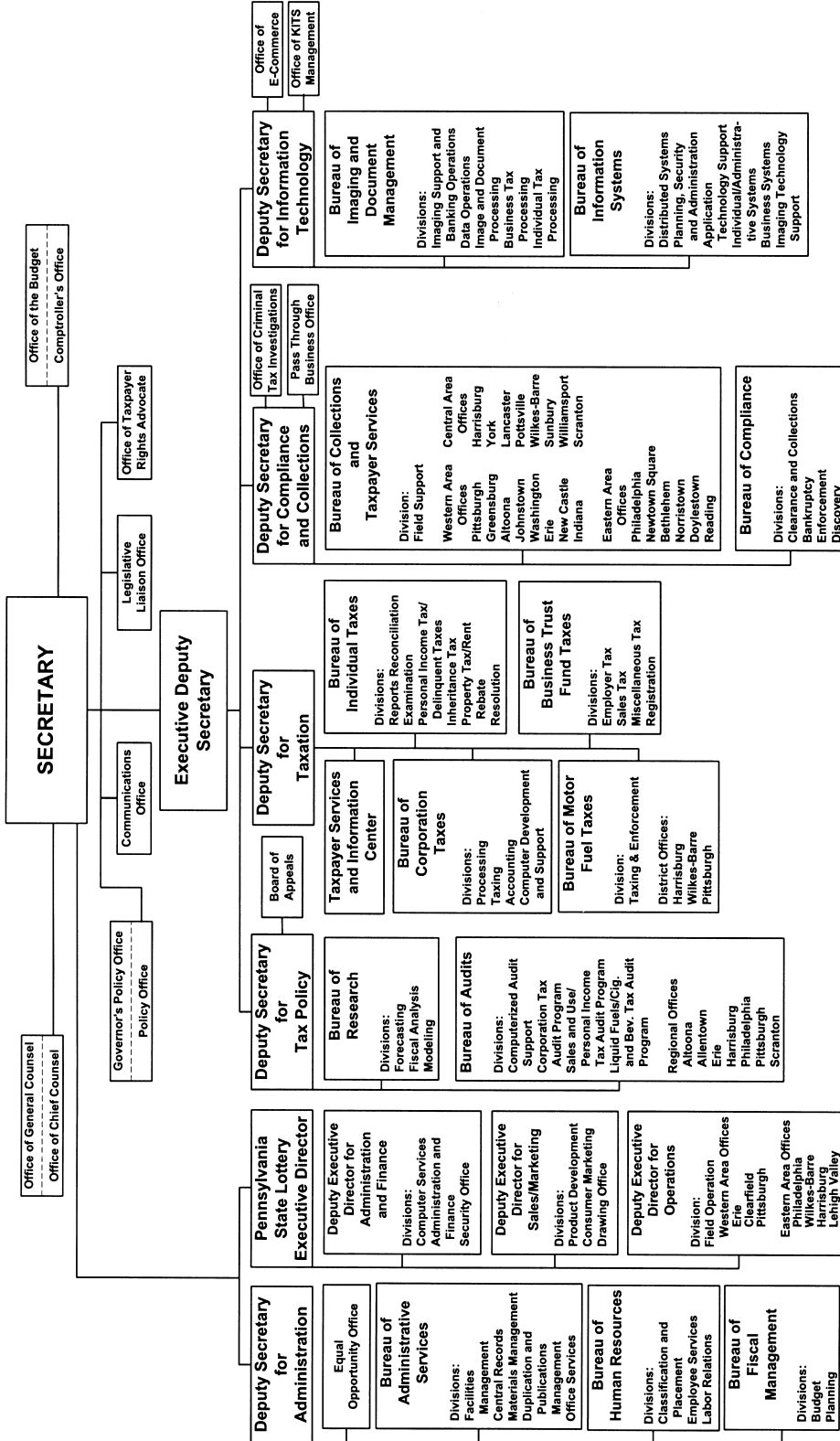
Reorganization of the Department of Revenue

The Executive Board approved a reorganization of the Department of Revenue effective February 12, 2004.

The organization chart at 34 Pa.B. 1338 (March 6, 2004) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of Code).

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

DEPARTMENT OF REVENUE



[Pa.B. Doc. No. 04-372. Filed for public inspection March 5, 2004, 9:00 a.m.]

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 February 24, 2004.

BANKING INSTITUTIONS

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
2-23-04	Sun Interim Trust Company, Lewisburg, and Sentry Trust Company, Chambersburg Surviving Institution—Sun Interim Trust Company, Lewisburg, with a change in corporate title and location to Sentry Trust Company, Chambersburg	Lewisburg	Approved
2-24-04	First Financial Bank Downingtown Chester County Purchase of assets/assumption of liabilities of one branch of PNC Bank, N. A., Pittsburgh, Located at: 112 Old Lincoln Highway Coatesville Chester County	Downingtown	Approved

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-21-04	S & T Bank Indiana Indiana County	Wal-Mart Route 30 Latrobe Westmoreland County	Opened
2-24-04	First Financial Bank Downingtown Chester County	16 East Market Street West Chester Chester County	Filed

Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
2-17-04	Millennium Bank Malvern Chester County	<i>To:</i> 2800 State Hill Road Wyomissing Berks County <i>From:</i> 1200 Broadcasting Road Wyomissing Berks County	Effective

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

Branch Applications

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
2-20-04	Freedom Credit Union Philadelphia Philadelphia County	636 East Main Street Lansdale Montgomery County	Approved

Articles of Amendment

<i>Date</i>	<i>Name of Credit Union</i>	<i>Purpose</i>	<i>Action</i>
2-24-04	Altoona Postal Employees Credit Union Altoona Blair County	Amendment to Article 8 of the Articles of Incorporation provides for an expansion of the field of membership to include underserved areas.	Approved and Effective

A. WILLIAM SCHENCK, III,
Secretary

[Pa.B. Doc. No. 04-373. Filed for public inspection March 5, 2004, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Snowmobile and ATV Advisory Committee Meeting

The Snowmobile and ATV Advisory Committee of the Department of Conservation and Natural Resources (Department) will hold a meeting on Wednesday, March 17, 2004, at 9:30 a.m. in Room 105, First Floor, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning this meeting or agenda items should be directed to Anthony DiGirolomo, (717) 787-9306.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Anthony DiGirolomo at (717) 787-9306 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

MICHAEL F. DIBERARDINIS,
Secretary

[Pa.B. Doc. No. 04-374. Filed for public inspection March 5, 2004, 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 regional office noted before an application within 30 days from the date of this public notice. Persons wishing to comment on a WQM permit application are invited to submit a statement to the regional office noted before the application within 15 days from the date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the applications. Comments should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

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

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

I. NPDES Renewal Applications

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

<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>
PA0055034	Jonna and Kevin McCoy 9 Hilldale Road Malvern, PA 19355	Chester County Willistown Township	UNT to Crum Creek	Y
PA0056065	ENSERV Immaculata University 1145 King Road Immaculata, PA 19345	Chester County East Whiteland Township	UNT of Valley Creek	Y
PA0057746	Barry L. Nyce 2540 North Ridge Road Perkasie, PA 18944	Bucks County East Rockhill Township	Three Mile Run	Y

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0024716	Freeland Borough Municipal Authority 711 Birbeck Street Freeland, PA 18224	Luzerne County Foster Township	Pond Creek 02A	Y
PA0061344 Industrial Waste Renewal	WPS Westwood Generating, LLC 1088 Springhurst Drive Green Bay, WI 54304-5495	Frailey Township Schuylkill County	Lower Rausch Creek 07D	Y
PA0063029 Minor Renewal	J. A. Snyder Entities (Fountain Court) Suite 21, Route 611 Bartonsville, PA 18321	Monroe County Pocono Township	Cranberry Creek 01E	Y
PA0063185IW	Eldorado Properties Corporation 900 Eisenhower Boulevard P. O. Box 2621 Harrisburg, PA 17105	Luzerne County Pittston Township	Collins Creek 5A	Y
PA0063827 Sewage	James and Judy Saunders 14 All King's Drive New Ringgold, PA 17960	Schuylkill County West Penn Township	Unnamed tributary to Lizard Creek 2B	Y

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0082244 Industrial Waste	Susquehanna Area Regional Airport Authority 208 Airport Drive Middletown, PA 17057	Dauphin County Lower Swatara Township	Susquehanna River 7-C	Y
PA0070122 Sewerage	United Mobile Homes, Inc. Highland Estates MHP 3499 Route 9 North, Suite 3C Freehold, NJ 07728	Berks County Greenwich Township	UNT of Mill Creek 3-B	Y
PA0042137 Industrial Waste	The Glidden Company d/b/a ICI Paints 301 Bern Street Reading, PA 19601-1252	Berks County Reading City	Bernhardt's Creek 3-C	Y
PA0028088 Sewerage	Brown Township Municipal Authority 7748 SR 655 Reedsville, PA 17084-9148	Mifflin County Brown Township	Kishacoquillas Creek 12-A	Y
PA0083585 Sewerage	Todd Township HRC 75 McConnellsburg, PA 17233	Fulton County Todd Township	Licking Creek 13-B	Y
PA0020508 Sewerage	McConnellsburg Sewerage Authority P. O. Box 681 McConnellsburg, PA 17233-0681	Fulton County McConnellsburg Borough	Big Cove Creek 13-B	Y

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0208825 SP	Austin Borough Box 297 Austin, PA 16720	Potter County Portage Township	Freeman Run 8A	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>
PA0101711	Blair Corporation 220 Hickory Street Warren, PA 16365	Pleasant Township Warren County	Unnamed tributary to Allegheny River 16-B	Y
PA0102997	Advanced Heat Treating, Inc. 1057 Trout Run Road St. Marys, PA 15857	City of St. Marys Elk County	Unnamed tributary to Elk Creek 17-A	Y

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

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

PA0050644, Industrial Waste, SIC 4941, **East Greenville Borough**, P. O. Box 128, East Greenville, PA 18041-0128. This proposed facility is in East Greenville Borough, **Montgomery County**.

Description of Proposed Activity: Discharge of treated filter backwash from the water filtration plant.

The receiving stream, Perkiomen Creek, is in the State Water Plan Watershed 3E and is classified for TSF. The nearest downstream public water supply intake for the Philadelphia Suburban Water Company is on the Perkiomen Creek, 26.84 miles below the point of discharge.

The following proposed effluent limits for Outfall 001 are based on a design flow of 16,000 gpd:

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Suspended Solids			30	60	75
Iron, Total			2	4	5

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum (mg/l)
pH (STD)			6.0 Min		9.0
Aluminum, Total			4	8	10
Manganese, Total			1	2	2.5
Total Residual Chlorine			0.5	1.0	1.3

In addition to the effluent limits, the permit contains the following major special conditions: DMR to the Department; remedial measures; sludge disposal; test methods; TMDL limits; laboratory certification; and sedimentation basin cleaning.

PA0057541, Sewage, **Marc and Jody Detweiler**, 2144 Old Skippack Road, Harleysville, PA 19438. This application is for issuance of an NPDES permit to discharge treated sewage from a single residence STP in Upper Salford Township, **Montgomery County**. This is an existing discharge to an unnamed tributary to Vaughns Run.

The receiving stream is classified for WWF, aquatic life, water supply and recreation. The discharge is in State Water Plan 3E, Perkiomen Watershed. The nearest downstream public water supply intake is on the Perkiomen Creek, approximately 8 miles below the discharge point.

The proposed effluent limits for Outfall 001, based on an average flow of 400 gpd, are as follows:

Parameter	Average Monthly (mg/l)	Instantaneous Maximum (mg/l)
CBOD ₅	10	20
Suspended Solids	20	40
Total Residual Chlorine	Monitor and Report	
Fecal Coliform	200 colonies/100 ml as a geometric average	
pH	within limits of 6.0—9.0 standard units at all times	

The EPA waiver is in effect.

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

PA0026727, Sewage, **Borough of Tyrone**, 1100 Logan Avenue, Tyrone, PA 16686. This facility is in Snyder Township, **Blair County**.

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

The receiving stream, Little Juniata River, is in Watershed 11-A and classified for trout stocking, 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 118 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 9.0 MGD are:

Parameter	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N			
(5-1 to 10-31)	5.5	XXX	11
(11-1 to 4-30)	12	XXX	24
Total Phosphorus	Monitor and Report	XXX	XXX
Total Nitrogen	Monitor and Report	XXX	XXX
Dissolved Oxygen	minimum of 5.0 at all times		
pH	from 6.0 to 9.0 inclusive		
Fecal Coliform	200/100 ml as a geometric average		
(5-1 to 9-30)	4,600/100 ml as a geometric average		
(10-1 to 4-30)			
Total Copper	0.024		0.06
Hexavalent Chromium	0.019		0.048

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

The EPA waiver is not in effect.

PA0246379, CAFO, **Blevins Blue Mountain Finishing Farm, LLC (Blue Mountain Finishing Farm)**, 10315 Otterbein Church Road, Newburg, PA 17240. Blevins Blue Mountain Finishing Farm, LLC has submitted an application for an Individual NPDES permit for an existing CAFO known as Blue Mountain Finishing Farm, 10391 Otterbein Church Road, Lurgan Township, **Franklin County**.

The CAFO is situated near an unnamed tributary of Clippingers Run in Watershed 7-B (WWF). The CAFO is designed to maintain an animal population of approximately 579 AEU's consisting of 4,800 finishing swine, 20 beef cows and 15 beef calves. The swine are housed in four finishing barns. Manure drains into an HDPE-lined manure storage facility. The total capacity of the manure storage facility is approximately 4 million gallons.

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

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

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

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

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

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

PA0024406, Sewage 4952, **Mount Carmel Municipal Authority**, 18 East Fifth Street, P. O. Box 365, Mount Carmel, PA 17851-0365. This existing facility is in Mount Carmel Borough, **Northumberland County**.

Permit No. PA0024406 is being amended for the following reasons:

- To correct a technical mistake or mistaken interpretation of law in Part C Special Condition 4—management and control of combined sewer overflows. Special Condition 4 has been amended to clarify that compliance with the requirements of EPA guidance documents no. 832-B-95-002 entitled "Guidance For Long Term Control Plan" and no. 832-B-95-003 entitled "Guidance For Nine Minimum Control Measures" is required. There are no changes to effluent limits.

- To correct the latitudes and longitudes on pages 2a and 2b of the permit.

- To remove abandoned combined sewer overflow Outfall 011 from the permit.

- To add two site stormwater outfalls, S01 and S02, as required by the EPA's Phase II stormwater regulations. New Part C Special Condition 5—requirements applicable to stormwater outfalls. Annual stormwater inspection certification will be required, instead of chemical monitoring.

PA0021814, Sewage 4952, **Mansfield Borough**, 19 East Wellsboro, Mansfield, PA 16933. This existing facility is in Mansfield Borough, **Tioga County**.

This proposed action is for the renewal of an NPDES permit for the discharge of treated sewage to the Tioga River in Mansfield Borough, Tioga County. The receiving stream is classified for CWF, aquatic life, water supply and recreation.

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing downstream potable water supply considered during the evaluation is the NY/PA state border, approximately 17.0 river miles downstream.

The proposed effluent limits, based on a design flow of 1.0 MGD Outfall 001, are:

<i>Parameter</i>	<i>Average Monthly (mg/L)</i>	<i>Instantaneous Maximum (mg/L)</i>
Flow	Monitor and Report	
Fecal Coliform (5-1 to 9-30)	200/100 mL	
(10-1 to 4-30)	2,000/100 mL	
CBOD ₅	25	50
Total Suspended Solids	30	60
Total Chlorine Residual	0.05	1.6
pH	within the range of 6.0 to 9.0	

The EPA waiver is not in effect.

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

PA0031488, Sewage, **Yough School District**, 99 Lowber Road, Herminie, PA 15637. This application is for renewal of an NPDES permit to discharge treated sewage from the Yough Senior High School Wastewater Treatment Plant in Sewickley Township, **Westmoreland County**.

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

Outfall 001: existing discharge, design flow of 0.013 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25			50
Suspended Solids	30			60
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	50,000/100 ml as a geometric mean			
Total Residual Chlorine	1.4			3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0091791, Sewage, **Joseph Argiro**, R. D. 2, Box 368, Connellsville, PA 15425. This application is for renewal of an NPDES permit to discharge treated sewage from the Argiro Mobile Home Park STP in Bullsken Township, **Fayette County**.

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

Outfall 001: existing discharge, design flow of 0.026 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen (5-1 to 10-31)	6.5			13.0
(11-1 to 4-30)	19.5			39.0
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	1.4			3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0094382, Sewage, **Greensburg Salem School District**, 1 Academy Hill Place, Greensburg, PA 15601. This application is for renewal of an NPDES permit to discharge treated sewage from the Metzgar Elementary School STP in Salem Township, **Westmoreland County**.

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

Outfall 001: existing discharge, design flow of 0.005 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen	25.0			50.0
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	1.4			3.3
Dissolved Oxygen	not less than 3.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

PA0239445, Sewage, **Sugar Grove Area Sewage Authority**, R. D. 4, Box 205, Sugar Grove, PA 16350. This proposed facility is in Sugar Grove Township, **Warren County**.

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

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply, considered during the evaluation is the PA/NY state line on the Stillwater Creek, approximately 2 miles below point of discharge.

The receiving stream, the Stillwater Creek, is in watershed 16-B and classified for CWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.2 MGD.

Parameter	Loadings		Concentrations		
	Average Monthly (lb/day)	Average Weekly (lb/day)	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
Flow			XX		
CBOD ₅	41	65	25	40	50
Total Suspended Solids	50	75	30	45	60
NH ₃ -N					
(5-1 to 10-31)	10		6.5		13
(11-1 to 4-30)	32		19.5		39
Fecal Coliform					
(5-1 to 9-30)		200/100ml as a geometric average			
(10-1 to 4-30)		6,000/100ml as a geometric average			
Total Residual Chlorine			0.5		1.6
pH			6.0 to 9.0 standard units at all times		

The EPA waiver is in effect.

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

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

WQM Permit No. 1503433, Sewerage, **East Fallowfield Township**, 100 Cheshire Court, Suite 204, Coatesville, PA 19320. This proposed facility is in East Fallowfield Township, **Chester County**.

Description of Proposed Action/Activity: Construction and operation of a wastewater pump station to serve a 27-lot single family residential subdivision.

WQM Permit No. 1503434, Sewerage, **Camphill Village—Kimberton Hills**, P. O. Box 1045, Camphill Drive, Kimberton, PA 19442. This proposed facility is in West Vincent Township, **Chester County**.

Description of Proposed Action/Activity: Construction and operation of a wetland community sewage treatment system for a private residential development.

WQM Permit No. 1503435, Sewerage, **Elverson Municipal Authority**, 101 South Chestnut Street, P. O. Box 266, Elverson, PA 19520. This proposed facility is in Borough of Elverson, **Chester County**.

Description of Proposed Action/Activity: Construction and operation of a new pumping station for a new elementary center.

WQM Permit No. 1503409, Amendment, Sewerage, **East Fallowfield Township**, 2264 Strasburg Road, East Fallowfield, PA 19320-4437. This proposed facility is in East Fallowfield Township, **Chester County**.

Description of Proposed Action/Activity: Amending existing sewage pump station with a new capacity of 52,764 gpd.

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

WQM Permit No. 3604407, Sewerage, **West Donegal Township Authority**, One Municipal Drive, Elizabethtown, PA 17022. This proposed facility is in West Donegal Township, **Lancaster County**.

Description of Proposed Action/Activity: Construction of force main from Bossler no. 1 pump station to Bossler no. 2 pump station to alleviate existing hydraulic overload at the Turnpike Road no. 2 pump station.

WQM Permit No. 0604402, Sewerage, **Bear Creek Management Company, LLC**, 1950 Old Gallows Road, Suite 600, Vienna, VA 22182. This proposed facility is in Longswamp Township, **Berks County**.

Description of Proposed Action/Activity: Seeking approval for the construction of a proposed wastewater treatment plant facility that includes spray irrigation.

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

WQM Permit No. 5504401, Sewage 4952, **John W. Engle**, R. R. 5, Box 49, Park Road, Selinsgrove, PA 17870. This proposed facility is in Monroe Township, **Snyder County**.

Description of Proposed Action/Activity: The applicant proposes to construct and operate a single residence sewage plant. The sewage plant will be a septic tank, buried filter and chlorination.

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

WQM Permit No. 0204401, Sewerage, **David and Connie Martin**, 1924 Shaler Drive, Glenshaw, PA 15116. This proposed facility is in Indiana Township, **Allegheny County**.

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

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

WQM Permit No. 2504403, Sewerage, **Vicky L. Kowalski**, P. O. Box 176, McKean, PA 16426. This proposed facility is in Franklin Township, **Erie County**.

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

WQM Permit No. 4204401, Sewerage, **Kenneth R. Mink**, 8170 Millfair Road, McKean, PA 16426. This proposed facility is in McKean Township, **Erie County**.

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

WQM Permit No. 2504404, Sewerage, **Thomas B. Sherwood**, 7900 Dagget Road, Girard, PA 16417. This proposed facility is in Fairview Township, **Erie County**.

Description of Proposed Action/Activity: A single residence sewerage 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>
PAI132236	Weisenberg Township 2175 Seipstown Road Fogelsville, PA 18051	Lehigh	Weisenberg Township	Little Lehigh Creek HQ	Y

V. Applications for NPDES Waiver Stormwater Discharges from MS4

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI011504001	United States Postal Services Paoli Carrier Annex P. O. Box 27497 Greensboro, NC 27489-1103	Chester	Tredyffrin and Willistown Townships	Valley Creek EV
PAI011504002	Chester Bartoli, III Bartoli Mushroom Facility 114 Gold Hawk Lane Landenberg, PA 19350	Chester	Londonderry and Penn Townships	Unnamed tributary Big Elk Creek HQ-TSF-MF
PAI011504003	Levi S. Stoltzfus Custom Woodworking 3400 Horseshoe Pike Honey Brook, PA 19344-8647	Chester	Honey Brook Township	West Branch Brandywine Creek HQ-TSF-MF
PAI011504004	Willistown Township Greentree Community Park 688 Sugartown Road Malvern, PA 19355	Chester	Willistown Township	Crum Creek HQ-CWF
PAI011504005	McIntyre & Fleming Partnership MAF Homes, Inc. 195 Woodland Drive Downingtown, PA 19335	Chester	Uwchlan Township	East Branch Brandywine Creek HQ-WWF-MF
PAI011504006	Joseph Eckman Eckman Family Dentistry 217 West Sickle Street Kennett Square, PA 19348	Chester	Penn Township	East Branch Big Elk Creek HQ-TSF-MF
PAI011504007	Megill Homes, Inc. Winterwood Development 2 Huntrise Lane West Chester, PA 19382	Chester	Pocopson Township	Pocopson Creek TSF-MF
PAI010903007	Mark Elser Fox Field Estates 3326 Old York Road Furlong, PA	Bucks	Milford Township	Unami Creek HQ-TSF

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI010903016	DMMW, Inc. Lacey's Pub and Grill 4905 Tilghman Street Allentown, PA 18104	Bucks	Milford Township	Unami Creek HQ-TSF
PAI010904002	Bernard and Valerie Berlinger The Berlinger Property 2132 Sugarbottom Road Furlong, PA 18925-1500	Bucks	Solebury Township	Paunnacussing Creek HQ-CWF
PAI012303001	Mar-J Properties 114 Yearsley Mill Road Media, PA 19063	Delaware	Middletown Township	Rocky Run HQ-CWF-MF
PAI012304002	St. Mary Magdalene Parish Church Expansion 2400 North Providence Road Media, PA 19063	Delaware	Upper Providence Township	Ridley Creek HQ-TSF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023904007	SAR Associates, LLC 3333 Lehigh St. Allentown, PA 18103	Lehigh	Salisbury Township	Little Lehigh Creek HQ-CWF
PAI023904008	WORCO 20 W. Market St. York, PA 17405	Lehigh	South Whitehall Township	Little Lehigh Creek HQ-CWF
PAS10Q251-1	Tiger Den Partners, LLC 171 Route 173, Suite 201 Asbury, NJ 08802	Lehigh	City of Bethlehem	Monocacy Creek HQ
PAI023904009	Joseph Plunkett Stephen Rose 2930 Fairview St. Allentown, PA 18103	Lehigh	Upper Milford Township	Little Lehigh Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10S070-R	LTS Development, Inc. P. O. Box 160 Shawnee-on-Delaware, PA 18356	Monroe	Stroud Township	Little Pocono Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10U111R	Triple Net Investments VII, L. P. 171 Route 173, Suite 201 Asbury, NJ 08802	Northampton	Bethlehem Township	Monocacy Creek HQ-CWF

Southcentral Region: Water Management Program Manager, 909 Elmerton Ave., Harrisburg, PA 17110-8200.

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI2034404001	Kerfam, Inc. P. O. Box 43 Milroy, PA 17099	Mifflin	Armagh	Laurel Creek HQ-CWF

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

Centre County Conservation District: 414 Holmes Ave., Suite 4, Bellefonte, PA 16823, (814) 355-6817.

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041404003	The Centre Regions New Public Library Schlow Memorial Library 100 East Beaver Ave. State College, PA 16801	Centre	State College Borough	Thompson Run HQ-CWF

Lycoming County Conservation District: 542 County Farm Rd., Suite 202, Montoursville, PA 17754, (570) 433-3003.

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI044104001	ZP No. 103, LP 111 Princess St. Wilmington, NC 28401	Lycoming	Jersey Shore Borough	Nichols Run HQ-CWF

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

PAG-12	CAFOs
PAG-13	Stormwater Discharges from MS4

CAFO Notices of Intent Received

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

PAG123506 Amendment No. 1, CAFO, Mark E. Leinbach, 105 Hoover Lane, Loysville, PA 17047. This proposed facility is in Tyrone Township, **Perry County**.

Description of Size and Scope of Proposed Operation/Activity: The Mark E. Leinbach farm is an existing hog operation with intent to expand a facility with a total AEUs of 795.15. The operation will include 5,860 finishing hogs and 150 Jersey heifers with an estimated total annual manure production of 15,084 tons. The manure storage system consists of three barns with shallow pit manure storages that flow from the shallow pits to an outside HDPE-lined lagoon. For 2 months in the summer, a neighboring farmer grazes approximately 150 head of heifers on a 45-acre mixed hay field. The 243 tons of heifer manure produced is used on the farm. Of the 3,576,205 gallons of swine manure generated, 2,001,600 gallons is used on the farm with the remaining 1,574,605 gallons being exported from the farm.

The receiving stream, Muddy Run, is in watershed 7-A and classified for WWF.

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

MS4 Notices of Intent Received

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>Department Protocol (Y/N)</i>
PAG133543	Lower Swatara Township 1499 Spring Garden Dr. Middletown, PA 17057	Dauphin	Lower Swatara Township	Unnamed tributary of Swatara Creek WWF Unnamed tributary of Susquehanna River WWF	Y

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>Department Protocol (Y/N)</i>
PAG138330	Summit Township 8900 Old French Road Erie, PA 16509	Erie	Summit Township	Walnut, Elk and Mill Creeks	Y

PUBLIC WATER SUPPLY (PWS) PERMIT

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

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

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

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

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

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

Permit No. 4004502, Public Water Supply.

Applicant	Hazleton Water Co. 410 West Mine Street Hazleton, PA 18201
Township or Borough	Black Creek Township, Luzerne County
Responsible Official	Dominic Yannuzzi
Type of Facility	Bulk Water Hauling
Consulting Engineer	Dominic Yannuzzi, P. E.
Application Received Date	February 4, 2004
Description of Action	The development of a well source, treatment and water hauling station.

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

Permit No. 6704503, Public Water Supply.

Applicant	Glen Rock Water Authority
Municipality	Shrewsbury Township
County	York
Responsible Official	Laverne Gladfelter, Chairperson 11714 North Main Street P. O. Box 205 Glen Rock, PA 17327-0205
Type of Facility	PWS
Consulting Engineer	Mikel V. Geissler, P. E. CET Engineering Services 1240 N. Mountain Rd. Harrisburg, PA 17112
Application Received Date	January 29, 2004
Description of Action	Installation of a sodium hypochlorite disinfection system at the Church Street interconnection with York Water Company.

Permit No. 0603520, Public Water Supply.

Applicant	Reading Area Water Authority
Municipality	Ontelaunee Township
County	Berks
Responsible Official	Anthony J. Consentino, Executive Director 815 Washington Street Reading, PA 19601
Type of Facility	PWS
Consulting Engineer	Thomas L. Weld, Jr., P. E. BCM Engineers 920 Germantown Pike Plymouth, PA 19462
Application Received Date	December 19, 2003
Description of Action	Water main extension to Ontelaunee Township and construction of a chlorine booster pump station.

Permit No. 2204501, Public Water Supply.

Applicant	Water To Go + Nutrition
Municipality	Lower Paxton Township
County	Dauphin
Responsible Official	Brian Preputnick 517 Blanchester Road Harrisburg, PA 17112
Type of Facility	PWS
Consulting Engineer	James C. Elliot, P. E. Gannett Fleming, Inc. P. O. Box 67100 Harrisburg, PA 17106-7100
Application Received Date	January 2, 2004
Description of Action	Installation of a new retail water system.

Permit No. 3604501, Public Water Supply.

Applicant **Gus's Keystone Family Restaurant**
 Municipality Mount Joy Borough
 County **Lancaster**
 Responsible Official Gus Kourgelis, Owner
 1050 West Main Street
 Mount Joy, PA 17552
 Type of Facility PWS
 Consulting Engineer Eugene R. Oldham, P. E.
 D C Gohn Associates Inc.
 32 Mount Joy Street
 Mount Joy, PA 17552
 Application Received Date January 8, 2004
 Description of Action Installation of nitrate treatment and a water softener to the existing system.

Permit No. 6704502, Public Water Supply.

Applicant **Wrightsville Borough Municipal Authority**
 Municipality Hellam and L. Windsor Townships
 County **York**
 Responsible Official J. Walter Dixon, General Manager
 P. O. Box 187
 Wrightsville, PA 17386
 Type of Facility PWS
 Consulting Engineer Michael S. Keefer, P. E.
 Light Heigel & Associates Inc.
 430 East Main Street
 Palmyra, PA 17078
 Application Received Date January 14, 2004
 Description of Action Construction of a transmission main, two booster stations, a 69,000-gallon water storage tank and distribution system.

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

Permit No. 4304501, Public Water Supply

Applicant **St. Paul Homes**
 Township or Borough West Salem Township, **Mercer County**
 Responsible Official Don Henderdson
 Type of Facility PWS, Personal Care Facility
 Consulting Engineer Edward A. Winslow, Jr., P. E.
 PLS, Winslow Engineering Inc.
 1720 Valley View Road
 P. O. Box 1390
 Hermitage, PA 16148
 Application Received Date February 19, 2004
 Description of Action New well construction—well to be used as potable water source and for fire protection.

MINOR AMENDMENT**Applications Received under the Pennsylvania Safe Drinking Water Act**

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

Application No. Minor Amendment.

Applicant **Pennsylvania Suburban Water Company**
 Township or Borough Moore Township, **Northampton County**
 Responsible Official Mark J. Kropilak, VP and Gen. Counsel
 Pennsylvania Suburban Water Company
 762 West Lancaster Avenue
 Bryn Mawr, PA 19010
 (610) 645-1080
 Type of Facility Community Water System
 Application Received Date January 7, 2004
 Description of Action Application for transfer of the PWS Operations Permit 3480029 for Evenwood Acres from The Ariana Corporation to The Pennsylvania Suburban Water Company.

