

# 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 March 30, 2004.

#### BANKING INSTITUTIONS

##### Mutual Holding Company Reorganization

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
3-26-04	Sharon Savings Bank Darby Delaware County	Darby	Effective
	Represents reorganization into a mutual holding company to be known as Sharon Mutual Holding Company, Darby, PA, parent company of Sharon Bancorp, Inc. Sharon Savings Bank will be a wholly owned subsidiary of Sharon Bancorp, Inc., a newly formed Federally-chartered stock holding company, who in turn is a subsidiary of Sharon Mutual Holding Company, a newly formed Federally-chartered mutual holding company.		
3-29-04	Beneficial Mutual Savings Bank Philadelphia Philadelphia County	Philadelphia	Filed
	Application represents reorganization into a mutual holding company to be known as Beneficial Savings Bank MHC.		

##### Conversions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
3-26-04	Sharon Savings Bank Darby Delaware County	Darby	Effective
	Represents conversion from a State-chartered mutual savings bank to a State-chartered stock savings bank in conjunction with the reorganization into a mutual holding company form of ownership listed previously.		

##### Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
3-17-04	Pennsylvania Business Bank Philadelphia Philadelphia County	1691-1695 Grant Avenue Philadelphia Philadelphia County	Opened
3-24-04	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	Acme Stores at the following three locations:  531 High Street Mt. Holly Burlington County, NJ 501 East Evesham Road Runnemede Camden County, NJ 175 Route 70 Medford Burlington County, NJ	Filed
3-25-04	PeoplesBank, a Codorus Valley Company York York County	The Brogue Center 2514 Delta Road Brogue Chanceford Township York County	Filed
3-26-04	NOVA Savings Bank Philadelphia Philadelphia County	1235 West Chester Pike Havertown Delaware County	Approved

**Branch Relocations**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
3-22-04	Northwest Savings Bank Warren Warren County	<i>To:</i> 101 Monroe Road Sarver Buffalo Township Butler County  <i>From:</i> 737 South Pike Road Sarver Butler County	Effective
3-29-04	Patriot Bank Pottstown Montgomery County	<i>To:</i> 3101 Shillington Road Sinking Spring Berks County  <i>From:</i> 155 Shillington Road Sinking Spring Berks County	Filed

**SAVINGS INSTITUTIONS**

No activity.

**CREDIT UNIONS**

No activity.

A. WILLIAM SCHENCK, III,  
*Secretary*

[Pa.B. Doc. No. 04-612. Filed for public inspection April 9, 2004, 9:00 a.m.]

## DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

### Maiden Creek Watershed Management Plan

The Department of Conservation and Natural Resources (Department), Bureau of Recreation and Conservation, has approved the Maiden Creek Watershed Management Plan (Plan) and is placing Maiden Creek, the watershed and all tributaries covered in the Plan in Berks, Lehigh and Schuylkill Counties on the Pennsylvania Rivers Conservation Registry (Registry).

The Berks County Conservancy submitted the Plan and other required information to gain Registry status.

After review of the Plan and other information, the Department has determined that the Pennsylvania Rivers Conservation Program (Program) requirements have been satisfied and places the following on the Registry:

1. The watershed area of Maiden Creek (Berks, Lehigh and Schuylkill Counties) from the headwaters to its confluence with the Schuylkill River—220.83 square miles.

2. All tributary streams within the Maiden Creek Watershed.

This action becomes effective April 10, 2004. Projects identified in the Plan become eligible for implementation, development or acquisition grant funding through the Program.

A copy of the Final Plan is available for review at the Berks County Conservancy, 25 North 11th Street, Reading, PA 19610, (610) 372-4992; and the Department of Conservation and Natural Resources, Rachel Carson State Office Building, 400 Market Street, 6th Floor, Harrisburg, PA 17101, (717) 787-7672.

Maps and supporting data are on file at the Berks County Conservancy.

MICHAEL F. DIBERARDINIS,  
*Secretary*

[Pa.B. Doc. No. 04-613. Filed for public inspection April 9, 2004, 9:00 a.m.]

### Retention of a Professional Design Firm; Project Reference No. FDC-500-740

The Department of Conservation and Natural Resources (Department) will retain a professional design firm for an open end contract for various sanitary engineering designs, including sewage systems, water systems and swimming pools and general CADD services. The contract will be for a 12-month period with four 12-month extensions possible. Projects will be assigned on an as-needed basis.

Letters of interest for these projects will only be accepted from individuals, firms or corporations duly authorized to engage in the practice of professional design. If an individual, firm or corporation not authorized to engage in the practice of engineering wishes to submit a letter of interest, the individual, firm or corporation may do so as part of a joint venture with an individual, firm or corporation that is permitted under State law to engage in the practice of engineering in this Commonwealth. The professional design firm may be a general engineering firm with a sanitary engineering subconsultant or a sanitary engineering firm.

This firm's area of responsibility for assigned work shall be throughout this Commonwealth. Bureau of Facility Design and Construction (Bureau) personnel may do project work in conjunction with this professional design firm on some of the projects.

The services may encompass a wide range of design and environmental efforts with the possibility of several

different types of projects being designed under short completion schedules. The firm may be required to design multiple projects at the same time.

The open ended design services work will consist of sanitary design work for new and existing facilities including mechanical, plumbing and electrical design, major maintenance repair, renovations to existing facilities and expansion of existing facilities. Some of these projects may be for smaller facilities with limited project scope. Some projects may entail the use of innovative treatment technologies.

The professional design firm may be required to perform any or all of the following duties: attend site visits; prepare minutes; perform necessary field surveys; plot topography and cross sections; develop erosion control details and narrative; prepare type, size and location report; prepare modules for permit applications; prepare construction drawings, specifications and estimates; procure core borings; provide soil and foundation engineering report; investigate utility involvement; evaluate alternative using benefit/cost analysis, develop details and narratives; prepare reports; and the review of shop drawings, catalog cuts and occasional attendance at job conferences may be required.

The services shall also include, but not be limited to, a preliminary meeting for each project in the Bureau of Facility Design and Construction, 8th Floor, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. Work may be done on an hourly basis or a maximum cost work order for the individual design project. Payment for services and expenses shall not exceed the contract amount. The design work will be reviewed by the engineering staff of the Bureau and, when acceptable, approved by same staff.

*Information Concerning Socially and Economically Restricted Businesses (SERB)*

SERBs are small businesses whose economic growth and development have been restricted based on social and economic bias. Small businesses are Bureau of Minority and Women Business Opportunities (BMWBO)-certified minority and women-owned businesses, other disadvantaged businesses and businesses whose development has been impeded because their primary or headquarters facilities are physically located in areas designated by the Commonwealth as being designated enterprise zones. A small business will not be considered socially/economically restricted if it has gross annual revenues of \$8 million (\$18 million for businesses in the information technology sales or services business) or more, is dominant in its field of operation or employs more than 100 persons.

A company and its affiliates have achieved success and are graduated from this State-sponsored program when its gross annual revenues are \$8 million (\$18 million for businesses in the information technology sales or service business) or more. Other small business in which an owner of the graduated firm has a financial interest or control over, either directly or through family members, will not qualify for SERB status. Control is defined as the power, whether or not exercised, to direct or cause the direction of the management and policies of a firm, whether through the ownership of voting shares, by contract or otherwise or through the making of day-to-day as well as major decisions in matters of policy, management and operations. A determination of control shall include, but shall not be limited to, the following factors: capital investment and all other financial, property, acqui-

sition, contract negotiation and legal matters; officer-director-employee selection and comprehensive hiring, operating responsibility, cost-control matters and income and dividend matters; financial transactions; and rights of other shareholders or joint partners.

Contractors and others seeking to identify businesses for joint venture and subcontracting opportunities are encouraged to contact the Department of General Services, Bureau of Minority and Women Business Opportunities, Room 502, North Office Building, Harrisburg, PA 17125, (717) 787-7380, [www.dgsapp.state.pa.us/cabd/mwbddata.asp](http://www.dgsapp.state.pa.us/cabd/mwbddata.asp).

*SERB Information*

To receive credit for being a SERB, entering into a joint venture agreement with a SERB or subcontracting to a SERB (including purchasing supplies or services through a purchase agreement), a company must include proof of SERB qualification in the SERB portion of the proposal:

1. SERBs qualifying as a result of MBE/WBE certification from the BMWBO must provide their BMWBO certification number or a photocopy of their BMWBO certificate.

2. SERBs qualifying as a result of having their headquarters located in a designated enterprise zone must provide proof of this status, including proof of the location of their headquarters (such as a lease or deed) and confirmation of the enterprise zone in which they are located (obtained from their local enterprise zone office). More information on the locations of enterprise zones can be obtained by calling the Department of Community and Economic Development (DCED), (717) 720-7409, fax (717) 787-4088, [akartorie@state.pa.us](mailto:akartorie@state.pa.us).

3. SERBs qualifying as disadvantaged businesses certified by the Small Business Administration must submit proof of Small Business Administration certification.

4. Companies claiming SERB status, whether as a result of BMWBO certification, Small Business Administration certification as a disadvantaged business or the location of their headquarters in an enterprise zone, must submit proof that their gross annual revenues are less than \$8 million (\$18 million for businesses in the information technology sales or services business). This can be accomplished by including a recent tax or audited financial statement.

In addition to these verifications, the SERB portion of the proposal should include the following information:

1. The name and telephone number of the project contact person for the SERB.

2. The company name, address and telephone number of the prime contact person for each specific SERB business included in the proposal. The SERB businesses to which commitments are made must be specified. Credit will not be received by stating a SERB will be found after the contract is awarded or by listing several companies and stating one will be selected later.

3. The specific work, goods or services the SERB will perform or provide.

4. The location where the SERB will perform these services.

5. The timeframe for the SERB to provide or deliver the goods or services.

6. The amount of capital, if any, the SERB will be expected to provide.

7. The form and amount of compensation each SERB will receive. In the SERB Information portion of the proposal, provide the estimated dollar value of the contract to each SERB.

8. The percent of the total value of services or products purchased/subcontracted under the proposal that will be provided by the SERB.

9. In the case of a joint venture agreement, a copy of the agreement, signed by all parties, must be included in the SERB portion of the proposal. If subcontracting, a signed subcontract or letter of intent must be included in the SERB portion of the proposal.

The SERB portion of the proposal must be identified as SERB information and bound and sealed separately from the remainder of the proposal. Only one copy of the SERB section is needed.

The dollar value ratio designated for SERB commitment should be placed in a separate sealed envelope and stapled to the SERB section of the proposal or included in the bound and sealed envelope.

The selected contractor's SERB commitment amount, name of the SERB and services to be provided including timeframe for performing services will be included as a contractual obligation when the contract is executed.

#### *SERB Participation*

The following options will be considered as part of the final criteria for selection:

*Priority Rank 1*—Proposals submitted by SERBs.

*Priority Rank 2*—Proposals submitted from a joint venture with a Commonwealth-approved SERB as a joint venture partner.

*Priority Rank 3*—Proposals submitted with subcontracting commitments to SERBs.

A proposal will be rated for its approach to enhancing the utilization of SERBs. Each approach will be evaluated, with option number one receiving the greatest value and the succeeding options receiving values in accordance with the previously listed priority ranking.

#### *SERB Contract Requirements*

Contracts containing SERB participation must also include a provision requiring the contractor to meet and maintain those commitments made to SERBs at the time of proposal submittal or contract negotiation, unless a change in the commitment is approved by the contracting Commonwealth agency upon recommendation by the BMWBO. Contracts containing SERB participation must include a provision requiring SERB contractors and SERBs in a joint venture to incur at least 50% of the cost of the subcontract or SERB portion of the joint venture, not including materials.

Commitments to SERBs made at the time of proposal submittal or contract negotiation must be maintained throughout the term of the contract. A proposed change must be submitted to the BMWBO, which will make a recommendation as to a course of action to the contracting officer.

If a contract is assigned to another contractor, the new contractor must maintain the SERB participation of the original contract.

The contractor shall complete the Prime Contractor's Quarterly Utilization Report (or similar type document containing the same information) and submit it to the contracting officer of the agency that awarded the con-

tract and the BMWBO within 10 workdays at the end of each quarter the contract is in force. If there was no activity, the form must also be completed, stating "No activity in this quarter." This information will be used to determine the actual dollar amount paid to SERB subcontractors, suppliers and joint ventures. Also, it is a record of fulfillment of the commitment the firm made and for which it received SERB points.

*Note:* Equal employment opportunity and contract compliance statements referring to company equal employment opportunity policies or past contract compliance practices do not constitute proof of SERB status or entitle a proposer to receive credit for SERB utilization.

#### *General Requirements and Information*

Firms interested in performing the required services for the project are invited to submit letters of interest to Eugene J. Comoss, P. E., Director, Bureau of Facility Design and Construction, Rachel Carson State Office Building, 8th Floor, 400 Market Street, P. O. Box 8451, Harrisburg, PA 17105-8451. Contact James Eppley or David Brenneman at (717) 787-4892 for general information concerning the design work.

Each letter of interest must include the firm's Federal identification number and the project reference number. The letter of interest shall also include a description of the firm's three most recently completed sanitary/water treatment projects. The description shall include the client, contact person and phone number, the estimated or actual construction cost of the portion of the work which the firm designed, the project manager and the names of all personnel who made major contributions to the project. The letter of interest shall indicate the firm's capability of working on multiple small projects at the same time and understanding of the Department's needs. A standard DGS Form 150-ASP must accompany the letter of interest and shall indicate the individual in charge. The Form 150-ASP is available by downloading from Department of General Services (DGS) website: [www.dgs.state.pa.us/cnprs.htm](http://www.dgs.state.pa.us/cnprs.htm). Form 150-ASP may also be obtained in hard copy or on disk in Word '97 format only by contacting the Selections Committee, Department of General Services, Room 104, 18th and Herr Streets, Harrisburg, PA 17125, [pbianchi@exec.gsinc.state.pa.us](mailto:pbianchi@exec.gsinc.state.pa.us). Additional information pertinent to the firm's qualifications to do the work of this contract may be included. Direct costs other than payroll, such as travel and subsistence, shall be based on the current State rates. The Department shall reimburse miscellaneous expenses such as copies, prints, sepias, postage and film at cost upon approval.

The following factors will be considered during the evaluation of the firm's letter of interest:

Criteria evaluated by the technical review will include:

—Professional's understanding of the design work as demonstrated in letter of interest and as stated in the interpretation of the tasks to be performed.

—Qualifications of firm.

—Professional personnel in firm.

—Soundness of approach as demonstrated in the letter of interest, including the firm's description of prompt responsiveness to design questions, shop drawings and construction questions.

—Available manpower to perform the services required.

—SERB participation (evaluated by the DGS).

—Equitable distribution of the contracts.

—The proposer shall relate the proposal to the previous criteria.

Six copies of the letter of interest, six copies of the required forms and one copy of the SERB information must be received by 4 p.m. on May 6, 2004. Six copies shall be submitted in six complete sets that shall be spiral bound or in folders or secured by binder clips. The assignment and services will be made to one of the firms responding to this notice. However, the Department reserves the right to reject all letters of interest submitted, cancel the solicitation requested under this notice and readvertise solicitation for this service.

The Department will offer a debriefing session to the unsuccessful firms. The Department disclaims any liability whatsoever to its review of the proposals submitted and in formulating a recommendation for selections. Recommendations made by the Department shall be final.

MICHAEL F. DIBERARDINIS,  
*Secretary*

[Pa.B. Doc. No. 04-614. Filed for public inspection April 9, 2004, 9:00 a.m.]

### **Retention of a Professional Design Firm or Firms; Project Reference No. FDC-500-750**

The Department of Conservation and Natural Resources (Department) will retain a professional design firm or firms for open end contracts for various building and engineering designs and associated geological services, environmental services and CADD services. The contracts will be for a 12-month period with four 12-month extensions possible. Projects will be assigned on an as-needed basis.

Letters of interest for these projects will only be accepted from individuals, firms or corporations duly authorized to engage in the practice of professional design. If an individual, firm or corporation not authorized to engage in the practice of engineering wishes to submit a letter of interest, the individual, firm or corporation may do so as part of a joint venture with an individual, firm or corporation that is permitted under State law to engage in the practice of engineering and or architecture in this Commonwealth. The professional design firm may be an engineering/architectural firm, an architectural/engineering firm, an engineering firm with an architectural subconsultant or an architectural firm with an engineering subconsultant.

The selected firm's area of responsibility for assigned work shall be throughout this Commonwealth. Bureau of Facility Design and Construction (Bureau) personnel will act as the project coordinator and may perform project work in conjunction with this professional design firm on some of the projects. Work order assignments may vary from full design development responsibilities for a project including survey, site, structural, architectural, HVAC, plumbing and electrical systems to a collaboration of design efforts with Department in-house design projects where just the coordination and design of a specific discipline such as electrical design is required.

The services may encompass a wide range of design and environmental efforts with the possibility of several different types of projects being designed under short completion schedules. The firm may be required to design multiple projects at the same time.

The open ended design services work will consist of building related site, civil, architectural, mechanical, plumbing and electrical designs, tie-ins to site utilities, major maintenance repair, renovations to existing buildings and additions to existing buildings. Many of these projects may be for buildings less than 5,000 square feet in size and small in terms of project scope.

Work will be performed with a focus on environmentally responsible (Green) design and construction principles and practices. Emphasis will be placed on knowledge of geothermal systems, sustainable site design and LID concepts, building commissioning knowledge and construction waste recycling experiences. The availability of LEED certified designers and an independent, third-party commissioning agent will be required services. The implementation of LEED accreditation on specific projects may be required.

Building designs shall be performed in accordance with the newly adopted Uniform Construction Code.

Areas of environmental study associated with these projects may include wetlands, soil, geology, 25 Pa. Code Chapter 105 (relating to dam safety and waterway management) and Corps of Engineers 404 permits.

As part of the building and site design, the selected firm may be required to perform any or all of the previous items to ensure a complete environmental investigation has been performed and may be required to provide the necessary environmental services, material and equipment necessary to collect, analyze and organize data, assess impacts, prepare reports and design mitigation plans.

The professional design firm may be required to perform any or all of the following duties: attend site visits; prepare minutes; perform necessary field surveys; plot topography and cross sections; develop erosion control details and narrative; prepare type, size and location report; prepare construction drawings, specifications and estimates; procure core borings; provide soil and foundation engineering report; investigate utility involvement; evaluate alternative using benefit/cost analysis, develop details and narratives; prepare reports; and the review of shop drawings, catalog cuts and occasional attendance at job conferences may be required.

The services shall also include for each project a preliminary meeting in the Bureau of Facility Design and Construction, 8th Floor, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The contract shall be based on the hours of service and qualifying expenses not exceeding the contract amount. Work may be done on an hourly basis or a maximum cost work order for the individual design project. The design work will be reviewed by the architectural and engineering staff of the Bureau and, when acceptable, approved by the same staff.

The number of open end contracts and the dollar amount of each contract shall be at the discretion of the Department for the first year. The extent of the work for the subsequent 4 years of the contract will be dependent on the availability of additional funds and additional projects for those years, also at the discretion of the Department.

*Information Concerning Socially and Economically Restricted Businesses (SERB)*

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and Women Business Opportunities (BMWBO)-certified minority and women-owned businesses, other disadvantaged businesses and businesses whose development has been impeded because their primary or headquarters facilities are physically located in areas designated by the Commonwealth as being designated enterprise zones. A small business will not be considered socially/economically restricted if it has gross annual revenues of \$8 million (\$18 million for businesses in the information technology sales or services business) or more, is dominant in its field of operation or employs more than 100 persons.

A company and its affiliates have achieved success and are graduated from this State-sponsored program when its gross annual revenues are \$8 million (\$18 million for businesses in the information technology sales or service business) or more. Other small business in which an owner of the graduated firm has a financial interest or control over, either directly or through family members, will not qualify for SERB status. Control is defined as the power, whether or not exercised, to direct or cause the direction of the management and policies of a firm, whether through the ownership of voting shares, by contract or otherwise or through the making of day-to-day as well as major decisions in matters of policy, management and operations. A determination of control shall include, but shall not be limited to, the following factors: capital investment and all other financial, property, acquisition, contract negotiation and legal matters; officer-director-employee selection and comprehensive hiring, operating responsibility, cost-control matters and income and dividend matters; financial transactions; and rights of other shareholders or joint partners.

Contractors and others seeking to identify businesses for joint venture and subcontracting opportunities are encouraged to contact the Department of General Services, Bureau of Minority and Women Business Opportunities, Room 502, North Office Building, Harrisburg, PA 17125, (717) 787-7380, [www.dgsapp.state.pa.us/cabd/mwldata.asp](http://www.dgsapp.state.pa.us/cabd/mwldata.asp).

#### *SERB Information*

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3. SERBs qualifying as disadvantaged businesses certified by the Small Business Administration must submit proof of Small Business Administration certification.

4. Companies claiming SERB status, whether as a result of BMWBO certification, Small Business Administration certification as a disadvantaged business or the location of their headquarters in an enterprise zone, must

submit proof that their gross annual revenues are less than \$8 million (\$18 million for businesses in the information technology sales or services business). This can be accomplished by including a recent tax or audited financial statement.

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4. The location where the SERB will perform these services.

5. The timeframe for the SERB to provide or deliver the goods or services.

6. The amount of capital, if any, the SERB will be expected to provide.

7. The form and amount of compensation each SERB will receive. In the SERB Information portion of the proposal, provide the estimated dollar value of the contract to each SERB.

8. The percent of the total value of services or products purchased/subcontracted under the proposal that will be provided by the SERB.

9. In the case of a joint venture agreement, a copy of the agreement, signed by all parties, must be included in the SERB portion of the proposal. If subcontracting, a signed subcontract or letter of intent must be included in the SERB portion of the proposal.

The SERB portion of the proposal must be identified as SERB information and bound and sealed separately from the remainder of the proposal. Only one copy of the SERB section is needed.

The dollar value ratio designated for SERB commitment should be placed in a separate sealed envelope and stapled to the SERB section of the proposal or included in the bound and sealed envelope.

The selected contractor's SERB commitment amount, name of the SERB and services to be provided including timeframe for performing services will be included as a contractual obligation when the contract is executed.

#### *SERB Participation*

The following options will be considered as part of the final criteria for selection:

*Priority Rank 1*—Proposals submitted by SERBs.

*Priority Rank 2*—Proposals submitted from a joint venture with a Commonwealth-approved SERB as a joint venture partner.

*Priority Rank 3*—Proposals submitted with subcontracting commitments to SERBs.

A proposal will be rated for its approach to enhancing the utilization of SERBs. Each approach will be evaluated, with option number one receiving the greatest value and the succeeding options receiving values in accordance with the previously listed priority ranking.

*SERB Contract Requirements*

Contracts containing SERB participation must also include a provision requiring the contractor to meet and maintain those commitments made to SERBs at the time of proposal submittal or contract negotiation, unless a change in the commitment is approved by the contracting Commonwealth agency upon recommendation by the BMWBO. Contracts containing SERB participation must include a provision requiring SERB contractors and SERBs in a joint venture to incur at least 50% of the cost of the subcontract or SERB portion of the joint venture, not including materials.

Commitments to SERBs made at the time of proposal submittal or contract negotiation must be maintained throughout the term of the contract. A proposed change must be submitted to the BMWBO, which will make a recommendation as to a course of action to the contracting officer.

If a contract is assigned to another contractor, the new contractor must maintain the SERB participation of the original contract.

The contractor shall complete the Prime Contractor's Quarterly Utilization Report (or similar type document containing the same information) and submit it to the contracting officer of the agency that awarded the contract and the BMWBO within 10 workdays at the end of each quarter the contract is in force. If there was no activity, the form must also be completed, stating "No activity in this quarter." This information will be used to determine the actual dollar amount paid to SERB subcontractors, suppliers and joint ventures. Also, it is a record of fulfillment of the commitment the firm made and for which it received SERB points.