Application No. Minor Amendment.

Applicant **Wheatfield Village Homeowners Association**
 Township or Borough Milford Township, **Pike County**
 Responsible Official Carol Mihail, Treasurer
 Wheatfield Village Homeowners Assn.
 115 Wheatfield Court
 Milford, PA 18337
 (570) 296-4137
 Type of Facility Community Water System
 Application Received Date February 3, 2004
 Description of Action Application for transfer of PWS Operations Permit 2520087 from Wheatfield Village—Northern Equity Investors Group, Inc. to Wheatfield Village Homeowners Association.

Application No. Minor Amendment.

Applicant **Pennsylvania American Water Company**
 Township or Borough Lehman Township, **Pike County**
 Responsible Official Steven J. Seidl, VP Engineering
 Pennsylvania American Water Company
 800 West Hersheypark Drive
 Hershey, PA 17033
 (717) 531-3365
 Type of Facility Community Water System

Consulting Engineer	Michael P. Goodwin, P. E. Milnes Engineering, Inc. 12 Frear Hill Road Tunkhannock, PA 18657 (570) 8362145
Application Received Date	February 3, 2004
Description of Action	Application for construction of a 250,000-gallon storage tank and associated pump station at the Saw Creek Estates development.

WATER ALLOCATIONS

Applications received under the act of June 24, 1939 (P. L. 842, No. 365) (35 P. S. §§ 631–641) relating to the acquisition of rights to divert waters of this Commonwealth

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

WA 59-1009, Water Allocations, **Nelson Township Authority**, Lakeview Drive, P. O. Box 100, Nelson, PA 16940-0100, Nelson Township, **Tioga County**. Application received, February 17, 2004, for a water allocation permit to take up to 43,200 gpd of water from the Cowanesque River.

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 before which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

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

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

Pacetti Site, Former Air National Guard Facility, City of Philadelphia, **Philadelphia County**. Raymond Scheinfeld, P. G., Weston Solutions, Inc., 1500 Market St., Suite 1250W, Philadelphia, PA 19102, on behalf of City of Philadelphia, Division of Aviation, Terminal E, Philadelphia International Airport, Philadelphia, PA 19153, Attn: Calvin Davenger, P. E., has submitted a Notice of Intent to Remediate soil and groundwater contaminated with jet fuel. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in *Southwest Philadelphia Review* on November 21, 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, 2 East Main Street, Norristown, PA 19401.

Permit Application No. 101470. US Recycling Inc., 6101 Tacony Street, Philadelphia, PA 19135-2998, City of Philadelphia, **Philadelphia County**. This application is a permit application for a radiation protection action plan for the facility. The application was received by the Southeast Regional Office on February 13, 2004.

Permit Application No. 301254. R3 Technologies, Inc., P. O. Box 847, 7 Steel Road East, Morrisville, PA 19067-0847, Falls Township, **Bucks County**. The application was received for the renewal of the residual waste processing permit for the R3 facility. The application was received by the Southeast Regional Office on February 13, 2004.

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

Permit ID No. 101619. Joseph J. Brunner, Inc., 211 Brunner Road, Zelienople, PA 16063. **Brunner Recycling Center,** 2973 Duss Avenue, Ambridge, PA 15003. Application for the renewal of a municipal waste processing facility permit in Harmony Township, **Beaver County,** was received in the Regional Office on February 13, 2004.

ISSUANCE OF SOLID WASTE PERMIT

Permit issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations to operate a solid waste processing or disposal site.

Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

Permit No. PAD002330165. East Penn Manufacturing, Inc., Deka Road, Lyon Station, PA, Richmond Township, **Berks County.** On January 21, 2004, the Department issued a hazardous waste storage permit to East Penn Manufacturing for the storage of spent lead-acid batteries. The Department received no public comments for the draft permit during the required 45-day public comment period, which began on November 15, 2003. Persons interested in obtaining more information about this permit should contact the Waste Management Program, (717) 705-4706.

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.

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

39-309-060: Lafarge North America, Inc. (5160 Main Street, Whitehall, PA 18052) for modification of a blender operation and associated air cleaning devices at their facility in Whitehall Township, **Lehigh County.**

39-304-025: Howmet Aluminum Castings (2175 Avenue C, Bethlehem, PA 18017) for installation of two air cleaning devices to control atmospheric emissions from a burnout furnace at their facility in Bethlehem, **Lehigh County.**

40-309-037B: Polyglass USA, Inc. (555 Oak Ridge Drive, Hazleton, PA 18201) for construction of an asphalt roofing production line at their facility in Hazle Township, **Luzerne County.**

54-313-083: Air Products and Chemicals, Inc. (357 Marian Avenue, Tamaqua, PA 18252) for construction of a fluorine plant (West II) and associated air cleaning devices at their facility in Rush Township, **Schuylkill County.**

40-303-009C: Pennsy Supply, Inc. (1001 Paxton Street, Harrisburg, PA 17104) for modification of the existing batch asphalt plants to utilized waste derived liquid fuel and recycled asphalt pavement at their Slusser Brothers facility in Jenkins Township, **Luzerne County.**

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

06-03117C: Custom Processing Services, Inc. (2 Birchmont Drive, Reading, PA 19606-3266) for construction of a micronizing mill controlled by a fabric collector at their facility in Exeter Township, **Berks County.**

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

42-0181B: Elkhorn Field Services—Lewis Run Plant (1371 South Avenue, Bradford, PA 16701) for construction of an additional inlet compressor rated at 700 bhp in Bradford Township, **McKean County.** The facility currently has a Natural Minor Permit (42-00181).

Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104; Edward Braun, Chief, (215) 823-7584.

AMS 04046: Philadelphia Condominium (2401 Pennsylvania Avenue, Philadelphia, PA 19130) to permit use of natural gas in four existing boilers and to permit operation of an existing dual fuel internal combustion engine with no. 2 fuel oil only for 90 days in Philadelphia, **Philadelphia County**.

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

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401; Thomas McGinley, New Source Review Chief, (484) 250-5920.

23-0024C: Hanson Aggregates, Inc. (523 West Forge Road, Glen Mills, PA 19342) for installation of two triple deck screens and ten overland conveyors at their existing facility in Middletown and Thornbury Township, **Delaware County**. This facility is a non-Title V facility. The Plan Approval will contain recordkeeping, operating restrictions and performance testing requirements designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

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

58-303-005: Eastern Industries, Inc. (4401 Camp Meeting Road, Center Valley, PA 18034) for construction of a batch asphalt plant using no. 2 oil and waste derived liquid fuel with the associated air cleaning device (baghouse) at their site in Clifford Township, **Susquehanna County**. This facility is a non-Title V facility. The facility will be subject to NSPS Subpart I. Particulate emission shall not exceed 0.02 grain/dscf. The company will not process more than 490,000 tons/year of asphalt. The company will operate the facility and maintain the system in accordance with the good engineering practices to assure proper operation of the system.

39-304-024: Howmet Aluminum Castings—Bethlehem (2175 Avenue C, Bethlehem, PA 18017) for installation of air cleaning devices (afterburners) to control burnout furnaces at their facility in Bethlehem, **Lehigh County**. The facility is a non-Title V (State-only) facility. Particulate emissions from the afterburner will not exceed the best available technology standard of 0.02 grain/dry standard cubic foot. The plan approval and operating permit will include monitoring, reporting and recordkeeping requirements designed to keep the source operating within all applicable air quality requirements.

66-315-044: The Procter and Gamble Paper Products, Co. (P. O. Box 31, Mehoopany, PA 18692) for modification of their 1M paper machine hot air distribution system for better efficiency and to install a new paper converting line at their facility which is a major facility subject to Title V permitting requirements and is in Washington Township, **Wyoming County**. The NOx emissions from the paper machine will not be affected due to this modification. PM emission rate from the paper machine dust control system will be less than 0.02 grain per dscf. Overall PM emission will be increase by 14.07 tons per year. VOC emissions from the new converting line will be less than 13.6 tons per year on a 12-month

rolling sum. The Plan Approval will contain conditions requiring the source to show compliance with the emission rates. The Plan Approval and Operating Permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements. For further details, contact Mark Wejkszner.

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

67-05014A: The York Group, Inc. (2880 Blackbridge Road, York, PA 17402) for installation of a recuperative thermal oxidizer to replace the catalytic oxidizer that is part of the system that controls VOC emissions from five spray paint booths at its wood casket manufacturing facility in Manchester Township, **York County**. This will result in a decrease in VOC emissions. The plan approval and amended Title V operating permit will include emission restrictions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

62-0017I: United Refining Co. (15 Bradley Street, Warren, PA 16365) for the modification of the vacuum heater, construction of a separate stack for the vacuum heater and installation of low NOx burners (LNB) in the City of Warren, **Warren County**.

In accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department intends to issue a plan approval for the Warren Refinery in the City of Warren, Warren County. The facility was issued a Title V Permit TV-62-00017 on December 26, 2000, which was revised on March 21, 2001, and again on December 18, 2001. 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.

This plan approval is for the modification of the vacuum heater, construction of a separate stack for the vacuum heater and installation of LNBs. The plan approval is virtually the same as the previously issued plan approval for this source (62-017F). The NOx emission has been decreased from the previous approval due to a better manufacturer guarantee (0.024 lb/mmBtu versus 0.05 lb/mmBtu). This approval also incorporates the emission limits for the vacuum heater from the coker permit (62-017G) upon completion of that project. The project will increase emissions of CO and VOC by 13.7 tpy and 9.1 tpy, respectively. Emissions of NOx, TSP and PM10 will decrease slightly. The project does not trigger NSR or PSD based on the emission increases. The Plan Approval will include conditions to ensure compliance with Subparts J and GGG of the Standards of Performance for New Stationary Sources. The Approval also includes emission limits for the vacuum heater and requires stack tests to demonstrate compliance with the limits. The permit contains limitations pertaining to fugitive, odor and visible emissions. The Plan Approval and Operating Permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the applications, the Department's analysis and other documents used in the evaluation of the application are available for public review during normal

business hours at the Northwest Regional Office, 230 Chestnut St., Meadville, PA 16335.

Persons wishing to provide the Department with additional information that they believe should be considered prior to the issuance of this permit may submit the information to the previous address. The Department will consider any written comments received within 30 days of the publication of this notice. Written comments must contain the name, address and telephone number of the person submitting the comments, identification of Proposed Permit No. 62-017I and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department, in its discretion, decides that a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where the Department determines that notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Matthew Williams, New Source Review, Air Quality Program, 230 Chestnut Street, Meadville, PA 16335, (814)-332-6940.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should by contacting Matthew Williams or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

If a plan approval has not undergone the public notice process, the change to an operating permit must be treated as a significant modification. In these situations, the Department should follow the procedures described in 25 Pa. Code §§ 127.421—127.431 for State-only operating permits or 25 Pa. Code §§ 127.521—127.524 for Title V operating permits.

Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104; Edward Braun, Chief, (215) 823-7584.

AMS 04054: Brandenburg Industrial Services Co. (1905 East Fourth Street, Bethlehem, PA 18015) for installation of one electrically operated 700 tons per hour concrete crusher temporarily at 3501 South Broad Street, City of Philadelphia, **Philadelphia County**. The plan approval will contain operating and recordkeeping requirements to ensure operation within all applicable requirements.

AMS 04059: JPC Group Inc. (2034 South 13th Street, Philadelphia, PA 19148) for installation of a 150-ton per hour diesel concrete crusher, temporarily, at Morris and 31st Streets, City of Philadelphia, **Philadelphia County**. The plan approval will contain operating and recordkeeping requirements to ensure operation within all applicable requirements.

OPERATING PERMITS

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

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

53-00004: Dominion Transmission, Inc. (625 Liberty Avenue, Pittsburgh, PA 15222) to renew the Title V operating permit for the Harrison natural gas storage and

transmission facility in Harrison Township, **Potter County**. The facility is currently operating under Title V Operating Permit 53-00004, which was issued June 4, 1999. The facility's main sources include four natural gas fired pipeline heaters, five 2,000 horsepower natural gas fired internal combustion gas transmission engines and one 1,100 horsepower natural gas fired internal combustion gas transmission engine which have the potential to emit major quantities of NO_x, CO and VOCs. The facility has the potential to emit PM₁₀, HAPs and SO_x below the major emission thresholds. The facility is subject to all applicable regulatory requirements of Reasonably Available Control Technology for NO_x and VOC emissions. The proposed Title V operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

65-00181: Chestnut Ridge Foam, Inc. (P. O. Box 781, Route 981 North, Latrobe, PA 15650) for their Latrobe facility in Latrobe Borough, **Westmoreland County**. Chestnut Ridge Foam manufactures polyurethane, polychloroprene and natural rubber foam products. As a result of the levels of VOCs and HAPs emitted they are considered a major stationary source.

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

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19428; Thomas McGinley, New Source Review Chief, (610) 832-6242.

46-00084: Pilgrims Pride Corp (471 Harleysville Pike, Franconia, PA 18924) in Franconia Township, **Montgomery County**. The permit is for a non-Title V (State-only Natural Minor) facility. The facility's sources includes four boilers and one degreaser. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

09-00081: Thermco Products Co. (1409 West Broad St., Quakertown, PA 18951) for a non-Title V Facility, State-only Natural Minor Operating Permit in Quakertown Borough, **Bucks County**. The permit is for the operation of a 350 horsepower natural gas-fired boiler and a 300 horsepower natural gas-fired boiler. The permit will include monitoring, recordkeeping, reporting and work practice standards designed to keep the facility operating within all applicable air quality requirements.

46-00192: St. Charles Borromeo Seminary (100 E. Wynnewood Rd., Wynnewood, PA 19096) for a non-Title V Facility, State-only Natural Minor Operating Permit in Lower Merion Township, **Montgomery County**. The permit is for the operation of two dual-fuel (that is, natural gas and no. 2 fuel oil) 350 horsepower boilers. The permit will include monitoring, recordkeeping, reporting and work practice standards designed to keep the facility operating within all applicable air quality requirements.

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

35-00044: Community Central Energy (1220 North Washington Avenue, Scranton, PA 18509) for steam heating boilers in the City of Scranton, **Lackawanna County**.

39-00059: Safety-Kleen Corp. (5540 Memorial Road, Allentown, PA 18104) for aboveground storage tanks in Upper Macungie Township, **Lehigh County**.

39-00067: Doane Pet Care Co. (6821 Ruppssville Road, Allentown, PA 18106) for pet food manufacturing processes and associated air pollution control devices in Upper Macungie Township, **Lehigh County**.

45-00007: National Electrical Carbon Products, Inc. (100 Stokes Avenue, East Stroudsburg, PA 18301) for a carbon/graphite brush and material manufacturing process and associated air pollution control devices in Stroud Township, **Monroe County**.

45-00028: Haines and Kibblehouse, Inc. (P. O. Box 196, Skippack, PA 19474) for a stone crushing operation and associated air pollution control devices in Smithfield Township, **Monroe County**.

48-00066: Polymer Products Co., Inc. (100 Station Avenue, Stockertown, PA 18083) for resin compounding processes and associated air pollution control devices in Stockertown Borough, **Northampton County**.

54-00050: United Metal Receptacle Corp. (P. O. Box 870, Pottsville, PA 17901-0870) for natural gas-fired ovens, heaters and boilers in Pottsville, **Schuylkill County**.

54-00055: Summit Anthracite (P. O. Box 870, Pottsville, PA 17901-0870) for natural gas-fired ovens, heaters and boilers in Pottsville, **Schuylkill County**.

66-00004: Wyoming Sand and Stone Co. (6 Wyoming Sand Road, Tunkhannock, PA 18657) for a stone crushing operation and associated air pollution control devices in Mehoopany Township, **Wyoming County**.

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

01-03030: Cooperative Milling, Inc. (1892 York Road, Gettysburg, PA 17325) for operation of their feed mill in Straban Township, **Adams County**. The facility has a potential to emit 39.6 tons per year of 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.

36-03007: F. L. Smidth, Inc. (236 South Cherry Street, Manheim, PA 17545) for operation of its two natural gas boilers, two metal build-up lathes, shotblast booth and degreasing units in Manheim Borough, **Lancaster County**. The State-only operating permit will include monitoring, recordkeeping, reporting requirements, emission restrictions and work practice standards designed to keep the facility operating within all applicable air quality requirements.

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

17-00051: New Enterprise Stone and Lime Co., Inc. (P. O. Box 77, New Enterprise, PA 16664) for their Clearfield asphalt plant in Lawrence Township, **Clearfield County**. The facility's main sources include 1 rotary dryer, 1 mill mixer, 1 vibratory screen, 2 conveyors, 13 storage bins and silos, limestone aggregate piles and 1 cold cleaning solvent parts washer. The facility has the potential to emit major quantities of CO. The facility has taken a synthetic minor restriction to limit its production to keep its CO emissions below the major emission

threshold. The facility has the potential to emit SO_x, NO_x, CO, PM (PM10), VOCs and HAPs below the major emission thresholds. The proposed operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

49-00042: Catawissa Lumber and Specialty Co. (P. O. Box 176, Catawissa, PA 17820-0176) for their woodworking facility in Ralpho Township, **Northumberland County**. The facility's main sources are one woodwaste/no. 2 fuel oil fired boiler, one no. 2 fuel oil fired boiler, one no. 2 fuel oil storage tank and one parts washer. The facility is classified as a natural minor facility since its potential emissions for PM, CO, VOCs, NO_x, SO_x and HAPs are below the major emission thresholds.

12-00004: GE Transportation Systems, Motor Coils (55 Pine Street, Emporium, PA 15834) for their facility in the Borough of Emporium, **Cameron County**. The facility is a manufacturer of motor coils for locomotive engines. The facilities sources consist of a magnet wire coating line, surface coating operation, coil burnout operation and space heaters. This facility has the potential to emit PM (PM10), NO_x, SO_x, VOC and CO below the major emission thresholds. The proposed operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and report conditions.

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

33-00147: Dominion Transmission Inc.—Big Run Station (Township Road 628, Luthersburg, PA 15848) for a Natural Minor Operating Permit for operation of a natural gas compressor station in Gaskill Township, **Jefferson County**.

PUBLIC HEARING

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401; Thomas McGinley, New Source Review Chief, (484) 250-5920.

OP-15-0104: Tasty Baking Oxford, Inc. (700 Lincoln Street, Oxford, PA) for an amendment to approve a Reasonably Available Control Technology (RACT) plan as an amendment to the State Implementation Plan (SIP) for their facility in Oxford Township, **Chester County**.

The Department has made a preliminary determination to approve a RACT plan as an amendment to the SIP for the facility. The proposed SIP revision does not adopt any new regulations. The SIP revision incorporates the provisions and requirements contained in the RACT approval for the facility to comply with current regulations. This preliminary determination, if finally approved, will be incorporated into 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 is as follows: productions lines 1, 3 and 4 are subject to a VOC emission limit of 48.8 tons per year and controls are Good Housekeeping and Manufacturer Specifications, which have already been implemented.

Copies of the application, the Department's analysis and other documents used in the evaluation are available for public inspection between 8 a.m. and 4 p.m. weekdays at the Southeast Regional Office, 2 East Main Street, Norristown, PA 19401. To make an appointment, contact Records Management at (484) 250-5910.

Persons who wish to provide the Department with additional information they believe should be considered should submit the information to the previous addresses. Written comments should be directed by April 13, 2004, to Francine Carlini, Air Quality Program Manager. 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. The hearing will be held at 2 p.m. in the Delaware River Conference Room on April 15, 2004, at the 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, (484) 250-5820, lrebarchak@state.pa.us to register by April 13, 2004. Individuals with questions on any of the proposals may 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); 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 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 an 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 particu-

lar 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 district mining office indicated before an application within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement, as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34.

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, 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 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 the requirements.

Written comments or objections should contain the name, address and telephone number of the person submitting comments or objections; the 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; the application number; a brief summary of the issues to be raised by the requestor at the conference; and a statement whether the requestor wishes to have the conference conducted in the locality of the proposed mining activities.

Coal Applications Received

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

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

*The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/l applied to: (1) surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas, active areas

disturbed by coal refuse disposal activities and mined areas backfilled and revegetated; and (2) drainage (resulting from a precipitation event of less than or equal to a 1-year 24-hour event) from coal refuse disposal piles.

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

63921301. NPDES Permit No. PA0214434, UMC Energy, Inc. (981 Route 917, Bentleyville, PA 15314), to renew the permit and related NPDES permit and to revise the permit for the High Quality Mine in Fallowfield Township, **Washington County**, to add acreage and change the mining plan. Underground Acres Proposed 2.0, SCP Acres Proposed 2.0. No additional discharges. Application received January 7, 2004.

03871302. NPDES Permit No. PA0215414, Mears Enterprises, Inc. (410 Franklin Street, P. O. Box 157, Clymer, PA 15728), to transfer the permit for the Triple K No. 1 Mine in Burrell Township, **Armstrong County** and related NPDES Permit from DLR Mining, Inc. No additional discharges. Application received February 2, 2004.

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

32803010 and NPDES Permit No. PA0124834. Keystone Coal Mining Corporation (P. O. Box 219, Shelocta, PA 15774), surface mining permit renewal for reclamation only in Blacklick Township, **Indiana County**, affecting 89.9 acres. Receiving streams: unnamed tributary to Aultman's Run (TSF). The first downstream potable water supply intake from the point of discharge is the Saltsburg Borough Indiana County Municipal Waterworks Conemaugh River Surface Water Withdrawal. Application received January 23, 2004.

56970104 and NPDES Permit No. PA0234541. Sherpa Mining Contractors, Inc. (P. O. Box 4459, 1738 Snowfield Drive, Hidden Valley, PA 15502), surface mine permit renewal in Shade Township, **Somerset County**, affecting 86.4 acres. Receiving streams: unnamed tributaries to Stoney Creek (CWF). The first downstream potable water supply intake from the point of discharge is the Hooversville Borough Somerset County Municipal Authority Stoneycreek Surface Water Withdrawal. Application received January 24, 2004.

56890101 and NPDES Permit No. PA0598364. Croner, Inc. (P. O. Box 260, Friedens, PA 15541), surface mine permit renewal in Brothersvalley Township, **Somerset County**, affecting 205.9 acres. Receiving

streams: unnamed tributaries to Buffalo Creek and Buffalo Creek (CWF). There are no potable water supply intakes within 10 miles downstream. Application received January 29, 2004.

32930107 and NPDES Permit No. PA0212687. TLH Coal Company (R. D. 1, Box 170, Rochester Mills, PA 15771), surface mining permit renewal for reclamation only in Grant Township, **Indiana County**, affecting 93.3 acres. Receiving streams: unnamed tributary to and East Run (HQ CWF). There are no potable water supply intakes within 10 miles downstream. Application received January 22, 2004.

32823026 and NPDES Permit No. PA0606715. Mahoning Mining, Inc. (P. O. Box 44, New Bethlehem, PA 16242), surface mining permit renewal for reclamation only in South Mahoning Township, **Indiana County**, affecting 56 acres. Receiving streams: unnamed tributary Little Mahoning Creek (HQ-CWF). There are no potable water supply intakes within 10 miles downstream. Application received February 2, 2004.

56663069 and NPDES Permit No. PA0120944. Action Mining, Inc. (1117 Shaw Mines Road, Meyersdale, PA 15552-7228), surface mine application permit renewal in Elk Lick and Summit Townships, **Somerset County**, affecting 3040 acres. Receiving streams: unnamed tributary of and Casselman River (CWF), unnamed tributary of and Elk Lick Creek (CWF). There are no potable water supply intakes within 10 miles downstream. Application received January 26, 2004.

11803024 and NPDES Permit No. PA0124524. Cooney Brothers Coal Company (P. O. Box 246, Cresson, PA 16630), surface mining permit renewal in Dean Township, **Cambria County**, affecting 327 acres. Receiving streams: unnamed tributary to and Brubaker Run (CWF). There are no potable water supply intakes within 10 miles downstream. Application received February 18, 2004.

Noncoal Applications Received

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

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

*The parameter is applicable at all times.

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

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

4873SM3T2 and NPDES Permit No. PA0595021. Kingsley Construction, Inc. (P. O. Box 2886, York, PA 17405), transfer of an existing quarry operation from York Silica Sand, Inc. in Springettsbury Township, **York**

County, affecting 97.54 acres. Receiving streams: Codorus Creek. Application received February 9, 2004.

Noncoal Applications Returned

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

40020301. Popple Brothers Coal Company (P. O. Box 126, Duryea, PA 18642), commencement, operation and restoration of a quarry operation in Duryea Borough, **Luzerne County**, affecting 86.2 acres. Receiving streams: None. Application received April 4, 2002. Application returned: February 19, 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 regional office noted before the application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

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

Persons with a disability who wish to attend a hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the specified program. TDD users 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

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

E21-354: Rodney M. and Francine A. Groff, 7729 Wertzville Road, Carlisle, PA 17013 in Middlesex Township, **Cumberland County**, ACOE Baltimore District.

Install and maintain twin arch pipes to cross an unnamed tributary to the Conodoguinet Creek (WWF) just south of the SR 944 culvert crossing (Shermans Dale, PA Quadrangle N: 4.29 inches; W: 1.63 inches) in Middlesex Township, Cumberland County.

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

E17-395. Jordan Township, 2819 Ansonville Road, Irvona, PA 16656. Bridge deck and scour protection of T-430 bridge across Green Run in Jordan Township,

Clearfield County, ACOE Baltimore District (Irvona, PA Quadrangle N: 19.8 inches; W: 12.8 inches).

To repair, operate and maintain an existing single span bridge to carry T-430 across Green Run (HQ-CWF). Bridge repair work shall include replacement of the existing bridge deck and rock scour protection of bridge footings and wingwalls. All bridge repair work shall be completed to maintain a minimum 15-foot span, 20-foot width and 4.5-foot underclearance. All bridge repair work shall be conducted at stream low flow and all rock scour protection shall be completed in dry work conditions by dams and pumping or diverting stream flow around work area. Since Green Run is a wild trout fishery, no repair work shall be conducted in or along the stream channel between October 1 and December 31 without prior written approval of the Fish and Boat Commission. As proposed the project will not impact wetlands while impacting 30.5 feet of waterway that is approximately along the eastern right-of way of SR 3016 approximately 1.1 miles east of Jordan Township Road T-430 and SR 3016 intersection.

E18-372. Department of Transportation, 1924-30 Daisy Street, Clearfield, PA 16830, SR 2015 Segment A01 bridge replacement in Bald Eagle Township, **Clinton County**, ACOE Baltimore District (Mill Hall, PA Quadrangle N: 20.7 inches; W: 15.5 inches).

To: (1) remove the existing narrow and deteriorated steel girder two-span bridge; (2) construct and temporarily maintain a 3,800 square foot rock construction pad causeway; and (3) construct and maintain a two-span composite prestressed concrete spread box beam bridge with two normal clear spans of 44.5 feet and a minimum underclearance of 5.66 feet across Fishing Creek, 700 feet north of the SR 0150 crossing of Fishing Creek. The proposed bridge centerline is 11.5 feet south of the existing bridge centerline to create a safer road alignment. The project is predicted to temporarily impact 140 linear feet of Fishing Creek (CWF), permanently impact 110 linear feet of the stream and not directly affect any wetlands.

E18-373. Mu Hollow Rod & Gun Club, 194 Germanville Road, Ashland, PA 17921. Mu Hollow bridge in Chapman Township, **Clinton County**, ACOE Baltimore District (Young Womens Creek, PA Quadrangle N: 13.7 inches; W: 2.8 inches).

To remove the existing unsafe bridge and to construct and maintain: (1) a steel beam wood deck single span bridge with a 48-foot 6-inch clear span, a 15-foot underclearance maximum and R-8 riprap protection of the new concrete abutments; (2) a 65-foot long section of R-8 riprap streambank protection on the right upstream bank (back filled with gravel bar material from the left upstream unvegetated/vegetated gravel bar) immediately adjacent to the bridge's upstream right wingwall; (3) two R-8 riprap 30-foot long deflectors 30 feet and 80 feet upstream of the before mentioned bank protection; (4) temporarily place and maintain a culvert in the confluence of two far left upstream flood channels in the far left floodplain; and (5) remove gravel from the meandering stream channel and the left upstream vegetated gravel bar/floodplain to backfill around the proposed construction and to realign the approach angle of the upstream channel.

E59-450. Wellsboro Municipal Authority, 28 Crafton Street, Wellsboro, PA 16901. Brownlee raw water conveyance line replacement in Charleston and Duncan Townships, **Tioga County**, ACOE Baltimore District (Antrim, PA Quadrangle N: 10.3 inches; W: 1.3 inches).

The application proposes to replace 3,925 linear feet of clay tile water conveyance line with new 12-inch ductile iron pipe. The application proposes to have 11 temporary wetland crossings and 1 stream crossing with a total of 860 linear feet and a right of way width of 30 feet. The work is proposed in the headwaters of Charleston Creek (WWF).

E59-452. Osceola Township, P. O. Box 146, Osceola, PA 16942. Holden Creek bridge replacement in Osceola Township, **Tioga County**, ACOE Baltimore District (Elkland, PA Quadrangle N: 20.8 inches; W: 16.8 inches).

The applicant proposes to remove the existing pony truss bridge structure and construct a prestressed spread box beam bridge with reinforced concrete abutments and wing walls. The proposed structure is intended to have a curb-to-curb width of 30 feet, an underclearance of 8.3 feet and a 38-foot clear span. The proposed bridge is intended to be relocated 150 linear feet upstream of the existing structure. A temporary stream crossing is proposed to have three 72-inch diameter culvert pipes at a length of 60 feet. Holden Creek is classified as a WWF and the project does not propose any wetland impacts.

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

E02-1453. Borough of Plum, 4575 New Texas Road, Pittsburgh, PA 15239-1197. Mary Street bridge replacement over Plum Creek in the Borough of Plum and Penn Hills Township, **Allegheny County**, Pittsburgh ACOE District (Braddock, PA Quadrangle N: 22.3 inches; W: 5.5 inches) (Latitude: 40° 29' 52"—Longitude: 79° 47' 21"). The applicant proposes to remove the existing deck and super structure of the existing bridge, to construct and maintain a new deck and super structure, to refurbish and maintain the existing bridge abutments, to place and maintain rip-rap bank stabilization on the upstream right bank side of the bridge for approximately 20 feet, to operate and maintain the existing bridge having a span of approximately 32 feet and underclearance of approximately 8.5 feet and to construct and maintain a temporary stream crossing over/in and along Plum Creek (WWF). The bridge is on Mary Street, approximately 1,500 feet east of its intersection with Hulton Road. The total stream impact to Plum Creek is approximately 70 feet.

E56-329. Hidden Valley Resort, LP, One Craighead Drive, Hidden Valley, PA 15502. Hidden Valley snow tubing trail seasonal crossing in Jefferson Township, **Somerset County**, Pittsburgh ACOE District (Bakersville, PA Quadrangle N: 11.8 inches; W: 16.93 inches) (Latitude: 40° 3' 54"—Longitude: 79° 14' 46"). The applicant proposes to seasonally, between November 15th and March 15th of successive years, construct and maintain timber bridges across Kooser Run (HQ-CWF) and an adjoining, abandoned fish hatchery, to create a snow tubing trail over these watercourses. Two 70-foot by 20-foot bridges, separated by 40 feet will be seasonally constructed over Kooser Run, while one 180-foot by 15-foot bridge will be seasonally constructed over the abandoned fish hatchery. These structures will temporarily affect approximately 0.07 acre of adjacent wetlands. In addition, the applicant will construct approximately 0.13 acre of wetland, by partially removing fill from a former pond that was affected by a previously, unauthorized activity site is in Hidden Valley's Outback Park area, which is along SR 0031, approximately 0.25 mile past the main entrance to the Hidden Valley Resort.

E65-839. Washington Township, 285 Pine Church Road, Apollo, PA 15613. Washington Township Ludwig

Road culvert in the Municipality of Murrysville and Washington Township, **Westmoreland County**, Pittsburgh ACOE District (Murrysville, PA Quadrangle N: 22.2 inches; W: 4.8 inches) (Latitude: 40° 29' 48"—Longitude: 79° 39' 37"). The applicant proposes to remove the existing structure and to construct and maintain a 30.0-foot long, 1.0-foot depressed 17.0-foot by 7.0-foot concrete box culvert in Pucketa Creek (TSF) for the purpose of improving transportation safety and roadway standards. The project is on Ludwig Road.

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

E20-533. Anderson Property Association, 601 Park Avenue, Cinnaminson, NJ 08077. Conneaut Lake lakeshore stabilization in Sadsbury Township, **Crawford County**, ACOE Pittsburgh District (Conneaut Lake, PA Quadrangle N: 19.6 inches; W: 7.6 inches).

To construct and maintain an aluminized steel sheet pile retaining wall immediately in front of an existing deteriorated railroad tie retaining wall having a length of approximately 386 feet at a point along Conneaut Lake (HQ-WWF) shore just north of Fireman's Beach.

E37-157. North Beaver Township Supervisors, 861 Mount Jackson Road, New Castle, PA 16102. T-361 (Moravia-Petersburg Road) Bridge Replacement in North Beaver Township, **Lawrence County**, ACOE Pittsburgh District (Bessemer, PA Quadrangle N: 6.4 inches; W: 15.1 inches).

The applicant proposes to remove the existing structure and to construct and maintain a prestressed concrete adjacent box beam bridge having a clear span of 31.54 feet and an minimum underclearance of 7.06 feet on a 72 degree skew across Sugar Creek (HQ-CWF, perennial) on T-361 (Moravia-Petersburg Road) approximately 4.2 miles southeast of the intersection of U. S. Interstate 76 and SR 551. The project includes rip-rap protection of the abutments and roadway straightening including to fill 0.044 acre (de minimis) of PEM and PSS wetlands. The project proposes to directly affect 0.044 acre of PEM and PSS wetlands and approximately 55 linear feet of stream.

E42-303. University of Pittsburgh, Bradford Campus, 300 Campus Drive, Bradford, PA 16701. Blaisdell Hall parking expansion in Bradford Township, **McKean County**, ACOE Pittsburgh District (Bradford, PA Quadrangle N: 12.3 inches; W: 6.6 inches).

To construct and maintain an expansion onto the existing parking lot, an access roadway and a stormwater management facility and a stormwater outfall with riprap along the left (north) bank and within the mapped FEMA floodway/floodplain of West Branch Tunungwant Creek associated with Blaisdell Hall and Campus Drive modifications.

E42-304. Foster Township, 1185 East Main Street, Bradford, PA 16701. Tuna Crossroads Park improvements in Foster Township, **McKean County**, ACOE Pittsburgh District (Derrick City, PA Quadrangle N: 21.7 inches; W: 16.7 inches).

To construct and maintain a baseball field, pavilion, associated parking area, access roadway and pedestrian walkways within the floodway of the Tunungwant Creek (WWF) at a point within the Tuna Crossroads Park, approximately 1,400 feet west of the intersection of East Main Street (T-601) and Tuna Crossroads (T-369).

E61-266. Department of Conservation and Natural Resources, Bureau of Forestry, Forest District No. 8, 158 South 2nd Avenue, Clarion, PA 16214. Dennison

Run ford crossing in Clinton Township, **Venango County**, ACOE Pittsburgh District (Kennerdell, PA Quadrangle N: 4.29 inches; W: 13.28 inches).

To remove the existing ford crossing consisting of deteriorated gabion baskets and to construct and maintain a reinforced concrete low flow crossing consisting of five low flow channels approximately 8 feet wide and 2 feet high and having a steel grate deck, an instream length of 16 feet, concrete approach slabs on both sides and is at a point within Dennison Run (EV), approximately 250 feet west of the mouth at the Allegheny River.

E62-395, City of Warren, 318 W. Third Ave., Warren, PA 16365. Fifth Avenue bridge across Conewango Creek in City of Warren, **Warren County**, ACOE Pittsburgh District (Warren, PA Quadrangle N: 18.3 inches; W: 2.3 inches).

To remove the existing bridge and to construct and maintain a 40-foot wide prestressed concrete beam bridge having two clear spans of 114 feet and one clear span of 103.5 feet and a minimum underclearance of 10.5 feet across Conewango Creek on Fifth Avenue approximately 4,500 feet upstream of the mouth at the Allegheny River. The project includes a temporary construction access causeway consisting of two rock fill pads, approximately 100 feet long with one being 80 feet wide and the other being 50 feet wide, connected by steel bridges from the east bank.

E62-396, Department of Conservation and Natural Resources, Cornplanter State Forest, District No. 14, 323 North State Street, North Warren, PA 16365-4867. Anders Run Trail bridge replacement in Brokenstraw Township, **Warren County**, ACOE Pittsburgh District (Youngsville, PA Quadrangle N: 13.5 inches; W: 4.75 inches).

The applicant proposes to remove the existing structure and to construct and maintain a steel stringer hiking trail bridge having a clear span of 38 feet and an underclearance of 8.4 feet on a 90 degree skew across Anders Run (CWF, perennial) (Youngsville, PA Quadrangle N: 13.5 inches; W: 4.75 inches) on the Anders Run Hiking Trail in Brokenstraw Township, Warren County, approximately 2.0 miles southwest of the intersection of U. S. Routes 6 and 62.

ENVIRONMENTAL ASSESSMENTS

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

D51-001EA. City of Philadelphia Water Department, ARA Tower at One Reading Center, 1101 Market Street, Philadelphia, PA 19107, Manayunk Borough, **Philadelphia County**, ACOE Philadelphia District.

Project proposes to modify Flat Rock Dam across the Schuylkill River (WWF, MF). The project proposes to renovate the existing spillway to increase the discharge capacity of the existing spillway and perform other minor repairs. The proposed project will have no direct or indirect impacts to wetlands. The dam is approximately 1,500 feet west of the intersection of Umbria Street and Domino Lane (Germantown, PA Quadrangle N: 7.0 inches; W: 16.9 inches).

STORAGE TANKS

SITE-SPECIFIC INSTALLATION PERMITS

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

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

SSIP Application No.

<i>Application No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
04003	John E. Sheetz FPL Energy Marcus Hook L. P. Delaware Ave. and Green St. P. O. Box 426 Marcus Hook, PA 19061	Delaware	Borough of Marcus Hook	1 AST storing sodium hypochlorite 1 AST storing sulfuric acid 1 AST storing ammonia hydroxide 1 AST storing scale inhibitor 1 AST storing corrosion inhibitor	6,000 gallons 4,000 gallons 40,000 gallons 2,000 gallons 1,000 gallons

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
Section VII	NPDES	NOI for coverage under NPDES general permits

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

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

I. NPDES Renewal Permit Actions

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0061786	Manwalamink Sewer Company River Road—Fort DePuy P. O. Box 93 Shawnee-on-Delaware, PA 18356-0093	Monroe County Smithfield Township	Brodhead Creek 1E	Y

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0041491 Sewage	Berks Properties, Inc. David Rittenhouse Mount Village MHP 2620 Egypt Road Norristown, PA 19403	Berks County Longswamp Township	UNT Perkiomen Creek 3E	Y
PAR100357-R	John Stoltzfus 27 Brick Church Road Leola, PA 17540	Lancaster County East Earl Township	Shirks Run WWF	Y

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0113948 (4952)	Department of Corrections Quehanna Motivational Boot Camp HC Box 32 Karthaus, PA 16845	Clearfield County Karthaus Township	Marks Run 8D	Y

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0030856	Western Beaver County School District 343 Ridgmont Drive Midland, PA 15059	Beaver County Industry Borough	Swale to UNT of Wolf Run	Y
PA0030864	Western Beaver County School District 343 Ridgmont Drive Midland, PA 15059	Beaver County Ohioville Borough	Swale to Headwaters of Island Run	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>
PA0222526	Mark E Donnick William Euliano 1030 East 5th Avenue Warren, PA 16365	Glade Township Warren County	Unnamed tributary to Quaker Run	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. PA0043273, Amendment No. 1, Sewage, Hollidaysburg Sewer Authority, 401 Blair Street, Hollidaysburg, PA 16648. This proposed facility is in Frankstown Township, **Blair County**.

Description of Proposed Action/Activity: Permit amendment to add stormwater outfalls.

NPDES Permit No. PA0026191, Amendment No. 3, Sewage, Borough of Huntingdon, 530 Washington Street, Huntingdon, PA 16652. This proposed facility is in Huntingdon Borough, **Huntingdon County**.

Description of Proposed Action/Activity: Permit amendment to correct sample type.

NPDES Permit No. PA0033766, Amendment No. 1, Sewage, North Heidelberg Sewer Company, P. O. Box 609, Bernville, PA 19506. This proposed facility is in Jefferson Township, **Berks County**.

Description of Proposed Action/Activity: Permit amendment to now include mass limits for CBOD₅, NH₃-N, phosphorus and TSS.

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

PA0228770, CAFO, SIC 0241, Bishcroft Farm LP, R. R. 1, Box 58, Roaring Branch, PA 17765-9727. This existing facility is in Liberty Township, **Tioga County**.

Description of Proposed Activity: Issuance of a permit authorizing the proposed expansion of an existing facility, to occur in two phases. The proposed first phase will include a new freestall barn, a flush manure management system and a double-lined (HDPE/clay) manure storage facility. The second phase will include a second freestall barn. The animal numbers for the first stage will be about 660 milking cows, 120 dry cows and 620 heifers/calves. The second stage will involve the addition of about 340 milking cows, 60 dry cows and 310 heifers/calves. Total manure storage of the new facility, at full capacity, will be about 4.4 million gallons. Total AEUs at the site, following both phases, will be 2,126.9.

The waterbody nearest to this facility, Little Elk Run, is in the Antes, Larrys and Lycoming Creeks Watershed (SWP 10-A) and is classified for HQ-CWF.

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

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

NPDES Permit No. PA0026026-A1, Sewage, **New Brighton Borough Sanitary Authority**, 610 Third Street, New Brighton, PA 15066. This proposed facility is in New Brighton Borough, **Beaver County**.

Description of Proposed Action/Activity: Amendment to change monthly average flow rate to Beaver River.

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

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

WQM Permit No. 0903410 Amendment, Sewerage, **Erickson Retirement Community**, 703 Maiden Lane, Baltimore, MD 21228. This proposed facility is in Warminster Township, **Bucks County**.

Description of Proposed Action/Activity: Amending existing permit.

WQM Permit No. 4603416, 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: Construction and operation of a sanitary sewer service for a 62-lot residential subdivision.

WQM Permit No. 1599413 Amendment, Sewerage, **Birmingham Township**, 1040 West Street Road, West Chester, PA 19335. This proposed facility is in Birmingham Township, **Chester County**.

Description of Proposed Action/Activity: Installation of a fine screen at the Birmingham WWTP.

WQM Permit No. 0902202, Industrial, **Exxon Mobil Corporation**, 220 Commerce Drive, Suite 205, Fort Washington, PA 19034. This proposed facility is in Buckingham Township, **Bucks County**.

Description of Proposed Action/Activity: Issuance of the permit to discharge treated groundwater to underground injection wells.

WQM Permit No. 4601406 Amendment 1, Sewerage, **Lower Salford Township Authority**, 57 Main Street, Mainland, PA 19451. This proposed facility is in Lower Salford Township, **Montgomery County**.

Description of Proposed Action/Activity: Upgrading and installation of a bar screen to existing sewerage treatment facility.

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

WQM Permit No. 3903405, Sewerage, **Upper Macungie Township Authority**, 8330 Schantz Road, Breinigsville, PA 18031-1510. This proposed facility is in Upper Macungie Township, **Lehigh County**.

Description of Proposed Action/Activity: Issuance of Water Quality Management Permit. This project consists of the construction of a new ground pump station and upsized pumps and appurtenances to replace existing station.

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

WQM Permit No. 3604401, Sewerage, **Marietta-Donegal Joint Authority**, P. O. Box 167, Marietta, PA 17547. This proposed facility is in Marietta Borough, **Lancaster County**.

Description of Proposed Action/Activity: Authorization for the construction/operation of sewerage facilities.

WQM Permit No. 3604402, Sewerage, **Ephrata Borough**, 114 East Main Street, Ephrata, PA 17522. This proposed facility is in Clay Township, **Lancaster County**.

Description of Proposed Action/Activity: Authorization for the construction/operation of a pump station to serve the Clearview Gardens development.

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

WQM Permit No. 5903201, CAFO Operation (SIC 0241), **Bishcroft Farm LP**, R. R. 1, Box 58, Roaring Branch, PA 17765-9727. This expanded facility will be in Liberty Township, **Tioga County**.

Description of Proposed Action/Activity: Issuance of a WQM permit authorizing Bishcroft Farm LP to construct and operate following the expansion of the existing facility, to occur in two phases. The proposed first phase will include a new freestall barn, a flush manure management system and a double-lined (HDPE/clay) manure storage facility. The second phase will include a second freestall barn. The animal numbers for the first stage will be about 660 milking cows, 120 dry cows and 620 heifers/calves. The second stage will involve the addition of about 340 milking cows, 60 dry cows and 310 heifers/calves. Total manure storage of the new facility, at full capacity, will be about 4.4 million gallons. Total AEU's at the site, following both phases will be 2,126.9.

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

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

Description of Proposed Action/Activity: To upgrade and expand the New Brighton Borough Sanitary Authority wastewater treatment plant.

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

WQM Permit No. 4303419, Sewerage, **Sandra S. Van Dusen**, 2084 Perry Highway, Clarks Mills, PA 16114. This proposed facility is in Fairview Township, **Mercer County**.

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

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: Sewage discharge for a single residence.

WQM Permit No. 1003417, Sewerage, **Butler Area Sewer Authority**, 100 Littman Road, Butler, PA 16001. This proposed facility is in Butler Township, **Butler County**.

Description of Proposed Action/Activity: This project is for the construction and operation of a pressure sewer system to serve Afton Development, an 11-lot subdivision, which will discharge to the Butler area sewage treatment plant.

IV. NPDES Stormwater Discharges from MS4 Permit Actions

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>Department Protocol (Y/N)</i>
PAI133510	Clay Township 870 Durlach Rd. Stevens, PA 17578	Lancaster	Clay Township	Furnace Run TSF Indian Run TSF Middle Creek TSF Middle Creek WWF Segloch Run EV	Y

V. NPDES Waiver Stormwater Discharges from MS4 Actions

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>Receiving Water/Use</i>	<i>Department Protocol (Y/N)</i>
PAG136118	Pitcairn Borough	Allegheny	Pitcairn Borough	NA	NA
PAG136193	North Irwin Borough	Westmoreland	North Irwin Borough	NA	NA
PAG136339	Washington Township	Fayette	Washington Township	NA	NA
PAG136353	Cambria County Conservation District	Cambria	Ebensburg Borough	NA	NA

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI010903008	Moyer Road Properties Summit Farms Subdivision 1630 South Crescent Boulevard Yardley, PA 19076	Bucks	Springfield Township	Cooks Creek EV
PAI010903009	Department of Transportation SR 4027, Section 75 S 7000 Geerdes Boulevard King of Prussia, PA 19406	Bucks	Milford Township	Unami Creek HQ-TSF
PAI012303007	B & B Corporation 1057 East Baltimore Pike Off. Bldg. 203 East Baltimore Pike P. O. Box 286 Media, PA 19063	Delaware	Middletown Township	Spring Run and Ridley Creek HQ

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI011503085	The People's Light & Theater Co. Parking Lot and Storage Building 39 Conestoga Road Malvern, PA 19355	Chester	East Whiteland Township	Valley Creek EV
PAI011503089	ReMed Recovery Care Centers Dev. 625 Ridge Pike, Building C Conshohocken, PA 19428	Chester	Malvern Borough	Crum Creek HQ-CWF
PAI011503101	Brown Partnership Development 125 Limestone Road Oxford, PA 19363	Chester	Lower Oxford Township	West Branch Big Elk Creek HQ-TSF

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>
PAS10S017-3	Outletters Associates, LLP 490 N. Main St. Pittston, PA 18640	Monroe	Pocono Township	Tributary to Pocono Creek HQ-CWF
PAI024803035	Forks Township 1606 Sullivan Trail Easton, PA 18040-8398	Northampton	Forks Township	Bushkill Creek HQ-CWF
PAI024803020	Guru Nanak Sikh Society of Lehigh Valley 734 Wolf Ave. Easton, PA 18042	Northampton	Lower Nazareth Township	Monocacy Creek HQ-CWF
PAI025203017	Kalian at Poconos, LLC 225 Highway 35 Red Bank, NJ 07701	Pike and Monroe	Lehman Township Pike County Middle Smithfield Township Monroe County	Saw Creek HQ-CWF
PAI025203016	Booker J. Smith Enterprises, Inc. 2741 Hemlock Farms Hawley, PA 18428	Pike	Lackawaxen Township	Tributary to Shohola Creek HQ-CWF
PAI025203015	Jeff Smith 2741 Hemlock Farms Hawley, PA 18428	Pike	Blooming Grove Township	McConnell Creek HQ-CWF
PAI023903029	Novak Ventures, Inc. 1655 Jonathan Lane Bethlehem, PA 18015	Lehigh	South Whitehall Township	Little Lehigh Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI033603006	KD Partners P. O. Box 306 Quarryville, PA 17566	Lancaster	Drumore Township	UNT to Fishing Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10F098	Pollock Road West Penn State University Office of Physical Plant 10P Physical Plan Bldg. University Park, PA	Centre	State College Borough	Thompson Run HQ-CWF
PAI045303004	Department of Transportation 1924-30 Daisy St. Clearfield, PA 16830	Potter	Ulysses Township	Genesee River CWF Pine Creek 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 Plants
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
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>
Springfield Township Bucks County	PAG2000903118	Cherry Road Real Estates Assoc. Penn Meadow Subdivision 310 Schoolhouse Road, Suite 1 Souderton, PA 18964	Tohickon Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Buckingham Township Bucks County	PAG2000903169	Bucks County Airport Authority Doylestown Airport Dev. P. O. Box 1185 Doylestown, PA 18901	Unnamed tributary Pine Run Creek TSF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Falls Township Bucks County	PAG2000903165	John Feher, Inc. 6 Geoffrey Road Fairless Hills, PA 19030	Delaware River WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Southampton Township Bucks County	PAG2000903152	Mar Mar Builders Meadowbrook Estates 5601 Beaverdam Road Bristol, PA 19007	Neshaminy Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Bensalem Township Bucks County	PAG2000903162	Old World Builders Hidden Woods 1005 Sackettsford Road Ivyland, PA 18974	Poquessing Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900

NOTICES

<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>
Bedminster Township Bucks County	PAG2000903172	Department of Transportation SR 4091, Section 10S 7000 Geerdes Boulevard King of Prussia, PA 19406-1525	Deep Run WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Bedminster Township Bucks County	PAG2000903173	Department of Transportation SR 4023, Section BU1 7000 Geerdes Boulevard King of Prussia, PA 19406-1525	Deep Run WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Makefield Township Bucks County	PAR10D684	McAllister Construction, Inc. London Court 1224 General Washington Blvd. Washington Crossing, PA	Jericho Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Bedminster Township Bucks County	PAG2000903119	Bedminster Municipal Authority Kirk Tract—Lot No. 1 P. O. Box 92 Bedminster, PA 18947	Unnamed tributary Deep Run WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Newtown Township Bucks County	PAG2000903110	Newtown Township Multipurpose Field 100 Municipal Drive Newtown, PA 18940	Newtown Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Bristol Township Bucks County	PAG2000903163	Boise Office Solutions 3001 Frost Road Bristol, PA 19007	Unnamed tributary Neshaminy Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Bensalem Township Bucks County	PAG2000903094	Realen Homes Lower Makefield Corporate Ctr. 1040 Stoney Hill Road, Suite 100 Yardley, PA 19067	Neshaminy Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Bedminster Township Bucks County	PAG2000903140	Beres Construction Inc. Bere Subdivision 303 B Airport Road Doylestown, PA 18901	Tohickon Creek CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Haycock Township Bucks County	PAG2000903136	Randall and Michele White Minor Subdivision 790 Beck Road Quakertown, PA 18951	Dry Branch TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Warminster, Northampton and Warwick Townships Ivyland Borough Bucks County	PAG2000903148	Warminster Municipal Authority WWTP Offsite Sanitary Sewer Project 415 Gibson Avenue Warminster, PA 18974	Unnamed tributary Little Neshaminy Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900

NOTICES

1369

<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>
Upper Makefield Township Bucks County	PAG2000903167	David Newman Newman Residence 292 Thompson Mill Road New Hope, PA 18938	Jericho Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Warrington Township Bucks County	PAR10D614-1	Redstone Woods, LP Redstone Woods Subdivision 2421 Bristol Road Warrington, PA 18976	Little Neshaminy Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Bensalem Township Bucks County	PAG2000903171	Surf Holiday Realty, LLC Tract 2423 Forrest Avenue Bensalem, PA 19020	Delaware River WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Hilltown Township Bucks County	PAG2000903111	The Cutler Group Reserve at Hilltown Ridge 5 Sentry Parkway, Suite 100W Blue Bell, PA 19422	Unnamed tributary West Branch Neshaminy Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Lower Southampton Township Bucks County	PAG2000903170	Tabmar Development Saxon Meadows 2630 Meetinghouse Road Jamison, PA 18929	Unnamed tributary Neshaminy Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Perkasie Borough Bucks County	PAG2000903159	First Savings of Perkasie Longacre Tract 1211 North Fifth Street Perkasie, PA 18944	Unnamed tributary East Branch Perkiomen Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Hilltown Township Bucks County	PAG2000903121	Tevl Corporation Longacre Tract Suite 101, 528 Main Street Harleysville, PA 19438	Little Neshaminy Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Hilltown Township Bucks County	PAG2000903166	John Brous 3916 I Street Philadelphia, PA 19124	Mill Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Lower Makefield Township Bucks County	PAG2000903114	Liberty Property Limited Ptnr. 777 Township Line Road 125 Witmer Road Horsham, PA 19044	Core Creek CWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Warrington Township Bucks County	PAG20009034001	D'Angelo Construction, Inc. Warrington Station 1432 Easton Road, Suite 2F Warrington, PA 18976	Little Neshaminy Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900

NOTICES

<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>
Haycock and East Rockhill Townships Bucks County	PAG2000903120	Girls Scouts of Freedom Valley Camp Tohikanee WWTS 100 Juliette Low Way Valley Forge, PA 19482-0814	Tohickon Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Newtown Township Bucks County	PAG2000904005	Friends Boarding Home Bucks Newtown Friends Village 50 South Congress Street Newtown, PA 18940	Core Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Doylestown Township Bucks County	PAR10D621-1	Pulte Homes Summerhill Village 1100 North Brook Drive, Suite 200 Trevose, PA 19053	Neshaminy Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Bensalem Township Bucks County	PAG2000903180	Greg Mason Colory Metal and Glass, Inc. 2064 State Road Bensalem, PA 19020	Unnamed tributary Delaware River	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Buckingham Township Bucks County	PAG2000903102-1	Buckingham Township Snyder Property Park P. O. Box 413 Buckingham, PA 18912	Pine Run Creek/North Branch Neshaminy Creek TSF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Tinicum Township Bucks County	PAG2000903132	Mark Hankin Rolling Hill Farm Tract P. O. Box 26767 Elkins Park, PA 19117	PA Canal TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
West Chester Borough Chester County	PAG2001503136	County of Chester Parking Garage and Justice Center 14 East Biddle St. P. O. Box 2748 West Chester, PA 19380-0991	Blackhorse Run TSF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Sadsbury Township Chester County	PAG2001503111	Octorara Glen Associates, LP Octorara Glen 100 West Lancaster Ave., Suite 102 Wayne, PA 19087	Unnamed tributary Buck Run TSF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Phoenixville Borough Chester County	PAG2001503130	S & S Development, Inc. 1155 Lancaster Avenue Berwyn, PA 19312	French Creek TSF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900

NOTICES

1371

<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>
Oxford Borough Chester County	PAG2001503116	Presbyterian Homes of Central PA Ware Presbyterian Village 1217 Slate Hill Road Camp Hill, PA 17011	Tweed Creek TSF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Londonderry Township Chester County	PAG20015030987	Wilmer Hostetter Country Walk 481 Limestone Road Oxford, PA 19363	Unnamed tributary Doe Run WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Concord Township Delaware County	PAG2002303042	Toll PA Vi, LP 130 Concord Road Boothwyn, PA 19061	Green Creek CWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Brookhaven Borough Delaware County	PAG2002303053	Joe Grace P. O. Box 91 Chadds Ford, PA 19317	Ridley Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Concord Township Delaware County	PAG2002303082	Kenneth J. Lustgarden P. O. Box 188, Rt. 202 South Concordville, PA 19331	Delaware River TSF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Montgomery Township Montgomery County	PAG2004603170	309 Autovest Properties, LP Montgomeryville Acura 119 Keystone Drive Montgomeryville, PA 18936	Park Creek/Little Neshaminy Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Frederick Township Montgomery County	PAG2004603134	Barry Macken Subdivision 3012 Getzel Road Perkiomenville, PA 18074	Unnamed tributary Deep Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Providence Township Montgomery County	PAG2004603195	Upper Providence Township Upper Providence Police Maintenance Building 1286 Black Rock Road Oaks, PA 19456	Schuylkill River TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Skippack Township Montgomery County	PAG2004603240	Wawa, Inc. Proposed Wawa—Skippack 260 Baltimore Pike Red Roof Office Wawa, PA 19063	Skippack Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Moreland Township Montgomery County	PAG2004603214	Good Mac Realty Partners 3900 Welsh Road Center 636 Old York Road Jenkintown, PA 19046	Unnamed tributary Sandy Run and Pennypack Creek TSF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900

<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>
Limerick Township Montgomery County	PAG2004603083	Dennis J. Gambino Flying G. Ranch Subdivision 76 Laver Road Schwenksville, PA 19473	Unnamed tributary Swamp Creek TSF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Lower Providence Township Montgomery County	PAG2004604018	Seton Company Proposed Parking Lot Expansion 1000 Madison Avenue Norristown, PA 19403	Indian Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Red Hill Borough Upper Perkiomen Township Montgomery County	PAG2004604002	Upper Perkiomen School District Stadium 203 West 5th Street East Greenville, PA 18041	Green Lane Reservoir TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Montgomery Township Montgomery County	PAG2004603060	Trefoil Properties, Inc. Proposed Office Development 1120 Welsh Road, Suite 210 North Wales, PA 19454	Little Neshaminy Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG2015103014	Dambro Inc. Headquarters 68 East Brighthurt Street Philadelphia, PA 19144	Schuylkill River CWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG2015103016	Lasalle University New Student Dormitory and Dining Hall	Delaware River WWF, CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Lehigh County North Whitehall Township	PAG2003903025	Gateway View 188 Jefferson St. Emmaus, PA 18049	Coplay Creek CWF	Lehigh County Conservation District (610) 391-9583
Lehigh County Washington Township	PAG2003903029	Michael and Jo Ellen Kelly 4081 Best Station Rd. Slatington, PA 18080	Trout Creek CWF	Lehigh County Conservation District (610) 391-9583
Lehigh County Whitehall Township	PAG2003904003	Joseph Keglovits 1492 Main St. N. Catasauqua, PA 18032	Catasauqua Creek CWF	Lehigh County Conservation District (610) 391-9583
Lehigh County Washington Township	PAG2003903018 (1)	John Coughlin 131 Sawmill Rd. Boyertown, PA 19512	Coplay Creek CWF	Lehigh County Conservation District (610) 391-9583
Luzerne County Lehman Township	PAR10R195 (1)	Andrew Kopczynski 51 Sterling Ave. Dallas, PA 18612	Browns Creek CWF	Luzerne County Conservation District (570) 674-7991
Lehigh County Whitehall Township	PAG2003904006	Terence A. Silfies P. O. Box 323 Whitehall, PA 18052	Lehigh River TSF	Lehigh County Conservation District (610) 391-9583

NOTICES

1373

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Luzerne County Rice Township	PAG2004004005	The Ice Lakes Development Group, Inc. General Partner of The Ice Lakes Ltd. 220 Pine Ridge Rd. Tunkhannock, PA 18647	Big and Little Wapwallopen Creeks CWF	Luzerne County Conservation District (570) 674-7991
Northampton County Williams Township	PAG2004803043	Todd Van Cleef, President Country Classics 339A Amwell Rd. Hillsborough, NJ 08844	Unnamed tributary Delaware River WWF	Northampton County Conservation District (610) 746-1971
Amity Township Berks County	PAG2000604015	William Mullray 152 Garrett Road Upper Darby, PA 19082	Schuylkill River WWF	Berks County Conservation District P. O. Box 520 County Welfare Road Leesport, PA 19533 (610) 372-4657
Caernarvon Township Berks County	PAG2000604014	Douglas Hess 81 Ridgeway Road Birdsboro, PA 19508	UNT to Conestoga River WWF	Berks County Conservation District P. O. Box 520 County Welfare Road Leesport, PA 19533 (610) 372-4657
Exeter Township Berks County	PAG2000604011	Keystone Homes Inc. P. O. Box 295 Birdsboro, PA 19508	Molasses Creek WWF	Berks County Conservation District P. O. Box 520 County Welfare Road Leesport, PA 19533 (610) 372-4657
Lower Heidelberg Township Berks County	PAG2000603105	Tim Kissling 1700 Brownsville Road Robesonia, PA 19551	UNT to Little Cacoosing Creek WWF	Berks County Conservation District P. O. Box 520 County Welfare Road Leesport, PA 19533 (610) 372-4657
Bern Township Berks County	PAG2000604009	Reading Regional Airport Authority 2501 Bernville Road Reading, PA 19605-9611	Schuylkill River WWF	Berks County Conservation District P. O. Box 520 County Welfare Road Leesport, PA 19533 (610) 372-4657
Bethel Township Berks County	PAG2000604008	John Bicher 9518 Old Route 22 Bethel, PA 19507	UNT to Little Swatara Creek CWF	Berks County Conservation District P. O. Box 520 County Welfare Road Leesport, PA 19533 (610) 372-4657
Walker Township Huntingdon County	PAG2003103013	David Heisey P. O. Box 408 Elizabethtown, PA 17022-0408	UNT to Sugar Run CWF	Huntingdon County Conservation District R. D. 1, Box 7C, Rt. 26 S Huntingdon, PA 16652 (814) 627-1627