*Note:* Equal employment opportunity and contract compliance statements referring to company equal employment opportunity policies or past contract compliance practices do not constitute proof of SERB status or entitle a proposer to receive credit for SERB utilization.

*General Requirements and Information*

Firms interested in performing the required services for the project are invited to submit letters of interest to Eugene J. Comoss, P.E., Director, Bureau of Facility Design and Construction, Rachel Carson State Office Building, 8th Floor, 400 Market Street, P. O. Box 8451, Harrisburg, PA 17105-8451. Contact Michael Twigg at (717) 787-2401 for general information concerning the design work.

Each letter of interest must include the firm's Federal identification number and the project reference number. The letter of interest shall also include a description of the firm's three most recently completed projects similar to the project proposed. The description shall include the client, contact person and phone number, the estimated or actual construction cost of the portion of the work which the firm designed, the project manager and the names of all personnel who made major contributions to the project. The letter of interest shall indicate the firm's capability of working on multiple small projects at the same time and understanding of the Department's needs. A standard DGS Form 150-ASP must accompany the

letter of interest and shall indicate the individual in charge. The Form 150-ASP is available by downloading from Department of General Services (DGS) website: [www.dgs.state.pa.us/cnprs.htm](http://www.dgs.state.pa.us/cnprs.htm). Form 150-ASP may also be obtained in hard copy or on disk in Word '97 format only by contacting the Selections Committee, Department of General Services, Room 104, 18th and Herr Streets, Harrisburg, PA 17125, [pbianchi@exec.gsinc.state.pa.us](mailto:pbianchi@exec.gsinc.state.pa.us). Additional information pertinent to the firm's qualifications to do the work of this contract may be included. Direct costs other than payroll, such as travel and subsistence, shall be based on the current State rates. The Department shall reimburse miscellaneous expenses such as copies, prints, sepias, postage and film at cost upon approval.

The following factors will be considered during the evaluation of the firm's letter of interest:

Criteria evaluated by the technical review will include:

—Professional's understanding of the problem as demonstrated in letter of interest and as stated in the interpretation of the tasks to be performed.

—Qualifications of firm.

—Professional personnel in firm.

—Soundness of approach as demonstrated in the letter of interest, including the firm's narrative description identifying available resources, services and means necessary to satisfy the potential design work described herein including prompt responsiveness to design questions, shop drawings and construction questions.

—Available manpower to perform the services required.

—Knowledge of and experiences with environmentally responsible (Green) design and LEED accreditation.

—Availability of building commissioning services.

—SERB participation (evaluated by the DGS).

—Equitable distribution of the contracts.

—The proposer shall relate the proposal to the previous criteria.

Six copies of the letter of interest, six copies of the required forms and one copy of the SERB information must be received by 4 p.m. on May 4, 2004. Six copies shall be submitted in six complete sets that shall be spiral bound or in folders or secured by binder clips. The assignment and services will be made to one or more of the firms responding to this notice. However, the Department reserves the right to reject all letters of interest submitted, cancel the solicitation requested under this notice and readvertise solicitation for this service.

The Department will offer a debriefing session to the unsuccessful firms. The Department disclaims any liability whatsoever to its review of the proposals submitted and in formulating a recommendation for selections. Recommendations made by the Department shall be final.

MICHAEL F. DIBERARDINIS,  
*Secretary*

[Pa.B. Doc. No. 04-615. Filed for public inspection April 9, 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

*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>
PA0100013	National Fuel Gas West County Service Center National Fuel Gas Distribution Corporation P. O. Box 2081 Erie, PA 16512	Fairview Township Erie County	Unnamed tributary to Elk Creek 15-EC	Y



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<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>
PA0002216	A Cubed Corporation Concast Metal P. O. Box 816 Mars, PA 16046-0816	Adams Township Butler County	Unnamed tributary to Breakneck Creek 20-C	Y
PA0238686	Brandywine Village P. O. Box 449 Mars, PA 16046	Connoquenessing Township Butler County	Unnamed tributary to Little Connoquenessing Creek 20-C	Y
PA0210790	West Penn Plastics, Inc. Route 422 West R. R. 2, Box 2801 New Castle, PA 16101	Union Township Lawrence County	Shenango River 20-A	Y
PA0102717	Sandy Hill Estates MHP Sandy Hill Road P. O. Box 2278 Cranberry, PA 16066	Middlesex Township Butler County	Glade Run 20-C	Y
PA0221112	Howard T. Wagner 6565 Meadville Road Girard, PA 16417	Elk Creek Township Erie County	Unnamed tributary to the Cussewago Creek	Y
PA0100790	Raymond P. DiLoreto 6059 Grubb Road Erie, PA 16506-4608	Millcreek Township Erie County	Unnamed tributary to Thomas Run	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.*

**PA0011720**, Industrial Waste, **Rhodia, Inc.**, CN 7500 Prospect Plains Road, Cranbury, NJ 08512-7500. This application is for renewal of an NPDES permit to discharge stormwater runoff from the Rhodia-Morrisville facility in Falls Township, **Bucks County**. This is an existing discharge to Biles Creek.

The receiving stream is classified for WWF.

The proposed effluent limits for Outfall 001, based on an average stormwater runoff are as follows:

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

Other Conditions: Stormwater requirements.

The EPA waiver is in effect.

**PA0046868**, Sewage, **Lower Moreland Township Authority**, 640 Red Lion Road, Huntingdon Valley, PA 19006. This proposed facility is in Lower Moreland Township, **Montgomery County**.

Description of Proposed Activity: Renewal of an NPDES permit to discharge 0.22 mgd of treated sewage into a UNT to Southampton Creek.

The receiving stream, unnamed tributary to Southampton Creek, is in the State Water Plan watershed Pennypack-3J and is classified for TSF. The nearest downstream public water supply intake for the Magnatti Construction Company, Inc. is on Pennypack Creek, 4.25 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.22 MGD.

<i>Parameters</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>				
(5-1 to 10-31)	10	15		20
(11-1 to 4-30)	20	30		40

<i>Parameters</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Suspended Solids	10	15		20
Ammonia as N (5-1 to 10-31)	3.0			6.0
(11-1 to 4-30)	9.0			18.0
Phosphorous as P	1.0			2.0
Fecal Coliform	200#/100 ml			
Dissolved Oxygen	Instantaneous Minimum			
	5.0			
pH	Instantaneous Minimum			
	6.0			
Copper, Total				9.0
(0-2 years)	Monitor		Monitor	Monitor
(3-5 years)	0.016		0.022	0.032

The proposed effluent limits for Outfall 001 from completion of expansion of treatment plant from 0.22 MGD to 0.279 MGD area follows:

<i>Parameters</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub> (5-1 to 10-31)	10	15		20
Total Suspended Solids	20	15		20
Ammonia as N (5-1 to 10-31)	1.5			3.0
(11-1 to 4-30)	3.0			6.0
Phosphorous as P	1.0			2.0
Fecal Coliform	50#/100 ml			
Dissolved Oxygen	Instantaneous Minimum			
	6.0			
pH	Instantaneous Minimum			
	6.0			
Copper, Total	0.015		0.020	0.030

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

**PA0024732**, Sewage, **Elizabeth Township Sanitary Authority**, 2420 Greenock Buena Vista Road, McKeesport, PA 15135. This application is for renewal of an NPDES permit to discharge treated sewage from the Buena Vista Sewage Treatment Plant in Elizabeth Township, **Allegheny County**.

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

*Outfall 001: existing discharge, design flow of 1.4 mgd.*

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25	38		50
Suspended Solids	30	45		60
Fecal Coliform	200/100 ml as a geometric mean			
(5-1 to 9-30)	10,000/100 ml as a geometric mean			
(10-1 to 4-30)	0.5			
Total Residual Chlorine	1.0			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is not in effect.

**PA0090638**, Sewage, **White Township Municipal Authority**. This application is for renewal of an NPDES permit to discharge treated sewage from the Kittyhawk Sewage Treatment Plant in White Township, **Indiana County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as unnamed tributary of Two Lick Creek, which are classified as a CWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Western Pennsylvania Water Company.

*Outfall 001:* existing discharge, design flow of 0.01715 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	2.5			5.0
(11-1 to 4-30)	7.5			15.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	4,500/100 as a geometric mean			
Total Residual Chlorine	0.5			1.2
Dissolved Oxygen	not less than 6 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA0091260**, Sewage, **Clifford B. Wareham**, 87 Kinter Station Road, Northern Cambria, PA 15714. This application is for renewal of an NPDES permit to discharge treated sewage from the Country Meadows MHP STP in Pine Township, **Indiana County**.

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

*Outfall 001:* existing discharge, design flow of .011 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	4.0			8.0
(11-1 to 4-30)	12.0			24.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	0.53			1.2
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.

**PA0091651**, Sewage, **Unity Township Municipal Authority**, R. D. 5, Box 325, Greensburg, PA 15601. This application is for renewal of an NPDES permit to discharge treated sewage from the Wimmerton Water Pollution Control Plant in Unity Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as unnamed tributary of Fourmile 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 Saltsburg Municipal Water Works on the Conemaugh River.

*Outfall 001:* existing discharge, design flow of 0.205 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>				
(5-1 to 10-31)	20	30		40
(11-1 to 4-30)	25	37.5		50
Suspended Solids	30	45		60
Ammonia Nitrogen				
(5-1 to 10-31)	4.0	6.0		8.0
(11-1 to 4-30)	12.0	18.0		24.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 as a geometric mean			

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Total Residual Chlorine	0.6			2.0
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA0094790**, Sewage, **Briko LLC (formerly Donald Krug)**, 110 Fremont Avenue, Portage, PA 15946. This application is for renewal of an NPDES permit to discharge treated sewage from the Pleasantview Mobile Home Park Sewage Treatment Plant in Adams Township, **Cambria County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as unnamed tributary of Sandy Run, which are classified as a CWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Saltsburg Municipal Waterworks on the Conemaugh River.

*Outfall 001*: existing discharge, design flow of 0.014 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	1.9			3.8
(11-1 to 4-30)	2.8			5.6
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 6 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA0205311**, Sewage, **St. Paul's Highfield Lutheran Church**, R. D. 1, Box 134A, Vandergrift, PA 15690. This application is for renewal of an NPDES permit to discharge treated sewage from the St. Paul's Lutheran Church STP in Parks Township, **Armstrong County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Carnahan 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 Buffalo Township Municipal Authority Freeport.

*Outfall 001*: existing discharge, design flow of 0.0009 mgd.

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

The EPA waiver is in effect.

**PA0218103**, Sewage, **Worthington-West Franklin Joint Municipal Authority**, P. O. Box 0, Worthington, PA 16262. This application is for renewal of an NPDES permit to discharge treated sewage from the Worthington STP in West Franklin Township, **Armstrong County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Buffalo Creek, which are classified as a HQ 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 Creekside Mushrooms, Ltd. on Buffalo Creek.

Outfall 001: existing discharge, design flow of 0.3 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub> (5-1 to 10-31)	10	15		20
(11-1 to 4-30)	15	23		30
Suspended Solids	20	30		40
Ammonia Nitrogen (5-1 to 10-31)	1.5	2.3		3.0
(11-1 to 4-30)	4.5	6.8		9.0
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	9,000/100ml as a geometric mean			
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PAI136132**, MS4, **Sewickley Hills Borough**, 1165 Fairhill Playground Road, Sewickley, PA 15143. This facility is in Sewickley Hills Borough, **Allegheny County**.

Description of Proposed Activity: New NPDES Permit for an existing discharges of stormwater.

The receiving waters, Kilbuck Run and Little Sewickley Creek, are in the Act 167 Watersheds, Little Sewickley Creek and the Ohio River and are classified for CWF, HQ-TSF, aquatic life, water supply and recreation.

The MS4 permittee will implement and enforce a Storm Water Management Program approved by the Department, which is designed to reduce the discharge of pollutants from its MS4 to the maximum extent practicable, with the goal of protecting water quality and satisfying the appropriate water quality requirements of the Federal Clean Water Act and The Clean Streams Law. The program must contain a schedule, best management practices and measurable goals for the following minimum control measures, approved by the Department.

1. Public education and outreach.
2. Public participation and involvement.
3. Illicit discharge detection and elimination.
4. Construction site runoff control.
5. Post-construction stormwater management in new development and redevelopment.
6. Pollution prevention and good housekeeping or municipal operations and maintenance.

The EPA waiver is in effect.

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

**PA0239461**, Sewage, **David K. and Lori A. Mason**, 887 Ekastown Road, Sarver, PA 16055. This proposed facility is in Clinton Township, **Butler County**.

Description of Proposed Activity: New discharge of treated sewage.

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply considered during the evaluation is the receiving waters at the discharge.

The receiving stream, the unnamed tributary to Sarver Run, is in watershed 18-F and classified for HQ-TSF, aquatic life, water supply and recreation.

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

Parameter	Concentrations		
	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
Flow	XX		
CBOD <sub>5</sub>	10		20
Total Suspended Solids	10		20
Ultraviolet Light	Clean and Report		
Fecal Coliform	200/100ml as a geometric average		
pH	6.0 to 9.0 standard units at all times		

The EPA waiver is in effect.

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


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

**WQM Permit No. 0904404**, Sewerage, **Bucks County Water and Sewer Authority**, 1275 Almhouse Road, Warrington, PA 18976. This proposed facility is in Bensalem Township, **Bucks County**.

Description of Proposed Action/Activity: Construction and operation of a sanitary sewer pumping station.

**WQM Permit No. 1504405**, Sewerage, **Westtown Township**, P. O. Box 79, Westtown, PA 19395. This proposed facility is in Westtown Township, **Chester County**.

Description of Proposed Action/Activity: Construction and operation of a new 675 gpm sewage pump station and a 10-inch force main.

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

**WQM Permit No. 4504404**, **Department of General Services**, 18th and Herr Streets, Harrisburg, PA 17125. This proposed facility is in Smithfield Township, **Monroe County**.

Description of Proposed Action/Activity: This project consists of the construction of a pump station and forcemain to serve the Delaware Water Gap Welcome Center.

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

**WQM Permit No. 0297202-A2**, Industrial Waste, **Bettis Atomic Laboratory, Pittsburgh Naval Reactors**, P. O. Box 109, West Mifflin, PA 15122-0109. This proposed facility is in West Mifflin Borough, **Allegheny County**.

Description of Proposed Action/Activity: Application for the modification and operation of the Bettis Atomic Power Laboratory Springwater Interceptor System.

**WQM Permit No. 0478205-A1**, Industrial Waste, **Horsehead Corp.**, 300 Frankfort Road, Monaca, PA 15061. This proposed facility is in Potter Township, **Beaver County**.

Description of Proposed Action/Activity: Application for the modification and operation of the Monaca Smeltzer Wastewater Treatment Plant.

**WQM Permit No. 6570401-A2**, Sewerage, **Alcoa Inc.**, Alcoa Technical Center, 100 Technical Drive, Alcoa Center, PA 15069-0001. This proposed facility is in Upper Burrell Township, **Westmoreland County**.

Description of Proposed Action/Activity: Application for the modification and operation of the Alcoa Technical Center Sewerage Treatment Plant Polishing Pond.

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

**WQM Permit No. 2504409**, Sewerage, **Whispering Woods Estates and Stoneridge Golf Course**, 4132 Stone Creek Drive, Erie, PA 16506. This proposed facility is in Millcreek Township, **Erie County**.

Description of Proposed Action/Activity: This project is for the construction and operation of pump station and sewer extension to serve a residential area and 18-hole golf course.

**WQM Permit No. 4304406**, Sewerage, **Donald Loomis**, 326 Westbrook Drive, Butler, PA 16001. This proposed facility is in Delaware Township, **Mercer County**.

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

**WQM Permit No. 6204401**, Sewerage, **Anne M. Behrend and Barbara M. Leonard**, 859 Amherst Lane, Brunswick, OH 44212. This proposed facility is in Limestone Township, **Warren County**.

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

**WQM Permit No. 6202402**, Sewerage, **William L. Knisley**, 12 Race Street, Sugar Grove, PA 16350. This proposed facility is in Freehold Township, **Warren County**.

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>Department Protocol (Y/N)</i>
PAI132238	Butler Township 415 West Butler Drive Drums, PA 18222	Luzerne	Butler Township	Nescopeck Creek (Basin) HQ-CWF Nescopeck Creek (Main Stem) CWF UNT to Nescopeck Creek CWF Long Run CWF	Y

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

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

<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
Hanover Township 2202 Grove Road Allentown, PA 18103	Lehigh	Hanover Township	Lehigh River WWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Department Protocol (Y/N)</i>
PAG136318	Penn Borough P. O. Box 352 400 Harrison Avenue Penn, PA 15675	Westmoreland	Penn Borough	Y

**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>
PAI010903018	Quakertown Community School District Pfaff Elementary School 600 Park Avenue Quakertown, PA 18951	Bucks	Milford Township	Schmoutz Creek HQ-TSF

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

*Carbon County Conservation District: 5664 Interchange Road, Lehighton, PA 18235-5114, (610) 377-4894.*

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI021304001	Big Boulder Corp. Attn: Eldon Dietterick P. O. Box 707 Blakeslee, PA 18610	Carbon	Kidder Township	Tunkhannock Creek HQ-CWF

*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>
PAI023904011	Selvaggio Enterprises, Inc. 623 Selvaggio Dr., Suite 200 Nazareth, PA 18064	Lehigh	Salisbury Township	Little Lehigh Creek HQ-CWF
PAI023904012	Upper Macungie Township 8330 Schantz Rd. Breinigsville, PA 18031	Lehigh	Upper Macungie Township	Little Lehigh Creek HQ-CWF

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10Q123-R	Terence Schimmel 7356 Spring Creek Rd. Macungie, PA 18062	Lehigh	Upper Macungie Township	Little Lehigh Creek HQ-CWF
PAS10Q171-R	Mary Yastishok Residuary Trust of Andrew Yastishok 6500 Chapmans Rd. Allentown, PA 18106	Lehigh	Lower Macungie 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>
PAI024504007	Robert Serfass R. R. 1, Box 1082 Kunkletown, PA 18058	Monroe	Polk Township	Dotters Creek HQ-CWF

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

*Centre Conservation District, 414 Holmes Ave., Suite 4, Bellefonte, PA 16823, (814) 486-2244, Ext. 5.*

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041404005	Department of Transportation P. O. Box 342 Clearfield, PA 16830	Centre	Harris Township	UNT Spring Creek Galbraith Gap Run HQ-CWF

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

*Cambria County Conservation District: 401 Candlelight Drive, Suite 221, Ebensburg, PA 15931.*

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI051104003 (1)	Department of Transportation 1620 North Juniata Street Hollidaysburg, PA 16648	Cambria	Jackson Township	Findlay Run HQ-CWF Rummel Run CWF Laurel Run HQ-CWF Hinckston Run CWF Unnamed tributary to South Branch Blacklick CWF

*Somerset County Conservation District: North Ridge Building, 1590 North Center Avenue, Suite 103, Somerset, PA 15501-7000.*

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI055604001	Somerset County General Authority 146 West Main Street Somerset, PA 15501	Somerset	Boswell and Jennerstown Boroughs Conemaugh, Jenner, Lincoln and Somerset Townships	Coxes Creek CWF Quemahoning Creek CWF Wells Creek WWF

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

PAG-12	CAFOs
PAG-13	Stormwater Discharges from MS4



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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Department Protocol (Y/N)</i>
PAG136318	Penn Borough P. O. Box 352 400 Harrison Avenue Penn, PA 15675	Westmoreland	Penn Borough	Y
PAG136356	Beaver County 810 Third Street Beaver, PA 15009	Beaver	Beaver Borough	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 should 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**

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

**Permit No. Minor Amendment.** Public Water Supply.  
Applicant **Whiskey Run Water Association**  
**Betty Barton, Secretary**  
2924 Farrandsville Road  
Farrandsville, PA 17745

Township Colebrook Township, **Clinton County**  
Responsible Official Betty Barton, Secretary  
2924 Farrandsville Road  
Farrandsville, PA 17745  
Type of Facility PWS  
Consulting Engineer Joseph J. Matalavage, P. E.  
Alfred Benesch & Company  
400 One Norwegian Plaza  
Pottsville, PA 17901  
Application Received Date March 24, 2004  
Description of Action Rehabilitation of a springhouse to prevent infiltration/  
exfiltration of water.

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

**Permit No. 3004501,** Public Water Supply.  
Applicant **Southwestern Pennsylvania Water Authority**  
P. O. Box 187  
1442 Jefferson Road  
Jefferson, PA 15344  
Township or Borough Washington Township  
Responsible Official Joseph Simatic, Manager  
Southwestern Pennsylvania Water Authority  
P. O. Box 187  
1442 Jefferson Road  
Jefferson, PA 15344  
Type of Facility Water Treatment Plant  
Consulting Engineer Dakota Engineering Associates, Inc.  
Etna Technical Center, Suite 200  
35 Wilson Street  
Pittsburgh, PA 15223  
Application Received Date March 17, 2004  
Description of Action Installation of a pump station.

**Permit No. 3204502,** Public Water Supply.  
Applicant **Central Indiana County Water Authority**  
30 East Wiley Street  
Homer City, PA 15748  
Township or Borough Center Township

Responsible Official	Anthony Perman, Chairperson Central Indiana County Water Authority 30 East Wiley Street Homer City, PA 15748
Type of Facility	Water Treatment Plant
Consulting Engineer	Bankson Engineers Inc. 267 Blue Run Road P. O. Box 200 Indianola, PA 15051
Application Received Date	March 22, 2004
Description of Action	Construction of sodium hypochlorite disinfection facilities to replace the existing gas chlorination. Modifications to the two filter units include the rehabilitation of the underdrain system, installation of an air-backwash system and the conversion of the filters from single media to multimedia.

#### MINOR AMENDMENT

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

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

#### Application No. 3004501, Minor Amendment.

Applicant	<b>Ernest Borough</b> P. O. Box 55 Ernest, PA 15739
Township or Borough	Ernest Borough
Responsible Official	Susan Bennett, Council President Ernest Borough P. O. Box 55 Ernest, PA 15739
Type of Facility	Water Treatment Plant
Consulting Engineer	Keller Engineers, Inc. P. O. Box 61 420 Allegheny Street Hollidaysburg, PA 16648
Application Received Date	March 25, 2004
Description of Action	New process tank.

### LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

#### UNDER ACT 2, 1995

#### PREAMBLE 1

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

Sections 302—305 of the Land Recycling and Environ-  
mental 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 Stan-  
dard, the Site-Specific Standard or who intend to remedi-  
ate 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 demon-  
strates 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 pub-  
lished 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 remedia-  
tion 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 alter-  
native form, contact the community relations coordinator  
at the appropriate regional office. TDD users may tele-  
phone the Department through the AT&T Relay Service  
at (800) 654-5984.

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

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

**Former Envirotest Site**, City of Lebanon, **Lebanon  
County**. Penn Environmental & Remediation, Inc., 2755  
Bergey Road, Hatfield, PA 19440, on behalf of Environ-  
mental Systems Products, Inc., 11 Kripes Road, East  
Granby, CT 06026, submitted a Notice of Intent to  
Remediate site soils and groundwater contaminated with  
inorganics, lead and PAHs. The applicant proposes to  
remediate the site to meet a combination of requirements  
for the Statewide Health and Site-Specific Standards. A  
summary of the Notice of Intent to Remediate was  
reported to have been published in the *Lebanon Daily  
News* on February 24, 2004.

**West Shore Office Center**, East Pennsboro Township,  
**Cumberland County**. Marshall Miller and 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 revised Notice of Intent to Remediate site soils and groundwater contaminated with diesel fuel. The applicant proposes to remediate the site to meet the Statewide Health Standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Harrisburg Patriot* on March 13, 2004.