<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>
Rapho Township Lancaster County	PAG2003603111	Elm Tree Properties 3121C Mount Joy Road Mount Joy, PA 17552	UNT to Little Chickies Creek TSF	Lancaster County Conservation District 1383 Arcadia Road, Room 6 Lancaster, PA 17601 (717) 299-5361
Penn Township Lancaster County	PAG2003603124	JWB Partnership 100 Highlands Drive Suite 200 Lititz, PA 17508	UNT to Chickies Creek WWF	Lancaster County Conservation District 1383 Arcadia Road, Room 6 Lancaster, PA 17601 (717) 299-5361
West Lampeter Township Lancaster County	PAG2003603145	East Congress of Jehovah's Witnesses 4 Deerfield Road Lancaster, PA 17603	Conestoga River WWF	Lancaster County Conservation District 1383 Arcadia Road, Room 6 Lancaster, PA 17601 (717) 299-5361
Lititz Borough Lancaster County	PAG2003603149	Keller Real Estate Associates 156 Shaeffer Road Newmanstown, PA 17073	UNT to Conestoga River WWF	Lancaster County Conservation District 1383 Arcadia Road, Room 6 Lancaster, PA 17601 (717) 299-5361
Clay Township Lancaster County	PAG2003604011	EKM Enterprises 55 Wissler Road Lititz, PA 17543	Middle Creek WWF	Lancaster County Conservation District 1383 Arcadia Road, Room 6 Lancaster, PA 17601 (717) 299-5361
Ephrata Township Lancaster County	PAG2003604015	Dr. Lewis Storb P. O. Box 730 411 Maple Street Terre Hill, PA 17581	Cocalico Creek WWF	Lancaster County Conservation District 1383 Arcadia Road, Room 6 Lancaster, PA 17601 (717) 299-5361
Chanceford Township York County	PAG2006703157	Department of Transportation District 8-0 2140 Herr Street Harrisburg, PA 17103	Otter Creek CWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Fairview Township York County	PAG2006703079	Michael Salvo Pennsylvania American Water Company 852 Wesley Drive Mechanicsburg, PA 17055	Yellow Breeches Creek CWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Goldsboro Borough York County	PAG2006703119	Goldsboro Heights 25 Whistler Road Etters, PA 17319	Fishing Creek	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430

NOTICES

1375

<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>
Shrewsbury Township York County	PAG2006703130	Glen Rock Church of Christ 3899 Sticks Road Glen Rock, PA 17327	UNT to South Branch Codorus Creek	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
New Freedom Borough York County	PAG2006704005	First Capital Investors 190 Arsenal Road Glen Rock, PA 17327	South Branch Codorus Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Fairview Township York County	PAG2006703156	Siddonsburg Estates 4332 Crestview Road Harrisburg, PA 17112	Bennett Run WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Manchester Township York County	PAG2006704017	Spring Meadows 75 Lightner Road York, PA 17404	UNT to Little Conewago Creek TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Centre County College Township	PAG2001403033	Mt. Nittany Terrace—Phase II P. O. Box 215 Lemont, PA 16851	UNT Spring Creek CWF	Centre County Conservation District 414 Holmes Ave., Suite 4 Bellefonte, PA 16823 (814) 355-6817
Centre County Patton Township	PAR10F146 Minor Modifications	Pinnacle Development 401 Rolling Ridge Dr. State College, PA 16801	UNT Big Hollow CWF	Centre County Conservation District 414 Holmes Ave., Suite 4 Bellefonte, PA 16823 (814) 355-6817
Centre County College Township	PAR10F170 Minor Modifications	Pennsylvania State University Office of Physical Plant 101 Physical Plant Bldg. University Park, PA 16802	UNT Big Hollow CWF	Centre County Conservation District 414 Holmes Ave., Suite 4 Bellefonte, PA 16823 (814) 355-6817
Northumberland County Delaware Township	PAG2004904001	Alfred Hanscom Hamscom Subdivision 118 Hilltop Dr. Coatsville, PA 19320	UNT Susquehanna River WWF	Northumberland County Conservation District R. R. 3, Box 238C Sunbury, PA 17801 (570) 286-7114, Ext. 4
Northumberland County Shamokin Township	PAG2004904002	Irish Valley Motocross & ATV Park Timothy Krebs R. R. 1 Box 857 Paxinos, PA 17860	UNT Benneys Run CWF	Northumberland County Conservation District R. R. 3, Box 238C Sunbury, PA 17801 (570) 286-7114, Ext. 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>
Northumberland County Delaware Township	PAG2004904003	Keystone Filler East Watsonstown Brick Co. Michael Fisher P. O. Box 68, Rt. 405 Watsonstown, PA 17777	UNT Susquehanna River WWF	Northumberland County Conservation District R. R. 3, Box 238C Sunbury, PA 17801 (570) 286-7114, Ext. 4
Fayette County South Union Township	PAG2002604010	Fayette County Housing Authority 624 Pittsburgh Road Uniontown, PA 15401	Redstone Creek WWF	Fayette County Conservation District (724) 438-4497
Fayette County Dunbar Township	PAG2002604011	Youghiogheny Acres Plan No. 3 P. O. Box 376 Connellsville, PA 15425	Youghiogheny River WWF	Fayette County Conservation District (724) 438-4497
Fayette County North Union Township	PAG2002604012	Gus Palmar c/o Superior Ford 630 West Main St. Uniontown, PA 15401	Jennings Run WWF	Fayette County Conservation District (724) 438-4497
Washington County South Strabane Township	PAR10W134R	Washington Mall—JCP Assoc., Ltd. 4839 Campbells Run Road Pittsburgh, PA 15205-1386	Chartiers Creek WWF	Washington County Conservation District (724) 228-6774
Westmoreland County City of Greensburg	PAG2006504004	The Lodge—Seton Hill University Seton Hill Univ. Dr. Greensburg, PA 15601	Zellers Creek to Jacks Run WWF	Westmoreland County Conservation District (724) 837-5271
<i>General Permit Type—PAG-3</i>				
<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Salem Township Luzerne County	PAR602242	E. F. S. Inc. Ed Spencer Auto Parts 350 Salem Boulevard Berwick, PA 18603	Unnamed tributary to Susquehanna River WWF	NERO Water Management Program 2 Public Square Wilkes-Barre, PA 18711-0790 (570) 826-2511
Berks County Reading City	PAR803625	Reading Truck Body, Inc. P. O. Box 650 Shillington, PA 19607-0650	UNT to Schuylkill River WWF	SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Berks County Spring Township	PAR203566	Metropolitan Steel Industries, Inc. 601 Fritztown Road Sinking Spring, PA 19608	Cacoosing Creek CWF	SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Berks County Kutztown Borough	PAR203569	East Penn Manufacturing Company Deka Road Lyon Station, PA 19536	Sacony Creek TSF	SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

NOTICES

1377

<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>
City of Pittsburgh Allegheny County	PAR116107	Tippins Intl. Inc. 1090 Freeport Road Pittsburgh, PA 15238	Allegheny River	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Bethel Park Borough Allegheny County	PAR236126	Parker Plastics Corp. 3585 Valley Drive Pittsburgh, PA 15234	Painters Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
City of Hermitage Mercer County	PAR218320	Castle Builders Supply, Inc. 1325 Broadway Avenue Hermitage, PA 16148	Unnamed tributary to Shenango River	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Adams Township Butler County	PAR808378	Purvis Brothers, Inc. P. O. Box 957 Mars, PA 16046-0957	Breakneck Creek	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
<i>General Permit Type—PAG-4</i>				
<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
South Shenango Township Crawford County	PAG048580	Mary Ann Leonard Eugene C. Martin III Virginia Lynne Martin-Huber 3245 Forest Road Bethel Park, PA 15102-1415	Patton Run	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Pine Grove Township Warren County	PAG048513	Kurt Martin R. R. 1, Box 1385 Russell, PA 16345-9737	Unnamed tributary to Widdlefield Run	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Fairview Township Mercer County	PAG048942	Sandra J. Van Dusen 2084 Perry Highway Clarks Mills, PA 16114	Unnamed tributary to Little Shenango River	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
South Pymatuning Township Mercer County	PAG048567	Randall Ference 1556 Carlisle Road Transfer, PA 16154	Unnamed tributary to Shenango Reservoir	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Perry Township Mercer County	PAG048944	Brenda K. and Mark J. DelMaramo 217 Morneweck Road Greenville, PA 16125	Unnamed tributary of the Little Shenango River	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

<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>
Washington Township Erie County	PAG048603	Earl J. Koon P. O. Box 458 Edinboro, PA 16412-0458	Unnamed tributary to Little Conneauttee Creek	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

General Permit Type—PAG-5

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Upper Dublin Township Montgomery County	PAG050051	Exxon Mobil Corporation	UNT Little Neshaminy Creek	Southeast Regional Office 2 East Main Street Norristown, PA 19401

General Permit Type—PAG-9

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Contact Office and Telephone No.</i>
Fayette Township Juniata County	PAG093523	William Kemp's Septic Tank Service R. R. 1 Box 2930 McAlisterville, PA 17049	SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707

General Permit Type—PAG-13

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>
PAG132255	Lower Mt. Bethel Township Municipal Building P. O. Box 257 Martins Creek, PA 18063	Northampton	Lower Mt. Bethel Township	Oughoughton Creek CWF Mud Run CWF Martins Creek, E and W Forks CWF Martins Creek, confluence to mouth TSF, MF Delaware River WWF, MF	Y
PAG132257	Ransom Township 2435 Hickory Lane Clarks Summit, PA 18411	Lackawanna	Ransom Township	Lindy Creek, tributary to Keyser Creek CWF	Y
PAG136121	Neville Township 5050 Grand Avenue Pittsburgh, PA 15225	Allegheny	Neville Township	Ohio River WWF	Y
PAG136155	Rochester Borough 300 West Park Rochester, PA 15074	Beaver	Rochester Borough	Ohio River WWF Beaver River WWF McKinley Run WWF	Y
PAG136195	West View Borough 210 Perry Highway Pittsburgh, PA 15229	Allegheny	West View Borough	Girty's Run WWF Lowries Run TSF	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>
PAG136261	Ingram Borough 40 West Prospect Pittsburgh, PA 15205	Allegheny	Ingram Borough	Charties Creek WWF Unnamed tributary of Chartiers Creek WWF	Y
PAG136292	Ben Avon Borough 7101 Church Avenue Ben Avon, PA 15202-1881	Allegheny	Ben Avon Borough	Lowries Run TSF Spruce Run WWF Ohio River WWF	Y
PAG136308	North Sewickley Township 893 Mercer Road Beaver Falls, PA 15010	Beaver	North Sewickley Township	Connoquenessing Creek WWF Beaver River WWF Bennetts Run WWF	Y
PAG136317	Franklin Township 897 SR 288 Fombell, PA 16123	Beaver	Franklin Township	Connoquenessing Creek WWF	Y
PAG136352	Paint Township R 400 Hayes Street Windber, PA 15963	Somerset	Paint Township	Seese Run CWF	Y
PAG136354	Harmar Township 701 Freeport Road Cheswick, PA 15024	Allegheny	Harmar Township	Deer Creek CWF Little Deer Creek TSF Guys Run TSF Campbells Run TSF Allegheny River WWF	Y

PUBLIC WATER SUPPLY (PWS) PERMITS

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

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

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

Permit No. 1503508, Public Water Supply.

Applicant **Phillip Associates**
215 W. Church Road, Suite 105
King of Prussia, PA 19406

Township West Fallowfield

County **Chester**

Type of Facility PWS

Consulting Engineer System Design Engineering, Inc.
4 Park Plaza, Suite 105
Wyomissing, PA 19610

Permit to Construct Issued February 23, 2004

Permit No. 0903506, Minor Amendment, Public Water Supply.

Applicant **Warminster Municipal Authority**
415 Gibson Avenue
Warminster, PA 18974

Township Warminster

County **Bucks**

Type of Facility PWS

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

Permit to Construct Issued February 23, 2004

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

Operations Permit issued to **Pennsylvania American Water Company**, 800 West Hersheypark Drive, Hershey, PA 17033, PWS ID 2409002, Courtdale Borough, **Luzerne County** on February 10, 2004, for the operation of facilities approved under Construction Permit Minor Amendment.

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

Permit No. 0103509 MA, Minor Amendment, Public Water Supply.

Applicant **Borough of Hanover Municipal Water Works**

Municipality Conewago and Oxford Townships

County **Adams**

Type of Facility Installation of a third pump at the Slagle's Run Raw Water Pumping Station.

Consulting Engineer Thomas S. Ladue, P. E.
Dewberry-Goodkind Inc.
101 Noble Boulevard
Carlisle, PA 17013-4109

Permit to Construct Issued: October 31, 2003

Permit No. 2103501, Public Water Supply.

Applicant **Creek View Mobile Home Park**

Municipality Upper Frankford Township

County **Cumberland**

Type of Facility PWS—Construction Permit application for a new community water system. Facilities include well no. 1 at 40 gpm, treatment for iron and manganese, disinfection, booster pumps, finished water storage and distribution system.

Consulting Engineer George W. Akens, P. E.
Akens Engineering Associates Inc.
219 E. Main Street
Shiremanstown, PA 17011

Permit to Construct Issued February 3, 2004

Permit No. 0603518 MA, Minor Amendment, Public Water Supply.

Applicant **Muhlenberg Township Authority**

Municipality Laureldale Borough

County **Berks**

Type of Facility Installation of a 3,800-gallon underground storage tank for the purpose of correcting an existing chlorine contact time deficiency at well no. 2.

Consulting Engineer Gene C. Koontz, P. E.
Gannett Fleming, Inc.
P. O. Box 67100
Harrisburg, PA 17106-7100

Permit to Construct Issued February 13, 2004

Permit No. 2203505 MA, Minor Amendment, Public Water Supply.

Applicant **United Water Pennsylvania**

Municipality Susquehanna Township

County **Dauphin**

Type of Facility Construction of an air scour system to replace the existing filter surface wash system.

Consulting Engineer John Hollenbach, P. E.
4211 East Park Circle
Harrisburg, PA 17111-0151

Permit to Construct Issued February 20, 2004

Operations Permit issued to **Harrisburg Authority**, 7220049, Harrisburg, **Dauphin County** on February 11, 2004, for the operation of facilities approved under Construction Permit No. 2204502 MA.

Operations Permit issued to **SCI Camp Hill**, 7210046, Lower Allen Township, **Cumberland County** on February 11, 2004, for the operation of facilities approved under Construction Permit No. 2103503 MA.

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

Permit No. 1403504—Construction. Public Water Supply.

Applicant College Township Water Authority
R. David Derr, Chairperson
 1481 East College Avenue
 State College, PA 16801

Township College

County Centre

Type of Facility PWS—Construction of a rehabilitated Lemont pump station with all associated piping and controls.

Consulting Engineer Michael J. Dashbach, P. E.
 Entech Engineering Inc.
 4 South Fourth Street
 P. O. Box 32
 Reading, PA 19603

Permit to Construct Issued February 20, 2004

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

Permit No. 4303504, Public Water Supply

Applicant Greenville Municipal Water Authority

Borough or Township Greenville Borough

County Mercer

Type of Facility PWS

Consulting Engineer Eric Buzza
 Gannet Fleming Inc.
 Foster Plaza III, Suite 200
 601 Holiday Dr.
 Pittsburgh, PA 15220

Permit to Construct Issued February 17, 2004

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Penn Township	97 North Penryn Rd. Manheim, PA 17545	Lancaster

Plan Description: The approved plan provides for extension of sewer service to Phase 1 of the Baron's Ridge development consisting of 34 single family residences generating 8,500 gpd in sewage flows tributary to the Northwestern Lancaster County Sewer Authority system and wastewater treatment facility. This is the first phase of a proposed 101 single family residential development. The project site is on the east side of White Oak Road north of Steigel Valley Road in Penn Township, Lancaster County. The APS number is 504604 and the Department module code number is A3-36944-221-3. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES permits or WQM permits must be obtained in the name of the municipality or authority as appropriate.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 2

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

Provisions of Chapter 3 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, shall also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media; benefits of refuse of the property and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

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

The Department has received the following plans and reports:

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

Torres Residence, Bristol Township, **Bucks County.** Mark Zurich, GemChem, Inc., 53 N. Cedar St., P. O. Box 384, Lititz, PA, on behalf of Juan Torres, 65 Idolstone Rd., Levittown, PA 19057, has submitted a Final Report concerning remediation of site soil contaminated with fuel oil no. 2. The report was submitted within 90 days of the release and is intended to document remediation of the site to meet the Statewide Health Standard.

Towne Center Cleaner—Whiteland Associates, LTD Property, West Whiteland Township, **Chester County.** Craig Hopkins, RT Environmental Services, Inc., 510 Heron Dr., Suite 306, P. O. Box 521, Bridgeport, NJ

08014, on behalf of Whiteland Associates, LTD, c/o Daniel M. Dupree, 4393 Sentinel Post Rd., NW, Atlanta, GA 30327, has submitted a Final Report concerning remediation of site groundwater contaminated with solvents. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Appel/Kees Property, Abington Township, **Montgomery County**. Jeffrey E. Goudsward, Penn E & R, Inc., 2755 Bergey Rd., Hatfield, PA 19440, on behalf of Jane Kees, 2327, Nyslor Ave., Abington, PA 19001-2406, has submitted a Final Report concerning remediation of site soil contaminated with fuel oil no. 2. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Mr. Lee's Cleaners, Upper Moreland Township, **Montgomery County**. Richard Sacks, P. G., ST Environmental Professionals, Inc., 1514 Harmon Rd., Harleysville, PA 19438, on behalf of Goodman Properties, Chris Anderson, 636 Old York Rd., Jenkintown, PA 19046, has submitted a Final Report concerning remediation of site soil contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet Statewide Health and Site-Specific Standards.

Church Road Site, Lansdale Borough, **Montgomery County**. Christopher Orzechowski, RT Environmental Services, 215 W. Church Rd., King of Prussia, PA 19406, on behalf of 1190 Church Rd., Associates, LP, 1001 E. Hector St., Suite 100, Conshohocken, PA 19428, has submitted a Remedial Investigation Report concerning remediation of site soil contaminated with chlorinated solvents, inorganics, lead and other organics.

Former Oscar Mayer and Dupont Facilities, City of Philadelphia, **Philadelphia County**. James A. Stynchula, P. G., Pennoni Associates, Inc., 3001 Market St., Suite 200, Philadelphia, PA 19104-2897, on behalf of Jonathan Edelstein, PAID, 2600 Centre Sq., West, 1500 Market St., Philadelphia, PA 19102, has submitted a Remedial Investigation Report concerning remediation of site soil contaminated with chlorinated solvents, inorganics and other organics; and groundwater contaminated with inorganics, other organics and PAH.

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

Defense Distribution Depot Susquehanna PA, SWMU No. 6, Fairview Township, **York County**. Defense Distribution Depot Susquehanna PA, 2001 Mission Drive, Suite 1, New Cumberland, PA 17070-5002 submitted a Remedial Investigation Report concerning remediation of site groundwater contaminated with solvents. The applicant proposes to remediate the site to meet the Site-Specific Standard.

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

Former Mellon Bank Site, City of Butler, **Butler County**. CDM, 2740 Smallman St., Suite 100, Pittsburgh, PA 15222 (on behalf of Citizens Bank, 53 State St., MBS920, Boston, MA 02109) has submitted a Final Report concerning remediation of soil contaminated with leaded gasoline. The report is intended to document remediation of the site to meet the Statewide Health Standards.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

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

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

The Department has received the following plans and reports:

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

Brittany Square, New Britain Township, **Bucks County**. Christopher Orzechowski, RT Environmental Services, Inc., 215 W. Church Rd., King of Prussia, PA

19406, on behalf of Brittany Square LP c/o Koller Kelly, LLC, 490 Norristown Rd., Suite 151, Blue Bell, PA 19422, has submitted a Remedial Investigation Report concerning the remediation of site soil and groundwater contaminated with chlorinated solvents. The report was disapproved by the Department on January 9, 2004.

Saldi Residence, Holland Township, **Bucks County**. Charlene R. Drake, React Environmental Services, Inc., 6901 Kingsessing Ave., Philadelphia, PA 19142, on behalf of Tom Saldi, 1233 Buck Rd., Holland, PA 19142, has submitted a Final Report concerning the remediation of site soil contaminated with fuel oil no. 2. The report demonstrated attainment of the Statewide Health Standard and was approved by the Department on February 20, 2004.

Doane Pet Care, Bedminster Township, **Bucks County**. Edward L. Powell, Jr., P. E., E. Robert Alley & Associates, Inc., 1721 Dancy Blvd., Suite A, Corn Lane, MS 38637, has submitted a Final Report concerning the remediation of site soil contaminated with fuel oil no. 2. The report demonstrated attainment of the Statewide Health Standard and was approved by the Department on February 19, 2004.

Valley Forge General Hospital, Operable Unit 2, Schuylkill Township, **Chester County**. Scott McClelland, URS Corp., 7101 Wisconsin Ave., Suite 700, Bethesda, MD 20814, on behalf of Phoenixville Area School District, George Quay, 1120 Gay St., Phoenixville, PA 19460 has submitted a Final Report concerning the remediation of site groundwater contaminated with chlorinated solvents, MTBE and other organics. The report demonstrated attainment of the Statewide Health Standard and was approved by the Department on February 17, 2004.

Balderston Family LP Property, West Brandywine Township, **Chester County**. Donald Coleman, P. G., Penn Environmental & Remediation, Inc., 2755 Bergey Rd., Hatfield, PA 19440, on behalf of William Balderston and Craig Poff, Bentley Communities, LP, P. O. Box 1906, 1595 Paoli Pike, Suite 202, West Chester, PA 19380-6167, has submitted a Final Report concerning the remediation of site soil contaminated with inorganics. The report demonstrated attainment of the Statewide Health Standard and was approved by the Department on February 17, 2004.

Caum Residence, Horsham Township, **Montgomery County**. Jennifer L. Stafford, P. G., Groundwater & Environmental Services, Inc., 410 Eagleview Blvd., Suite 110, Exton, PA 19341, on behalf of Ms. Caum, 420 Johnson Ave., Horsham, PA, has submitted a Final Report concerning remediation of site soil contaminated with fuel oil no. 2. The report demonstrated attainment of the Statewide Health Standard and was approved by the Department on February 20, 2004.

Swedeland Road Substation, PECO Energy, Upper Merion Township, **Montgomery County**. Bryan R. Sladky, P. G., PECO Energy Co., 2301 Market St., P. O. Box 8699, Philadelphia, PA 19101-8699, on behalf of PECO/Excelon, 2301 Market St., Philadelphia, PA 19101, has submitted a Final Report concerning remediation of site soil and groundwater contaminated with heavy metals, BTEX, PAH, VOC and SVOC. The report demonstrated attainment of Statewide Health and Site-Specific Standards and was approved by the Department on February 19, 2004.

Former Ace Services, City of Philadelphia, **Philadelphia County**. Erik Stephens, Manko, Gold, Katcher & Fox LLP, 401 City Ave., Suite 500, Bala Cynwyd, PA

19004, on behalf of Kevin Hee, Sr., Ace Service Corp., 2001 S. Vandalia St., Philadelphia, PA 19148, has submitted a Final Report concerning remediation of site soil contaminated with chlorinated solvents, inorganics, lead, other organics and PAH. The report demonstrated attainment of the Statewide Health Standard and was approved by the Department on February 23, 2004.

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

Callahan Residence, Borough of Gettysburg, **Adams County**. Hydro Environmental Technologies, Inc., 54 Nonset Path, Acton, MA 01720, on behalf of Michael Callahan, 218 Ewell Avenue, Gettysburg, PA 17325, submitted a Final Report concerning remediation of site soils and groundwater contaminated with fuel oil no. 2. The final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on February 19, 2003.

West Shore Office Center, East Pennsboro Township, **Cumberland County**. Marshall Miller & Associates, 3913 Hartzdale Drive, Suite 1306, Camp Hill, PA 17011, on behalf of Senate Avenue Associates, 4601 Presidents Drive, Suite 140, Lanham, MD 20706, submitted a Final Report concerning remediation of site soils and groundwater contaminated with diesel fuel. The final report did not demonstrate attainment of the Background and Statewide Health Standards and was disapproved by the Department on February 20, 2004.

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

GE Thermometrics, Mount Jewett Borough, **McKean County**. Michael Sykes (on behalf of Tim Connors, GE Thermometrics, 967 Windfall Rd., St. Marys, PA 15857) has submitted a Final Report concerning the remediation of soil and groundwater contaminated with inorganics and other organics. The Report was disapproved. The Final Report did not demonstrate attainment of the Statewide Health and Residential Standards and was disapproved by the Department on February 19, 2004.

MUNICIPAL WASTE GENERAL PERMITS

Permits Issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and municipal waste regulations for a general permit to operate municipal waste processing facilities and the beneficial use of municipal waste.

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

General Permit Application No. WMGM025. ASG, Inc., 7333 Milnor Street, Philadelphia, PA 19136. General Permit No. WMGM025 is for the processing and beneficial use of unpainted and untreated wood waste, gypsum board, brick, block and concrete waste from new residential and commercial construction. The approved uses are: (1) mulch for landscaping purposes; (2) soil erosion control; and/or (3) temporary walkway material, at new residential home or commercial building construction sites or distributed to wholesale outlets. The general permit was issued by Central Office on February 20, 2004.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

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

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

General Permit No. WMGR081D005. Recom Services, Inc., 3237 U. S. Highway 19, Cochran, PA 16314. The processing prior to beneficial use of uncontaminated and source separated electronics equipment by sorting, disassembling and mechanical processing, for use, reuse, or recycling by salvaging metals, plastics, electronic, or mechanical components. The Department issued the determination of applicability on February 17, 2004

Persons interested in reviewing the general permit may contact the General Permits/Beneficial Use Section, Division of Municipal and Residual 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.

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; Ronald Davis, New Source Review Chief, (717) 705-4702.

GP1-31-03005: Mount Union Area School District (28 West Market Street, Mount Union, PA 17066) on February 18, 2004, authorized to operate two small gas and no. 2 oil fired combustion units under GP1 in Mount Union Borough, **Huntingdon County**.

GP1-36-03148: Lancaster Community Hospital (1100 Highland Drive, Lititz, PA 17543) on January 29, 2004, authorized to operate two small gas and no. 2 oil fired combustion units under GP1 in Warwick Township, **Lancaster County**.

GP1-44-03009: Mifflin County School District (103 Green Avenue, Lewistown, PA 17044) on February 23, 2004, authorized to operate three small gas and no. 2 oil fired combustion units under GP1 in Derry Township, **Mifflin County**.

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

37-280: G. L. McKnight—McCandless Plant (Township Route 539, Slippery Rock, PA 16057) on February 19, 2004, to operate a portable mineral processing plant in Plain Grove Township, **Lawrence County**.

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

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

45-302-073: Aventis Pasteur, Inc. (Discovery Drive, Swiftwater, PA 18379-0187) on February 18, 2004, to construct three 800 horsepower boilers fired by natural gas and no. 2 fuel oil utilizing low NOx burners and flue gas recirculation at the facility in Pocono Township, **Monroe County**.

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

42-174D: McKean County Solid Waste Authority—Kness Landfill (19 Ness Lane, Kane, PA 16735) on February 6, 2004, to modify the landfill gas collection system in the Sergeant Township, **McKean County**.

62-171A: Meridien Hardwoods of PA, Inc. (Old Pittsfield Road, Pittsfield, PA 16340) on February 19, 2004, to install a waste fuel burner on an existing natural gas fired boiler in Pittsfield Township, **Warren County**.

Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104; Edward Braun, Chief, (215) 823-7584.

AMS 03091: Naval Surface Warfare Center—Carderock Division—Ship Systems Engineering Station (5001 South Broad Street, Code 357, Philadelphia, PA 19112) authorized to install a marine gas turbine test cell in Philadelphia, **Philadelphia County**.

AMS 03163: Sunoco, Inc.—R and M (3144 Passyunk Avenue, Philadelphia, PA 19145) authorized to reactivate idle portions of 869 Alkylation Plant in Philadelphia, **Philadelphia County**.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401; Thomas McGinley, New Source Review Chief, (484) 250-5920.

46-0037K: Cabot Supermetals (P. O. Box 1608, County Line Road, Boyertown, PA 19512) on February 17, 2004, to operate a dust collector in Douglass Township, **Montgomery County**.

46-327-017: SPS Technologies, Inc. (Highland Avenue, Jenkintown, PA 19046) on February 19, 2004, to operate a vapor degreaser in Abington Township, **Montgomery County**.

15-0104A: Tasty Baking Oxford, Inc. (700 Lincoln Ave., Oxford, PA 19363) on February 19, 2004, to operate lines 1—3 fryer in Oxford Borough, **Chester County**.

46-0036G: Visteon Systems LLC (2750 Morris Road, Lansdale, PA 19446) on February 19, 2004, to operate selective solder no. 10 in Worcester Township, **Montgomery County**.

46-0036F: Visteon Systems LLC (2750 Morris Road, Lansdale, PA 19446) on February 19, 2004, to operate wave solder no. 13 in Worcester Township, **Montgomery County**.

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

40-320-017: Bemis Co., Inc. (20 Jaycee Drive, West Hazleton, PA 18201-1142) on February 18, 2004, to modify flexo-graphic printing presses 9 and 10 and associated air cleaning device at their facility in the Valmont Industrial Park, West Hazleton Borough, **Luzerne County**.

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

67-03058A: Coates Electrographics, Inc. (1160 A Fahs Street, York, PA 17404) on January 3, 2004, to install a new toner manufacturing system controlled by four fabric filter dust collectors at their facility in West Manchester Township, **York County**. This plan approval was extended.

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

49-331-001: Merck and Co., Inc. (P. O. Box 600, Danville, PA 17821) on January 16, 2004, to operate the hazardous waste incinerator and associated ancillary equipment and air cleaning devices (quench, venturi scrubber, tray tower scrubber and wet electrostatic precipitator) identified in the respective plan approval on a temporary basis until May 15, 2004, at the Cherokee Plant in Riverside Borough, **Northumberland County**. The authorization has been extended.

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

04-00706B: Beaver Valley Slag, Inc. (6010 Woodlawn Road, Aliquippa, PA 15001) on February 20, 2004, to install a screening plant at their Black's Run Slag Mine in Center Township, **Beaver County**. This plan approval was extended.

56-00025D: New Enterprise Stone and Lime (P. O. Box 77, New Enterprise, PA 16664) on February 20, 2004, to operate a hot mix asphalt plant in Jefferson Township, **Somerset County**. This plan approval was extended.

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 February 29, 2004, for post construction of chrome plating operations in Erie, **Erie County**.

24-083E: Carbone of America—Graphite Materials Division (1032 Trout Run Road, St. Marys, PA 15857) on February 29, 2004, to install a scrubber in Benzinger Township, **Elk County**.

24-083D: Carbone of America—Graphite Materials Division (1032 Trout Run Road, St. Marys, PA 15857) on February 29, 2004, to install a scrubber in Benzinger Township, **Elk County**.

61-193C: National Fuel Gas—Henderson Station (Route 965, Henderson, PA 16153) on January 31, 2004, to modify the dehydration still unit in Mineral Township, **Venango County**.

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

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

38-03024: PolyOne Engineered Films, Inc. (1507 Willow Street, Lebanon, PA 17046) on February 18, 2004, to operate a flexible vinyl sheet manufacturing plant in the City of Lebanon, **Lebanon County**.

67-03017: Yorktowne Paperboard Corp. (1001 Loucks Mill Road, P. O. Box 2426, York, PA 17405) on February 23, 2004, to operate their paper recycling and manufacturing facility in Spring Garden Township, **York County**.

Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401; Thomas McGinley, New Source Review Chief, (484) 250-5920.