**Sunoco Station No. 003-6889**, Hampden Township, **Cumberland County**. AquaTerra Technologies, 122 South Church Street, West Chester, PA 19381, on behalf of Sunoco, Inc. (R & M), Ten Penn Center, 1801 Market Street, Philadelphia, PA 19335, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with unleaded gasoline. The applicant proposes to remediate the site to meet the Statewide Health Standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Patriot News* on February 25, 2004.

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

**Vine Street Property (BVK, Inc.) Cleanup**, Berwick Borough, **Columbia County**. AGI Aegis Company, Inc., on behalf of BVK, Inc., Castletown Square North, 4290 Rt. 8, Allison Park, PA 15101, has submitted a Notice of Intent to Remediate soil and groundwater contaminated with diesel fuel. This site is being remediated to meet the special industrial area requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Press Enterprise* on March 20, 2004.

**Alpine Plaza**, Wysox Township, **Bradford County**. Converse Consultants, on behalf of Joan and William Woloshyn, R. R. 2, Box 72A-1, Wysox, PA 18854, has submitted a Notice of Intent to Remediate groundwater contaminated with solvents. The applicant proposes to meet the Site-Specific Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Daily and Sunday Review* during the week of March 23, 2004.

#### 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. 101468. Republic Services of PA**, 4145 E. Baltimore Pike, Media, PA 19063, Philadelphia City, **Philadelphia County**. This major permit modification seeks approval for the Girard Point Transfer Station to relocate their MSW processing and transfer operations from the existing building to a new transfer building and to make modifications to the existing building to accommodate processing and transfer of C and D waste by barge from the pier on which the facility is located. The application was received by the Southeast Regional Office on March 26, 2004.

## 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 should 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.**

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

**06-05030A: Carastar Mill Group, Inc.** (3110 Paper Mill Road, Sinking Spring, PA 19608) for modification of

the conditions limiting the emissions of sulfur dioxide from the boiler at their mill in Spring Township, **Berks County**.

**06-05040A: East Penn Manufacturing Co., Inc.** (P. O. Box 147, Lyon Station, PA 19536-0147) for approval to remove the wetted packed bed scrubber as a control device from the lead scrap dryer at their smelter plant in Richmond Township, **Berks County**. The dryer is subject to 40 CFR Part 63, National Emission Standards for Hazardous Air Pollutants from Secondary Lead Smelters.

**06-05069E: East Penn Manufacturing Co., Inc.** (P. O. Box 147, Lyon Station, PA 19536-0147) for construction and modification of various sources used in the manufacturing of lead/acid batteries controlled by various fabric collectors and HEPA filters in their assembly facility in Richmond Township, **Berks County**. The sources are subject to 40 CFR Part 60, Standards of Performance for New Stationary Sources.

**34-03005B: Energex American, Inc.** (R. R. 5, Box 343, Mifflintown, PA 17059) for installation of a wet scrubber to control emissions from a wood-fired dryer in Walker Township, **Juniata County**.

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

**41-310-012A: Glenn O. Hawbaker, Inc.** (711 East College Avenue, Bellefonte, PA 16823) for installation of an air cleaning device (a replacement waterspray dust suppression system) on a sandstone crushing and screening plant (Plant No. 12, Hagerman's Run) in Armstrong Township, **Lycoming County**.

**49-00054A: Meckley's Limestone Products, Inc.** (R. R. 1, Box 1682, Herndon, PA 17830) for installation of an air cleaning device (a fabric collector) on a "dust bunker" in a limestone crushing, screening and grinding plant and installation of a diverter valve and cyclone separator in Lower Mahanoy Township, **Northumberland County**.

**19-310-002D: Hanson Aggregates Pennsylvania, Inc.** (2200 Springfield Pike, Connellsville, PA 15425) for construction of a replacement impact crusher in a stone crushing plant at their Bloomsburg Quarry in Hemlock Township, **Columbia County**.

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

**03-00237A: Rosebud Mining Co.** (301 Market Street, Kittanning, PA 16201-9642) for installation of coal processing facility at the Keystone East Mine in Plumcreek Township, **Armstrong 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.*

**PA-46-0012: Philadelphia Newspaper, Inc.** for installation of five plate processors which replace five existing plate processors in Upper Merion Township, **Montgomery County**. This facility is a Major for VOC. There is no emissions increase. Emissions from these

sources are 8.5 tons of VOCs. The Plan Approval will contain recordkeeping and operating restriction 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.*

**52-318-002: LP Cylinder Service, Inc.** (Box 1576, Route 434, Shohola, PA 18458) for construction of a cylinder spray operation with filters at their site in Shohola Township, **Pike County**. This facility is a non-Title V facility. The VOC emissions from the facility will be less than 50 tpy. The HAPs emissions from the facility will be less than 10 tpy for any single pollutant and 25 tpy for all HAPs combined. There will be no malodorous emissions past the property line. The company will operate the facility and maintain the system in accordance with the good engineering practices to assure proper operation of the system.

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

**36-05027C: R. R. Donnelley and Sons Co.** (216 Greenfield Road, Lancaster, PA 17601-5885) to install a rotogravure printing press at their Lancaster East facility in Lancaster City, **Lancaster County**. This printing facility is a Title V facility. The new press will result in increased VOC emissions. The press has an emission limit of 104 tons per 12-month period. Applicable requirements include 40 CFR Part 60, Subpart QQ—New Source Performance Standard and 40 CFR Part 63, Subpart KK—MACT. Monitoring, recordkeeping and other restrictions are included to keep the facility operating within applicable requirements.

**44-05002C: CNH America LLC** (P. O. Box 868, Belleville, PA 17004) for installation of a replacement paint spray booth at their farm equipment manufacturing facility in Union Township, **Mifflin County**. The replacement will not measurably impact emissions from the facility. The facility is a major source subject to Title V and 40 CFR Part 63, National Emission Standards for Hazardous Air Pollutants: Surface Coating of Miscellaneous Metal Parts and Products.

**67-05101B: Kinsley Construction, Inc.** (P. O. Box 2886, York, PA 17403) to change the allowable sulfur content of the waste oil used in their drum mix asphalt plant in West Manchester Township, **York County**. This hot mix asphalt plant is a non-Title V facility. There is no change in the facility annual emissions limit of 100 tons per year of SO<sub>x</sub>. Requirements for monitoring, recordkeeping and reporting are included to keep the facility operating within the applicable air quality requirements.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701; Richard Maxwell, New Source Review Chief, (570) 327-3637.*

**47-00001A: PPL Montour LLC** (P. O. Box 128, Washingtonville, PA 17884) for installation of air cleaning devices and sodium sulfite flue gas injection systems on two bituminous coal-fired electric utility boilers (units 1 and 2) at their Montour Steam Electric Station near Washingtonville in Derry Township, **Montour County**.

The respective facility is a major facility for which Title V Operating Permit No. 47-00001 has been issued.

The proposed sodium sulfite flue gas injection systems will be used to lower the sulfur trioxide and sulfuric acid

concentrations in the exhaust of the two electric utility boilers which, in turn, is expected to result in an improvement in the boilers' visible air contaminant emissions, particularly during the May through September time period. The magnitude of the resultant annual decrease in sulfur trioxide and sulfuric acid emissions is unknown. The degree of improvement in the boilers' visible air contaminant emissions is also unknown but it is believed that the use of the respective sodium sulfite flue gas injection systems will help ensure compliance with the visible air contaminant emission limitations of 25 Pa. Code § 123.41 on a consistent basis.

The Department's review of the information submitted by PPL Montour LLC indicates that the respective boilers will meet all applicable air quality regulations pertaining to air contamination sources and the emission of air contaminants following the installation of the proposed sodium sulfite flue gas injection systems. Based on this finding, the Department proposes to issue plan approval for the installation of the injection systems.

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

1. The sodium sulfite flue gas injection system associated with a boiler shall be operated at any time that the selective catalytic reduction system associated with that boiler is also being operated.

2. When the selective catalytic reduction system associated with a boiler is not being used, the operation of the sodium sulfite flue gas injection system associated with that boiler shall be at the discretion of PPL Montour LLC.

3. Each sodium sulfite flue gas injection system shall be equipped with instrumentation to continuously monitor the sodium sulfite solution flow rate in the supply line to each injection lance as well as the pressure existing in the supply line to each injection lance.

4. On any occasion that a sodium sulfite flue gas injection system is in use, the sodium sulfite solution flow rate and pressure existing in the supply line to each injection lance shall be recorded at least once per 8-hour operating shift. All records shall be retained for at least 5 years and shall be made available to the Department upon request.

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

**65-767A: Westmoreland Waste, LLC** (900 Tyrol Boulevard, Belle Vernon, PA 15909) for expansion of the landfill and installation of a control system in Rostraver Township, **Westmoreland County**.

Under 25 Pa. Code §§ 127.44–127.48, the Department intends to issue a Plan Approval to allow the expansion of the existing landfill and installation of a control system consisting of a collection system, two 5,500 CFM enclosed ground flares and a 1,005 CFM generator set. Emissions from the facility have been estimated at 75 tons of NO<sub>x</sub> per year, 248 tons of CO per year and 53 tons of NMOCs per year. The facility is subject to the operational, monitoring, recordkeeping, testing and reporting requirements required by 40 CFR 60, Subpart WWW and 25 Pa. Code Chapter 127. The Plan Approval has been conditioned accordingly. Copies of the Plan Approval application, the Department's analysis and the proposed

Plan Approval are available for public inspection during normal business hours at the following address. This is a Title V Facility.

Persons who wish to oppose the plan approval may file a written protest. A 30-day comment period, from the date of this publication, will exist for the submission of protests. Written protests must contain the name, address and telephone number of the person filing the protest, identification of proposed Plan Approval PA-65-767A and a concise statement of the objections to the Plan Approval issuance and relevant facts upon which the objections are based.

A public hearing may be held, if the Department, in its discretion, decides that a hearing is warranted based on the information received. Persons submitting written protests or requesting a hearing will be notified of the decision to hold a hearing by publication in the *Pennsylvania Bulletin*, or by telephone, where the Department determines notification by telephone is sufficient. Written comments or request for a public hearing should be sent to Barbara Hatch, Air Pollution Control Engineer, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4000.

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

**10-001I: AK Steel Corp.—Butler Works** (Standard Avenue, Butler, PA 16003-0832) for revision of the CO emission limitation at the no. 3 baghouse inlet (melt shop) in Butler Township, **Butler County**. This increase in emissions will not result in NSR or PSD applicability. This is a Title V facility. The public notice is required for sources required to obtain a Plan Approval at Title V facilities in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V operating permit through an administrative amendment at a later date. The source shall comply with the following conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b, regarding plan approval terms and conditions, and will demonstrate best available technology for the source:

- Increasing the CO emissions from 142 to 164 #/hr.
- Increasing the CO emissions from 620 to 718.3 tpy.

**20-293A: Meadville Sandblasting, Inc.** (15921 South Mosiertown Road, Meadville, PA 16335) for modification of a sandblasting facility and construction of four surface coating facilities in Hayfield Township, **Crawford County**.

In accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department intends to issue a plan approval for post-construction of an existing sandblasting facility which will be modified to use either grit or sand with an associated bag house or cartridge collector; and post construction of four surface coating facilities which will be modified by installing a filter system in the paint bay air vents at their facility in Hayfield Township, Crawford County. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into a State-only operating permit through an administrative amendment at a later date.

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

1. The blasting operation and the paint booths shall comply with 25 Pa. Code §§ 123.1, 123.31 and 123.41 for fugitive, odor and visible emissions, respectively.

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

3. The sources shall not operate when the control devices are not operating.

The following conditions apply to the surface coating operations:

4. The source shall use coatings that are compliant with 25 Pa. Code § 129.52, Table 1(10)(e) for the category miscellaneous metal parts and products, only.

5. VOC emissions from the facility shall not exceed 15.0 tons in any 12-month rolling period and 9.8 tons of HAPs in any 12-month rolling period.

6. Records of coating usage shall be maintained in accordance with 25 Pa. Code § 129.52(c). Daily records shall be maintained for each coating, thinner and other components as supplied including:

- a. The coating, thinner or component name and identification number.
- b. The volume used.
- c. The mix ration.
- d. The density or specific gravity.
- e. The weight percent of total volatiles, water, solids and exempt solvents.
- f. The volume percent of solids.
- g. The VOC content of each coating, thinner and other components as supplied.
- h. The VOC content of each as applied coating.

7. The facility shall maintain monthly totals of VOC and HAPs and maintain 12-month rolling totals. The records shall be maintained for a minimum of 5 years and shall be made available to the Department upon request.

8. The weight of VOC per volume of coating solids must be equal to or less than 6.67 pounds of VOCs per gallon of coating solids unless the owner or operator of the facility complies with the exemptions listed in 25 Pa. Code § 129.52(h).

9. This facility shall not use air spray guns for the application of surface coatings. Coatings may be applied with electrostatic, airless, curtain coating, roller coating, hand brush, flow coating, dip coating or high volume-low pressure application equipment. Air atomized sprays may be used to apply cosmetic specialty coatings if the volume of the cosmetic specialty coatings is less than 5% by volume of the total coating used at the facility or to apply final repair coatings.

The following conditions apply to the grit or sand blasting operation:

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

11. The facility shall maintain 20% of the total number filters or cartridges as replacements for the blasting dust collection system onsite or shall have immediate access to spare filters or cartridges in the event of failure. The blasting system shall not be operated if the collection system is not operating within manufacturer's specifications.

12. Whenever a condition in this permit requires the measurement of pressure drop across any part of the unit

or its control device, the gauge employed shall have a scale so that the expected normal reading shall be no less than 20% of full scale.

13. The operating range for pressure drop of the collector shall be determined within 30 days of startup of the control device and shall be indicated to the Department in writing. The pressure drop ranges shall be made part of the facility-operating permit.

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

**43-270A: CCL Container** (1 Llodio Drive, Hermitage, PA 16148-9015), for replacement of an existing 25,000 cfm incinerator with a new 30,000 cfm regenerative catalytic oxidizer in Hermitage City, **Mercer County**. This modification will not result in NSR or PSD applicability. This is a Title V facility. The public notice is required for sources required to obtain a Plan Approval at Title V facilities in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V operating permit through an administrative amendment at a later date. The source shall comply with the following conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b, regarding plan approval terms and conditions, and will demonstrate best available technology for the source:

- This plan approval is for the replacement of catalytic incinerator 1 identified as C01 in their Title V permit with a regenerative catalytic oxidizer (RCO) to control emissions from can lines 1—5 identified as Sources 101—105 in their Title V permit. This plan approval will supersede the following stated conditions in Title V Permit No. 43-00270 issued on September 24, 2003, for Sources 101—105.

- This approval to construct/modify shall become invalid if: (1) construction is not commenced (as defined in 25 Pa. Code § 127.13(b) and 40 CFR 52.21(b)(8)) within 18 months after the date of this approval; (2) if construction is discontinued for a period of 18 months or more; or (3) construction is not completed within a reasonable time.

- This source is subject to 25 Pa. Code §§ 123.1, 123.13, 123.21, 123.31 and 123.41.

- The VOC destruction/removal efficiency of the RCO shall be greater than 95% by weight.

- The permittee shall perform annual conversion efficiency testing of the catalyst.

- Stack test for PM and VOC DRE.

- The permittee shall continuously monitor the inlet and outlet temperature of this catalytic oxidizer whenever the source is in operation.

- The permittee shall monitor the pressure differential across the catalytic oxidizer on a daily basis using a magnehelic gauge or equivalent.

- The permittee shall monitor the airflow or fan amperage on a daily basis.

- The permittee shall maintain a log of all inspections, repairs and maintenance performed on the control device and all the monitoring equipment. The log, at a minimum, shall contain the dates of the inspections, repairs

and maintenance performed, any potential problems or defects that were encountered and the steps taken to correct them.

- The permittee shall record the following operational data from the catalytic oxidizer (these records may be done with strip charts recorders, data acquisition systems or manual log entries):

- Catalytic oxidizer inlet and outlet temperature continuously.

- Pressure drop across the catalytic oxidizer daily.

- The airflow or fan amperage prior to and after putting a source online that exhausts to this catalytic oxidizer.

- The permittee shall record all excursions and corrective actions taken in response to an excursion and the time elapsed until the corrective actions have been taken.

- The permittee shall maintain records of all monitoring downtime incidents (other than downtime associated with zero and span or other daily calibration checks, if applicable). The permittee shall also record the dates, times and durations, probable causes and corrective actions taken for the incidents.

- The permittee shall report all excursions and corrective actions taken, the dates, times, durations and probable causes, every 6 months.

- The permittee shall report all monitoring downtime incidents (other than downtime associated with zero and span or other daily calibration checks, if applicable), their dates, times and durations, probable causes and corrective actions taken, every 6 months.

- The permittee shall adhere to the approved indicator range for the catalytic oxidizer so that operation within the range shall provide reasonable assurance of compliance. A departure from the specified indicator range over a specified averaging period shall be defined as an excursion. The approved indicator range for the following shall be determined during the initial performance test or any subsequently approved performance tests unless otherwise stated:

- Pressure drop across the catalyst bed between \_\_\_" w. g. and \_\_\_" w. g.

- Airflow greater than \_\_\_ ACFM or fan amperage greater than \_\_\_.

- Three-hour average inlet temperature of less than the 3-hour average inlet temperature during the most recently approved performance test or an inlet temperature to catalyst bed less than 600°F at any time. The permittee shall ensure that the catalytic oxidizer has reached its minimum operating temperature prior to placing any affected source on line.

- The permittee shall perform daily operational inspections of the control device, including but not limited to, monitoring the temperature rise across the catalyst bed, monitoring the pressure drop across the catalyst bed, monitoring the airflow or fan amperage and monitoring the minimum temperature at the inlet to the catalyst bed.

- The facility shall comply with 25 Pa. Code § 127.25 as follows: A person may not cause or permit the operation of a source, unless the source and air-cleaning device, are operated and maintained in accordance with specifications in the Plan Approval application and conditions listed in this plan approval. A person may not cause or permit the operation of an air contamination source in a manner inconsistent with good operating practices.

- The permittee shall utilize approved QA/QC practices that are adequate to ensure continuing validity of data and proper performance of the control devices.

- The permittee shall install detectors or sensors at a Department-approved location for obtaining data that is representative of the monitored indicator.

- The permittee shall develop verification procedures to confirm that the operational status of the monitoring devices is within the expected range.

- The permittee shall calibrate and check the accuracy of the monitoring equipment, according to the manufacturer's recommended procedures. (For example, the thermocouple shall be checked for accuracy (+/- 20°F) each calendar quarter.)

- The permittee shall develop and implement a quality improvement plan as expeditiously as practicable if any of the following occur:

- For properly and accurately collected data, accumulated excursions exceed 2% of the data for VOC.

- Six excursions occur in a 6-month reporting period.

- The Department determines after review of all reported information that the permittee has not responded acceptable to an excursion.

#### OPERATING PERMITS

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

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

**08-00004: Rynone Manufacturing Corp.** (P. O. Box 128, Sayre, PA 18840) for renewal of the Title V Operating Permit for their Sayre plant in Sayre Borough, **Bradford County**. The facility is currently operating under TVOP 08-00004, which was issued June 15, 1999. The facility's sources include 19 combustion units, 4 gel-coat and molding lines, 2 marble casing machines, 1 batch mixer, 1 bucket washer, 1 parts washer and miscellaneous solvent cleaning. The facility has the potential to emit major quantities of styrene, an HAP. The facility has the potential to emit SO<sub>x</sub>, NO<sub>x</sub>, CO, PM (PM<sub>10</sub>), VOCs and combined HAPs below the major emission thresholds. The proposed Title V operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

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

**38-03033: East Indies Coffee and Tea Co., Inc.** (7 Keystone Drive, Lebanon, PA 17042) for operation of a coffee roasting facility in South Lebanon Township, **Lebanon County**. The facility has the following annual potential emissions: 6.5 tons NO<sub>x</sub>, 1.2 tons CO, 0.3 ton PM<sub>10</sub> and 0.1 ton VOC. The State-only 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.

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

**17-00028: Hepburnia Coal Co.** (P. O. Box 1, Grampian, PA 16838) for their coal processing facility in Greenwood Township, **Clearfield County**. The facility's main sources include a coal processing operation and unpaved site haul roads. The facility has the potential to emit SO<sub>x</sub>, NO<sub>x</sub>, CO, PM (PM<sub>10</sub>), VOCs and HAPs below the major emission thresholds. The proposed operating permit contains all applicable requirements including Federal and State regulations. In addition, monitoring, recordkeeping and reporting conditions regarding compliance with all applicable requirements are included.

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

**20-00264: Salt Painting Co.** (17918 State Highway 198, P. O. Box 491, Saegertown, PA 16433) for a Natural Minor Operating Permit for operation of the Salt Painting Company in Hayfield Township, **Crawford County**.

**20-00037: US Bronze Foundry and Machine, Inc.** (18649 Brake Shoe Road, P. O. Box 458, Meadville, PA 16335) for a Natural Minor Operating Permit for manufacture of centrifugal cast specialty bronze products in Woodcock Township, **Crawford County**.

**25-00930: Metro Machine Corp.** (Foot of Holland Street, Erie, PA 16502) for a Synthetic Minor Operating Permit to operate a ship repair and shipbuilding facility in the City of Erie, **Erie County**. The facility's primary emission sources include surface preparation and surface coating operations. The facility has elected to limit the VOC and HAP emissions to below major source levels.

#### PUBLIC HEARINGS

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

**10-00001: AK Steel Corp.—Butler Works** (Route 8, Butler, PA 16003) for a Reasonably Available Control Technology (RACT) revision to increase fuel throughput limitation of boiler 11 in Butler, **Butler County**.

For the facility, a public hearing will be held for the purpose of receiving comments on the proposed Operating Permit and the proposed revisions to the Commonwealth's State Implementation Plan (SIP). The Department will conduct a public hearing on Wednesday May 19, 2004, from 1 p.m. to 3 p.m. in the Air Quality Conference Room, Meadville Regional Office, 230 Chestnut Street, Meadville, PA.

The hearing is for the Department to accept testimony concerning the Department's decision to approve, with conditions, the revised RACT plans.

The hearing is being held to meet the requirements in 25 Pa. Code §§ 129.91—129.95 concerning the emissions of NO<sub>x</sub> and VOC from various air contamination sources. The final RACT proposal will be submitted to the EPA as a revision to the SIP.

The proposed SIP revisions do not adopt new regulations. They incorporate the provisions and requirements contained in RACT approvals for this facility to comply with current regulations.

The preliminary RACT determination, if finally approved, will be incorporated into a Plan Approval and/or

Operating Permit for the facility and will be submitted to the EPA as a revision to the SIP.

The following is a summary of the preliminary NO<sub>x</sub> and VOC determination for the facility:

<i>Source</i>	<i>Control</i>
Boiler 11 (revised to increase fuel throughput limitation)	Additional controls not feasible

Persons wishing to present testimony at the hearing should contact H. Thomas Flaherty, New Source Review, Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3494, (814) 332-6940 at least 1 week in advance of the hearing to reserve a time to present testimony. Oral testimony will be limited to a maximum of 10 minutes and two written copies of the oral testimony are required. Each organization is requested to designate one witness to present testimony on its own behalf.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should contact H. Thomas Flaherty at (814) 332-6940 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

Persons unable to attend the hearing who wish to comment should provide written comments to H. Thomas Flaherty. Comments should be submitted within 30 days of the date of this notice.

All pertinent documents (applications, review memos and draft approvals) are available for review from 8 a.m. to 4 p.m. at the Meadville Regional Office (Air Quality). Appointments for scheduling a review must be made by calling H. Thomas Flaherty.