09-00015: Rohm and Haas Co. (Route 413 and 13, P. O. Box 219, Bristol, PA 19021) on February 18, 2004, for an administrative amendment to their Title V Operating Permit 09-00015 in Bristol Township, **Bucks County**. The permit has been amended to incorporate changes approved under Plan Approval PA-46-0015C for the operation of a regenerative thermal oxidizer, Plan Approval PA-09-0015D for the operation of a catalytic oxidizer on the CRU and CRUX Processes and to install a closed loop vent system on methyl methacrylate tank 35 and Plan Approval PA-09-0015E to amend conditions pertaining to operating hours and to hourly emissions for a 1.7 mW diesel emergency generator. The amended Title V operating permit will contain additional monitoring, recordkeeping, reporting and work practice standards to keep the facility operating within all applicable air quality requirements and will include the following revisions:

From Plan Approval 09-0015C

Sections A and D, Sources 516 and 735A, Permit Maps—Revised permit maps to associate the regenerative thermal oxidizer to the nos. 7 and 10 kettles.

Section D, Source 516—Revised emissions restriction condition to restrict NO_x emissions from the regenerative thermal oxidizer.

Section D, Source 516—Incorporated emission restrictions, control device efficiency, testing, monitoring, recordkeeping, work practice standard and additional requirement conditions associated with regenerative thermal oxidizer for this source.

Section D, Source 735A—Incorporated emission restrictions, control device efficiency, testing, monitoring, recordkeeping, work practice standard and additional requirement conditions associated with regenerative thermal oxidizer for this source.

From Plan Approval 09-0015D

Sections A and D, Sources 401 and 441, Permit Maps—Revised permit maps to remove the existing three Luftrol-packed columns and replace with the catalytic oxidizer as the control to the CRU and CRUX Processes.

Section D, Source 401—Revised testing requirement to remove reference to scrubber and replace it with the phase “Catalytic Oxidizer (C09).”

Section D, Source 401—Incorporated emission restrictions, control device efficiency, testing, monitoring, recordkeeping, work practice standard and additional requirement conditions associated with catalytic oxidizer for this source.

Section D, Source 441—Revised testing requirement to remove reference to scrubber and replace it with the phase “Catalytic Oxidizer (C09).”

Section D, Source 441—Incorporated emission restrictions, control device efficiency, testing, monitoring, recordkeeping, work practice standard and additional requirement conditions associated with catalytic oxidizer for this source.

Section D, Source 744—Incorporated work practice standard condition requiring that the methyl methacrylate tank 35 shall be equipped and operated with a closed loop vapor recovery system.

From Plan Approval 09-0015E

Section A and D, Sources 103, Permit Maps—Revised permit maps to remove the 2.0 mW diesel generator and replace it with 1.7 mW diesel emergency generator.

Section D, Source 103—Incorporated emission restrictions, fuel restrictions, operation hours restrictions, control device efficiency, testing, monitoring, recordkeeping, work practice standard conditions associated with this source.

Section G, Miscellaneous—Removed items “Six Diesel Generators” and “2-1000 HP Diesel Generators” from list of activities that do not require additional limitations monitoring or recordkeeping requirements.

Other conditions that have been addressed in the amended Title V Permit:

Section D, Source 032—Revised the limit for both boilers under the header “Metals and Compounds” to “lb/hr.”

Section D, Source 033—Revised the limit for both boilers under the header “Metals and Compounds” to “lb/hr.”

Section D, Source 137—Removed the following inactive sources from the condition: 105B; 123 BEL; 147—Vents 1, 2, 4, 5 and 7; 155—Vents 1—3.

Section D, Source 137—Removed the following inactive source from the condition: Croll Reynolds Venturi Scrubber (U193).

Section D, Source 201—Removed the following inactive source from the condition: Polytribo Process Vents.

Section D, Source 300—Revised the phase “Emulsion Area—Source ID 300” to “Polymers Area—Source ID 300.”

Section D, Source 516—Removed the following inactive source from the condition: Polytribo process vents.

Section D, Source 517—Removed the following inactive source from the condition: Polytribo process vents.

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

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

01-05015: Sandusky Lee Corp. (P. O. Box 6, Littlestown, PA 17340) on February 23, 2004, to operate their metal furniture surface coating facility in Littlestown Borough, **Adams County**. The State-only operating permit was administratively amended to reflect a change of ownership from Lee Metal Products to Sandusky Lee Corporation. This is Revision No. 1 of the operating permit.

06-05022: State System of Higher Education (Main Street, Kutztown, PA 19530) on February 20, 2004, to operate emissions sources at Kutztown University in Maxatawny Township, **Berks County**. The State-only operating permit was administratively amended to correct an error in the classification of one of the boilers at the facility. This is Revision No. 1 of the operating permit.

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

41-310-001F: Hanson Aggregates Pennsylvania, Inc. (2200 Springfield Pike, Connellsville, PA 15425) on February 19, 2004, under 25 Pa. Code § 127.462 to authorize the discontinuation of use of six fabric collectors previously used for the control of fugitive particulate matter from a limestone crushing, screening, and the like, plant due to the current use of washed stone in the plant rather than dry unwashed stone at the Pine Creek Quarry in Limestone Township, **Lycoming County**.

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

63-00016: Allegheny Energy Supply, LLC—Mitchell Power Station (50 Electric Way, Courtney, PA 15067) on February 17, 2004, the Title V Operating Permit 63-00016 has been administratively amended to incorporate the requirements of Plan Approval 63-00016B and to change the responsible official. PA-63-00016B was issued in June 2002 to allow the modification of boiler 33 with low NOx burners and associated equipment at the Allegheny Energy Supply, LLC, Mitchell Power Station in Union Township, **Washington County**.

56-00151: Fleetwood Folding Trailers, Inc. (258 Beacon Street, P. O. Box 111, Somerset, PA 15501) the Title V Operating Permit was administratively amended to change the responsible official. This facility is in the borough of Somerset, **Somerset County**.

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

10-00342: Mine Safety Appliances (1420 Mars-Evans City Road, Evans City, PA 16033) on February 18, 2004, issued for an administrative amendment to a State-only operating permit to account for the change in ownership of several sources at their site in Forward Township, **Butler County** to BASF Corporation. Operating Permit No. 10-00047 has previously been transferred to BASF Corp. This operating permit accounts for the sources that were previously operated by MSA under Operating Permit No. 10-00047 but which were not included in the transfer to BASF. MSA will continue to operate the sources under Operating Permit No. 10-00342.

42-00004: American Refining Group, Inc. (77 North Kendall Avenue, Bradford, PA 16701) on February 20, 2004, for an administrative amendment to incorporate changes brought about through Plan Approval 42-004A. The facility is in the City of Bradford, **McKean County**. EPA and public comment periods were addressed during the plan approval process.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

Coal Permit Actions

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

49773204C3. Gilberton Coal Company (10 Gilberton Street, Gilberton, PA 17934), correction to an existing coal refuse reprocessing operation in Butler, Mt. Carmel and Conyngham Townships, **Schuylkill, Northumberland and Columbia Counties**, affecting 958.0 acres. Receiving streams: None. Application received August 27, 2003. Correction issued February 13, 2004.

40980103R. No. 1 Contracting Corporation (49 South Main Street, Ashley, PA 18706), renewal of an existing anthracite surface mine operation in Hazle and Banks Townships, **Luzerne and Carbon Counties**, affecting 37.0 acres. Receiving streams: None. Application received March 20, 2003. Renewal issued February 17, 2004.

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

30841314. NPDES Permit No. PA0215368, Dana Mining Company of PA, Inc. (P. O. Box 1209, Morgantown, PA 26507), to renew the permit for the Titus Mine in Dunkard Township, **Greene County** and related NPDES Permit. No additional discharges. Permit issued February 18, 2003.

03753705. NPDES Permit No. PA0215601, Indiana Investments, Inc. (R. D. 2, Box 305, Shelocta, PA 15774), to transfer the permit for the Urling No. 3 Coal Refuse Disposal Area in Plumcreek Township, **Armstrong County**, from Keystone Coal Mining Corporation. No additional discharges. Permit issued February 19, 2004.

32841312. NPDES Permit No. PA0037087, Indiana Investments, Inc. (R. D. 2, Box 305, Shelocta, PA 15774), to transfer the permit for the Urling No. 1 and No. 3 Mines in Armstrong and Washington Townships, **Indiana County** and Plumcreek and South Bend Townships, **Armstrong County**, from Keystone Coal Mining Corporation. No additional discharges. Permit issued February 19, 2004.

32841313. NPDES Permit No. NA, Indiana Investments, Inc. (R. D. 2, Box 305, Shelocta, PA 15774), to

transfer the permit for the Urling No. 2 Mine in Armstrong Township, **Indiana County**, from Keystone Coal Mining Company. No additional discharges. Permit issued February 19, 2004.

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

24880103 and NPDES Permit No. PA0104779. Energy Resources, Inc. (P. O. Box 259, Brockway, PA 15824). Renewal of an existing bituminous strip operation in Horton Township, **Elk County**, affecting 541.0 acres. Receiving streams: unnamed tributary to Mead Run, unnamed tributary to Vineyard Run, two unnamed tributaries to Laurel Run, two unnamed tributaries to West Branch Walburn Run. This renewal is issued for reclamation only. Application received May 15, 2003. Permit issued February 12, 2004.

10890114 and NPDES Permit No. PA0207608. Rosebud Mining Company (301 Market Street, Kittanning, PA 16201). Renewal of an existing bituminous strip operation in Bruin Borough and Parker Township, **Butler County**, affecting 100.6 acres. This renewal is issued for reclamation only. Receiving streams: unnamed tributaries to South Branch Bear Creek. Application received December 12, 2003. Permit issued February 17, 2004.

33980102 and NPDES Permit No. PA0227714. Beth Contracting, Inc. (815 Rock Run Road, Glen Campbell, PA 15742). Renewal of an existing bituminous strip operation in Gaskill Township, **Jefferson County**, affecting 32.0 acres. This renewal is issued for reclamation only. Receiving streams: two unnamed tributaries to East Branch Mahoning Creek. Application received December 22, 2003. Permit issued February 17, 2004.

10820122 and NPDES Permit No. PA0604852. Allegheny Mineral Corporation (P. O. Box 1022, Kittanning, PA 16201). Renewal of an existing bituminous strip, auger and limestone removal operation in Marion and Mercer Townships, **Butler County**, affecting 598.6 acres. Receiving streams: two unnamed tributaries to North Branch Slippery Rock Creek. Application received April 2, 2003. Permit issued February 18, 2004.

10920112. State Industries, Inc. (P. O. Box 1022, Kittanning, PA 16201). Revision to an existing bituminous strip, auger and coal ash placement operation to change the post-mining land use from noncommercial forestland to pastureland or land occasionally cut for hay on the Buffalo Valley, LTD property in Concord Township, **Butler County**. Receiving streams: four unnamed tributaries to Bear Creek. Application received November 21, 2003. Permit issued February 18, 2004.

24980101 and NPDES Permit No. PA0227706. Energy Resources, Inc. (P. O. Box 259, Brockway, PA 15824). Renewal of an existing bituminous strip, auger and clay removal operation in Fox Township, **Elk County**, affecting 457.0 acres. This renewal is issued for reclamation only. Receiving streams: unnamed tributary to McCauley Run and unnamed tributary to Little Toby Creek. Application received December 12, 2003. Permit issued February 17, 2004.

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

11990103 and NPDES Permit No. PA0235091. Paul F. Becker Coal Company, 1593 Old Route 22, Duncansville, PA 16635, permit revision for a road variance to conduct surface mining activities within the 100-foot road barrier of a portion of SR 0036 in Elder Township, **Cambria County**, affecting 21.2 acres. Receiv-

ing streams: unnamed tributary to Brubaker Run (CWF). There are no potable water supply intakes within 10 miles downstream. Application received September 30, 2003. Permit issued February 20, 2004.

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

02020102 and NPDES Permit No. PA0250317. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). Permit for commencement, operation and restoration of a bituminous surface mine in Fawn Township, **Allegheny County**, affecting 137.3 acres. Receiving streams: unnamed tributary to Bull Creek. Application received November 27, 2002. Permit issued February 20, 2004.

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

17820104 and NPDES Permit No. PA0609218. Sky Haven Coal, Inc. (R. R. 1, Box 180, Penfield, PA 15849). Renewal of an existing bituminous surface mine-auger permit in Boggs and Bradford Townships, **Clearfield County**, affecting 479.5 acres. Receiving streams: Long Run and an unnamed tributary to Clearfield Creek to West Branch Susquehanna River. Application received September 30, 2003. Permit issued February 11, 2004.

Noncoal Permit Actions

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

8173SM1A1C9 and NPDES Permit No. PA0594148. Hanson Aggregates Pennsylvania, Inc. (P. O. Box 231, Easton, PA 18044-0231), renewal of NPDES Permit for discharge of treated mine drainage in East Caln Township, **Chester County**. Receiving streams: East Branch Brandywine Creek. Application received October 15, 2003. Renewal issued February 17, 2004.

21020301 and NPDES Permit No. PA0224251. Pennsy Supply, Inc. (1001 Paxton Street, Harrisburg, PA 17104), commencement, operation and restoration of a quarry operation in Penn Township, **Cumberland County**, affecting 251.78 acres. Receiving streams: unnamed intermittent tributary to Mt. Rock Spring Creek. Application received October 9, 2002. Permit issued February 18, 2004.

49030301 and NPDES Permit No. PA0224316. Meckley's Limestone Products, Inc. (R. R. 1 Box 1682, Herndon, PA 17830), commencement, operation and restoration of a quarry operation in Lower Mahanoy and Jordan Townships, **Northumberland County**, affecting 178.3 acres. Receiving streams: Upper Fiddler Run. Application received March 26, 2003. Permit issued February 18, 2004.

6174SM5A2C8 and NPDES Permit No. PA0594423. Meckley's Limestone Products, Inc. (R. R. 1 Box 1682, Herndon, PA 17830), correction to an existing quarry operation in Lower Mahanoy and Jordan Townships, **Northumberland County**, affecting 166.6 acres. Receiving streams: Upper Fiddler Run. Application received March 26, 2003. Correction issued February 18, 2004.

40960303T. Reading Materials, Inc. (P. O. Box 1467, Skippack, PA 19474), transfer of an existing quarry operation in Lehman Township, **Luzerne County**, affecting 54.5 acres, receiving streams: None. Application received March 14, 2002. Transfer issued February 19, 2004.

5077SM1T2. Reading Materials, Inc. (P. O. Box 1467, Skippack, PA 19474), transfer of an existing quarry operation in Lehman Township, **Luzerne County**, affecting 103.63 acres. Receiving streams: None. Application received March 14, 2002. Transfer issued February 19, 2004.

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

37840409. Cemex, Inc. (1200 Smith Street, Suite 2400, Houston, TX 77002). Renewal of NPDES Permit No. PA0108596 in Shenango Township, **Lawrence County**. Receiving streams: unnamed tributaries to McKee Run and unnamed tributaries to Shenango River. Application received December 15, 2003. Permit issued February 12, 2004.

3175SM11. Cemex, Inc. (1200 Smith Street, Suite 2400, Houston, TX 77002). Renewal of NPDES Permit No. PA0121631 in Shenango and Taylor Townships, **Lawrence County**. Receiving streams: unnamed tributary to McKee Run. Application received December 15, 2003. Permit issued February 12, 2004.

37930303. Rose Point Sand & Gravel, Inc. (R. R. 4, Box 496, New Castle, PA 16101). Renewal of NPDES Permit No. PA0211656 in Slippery Rock and Muddy Creek Townships, **Lawrence and Butler Counties**. Receiving streams: unnamed tributary to Muddy Creek and Muddy Creek. Application received December 24, 2003. Permit issued February 17, 2004.

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.

52045001. E. R. Linde Construction Corp. (R. R. 6 Box 6825, Honesdale, PA 18431), construction blasting at the Goodwin Excavating Site Development in Hawley/Palmyra Township, **Pike County**, with an expiration date of March 13, 2005. Permit issued February 19, 2004.

48044002. Bernard J. Hasara (1125 East Mahanoy Avenue, Mahanoy City, PA 17948) and **MF Ronca & Sons** (179 Mikron Road, Bethlehem, PA 18020), construction blasting at the South Interceptor Phase I Sanitary Sewer Operation in Palmer Township, **Northampton County**, with an expiration date of July 17, 2004. Permit issued February 19, 2004.

06044003. J. Roy's, Inc. (Box 125, Bowmansville, PA 17507), construction blasting at Stonehedge Properties in Bern Township, **Berks County**, with an expiration date of December 31, 2005. Permit issued February 19, 2004.

38044001. ABEL Construction Co., Inc. (3925 Columbia Avenue, Mountville, PA 17554), construction blasting at Village at Springbrook Farms Phase I in South Londonderry Township, **Lebanon County**, with an expiration date of August 17, 2004. Permit issued February 19, 2004.

46044007. Labrador Construction Co. (P. O. Box 1379, Marshalls Creek, PA 18335) and **Austin Powder Company** (559 Nor-Bath Boulevard, Northampton, PA 18067), construction blasting at Malvern School in Upper

Merion Township, **Montgomery County**, with an expiration date of June 2, 2004. Permit issued February 19, 2004.

36044006. Hall Explosives, Inc. (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting at West-Wood Green in Manor Township, **Lancaster County**, with an expiration date of March 17, 2005. Permit issued February 19, 2004.

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

65034001. Mascaro Contracting (4455 William Penn Highway, Murrysville, PA 15668). Permit reissued for blasting activities at a borrow pit in the municipality of Murrysville, **Westmoreland County**, with an expected duration of 120 days. Original permit issued May 28, 2003. Permit reissued February 23, 2004.

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

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

E45-451. Pocono Lake Preserve, Pocono Lake Preserve, PA 18348. Tobyhanna Township, **Monroe County**, Army Corps of Engineers Philadelphia District, Subbasin 2A.

To remove the existing structure and to construct and maintain a concrete arch bridge having a span of 24.0 feet and a maximum underclearance of approximately 7.0 feet across Wagner Run (HQ-CWF, perennial). The project is along North Shore Road of Pocono Lake Preserve, approximately 0.5 mile south of SR 0940 (Blakeslee, PA Quadrangle N: 20.2 inches; W: 3.2 inches). The project proposes to directly affect 48 linear feet of stream.

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

E05-314: James and Kristie Schwartz, 3773 Evitts Creek Road, Bedford, PA 15522 in Cumberland Valley Township, **Bedford County**, ACOE Baltimore District.

To construct and maintain a 36.5-foot long, 57-inch by 83-inch culvert crossing depressed 1-foot below streambed, along an unnamed tributary to Evitts Creek (HQ-CWF) in Cumberland Valley Township, Bedford County (Beans Cove, PA Quadrangle N: 14.4 inches; W: 16.65 inches).

E21-350: Triple Crown Corporation, 5351 Jaycee Avenue, Harrisburg, PA 17112 in Silver Spring Township, **Cumberland County**.

To modify 1,800 linear feet of floodway of an unnamed tributary to the Conodoguinet Creek (WWF), locally known as Potteiger Run, by constructing and maintaining

2,600 linear feet of trapezoidal channel, including one 50-foot long culvert of 49-inch by 33-inch corrugated metal pipe arch and one 60-foot long culvert of 49-inch by 33-inch corrugated metal pipe arch, all on the north side of U. S. Route 11 (Carlisle Pike), 1/2 mile west of the Ridge Road intersection (Mechanicsburg, PA Quadrangle N: 19.6 inches; W: 14.0 inches) in Silver Spring Township, Cumberland County.

E21-353. Orchard Development Group, LLC, 2000 Technology Parkway, Suite 200, Mechanicsburg, PA 17050 in Upper Allen Township, **Cumberland County**, ACOE Baltimore District.

To install and maintain: (1) a 25-foot 2-inch by 8-foot 5-inch long span arch 137 feet in length and relocation of 247 feet of stream channel; (2) a 27-foot 3-inch by 10-foot long span arch 98 feet in length; (3) a 28-foot 1-inch by 9-foot 6-inch long span arch 54 feet in length and removal of existing 60-inch by 40-inch arch pipe; (4) a 28-foot 1-inch by 9-foot 6-inch long span arch 70 feet in length; (5) permanent wetland fill of 0.89 acre and temporary wetland impacts of 0.02 acre; (6) four crossings of electric, telephone and cable utility lines within the proposed roadbed; (7) three crossings of waterlines; (8) one storm sewer crossing; (9) three sanitary sewer line crossings; and (10) two pipe outfalls, all to cross an unnamed tributary to the Yellow Breeches Creek (CWF) and associated wetlands, for the purpose of constructing the Glaise Orchard Planned Residential Development directly east of the Winding Hill Road Park and Ride Lot on US Route 15 south of the Pennsylvania Turnpike (I-76) (Lemoyne, PA Quadrangle N: 11.5 inches; W: 12.0 inches) in Upper Allen Township, Cumberland County.

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

E08-407. Department of Transportation, Engineering District 3-0, P. O. Box 218, Montoursville, PA 17754. Bridge work in Troy Township, **Bradford County**, ACOE Baltimore District (Troy, PA Quadrangle N: 16.45 inches; W: 6.70 inches).

To: (1) remove the existing reinforced concrete slab bridge which has a span of 20 feet, a curb-to-curb width of 34.1 feet, an out-to-out width of 47.3 feet, a 14-foot clear span, an underclearance of 4 feet 3 inches and is on a 90 degree skew; (2) construct a prestressed concrete adjacent plank beam bridge with a clear span of 31.5 feet on a 90 degree skew, an out-to-out width of 47.3 feet and a hydraulic opening of 173 square feet; (3) excavate approximately 1,450 cubic yards of material in the floodway and shift the West Branch of Sugar Creek (WWF) 20 feet to the southwest, beginning immediately downstream of the Redington Street Bridge and continuing approximately 250 feet downstream to the confluence with South Branch Sugar Creek. The proposed stream channel will be 24 feet wide with left and right bank slopes of 1.5 to 1 and 2 to 1 respectively; and (4) construct a temporary roadway around the proposed bridge site on the near side of the bridge and a temporary bridge immediately downstream of the existing structure. The project is in the West Branch of Sugar Creek at the intersection of SR 14 and Redington Street. The project will not impact wetland while impacting approximately 300 feet of waterway. Approximately 0.66 acre of earth will be disturbed by the project.

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, timberdeck 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 is over the West Branch of Sugar Creek (TSF) between SR 0006 and Redington Avenue. The project will not impact wetlands or waterways while no earth disturbance is anticipated. This permit was issued under section 105.13(e) "Small Projects."

E18-368. Porter Township Municipal Authority, 216 Spring Run Road, Room 105, Mill Hall, PA 17751. Intake structure in Porter Township, **Clinton County**, ACOE Baltimore District (Mill Hall, PA Quadrangle N: 4.5 inches; W: 13.6 inches).

To construct and maintain raw water intake facilities consisting of a 6-inch diameter water intake pipe and a 2-foot 6-inch by 30-foot long reinforced concrete headwall in Sink Run (HQ CWF), a tributary to Fishing Creek approximately 1 mile south of the intersection of SR 2004 with Rt. 80. The project will not impact wetlands while impacting approximately 35 feet of waterway and disturbing approximately 0.01 acres of earth. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E49-272. Brian Hubler, R. R. 1, Box 926, Paxinos, PA 17860-9633. Water Obstruction and Encroachment Permit in Shamokin Township, **Northumberland County**, ACOE Susquehanna River Basin District (Shamokin, PA Quadrangle N: 11.46 inches; W: 16.32 inches).

To remove an existing wooden structure and construct and maintain two 16-foot long by 6-foot diameter concrete pipes in Benny's Run (CWF). The project is along SR 4026, approximately 2 miles west of SR 0061 and SR 4026 intersection in Shamokin Township, Northumberland County. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E60-162. Family Practice Center, PC, Buffalo Valley Shopping Center, 307 East Chestnut St., Mifflinburg, PA 17844, Wetland Fill in Kelly Township, **Union County**, ACOE Baltimore District (Lewisburg, PA Quadrangle N: 18.4 inches; W: 2.4 inches).

To impact 0.08 acre of palustrine wetlands to expand an existing medical practice and increase the parking lot by 12 spaces. The site is on a partially developed lot at 133 J. P. M. Road about 1,000 feet north of Lewisburg (Lewisburg, PA Quadrangle N: 18.4 inches; W: 2.4 inches; Latitude: 40° 58' 33"; Longitude: 76° 5' 35") in Kelly Township, Union County.

E60-163. Department of Conservation and Natural Resources, P. O. Box 8451, Harrisburg, PA 17105-8451. Cherry Run Road bridge replacement in Hartley Township, **Union County**, ACOE Baltimore District (Weikert, PA Quadrangle N: 17.50 inches; W: 14.40 inches).

To remove and existing bridge/approach wall and to: (1) construct and maintain a 56-foot long precast concrete ConSpan arch culvert with precast wingwalls, a clear span of 25.23 feet, a minimum inlet underclearance of 6.85 feet and a skew of 39°21'39"; (2) place R-4/native

rock choked R-7 riprap for embankment protection along the ends of the wingwalls; (3) 45 linear feet of precast concrete wall on the left upstream bank; and (4) construct and temporarily maintain 245 linear feet of a concrete barrier and sandbag stream diversion dike system through the work area in Cherry Run 500 feet up Cherry Run Road from SR 3002. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

E65-821. Shula General Contractors, Inc., 2193 Harrison City-Export Road, Jeannette, PA 15644. Kingsbury Estates culvert in Penn Township, **Westmoreland County**, Pittsburgh ACOE District (Slickville, PA Quadrangle N: 2.5 inches; W: 17.1 inches). To construct and maintain a 95-foot long box culvert, having a single waterway opening of 11.0 feet wide by 4.9 feet high in the channel of an unnamed tributary to Bushy Run (TSF). The construction of the culvert and riprap apron at its downstream outlet will affect approximately 150 feet of this watercourse. The structure will be on the entrance road to the proposed Kingsbury Estates residential development, along Claridge-Export Road, approximately 2,200 feet south of its intersection with Mellon Road.

E65-832. The Meritage Group, L. P., 772 Pine Valley Drive, Pittsburgh, PA 15239. Kerber Farm Estates in North Huntingdon Township, **Westmoreland County**, Pittsburgh ACOE District (Irwin, PA Quadrangle N: 10.8 inches; W: 17.0 inches) (Latitude: 40° 18' 34"—Longitude: 79° 44' 50"). To operate and maintain an on-stream stormwater detention basin that was constructed by enlarging a former, approximately 0.24-acre pond and fill in approximately 0.08 acre of wetland. In addition, construct and maintain: (1) 200 linear feet of an unnamed tributary within the Crawford Run Watershed (WWF) to compensate for approximately 225 feet of watercourse that was affected by the aforementioned basin construction; (2) an 80-foot long, 15-inch roadway culvert in another tributary within the Youghiogheny Watershed (WWF) which will affect 80 linear feet of watercourse and 0.04 acre of wetlands; and (3) fill in approximately 150 linear feet of an unnamed watercourse within the Youghiogheny River Watershed (WWF). The activities are associated with the construction of 155-lot residential development, referred to as the Kerber Farm Estates, which is near the intersection of Pickford and Mickanin Roads. The permittee will construct a 0.08-acre replacement wetland and a 0.04-acre replacement wetland to compensate for the impacts to wetlands. Issuance of this permit constitutes approval of the Environmental Assessment for a nonjurisdictional dam proposed at the project site.

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

E62-392, Department of Transportation, District 1-0, 255 Elm Street, Oil City, PA 16301. SR 3005, Segment 0410, Offset 2048 across Allegheny River in City of Warren, **Warren County**, ACOE Pittsburgh District (Warren, PA Quadrangle N: 20.0 inches; W: 3.5 inches).

To construct and maintain a prestressed concrete adjacent box beam bridge having four spans of 129 feet (bearing to bearing) and an underclearance of 13.3 feet on a 76 degree skew across the Allegheny River on SR 3005, Segment 0410, Offset 2048 (Hickory Street). The bridge results in an impact to approximately 75 linear feet of the river channel. Project includes installation of a two-phase

temporary causeway/crossing impacting approximately 120 linear feet of the channel of the Allegheny River for construction of the bridge consisting of clean rock fill pads and steel bridges.

DAM SAFETY

Central Office: Bureau of Waterways Engineering, 400 Market Street, Floor 3, P. O. Box 8554, Harrisburg, PA 17105-8554.

D15-391. Joyce Realty Corporation, P. O. Box 3739, Greenville, DE 19807-0739. To modify, operate and maintain the Kirkwood Fitness Center dam across a tributary to Hunters Run (HQ-TSF), impacting 0.01 acre of wetlands (PEM). This existing dam will be repaired and restored to the original design height (West Chester, PA Quadrangle N: 16.1 inches; W: 1.5 inches) Westtown Township, **Chester County**.

SPECIAL NOTICES

Submission Date for Recycling Program Development and Implementation Grants under section 902 of the Municipal Waste Planning, Recycling and Waste Reduction Act

The Department of Environmental Protection (Department) announces the availability of applications to municipalities for recycling program grant assistance under section 902 of the Municipal Waste Planning, Recycling and Waste Reduction Act (act) (53 P. S. § 4000.902). Municipalities eligible for recycling grants include counties, cities, boroughs, incorporated towns, townships, home rule municipalities, their authorities, councils of governments, consortiums or similar entities established by two or more municipalities under 53 Pa.C.S. Chapter 23, Subchapter A.

Applicants must be in compliance with the provisions of the act and the implementing regulations to be eligible to receive grant funding. At a minimum, those communities mandated to recycle under the act must have enacted an ordinance that includes, but is not limited to, the following:

- a. A requirement for the separation of at least three materials from municipal solid waste (MSW) by residents of homes and apartments.
- b. A requirement for the separation of leaf waste (as defined by the act) from MSW by residents of homes and apartments.
- c. A requirement for the separation of at least high-grade office paper, corrugated paper, aluminum and leaf waste from MSW by commercial, municipal and institutional establishments.
- d. A curbside collection system for recyclable materials operating at least once per month.
- e. Provisions to ensure compliance with the ordinance.
- f. Provisions for the recycling of collected materials.

In addition, mandated municipalities must conduct a recycling education program which notifies persons occupying every residential, commercial, municipal and institutional establishment within its borders of the requirements of the ordinance. This must be conducted at least once every 6 months.

Communities not mandated to recycle must provide assurance that their recycling program will be operated in conformance with the Department's Guidelines for Proper Management of Recyclable Materials. Applicants must be in compliance with any previous grant contract

provisions. County applicants should be in compliance with planning and other county-related provisions of the act. Applicants who are not in compliance with the act annual reporting requirements will not be considered in this grant application round.

Municipalities are eligible for 90% funding of approved recycling program costs. Municipalities considered financially distressed by the Department of Community and Economic Development under the Financial Distressed Communities Act are eligible for 100% of approved costs. No application requesting more than \$2 million in grant funding will be accepted.

Applicants requesting support for the following will receive additional consideration:

1. Collection vehicles utilizing alternate fuels or noted for their fuel efficiency.
2. Development and implementation of a Pay-As-You-Throw program where establishments within the affected community are charged for waste collection based on the amount of waste they generate.
3. Development and implementation of a food waste collection and composting program.
4. Recycling projects in which the affected community is required by ordinance to participate.
5. Recycling projects involving multiple municipalities for the purpose of minimizing costs.
6. Development and implementation of a recycling program where recycling opportunities were not previously available.
7. Development and implementation of a recycling program for commercial, institutional and municipal establishments.
8. Development and implementation of a recycling program for community events.

Projects eligible for grant funding are those that divert the following recyclable materials from municipal solid waste: clear glass, colored glass, aluminum, steel and bimetallic cans, high-grade office paper, newsprint, corrugated paper, other marketable grades of paper, plastics, source separated food scraps and leaf and yard wastes.

Eligible recycling program development costs include: recycling program design costs; recycling market investigations; development of recycling market commitments; development of recycling program ordinances; developing of recycling public education programs; and the costs of developing contracts for procuring equipment or services necessary for the operation of the recycling program.

Eligible recycling program implementation costs include: purchasing or leasing vehicles used to collect recyclables, transport recyclables to processing facilities or markets and vehicles used in the operation of a materials recovery facility; reusable containers for the collection or storage of recyclable materials; acquiring and/or renovating buildings for the processing or storage of recovered materials; equipment used to process or manufacture recyclable materials into usable products; improvements to land needed to operate a recycling facility or yard waste composting facility authorized under 25 Pa. Code § 271.103(h); and, the costs associated with educating the public on recycling program requirements. Composting projects and programs will be considered to be recycling projects or programs accordingly.

A municipality must retain sole ownership of equipment or facilities funded by the grant. Funding for

equipment or facilities purchased for the recycling program used for recycling and other purposes will be pro-rated according to its recycling use. Funding for certain leaf and yard waste collection equipment may be limited according to its seasonal use. Funding for wood chipping equipment will be approved only when the equipment is part of an approved yard waste composting facility operating under the Department's guidelines and where the material is collected curbside from residents. Funding of street sweepers for the purpose of leaf collection will not be considered.

Funding may be restricted in situations where equipment or services requested through a grant application may be available from the public or private sector within the county of the applicant. Public notices may be required before the grant application may be submitted depending upon the nature of the funding request. When the municipality submits the recycling grant application to the Department, it must include proof of compliance with the notification requirements, a description of any responses received to the notice and an explanation of why the municipality has concluded the mechanical processing equipment is not available to the program from the private sector.

Potential applicants must contact the appropriate Department regional planning and recycling coordinator to schedule a preapplication conference to discuss application requirements and program particulars. Applications will be returned to municipalities that fail to schedule preapplication conferences. Grant application forms are available from the Department's regional offices and the Department's website: www.dep.state.pa.us (DEP Keyword: Recycling Grants).

Grant applications must be received or postmarked by 3 p.m. on June 4, 2004. Applications received by the Department after that date will not be considered during the current round of solicitation. Applications must be on forms provided by the Department, with two copies submitted to the Central Office (Rachel Carson State Office Building, Harrisburg) and one copy submitted to the appropriate county recycling coordinator. Grant awards will be predicated on the receipt of recycling fees required by sections 701 and 702 of the act and the availability of moneys in the Recycling Fund.

Inquiries concerning this notice should be directed to Todd Pejack, Recycling Grants Coordinator, Department of Environmental Protection, Rachel Carson State Office Building, Bureau of Land Recycling and Waste Management, Division of Waste Minimization and Planning, P. O. Box 8472, Harrisburg, PA 17105-8472, tpejack@state.pa.us.

Regional Planning and Recycling Coordinators

Southeast Region

Bucks, Chester, Delaware, Montgomery and Philadelphia Counties

Department of Environmental Protection
Waste Management Program
2 East Main Street
Norristown, PA 19401
(484) 250-5960
(484) 250-5961 (fax)

Calvin Ligons (cligons@state.pa.us)
Ann Ryan (aryan@state.pa.us)
MaryAlice Reisse (mreisse@state.pa.us)

Northeast Region

Carbon, Lackawanna, Lehigh, Luzerne, Monroe, Northampton, Pike, Schuylkill, Susquehanna, Wayne and Wyoming Counties

Department of Environmental Protection
Waste Management Program
2 Public Square
Wilkes-Barre, PA 18711-0790
(570) 826-2516
(570) 826-5448 (fax)

Chris Fritz (cfritz@state.pa.us)

Southcentral Region

Adams, Bedford, Berks, Blair, Cumberland, Dauphin, Franklin, Fulton, Huntingdon, Juniata, Lancaster, Lebanon, Mifflin, Perry and York Counties

Department of Environmental Protection
Waste Management Program
909 Elmerton Avenue
Harrisburg, PA 17110-8200
(717) 705-4706
(717) 705-4930 (fax)

Mark Vottero (mvottero@state.pa.us)

Northcentral Region

Bradford, Cameron, Centre, Clearfield, Clinton, Columbia, Lycoming, Montour, Northumberland, Potter, Snyder, Sullivan, Tioga and Union Counties

Department of Environmental Protection
Pollution Prevention and Compliance Assistance
208 W. 3rd Street, Suite 101
Williamsport, PA 17701
(570) 327-3653
(570) 327-3420 (fax)

Rick Illig (rillig@state.pa.us)

Southwest Region

Allegheny, Armstrong, Beaver, Cambria, Fayette, Greene, Indiana, Somerset, Washington and Westmoreland Counties

Department of Environmental Protection
Waste Management Program
400 Waterfront Drive
Pittsburgh, PA 15222-4745
(412) 442-4000
(412) 442-4194 (fax)

Sharon Svitek (ssvitek@state.pa.us)
Bob Emmert (remmert@state.pa.us)
Stephen Sales (ssales@state.pa.us)

Northwest Region

Butler, Clarion, Crawford, Elk, Erie, Forest, Jefferson, Lawrence, McKean, Mercer, Venango and Warren Counties

Department of Environmental Protection
Pollution Prevention and Compliance Assistance
230 Chestnut Street
Meadville, PA 16335-3481
(814) 332-6848
(814) 332-6117 (fax)

Guy McUmbert (gmcumber@state.pa.us)

102/NPDES/Stormwater Applications for Construction Activities; Public Hearing Cancellation/Rescheduled

The Department of Environmental Protection (Department), Water Management Program, will be holding a rescheduled fact finding hearing on the following Stormwater NPDES permit applications:

Henderson Group, Inc., Henderson Elwyn Office Campus, PAS10-J059

CS Properties, LLC, The Riddle Estates, PAI012303003

Gray Creighton, Creighton Properties, PAI012303009

The hearing is rescheduled from March 25, 2004, to April 15, 2004, at 7 p.m. at the Penncrest High School, 134 Barren Road, Media, PA 19063, Delaware County. The hearing is being held to solicit pertinent comments on these applications. The applications are for stormwater construction activities with a discharge to Ridley Creek. Copies of these applications are available for review in the Southeast Regional Office's Record Management Section, (484) 250-5910. Those interested in reviewing the applications should call to schedule a date to review the file. The project sponsors are:

Henderson Group, Inc., 112 Chesley Drive, Suite 200, Media, PA 19063

CS Properties, LLC, 27 Wallingford Avenue, Building C, Wallingford, PA 19086

Gray Creighton, 475 Highland Avenue, Media, PA 19063

Comments received will be considered by the Department in completing its review and prior to taking final action concerning the applications. The hearing will not be a question and answer session.

Persons intending to make a presentation at the hearing should submit written notice to the Regional Manager, Water Management Program, 2 East Main Street, Norristown, PA 19401. The notice should include name, address and phone number, whether the person is opposed or in favor of the project and a brief statement about the presentation. Comments should be kept brief and, depending on the number of speakers, may be limited to 10 minutes per speaker. When groups are represented, a spokesperson is requested to present the group's concerns. Persons wishing to present written material directly to the Department may do so within 30 days following the hearing.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodations to participate in the proceedings should contact Sharon Moore, (484) 250-5821. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

[Pa.B. Doc. No. 04-375. Filed for public inspection March 5, 2004, 9:00 a.m.]

Availability of General Water Quality Management Permit for Construction of Small Flow Treatment Facilities (WQG-1)

The Department of Environmental Protection (Department) announces a final General Water Quality Management Permit for Construction of Small Flow Treatment Facilities (WQG-1). This General Permit reflects no revisions to the draft General Permit, which was published

at 34 Pa.B. 755 (February 7, 2004) for public comment. No comments were received on the draft.

The final General Permit is now available and has been posted on the Department's website: www.dep.state.pa.us (DEP Keyword: DEP Permits; click "General Permits").

The General Permit package may also be obtained by contacting the Department of Environmental Protection, Bureau of Water Supply and Wastewater Management, Division of Wastewater Management, Rachel Carson State Office Building, P. O. Box 8774, 11th Floor, Harrisburg, PA 17105-8774, (717) 787-8184, trutrutma@state.pa.us.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 04-376. Filed for public inspection March 5, 2004, 9:00 a.m.]

Availability of Technical Guidance

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

The Department will continue to revise its non-regulatory documents, as necessary, throughout 2004.

Ordering Paper Copies of Department Technical Guidance

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

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

Changes to Technical Guidance Documents

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

Final Technical Guidance

DEP ID: 012-0200-001 Title: Policy for Consideration of Local Comprehensive Plans and Zoning Ordinances in DEP Review of Permits for Facilities and Infrastructure. Description: The Department permit review process considers, and under certain conditions relies upon, comprehensive planning and zoning ordinances in our decision making process for authorizations related to facilities and infrastructure, as required by Acts 67, 68 and 127 of 2000. The policy provides direction and guidance to applicants and to Department staff, stating how the Department incorporates the requirements of these acts with the decision making process. This document revises the policy currently in place and includes a provision that allows the Department to suspend further review of an

application under certain circumstances where a land use conflict has been identified. Effective Date: March 6, 2004. Contact: Lou Guerra, Jr., (717) 783-8727, lguerra@state.pa.us.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 04-377. Filed for public inspection March 5, 2004, 9:00 a.m.]

Certification Program Advisory Committee Meeting Cancellation

The Certification Program Advisory Committee has canceled its regularly scheduled meeting on March 18, 2004. The next scheduled meeting is April 29, 2004.

Persons who have questions concerning this meeting should contact Lynn Rice, (717) 787-5236, mlrice@state.pa.us.

Persons with a disability who require accommodation to attend this meeting should contact Lynn Rice, (717) 787-5236, mlrice@state.pa.us or through Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how their needs can be accommodated.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 04-378. Filed for public inspection March 5, 2004, 9:00 a.m.]

15-Day Extension to the Public Notice of Proposed Revision to General NPDES Permit for Stormwater Discharges Associated with Industrial Activities (PAG-3)

The Department of Environmental Protection (Department) is extending the public comment period on the proposed revisions to the Department's NPDES Stormwater General Permit (PAG-3) for Discharges of Stormwater Associated with Industrial Activities, the Notice of Intent and other related permit documents. The current General Permit will expire on June 4, 2004. Notice soliciting public comments on the proposed revisions was previously published at 34 Pa.B. 755 (February 7, 2004), with a comment period deadline of March 8, 2004. The deadline for comments is extended to March 23, 2004. This notice is under The Clean Streams Law (35 P. S. §§ 691.1—691.101) and sections 1905-A, 1917-A and 1920-A of The Administrative Code of 1929 (71 P. S. §§ 510-5, 510-17 and 510-20).

The proposed permit document package is available by contacting the Bureau of Water Supply and Wastewater Management, P. O. Box 8467, Harrisburg, PA 17105-8467, (717) 783-3795, trutrutma@state.pa.us. The proposed permit document package is also available on the Department's website: www.dep.state.pa.us (DEP Keyword: Participate).

Persons with a disability may use the AT&T Relay Service by calling (800) 654-5984 (TDD users) or (800) 654-5988 (voice users). Following the specified comment period, the Department will review all submitted comments, prepare a written comments and response document (CRD) and prepare final documents package for this

permit. An availability notice of the final permit documents, including the CRD, will be published in the *Pennsylvania Bulletin*.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 04-379. Filed for public inspection March 5, 2004, 9:00 a.m.]

Proposed Revisions to General NPDES Permit for Discharges from Hydrostatic Testing of Tanks and Pipelines (PAG-10)

The Department of Environmental Protection (Department) seeks public comments on proposed revisions to the Department's General NPDES Permit (PAG-10) for Discharges from Hydrostatic Testing of Tanks and Pipelines for reissuance for another 5 years. The current General Permit will expire on June 25, 2004, and will continue to be in force until it is formally revised. The General Permit continues to be inapplicable to discharges to "special protection" waters under 25 Pa. Code Chapter 93 (relating to water quality standards). These discharges are required to be covered through an Individual Permit. This notice is under the authority of The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and sections 1905-A, 1917-A and 1920-A of The Administrative Code of 1929 (71 P. S. §§ 510-5, 510-17 and 510-20).

This notice provides the public and all stakeholders with a summary of proposed changes to the General Permit and seeks public comments on several program areas and issues. The Department will consider all input received in completing the revised permit documents.

The following paragraphs summarize proposed major revisions to the General Permit:

1. *General Edit/Update*—The revisions provide a general edit/update of all permit documents (Notice of Intent (NOI) Instructions, NOI, the General Permit, Discharge Monitoring Report (DMR) Instructions, DMRs and Fact Sheet) to reflect the Department's current organization and publication standards.

2. *Compliance History Review*—The revisions now add a "Compliance History Review" information requirement block on the NOI. The NOI and Instructions have been revised to require permittee submission of a self-certification of compliance history status with all permits issued by the Department. This is a standard Department requirement for all NPDES permits and has been added to the revised permit documents.

3. *Extension*—Approval for coverage under the existing permit is extended beyond the permit expiration date. A new condition concerning issuance, reissuance or amendment of the General Permit makes the permittee responsible for complying with the revised, reissued or amended permit. If the permittee is unable to comply with the General Permit, an individual NPDES permit must be applied for within 90 days of publication of the revised General Permit.

The proposed permit document package is available from the Bureau of Water Supply and Wastewater Management, P. O. Box 8467, Harrisburg, PA 17105-8467, (717) 783-3795, trutrutma@state.pa.us. The proposed permit document package is also available on the Department's website: www.dep.state.pa.us (DEP Keyword: Participate; scroll down to "Proposals Open for Comment" and choose "Regulations & Other Proposals").

The Department invites public comments on the proposed revisions and seeks input on the documents. Comments must be submitted to the Department by April 15, 2004. If there is significant public interest in the General Permit or if requested, the comment period may be extended at the Department's discretion for an additional 15-day period. Only comments received within the specified comment period will be considered in completing the final documents for the General Permit. Persons wishing to comment should include their name, address and telephone number and a concise statement to inform the Department of the basis of the facts upon which the comments are based. If significant issues of public interest are raised, the Department may schedule a public meeting or hearing. Written comments should be submitted to gmaduka@state.pa.us or the previous address. Comments will not be accepted by facsimile or voice mail.

Persons with a disability may use the AT&T Relay Service by calling (800) 654-5984 (TDD users) or (800) 654-5988 (voice users). Following the specified comment period, the Department will review submitted comments, prepare a written comments and response document (CRD) and prepare the final documents for the General Permit. An availability of the final permit documents, as well as the CRD, will be announced in the *Pennsylvania Bulletin*. Individuals interested in receiving a hard copy of the final documents may request them by contacting the previous addresses or telephone numbers.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 04-380. Filed for public inspection March 5, 2004, 9:00 a.m.]

Proposed Revision to the State Implementation Plan for Ozone for the Pittsburgh-Beaver Valley 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 Pittsburgh-Beaver Valley ozone maintenance area (Allegheny, Armstrong, Beaver, Butler, Fayette, Washington and Westmoreland Counties).

On October 19, 2001, the United States Environmental Protection Agency (EPA) approved the Commonwealth's One-Hour Ozone Redesignation Request and Maintenance Plan for the Pittsburgh-Beaver Valley area (maintenance plan). The maintenance plan included a demonstration that through 2011, air quality would continue to meet the National health-based 1-hour ozone standard and emissions would be no greater than those in 1999. On January 29, 2002, the EPA revised the methodology by which highway emissions are to be calculated. The Department is proposing to amend its maintenance plan to update the highway emissions inventory with this methodology. Once approved by the EPA, this SIP revision will establish new motor vehicle emissions budgets for milestone years for the purposes of transportation conformity.

This proposal is available from the following contact persons and the Department's website: www.dep.state.pa.us (Subjects/Air Quality/Ozone/Clean Air Plans).

The Department will hold a public hearing to receive comments on the SIP revision on Wednesday, April 7,

2004, at 1 p.m. at the Southwest Regional Office, Allegheny Room, 400 Waterfront Drive, Pittsburgh, PA.

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, sferree@state.pa.us. Individuals who do not reserve a time will be able to testify after pre-registrants. Witnesses should keep testimony to 10 minutes and should also provide two written copies of their testimony at the hearing. Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceeding should contact the Department at the previous phone number. TDD users may contact the AT&T Relay Service at (800) 654-5984 to discuss how the Department can best accommodate their needs.

Written or e-mail comments on the SIP revision should be sent by the close of business on April 9, 2004, to Brian Trowbridge, Division of Air Resource Management, Bureau of Air Quality, P. O. Box 8468, Harrisburg, PA 17105-8468, brtrowbrid@state.pa.us.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 04-381. Filed for public inspection March 5, 2004, 9:00 a.m.]

Solid Waste Advisory Committee; Residual Waste Subcommittee Special Meeting

The Residual Waste Subcommittee of the Department of Environmental Protection's (Department) Solid Waste Advisory Committee will hold a special meeting on March 11, 2004, at 1 p.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg. The purpose of the meeting is to discuss the Growing Greener II fees proposed in Governor Rendell's 2004-2005 Commonwealth budget.

Questions concerning the meeting should be directed to Gayle Leader, (717) 787-9871, gleader@state.pa.us.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Tammy Snyder at (717) 787-9871 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 04-382. Filed for public inspection March 5, 2004, 9:00 a.m.]

State Board for Certification of Water and Wastewater Systems Operators Meeting Cancellation

The State Board for Certification of Water and Wastewater Systems Operators has cancelled its regularly scheduled meeting on March 11, 2004. The next scheduled meeting is April 29, 2004.

Persons who have questions concerning this meeting should contact Lynn Rice, (717) 787-5236, mlrice@state.pa.us.

Persons with a disability who require accommodation to attend this meeting should contact Lynn Rice, (717) 787-5236, mlrice@state.pa.us or through Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how their needs can be accommodated.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 04-383. Filed for public inspection March 5, 2004, 9:00 a.m.]

DEPARTMENT OF HEALTH

Health Policy Board Meeting

The Health Policy Board is scheduled to hold a meeting on Wednesday, March 17, 2004, at 10 a.m. in Room 812, Health and Welfare Building, Seventh and Forster Streets, Harrisburg, PA 17108.

For additional information or persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so, contact Cynthia Trafton, Bureau of Health Planning, (717) 772-5298, ctrafton@state.pa.us, for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

This meeting is subject to cancellation without notice.

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

[Pa.B. Doc. No. 04-384. Filed for public inspection March 5, 2004, 9:00 a.m.]

Health Research Advisory Committee Meeting

The Health Research Advisory Committee (Committee), established under section 903(b) of the Tobacco Settlement Act (35 P.S. § 5701.903(b)), will hold a public meeting on March 22, 2004, from 9:30 a.m. to 12 p.m. in Room 812, Health and Welfare Building, Commonwealth Avenue and Forster Street, Harrisburg, PA.

The Committee will finalize the research priorities for the nonformula funds for State fiscal year 2004-05. This meeting is open to the public. No reservations are required. The meeting is not a public hearing. Therefore, public testimony and/or comments are not part of the meeting agenda.

For additional information or persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so, contact Patricia W. Potrzebowski, Director, Bureau of Health Statistics and Research or Robin C. Cohick, Administrative Officer, Bureau of Health Statistics and Research, (717) 783-2548, for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

This meeting is subject to cancellation without notice.

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

[Pa.B. Doc. No. 04-385. Filed for public inspection March 5, 2004, 9:00 a.m.]

Notice of Intent to Request Release of Funds

Date of Notice: March 6, 2004

Name of Responsible Entity: Pennsylvania Department of Health

Address: Pennsylvania Department of Health, Bureau of Family Health, Division of Child and Adult Health Services, P. O. Box 90, 7th Floor East Wing, Harrisburg, PA 17108.

Telephone Number of Project Manager: Cynthia Dundas, (717) 783-8451

On or about March 14, 2004, the Commonwealth of Pennsylvania, Department of Health will submit a request to the U. S. Department of Housing and Urban Development (HUD) for the release of Lead-Based Paint Hazard Control in Privately-owned Housing Grant Program funds under Section 1011 of the Housing and Community Development Act of 1992, Public Law 102-550, for the following program/project: Lead Hazard Control Program, for the purpose of assisting income-eligible occupants in receiving lead hazard control on owner-occupied and rental units, with a priority on units occupied by families with children under age six. The Pennsylvania Department of Health is requesting the release of \$3,000,000 in Federal assistance, and \$1,172,148 in matching contributions.

The activities proposed are categorically excluded under HUD regulations at 24 CFR Part 58 from the National Environmental Policy Act requirements. In accordance with § 58.15, a tiered review process has been structured, whereby some environmental laws and authorities have been reviewed for the target area and other applicable laws and authorities will be complied with, when individual projects are ripe for review. Specifically, the target area has been studied and compliance with the following laws and authorities has been established: Floodplain Management, Coastal Barriers Resource Act, Coastal Zone Management Act. Compliance with the following laws and authorities will take place for lead-only projects, i.e., projects that do not combine funding with other Federal funding sources, prior to commitment of funds for: Historic Preservation, National Flood Insurance Program requirements, Explosive & Flammable Operations. For combined lead/rehabilitation projects including CDBG, HOME or other Federal funding sources, the City will complete a Statutory Worksheet, in accordance with Sec. 58.35. Copies of the compliance documentation worksheets are available at the address below.

An Environmental Review Record (ERR) that documents the environmental determinations for this project, and more fully describes the tiered review process cited above, is on file at the Pennsylvania Department of Health, Bureau of Family Health, Division of Child and Adult Health Services, 7th Floor East Wing, Health & Welfare Building, Harrisburg, PA 17108 and may be examined or copied weekdays from 9:00 a.m. to 4:00 p.m.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to the Pennsylvania Department of Health. All comments received by March 13, 2004 will be considered by the Pennsylvania Department of Health prior to authorizing submission of a Request for Release Of Funds and Certification to HUD.

RELEASE OF FUNDS

The Pennsylvania Department of Health certifies to HUD that Terri A. Matio, in her official capacity as

Director, Bureau of Administrative and Financial Services, consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities, and allows the Pennsylvania Department of Health to utilize federal funds and implement the Program.

OBJECTIONS TO RELEASE OF FUNDS

HUD will consider objections to its release of funds and the Pennsylvania Department of Health certification for a period of fifteen days following either the anticipated submission date (cited above) or HUD's actual receipt of the request (whichever is later) only if the objections are on one of the following bases: (a) that the Certification was not executed by the Certifying Officer of the Pennsylvania Department of Health; (b) the Pennsylvania Department of Health has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR Part 58; (c) the Pennsylvania Department of Health has committed funds or incurred costs not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58), and may be addressed to HUD as follows: U. S. Department of Housing and Urban Development, Karen Choi, Environmental Clearance Officer, 611 West Sixth Street, Suite 805, Los Angeles, CA 90017. Potential objectors may contact HUD to verify the actual last day of the objection period.

Persons with a disability who require an alternative format of this document (for example, large print, audiotape, Braille), for who wish to comment in an alternative format and seek assistance to do so, should contact Cynthia S. Dundas, Public Health Program Administrator at the address listed above or (717) 783-8451, or, for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at 1-800-654-5984.

Terri A. Matio, Director, Bureau of Administrative and Financial Services, Pennsylvania Department of Health.

[Pa.B. Doc. No. 04-386. Filed for public inspection March 5, 2004, 9:00 a.m.]

Notice to the Public of Lead-Based Paint Hazard Control Action Located within Floodplain

Publication: Pennsylvania Bulletin

Publication Date: March 6, 2004

Address: Pennsylvania Department of Health, Bureau of Family Health, Division of Child and Adult Health Services, P. O. Box 90, 7th Floor East Wing, Harrisburg, PA 17108.

TO ALL INTERESTED AGENCIES, GROUPS AND PERSONS:

A notice appeared in this bulletin on February 21, 2004, inviting participation in the floodplain management decision-making process. Specifically, we invited comments regarding a program being proposed by the Commonwealth of Pennsylvania.

PROGRAM: Lead Hazard Control Program, Grant Number PALHB0245-03, Funding Year 11.

PURPOSE: Funds will be used to provide assistance to income-eligible occupants to make units, which includes privately owned rental units as well as owner-occupied units, lead-safe, with a priority on units occupied by families with children under age six. Units will be made lead-safe through lead inspections, risk assessments and lead hazard control, including temporary relocation during hazard control work.

LOCATION: The target area for program activities within a floodplain is within the city limits of Harrisburg, Johnstown, Scranton and York in the Commonwealth of Pennsylvania.

The Commonwealth of Pennsylvania completed an evaluation concerning potential impacts on the floodplain and possible alternative actions. The proposed program could involve projects located within a 100-year floodplain. The conclusion was that there is no practicable alternative to the possibility of potential projects being located within the following Flood Zones 4203800001A, 4203800002A, 42023100010C, 4202310005C, 4205380010B, 4205380015B, 420538IND0, and 4209450002B. It has been determined that the program must occur within the intended target area/areas, as described above.

The alternatives considered included: 1) Funding the proposed program in other areas of the jurisdiction; 2) relocation of housing units and families; 3) no action.

These alternatives were rejected for the following reasons: 1) the greatest need for the intended program was found to be in the designated target area/areas and those units/families in need of the housing services exist in all areas of the target area/areas; 2) it is cost prohibitive and not feasible to physically move or raise structures out of the floodplain; 3) a no action alternative would certainly not serve to maintain affordable, safe (from lead-based paint hazards) housing for families.

In order to minimize risk and potential loss (to life, health and financial investment), owners and tenants will be notified that their units are located in the floodplain and flood insurance will be a required contingency to participation in the grant program. The amount and period of coverage will conform to the National Flood Insurance Program requirements.

An Environmental Review Record (ERR) respecting the subject program has been made by the above-named jurisdiction, which documents floodplain information and contains a full description of the proposed actions. The ERR is on file at the address listed above and is available for public examination and copying upon request between the hours of 9:00 a.m. and 4:00 p.m.

Final approval of the Lead-Based Paint Hazard Control Program will not be made until/unless interested groups, individuals or agencies have had an opportunity to comment. Comments will be accepted by Cynthia Dundas at the address listed above until March 13, 2004.

Information regarding the U. S. Department of Housing and Urban Development's regulations concerning floodplain management may be obtained by contacting: Karen Choi, Environmental Clearance Officer, U. S. Department of Housing and Urban Development, 611 West Sixth Street, Suite 1145, Los Angeles, CA 90017 (213) 894-8000.

Persons with a disability who require an alternative format of this document (for example, large print,

audiotape, Braille), or who wish to comment in an alternative format and seek assistance to do so, should contact Cynthia S. Dundas, Public Health Program Administrator at the address listed above or (717) 783-8451, or, for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at 1-800-654-5984.

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

[Pa.B. Doc. No. 04-387. Filed for public inspection March 5, 2004, 9:00 a.m.]

Requests for Exception; Long-Term Care Nursing Facilities

The following long-term care nursing facilities are seeking an exception to 28 Pa. Code § 201.3 (relating to definitions):

Montgomery County Geriatric & Rehabilitation Center
1600 Black Rock Road
Royersford, PA 19468
SAIS 134402

Regina Community Nursing Center
550 East Fornance Street
Norristown, PA 19401-3561
SAIS 182002

Landis Homes
1001 East Oregon Road
Lititz, PA 17543-9206
SAIS 120602

Attleboro Nursing & Rehabilitation Center
300 East Winchester Center
Langhorne, PA 19047

Cathedral Village
600 East Cathedral Road
Philadelphia, PA 19128

Fairmount Homes
219 Cats Back Road
Ephrata, PA 17522-8629

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.6(a) (relating to function of building):

New Eastwood Care & Rehabilitation Center
2125 Fairview Avenue
Easton, PA 18042

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.36(h) (relating to bathing facilities):

Hometown Nursing & Rehabilitation Center
149 Lafayette Avenue
Tamaqua, PA 18252

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax: (717) 772-2163, ra-paexcept@state.pa.us.

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

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

Persons with a disability who require an alternative format of this document or who wish to comment in an alternative format (for example, large print, audiotape or Braille) should contact the Division of Nursing Care Facilities at the previous address or phone number, for speech and/or hearing impaired persons, V/TT: (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 04-388. Filed for public inspection March 5, 2004, 9:00 a.m.]

DEPARTMENT OF LABOR AND INDUSTRY

Copying Cost Reimbursement Rate for Workers' Compensation Utilization Review

For purposes of utilization review under the Workers' Compensation Act (77 P.S. §§ 1—1041.4 and 2501—2506), the copying cost reimbursement rate applicable under 34 Pa. Code § 127.463 (relating to obtaining medical records—reimbursement of costs of provider) shall be 12¢ per page, under the final rule published by the United States Department of Health and Human Services at 68 *Federal Register* 67955 (2003).

STEPHEN M. SCHMERIN,
Secretary

[Pa.B. Doc. No. 04-389. Filed for public inspection March 5, 2004, 9:00 a.m.]

Range of Fees Charged by Utilization Review Organizations and Peer Review Organizations for Services Performed under the Workers' Compensation Act

Under 34 Pa. Code § 127.667(b) (relating to compensation policy) the Department of Labor and Industry, Bureau of Workers' Compensation, gives notice of the range of fees charged by utilization review organizations (URO) and peer review organizations (PRO) for services performed under the Workers' Compensation Act (77 P.S. §§ 1—1041.4 and 2501—2506) during 2003.

STEPHEN M. SCHMERIN,
Secretary

URO/PRO	Range of Fees	
	Min. \$	Max. \$
Alico Services, LTD	300.00	705.00
American Review Systems	252.67	1,101.20
C. A. B. Medical Consultants	200.00	729.56
Caduceus-Lex Medical Auditing, Inc.	255.00	715.00
CEC, Inc.	175.00	745.00
Chiro-Med Review Company	375.00	850.00

URO/PRO

	Range of Fees	
	Min. \$	Max. \$
Corvel Corporation	157.34	1,546.34
First Managed Care Option	141.67	1,213.46
Hajduk & Associates	255.00	715.00
Health Care Dimensions, Inc.	72.00	1,777.60
Hoover Rehabilitation Services, Inc.	228.35	2,294.90
IMX Medical Management Services, Inc.	202.59	607.19
Industrial Rehabilitation Associates c/o RJP Enterprises, Inc.	150.00	625.00
KVS Consulting Services	248.89	838.68
LRC Disability Management Consultants	90.00	1,890.00
McBride & McBride Associates	250.00	750.00
Medical Evaluation Specialists	630.00	632.05
Peer, Inc.	150.00	685.00
QRS Managed Care Services	175.00	700.00
Quality Assurance Reviews	250.00	795.00
Rehabilitation Planning, Inc.	100.00	635.80
Solomon Associates, Inc.	150.00	768.66
T & G Reviews, Inc.	275.00	795.00
The pt Group	144.29	1,750.00
Tri-State Rehabilitation Group, Inc.	319.52	995.54
TxReviews, Inc.	250.00	695.00
West Penn IME, Inc.	249.00	1,223.50
WMR Resources, Inc.	295.00	754.40
Zabinski, Robert C., D.C.	323.25	1,700.09

[Pa.B. Doc. No. 04-390. Filed for public inspection March 5, 2004, 9:00 a.m.]