#### 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 particular proposed mining activity, the submittal of the permit application will serve as the request for certification.

Written comments, objections or requests for informal conferences on applications may be submitted by any person or any officer or head of any Federal, State or local government agency or authority to the Department at the 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)	3.0mg/l	6.0mg/l	7.0mg/l
Manganese (total)	2.0mg/l	4.0mg/l	5.0mg/l
Suspended solids	35 mg/l	70 mg/l	90 mg/l
pH*		greater than 6.0; less than 9.0	
Alkalinity greater than acidity*			

\* The parameter is applicable at all times.

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

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

**24890101 and NPDES Permit No. PA0105082. Energy Resources, Inc.** (P. O. Box 259, Brockway, PA 15824). Renewal of an existing bituminous surface strip and tippie refuse disposal, use of coproduct, coal ash placement operation in Horton and Fox Townships, **Elk County**, affecting 377.0 acres. Receiving streams: unnamed tributary to Little Toby Creek, Brandy Camp Creek and Boderoco Run, a tributary to Brandy Camp Creek (CWF). The first downstream potable water supply intakes from the point of discharge are Elbon and Brandy Camp. Application for reclamation only. Application received March 22, 2004.

**24980105 and NPDES Permit No. PA0227871. Tamburlin Bros. Coal Co., Inc.** (P. O. Box 1419, Clearfield, PA 16830-1419). Renewal of an existing bituminous surface strip and auger operation in Horton Township, **Elk County**, affecting 139.0 acres. Receiving streams: Kernes Run, Brandy Camp Creek and Johnson Run (CWF). There are no potable surface water supply intakes within 10 miles downstream. Application received March 22, 2004.

**24980102 and NPDES Permit No. PA0227781. Tamburlin Bros. Coal Co., Inc.** (P. O. Box 1419, Clearfield, PA 16830-1419). Renewal of an existing bituminous surface strip and auger operation in Fox Township, **Elk County**, affecting 196.0 acres. Receiving streams: Limestone Run and Little Toby Creek (CWF).

There are no potable surface water supply intakes within 10 miles downstream. Application received March 22, 2004.

**33950106 and NPDES Permit No. PA0227081. Falls Creek Energy Co., Inc.** (R. D. 6, Box 231, Kittanning, PA 16201). Transfer of an existing bituminous surface strip in Perry Township, **Jefferson County**, affecting 148.4 acres. Receiving streams: unnamed tributary to Mahoning Creek, unnamed tributary to Sawmill Run and Rose Run (CWF). There are no potable surface water supply intakes within 10 miles downstream. Transfer from Beth Contracting, Inc. Application received March 24, 2004.

**10040102 and NPDES Permit No. PA0242501. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Commencement, operation and restoration of a bituminous surface strip operation in Concord Township, **Butler County**, affecting 179.0 acres. Receiving streams: six unnamed tributaries to Bear Creek (CWF). There are no potable surface water supply intakes within 10 miles downstream. Application received March 23, 2004.

**1475-10040102-E-1. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Application for a stream encroachment to conduct mining activities within 25 feet of an unnamed tributary to Bear Creek (CWF) in Concord Township, **Butler County**, affecting 2.7 acres. Receiving streams: six unnamed tributaries to Bear Creek. There are no potable surface water supply intakes within 10 miles downstream. Application received March 23, 2004.

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

**56890101. Croner, Inc.** (1576 Stoystown Road, P. O. Box 260, Friedens, PA 15541), surface mining permit bonding increment in Brothersvalley Township, **Somerset County**, affecting 205.9 acres. Receiving streams: unnamed tributary to Buffalo Creek and Buffalo

Creek (CWF). There are no potable water supply intakes within 10 miles downstream. Application received March 23, 2004.

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

**63-03-01 and NPDES Permit No. PA0250546. Newgate Development Corporation** (2201 Quicksilver Road, McDonald, PA 15057). Application for a government financed construction contract in Robinson Township, **Washington County**, affecting 27 acres. Receiving

streams: unnamed tributary to Robinson Run (WWF). There is no potable water supply intake within 10 miles from the point of discharge. This application was previously submitted by Robinson Coal Company. GFCC application received March 22, 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.*

**6475SM10T and NPDES Permit No. PA0224391. Pennsy Supply, Inc.** (1001 Paxton Street, Harrisburg, PA 17105), transfer of an existing quarry operation from Kaminski Brothers, Inc. and correction to add NPDES Permit for discharge of treated mine drainage in Jenkins Township, **Luzerne County**, affecting 128.85 acres. Receiving streams: Lampblack Creek (CWF). Application received March 23, 2004.

**40970302T. Pennsy Supply, Inc.** (1001 Paxton Street, Harrisburg, PA 17105), transfer of an existing quarry operation from Kaminski Brothers, Inc. in Jenkins Township, **Luzerne County**, affecting 51.5 acres. Receiving streams: None. Application received March 23, 2004.

**6875SM5C and NPDES Permit No. PA0595128. Eastern Industries, Inc.** (4401 Camp Meeting Road, Suite 200, Center Valley, PA 18034), renewal of NPDES Permit discharge of treated mine drainage in Oliver Township, **Mifflin County**. Receiving streams: Strodes Run (CWF). Application received March 24, 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 should contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

**Applications received under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and requests for certification under section 401 of the FWPCA (33 U.S.C.A. § 1341(a)).**

## WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E09-871. Brandywine Realty Trust**, 401 Plymouth Road, Plymouth Meeting, PA 19462, Newtown Township, **Bucks County**, ACOE Philadelphia District.

Brandywine Realty Trust Bridge Construction Project to construct a 125-foot span reinforced concrete bridge with wingwalls, over the Core Creek (CWF, MF). The work will impact approximately 0.35 acre of wetlands to accommodate roadway approach widening and construction access. Approximately 0.30 acre of wetland replacement will be constructed onsite, as mitigation to the wetland impact. The bridge will span the entire FEMA delineated floodway with no major construction work expected within the floodway. Work will include an 8-foot wide bituminous walkway loop running approximately 733 linear feet into the wetlands. The site is approxi-

mately on the northern edge by Newtown-Yardley Road (SR 0332) with Upper Silver Lake Road serving as its western border (Newtown Township, Bucks County District) (Langhorne, PA Quadrangle N: 19.45 inches; W: 3.58).

**E15-710. Telvil Corporation**, 528 Main Street, Harleysville, PA 19438, East Coventry, **Chester County**, ACOE Philadelphia District.

The project proposes to construct the following water obstructions associated with the proposed Walnut Springs Farms, a 23-lot single-family home residential subdivision:

(1) A culvert for road crossing A, associated with Linwood Circle at road station 10+64, consisting of headwall no. 2, 24 LF of 42-inch RCP, catch basin 5A, 50 LF of 42-inch RCP, catch basin 5B, 24 LF of 42-inch RCP, end wall no. 5.

(2) Road crossing A, includes 107 cubic yards of approach fill within the assumed 100-year floodway, 0.09 acre of fill wetlands (PEM) and temporary cofferdams dewatering 160 LF of stream.

(3) A culvert for road crossing B, associated with Linwood Circle at road station 21+00, consisting of headwall no. 1, 22 LF of 60-inch RCP, catch basin 5A, 53 LF of 60-inch RCP, catch basin 5B, 22 LF of 60-inch RCP, end wall no. 6.

(4) Road crossing B, includes 213 cubic yards of approach fill within the assumed 100-year floodway, 0.06 acre of fill wetlands (PEM) and temporary cofferdams dewatering 150 LF of stream.

(5) Outfall channel of combination sediment/stormwater retention basin no. 1 impacting 5 LF of stream.

(6) Outfall channel of combination sediment/stormwater retention basin no. 2 impacting 24 LF of stream.

(7) Two replacement wetland areas totaling 0.44 acre are proposed.

The project site proposes impacts to 339 linear feet of watercourse to an unnamed tributary of Pigeon Creek (HQ-TSF) and 0.15 acre of adjacent wetland and is approximately 380 feet from the intersection Ebelhare and Ellis Woods Roads (Phoenixville, PA Quadrangle N: 12.11 inches; W: 15.81 inches).

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

**E45-461. Lake Naomi Club**, Route 423, P. O. Box T, Pocono Pines, PA 18350-0620 in Tobyhanna Township, **Monroe County**, U. S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a pedestrian bridge having a single span of approximately 110.0 feet and a maximum underclearance of approximately 12 feet across Upper Tunkhannock Creek (HQ-CWF) and three minor road crossings in a de minimis area of PSS wetlands equal to 0.05 acre for the purpose of constructing a pedestrian walkway. The project begins at a point 30 feet upstream of the SR 0423 bridge and includes approximately 2,600 feet of additional pedestrian walkway along SR 0423 (Pocono Pines, PA Quadrangle N: 19.8 inches; W: 13.8 inches).

**E35-371. City of Scranton**, R800 Providence Road, Scranton, PA 18508 in City of Scranton, **Lackawanna County**, U. S. Army Corps of Engineers, Baltimore District.

To remove the existing structure and to construct and maintain a concrete arch bridge having a 36-foot span and minimum underclearance of 15.3 feet across Leggetts Creek (CWF). The project is on Rockwell Avenue approximately 0.1 mile east of Market Street (Scranton, PA Quadrangle N: 12.2 inches; W: 4.8 inches).

**E40-632. Can Do, Inc.**, 1 South Church Street, 200 Renaissance Center, Hazleton, PA 18201 in Hazle Township, **Luzerne County**, U. S. Army Corps of Engineers, Baltimore District.

To place fill or regrade within 0.80 acre of PFO wetlands for the extension of Humboldt Drive and construction of a warehouse/distribution facility and associated stormwater management facilities on lot 105 of the Humboldt Industrial Park East. The project is on the western side of SR 0081, approximately 4,000 feet south of SR 0924 (Conyngham, PA Quadrangle N: 10.5 inches; W: 3.5 inches).

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

**E59-455. Corey Creek Watershed Association Inc.**, 246 Pickle Hill Road, Mansfield, PA 16901. Corey Creek Phased Restoration Project in Sullivan and Richmond Townships, **Tioga County**, ACOE Baltimore District (Mansfield, PA Quadrangle N: 7.3 inches; W: 1.5 inches).

The applicant proposes to gain authorization for a Phased Water Obstruction and Encroachment Permit to complete restoration activities with the Corey Creek Watershed. The permit application proposes five phased reaches along Corey Creek (reaches A—E) that would undergo geomorphologic design and construction. Reaches A and C—E are proposed to have authorization only for approximate length, acreage of disturbance and start and stop locations. Reach B consists of 1,345 linear feet of channel reconstruction and enhancement, riparian plantings, bank regarding and habitat enhancement. A total of ten rock structures will be utilized to increase bank stability and habitat enhancement. The project will impact .2 acre of wetlands and will be mitigated for by the additional creation of wetland habitat pockets. Inserting channel plugs in the existing channel will create the wetland pockets.

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

**E02-1456. Department of Transportation, Engineering District 11-0**, 45 Thoms Run Road, Bridgeville, PA 15017. Four bridges on SR 0079 in Collier Township, **Allegheny County**, Pittsburgh ACOE District. Bridges 1 and 2 (Bridgeville, PA Quadrangle N: 22.1 inches; W: 15.1 inches) (Latitude: 40° 22' 18" and Longitude: 80° 6' 30"). Bridges 12—14 (Pittsburgh West, PA Quadrangle N: 4.5 inches; W: 14.7 inches) (Latitude: 40° 23' 59" and Longitude: 80° 6' 20"). The applicant proposes to operate and maintain a dual three-span bridge over Chartiers Creek (WWF). Bridge 1 has a span of approximately 228 feet and an underclearance of approximately 27 feet. Bridge 2 has a span of approximately 253 feet and an underclearance of approximately 27 feet. For bridge 2, new pier jacket will be constructed and maintained with scour protection around piers 1 and 2. The bridge deck and parapets will be removed and new ones will be constructed and maintained. The applicant proposes to operate and maintain a six-span bridge across Robinson Run (WWF). Bridge 12 (ramp D) has a span of approximately 667 feet and an underclearance of approximately 85 feet. Pier 3 will be replaced and maintained, the rest

of the piers will be modified and maintained. The bridge deck and parapet will be removed and a new one will be constructed and maintained. The abutments will be modified and maintained. The applicant also proposes to operate and maintain a dual five-span bridge across Robinson Run. The bridge is next to bridge 12. Bridge 13 has a span of approximately 602 feet and an underclearance of approximately 80 feet. Bridge 14 has a span of approximately 582 feet and an underclearance of approximately 80 feet. The bridge decks and parapets for both bridges will be removed and new ones constructed and maintained. Pier scour protection shall be placed and maintained around pier 3 for both bridges. A temporary causeway will be constructed under bridges 12–14. The temporary causeway is needed for the placement of slope anchors under these bridges. The causeway will be approximately 440 feet long. A temporary stream crossing is proposed in Robinson Run and in a tributary to Robinson Run. The work is part of the proposed SR 0079 Section A12 bridge rehabilitation and reconstruction project. The project proposes to directly affect, through R-6 rock scour protection, 50 linear feet of Robinson Run to temporarily impact approximately 440 feet of Robinson Run but the construction of a temporary causeway and to directly affect, through bridge pier rehabilitation, 50 linear feet of Chartiers Creek.

**E02-1457. Robert Biros**, 3285 Jacks Run Road, White Oak, PA 15131. Biros commercial development in the City of McKeesport, **Allegheny County**, Pittsburgh ACOE District (McKeesport, PA Quadrangle N: 13.3 inches; W: 12.5 inches) (Latitude: 40° 19' 25" and Longitude: 79° 50' 22"). The applicant proposes to construct and maintain a stream enclosure 500.0 feet in length consisting of a box culvert having a span of 32.0 feet with an underclearance of 8.5 feet in the channel of Long Run (TSF) for the purpose of constructing a commercial development. The project is just west from the intersection of Walnut Street (SR 148) and Long Run Road (SR 048) and will impact 500.0 linear feet of stream channel.

**E02-1458. Allegheny County Department of Public Works**, 501 County Office Building, 542 Forbes Avenue, Pittsburgh, PA 15219-2904. Pangburn Hollow Bridges 3 and 4 in Forward Township, **Allegheny County**, Pittsburgh ACOE District (Monongahela, PA Quadrangle Bridge 3 N: 21.8 inches; W: 5.1 inches—Bridge No. 4 N: 21.1 inches; W: 5.5 inches) (Latitude: 40° 14' 42" and Longitude: 79° 54' 42"). The applicant proposes to rehabilitate, operate and maintain the existing Pangburn Hollow Bridge 3 having a span of 14.0 feet with a minimum underclearance of 5.9 feet across the channel of Perry Mill Run (WWF) and to remove the existing structure (Pangburn Hollow Bridge 4) and to construct and maintain a box culvert having a span of 16.0 feet with a minimum underclearance of 5.0 feet in the channel of Perry Mill Run for the purpose of improving highway safety. Pangburn Hollow Bridge 3 consists of replacing the existing superstructure on the existing abutments and is on Pangburn Hollow Road, approximately 2,000 feet north from the intersection of Pangburn Hollow Road and Sadler Road. Pangburn Hollow Bridge 4 is also on Pangburn Hollow Road, approximately 350 feet north from the intersection of Pangburn Hollow Road and Sadler Road.

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

**E42-305. University of Pittsburgh, Bradford Campus**, 300 Campus Drive, Bradford, PA 16701. Student housing building along the southern boundary of Campus

Drive in Bradford Township, **McKean County**, ACOE Pittsburgh District (Bradford, PA Quadrangle N: 12.3 inches; W: 6.6 inches).

The applicant proposes to construct and maintain student housing with associated sidewalk and infrastructure involving the net removal of approximately 116 cubic yards of earth from the left mapped FEMA floodplain of West Branch Tunungwant Creek (CWF, perennial) along the southern boundary of Campus Drive approximately 0.3 mile southwest of the intersection of the Corydon Street Extension and Dorothy Lane. The project would result in the net removal of approximately 116 cubic yards of earth from the left mapped FEMA floodplain.

**E43-311. David B. Aldridge**, 137 Briar Hill Road, Zelienople, PA 16063-9661. Aldridge property dam on Indian Run Road in Springfield Township, **Mercer County**, ACOE Pittsburgh District (Greenfield, PA Quadrangle N: 1.3 inches; W: 0.7 inch).

To maintain approximately 0.48 acre of fill material placed within a palustrine emergent/palustrine scrub-shrub wetland area during the construction of a dam along the east side of Indian Run Road, 3,100 feet southeast of the intersection of Indian Run Road and Leesburg Station Road. The permittee is required to provide 1.0 acre of replacement wetlands.

## 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 should 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

*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>
PA0033294	Franklin Manor Utilities Inc./Ltd. 37 Highland Avenue Washington, PA 15301	Washington County South Franklin Township	UNT of Chartiers Creek	Y
PA0217921	Indiana Investments, Inc. R. D. 2 Box 305 Shelocta, PA 15774	Indiana County Armstrong Township	Walker 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>
PA0101931	Jenks Township P. O. Box 436 Marienville, PA 16239	Jenks Township Forest County	UNT to Salmon Creek 16-F Wet Branch Millstone Creek 17-B	Y
PA0002500	Kane Magnetics Acquisition, LLC 700 Elk Avenue Kane, PA 16735-1068	Kane Borough McKean County	UNT to East Branch Tionesta Creek 16-F	Y
PA0100625	TravelCenters of America 24601 Center Ridge Road, Suite 200 Westlake, OH 44145-5634	Brookville Borough Jefferson County	Clement Run 17-C	Y

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

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

**NPDES Permit No. PA0051802**, Industrial Waste, **Brown Printing Company**, 668 Gravel Pike, East Greenville, PA 18041-2199. This proposed facility is in Upper Hanover Township, **Montgomery County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge into an unnamed tributary to Perkiomen Creek in Watershed 3E.

**NPDES Permit No. PA0051616**, Industrial Waste, **Pennsylvania American Water Company**, 4 Wellington Boulevard, Wyomissing, PA 19610. This proposed facility is in East Vincent Township, **Chester County**.

Description of Proposed Action/Activity: Approval for the renewal and transfer to discharge into the Schuylkill River in Watershed 3D.

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

**NPDES Permit No. PAS212212**, Industrial Waste, **Premier Bluestone, Inc.**, SR 1021, P. O. Box 273, Susquehanna, PA 18847. This proposed facility is in Oakland Township, **Susquehanna County**.

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

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

**NPDES Permit No. PA0028801-A1**, Sewage, **Moon Township Municipal Authority**, 1700 Beaver Grade Road, Suite 101, Moon Township, PA 15108. This proposed facility is in Moon Township, **Allegheny County**.

Description of Proposed Action/Activity: Amendment to revise stormwater outfalls discharging to Montour Run.

### 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. 1503421**, Sewerage, **Valley Township, Municipal Authority of the Borough of Elverson**, 101 South Chestnut Street, Elverson, PA 19520. This proposed facility is in Elverson Borough, **Chester County**.

Description of Proposed Action/Activity: Replacing the existing treatment lagoons with activated sludge package treatment units.

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

**WQM Permit No. 0203410**, Sewerage, **Municipal Authority of the Borough of West View—Wastewater Department**, 210 Perry Highway, Pittsburgh, PA 15229. This proposed facility is in West View Borough, **Allegheny County**.

Description of Proposed Action/Activity: Rochester Road sanitary sewer line rehabilitation and realignment.

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

Description of Proposed Action/Activity: Construction of grinder pump and pressure sewer system to serve the Birchwood Falls Plan of Lots.

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

**WQM Permit No. 1003415**, Sewerage, **Michael's Restaurant and Motel**, 970 New Castle Road, Butler, PA 16001. This proposed facility is in Franklin Township, **Butler County**.

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

**WQM Permit No. 2704401**, Sewerage, **Jenks Township**, P. O. Box 436, Marienville, PA 16239. This proposed facility is in Jenks Township, **Forest County**.

Description of Proposed Action/Activity: This project is for the replacement of an existing wastewater treatment facility with an expanded design flow.

**WQM Permit No. 4303416**, Sewerage, **Hermitage Municipal Authority**, 800 North Hermitage Road, Hermitage, PA 16148. This proposed facility is in City of Hermitage, **Mercer County**.

Description of Proposed Action/Activity: This project is for the construction, modification and operation of an existing sewage treatment plant and construction of the new Miller Road pump station.

**WQM Permit No. 2504408**, Sewerage, **Kenneth R. Mink**, 8170 Millfair Road, McKean, PA 16426. This proposed facility is in McKean Township, **Erie County**.