DEPARTMENT OF REVENUE

[Correction]

Pennsylvania Monte Carlo Instant Lottery Game

Two typographical errors occurred in the document which appeared at 34 Pa.B. 921, 922 and 924 (February 14, 2004). The correct version of the rules for the game are as follows, with ellipses referring to the existing text of the notice:

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

* * * * *

3. Play Symbols:

* * * * *

(d) The play symbols and their captions located in the play area for "7-11" are: a die containing a 1 (ONE), a die containing a 2 (TWO), a die containing a 3 (THREE), a die containing a 4 (FOUR), a die containing a 5 (FIVE) and a die containing a 6 (SIX).

* * * * *

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

<i>Win With Prize(s) of:</i>	<i>Win:</i>	<i>Odds of 1 In:</i>	<i>Approximate No. of Winners Per 7,200,000 Tickets</i>
\$5 × 2	\$10	18.75	384,000
\$10	\$10	20	360,000
\$5 × 3	\$15	100	72,000
\$15	\$15	42.86	168,000
\$5 × 4	\$20	150	48,000
\$10 × 2	\$20	16.67	432,000
\$20	\$20	25	288,000
\$15 × 2 + \$10 × 2	\$50	545.45	13,200
\$5 × 8 + \$10	\$50	545.45	13,200
\$15 × 3 + \$5	\$50	1,090.91	6,600
\$20 × 2 + \$10	\$50	272.73	26,400
\$25 × 2	\$50	1,090.91	6,600
\$10 × 5	\$50	545.45	13,200
\$5 × 10	\$50	545.45	13,200
\$50	\$50	260.87	27,600
\$10 × 5 + \$50	\$100	600	12,000
\$25 × 3 + \$5 × 5	\$100	600	12,000
\$15 × 4 + \$20 × 2	\$100	600	12,000
\$50 × 2	\$100	300	24,000
\$20 × 5	\$100	1,200	6,000
\$10 × 10	\$100	300	24,000
\$100	\$100	240	30,000
\$15 × 10 + \$25 × 2	\$200	4,800	1,500
\$15 × 10 + \$10 × 5	\$200	4,800	1,500
\$20 × 5 + \$50 × 2	\$200	4,800	1,500
\$20 × 10	\$200	4,800	1,500
\$200	\$200	2,400	3,000
\$100 × 5	\$500	24,000	300
\$50 × 10	\$500	30,000	240
\$200 × 2 + \$100	\$500	30,000	240
\$500	\$500	15,000	480
\$100 × 10	\$1,000	30,000	240
\$200 × 5	\$1,000	30,000	240
\$500 × 2	\$1,000	30,000	40
\$1,000	\$1,000	30,000	240
\$1,000 × 10	\$10,000	120,000	60
\$10,000	\$10,000	120,000	60
\$250,000	\$250,000	360,000	20

Roulette—When any of “Your Numbers” match the “Roulette Number,” win prize shown under the matching number.
High Card—When “Your Card” beats the “Dealer’s Card” within the same game, win prize shown for that game.
7-11—When any of “Your Rolls” total 7 or 11 in the same row, win prize shown for that row.
Slots—Match 3 like symbols in any “Pull,” win prize shown for that pull.

[Pa.B. Doc. No. 04-264. Filed for public inspection February 13, 2004. 9:00 a.m.]

Pennsylvania Mummy Money Instant Lottery Game

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

1. *Name:* The name of the game is Pennsylvania Mummy Money.

2. *Price:* The price of a Pennsylvania Mummy Money instant lottery game ticket is \$3.

3. *Play Symbols:* Each Pennsylvania Mummy Money instant lottery game ticket will contain three play areas designated as “Pyramid 1,” “Pyramid 2” and “Pyramid 3.” Each Pennsylvania Mummy Money instant lottery game ticket will also contain a “Mummy’s Numbers” area consisting of 20 squares in a 4 x 5 grid. The play symbols

located in the three play areas and in the “Mummy’s Numbers” area are: The numbers 1 through 80 presented in a two-digit format.

4. *Prizes:* The prizes that can be won in this game are \$3, \$6, \$9, \$30, \$90, \$300 and \$60,000. The player can win up to seven times on each ticket.

5. *Approximate Number of Tickets Printed for the Game:* Approximately 4,800,000 tickets will be printed for the Pennsylvania Mummy Money instant lottery game.

6. *Determination of Prize Winners:*

(a) Holders of tickets matching the “Mummy’s Numbers” play symbols in a complete horizontal line (consisting of six numbers) on “Pyramid 3,” and a prize amount of \$60,000 in the corresponding prize arrow for that line, on a single ticket, shall entitled to a prize of \$60,000.

(b) Holders of tickets matching the “Mummy’s Numbers” play symbols in a complete horizontal line (consisting of five numbers) on “Pyramid 1” or “Pyramid 3,” and a

prize amount of \$300 in the corresponding prize arrow for that line, on a single ticket, shall entitled to a prize of \$300.

(c) Holders of tickets matching the "Mummy's Numbers" play symbols in a complete horizontal line (consisting of four numbers) on "Pyramid 2" or "Pyramid 3," and a prize amount of \$90 in the corresponding prize arrow for that line, on a single ticket, shall entitled to a prize of \$90.

(d) Holders of tickets matching the "Mummy's Numbers" play symbols in a complete horizontal line (consisting of four numbers) on "Pyramid 1," and a prize amount of \$30 in the corresponding prize arrow for that line, on a single ticket, shall entitled to a prize of \$30.

(e) Holders of tickets matching the "Mummy's Numbers" play symbols in a complete horizontal line (consisting of three numbers) on "Pyramid 3," and a prize amount of \$30 in the corresponding prize arrow for that line, on a single ticket, shall entitled to a prize of \$30.

(f) Holders of tickets matching the "Mummy's Numbers" play symbols in a complete horizontal line (consisting of three numbers) on "Pyramid 1" or "Pyramid 2," and

a prize amount of \$9 in the corresponding prize arrow for that line, on a single ticket, shall entitled to a prize of \$9.

(g) Holders of tickets matching the "Mummy's Numbers" play symbols in a complete horizontal line (consisting of two numbers) on "Pyramid 3," and a prize amount of \$9 in the corresponding prize arrow for that line, on a single ticket, shall entitled to a prize of \$9.

(h) Holders of tickets matching the "Mummy's Numbers" play symbols in a complete horizontal line (consisting of two numbers) on "Pyramid 1" or "Pyramid 2," and a prize amount of \$6 in the corresponding prize arrow for that line, on a single ticket, shall entitled to a prize of \$6.

(i) Holders of tickets matching the "Mummy's Numbers" play symbols in a complete horizontal line (consisting of one number) on "Pyramid 1," "Pyramid 2" or "Pyramid 3," and a prize amount of \$3 in the corresponding prize arrow for that line, on a single ticket, shall entitled to a prize of \$3.

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

<i>Game 1</i>	<i>Game 2</i>	<i>Game 3</i>	<i>Win:</i>	<i>Odds of 1 In:</i>	<i>Approximate Number of Winners in 4,800,000 Tickets</i>
\$3			\$3	20	240,000
	\$3		\$3	20	240,000
		\$3	\$3	20	240,000
\$6			\$6	50	96,000
	\$6		\$6	50	96,000
\$3	\$3		\$6	50	96,000
	\$3	\$3	\$6	50	96,000
\$9			\$9	100	48,000
	\$9		\$9	100	48,000
		\$9	\$9	100	48,000
\$3	\$3	\$3	\$9	100	48,000
\$30			\$30	333.33	14,400
		\$30	\$30	333.33	14,400
\$6 + \$9	\$3	\$3 + \$9	\$30	500	9,600
\$3 + \$9	\$3 + \$6 + \$9		\$30	500	9,600
	\$90		\$90	888.89	5,400
		\$90	\$90	882.35	5,440
\$3 + \$9 + \$30	\$6	\$3 + \$9 + \$30	\$90	882.35	5,440
\$300			\$300	17,143	280
		\$300	\$300	17,143	280
		\$60,000	\$60,000	1,200,000	4

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

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

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

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

GREGORY C. FAJT,
Secretary

[Pa.B. Doc. No. 04-391. Filed for public inspection March 5, 2004, 9:00 a.m.]

ENVIRONMENTAL QUALITY BOARD

Acceptance of Rulemaking Petitions for Study

On February 17, 2004, the Environmental Quality Board (Board) accepted two rulemaking petitions for study under 25 Pa. Code Chapter 23 (relating to Environmental Quality Board policy for processing petitions—statement of policy).

The first petition, submitted by the Green Valleys Association and 48 copetitioners, requests that the Board redesignate the Beaver Run and lower French Creek (Basin, from and including Beaver Run to the Junction of West Vincent, East Vicent and East Pikeland Townships) in Chester County from their present designation of High Quality (HQ)-Trout Stocking (TSF), Migratory Fishes (MF), as identified in 25 Pa. Code § 93.9f (relating to Drainage List F), to Exceptional Value (EV)-TSF, MF.

The second petition, submitted by the Ken Sink Chapter of Trout Unlimited, requests that the Board redesignate a portion of Two Lick Creek in Indiana County from its present designation of Trout Stocking (TSF), as identified in 25 Pa. Code § 93.9t (relating to Drainage List T), to HQ-Cold Water Fishes.

Under 25 Pa. Code § 93.4d(a) (relating to processing of petitions, evaluations and assessments to change a designated use), the Department of Environmental Protection (Department) is required to publish a notice of intent to assess candidate waters before performing survey work. The Department's assessment notices for the Beaver Run and lower French Creek, as well as for a portion of Two Lick Creek, will appear in a future issue of the *Pennsylvania Bulletin*.

The referenced petitions submitted by the Green Valleys Association and the Ken Sink Chapter of Trout Unlimited are available by contacting the Environmental Quality Board, P. O. Box 8477, Harrisburg, PA 17105-8477, (717) 787-4526 and are accessible on the Department's website: www.dep.state.pa.us (DEP Keyword: EQB; under "Meeting Agendas/Handouts/Minutes" choose "2004" then "February 17, 2004").

KATHLEEN A. MCGINTY,
Chairperson

[Pa.B. Doc. No. 04-392. Filed for public inspection March 5, 2004, 9:00 a.m.]

Environmental Quality Board Meeting Cancellation

The March 16, 2004, Environmental Quality Board (Board) meeting has been canceled. The next meeting of the Board is scheduled for Tuesday, April 20, 2004, at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg. An agenda and meeting materials for this meeting will be available through the Public Participation Center on the Department of Environmental Protection's website: www.dep.state.pa.us.

Questions concerning the Board's next scheduled meeting should be directed to Chris Shroyer, (717) 783-8727, cshroyer@state.pa.us.

KATHLEEN A. MCGINTY,
Chairperson

[Pa.B. Doc. No. 04-393. Filed for public inspection March 5, 2004, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P. S. § 745.5(g)) provides that the 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.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
17-64	Pennsylvania State Police Administration of the Bureau of Liquor Control Enforcement; Age Compliance Check Program (33 Pa.B. 6227 (December 20, 2003))	1/20/04	2/19/04

Pennsylvania State Police Regulation No. 17-64 Administration of the Bureau of Liquor Control Enforcement; Age Compliance Check Program February 19, 2004

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 Pennsylvania State Police (State Police) must respond to these comments when it submits the final-form regulation. The public comment period for this regulation closed on January 20, 2004. If the final-form regulation is not delivered within 2 years of the close of the public comment period, the regulation will be deemed withdrawn.

- 1. Comments from the House Judiciary Committee.—Protection of public health; Consistency with the statute; Reasonableness; Implementation procedure; Clarity.**

During our review of this regulation, we identified issues that raised questions related to the criteria of the

Regulatory Review Act. Many of these issues were also raised in the comments submitted to the State Police by Representatives Dennis M. O'Brien, Majority Chairperson, and Kevin Blaum, Democratic Chairperson, House Judiciary Committee (House Committee), on January 27, 2004. Comments and concerns raised by the House Committee are included in the Commission's comments.

2. Section 23.1. Definitions.—Consistency with statute; Clarity.

Compliance

The definition should include references to the statutes with which the licensee would be in compliance, such as 47 P.S. § 4-493(1) regarding unlawful acts relative to liquor, malt and brewed beverages and licensees.

Sale or sell

The proposed regulation includes a definition of "sale or sell." The definition is no different than the commonly understood meaning of the terms. Therefore, is this definition needed in this regulation?

3. Section 23.21. Required training.—Reasonableness; Implementation procedures; Clarity.

This section requires both bureau officers and underage buyers to complete training before participating in an age compliance check. However, the section does not specify how the State Police will determine if a bureau officer or an underage buyer has successfully completed the required training. Will they be required to undergo some form of examination or demonstration of competence? If so, this requirement should be included in the final-form regulation.

4. Section 23.22. Age compliance checks.—Consistency with the statute; Reasonableness; Implementation procedure; Clarity.

Age compliance check procedures and requirements

Subsection (a) requires an age compliance check to be performed with "at least one bureau officer and one underage buyer." In what situations would there be a ratio that is not one-to-one?

Notice procedures and requirements

Subsection (j) addresses notification requirements after an age compliance check has been completed. We have three concerns with this subsection.

First, subsections (a)—(i) address how age compliance checks will be implemented. Subsection (j) addresses notification requirements after an age compliance check has been completed. We recommend that subsection (j) be separated from § 23.22 and assigned its own section since it describes the notice process that occurs after the compliance check.

Second, subsection (j) states that the bureau officer "shall be responsible for insuring notification is made of the results of the age compliance check to the *licensed premises*." (Emphasis added.) In contrast, 18 Pa.C.S. §§ 6308(e)(3)(ii) and 6310(c)(3)(ii) state:

A person licensed to sell liquor or malt or brewed beverages that is found to be in compliance with this section during a compliance check shall be notified in writing of the compliance check and the determination of compliance. (Emphasis added.)

The final-form regulation should be consistent with the statute and should direct the bureau officer to give written notice to an individual such as a manager or

person in charge of the premises appointed or designated under 40 Pa. Code § 5.16, § 5.17 or § 5.23.

Finally, a commentator suggested that the written notification required under this subsection include specific information such as date, time and the name of the server who refused or granted the sale. We agree and suggest that the final-form regulation specify date, time and any other information, if available, that would assist the licensee and its employees in complying with the law.

5. General and miscellaneous clarity issues.—Consistency with statute; Reasonableness; Clarity.

Expiration date

Act 141 of 2002 includes an expiration date of December 31, 2007, for the provisions that allow underage State Police employees to participate in this program. The preamble of the proposed regulation states "no sunset date has been assigned to the regulation." To be consistent with the statute, the final-form regulation should include an expiration date of December 31, 2007.

§ 23.21(b)(1)—Applicable provisions of the Liquor Code and Crimes Code

The regulation as published in the *Pennsylvania Bulletin* includes references to the "[a]pplicable provisions of the Liquor Code (43 P.S.) and 18 Pa.C.S. (relating to the Crimes Code)." There are two concerns. First, the reference to the Liquor Code should be 47 P.S., not 43 P.S. Second, the final-form regulation should include references to the specific sections or chapters of 47 P.S. and 18 Pa.C.S. that are applicable.

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 04-394. Filed for public inspection March 5, 2004, 9:00 a.m.]

INSURANCE DEPARTMENT

Agency Contract Termination of Loring M. Reagle & Sons, Inc. under Act 143; Selective Insurance Company of America; Doc No. AT04-02-014

A pre-review telephone conference initiated by this office is scheduled for February 27, 2004, at 9:30 a.m. Each party shall provide the Hearings Administrator a telephone number to be used for the telephone conference on or before February 24, 2004. A date for a review shall be determined, if necessary, at the pre-review telephone conference.

At the pre-review conference, the parties shall be prepared to discuss settlement, stipulation, witnesses and the documents anticipated for use at the hearing, estimated time for the review, special evidentiary or legal issues and other matters relevant to the orderly, efficient and just resolution of this matter.

No pre-review memoranda or other written submissions are required for the pre-review conference; however, the parties are encouraged to discuss settlement and possible stipulations pending the conference.

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. 04-395. Filed for public inspection March 5, 2004, 9:00 a.m.]

Dominic J. Bozzi, Insurance Solutions Concepts, Inc. and Comprehensive Insurance Services, Inc.; Hearing

Order to Show Cause; Doc. No. SC04-01-018

A prehearing telephone conference initiated by this office is scheduled for March 25, 2004, at 10 a.m. Each party shall provide the Hearings Administrator a telephone number to be used for the telephone conference on or before February 27, 2004. A hearing shall occur on April 14, 2004, at 1:30 p.m. in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before April 5, 2004, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answers to petitions to intervene, if any, shall be filed on or before April 9, 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. 04-396. Filed for public inspection March 5, 2004, 9:00 a.m.]

Conseco Senior Health Insurance Company; Rate Filing

Conseco Senior Health Insurance Company is requesting approval to increase the premium 17% for the long term care policy forms ATL-LTC-89, ATL-789-PA, ATL-RRA-NH-90, ATL-LTC-90-PA and the associated riders. These forms were originally issued by the American Travelers Life Insurance Company. The average premium will increase from \$1,425 to \$1,643 and will affect 3,214 policyholders in this Commonwealth.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's regional office in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Accident and Health Bureau,

Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120 within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-397. Filed for public inspection March 5, 2004, 9:00 a.m.]

Erie Insurance Exchange; Home Protector Rate Revision; Rate Filing

On February 13, 2004, the Insurance Department (Department) received from Erie Insurance Exchange a filing for a rate level change for homeowners insurance. The company requests an overall 4.1% decrease amounting to -\$10.6 million annually, to be effective May 1, 2004.

Unless formal administrative action is taken prior to April 13, 2004, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Department's website: www.ins.state.pa.us. To access the filing, select "Consumer Information" on the left side. Under the "General Information" heading, click on "Notices." The PDF copy is at the "Filing.pdf" link following the name of the filing.

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

Interested parties are invited to submit written comments, suggestions or objections to Michael W. Burkett, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, mburkett@state.pa.us within 15 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-398. Filed for public inspection March 5, 2004, 9:00 a.m.]

Geisinger Health Plan HMO; Modification of Rate Relativities; Rate Filing

On February 24, 2004, Geisinger Health Plan submitted a filing to modify the April 1, 2004, approved rate relativities. The approved rate relativities generated a consistent rate increase of 19.54% for all contract types. With this proposal, the rate increases will range from 7.95% to 43.16% depending on the tier structure and contract type. The proposed effective date is June 1, 2004.

This filing is available for public inspection during normal working hours at the Insurance Department's regional office in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to Cherri Sanders-Jones, Actuary, Insurance Department, Bureau of Accident and Health Insurance, Office of Rate and Policy Regulation,

1311 Strawberry Square, Harrisburg, PA 17120 within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-399. Filed for public inspection March 5, 2004, 9:00 a.m.]

Health Insurance, Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120 within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-401. Filed for public inspection March 5, 2004, 9:00 a.m.]

Harleysville Mutual Insurance Company; Homeowners Insurance Rate and Rule Revision; Rate Filing

On February 16, 2004, the Insurance Department (Department) received from Harleysville Mutual Insurance Company a filing for a rate level and rule change for homeowners insurance.

The company requests an overall 11.3% decrease amounting to \$2.188 million annually, to be effective April 1, 2004, for new business and April 11, 2004, for renewal business.

Unless formal administrative action is taken prior to April 16, 2004, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Department's website: www.ins.state.pa.us. To access the filing, select "Consumer Information" on the left side. Under the "General Information" heading, click on "Notices." The PDF copy is at the "Filing.pdf" link following the name of the filing.

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

Interested parties are invited to submit written comments, suggestions or objections to Xiaofeng Lu, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, xlu@state.pa.us within 15 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-400. Filed for public inspection March 5, 2004, 9:00 a.m.]

HealthGuard; Demographic Rate Filing

On February 18, 2004, HealthGuard submitted a demographic filing to apply age/gender/contract size and industry rating factors to the base rate for small groups in associations and purchasing pools having 50 or fewer contracts enrolled in HealthGuard or Highmark Blue Shield programs. The change in methodology is will be revenue neutral to HealthGuard. The filing will apply to client notification dates on or after July 1, 2004.

This filing is available for public inspection during normal working hours at the Insurance Department's regional office in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to Cherri Sanders-Jones, Actuary, Insurance Department, Bureau of Accident and

Keystone Health Plan West, Inc.; Rate Filing

On February 19, 2004, Keystone Health Plan West submitted filing no. 1-DPHMO-04-KHPW to increase the premium rates for its individual HMO plan. The filing requests a rate increase of about 15.0% of current premium, or an average of \$51.03 per contract per month. This will affect about 11,000 contract holders and produce additional annual premium income of about \$6.6 million. The requested effective date of the change is July 1, 2004.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's regional office in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to Rashmi Mathur, Actuary, Bureau of Accident and Health Insurance, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120 within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-402. Filed for public inspection March 5, 2004, 9:00 a.m.]

Philip J. Mara, Jr.; Hearing

License Denial; Doc. No. AG04-02-015

The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and 31 Pa. Code Chapter 56 (relating to special rules of administrative practice and procedure).

A prehearing conference is scheduled for March 24, 2004, at 1:30 p.m. in the Administrative Hearings Office, Room 200, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA. A hearing shall occur on April 13, 2004, at 1:30 p.m. in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA.

On or before March 10, 2004, each party shall file with the Administrative Hearings Office a prehearing statement which shall contain: (1) a comprehensive statement of undisputed facts to be stipulated between the parties; (2) a statement of additional contended facts; (3) names and address of witnesses along with the specialties of experts to be called; (4) a list of documents to be used at the hearing; (5) special evidentiary or other legal issues; and (6) the estimated time for that party's case. Contemporaneously with service of the prehearing statement on the opposing party, each party shall supply the other with a copy of any report generated by an expert witness designated on the prehearing statement. A report subse-

quently received from a party's expert witness prior to hearing shall be supplied to the other party within 2 business days. Copies of expert reports need not be filed with the Administrative Hearings Office.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before March 15, 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, if any, shall be filed on or before March 19, 2004.

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-403. Filed for public inspection March 5, 2004, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

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

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

Appeal of Jean Mary Miller; file no. 04-182-00238; Erie Insurance Exchange; doc. no. P04-02-007; March 16, 2004, 1:30 p.m.

Appeal of Eddie Ofodile; file no. 03-280-06396; Westfield Insurance Company; doc. no. P04-02-003; March 30, 2004, 1:30 p.m.

The following hearings will be held in the Philadelphia Regional Office, Room 1701 State Office Building, 1400 Spring Garden Street, Philadelphia, PA 19130.

Appeal of Danyale Deshon; file no. 03-265-05922; Westfield Insurance Company; doc. no. PH04-02-004; March 5, 2004, 11 a.m.

Appeal of Elizabeth Liggon; file no. 04-124-00304; Capitol Insurance Company; doc. no. PH04-02-035; May 11, 2004, 9 a.m.

Appeal of Christopher Fullan; file no. 03-215-06356; American Independent Insurance Company; doc. no. PH04-02-036; May 11, 2004, 10 a.m.

Appeal of Faleisha Lamar and Aaron Jones; file no. 04-267-00021; Nationwide Insurance Companies; doc. no. PH04-02-037; May 11, 2004, 11 a.m.

Parties may appear with or without counsel and offer relevant testimony or evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-404. Filed for public inspection March 5, 2004, 9:00 a.m.]

Review Procedure Hearings under the Unfair Insurance Practices Act

The following insureds have requested hearings as authorized by section 8 of the Unfair Insurance Practices Act (40 P. S. § 1171.8) in connection with their companies' termination of the insureds' policies. The administrative hearings will be held in the Insurance Department's regional offices in Harrisburg and 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 William J. Sedon; file no. 04-181-00134; State Farm Mutual Insurance Company; doc. no. P04-02-006; March 18, 2004, 1:30 p.m.

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

Appeal of Douglas P. and Heather M. Wooten; file no. 03-407-91296; Everett Cash Mutual Insurance Company; doc. no. PI04-02-005; April 7, 2004, 3 p.m.

Each party may appear with or without counsel and offer relevant testimony and/or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-405. Filed for public inspection March 5, 2004, 9:00 a.m.]

Ronald R. Spay; Hearing

License Denial; Doc. No. AG04-02-024

The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and 31 Pa. Code Chapter 56 (relating to special rules of administrative practice and procedure).

A prehearing telephone conference initiated by this office is scheduled for March 2, 2004, at 10 a.m. Each party shall provide the Hearings Administrator a telephone number to be used for the telephone conference on or before February 24, 2004. A hearing shall occur on March 23, 2004, at 1 p.m. in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before March 15, 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, if any, shall be filed on or before March 19, 2004.

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-406. Filed for public inspection March 5, 2004, 9:00 a.m.]

Voluntary Surrender of Certificate of Authority to Operate a Life Insurance Company

Provident Indemnity Life Insurance Company, a domestic stock life insurance company, has submitted an application for approval to surrender its Insurance Department (Department) Certificate of Authority. Persons wishing to comment on the grounds of public or private interest concerning the surrender are invited to submit a written statement to the Department within 7 days from the date of this issue of the *Pennsylvania Bulletin*. Written statements must include the name, address and telephone number of the writer, identification of the application to which the comment is addressed and a concise statement with sufficient detail to inform the Department of the exact basis of the comment and the relevant facts upon which it is based. Written statements should be directed to Robert Brackbill, Company Licensing Division, Room 1345, Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, rbrackbill@state.pa.us.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-407. Filed for public inspection March 5, 2004, 9:00 a.m.]

Lawrence P. Wean, M.D.; Hearing

Appeal of Lawrence P. Wean, M.D. under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM03-12-015

A hearing is scheduled in this case for April 20, 2004, at 10 a.m. in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

On or before April 14, 2004, each party shall file with the Administrative Hearings Office a prehearing statement which shall contain: (1) a statement of contended facts; (2) the names and address of witnesses along with the specialties of experts, if any, to be called; (3) a list of documents to be used at the hearing; and (4) a list of special evidentiary or other legal issues. Contemporaneously with service of the prehearing statement on the opposing party, each party shall supply the other with a copy of any report generated by an expert witness designated on the prehearing statement. A report subsequently received from a party's expert witness prior to the hearing shall be supplied to the other party within 2 business days. Copies of expert reports need not be filed with the Administrative Hearings Office. Failure to provide this information may result in preclusion of testimony or evidence.

A jointly executed written stipulation of facts and documents must be prepared and presented on April 20, 2004, prior to the start of the hearing.

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. 04-408. Filed for public inspection March 5, 2004, 9:00 a.m.]

LIQUOR CONTROL BOARD

Expiration of Leases

The following Liquor Control Board leases will expire:

Allegheny County, Wine & Spirits Shoppe #0231, Robinson Town Centre, 1160 Park Manor Blvd., Pittsburgh, PA 15205.

Lease Expiration Date: February 28, 2009

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 11,000 net useable square feet of new or existing retail commercial space in a shopping center environment near the intersection of U. S. Route 22/30 and Route 60 in Robinson Township.

Proposals due: March 26, 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: Bruce VanDyke, (412) 565-5130

Allegheny County, Wine & Spirits Shoppe #0279, 722 Brookline Blvd., Pittsburgh, PA 15226.

Lease Expiration Date: May 31, 2004

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 2,800 to 3,000 net useable square feet of new or existing retail commercial space on Brookline Boulevard between Pioneer Avenue and Queensboro Avenue in Pittsburgh. Site must have rear access for semitractor deliveries.

Proposals due: March 26, 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: Bruce VanDyke, (412) 565-5130

Allegheny County, Wine & Spirits Shoppe #0284, Bill Green Shopping Center, 10 Old Clairton Road, Pittsburgh, PA 15236.

Lease Expiration Date: October 31, 2004

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 10,000 net useable square feet of new or existing retail commercial space in a shopping center environment near the intersection of Curry Hollow Road and Route 51 in Pleasant Hills.

Proposals due: March 26, 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: Bruce VanDyke, (412) 565-5130

JONATHAN H. NEWMAN,
Chairperson

[Pa.B. Doc. No. 04-409. Filed for public inspection March 5, 2004, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Natural Gas Service

A-121850F2035. National Fuel Gas Distribution Corporation. Application of National Fuel Gas Distribution Corporation for approval of the abandonment of natural gas service to seven natural gas service customers located in Ashley Township, Clarion County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before March 22, 2004. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

Applicant: National Fuel Gas Distribution Corporation
Through and By Counsel: Christopher M. Trejchel, 1100 State Street, Erie, PA 16512.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 04-410. Filed for public inspection March 5, 2004, 9:00 a.m.]

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 326, Harrisburg, PA 17105-3265 with a copy served on the applicant, on or before March 29, 2004. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8:00 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

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

A-00120485. Leon J. Cashdollar (707 Beatty School Road, Greenville, Mercer County, PA 16125)—persons in paratransit service, between points in the Counties of Crawford and Mercer, and from points in said counties, to points in Pennsylvania, and return, limited to the transportation of persons whose personal convictions prevent them from owning or operating motor vehicles.

Application of the following for approval of the *additional right and privilege of operating motor vehicles as common carriers* for transportation of *household goods* in use as described under the application.

A-00119720, F.4. Movin' Murdy Inc. (392 Whittier Drive, Pittsburgh, Allegheny County, PA 15235), a corporation of the Commonwealth—additional right—household goods in use, between points in the Counties of Allegheny, Washington and Westmoreland, and from points in said counties, to points in Pennsylvania, and vice versa. *Attorney:* Brad N. Sommer, 1801 Lawyers Bldg., 428 Forbes Avenue, Pittsburgh, PA 15219.

Complaint

Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Exclusively Yours Transportation and Protective Services, Inc.; Doc. No. A-00117412C0301

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Exclusively Yours Transportation and Protective Services, Inc., respondent, maintains a principal place of business at 504 Dogwood Circle, Havertown, PA 19083.
2. That respondent was issued a Certificate of Public Convenience by this Commission on November 16, 2001, at Application Docket No. A-00117412.
3. That respondent has failed to maintain evidence of bodily injury and property damage liability insurance on file with this Commission.
4. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

WHEREFORE, unless respondent causes its insurer to file evidence of insurance with this Commission within twenty days of the date of service of this Complaint, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission issue a Secretarial Letter which (1) cancels the Certificate of Public Convenience held by respondent at Docket No. A-00117412, for failure to maintain evidence of current insurance on file with the Commission, (2) orders such other remedy as the Commission may deem to be appropriate, which may include a fine and the suspension of a vehicle registration and (3) imposes an additional fine on the respondent.

Respectfully submitted,

Michael E. Hoffman, Director
Bureau of Transportation and Safety
P. O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, Michael E. Hoffman, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject

to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____
Michael E. Hoffman

NOTICE

A. You must file an answer within twenty days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice, 52 Pa. Code § 1.56(a). The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your answer must be verified and the original and three copies sent to:

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty days of the date of service, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty. Pursuant to 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the revocation of your Certificate of Public Convenience, Contract Carrier Permit, or Brokerage license, or any other remedy as may be appropriate. Each day you continue to violate any regulation, direction, requirement, determination or order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations within twenty days of the date of service of this Complaint. The proof of insurance must be filed with the Secretary of the Commission at the address set forth in Paragraph A. Upon receipt of the evidence of insurance from your insurer, the complaint proceeding shall be closed. **ACORD CERTIFICATES OF INSURANCE ARE UNACCEPTABLE AS EVIDENCE OF INSURANCE.**

D. If you file an answer which either admits or fails to deny the allegations of the complaint, the Bureau of Transportation and Safety will request that the Commission enter an order imposing a penalty (see Paragraph B). Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an answer which contests the complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional penalty set forth in Paragraph B.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Insurance/Filing Unit at (717) 783-5933.

Complaint

Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Grace Transportation Services; Doc. No. A-00111925C; A-00111925

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation

and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Grace Transportation Services, respondent, maintains its principal place of business at P. O. Box 24999, Greenville, SC 29616.

2. That respondent was issued a certificate of public convenience by this Commission on July 18, 1995, at Application Docket No. A-00111925.

3. That respondent abandoned or discontinued service without having first submitted a letter to this Commission containing a statement that the service is no longer being rendered. Respondent has not reported intrastate revenue for the years 2001, 2002 and 2003.

4. That respondent, by failing to submit a letter to this Commission containing a statement that the service is no longer being rendered, violated 52 Pa. Code § 3.381(a)(5) and, by failing to maintain adequate, efficient and safe service and facilities, violated 66 Pa.C.S. § 1501.

WHEREFORE, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission revoke respondent's Certificate of Public Convenience at A-00111925.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement
Motor Carrier Services & Enforcement
Division
Bureau of Transportation and Safety
P. O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, Wendy J. Keezel, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____

Wendy J. Keezel, Chief of
Enforcement

NOTICE

A. You must file an answer within twenty days of the date of service of this Complaint. The date of service is the mailing date, as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An answer is a written explanation of circumstances wished to be considered in determining the outcome. The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your answer must be verified and the original and three copies sent to:

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within twenty days, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty, which will include the revocation of your Certificate of Public Convenience.

C. If you file an answer which admits or fails to deny the allegations of the Complaint, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty, which may include the revocation of your Certificate of Public Convenience.

D. If you file an answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision.

E. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at 717-787-1168.

Complaint

Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Allegheny Coach, Inc.; Doc. No. A-00114415C

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other Bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That ALLEGHENY COACH, INC., respondent, maintains its principal place of business at 11 MAYVIEW ROAD, LAURENCE, PA 15053.

2. That respondent was issued a certificate of public convenience by this Commission on December 7, 1998, at Docket No. A-00114415.

3. That, on August 15, 2003 respondent was sent an initial assessment of \$ 151.00. Respondent failed to pay this assessment; therefore, a balance was due in the amount of \$ 151.00.

4. That respondent has an outstanding assessment of \$151.00.

5. That respondent failed to file objections to the assessment, pursuant to 66 Pa.C.S. § 510(c).

6. That respondent, by failing to pay the assessment, violated the Public Utility Code at 66 Pa.C.S. § 510(c).

7. That respondent, by failing to maintain evidence of insurance on file with this commission, violated 52 Pa. Code §§ 32.2 and 32.11.

WHEREFORE, unless respondent pays the overdue assessment in full within twenty days of the date of service of this Complaint, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission issue an Order which (1) cancels the Certificate of Public Convenience issued to respondent, (2) directs the Pennsylvania Department of Transportation to revoke the motor vehicle registration(s) issued to respondent, (3) notifies the Pennsylvania Department of Revenue that respondent's Certificate of Public Convenience has been revoked, (4) notifies respondent's insurance

carrier that respondent's Certificate of Public Convenience has been revoked and (5) imposes an additional fine on the respondent.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement
Motor Carrier Services & Enforcement
Division
Bureau of Transportation and Safety
P. O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, Wendy J. Keezel, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____

Wendy J. Keezel, Chief of
Enforcement

NOTICE

A. You must file an answer within twenty days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this Complaint and notice, 52 Pa. Code § 1.56(a). The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your answer must be verified and the original and three copies sent to:

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within twenty days, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty. Pursuant to 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the revocation of your Certificate of Public Convenience, or any other remedy as may be appropriate. Each day you continue to violate any regulation, direction, requirement, determination or order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this Complaint by paying your outstanding assessment within twenty (20) days and by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations. The proof of insurance must be filed with the Secretary of the Commission at the address set forth in Paragraph A. Your certified check or money order for the assessment should be payable to the Commonwealth of Pennsylvania and should be forwarded to:

Administrative Services,
Attention Steve Reed
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

D. If you file an answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Transportation and Safety will request the Commission to issue an Order imposing a penalty (see Paragraph B).

Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an answer which contests the Complaint, the matter will be assigned to an administrative law judge for hearing and decision. The judge is not bound by the penalty set forth in Paragraph B.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Bureau of Audits at (717) 783-6190.

Complaint

Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Provost Transport, Inc.;
Doc. No. A-00112606C; A-00112606

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Provost Transport, Inc., respondent, maintains its principal place of business at 155 Smith Street, Keasbey, NJ 08832-0405.

2. That respondent was issued a certificate of public convenience by this Commission on May 8, 1996, at Application Docket No. A-00112606.

3. That respondent abandoned or discontinued service without having first submitted a letter to this Commission containing a statement that the service is no longer being rendered. Respondent has not reported intrastate revenue for the years 2001, 2002 and 2003.

4. That respondent, by failing to submit a letter to this Commission containing a statement that the service is no longer being rendered, violated 52 Pa. Code § 3.381(a)(5) and, by failing to maintain adequate, efficient and safe service and facilities, violated 66 Pa.C.S. § 1501.

WHEREFORE, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission revoke respondent's Certificate of Public Convenience at A-00112606.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement
Motor Carrier Services & Enforcement
Division
Bureau of Transportation and Safety
P. O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, Wendy J. Keezel, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject

to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____

Wendy J. Keezel, Chief of
Enforcement

NOTICE

A. You must file an answer within twenty days of the date of service of this Complaint. The date of service is the mailing date, as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An answer is a written explanation of circumstances wished to be considered in determining the outcome. The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your answer must be verified and the original and three copies sent to:

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within twenty days, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty, which will include the revocation of your Certificate of Public Convenience.

C. If you file an answer which admits or fails to deny the allegations of the Complaint, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty, which may include the revocation of your Certificate of Public Convenience.

D. If you file an answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision.

E. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at 717-787-1168.

Complaint

Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Hook-Up, Inc.; Doc No. A-00111464C; A-00111464

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Hook-Up, Inc., respondent, maintains its principal place of business at 602 South Main Street, Joplin, MO 64801-2810.

2. That respondent was issued a certificate of public convenience by this Commission on February 1, 1995, at Application Docket No. A-00111464.

3. That respondent abandoned or discontinued service without having first submitted a letter to this Commission containing a statement that the service is no longer being rendered. Respondent has not reported intrastate revenue for the years 2001, 2002 and 2003.

4. That respondent, by failing to submit a letter to this Commission containing a statement that the service is no longer being rendered, violated 52 Pa. Code § 3.381(a)(5) and, by failing to maintain adequate, efficient and safe service and facilities, violated 66 Pa.C.S. § 1501.

WHEREFORE, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission revoke respondent's Certificate of Public Convenience at A-00111464.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement
Motor Carrier Services & Enforcement
Division
Bureau of Transportation and Safety
P. O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, Wendy J. Keezel, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____

Wendy J. Keezel, Chief of
Enforcement

NOTICE

A. You must file an answer within twenty days of the date of service of this Complaint. The date of service is the mailing date, as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An answer is a written explanation of circumstances wished to be considered in determining the outcome. The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your answer must be verified and the original and three copies sent to:

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within twenty days, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty, which will include the revocation of your Certificate of Public Convenience.

C. If you file an answer which admits or fails to deny the allegations of the Complaint, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty, which may include the revocation of your Certificate of Public Convenience.

D. If you file an answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision.

E. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at 717-787-1168.

Complaint

Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Market Transportation Serv., Inc.; Doc. No. A-00113178C; A-00113178

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Market Transportation Serv., Inc., respondent, maintains its principal place of business at 3505 Silverside Road, 208M Plaza, Wilmington, DE 19810.

2. That respondent was issued a certificate of public convenience by this Commission on October 23, 1996, at Application Docket No. A-00113178.

3. That respondent abandoned or discontinued service without having first submitted a letter to this Commission containing a statement that the service is no longer being rendered. Respondent has not reported intrastate revenue for the years 2001, 2002 and 2003.

4. That respondent, by failing to submit a letter to this Commission containing a statement that the service is no longer being rendered, violated 52 Pa. Code § 3.381(a)(5) and, by failing to maintain adequate, efficient and safe service and facilities, violated 66 Pa.C.S. § 1501.

WHEREFORE, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission revoke respondent's Certificate of Public Convenience at A-00113178.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement
Motor Carrier Services & Enforcement
Division
Bureau of Transportation and Safety
P. O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, Wendy J. Keezel, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____

Wendy J. Keezel, Chief of Enforcement

NOTICE

A. You must file an answer within twenty days of the date of service of this Complaint. The date of service is the mailing date, as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An answer is a written explanation of circumstances wished to be considered in determining the

outcome. The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your answer must be verified and the original and three copies sent to:

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within twenty days, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty, which will include the revocation of your Certificate of Public Convenience.

C. If you file an answer which admits or fails to deny the allegations of the Complaint, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty, which may include the revocation of your Certificate of Public Convenience.

D. If you file an answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision.

E. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at 717-787-1168.

Complaint

Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Country Lines, Inc.; Doc. No. A-00112053C; A-00112053

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Country Lines, Inc., respondent, maintains its principal place of business at P. O. Box 1717, Salisbury, MD 21802-1717.

2. That respondent was issued a certificate of public convenience by this Commission on July 18, 1995, at Application Docket No. A-00112053.

3. That respondent abandoned or discontinued service without having first submitted a letter to this Commission containing a statement that the service is no longer being rendered. Respondent has not reported intrastate revenue for the years 1999, 2000, 2001, and 2002.

4. That respondent, by failing to submit a letter to this Commission containing a statement that the service is no longer being rendered, violated 52 Pa. Code § 3.381(a)(5) and, by failing to maintain adequate, efficient and safe service and facilities, violated 66 Pa.C.S. § 1501.

WHEREFORE, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission revoke respondent's Certificate of Public Convenience at A-00112053.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement
Motor Carrier Services & Enforcement
Division
Bureau of Transportation and Safety
P. O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, Wendy J. Keezel, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____

Wendy J. Keezel, Chief of
Enforcement

NOTICE

A. You must file an answer within twenty days of the date of service of this Complaint. The date of service is the mailing date, as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An answer is a written explanation of circumstances wished to be considered in determining the outcome. The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your answer must be verified and the original and three copies sent to:

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within twenty days, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty, which will include the revocation of your Certificate of Public Convenience.

C. If you file an answer which admits or fails to deny the allegations of the Complaint, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty, which may include the revocation of your Certificate of Public Convenience.

D. If you file an answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision.

E. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at 717-787-1168.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 04-411. Filed for public inspection March 5, 2004, 9:00 a.m.]

Telecommunications

A-310581F7001. Verizon North Inc. and VIC-RMTS-DC, LLC d/b/a Verizon Avenue. Joint petition of Verizon North Inc. and VIC-RMTS-DC, LLC d/b/a Verizon Avenue for approval of amendment no. 1 to an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon North Inc. and VIC-RMTS-DC, LLC d/b/a Verizon Avenue, by its counsel, filed on February 11, 2004, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of amendment no. 1 to an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon North Inc. and VIC-RMTS-DC, LLC d/b/a Verizon Avenue joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 04-412. Filed for public inspection March 5, 2004, 9:00 a.m.]

Telecommunications

A-310581F7000. Verizon Pennsylvania Inc. and VIC-RMTS-DC, LLC d/b/a Verizon Avenue. Joint petition of Verizon Pennsylvania Inc. and VIC-RMTS-DC, LLC d/b/a Verizon Avenue for approval of amendment no. 1 to an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and VIC-RMTS-DC, LLC d/b/a Verizon Avenue, by its counsel, filed on February 11, 2004, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of amendment no. 1 to an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon Pennsylvania Inc. and VIC-RMTS-DC, LLC d/b/a Verizon Avenue joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 04-413. Filed for public inspection March 5, 2004, 9:00 a.m.]

Wastewater Service

A-230101. Hidden Valley Utility Services, L. P. Application of Hidden Valley Utility Services, L. P. for approval to begin to offer, render, furnish or supply wastewater service to the public in Hidden Valley, PA.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before March 22, 2004. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

Applicant: Hidden Valley Utility Services, L. P.

Through and By Counsel: Jeffrey A. Franklin, Esquire and Carl J. Engleman, Jr., Ryan, Russell, Ogden and Seltzer, LLP, Suite 330, 1105 Berkshire Boulevard, Wyomissing, PA 19610-1222.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 04-414. Filed for public inspection March 5, 2004, 9:00 a.m.]

Water Service

A-210117. Hidden Valley Utility Services, L. P. Application of Hidden Valley Utility Services, L. P. for approval to begin to offer, render, furnish or supply water service to the public in Hidden Valley, PA.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before March 22, 2004. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

Applicant: Hidden Valley Utility Services, L. P.

Through and By Counsel: Jeffrey A. Franklin, Esquire and Carl J. Engleman, Jr., Ryan, Russell, Ogden and Seltzer, LLP, Suite 330, 1105 Berkshire Boulevard, Wyomissing, PA 19610-1222.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 04-415. Filed for public inspection March 5, 2004, 9:00 a.m.]

PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

Hearing Scheduled

A hearing has been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's (System) denial of claimant's request concerning the indicated account.

The hearing will be held before a hearing examiner at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

April 14, 2004 Charlie Mae Brown (D) 1 p.m.
(Death Benefit)

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Marilyn Fuller-Smith, Assistant to the Executive Director, (717) 720-4921 to discuss how the System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

JEFFREY B. CLAY,
Executive Director

[Pa.B. Doc. No. 04-416. Filed for public inspection March 5, 2004, 9:00 a.m.]

STATE CONTRACTS INFORMATION

DEPARTMENT OF GENERAL SERVICES

Act 266 of 1982 provides for the payment of interest penalties on certain invoices of "qualified small business concerns". The penalties apply to invoices for goods or services when payments are not made by the required payment date or within a 15 day grace period thereafter.

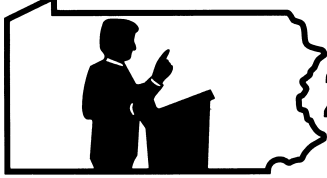
Act 1984-196 redefined a "qualified small business concern" as any independently owned and operated, for-profit business concern employing 100 or fewer employees. See 4 Pa. Code § 2.32. The business must include the following statement on every invoice submitted to the Commonwealth: "(name of business) is a qualified small business concern as defined in 4 Pa. Code 2.32."

A business is eligible for payments when the required payment is the latest of:
 The payment date specified in the contract.
 30 days after the later of the receipt of a proper invoice or receipt of goods or services.
 The net payment date stated on the business' invoice.

A 15-day grace period after the required payment date is provided to the Commonwealth by the Act.

For more information: contact: Small Business Resource Center
 PA Department of Community and Economic Development
 374 Forum Building
 Harrisburg, PA 17120
 800-280-3801 or (717) 783-5700

Reader's Guide



Legal Services & Consultation

① Service Code Identification Number

② Commodity/Supply or Contract Identification No.

B-54137. Consultant to provide three 2-day training sessions, covering the principles, concepts, and techniques of performance appraisal and standard setting with emphasis on performance and accountability, with a knowledge of State Government constraints.

Department: General Services
 Location: Harrisburg, Pa.
 Duration: 12/1/93-12/30/93
 Contact: Procurement Division
 787-0000

③ Contract Information

④ Department

⑤ Location

⑥ Duration

⑦ (For Commodities: Contact:) Vendor Services Section
 717-787-2199 or 717-787-4705

REQUIRED DATA DESCRIPTIONS

① Service Code Identification Number: There are currently 39 state service and contractual codes. See description of legend.

② Commodity/Supply or Contract Identification No.: When given, number should be referenced when inquiring of contract of Purchase Requisition. If more than one number is given, each number represents an additional contract.

③ Contract Information: Additional information for bid preparation may be obtained through the departmental contracting official.

④ Department: State Department or Agency initiating request for advertisement.

⑤ Location: Area where contract performance will be executed.

⑥ Duration: Time estimate for performance and/or execution of contract.

⑦ Contact: (For services) State Department or Agency where vendor inquiries are to be made.
 (For commodities) Vendor Services Section (717) 787-2199 or (717) 787-4705

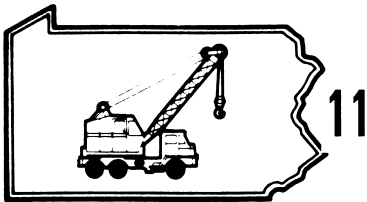
PA TREASURY BUSINESS OUTLET—PLUG INTO IT!

The Treasury Department's Bureau of Contracts and Public Records can help you do business with state government agencies. Our efforts focus on guiding the business community through the maze of state government offices. The bureau is, by law, the central repository for all state contracts over \$5,000. Services are free except the cost of photocopying contracts or dubbing a computer diskette with a list of current contracts on the database. A free brochure explains how to take advantage of available services.

Contact: **Bureau of Contracts and Public Records**
 Pennsylvania State Treasury
 Room 201 Finance Building
 Harrisburg, PA 17120
 717-787-4586
 1-800-252-4700
 BizOutlet@patreasury.org

BARBARA HAFER,
State Treasurer

SERVICES



Demolition—Structural Only

02E430 Sealed bid for demolition—Seven Unit Apartment Building with Store Front. Bidders must be on PennDOT's contractors pre-qualified list as prime approved for demolition, work code class "B." Asbestos report will be included in bid package. Bids will be accepted at Department of Transportation, 1924 Daisy Street Extension, Clearfield, PA 16830 until 1 p.m. on March 22, 2004.

Department: Transportation

Location: Location of Demolition, City of DuBois, 411 DuBois Avenue (S.R. 00219), DuBois, PA 15801

Duration: 30 Days

Contact: Yvonne Parker, (814) 765-0565

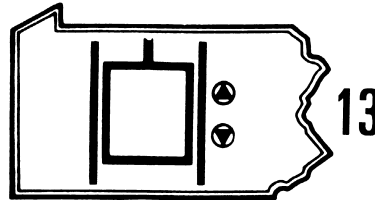
02E431 Sealed bid for demolition—One Story Block Building on Concrete Slab. Bidders must be on PennDOT's contractors prequalified list as prime approved for demolition, work code class "B." Asbestos report will be included in bid package. Bids will be accepted at Department of Transportation, 1924 Daisy Street Extension, Clearfield, PA 16830 until 1 p.m. on March 22, 2004.

Department: Transportation

Location: Location of Demolition, City of DuBois, DuBois Avenue (S.R. 00219), DuBois, PA 15801

Duration: 30 Days

Contact: Yvonne Parker, (814) 765-0565



Elevator Maintenance

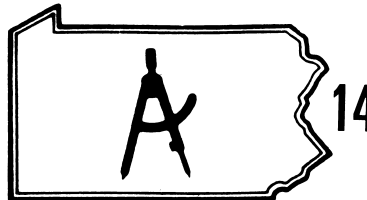
KURFP-0069 Kutztown University is seeking proposals from qualified contractors to provide elevator maintenance and repair services. Service to include elevator preventive maintenance and repairs. Interested contractors must submit a written request to receive an RFP packet to Kutztown University, Purchasing Department, Attn: Craig Kleinsmith, P. O. Box 730, Kutztown, PA 19530; Fax: (610) 683-4674 or e-mail kleinsmi@kutztown.edu. RFP packets are available from March 8 through March 22, 2004. A pre-proposal conference will be held on March 24, 2004 at 10:00 AM. Questions prior to proposal submission must be submitted in writing no later than 12 Noon on March 29, 2004. Proposals must be received by 2 p.m. on April 6, 2004. Late submissions will be rejected.

Department: State System of Higher Education

Location: Kutztown University, Kutztown, PA 19530

Duration: 2 years

Contact: Craig Kleinsmith, (610) 683-4774



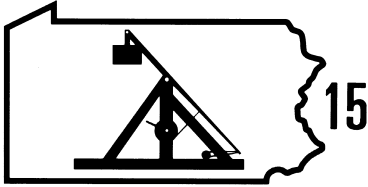
Engineering Services

PennDOT-ECMS The Pennsylvania Department of Transportation has established a website advertising for the retention of engineering firms. You can view these business opportunities by going to the Department of Transportation's Engineering and Construction Management System at www.dot2.state.pa.us.

Department: Transportation

Location: Various

Contact: www.dot2.state.pa.us



Environmental Maintenance Service

D67-148-101.1 Detter's Mill Dam Removal. The principal items of work and approximate quantities include 350 cubic yards of dam removal, 150 cubic yards of streambank reconstruction and stabilization and .25 acres of seeding. This project issues on March 5, 2004 and bids will be opened on April 1, 2004 at 2:00 p.m. Payment in the amount of \$10.00 must be received before bid documents will be sent. A mandatory pre-bid conference will be held at 9:30 a.m. on March 16, 2004 on the Southern Bank of the Conewago Creek at the Project Site located on Detter's Mill Road in Dover Township, York County. Failure to attend the Pre-Bid Conference will be cause for rejection of the bid.

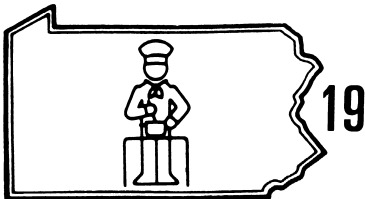
Department: Environmental Protection
Location: Dover and Warrington Townships, York County, PA
Duration: 45 calendar days after the official starting date.
Contact: Construction Contracts Section, (717) 783-7994

BF 484-102.1 Abandoned Mine Land Reclamation Project, Bryar Construction, Mining Permit No. 3477SM29. The principal items of work and approximate quantities include 62,000 cubic yards of grading, 3,400 cubic yards of ditch excavation, 2,500 square yards of rock lining and 27 acres of seeding. This project issues on March 5, 2004 and bids will be opened on April 1, 2004 at 2:00 p.m. Payment in the amount of \$10.00 must be received before bid documents will be sent.

Department: Environmental Protection
Location: Hempfield Township, Westmoreland County, PA
Duration: 300 calendar days after the official starting date.
Contact: Construction Contracts Section, (717) 783-7994

BF 440-101.1 Abandoned Mine Land Reclamation Project, Attilio Cicconi. The principal items of work and approximate quantities include 340,000 cubic yards of grading, 45,000 cubic yards of rock excavation, 1,720 cubic yards of ditch excavation, 1,060 square yards of rock lining with filter material and 54 acres of seeding. This project issues on March 5, 2004 and bids will be opened on April 1, 2004 at 2:00 p.m. Payment in the amount of \$10.00 must be received before bid documents will be sent.

Department: Environmental Protection
Location: Luzerne Township and Brownsville Borough, Fayette County, PA
Duration: 360 calendar days after the official starting date.
Contact: Construction Contracts Section, (717) 783-7994



Food

CN00007489 Ice cream and ice cream products.

Department: Public Welfare
Location: Youth Development Center, 1745 Frew Mill Road, New Castle, PA 16101
Duration: April 1, 2004 through June 30, 2004
Contact: Kathleen A Zeigler, (724) 656-7308

CN00007493 Fresh breads and rolls.

Department: Public Welfare
Location: Youth Development Center, 1745 Frew Mill Road, New Castle, PA 16101
Duration: April 1, 2004 through June 30, 2004
Contact: Kathleen A Zeigler, (724) 656-7308

CN00007490 Fresh prepared fruits and vegetables.

Department: Public Welfare
Location: Youth Development Center, 1745 Frew Mill Road, New Castle, PA 16101
Duration: April 1, 2004 through June 30, 2004
Contact: Kathleen A Zeigler, (724) 656-7308

CN00007496 Fresh and frozen poultry and poultry products.

Department: Public Welfare
Location: Youth Development Center, 1745 Frew Mill Road, New Castle, PA 16101
Duration: April 1, 2004 through June 30, 2004
Contact: Kathleen A Zeigler, (724) 656-7308

CN00007492 Fresh and frozen fish and fish products.

Department: Public Welfare
Location: Youth Development Center, 1745 Frew Mill Road, New Castle, PA 16101
Duration: April 1, 2004 through June 30, 2004
Contact: Kathleen A Zeigler, (724) 656-7308

CN00007498 Fresh and frozen meat and meat products.

Department: Public Welfare
Location: Youth Development Center, 1745 Frew Mill Road, New Castle, PA 16101
Duration: April 1, 2004 through June 30, 2004
Contact: Kathleen A Zeigler, (724) 656-7308

CN00007487 Fresh shell eggs.

Department: Public Welfare
Location: Youth Development Center, 1745 Frew Mill Road, New Castle, PA 16101
Duration: April 1, 2004 through June 30, 2004
Contact: Kathleen A Zeigler, (724) 656-7308

CN00007491 Fresh pastries.

Department: Public Welfare
Location: Youth Development Center, 1745 Frew Mill Road, New Castle, PA 16101
Duration: April 1, 2004 through June 30, 2004
Contact: Kathleen A Zeigler, (724) 656-7308

CN00007495 Fresh fruits and vegetables.

Department: Public Welfare
Location: Youth Development Center, 1745 Frew Mill Road, New Castle, PA 16101
Duration: April 1, 2004 through June 30, 2004
Contact: Kathleen A Zeigler, (724) 656-7308

CN00007497 Frozen fruits and vegetables.

Department: Public Welfare
Location: Youth Development Center, 1745 Frew Mill Road, New Castle, PA 16101
Duration: April 1, 2004 through June 30, 2004
Contact: Kathleen A Zeigler, (724) 656-7308

CN00007494 Cheese and dairy products.

Department: Public Welfare
Location: Youth Development Center, 1745 Frew Mill Road, New Castle, PA 16101
Duration: April 1, 2004 through June 30, 2004
Contact: Kathleen A Zeigler, (724) 656-7308

CN00007499 Miscellaneous entrees and food products.

Department: Public Welfare
Location: Youth Development Center, 1745 Frew Mill Road, New Castle, PA 16101
Duration: April 1, 2004 through June 30, 2004
Contact: Kathleen A Zeigler, (724) 656-7308



Janitorial Services

FM 8712 Furnish all labor, equipment and materials to perform janitorial services two (2) days per week at the PA State Police, Central Interdiction Unit. Detailed work schedule and bid must be obtained from the Facility Management Division, 717-705-5951.

Department: State Police
Location: PSP, Central Interdiction Unit, Water Works Building, 614 North Front Street, Harrisburg, PA 17101
Duration: 06/01/04 to 06/30/07
Contact: Sandy Wolfe, (717) 705-5951



Medical Services

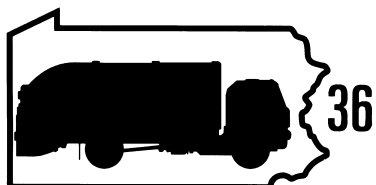
21097 Dental lab services: contractor shall furnish all labor, equipment, materials, supplies, and physical facilities necessary to provide dental laboratory services to SCI—Chester. More detailed information can be obtained from the Institution.

Department: Corrections

Location: SCI—Chester, 500 E. 4th Street, Chester, PA 19013

Duration: July 1, 2004—June 30, 2006

Contact: Jacqueline Newson, Purchasing Agent, (610) 490-4370



Sanitation

113-1079 Contractor to provide trash removal services for Southwestern Veterans Center. Specifications available upon request.

Department: Military Affairs

Location: Southwestern Veterans Center, 7060 Highland Dr., Pittsburgh, Pa. 15206

Duration: 9/01/2004—8/31/2006

Contact: Ken Wilson, (412) 665-6727

113-1000 Contractor shall provide all equipment, parts and labor necessary for the installation, maintenance and operation of 1,500 gallon liquid oxygen station on a facility provided pad.

Department: Military Affairs

Location: Southwestern Veterans Center, 7060 Highland Dr., Pittsburgh, PA 15206

Duration: 7/01/2004—6/30/2006

Contact: Ken Wilson, (412) 665-6727

[Pa.B. Doc. No. 04-417. Filed for public inspection March 5, 2004, 9:00 a.m.]

DESCRIPTION OF LEGEND

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| <p>1 Advertising, Public Relations, Promotional Materials</p> <p>2 Agricultural Services, Livestock, Equipment, Supplies & Repairs: Farming Equipment Rental & Repair, Crop Harvesting & Dusting, Animal Feed, etc.</p> <p>3 Auctioneer Services</p> <p>4 Audio/Video, Telecommunications Services, Equipment Rental & Repair</p> <p>5 Barber/Cosmetology Services & Equipment</p> <p>6 Cartography Services</p> <p>7 Child Care</p> <p>8 Computer Related Services & Equipment Repair: Equipment Rental/Lease, Programming, Data Entry, Payroll Services, Consulting</p> <p>9 Construction & Construction Maintenance: Buildings, Highways, Roads, Asphalt Paving, Bridges, Culverts, Welding, Resurfacing, etc.</p> <p>10 Court Reporting & Stenography Services</p> <p>11 Demolition—Structural Only</p> <p>12 Drafting & Design Services</p> <p>13 Elevator Maintenance</p> <p>14 Engineering Services & Consultation: Geologic, Civil, Mechanical, Electrical, Solar & Surveying</p> <p>15 Environmental Maintenance Services: Well Drilling, Mine Reclamation, Core & Exploratory Drilling, Stream Rehabilitation Projects and Installation Services</p> <p>16 Extermination Services</p> <p>17 Financial & Insurance Consulting & Services</p> <p>18 Firefighting Services</p> <p>19 Food</p> <p>20 Fuel Related Services, Equipment & Maintenance to Include Weighing Station Equipment, Underground & Above Storage Tanks</p> <p>21 Hazardous Material Services: Abatement, Disposal, Removal, Transportation & Consultation</p> | <p>22 Heating, Ventilation, Air Conditioning, Electrical, Plumbing, Refrigeration Services, Equipment Rental & Repair</p> <p>23 Janitorial Services & Supply Rental: Interior</p> <p>24 Laboratory Services, Maintenance & Consulting</p> <p>25 Laundry/Dry Cleaning & Linen/Uniform Rental</p> <p>26 Legal Services & Consultation</p> <p>27 Lodging/Meeting Facilities</p> <p>28 Mailing Services</p> <p>29 Medical Services, Equipment Rental and Repairs & Consultation</p> <p>30 Moving Services</p> <p>31 Personnel, Temporary</p> <p>32 Photography Services (includes aerial)</p> <p>33 Property Maintenance & Renovation—Interior & Exterior: Painting, Restoration, Carpentry Services, Snow Removal, General Landscaping (Mowing, Tree Pruning & Planting, etc.)</p> <p>34 Railroad/Airline Related Services, Equipment & Repair</p> <p>35 Real Estate Services—Appraisals & Rentals</p> <p>36 Sanitation—Non-Hazardous Removal, Disposal & Transportation (Includes Chemical Toilets)</p> <p>37 Security Services & Equipment—Armed Guards, Investigative Services & Security Systems</p> <p>38 Vehicle, Heavy Equipment & Powered Machinery Services, Maintenance, Rental, Repair & Renovation (Includes ADA Improvements)</p> <p>39 Miscellaneous: This category is intended for listing all bids, announcements not applicable to the above categories</p> |
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DONALD T. CUNNINGHAM, Jr.
Secretary