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>Department Protocol (Y/N)</i>
PAI132233	Lehman Township P. O. Box 7 Lehman, PA 18627	Luzerne	Lehman Township	Harvey's Creek HQ-CWF Hunlock Creek CWF Toby's Creek CWF, TSF Pike's Creek HQ-CWF	Y
PAI132237	Forks Township Municipal Building 1606 Sullivan Trail Easton, PA 18040	Northampton	Forks Township	Bushkill Creek HQ	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>
PAG136318	Penn Borough P. O. Box 352 400 Harrison Avenue Penn, PA 15675	Westmoreland	Penn Borough	Brush Creek TSF	N/A

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023904003	Lehigh—Northampton Airport Authority 3311 Airport Road Allentown, PA 18109-3040	Lehigh	City of Allentown	Little Lehigh Creek HQ-CWF
PAI023903040	Griesemer/Polsinelli, LLC P. O. Box 170 Coopersburg, PA 18036	Lehigh	South Whitehall Township	Little Lehigh Creek HQ-CWF
PAI023903012	Polaris Park, L.P. 7562 Penn Drive, Suite 100 Allentown, PA 18106	Lehigh	Upper Macungie and South Whitehall Townships	Cedar Creek HQ-CWF
PAI024503016	T. W. M. C., LLP P. O. Box 1307 Marshalls Creek, PA 18335	Monroe	Smithfield Township	Tributary to Pond Creek HQ-CWF
PAI024803036	Opus East, LLC 620 W. Germantown Pike Suite 150 Plymouth Meeting, PA 19462-1056	Northampton	Bethlehem and Lower Nazareth Townships	Monocacy Creek HQ-CWF

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

*Fayette County Conservation District: 10 Nickman Plaza, Lemont Furnace, PA 15456, (724) 438-4497.*

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI052603009	Aqua Filter Fresh, Inc. P. O. Box 14128 One Commerce Drive Pittsburgh, PA 15239	Fayette	Springfield Township	Tributary to Mill Run HQ-CWF

*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>
PAI062703001	Jenks Township Marienville STP 2 Pine Street P. O. Box 436 Marienville, PA 16239	Forest	Jenks Township	West Branch Mill Stone 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>
Lackawanna County Olyphant Borough	PAG2003504003	James Snodgrass S & G Acquisitions 1508 East Lackawanna Ave. Olyphant, PA 18447	UNT to Eddy Creek WWF	Lackawanna County Conservation District (570) 281-9495
Lehigh County Whitehall Township	PAG2003904007	Louis Cicalese 64 Montgomery Ave. Long Branch, NJ 07740	Catasauqua Creek CWF	Lehigh County Conservation District (610) 391-9583
Monroe County Smithfield Township	PAG2004503008	Department of General Services Richard J. Smith 18th and Herr Sts. Harrisburg, PA 17125	Delaware River WWF	Monroe County Conservation District (570) 629-3060
Northampton County Plainfield Township	PAG2004804001	Neil Scott Tighe Scott HC 1, Box 70 Saylorsburg, PA 18353	West Fork Martins Creek CWF	Northampton County Conservation District (610) 746-1971
Lackawanna County Archbald Borough	PAG2003504006	David Stafursky 502 Main St. Archbald, PA 18403	Wildcat Creek CWF	Lackawanna County Conservation District (570) 281-9495
Bradford County Wysox Township	PAG2000804004	Wysox Volunteer Fire Co. P. O. Box 2 Wysox, PA 18854	Laming Creek WWF	Bradford County Conservation District R. R. 5, Box 5030C Stoll Natural Resource Center Towanda, PA 18848 (570) 265-5539, Ext. 205
Clearfield County Cooper and Rush Townships	PAG2002704003	Department of Transportation 1924-30 Daisy St. Clearfield, PA 16830	Moshannon Creek CWF	Clearfield County Conservation District 650 Leonard St. Clearfield, PA 16930 (814) 765-2629
Columbia County Bloomsburg Town	PAG2001903019	N. D. LLC Conrad McKinley P. O. Box 158 Smyrna, DE 19977-0158	Fishing Creek WWF	Columbia County Conservation District 702 Sawmill Road Suite 204 Bloomsburg, PA 17815 (570) 784-1310
Lycoming County Loyalsock Township	PAG2004104001	Quintan Bower 612 Lehman Dr. Cogan Station, PA 17728	Grafius Run WWF	Lycoming County Conservation District 542 County Farm Road Suite 202 Montoursville, PA 17754 (570) 433-3003



## NOTICES

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<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Lycoming County Hepburn Township	PAG2004104003	Williamsport Area High School Chuck Peterson 201 W. 3rd St. Williamsport, PA 17701	Lycoming Creek WWF	Lycoming County Conservation District 542 County Farm Road Suite 202 Montoursville, PA 17754 (570) 433-3003
Lycoming County Loyalsock Township	PAG2004104004	Mark and Luann Mechtley 1603 Nicola Crossway Williamsport, PA 17701	Lycoming Creek WWF	Lycoming County Conservation District 542 County Farm Road Suite 202 Montoursville, PA 17754 (570) 433-3003
Union County Kelly Township	PAG2006004001	Silver Moon Shopping Center P. O. Box 73 West Milton, PA 16886	Susquehanna River WWF	Union County Conservation District 88 Bull Run Crossing Lewisburg, PA 17837 (570) 523-8782
Allegheny County Marshall Township	PAG000203003	Wadwell Group 122 Cedar Lane McMurray, PA 15317	Big Sewickley Creek TSF	Allegheny County Conservation District (412) 241-7645
Allegheny County Monroeville	PAG000203078	The Haveline Industries P. O. Box 179 Schuylkill Haven, PA 17927	Thompson Run WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Richland Township	PAG000203111	The Meritage Group, LP 772 Pine Valley Dr. Pittsburgh, PA 15239	Crouse Run Pine Creek TSF	Allegheny County Conservation District (412) 241-7645
Allegheny County Bethel Park	PAG000203113	Warner of Sturgis, LLC 507 Mortimer Ave. Sturgis, MI 49091	Peters Creek TSF	Allegheny County Conservation District (412) 241-7645
Allegheny County North Fayette Township	PAG000203118	A & R Development Box 1, 111 West Allegheny Rd. Imperial, PA 15126	North Branch WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Sewickley Heights Borough	PAG000203121	Thomas R. Johnson 608 Poia Place Sewickley, PA 15143	Ohio River WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Monroeville	PAG000204002	Ron Plisco P. O. Box 545 Monroeville, PA 15146	Thompson Run WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Ross Township	PAG000204003	AMR Ross Hill, Inc. 641 West Market St. Akron, OH 44313	Unnamed tributary to Girty's Run WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Hampton Township	PAG000204004	Gibsonia Development, LLC 417 Lenox Court Gibsonia, PA 15044	Cedar Run CWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Crafton Borough	PAG000204007	Anchor Properties, Inc. 30 W. Third Street, 6th Floor Cincinnati, OH 45202	Ohio River WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County McCandless Township	PAG000204018	Joseph Vaccarello, Jr., Inc. P. O. Box 663 50 Arch Street Carnegie, PA 15106	Little Pine Creek TSF	Allegheny County Conservation District (412) 241-7645

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Armstrong County Freeport Borough South Buffalo Township Buffalo Township Butler County	PAG2000304001	Freeport Borough 414 Market Street Freeport, PA 16229	Buffalo Creek TSF	Allegheny County Conservation District (412) 241-7645
Washington County Cecil Township	PAG2006304009	Brooks and Blair Homes, LLC 5541 Walnut Street Pittsburgh, PA 15232	Unnamed tributary to Chartiers Creek WWF	Washington County Conservation District (724) 228-6774
Washington County Cecil Township	PAG2006304012	Department of Veterans Affairs Cemetery Admin. 811 Vermont Ave. NW Washington, DC 20005	Unnamed tributary to Chartiers and McPherson Creeks WWF	Washington County Conservation District (724) 228-6774

*General Permit Type—PAG-3*

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Luzerne Borough Luzerne County	PAR202228	KMS Fab, LLC 100 Parry Street Luzerne, PA 18709	Toby Creek Susquehanna River TSF, WWF	NERO Water Management Program 2 Public Square Wilkes-Barre, PA 18711-0790 (570) 826-2511
Clifford Township Susquehanna County	PAR212227	Kochmer Quarries, Inc. 4 Main Street Clifford, PA 18413	Unnamed tributary to Dundaff Creek CWF	NERO Water Management Program 2 Public Square Wilkes-Barre, PA 18711-0790 (570) 826-2511

*General Permit Type—PAG-4*

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
White Township Indiana County	PAG046164	Robert M. Clawson P. O. Box 771 Indiana, PA 15701	UNT of McKee Run	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Cecil Township Washington County	PAG046175	John D. Teyssier 555 S. Wihart Road McDonald, PA 15057	Tributary to Millers Run	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Marshall Township Allegheny County	PAG046176	Anthony and Kathleen Weiss 128 Sunny Hill Road Wexford, PA 15090	UNT of East Branch Big Sewickley Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

## NOTICES

2003

<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>
Marshall Township Allegheny County	PAG046178	Margaret Dismukes and Dennis Delmonaco 365 Locust Road Baden, PA 15005	UNT of Big Sewickley Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Center Township Indiana County	PAG046186	Robert G. Smith 6281 Old Route 56 West Indiana, PA 15701	Cherry Run	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Ridgway Township Elk County	PAG048499	Ray E. and Myra J. Barnett 89 George Road Ridgway, PA 15853	Unnamed tributary to Elk Creek	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Harborcreek Township Erie County	PAG048572	Christopher J. and Jennifer L. Kelly 4015 Hannon Road Erie, PA 16510	Unnamed tributary to Six Mile Creek	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Salem Township Mercer County	PAG048607	Glenn E. Green 1680 Methodist Road Greenville, PA 16125-3132	Bluff Run	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Eldred Township McKean County	PAG048601	Kathleen L. and Mark A. Shelander 668 Canfield Hollow Road Eldred, PA 16731	Canfield Creek	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
McKean Township Erie County	PAG048950	Kenneth R. Mink 8170 Millfair Road McKean, PA 16426	Unnamed tributary To Elk 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>
New Kensington Westmoreland County	PAG056193	Sunoco Inc. (R & M) Ten Penn Center 1801 Market Street Philadelphia, PA 19103	Little Pucketa Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

*General Permit Type—PAG-8*

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Contact Office and Telephone No.</i>
East Manchester Township York County	PAG083529	Northeastern York County Sewer Authority WWTP P. O. Box 516 175 Chestnut St. Mt. Wolf, PA 17347	SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707

*General Permit Type—PAG-13*

*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>
PAG138329	City of Butler 140 West North Street Butler, PA 16001	Butler	City of Butler	Connoquenessing Creek	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 should 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.**

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

**Operations Permit** issued to **Great Oak Spring Water Co.**, 100 Cleveland Avenue, Reading, PA 19605, PWS ID 3396517, Coopersburg Borough, **Lehigh County** on March 23, 2004, for the operation of facilities approved under Construction Permit No. 3903505.

**Operations Permit** issued to **SHIP-BATH, LLP**, 5058 Vera Cruz Road, Center Valley, PA 18034, PWS ID 3480040, Moore Township, **Northampton County** on March 24, 2004, for the operation of facilities approved under Construction Permit N/A.

**Operations Permit** issued to **PIPPO, Inc.**, P. O. Box 72, Honesdale, PA 18431, PWS ID 2640009, Texas Township, **Wayne County** on March 25, 2004, for the operation of facilities approved under Construction Permit No. 6489507.

**Operations Permit** issued to **Pocono Pure Water Co., Inc.**, 308 Hickory Street, Scranton, PA 18505, PWS ID 2356450, City of Scranton, **Lackawanna County** on March 29, 2004, for the operation of facilities approved under Construction Permit No. 3597503 issued April 10, 1998.

**Operations Permit** issued to **Pennsylvania American Water Company**, 800 West Hersheypark Drive, Hershey, PA 17033, PWS ID 2450063, Coolbaugh Township, **Monroe County** on March 29, 2004, for the operation of facilities approved under construction permit Minor Permit Amendments issued on May 1, 1998 and December 14, 1999.

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

**Permit No. Minor Amendment—Operation.** Public Water Supply.

Applicant	<b>Shinglehouse Borough Barry Church, Council President</b> P. O. Box 156 Shinglehouse, PA 16748
Township	Sharon Township
County	<b>Potter</b>
Type of Facility	PWS—Authorizes operation of a 300,000 gallon concrete finished water storage tank.
Permit to Operate Issued	March 26, 2004

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

**Permit No. 6846-T1-A2, Minor Amendment.** Public Water Supply.

Applicant **Indian Creek Valley Water Authority**  
**2068 Indian Head Road**  
 P. O. Box 486  
 Indian Head, PA 15446

Borough or Township Saltlick Township

County **Fayette**

Type of Facility Collection system at Pritts Spring.

Consulting Engineer Bankson Engineers, Inc.  
 267 Blue Run Road  
 P. O. Box 200  
 Indianola, PA 15051

Permit to Operate Issued March 23, 2004

**Permit No. 5026048-T1, Minor Amendment.** Public Water Supply.

Applicant **DS Waters, LP**  
 45 West Noblestown Road  
 Carnegie, PA 15106

Borough or Township Collier Township

County **Allegheny**

Type of Facility Transfer—formerly Crystal Spring Water Company.

Permit to Operate Issued March 22, 2004

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

**Operations Permit** issued to **Erie City Water Authority**, 340 West Bayfront Parkway, Erie, PA 16507, PWS ID 6250028, City of Erie, **Erie County**, on March 25, 2004, for the change of Pb/cu water quality parameters at the Chestnut Street treatment plant, as approved under Construction Permit No. 2596506.

**Operations Permit** issued to **Erie City Water Authority**, 340 West Bayfront Parkway, Erie, PA 16507, PWS ID 6250028, City of Erie, **Erie County**, on March 25, 2004, for the change of Pb/cu water quality parameters at the Sommerheim treatment plant, as approved under Construction Permit No. 2596507.

**Operations Permit** issued to **Cambridge Area Joint Authority**, 161 Carringer Street, Cambridge Springs, PA 16403, PWS ID 6200004, Cambridge Township, **Crawford County**, on March 26, 2004, for the operation of the consecutive water system, as approved under Construction Permit No. 2002502.

**STORMWATER MANAGEMENT**

**Action on plans submitted under the Stormwater Management Act Storm Water Management Act (32 P. S. §§ 680.1—680.17)**

*Bureau of Watershed Management, P. O. Box 8555, Harrisburg, PA 17105-8555.*

**Plan No. SWMP 340:60, White Deer Creek Stormwater Management Plan**, as submitted by **Union County**, was approved on March 23, 2004

**SEWAGE FACILITIES ACT PLAN APPROVAL**

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

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
South Whitehall Township	Municipal Building 4444 Walbert Avenue Allentown, PA 18104	Lehigh

Plan Description: The approved plan provides for a 161-lot residential subdivision of a 73.26-acre tract. A proposed sewer main extension will connect to the existing Applewood Drive and Chapmans Road sewer main systems owned and operated by the South Whitehall Township Board of Authority. The City of Allentown conveyance and treatment facilities will be utilized. Public water will be supplied to the project by the South Whitehall Township Board of Authority. This project is at Clauser Road and Applewood Drive in South Whitehall Township, Lehigh County. Any required NPDES permits or WQM permits must be obtained in the name of the municipality or authority as appropriate.

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Pine Township	Richard Myers Pine Township Supervisors P. O. Box 311 Templeton, PA 16259	Armstrong

Plan Description: The approved plan provides for domestic sewage collection, conveyance and treatment for the Villages of Templeton and Mahoning in Pine Township, Armstrong County. Gravity sewers shall be constructed in the streets of the two villages. A pump station with force main shall be constructed for the Village of Mahoning to convey raw sewage to the extended aeration sewage treatment plant in Templeton. The force main shall be constructed and the abandoned railroad bed between Mahoning and Templeton. The sewage treatment plant shall be constructed at alternative site 1, on the western side of Allegheny Avenue, between Third and Fourth Streets in Templeton. The plant shall be constructed on the abandoned railroad bed at this Allegheny Avenue location. The package plant size is to be for a 48,000 gpd flow, or 72,000 gpd based on a 24-hour runoff period. Discharge of treated effluent shall be to the Allegheny River. The discharge point shall be at a location of Latitude 40° 54' 56" North and Longitude 79° 27' 48" West, approximately. This location is at the southern end of the Village of Templeton along the Allegheny River. This proposed sewerage system shall eliminate the raw sewage discharges directly into the Allegheny River. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES permits or WQM permits must be obtained in the name of the municipality or authority as appropriate.

**HAZARDOUS SITES CLEANUP  
UNDER THE ACT OF OCTOBER 18,  
1988**

**Proposed Consent Order and Agreement**

**Bo-Rit Asbestos Site, Borough of Ambler,  
Montgomery County**

The Department of Environmental Protection (Department), under section 1113 of the Hazardous Sites Cleanup Act (HSCA) (35 P.S. § 6020.1113), has entered into a Prospective Purchaser Consent Order and Agreement with Kane Core, Inc. for reimbursement of certain response costs incurred to remediate hazardous substances released and threatened to be released at the Bo-Rit Asbestos Site (Site), 6 South Maple Street, Borough of Ambler, Montgomery County.

The Site was the former location of asbestos-containing materials manufacturing operations. The EPA conducted an investigation of the Site and documented a release or threatened release of asbestos at the Site. Since 1987, the Department has performed interim response actions at the Site, including a field investigation of the Site, and has concluded that asbestos and asbestos containing materials exist as contaminants at the Site. The Department has not conducted a full investigation to determine the extent of the known contamination, the risk to human health or the environment from the release or threatened release of the known contamination or to identify whether any additional hazardous wastes, hazardous substances or contaminants exist on the Site.

Kane Core wishes to purchase the Site and intends to develop it for use as a shopping center with a single commercial building. In connection with its purchase of the Site, Kane Core wishes to resolve its potential liability to the Department for reimbursement of certain response costs incurred to investigate the asbestos and asbestos containing materials on the Site. The Department has determined that it is in the public interest to resolve its claim against Kane Core. Therefore, Kane Core has agreed to reimburse the Department for certain response costs in the amount of \$2,000 and shall receive contribution protection from claims related to its future ownership of this property.

This notice is provided under section 1113 of the HSCA, which states that "settlement shall become final upon the filing of the Department's response to the significant written comments." The Consent Order and Agreement, which contains the specific terms of the agreement, is available for public review and comment from 8 a.m. to 4 p.m. at the Southeast Regional Office, 2 East Main Street, Norristown, PA 19401. To review the Consent Order and Agreement, contact Sharon Mills, (484) 250-5200, shamills@state.pa.us or Adam N. Bram, Esq., (484) 250-5300, abram@state.pa.us. A public comment period on the Consent Order and Agreement will extend for 60 days from April 10, 2004. Persons may submit written comments regarding the agreement within 60 days from April 10, 2004, by submitting them to Sharon Mills at the previous address.

**LAND RECYCLING AND  
ENVIRONMENTAL REMEDIATION**

**UNDER ACT 2, 1995**

**PREAMBLE 2**

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

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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:

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

**Victoria Square IV (Hobson Street and Anthony Court)**, Palmer Township, **Northampton County**. Kevin Van Kuren, P. G., Hydrocon Services, Inc., 16 East Minor Street, Emmaus, PA 18049 has submitted a combined Remedial Investigation Report and Final Report (on behalf of Nicholas Pugliese, Grand Place, Phillipsburg, NJ 08865) concerning the remediation of soils and groundwater found or suspected to have been contaminated with no. 2 and no. 6 fuel oils. The reports were submitted in partial fulfillment of the Site-Specific Standard.

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

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

**Westinghouse Specialty Coating Division Facility (Former)**, Manor Borough, **Westmoreland County**. Dean Reed, Viacom Inc., 11 Stanwix Street, Pittsburgh, PA 15222 (on behalf of RANBAR Technologies, Harrison City Road, Manor, PA 15665) has submitted a Cleanup Plan concerning remediation of site soil and groundwater contaminated with lead, solvents, BTEX, PHCs and PAHs. The report is intended to document remediation of the site to meet the Site Specific Standard.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

Provisions of 25 Pa. Code § 250.8, 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.*

**Strathmann Lumber Company**, Southampton Township, **Bucks County**. Jennifer Sherman, GHR Consulting Services, Inc., 300 Welsh Road, Horsham, PA 19044, on behalf of Pete Iloff, Strathmann Supply Co., 620 Knowles Ave., Southampton, PA, has submitted a Final Report concerning the remediation of site soils and groundwater contaminated with fuel oil no. 2, leaded gasoline, lead, MTBE and unleaded gasoline. The Final Report demonstrated attainment of Background Standards and was approved by the Department on March 16, 2004.

**230 Whelen Ave. and 312 Mary St.**, Downingtown Borough, **Chester County**. Michael S. Welsh, P. E., Applied Environmental Management, Inc., 16 Chest County Commons, Malvern, PA 19355, on behalf of Joyce Grigson & Keystone Property Connections, LLC, 230 Whelen Ave. and 312 Mary St., Downingtown, PA 19335, has submitted a Final Report concerning the remediation of site soil contaminated with fuel oil no. 2. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on March 18, 2004.

**RJ Power Equipment**, Haverford Township, **Delaware County**. Samuel Kucia, Environmental Consulting Services, Inc., 500 E. Washington St., Norristown, PA 19401, on behalf of Rick Jones, RJ Power Equipment, 64 W. Eagle Rd., Havertown, PA 19083, has submitted a Final Report concerning the remediation of site soils contaminated with diesel fuel, fuel oil no. 2, leaded gasoline and unleaded gasoline. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on March 18, 2004.

**12th Street Facility**, Center City, **Delaware County**. Craig Herr, RT Environmental Services, Inc., 215 W. Church Rd., King of Prussia, PA 19406, has submitted a Remedial Investigation/Final Report concerning the remediation of site soils contaminated with lead and other organics. The Final Report demonstrated attainment of Site-Specific Standards and was approved by the Department on March 26, 2004.

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

**Weir Welding Company, Inc.**, City of Bethlehem, **Lehigh County**. Eric Schmidley, Apex Environmental,

Inc., 269 Great Valley Parkway, Malvern, PA 19355, submitted a Final Report (on behalf of Thomas Weir, 316 12th Street, Carlstadt, NJ 07072) concerning the migration of dissolved contaminants in groundwater from off-site. The report demonstrated attainment of the Background Standard and was approved on March 17, 2004.

**Former Penn Fuel Gas Manufactured Gas Plant—Pottsville Site**, City of Pottsville, **Schuylkill County**. RETEC Group, Inc., 3040 William Pitt Way, Pittsburgh, PA 15238 submitted a Risk Assessment Report (on behalf of PPL Gas Utilities, Two North Ninth Street, Allentown, PA 18101) concerning the risk assessment of the subject site for residual contaminants in soil, groundwater and adjacent surface water found or suspected to have been contaminated with metals, polycyclic aromatic hydrocarbons, phenolics, cyanides and BTEX compounds related to historic manufactured gas plant operations. The report was submitted in partial fulfillment of a combination of both the Statewide Health and the Site-Specific Standards and was approved on March 11, 2004.

**Camp Williams—Northern NJ Council of the Boy Scouts of America**, Dingman Township, **Pike County**. Thomas M. Hippensteal, P. G., Mid-Atlantic Associates, P. O. Box 1128, North Wales, PA 19454 submitted a Final Report (on behalf of Northern NJ Council of Boy Scouts of America, 25 Ramapo Valley Road, Oakland, NJ 07436) concerning the remediation of site soils found to have been contaminated with no. 2 home heating oil. The report demonstrated attainment of the Statewide Health Standard and was approved on March 8, 2004.

**North Pocono High School**, Moscow Borough, **Lackawanna County**. Kevin Keat, Senior Environmental Scientist, MEA, Inc., 1365 Ackermanville Road, Bangor, PA 18103 submitted a Final Report (on behalf of North Pocono School District, 701 Church Street, Moscow, PA 18444-9391) concerning the remediation of soils and groundwater found or suspected to have been contaminated with fuel oil no 2. The report demonstrated attainment of the Statewide Health Standard and was approved on March 18, 2004.

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

**Roberto Clemente Park**, City of Lancaster, **Lancaster County**. Environmental Standards, Inc., 1140 Valley Forge Road, Valley Forge, PA 19482, on behalf of the Inner City Group, 545 Pershing Avenue, Lancaster, PA 17602 and the School District of Lancaster, 1020 Lehigh Avenue, Lancaster, PA 17602, submitted a Baseline Environmental Report concerning remediation of site soils and groundwater contaminated with inorganics, lead and chlorinated solvents. The applicant proposes to remediate the site as a Special Industrial Area. The report was approved by the Department on December 23, 2003.

**PPL South Hershey Substation**, Derry Township, **Dauphin County**. PPL Electric Utilities, Two North Ninth Street, Allentown, PA 18101 submitted a combined Remedial Investigation and Final Report concerning remediation of site soils contaminated with PCBs. The final report demonstrated attainment to a combination of the Statewide Health and Site-Specific Standards and the combined report was approved by the Department on March 23, 2004.

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

**Cognis—Groundwater**, Castanea Township, **Clinton County**. Cogins Corporation, 300 Brookside Avenue,

Ambler, PA 1902 has submitted a Remedial Investigation Report, Risk Assessment Report and Cleanup Plan concerning groundwater contaminated with other organics and PAHs. This combined submission, made in partial fulfillment of the Site-Specific Standard, was approved by the Department on March 17, 2004.

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

**I Richman Company, Inc.**, Canton Township, **Washington County**. John T. Conroy, Triline Associates, Inc., 400 Technology Drive, Suite 100, Canonsburg, PA 15217 (on behalf of John W. Richman, I. Richman Company, Inc., P. O. Box 232, Washington, PA 15301 and Franklin S. Gregg, Sr., Gregg, Inc., 2329 Hill Church-Houston Road, Canonsburg, PA 15317) has submitted a Remedial Investigation Report concerning the remediation of site soil contaminated with lead and PCBs. The Remedial Investigation Report was approved by the Department on January 27, 2004.

**Former Westinghouse Facility—Lot 1B (Soils Only)**, Borough of Trafford, **Allegheny and Westmoreland Counties**. Richard K. Smith (on behalf of CBS Corporation, 11 Stanwix Street, Pittsburgh, PA 15222) has submitted a Cleanup Plan concerning remediation of site soil contaminated with PCBs, lead, heavy metals, pesticides, solvents, BTEX, PAHs and cyanide. The Cleanup Plan is intended to demonstrate attainment of the Site Specific Standard and was approved by the Department on March 11, 2004.

**Sto-Rox Booster Hall**, McKees Rocks Borough, **Allegheny County**. Toplak & Associates, 112 Pineview Road, Baden, PA 15005 (on behalf of Telephone Cards Unlimited, LLC, 217 Executive Drive, Suite 303B, Cranberry Township, PA 16066) has submitted a Baseline Environmental Report concerning the remediation of site soil and groundwater contaminated with chlorinated solvents, leaded gas, benzene and PCBs. The Baseline Environmental Report was approved by the Department on March 25, 2004.

**American Refining Group—Indianola Plant**, Indiana Township, **Allegheny County**. Don Blackert, Key Environmental Inc., 1200 Arch Street, Suite 200, Carnegie, PA 15106 (on behalf of Kinder Morgan Inc., 2010 William Pitt Way, Pittsburgh, PA 15238 and American Refining Group Inc., 3240 William Pitt Way, Pittsburgh, PA 15238) has submitted a Risk Assessment Report concerning the remediation of site soil and groundwater contaminated with BTEX, PAHs and MTBE. The Risk Assessment Report was approved by the Department on March 15, 2004.

#### **HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES**

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

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

**PAD003047792. American Color & Chemical LLC**, P. O. Box 88, Lock Haven, PA 17745-0088, City of Lock Haven, **Clinton County**. Draft hazardous waste post-closure permit was issued on April 1, 2004.

Comments concerning the application should be directed to John C. Hamilton, P. E., Facilities Manager,



Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Persons interested in obtaining more information about the general permit application should contact the Williamsport Regional Office, (570) 327-3653. TDD users should contact the Department through the Pennsylvania Relay Service, (800) 654-5984. Public comments must be submitted within 45 days of this notice and may recommend revisions to and approval or denial of the draft permit.

### HAZARDOUS WASTE ACTION

#### **Proposed action on an application for a permit under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations to operate a hazardous waste storage facility.**

##### *Intent to Issue Permit*

*Regional Office: Regional Manager, Waste Management, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**Permit No. PAD981736143. Safety-Kleen Corporation, Johnstown Service Center.** Operation of a hazardous waste storage facility in Richland Township, Cambria County. The application for a permit to store hazardous waste was considered for intent to issue by the Regional Office on March 31, 2004.

Persons wishing to comment on the proposed action are invited to submit a statement to the previous regional office within 45 days from the date of this notice. Comments received within this 45-day period will be considered in the formulation of the final determination regarding this application. Responses should include the name, address and telephone number of the writer, a concise statement to inform the regional office of the exact basis of the comment and the relevant facts upon which it is based. A public hearing may be held if the regional office considers the public response significant.

Following the 45-day comment period and/or public hearing, the Department will make a final determination regarding the proposed permit action. Notice of this determination will be published in the *Pennsylvania Bulletin*, at which time this determination may be appealed to the Environmental Hearing Board.

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

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

*Southeast Region: Regional Solid Waste Manager, 2 East Main Street, Norristown, PA 19401.*

**Permit No. 101639. L & S Demo Recycling, Inc.,** 884 Brook Road, Conshohocken, PA 19428, Plymouth Township, Montgomery County. The amended waste management permit is to bring L & S Demo Recycling, Inc. into compliance with the radiation protection action plan requirement. The permit was issued in the Southeast Regional Office on March 22, 2004.

**Permit No. 101290. Waste Management of PA, Inc.,** 1121 Bordentown Road, Morrisville, PA 19067, Philadelphia City, Philadelphia County. This amended waste management permit is to bring the Philadelphia Transfer Station into compliance with the radiation protection

action plan requirement. The permit was issued by the Southeast Regional office on March 22, 2004.

**Permit No. 400558. Montenay Montgomery Ltd. Partnership,** 1155 Conshohocken Road, Conshohocken, PA 19428, Plymouth Township, Montgomery County. This waste management permit application is for the 10-year renewal of the waste permit for the continuing operation of the Montgomery County Resource Recovery Facility in Plymouth Township, Montgomery County. This permit was issued by the Southeast Regional Office on March 25, 2004.

**Permit No. 400558. Montenay Montgomery Ltd. Partnership,** 1155 Conshohocken Road, Conshohocken, PA 19428, Plymouth Township, Montgomery County. This waste management permit application is for installation and operation of a radiation monitoring action plan for the Montgomery County resource recovery facility in Plymouth Township, Montgomery County. This permit was issued by the Southeast Regional Office on March 25, 2004.

### **MUNICIPAL AND RESIDUAL WASTE TRANSPORTER AUTHORIZATION**

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

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

**Segundo F. Martinez,** 376 Duncan Ave., Jersey City, NJ 07306. Authorization No. WH5701. Effective February 10, 2004.

**Viktoria Gott,** 752 Grier Ave., Elizabeth, NJ 07202. Authorization No. WH5776. Effective March 16, 2004.

**Sebastian C. Green,** 129-A S. 10th St., Newark, NJ 07107. Authorization No. WH5864. Effective March 4, 2004.

**Opperman Excavating, Inc.,** 1446 Cocalico Rd., Birdsboro, PA 19508. Authorization No. WH5872. Effective March 4, 2004.

**Elmer D. Grager,** R. R. 4, Box 156, Tyrone, PA 16686. Authorization No. WH5875. Effective February 26, 2004.

**Taylor Trucking, Inc.,** 107 Amstel Ave., New Castle, DE 19720. Authorization No. WH5876. Effective February 26, 2004.

**Manzueta Biviano,** 24 S. Grove St. No. E3, East Orange, NJ 07018. Authorization No. WH5877. Effective February 26, 2004.

**Interlocking Stone Systems, Inc.,** 45 Cherry Lane, Doylestown, PA 18901. Authorization No. WH5878. Effective February 26, 2004.

**Pickel's General Hauling,** 2657 Old 22, Hamburg, PA 19526. Authorization No. WH5879. Effective February 26, 2004.

**Deano's Trucking,** 155 Adelphia Rd., P. O. Box 235, Everett, PA 15537. Authorization No. WH5880. Effective March 15, 2004.

**David G. Haffey,** 521 Anderson Rd., Enon Valley, PA 16120. Authorization No. WH5881. Effective March 4, 2004.

**CNS Express, LLC**, 89 Poplar St., Waretown, NJ 08758. Authorization No. WH5882. Effective March 4, 2004.

**Trent L. Harmon**, 9284 US 322, Cranberry, PA 16319. Authorization No. WH5883. Effective March 4, 2004.

**William A. Rooney**, 65 North St., Slatington, PA 18080. Authorization No. WH5884. Effective March 4, 2004.

**Nicholas Suriou**, 3861 State Rt. 305, Cortland, OH 44410. Authorization No. WH5885. Effective March 4, 2004.

**Demotec, Inc.**, 619 N. 16th St., Philadelphia, PA 19151-3613. Authorization No. WH5888. Effective March 8, 2004.

**RPM Trucking, LLC**, 3 Jane St., Coraopolis, PA 15108. Authorization No. WH5889. Effective March 4, 2004.

**B & B Trucking**, 1205 Doe Run Rd., Shippenville, PA 16254. Authorization No. WH5890. Effective March 4, 2004.

**R & T Trans., LLC**, 155 Main St., Suite 205, Danbury, CT 06810. Authorization No. WH5891. Effective March 4, 2004.

**Algar Enterprises**, 1234 Southam Dr., Richmond, VA 23235. Authorization No. WH5892. Effective March 4, 2004.

**MTM Metro Corp.**, 5 Margaret St., Totowa, NJ 07512. Authorization No. WH5895. Effective March 4, 2004.

**Bob Drayton, Inc.**, 151 Big Hill Rd., Southampton, NJ 08088. Authorization No. WH5896. Effective March 2, 2004.

**Tejinder S. Reen**, 203 Farnsworth Ave., Bordentown, NJ 08505. Authorization No. WH5897. Effective March 2, 2004.

**Norma C. Hernandez**, 132 65th St., West New York, NJ 07093. Authorization No. WH5901. Effective March 4, 2004.

**Michael Rubright**, 508 Washington St., Apt. 5A, Shoemakersville, PA 19555. Authorization No. WH5903. Effective March 4, 2004.

**Agape Services Co., Inc.**, Ste. C, 968 E. King St., York, PA 17043. Authorization No. WH5905. Effective March 4, 2004.

**RB Contracting**, 160 RB Contracting Ln., Curwensville, PA 16833-9706. Authorization No. WH5909. Effective March 18, 2004.

**AAA Carting & Rubbish Removal**, 480 Furnace Dock Rd., Cortlandt Manor, NY 10567. Authorization No. WH5910. Effective March 4, 2004.

**Carlisle Borough, Cumberland County**, 53 W. South St., Carlisle, PA 17013. Authorization No. WH5911. Effective March 4, 2004.

**Balbir Singh**, 9A Clover Path, Maple Shade, NJ 08052. Authorization No. WH5912. Effective March 4, 2004.

**C. T. Cox, Inc.**, 1831 Pottstown Pike, Pottstown, PA 19465. Authorization No. WH5913. Effective March 4, 2004.

**Aleman Transportation**, 421 55th St., West New York, NJ 07093. Authorization No. WH5914. Effective March 4, 2004.

**Whole House Maintenance Co.**, 443 Bull Run Rd., Wrightsville, PA 17368. Authorization No. WH5915. Effective March 4, 2004.

**Grove Supply, Inc.**, P. O. Box 430, 5 Wood Lawn Ave., Willow Grove, PA 19090-0430. Authorization No. WH5916. Effective March 4, 2004.

**Milewski Excavating and Landscaping, Inc.**, 285 Wimmers Rd., Lake Ariel, PA 18436. Authorization No. WH5917. Effective March 4, 2004.

**William E. Cruz**, 175 2nd St., Clifton, NJ 07011. Authorization No. WH5918. Effective March 15, 2004.

**East Penn Pavement Co.**, 3300 Hill Rd., Slatington, PA 18080. Authorization No. WH5919. Effective March 4, 2004.

**Ethan Subasi**, 902 Adam Ct., New Hope, PA 18938. Authorization No. WH5920. Effective March 4, 2004.

**Michael T. Powers**, 3418 E. Broadland Dr., Terre Haute, IN 47805. Authorization No. WH5926. Effective March 8, 2004.

**Kelly Horne**, R. R. 1 Box 690, Linton, IN 47441. Authorization No. WH5927. Effective March 8, 2004.

**Horne Trucking, LLC**, R. R. 1 Box 690, Linton, IN 47441. Authorization No. WH5928. Effective March 8, 2004.

**Jilver Munoz Transport Corp.**, 138 Overlook Ave., Belleville, NJ 07109. Authorization No. WH5929. Effective March 8, 2004.

**David W. Golay**, 7 Randall St., Huntingdon, PA 16652-9616. Authorization No. WH5931. Effective March 8, 2004.

**Kenneth M. Beck**, 85005 Cadiz Jewett Rd., Cadiz, OH 43907. Authorization No. WH5932. Effective March 8, 2004.

**John Henry Assoc. Corp.**, 130 17th St., No. 3R, Brooklyn, NY 11215. Authorization No. WH5933. Effective March 8, 2004.

**Barney Recycling Co.**, R. R. 1, Box 66A, Uniondale, PA 18470. Authorization No. WH5934. Effective March 8, 2004.

**Brooks Jr. Trucking, Inc.**, 112 Melrose Ave., Irvington, NJ 07111. Authorization No. WH5935. Effective March 5, 2004.

**TSS Waste Solutions, Inc.**, 1051 Commerce Ave., Union, NJ 07083. Authorization No. WH5936. Effective March 8, 2004.

**Larry J. Forgy**, 3548 Johnson Hill Rd., Tyrone, PA 16686. Authorization No. WH5937. Effective March 8, 2004.

**James F. Godwin, Inc.**, 1701 Adams St., Cinnaminson, NJ 08077. Authorization No. WH5939. Effective March 8, 2004.

**Landscaping Connections**, 119 Ewing Ln., Franklin, PA 16323. Authorization No. WH5940. Effective March 8, 2004.

**Smoker Excavating**, 122 Morley Rd., Genesee, PA 16923-9021. Authorization No. WH5946. Effective March 12, 2004.

**Carl Molinaro**, HCR 1931, Jim Thorpe, PA 18229. Authorization No. WH5947. Effective March 18, 2004.

**Carl K. Guinther**, 133 Bloody Spring Rd., Bernville, PA 19506. Authorization No. WH5949. Effective March 8, 2004.

**Juan Bunay**, 75 Pennsylvania Ave., Newark, NJ 07114. Authorization No. WH5950. Effective March 8, 2004.

**Reiff Excavating**, 98 Hershey Rd., Shippensburg, PA 19257. Authorization No. WH5951. Effective March 8, 2004.

**American Furniture & Mattress Outlet, Inc.**, 9 Easton Rd., Nazareth, PA 18064. Authorization No. WH5952. Effective March 8, 2004.

**Freedom Disposal**, 110 Woodside Ave., Johnstown, PA 15904. Authorization No. WH5954. Effective March 9, 2004.

**J & L Leasing, Inc.**, 851 Whig Lane Rd., Glassboro, NJ 08028. Authorization No. WH5955. Effective March 9, 2004.

**Christy Transport, LLC**, 540 Jefferson Ave., Rahway, NJ 07065. Authorization No. WH5956. Effective March 8, 2004.

**Vega Investment Corp.**, 66 Mina Ave., Clifton, NJ 07011. Authorization No. WH5957. Effective March 9, 2004.

**Christopher S. Sheeder**, 2196 Lower Snake Spring Rd., Everett, PA 15537. Authorization No. WH5958. Effective March 10, 2004.

**Zoran Pasovic**, 106 Old Allamuchy Rd. No. 12, Hackettstown, NJ 07840. Authorization No. WH5959. Effective March 8, 2004.

**Timchack & Assoc.**, P.O. Box 821, Pittsburgh, PA 18640. Authorization No. WH5960. Effective March 9, 2004.

**Fanelli Bros. Trucking Co.**, 1298 Keystone Blvd., Pottsville, PA 17901. Authorization No. WH5961. Effective March 9, 2004.

**M. S. Reedy Excavating**, 109 Stoney Lane, Northumberland, PA 17857-9548. Authorization No. WH5962. Effective March 10, 2004.

**Kline's Excavating & Trucking**, 1374 Syner Rd., Annville, PA 17003. Authorization No. WH5963. Effective March 9, 2004.

**Triad Roofing & Construction**, 23 Gimmings Ln., Langhorne, PA 19047. Authorization No. WH5964. Effective March 12, 2004.

**Samuel L. Livingston**, 2404 Fleetwing Dr., Levittown, PA 19057-4117. Authorization No. WH5965. Effective March 9, 2004.

**Jerry Bottiger, General Contractor**, 7515 Buffalo Rd., Mifflinburg, PA 17844-7849. Authorization No. WH5966. Effective March 10, 2004.

**Alpine Landscaping**, 150 Summit Ave., Langhorne, PA 19047. Authorization No. WH5967. Effective March 10, 2004.

**Creative Construction Cranberry, LLC**, 114 Manor Rd., Cranberry Township, PA 16066. Authorization No. WH5968. Effective March 10, 2004.

**Maria T. Castilio**, 983 E. 19th St., Apt. 2, Paterson, NJ 07501-3645. Authorization No. WH5972. Effective March 12, 2004.

**Lajara Wilfredo**, 43 Congress St., Apt. 2, Newark NJ 07105. Authorization No. WH5973. Effective March 12, 2004.

**J & S Trucking**, R. R. 1 Box 1343, Stroudsburg, PA 18360-9621. Authorization No. WH5974. Effective March 12, 2004.

**Walker Trucking**, 188 Yoder Rd., Bainbridge, PA 17502-9506. Authorization No. WH5975. Effective March 18, 2004.

**Pegaso Transport, Inc.**, 294 Boulevard Ave., Passaic, NJ 07055. Authorization No. WH5977. Effective March 12, 2004.

**Dirty Deeds**, P. O. Box 2162, Sinking Springs, PA 19608. Authorization No. WH5978. Effective March 12, 2004.

**Hussain Sabir**, 183 Walnut St., Teaneck, NJ 07666. Authorization No. WH5981. Effective March 19, 2004.

**Damian's Transport Co.**, 312 50th St., West New York, NJ 07093. Authorization No. WH5983. Effective March 15, 2004.

**Ziegenfus Coal**, 940 Mauch Chunk Rd., Palmerton, PA 18071. Authorization No. WH5986. Effective March 18, 2004.

**Eastern Shore Environmental, Inc.**, 826 Postles Corner Rd., P. O. Box 452, Little Creek, DE 19961. Authorization No. WH5988. Effective March 18, 2004.

**Omni Group, Inc. of Indian Lake**, 244 W. Airport Rd., Central City, PA 15926. Authorization No. WH5989. Effective March 18, 2004.

**Tom Buckman Roofing & Construction**, 96 Lynwood Ave., Easton, PA 18045-2745. Authorization No. WH5991. Effective March 18, 2004.

**Devine Brothers, Inc.**, 2 H Ramond Dr., Havertown, PA 19083. Authorization No. WH5993. Effective March 18, 2004.

**Melvin L. Franty**, 163 Union St., Uniontown, PA 15401. Authorization No. WH5994. Effective March 18, 2004.

**Burns Excavating**, R. R. 3 Box 24AA, New Milford, PA 18834. Authorization No. WH5996. Effective March 19, 2004.

**K & M Peschock Trucking**, P. O. Box 2, Dunlo, PA 15930. Authorization No. WH5995. Effective March 19, 2004.

**RSK Trucking**, 331 Lambertsville Rd., Stoystown, PA 15563. Authorization No. WH5997. Effective March 19, 2004.

**T L Lawrence Construction, Inc.**, 208 3rd Ave. E, Beaverfalls, PA 15010. Authorization No. WH5998. Effective March 19, 2004.

**S M Ross, Inc.**, 124 Miller Rd., Pittsburgh, PA 15237-3664. Authorization No. WH5999. Effective March 19, 2004.

**George Melendez**, 963 Monroe Ave., Union, NJ 07201. Authorization No. WH6000. Effective March 19, 2004.

**MJZ Transport, Inc.**, 165 Woodside Ave., Newark, NJ 07104. Authorization No. WH6002. Effective March 19, 2004.

**Elmer N. Weber**, 227 Woodcorner Rd., Lititz, PA 17543. Authorization No. WH6003. Effective March 18, 2004.

## AIR QUALITY

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

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

**66-312-001GP: The Procter and Gamble Paper Products Co.** (P. O. Box 32, Mehoopany, PA 18626) on March 22, 2004, to construct and operate a 7,000-gallon storage tank (core adhesive storage) at their facility on Route 87, Washington Township, **Wyoming County**.

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

**GP5-03-00236: EOG Resources, Inc.** (2039 South Sixth Street, Indiana, PA 15701) on March 23, 2004, to operate a natural gas compressor in Mahoning Township, **Armstrong County**.

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

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

**46-0013A: Hatfield Quality Meats, Inc.—Subsidiary of The Clemens Family Corp.** (2700 Funks Rd., Hatfield, PA 19440) on March 26, 2004, to operate a 49 mmBtu/hr heat input boiler in Hatfield Township, **Montgomery County**.

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

**06-05008A: SFS Intec, Inc.** (P. O. Box 6326, Wyomissing, PA 19610) on March 26, 2004, to construct three dip and spin surface coating lines and associated ovens controlled by low VOC coatings in their facility in the Borough of Wyomissing, **Berks County**.

**06-05069C: East Penn Manufacturing Co., Inc.** (Deka Road, P. O. Box 147, Lyon Station, PA 19536) on March 23, 2004, to construct a grid caster in Plant A-2 and two lead oxide mills in the oxide plant and to modify a grid caster and lot pot in Plant A-2 all controlled by four fabric collectors and HEPA filters in their facility in Richmond Township, **Berks County**.

**21-05036A: Hempt Brothers, Inc.** (205 Creek Road, Camp Hill, PA 17011) on March 23, 2004, to construct equipment to process recycled asphalt pavement at batch asphalt plant no. 4 at their Camp Hill Asphalt Plant in Lower Allen Township, **Cumberland County**.

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

**03-00229D: Rosebud Mining Co.** (301 Market Street, Kittanning, PA 16201-9642) on March 25, 2004, to install a coal washing facility to their Logansport Mine in Bethel Township, **Armstrong County**.

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

**37-306A: Atlantic States Materials of PA, Inc.—Taylor Run Plant** (Route 106, Slippery Rock, PA 16057) on March 12, 2004, to construct a sand and gravel processing plant in Scott Township, **Lawrence County**.

**37-319A: Atlantic States Materials of PA, Inc.—Wampum Plant** (Route 18, Wampum, PA 16157) on March 12, 2004, to construct a sand and gravel processing plant in North Beaver Township, **Lawrence 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.*

**46-0037C: Cabot Supermetals** (P. O. Box 1608, County Line Road, Boyertown, PA 19512) on March 23, 2004, to operate a tantalum scrap digestion in Douglass Township, **Montgomery County**.

**09-0128: East Coast Sign Advertising** (5058 Route 13 North, Bristol, PA 19007) on March 23, 2004, to operate paint spray booths in Bristol Township, **Bucks County**.

**46-0229: Global Rubber, Inc.** (451 Yerkes Road, King of Prussia, PA 19406) on March 23, 2004, to operate a carbon bed filter system in Upper Merion Township, **Montgomery County**.

**23-0082: Liberty Electric Power, LLC** (1000 Industrial Highway, Route 291, Eddystone, PA 19022) on March 23, 2004, to operate a power plant (500 mW) in Eddystone Borough, **Delaware County**.

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

**14-313-041A: Rutgers Organics Corp.** (201 Struble Road, State College, PA 16801) on March 19, 2004, to operate a chemical process facility (ROC7-2000) and associated air cleaning devices (various condensers, two packed bed scrubbers and a regenerative thermal oxidizer) on a temporary basis, until July 17, 2004, in College Township, **Centre County**. The plan approval has been extended.

**49-00009A: Mohawk Flush Doors, Inc.** (US Route 11, Northumberland, PA 17857) on March 22, 2004, to operate two wooden door roll coaters and spray booth 4 on a temporary basis, until July 20, 2004, in Point Township, **Northumberland County**. The plan approval has been extended.

**60-310-006A: Eastern Industries, Inc.** (P. O. Box 177, Winfield, PA 17889) on March 25, 2004, to operate a stone crushing operation and associated air cleaning devices (two water spray dust suppression systems) on a temporary basis, until July 23, 2004, in Buffalo Township, **Union County**. The plan approval has been extended.

**49-303-006: Collier Materials, Inc.** (R. R. 2, Box 672, Shamokin, PA 17872) on March 24, 2004, to extend the deadline date for the performance of stack testing on a batch asphalt concrete plant and associated air cleaning device (a fabric collector) until August 31, 2004, and to operate their plant on a temporary basis until July 22,

2004, in Ralpho Township, **Northumberland County**. The plan approval has been extended.

**53-329-011: Tennessee Gas Pipeline Co.** (9 Greenway Plaza, Houston, TX 77046) on March 25, 2004, to operate a natural gas transmission booster station (Ellisburg Booster Station) comprised of two 2,365 brake horsepower natural gas-fired reciprocating internal combustion compressor engines and a 367 brake horsepower natural gas-fired reciprocating internal combustion generator engine on a temporary basis, until July 23, 2004, in Genesee Township, **Potter County**. The plan approval has been extended.

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

**65-00865B: Sony Chemicals Corp. of America** (1001 Technology Drive, Mt. Pleasant, PA 15666) on March 25, 2004, to install a MEGTEC CleanSwitch™ regenerative thermal oxidizer (RTO) system on their thermal transfer ribbon paint production and coating process facility in East Huntingdon Township, **Westmoreland County**. The Plan Approval for this facility has been revised and now identifies the minimum operating temperature of the RTO. Plan Approval condition no. 5 has been revised as follows:

Plan Approval Condition No. 5: "Equipment to continuously monitor and record the temperature maintained in the oxidizer combustion chamber shall be installed. The minimum temperature maintained in the combustion chamber shall be 1,600°F or the temperature at which a 98% destruction removal efficiency is demonstrated during performance testing. These records shall be kept on file a minimum of five years and shall be made available to the Department upon request (25 Pa. Code § 127.12b)." This is a Title V Facility.

**04-00059C: Koppel Steel Corp.** (P. O. Box 750, Beaver Falls, PA 15010) on March 24, 2004, for their Koppel Plant in the Borough of Koppel, **Beaver County**. The facility currently has a Title V Operating Permit No. TV-04-00059. The provisions of this plan approval modification will subsequently be incorporated into the Title V Operating Permit through an amendment in accordance with 25 Pa. Code § 127.450.

This modification is to resolve issues that were raised on appeal by Koppel to the Environmental Hearing Board. Issues include lb/hr limitations for SOx and VOC emissions and location requirements for stack testing of gaseous pollutants. The Department and Koppel have come to agreement on the issues and the following changes reflect this resolution:

- Condition 13, revised to remove lb/hr emission rates for VOC and SOx, added lb/3-hour total emission rate for SOx and changed lb/ton SOx emission factor to 0.7 lb/ton. Also added qualifier for the use of short and long term emission factors and basis for tpy rates. The SOx emission factor of 0.7 lb SOx/ton of production was taken from the EPA's AIRS, March 1990 and used as a basis for SOx emission limitations.

- Condition 25, revised to allow testing at baghouse inlet for CO, NOx, SOx and VOC, as well as, allow short term SOx emissions to be based on a lbs/3-hour total.

- Condition 26, revised to allow testing at baghouse inlet for CO, NOx, SOx and VOC.

- Condition 27, revised to detail how hourly and annual compliance is determined.

- Condition 28, revised to delete requirement for notice for completion of construction.

**26-00545A: HBC Barge LLC** (1800 Paul Thomas Blvd., Brownsville, PA 15417) on March 24, 2004, modified plan approval to allow changes in coating types, changes in application technology and an increase in facility-wide emission limitations at their HBC Barge facility in Brownsville Borough, **Fayette County**.

**32-00367A: Ridge Energy Co., Inc.** (265 Swamp Road, Suite 3000, Clymer, PA 15728) on March 29, 2004, to construct a crushing, screening and stockpiling plant in Cherryhill Township, **Indiana County**. This plan approval was extended.

**65-00659B: Better Materials Corp.** (220 Springfield Pike, Connellsville, PA 15425) on March 29, 2004, to construct an asphalt plant in Hempfield Township, **Westmoreland County**. This plan approval was extended.

**63-307-027: American Iron Oxide Production** (Foster Plaza, No. 7, 661 Andersen Drive, Pittsburgh, PA 15220) on March 12, 2004, to install a baghouse and scrubbers in Allenport Borough, **Washington 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.*

**42-196A: Catalyst Energy, Inc.—Swamp Angel Compressor Station** (Big Shanty Road and FR 307, Lewis Run, PA 16738) on March 23, 2004, to install a natural gas processing plant and associated gas compressor engine in Lafayette Township, **McKean County**. The source is subject to NSPS (40 CFR 60 Subpart KKK).

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

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

**22-03030: Pennsy Supply, Inc.** (P. O. Box 3331, 1001 Paxton Street, Harrisburg, PA 17105) on March 26, 2004, to operate the crushing operation at their Fiddler's Elbow Quarry in Lower Swatara Township, **Dauphin County**.

**36-03063: Kearney A. Snyder Funeral Home, Inc.** (141 East Orange Street, Lancaster, PA 17602) on March 23, 2004, to operate a cremation chamber in the City of Lancaster, **Lancaster County**.

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

**27-00008: Industrial Timber and Lumber Co.—Endeavor Lumber** (Route 666, Endeavor, PA 16322) on March 23, 2004, to issue a Natural Minor Operating Permit to operate a sawmill and a wood-fired boiler in Hickory Township, **Forest County**.

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#### **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.**

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

**49-00054: Meckley's Limestone Products** (R. R. 1, Box 1682, Herndon, PA 17830) on March 2, 2004, issued a revised State-only operating permit to include an administrative amendment, which was a Department initiated revision, to add conditions to Source ID P104 and Site Level Requirements to permit MLP to burn waste oil in the rotary stone dryer of Source ID P104. This facility is in Lower Mahoney Township, **Northumberland County**. This revised State-only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

**49-00007: Merck and Co., Inc.** (P. O. Box 600, Danville, PA 17821) on March 5, 2004, issued a revised operating permit, Revision No. 5, for their pharmaceutical, pesticide and chemical manufacturing facility in Riverside Borough, **Northumberland County**. The revision of this permit is to incorporate terms and conditions from Plan Approvals 49-00007A and 49-00007B for the operation of new wastewater treatment equipment and a new condenser (CN-2640). In addition, this revision incorporates into the operating permit the ERCs awarded for the shutdown of the John Zink Waste Solvent Incinerator and the shutdown of the multiple hearth incinerator and the operation of an 8,400-gallon hydrochloric acid tank (TA-824), a 100-gallon acetic acid hold tank (TA-1303) and three emergency generators exempted from plan approval. This Title V operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

**60-00001: Bucknell University** (University Ave., Lewisburg, PA 17837) on February 13, 2004, issued a revised State-only operating permit to include an administrative amendment, which was a Department-initiated revision, to change designations of Source ID P102 and P103 from combustions units to process units. This facility is in the Borough of Lewisburg, **Union County**. This revised State-only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

**V95-024: Sea Gull Lighting Products, Inc.** (25th and Wharton Streets, Philadelphia, PA 19146) on March 29, 2004, administratively amended to correct the ZIP code. The Title V Operating Permit was originally issued on June 12, 2000.

**V95-029: Naval Surface Warfare Center—Carderock Division—Ship Systems Engineering Station** (5001 South Broad Street, Philadelphia, PA 19112-1403) on March 29, 2004, administratively amended to change contact information. The Title V operating permit was originally issued on August 1, 2002.

**S95-063: Commander Navy Region—Mid-Atlantic** (700 Robbins Avenue, Philadelphia, PA 19111-5098) on March 29, 2004, administratively amended to change the name of the facility from Naval Support Activity. The Synthetic Minor operating permit was originally issued on June 25, 2001.

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**De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.**

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

**65-00235: Alcoa Technical Center** (100 Technical Drive, Alcoa Center, PA 15069-0001) for their new electri-

cally heated Pilot Tunnel kiln used for processing of anode material, controlled by a thermal oxidizer. This new process will increase VOCs by .1 ton per year, NOx by .78 ton per year and CO by 1.4 tons per year. The increase of the three pollutants are authorized as a de minimis emission increases specified under 25 Pa. Code § 127.449.

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**ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS**

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**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).**

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*Coal Permit Actions*

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

**40930102R2. Mammoth Anthracite, LLC** (P. O. Box 108, Beaver Meadows, PA 18216), renewal of an existing anthracite surface mine operation in Hazle Township, **Luzerne County**, affecting 474.0 acres. Receiving streams: None. Application received November 12, 2003. Renewal issued March 22, 2004.

**13980201R. Rossi Excavating Company** (9 West 15th Street, Hazleton, PA 18201), renewal of an existing coal refuse reprocessing operation in Banks Township, **Carbon County**, affecting 18.0 acres. Receiving streams: None. Application received November 24, 2003. Renewal issued March 22, 2004.

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

**56950110 and NPDES Permit No. PA0213217. Ritchie Trucking and Excavating, Inc.** (19709 Winner View Terrace, Frostburg, MD 21532), permit transfer from Hardrock Coal Company (19709 Winner View Terrace, Frostburg, MD 21532), for continued operation of a bituminous surface mine in Elk Lick Township, **Somerset County**, affecting 166.8 acres. Receiving streams: unnamed tributary to and Flag Run; unnamed tributary to and Casselman River (CWF). There are no potable water supply intakes within 10 miles downstream. Application received October 14, 2003. Permit issued March 22, 2004.

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, (814) 342-8200.*

**17-03-05. McDowell Excavating** (3007 Palestine Road, Morrisdale, PA 16858). The Moshannon District Mining Office awarded a Government Financed Construction Contract to McDowell Excavating on March 9, 2004, that will result in incidental coal removal necessary to

accomplish reclamation of an abandoned mine land site affecting 3.7 acres. The site is in Lawrence Township, **Clearfield County**. Under the terms of the contract, no reprocessing of the coal refuse may take place and no coal refuse materials may be returned to the site once removed. The contract requires total reclamation and revegetation of the project area. This project was made possible under a program developed by the Department which allows for expedited removal and reclamation of old coal refuse piles which are generally eyesores as well as a major source of siltation and pollution to the streams of this Commonwealth. Application received September 16, 2003. Permit issued March 9, 2004.

#### *Noncoal Permit Actions*

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

**34042801. Blue Mountain Building Stone Co., Inc.** (80 South Hershey Road, Harrisburg, PA 17112), commencement, operation and restoration of a quarry operation in Milford Township, **Juniata County**, affecting 5.0 acres. Receiving streams: None. Application received January 15, 2004. Permit issued March 23, 2004.

**7973SM5C5. Eureka Stone Quarry, Inc.** (9119 Frankford Avenue, Philadelphia, PA 19114), depth correction to an existing quarry operation in Wrightsville Township, **Bucks County**, affecting 121.0 acres. Receiving streams: Neshaminy Creek. Application received February 11, 2003. Correction issued March 26, 2004.

**09030301. Eureka Stone Quarry, Inc.** (9119 Frankford Avenue, Philadelphia, PA 19114), commencement, operation and restoration of a quarry operation in Wrightstown Township, **Bucks County**, affecting 39.0 acres. Receiving streams: None. Application received February 11, 2003. Permit issued March 26, 2004.

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

**56920302 and NPDES Permit No. PA0212326. New Enterprise Stone & Lime Company, Inc.** (P. O. Box 77, New Enterprise, PA 16664), renewal of NPDES Permit, Shade Township, **Somerset County**. Receiving streams: Laurel Run (CWF). The first downstream potable water supply intake from the point of discharge is the Cambria Somerset Authority Stonycreek Surface Water Withdrawal. NPDES renewal application received January 20, 2004. Permit issued March 23, 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.*

**45044009. Rock Work, Inc.** (1257 DeKalb Pike, R. D. 2, Blue Bell, PA 19472), construction blasting at Tranquility Woods in Smithfield Township, **Monroe County**, with an expiration date of March 31, 2005. Permit issued March 22, 2004.

**54044003. Brubacher Excavating, Inc.** (P. O. Box 528, 825 Reading Road, Bowmansville, PA 17507), construction blasting at Sears Logistics in Foster Township,

**Schuylkill County**, with an expiration date of March 31, 2005. Permit issued March 22, 2004.

**48044006. Schlouch, Inc.** (Excelsior Industrial Park, P. O. Box 69, Blandon, PA 19510), construction blasting at Opus (Bethlehem) Commercial in Bethlehem and Lower Nazareth Townships, **Northampton County**, with an expiration date of April 10, 2005. Permit issued March 22, 2004.

**09044004. Eastern Blasting Co., Inc.** (1292 Street Road, New Hope, PA 18938), construction blasting at Hilltop Housing Project in Warrington Township, **Bucks County**, with an expiration date of October 10, 2004. Permit issued March 22, 2004.

**48044007. Schlouch Excavating, Inc.** (Excelsior Industrial Park, P. O. Box 69, Blandon, PA 19510), construction blasting at Palmer North Housing in Palmer Township, **Northampton County**, with an expiration date of April 14, 2005. Permit issued March 22, 2004.

**09044005. Joao & Bradley Construction Co., Inc.** (P. O. Box 20345, Lehigh Valley, PA 18002) and **AJT Blasting, LLC** (P. O. Box 20412, Bethlehem, PA 18002), construction blasting at Stoopville Road and Eagle Road in Newtown Township, **Bucks County**, with an expiration date of December 15, 2004. Permit issued March 22, 2004.

**38044003. Hall Explosives, Inc.** (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting at Wheatstone in South and North Londonderry Townships, **Lebanon County**, with an expiration date of April 12, 2005. Permit issued March 22, 2004.

**36044016. Hall Explosives, Inc.** (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting at Freedom Graphics in Mount Joy Township, **Lancaster County**, with an expiration date of January 12, 2005. Permit issued March 22, 2004.

**36044017. Keystone Blasting Service** (381 Reifsnnyder Road, Lititz, PA 17543), construction blasting at the Ralph Brubaker Project in West Earl Township, **Lancaster County**, with an expiration date of September 12, 2004. Permit issued March 22, 2004.

**45044010. Explosive Services, Inc.** (7 Pine Street, Bethany, PA 18431), construction blasting at Lake In The Clouds in Barrett Township, **Monroe County**, with an expiration date of March 5, 2005. Permit issued March 22, 2004.

**46044013. Joao & Bradley Construction Co., Inc.** (P. O. Box 20345, Lehigh Valley, PA 18002) and **AJT Blasting, LLC** (P. O. Box 20412, Bethlehem, PA 18002), construction blasting at Brownstone Mill Waterline Extension in Lower Salford Township, **Montgomery County**, with an expiration date of December 12, 2004. Permit issued March 22, 2004.

**36044018. Keystone Blasting Service** (381 Reifsnnyder Road, Lititz, PA 17543), construction blasting at 188 Blank Road, Soil Conservation Work in Salisbury Township, **Lancaster County**, with an expiration date of August 17, 2004. Permit issued March 23, 2004.

**36044019. Keystone Blasting Service** (381 Reifsnnyder Road, Lititz, PA 17543), construction blasting at Hinkletown Mennonite Church Cemetery in Earl Township, **Lancaster County**, with an expiration date of April 17, 2005. Permit issued March 23, 2004.

**06044008. Keystone Blasting Service** (381 Reifsnnyder Road, Lititz, PA 17543), construction blasting at



Paul Sekulski Project in Amity Township, **Berks County**, with an expiration date of July 10, 2004. Permit issued March 23, 2004.

**46044012. Anrich, Inc.** (400 Gypsy Lane, King of Prussia, PA 19406) and **Bernard J. Hasara** (1125 East Mahanoy Avenue, Mahanoy City, PA 17948), construction blasting at Cedar Hill Sanitary Pipe Installation in Lower Gwynedd Township, **Montgomery County**, with an expiration date of October 8, 2004. Permit issued March 23, 2004.

**06044009. Barwis Construction, LLC** (P. O. Box 97, Limekiln, PA 19535) and **BlueStone, Inc.** (170 Cherry Blossom Drive, Churchville, PA 18966-1091), construction blasting at Green Valley Estates in Lower Heidelberg Township, **Berks County**, with an expiration date of May 31, 2004. Permit issued March 23, 2004.

**38044004. Hall Explosives, Inc.** (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting at Fox Hill Estates/5456 Star Lane in South Londonderry Township, **Lebanon County**, with an expiration date of April 17, 2005. Permit issued March 23, 2004.

**67044012. J. Roy's, Inc.** (Box 125, Bowmansville, PA 17507), construction blasting at Peacefields in East Manchester Township, **York County**, with an expiration date of March 31, 2005. Permit issued March 23, 2004.

**15044007. Allan A. Myers, L. P.** (P. O. Box 98, Worcester, PA 19490) and **Horst Drilling & Blasting, Inc.** (141 Ranck's Church Road, New Holland, PA 17557), construction blasting at Hill Farm Housing Development in Valley and Caln Townships, **Chester County**, with an expiration date of April 17, 2005. Permit issued March 23, 2004.

**67044013. Miller Warner Construction, Inc.** (265 Plane Tree Drive, Lancaster, PA 17603) and **M & J Explosives** (P. O. Box 608, Carlisle, PA 17013), construction blasting at Spring Valley Manor in Dover Borough, **York County**, with an expiration date of March 31, 2005. Permit issued March 23, 2004.

**36044026. Hall Explosives, Inc.** (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting at Lancaster General Health Campus in East Hempfield Township, **Lancaster County**, with an expiration date of April 9, 2005. Permit issued March 23, 2004.

**45044012. Explosive Services, Inc.** (7 Pine Street, Bethany, PA 18431), construction blasting at The Estates At Tannersville in Pocono Township, **Monroe County**, with an expiration date of March 8, 2005. Permit issued March 24, 2004.

**45044011. Explosive Services, Inc.** (7 Pine Street, Bethany, PA 18431), construction blasting at Franklin Hill Estates in Smithfield Township, **Monroe County**, with an expiration date of March 8, 2005. Permit issued March 24, 2004.

**48044009. Labrador Construction** (P. O. Box 1379, Marshalls Creek, PA 18335) and **Austin Powder Company** (559 Nor-Bath Boulevard, Northampton, PA 18067), construction blasting at the Bethlehem Civic Center in Bethlehem Township, **Northampton County**, with an expiration date of July 1, 2004. Permit issued March 24, 2004.

**45044013. Explosive Services, Inc.** (7 Pine Street, Bethany, PA 18431), construction blasting at Target Homes, Inc. in Smithfield Township, **Monroe County**, with an expiration date of March 10, 2005. Permit issued March 24, 2004.

**46044014. AMROC, Inc.** (7531 Chestnut Street, Zionsville, PA 18092), construction blasting at Bethel Knoll in Worcester Township, **Montgomery County**, with an expiration date of April 22, 2005. Permit issued March 24, 2004.

**06044010. Schlouch Inc.** (Excelsior Industrial Park, P. O. Box 69, Blandon, PA 19510), construction blasting at Wheatfield Run in Spring Township, **Berks County**, with an expiration date of April 22, 2005. Permit issued March 24, 2004.

**06044011. Schlouch Inc.** (Excelsior Industrial Park, P. O. Box 69, Blandon, PA 19510), construction blasting at Willow Glen Housing in Ontelaunee Township, **Berks County**, with expiration date April 22, 2005. Permit issued March 24, 2004.

**52044002. Explosive Services, Inc.** (7 Pine Street, Bethany, PA 18431), construction blasting on personal property on SR 4004 in Blooming Grove Township, **Pike County**, with expiration date of March 12, 2005. Permit issued March 24, 2004.

**38044005. Brubacher Excavating, Inc.** (P. O. Box 528, 825 Reading Road, Bowmansville, PA 17507), construction blasting at Detweiler Pool in North Londonderry Township, **Lebanon County**, with an expiration date of April 22, 2005. Permit issued March 24, 2004.

**06044012. Keystone Blasting Service** (381 Reifsnnyder Road, Lititz, PA 17543), construction blasting at the Peck Job in Brecknock Township, **Berks County**, with an expiration date of July 22, 2004. Permit issued March 24, 2004.

**15044008. Explo-Craft, Inc.** (P. O. Box 1332, West Chester, PA 19380), construction blasting at Shadeland Woods in West Goshen Township, **Chester County**, with an expiration date of April 22, 2005. Permit issued March 24, 2004.

**67044014. Warren's Excavating & Drilling, Inc.** (P. O. Box 189, Bowmansville, PA 17507-0189), construction blasting at Whisper Run Development in Windsor Township, **York County**, with an expiration date of March 31, 2005. Permit issued March 24, 2004.

**36044020. Warren's Excavating & Drilling, Inc.** (P. O. Box 189, Bowmansville, PA 17507-0189), construction blasting at Parkside Development in East Hempfield Township, **Lancaster County**, with an expiration date of March 31, 2005. Permit issued March 24, 2004.

**48044008. Austin Powder Company** (P. O. Box 289, Northampton, PA 18067), construction blasting at Florey Farm Subdivision in Upper Nazareth Township, **Northampton County**, with an expiration date of April 21, 2005. Permit issued March 25, 2004.

**48044011. Chrin, Inc.** (635 Industrial Drive, Easton, PA 18042) and **Austin Powder Company** (P. O. Box 189 Northampton, PA 18067), construction blasting at Parkview Estates Development in Palmer Township, **Northampton County**, with an expiration date of April 26, 2005. Permit issued March 25, 2004.

**64044001. Explosive Services, Inc.** (7 Pine Street, Bethany, PA 18431), construction blasting at 153 Butter-nut Flats in Berlin Township, **Wayne County**, with an expiration date of March 13, 2005. Permit issued March 25, 2004.

**35044002. Hayduk Enterprises** (P. O. Box 554, Dalton, PA 18414), construction blasting at Summerfield Development in Glenburn Township, **Lackawanna**



County, with an expiration date of March 15, 2005. Permit issued March 25, 2004.

**36044003. Hayduk Enterprises** (P. O. Box 554, Dalton, PA 18414), construction blasting at the Corner of Hack Road and Garner Road in Benton Township, **Lackawanna County**, with an expiration date of September 15, 2004. Permit issued March 25, 2004.

**36044023. Gerlach's Drilling & Blasting, Inc.** (172 Bender Mill Road, Lancaster, PA 17603), construction blasting at Windamere Place in East Hempfield Township, **Lancaster County**, with an expiration date of April 23, 2005. Permit issued March 25, 2004.

**36044022. Gerlach's Drilling & Blasting, Inc.** (172 Bender Mill Road, Lancaster, PA 17603), construction blasting at D. H. Funk & Sons in West Hempfield Township, **Lancaster County**, with an expiration date of April 23, 2005. Permit issued March 25, 2004.

**67044015. Gerlach's Drilling & Blasting, Inc.** (172 Bender Mill Road, Lancaster, PA 17603), construction blasting at Calnbridge Heights in Windsor Township, **York County**, with an expiration date of March 31, 2005. Permit issued March 25, 2004.

**36044021. Hall Explosives, Inc.** (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting at Homestead Village in East Hempfield Township, **Lancaster County**, with an expiration date of April 23, 2005. Permit issued March 25, 2004.

**28044011. Hempt Brothers, Inc.** (205 Creek Road, Camp Hill, PA 17011) and **Senex Explosives, Inc.** (710 Millers Run Road, Cuddy, PA 15031), construction blasting on SR 30—16 Highway Reconstruction in Guilford Township, **Franklin County**, with an expiration date of September 30, 2004. Permit issued March 25, 2004.

**21044009. Stewart & Tate, Inc.** (1020 North Hartley Street, P. O. Box 2587, York, PA 17405) and **D. C. Guelich Explosive** (P. O. Box 245, Thomasville, PA 17364), construction blasting at Carlisle Regional Medical Center in South Middleton Township, **Cumberland County**, with an expiration date of September 30, 2004. Permit issued March 25, 2004.

**45044014. Explosive Services, Inc.** (7 Pine Street, Bethany, PA 18431), construction blasting at Target Homes, Inc./Lot 12 Michelle's Grove off John's Lane in Pocono Township, **Monroe County**, with an expiration date of March 16, 2005. Permit issued March 25, 2004.

**15044009. Allan A. Myers, L. P.** (P. O. Box 98, Worcester, PA 19490), construction blasting at Town Square Plaza in North Coventry Township, **Chester County**, with an expiration date of April 23, 2005. Permit issued March 25, 2004.

**21044010. John W. Gleim, Jr., Inc.** (625 Hamilton Street, Carlisle, PA 17013), construction blasting at Bent Creek Lots 9—11 in Silver Spring Township, **Cumberland County**, with an expiration date of September 30, 2004. Permit issued March 25, 2004.

**45044015. Hayduk Enterprises** (P. O. Box 554, Dalton, PA 18414), construction blasting at Tannersville Estates in Pocono Township, **Monroe County**, with an expiration date of March 18, 2005. Permit issued March 25, 2004.

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

**11044001. AMFIRE Mining, Inc.** (One Energy Place, Latrobe, PA 15650). Madison Mine Project Road En-

trance, Jackson Township, **Cambria County**. Road entrance construction. Duration 180 days. Permit issued March 26, 2004.

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, (814) 342-8200.*

**08044002. Chris Grady** (2626 Lake Ariel Highway, Honesdale, PA 18431), for construction blasting in Asylum Township, **Bradford County**, with an expected duration of 100 days. Permit issued March 10, 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 should 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 should contact the Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal

form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

**Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and The Clean Streams Law (35 §§ 691.1—691.702) and Notice of Final Action for Certification under section 401 of the FWPCA (33 U.S.C.A. § 1341).**

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

**WATER OBSTRUCTIONS AND ENCROACHMENTS**

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

**E09-855. Westrum Development Company**, 370 Commerce Drive, Fort Washington, PA 19034, Richland Township, **Bucks County**, ACOE Philadelphia District.

To perform the following activities associated with the proposed Arbours at Morgan Creek residential subdivision:

1. To place and maintain fill in 0.03 acre of isolated wetlands (PEM) associated with the construction of lots 132 and 133 of the proposed residential development.
2. Construct and maintain approximately 330 linear feet of 29-inch by 45-inch RCP stream enclosure across an unnamed intermittent tributary of Morgan Creek (TSF) associated with the access road.
3. To construct two 8-inch PVC sanitary sewer utility lines across an unnamed tributary to Morgan Creek beneath the enclosure in item 2.
4. To construct a 12-inch DIP water main utility line across an unnamed tributary to Morgan Creek beneath the enclosure in item 2.
5. To construct a 4-inch PVC force main utility line across an unnamed tributary to Morgan Creek beneath the enclosure in item 2.
6. To construct a 12-inch DIP water main utility line across the Morgan Creek and adjacent wetlands (PSS).
7. To construct a 4-inch PVC force main utility line across the Morgan Creek and adjacent wetlands (PSS).

The project proposes to directly impact a total of 330 linear feet of watercourse and 0.74 acre of wetlands. The permanent wetland impact will be 0.03 acre and the temporary wetland impact will be 0.71 acre. The site is just west of the intersection of Paletown Road and Reading Railroad (Quakertown, PA USGS Quadrangle N: 9.0 inches; W: 10.3 inches).

The issuance of this permit also constitutes approval of a Water Quality Certification under section 401 of the Federal Water Pollution Control Act.

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

**E13-138. John Degenhart**, 119 Seybert Street, Hazleton, PA 18201, Packer Township, **Carbon County**, Army Corps of Engineers Philadelphia District.

To maintain a private road crossing of a tributary to Quakake Creek (HQ-CWF) and 0.10 acre of PEM-EV adjacent wetlands. The crossing consists of twin 36-inch diameter culverts in the tributary and six 24-inch diameter and two 12-inch diameter culverts in the adjacent wetlands. The permittee is required to provide 0.20 acre of replacement wetlands. The project is approximately 2,000 feet northwest of SR 4010 (Quakake Road) and SR 4006 (Spring Mountain Drive) intersection (Hazleton, PA Quadrangle N: 5.0 inches; W: 6.3 inches) (Subbasin: 2B).

**E45-439. Arrowhead Lake Community Association, Inc.**, HC88, Box 305, Pocono Lake, PA 18347, **Monroe County**, Army Corps of Engineers Philadelphia District.

To excavate and maintain navigation channels in two cove areas within Arrowhead Lake (HQ-CWF) for the purpose of improving boat access to the main portions of the lake as follows: (1) Lewis Creek Cove—a trapezoidal channel having a length of approximately 2,185 feet, a bottom width of 8 feet and a depth of 4 feet impacting a de minimis area of PEM wetlands equal to 0.04 acre; and (2) Eastern Cove—a trapezoidal channel having a length of approximately 3,960 feet, a bottom width of 15 feet and a depth of 4 feet. The project also includes a 170-foot long stream restoration project in Lewis Creek at the southern end of Lewis Creek Cove with work consisting of the construction of a rock cross vane and the installation of bioengineering streambank stabilization measures. The project will permanently impact a total of 3.55 acres of open water with temporary impacts totaling another 2.96 acres. The work will take place when the lake is drawn down and the project is approximately 0.3 mile north of SR 4003 (Thornhurst, PA Quadrangle N: 3.9 inches; W: 9.3 inches) in Coolbaugh and Tobyhanna Townships, Monroe County (Subbasin: 2A).

**E66-133. Joseph C. Peters**, House No. 801, Lake Winola, PA 18625, Overfield Township, **Wyoming County**, Army Corps of Engineers Baltimore District.

To modify and maintain an existing pile supported, private recreational dock in Lake Winola (CWF). The proposed work consists of increasing the length of the dock from 30 feet to 60 feet and enlarging the surface area by 222 SF to a total surface area of approximately 526 SF. The project is on the southern side of Lake Winola, approximately 0.4 mile east of the intersection of SR 0307 and SR 2004 (Factoryville, PA Quadrangle N: 1.6 inches; W: 13.9 inches) (Subbasin: 4G).

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

**E02-1417. Raymond H. Smith**, 825 Morewood Avenue, Apt. D, Pittsburgh, PA 15213. Brandymill Woods residential development in Robinson Township, **Allegheny County**, Pittsburgh ACOE District (Oakdale, PA Quadrangle N: 14.1 inches; W: 1.8 inches) (Latitude: 40° 27' 10" and Longitude: 80° 8' 17"). To place and maintain fill in 0.66 acre of PEM/PSS wetlands associated with unnamed tributaries to Montour Run (TSF) for the purpose of constructing the Brandymill Woods residential development. The project is on the north side of

Steubenville Pike, approximately 1,200 feet northwest from the intersection of Steubenville Pike and Beaver Grade Road. The project will also impact 1,420 linear feet of stream channel. To mitigate for wetland impacts, applicant proposes to construct and maintain 0.71 acre of replacement wetlands. Issuance of this permit constitutes approval of the environmental assessment for a nonjurisdictional, on-stream dam proposed at the project site.

**E63-549. Charleroi Borough**, 4th and Fallowfield Avenue, Charleroi, PA 15022. Bridge on Calvary Road in Charleroi Borough, **Washington County**, Pittsburgh ACOE District (Monongahela, PA Quadrangle N: 0.9 inch; W: 3.6 inches) (Latitude: 40° 07' 47" and Longitude: 79° 54' 06"). To remove the existing structures and to construct and maintain a con-span arch bridge having a span of 28 feet and an underclearance of 8 feet and width of 5 feet over Maple Creek (WWF). The bridge is on Calvary Road, approximately 200 feet south of its intersection with Lincoln Avenue.

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

**E33-219, Department of Transportation, District 10-0**, 2550 Oakland Avenue, P. O. Box 429, Indiana, PA 15701-0429. DuBois-Jefferson County Airport Access Road I-80 Interchange in Washington Township, **Jefferson County**, ACOE Pittsburgh District (Hazen, PA Quadrangle N: 4.8 inches; W: 1.9 inches).

To conduct the following activities associated with construction of an interchange on I-80 approximately 300 feet west of the existing T-544 overpass 4 miles west of Falls Creek Borough as part of the construction of the DuBois-Jefferson County Airport Access Road Project:

1. Fill a total of 0.885 acre of wetland (consisting of 0.446 acre PEM, 0.122 acre PSS and 0.317 acre PFO) for construction of the realignment of T-544 and the entrance and exit ramps off of I-80.
2. Extend and maintain the existing 68-foot long, 10-foot wide by 6.5-foot high reinforced concrete box culvert in Norris Run (CWF) under the eastbound lanes of I-80 an additional 34 feet on the upstream end, resulting in a total structure length of 102 feet.
3. Realign approximately 150 linear feet of the channel of Norris Run (CWF) extending upstream from the inlet of the extended box culvert under the eastbound lanes of I-80.
4. Extend and maintain the existing 74.5-foot long, 12-foot wide by 6.5-foot high reinforced concrete box culvert in Norris Run (CWF) under the westbound lanes of I-80 an additional 25 feet on the downstream end, resulting in a total structure length of 99.5 feet.

Project includes creation of 1.263 acres of replacement wetlands along I-80 in the headwaters of Kyle Run upstream of Kyle Lake.

[Pa.B. Doc. No. 04-616. Filed for public inspection April 9, 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](http://www.dep.state.pa.us)) at the Public Participation Center page. The "Current Inventory" heading is the Governor's

list of nonregulatory guidance documents. The "Final Documents" heading is the link to a menu of the various Department bureaus and from there to each bureau's final technical guidance documents. The "Draft Technical Guidance" heading is the link to the Department's draft technical guidance documents.

The Department will continue to revise its nonregulatory 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 with each document.

### *Draft Technical Guidance*

DEP ID: 580-2200-010. Title: Underground Storage of Explosives. Description: Section 702 of the Pennsylvania Bituminous Coal Mine Act (52 P.S. § 701-702) and section 1402 of the Pennsylvania Anthracite Coal Mine Act (52 P.S. § 70-1402) (collectively acts) allow mine operators to adopt or use a new technology or method if that method or technology provides equivalent protection to personnel and property as those statutory requirements contained in the acts. During the 40 years since these acts were promulgated, explosives used in underground coal mines have significantly become more stable and harder to accidentally detonate. As a result, the Department has determined that the storage of explosives in anthracite and bituminous underground mines can occur for extended periods if Department guidance is followed to store these explosives. Draft guidance document #580-2200-010 provides guidance for mine operators to store explosives in underground mines, which if followed, will afford personnel and property with the same or greater level of protection as intended under the acts. Written Comments: Interested persons may submit written comments on draft technical guidance document #580-2200-010 by May 10, 2004. Comments submitted by facsimile will not be accepted. The Department will accept comments submitted by e-mail. A return name and address must be included in each e-mail transmission. Written comments should be submitted to Joseph A. Scaffoni, Director, Bureau of Deep Mine Safety, Fayette County Health Center, 100 New Salem Road, Room 167, Uniontown, PA 15401, [jscaffoni@state.pa.us](mailto:jscaffoni@state.pa.us). Questions regarding the draft technical guidance document should be directed to Joseph A. Scaffoni, (724) 439-7469, [jscaffoni@state.pa.us](mailto:jscaffoni@state.pa.us).

KATHLEEN A. MCGINTY,  
*Secretary*

[Pa.B. Doc. No. 04-617. Filed for public inspection April 9, 2004, 9:00 a.m.]

### **Pennsylvania Association of Sewage Enforcement Officers/Department of Environmental Protection Work Group Meeting Cancellations**

The Department of Environmental Protection's (Department) Pennsylvania Association of Sewage Enforcement Officers (PASEO)/Department Work Group (Work Group) meetings scheduled for Tuesday, April 13, 2004, and Tuesday, October 5, 2004, at 10 a.m. at the Ramada Inn, State College are cancelled. The Department has determined that the subjects considered by the Work Group are more appropriate for deliberation by the Department's Sewage Advisory Committee (Committee) and has therefore disbanded the Work Group, effective April 10, 2004. Minutes of the last meeting of the PASEO/Work Group are available on the Department's website: [www.dep.state.pa.us](http://www.dep.state.pa.us) (DEP Keyword: Participate).

The next meeting of the Committee is scheduled for October 6, 2004. The agenda and meeting materials for the meeting will be posted on the Department's website.

Questions concerning this notice should be directed to John McHale, (717) 787-8184, [jomchale@state.pa.us](mailto:jomchale@state.pa.us).

KATHLEEN A. MCGINTY,  
*Secretary*

[Pa.B. Doc. No. 04-618. Filed for public inspection April 9, 2004, 9:00 a.m.]

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## **DEPARTMENT OF HEALTH**

### **Application of Pottstown Memorial Medical Center for Exception**

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

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

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

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

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

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

[Pa.B. Doc. No. 04-619. Filed for public inspection April 9, 2004, 9:00 a.m.]

### **Application of West Shore Endoscopy Center for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that West Shore Endoscopy Center has requested an exception to the requirements of 28 Pa. Code § 571.2(d) (relating to modifications to HHS requirements).

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

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

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

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

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

[Pa.B. Doc. No. 04-620. Filed for public inspection April 9, 2004, 9:00 a.m.]

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### **Applications for Temporary Managers of Long-Term Care Facilities**

Under section 814(b) of the Health Care Facilities Act (act) (35 P.S. § 448.814), the Department of Health (Department) may petition the Commonwealth Court or Court of Common Pleas to appoint temporary management designated as qualified by the Department to assume operation of a facility.

The Department will consider applications for temporary managers of long-term facilities who meet the following criteria.

Applicants must be prepared to demonstrate the ability to provide temporary management services in a written and oral presentation to senior level Department officials. This presentation will describe the immediate and long-term plans for bringing a designated facility into substantial compliance with State and Federal regulations. The Department reserves the right to consider this presentation as the basis for approving or denying the applicant the opportunity to act as a temporary manager.

Interested persons are encouraged to apply by submitting the required information to the Director, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120.

For additional information, or for persons with a disability who require an auxiliary aid, service or other accommodation to apply, contact William Bordner, (717) 787-1816, for speech and/or hearing impaired persons

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

### Requirements for Temporary Managers in Long-Term Care Facilities

Section 814(b) of the act specifies that the Department may petition the Commonwealth Court or Court of Common Pleas to appoint temporary management designated as qualified by the Department to assume operation of a facility. Temporary management is employed at the facility's expense to assure the health and safety of the residents until corrections are made to bring the facility into compliance with the laws and regulations for licensure or until there is an orderly closure of the facility. Applicants must not have any direct or indirect ownership interests, or controlling interest separately or in combination, amounting to an ownership interest in the facility to which they are seeking appointment as a temporary manager.

To be considered as a temporary manager, applicants must provide the following evidence of their ability to successfully manage long-term care nursing facilities:

#### 1. Professional credentials

a. Licenses for individuals providing management services, including nursing home administrators, registered nurses and other licensed professionals.

b. Information regarding the education and experience of principals and agents of the applicant.

c. Federal Bureau of Investigations and Pennsylvania criminal history reports (Act 169) on all principals and agents.

#### 2. Relevant experience

a. A nursing home administrator must have at least 3 years of experience as a full-time administrator of a licensed long-term care nursing facility with an established history of substantial compliance with State and Federal requirements during the administrator's tenure at the facility.

b. A director of nursing services must have at least 3 years of experience in nursing services administration and supervision in a long-term care setting.

c. Representatives of other disciplines that may be used by the temporary manager, such as the dietitian, social worker, activities coordinator or medical records practitioner, must have at least 2 years of experience in a long-term care setting.

d. Professional persons must have no record of professional disciplinary action affecting licensure and must have no action pending against licensure in this Commonwealth or any other state at the time of application for, or involvement in, temporary management.

#### 3. Information

Applicant must provide information that addresses the following:

a. Records of management of long-term care nursing facilities or other health care facilities which might provide relevant experience that are owned or operated by the applicant. Include compliance history with particular reference to any periods in which State or Federal adverse action recommendations were made, whether or not the adverse action became final. The compliance history should include: provisional licenses, bans on admissions and readmissions, civil monetary penalties (Federal and State) and reports to licensing boards (substantiated or unsubstantiated).

b. Provide a complete rationale for periods of noncompliance and the measures that were used to prevent future noncompliance.

c. Explain how management experience will be used to implement systems, which will return a facility to substantial compliance.

d. Submit names, addresses and telephone numbers of State survey agencies, Medicaid agencies or other regulatory agencies that are familiar with the applicant's experience in bringing long-term care nursing facilities into compliance and maintaining compliance.

#### 4. Scope of services

Description of the scope of services, which the applicant is prepared to provide, as described by the following categories:

a. *Direct comprehensive management services:* Applicants must describe their ability to provide direct services, including the ability to utilize existing resources to provide the following:

—Comprehensive assessment of residents and interventions to address the immediate needs of all residents.

—Services which may include physician evaluations, rehabilitative services, nutritional evaluations, psychiatric assessments, behavior management, physical and chemical restraint reduction, infection control and other resident-centered services.

—Financial management.

—Monitoring of staff performance.

—Replacement staff (including a detailed analysis of the use and effectiveness of agency personnel).

—Staff training.

—Clinical records audits.

—Administrative and management services including evaluation of efficacy of contracted services and replacement of contractors.

b. *Indirect comprehensive management services:* Applicants must describe their ability to obtain and retain resources to provide the services detailed in item (a) through the use of contracts or other arrangements with service providers.

c. *Limited management or educational services:* Applicants must describe specialized services that they can provide on an as-needed basis, such as:

—Nursing home administrators on a consultant or full-time basis.

—Resident assessment and care planning.

—Staff education and training.

—Development, implementation and monitoring of plans of correction.

—Infection control.

—Other services.

#### 5. Geographic area

The specific geographic area in which the applicant is able to provide direct, indirect or limited services.

#### 6. Cultural diversity

Applicants shall demonstrate an understanding of cultural diversity by:

a. Providing evidence of the ability to perform in a manner which does not discriminate on the basis of age, race, sex, religion, handicap or national origin.

b. Submitting copies of the applicant's nondiscrimination policy and any other documentation that may support compliance with nondiscrimination requirements.

#### 7. Eligibility requirements

The following individuals are not eligible to serve as temporary managers at specific facilities:

a. An individual who has, or whose immediate family members have, any financial interest in the facility to be managed. Indirect ownership, such as through a mutual fund, does not constitute financial interest for the purpose of this restriction.

b. An individual who currently serves or, within the past 2 years, has served as a member of the staff of the facility.

[Pa.B. Doc. No. 04-621. Filed for public inspection April 9, 2004, 9:00 a.m.]

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

Comments received by the Department within 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 address or phone number listed previously, 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. 04-622. Filed for public inspection April 9, 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 § 205.6(a) (relating to function of building):

Fairview Manor  
900 Manchester Road  
Fairview, PA 16415

Warren Manor  
682 Pleasant Drive  
Warren, PA 16365

Willowbrooke Court at Fort Washington Estates  
1264 Fort Washington Avenue  
Fort Washington, PA 19034-1798  
FAC ID 150102

Bradford Manor  
50 Langmaid Lane  
Bradford, PA 16701

Corry Manor  
640 Worth Street  
Corry, PA 16407

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.7 (relating to basement or cellar):

Willowbrooke Court at Fort Washington Estates  
1264 Fort Washington Avenue  
Fort Washington, PA 19034-1798  
FAC ID 150102

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.37(d) (relating to equipment for bathrooms):

Shenango Presbyterian Home  
238 South Market Street  
New Wilmington, PA 16142

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, paexcept@health.state.pa.us.

### WIC Public Meetings

The Department of Health (Department), Supplemental Food Program for Women, Infants and Children (WIC Program), will hold public meetings on the following dates at the locations indicated:

May 25, 2004  
10 a.m.—3 p.m.  
NORTH, Inc.  
642 North Broad Street, Suite 101  
Philadelphia, PA 19130-3409

May 27, 2004  
10 a.m.—3 p.m.  
Department of Health  
Health and Welfare Building, Room 610  
Commonwealth and Forster Streets  
Harrisburg, PA 17120

The Department invites comments on all aspects of the WIC Program's operations. General comments on other issues pertinent to the WIC Program are also requested.

Persons wishing to give testimony at the public meetings are requested to preregister with the State WIC Program Office by calling Bonnie Mellott, (717) 783-1289.

Persons unable to attend the meetings may submit written comments by May 31, 2004, to the Department of Health, Division of WIC, Attention: Planning and Monitoring Section, P. O. Box 90, Harrisburg, PA 17108.

For additional information or persons with a disability who wish to attend the meeting, preregister or provide comments and require an auxiliary aid service or other accommodation to do so, contact the WIC Program Office at the previously listed number, for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-6984.

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

[Pa.B. Doc. No. 04-623. Filed for public inspection April 9, 2004, 9:00 a.m.]

## DEPARTMENT OF PUBLIC WELFARE

### Expansion of the Long Term Care Capitated Assistance Program; Request for Information

The Long-Term Care Capitated Assistance Program (LTCCAP) is the Commonwealth's replication of the Program of All-inclusive Care for the Elderly (PACE) Model. Under this Request for Information, the Department of Public Welfare (Department) is asking organizations interested in participating as an LTCCAP provider to contact the Department. Providers will be responsible to provide a specific package of services to individuals enrolled in LTCCAP who are eligible for Medical Assistance (MA) and have been determined to require nursing facility services. To be considered for an LTCCAP site, organizations must be enrolled in the MA Program, meet the requirements included in the PACE Protocol and LTCCAP Provider Agreement and have a completed feasibility study through a PACE Technical Assistance Center.

The Department will consider, among other things, the following factors when determining site selection for LTCCAP:

- MA service need.
- MA service availability (such as availability of nursing facility services and home and community based services).
- Project location (such as suburban versus urban locations and existing project sites).
- Uniqueness of project design (such as closing existing nursing facility beds and collaboration efforts).

Questions regarding the PACE Protocol or the feasibility study through a PACE Technical Assistance Center should be directed to Cindy M. Proper, (717) 772-2525.

Organizations that meet the criteria listed in this notice that are interested in being considered to provide services under LTCCAP should submit a letter of interest, along with a copy of a completed feasibility study, within 90 days from the date of this publication to LTCCAP, Division of LTC Client Services, Department of Public Welfare, 6th Floor Bertolino Building, P. O. Box 2675, Harrisburg, PA 17105.

Current LTCCAP providers interested in expanding beyond their designated zip code area are also invited to respond to this request. Responses should be directed to the previous address and include a letter of interest, along with a market analysis of the area of interest.

ESTELLE B. RICHMAN,  
*Secretary*

**Fiscal Note:** 14-NOT-384. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 04-624. Filed for public inspection April 9, 2004, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Win For Life '04 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 Win For Life '04.

2. *Price:* The price of a Pennsylvania Win For Life '04 instant lottery game ticket is \$2.

3. *Play Symbols:*

(a) Each Pennsylvania Win For Life '04 instant lottery game ticket will contain three play areas known as "Game 1," "Game 2" and "Game 3" respectively. Each game has a different game play method and is played separately. Each Pennsylvania Win For Life '04 instant lottery game ticket will also contain a "Fast Cash Bonus" area.

(b) The play symbols and their captions located in the play area for "Game 1" are: \$2<sup>00</sup> (TWO DOL), \$4<sup>00</sup> (FOR DOL), \$8<sup>00</sup> (EGT DOL), \$20\$ (TWENTY), \$25\$ (TWY FIV), \$50\$ (FIFTY), \$150 (ONEHUNFTY) and LIFE (\$1,000/WEEK).

(c) The play symbols and their captions located in the play area for "Game 2" are: Keystone Symbol (KYSTN) and an X Symbol (XXX).

(d) The play area for "Game 3" will contain a "Your Numbers" area and a "Lucky Numbers" area. The play symbols and their captions located in the "Your Numbers" area and the "Lucky Numbers" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT) and 9 (NINE).

4. *Prize Play Symbols:*

(a) The play area for "Game 2" will contain a "Prize" area. The prize play symbols and their captions located in the "Prize" area for "Game 2" are: \$2<sup>00</sup> (TWO DOL), \$4<sup>00</sup> (FOR DOL), \$8<sup>00</sup> (EGT DOL), \$20\$ (TWENTY), \$25\$ (TWY FIV), \$50\$ (FIFTY), \$150 (ONEHUNFTY) and LIFE (\$1,000/WEEK).

(b) The play area for "Game 3" will contain six prize play symbols. The prize play symbols and their captions in "Game 3" are: \$1<sup>00</sup> (ONE DOL), \$2<sup>00</sup> (TWO DOL), \$4<sup>00</sup> (FOR DOL), \$20\$ (TWENTY), \$25\$ (TWY FIV), \$50\$ (FIFTY), \$150 (ONEHUNFTY) and LIFE (\$1,000/WEEK).

(c) The prize play symbols and their captions located in the "Fast Cash Bonus" area are: \$4<sup>00</sup> (FOR DOL), \$8<sup>00</sup> (EGT DOL), \$20\$ (TWENTY), \$25\$ (TWY FIV), \$50\$ (FIFTY) and TRY AGAIN (NO BONUS).

5. *Prizes:* The prizes that can be won in "Game 1" and "Game 2" are \$2, \$4, \$8, \$20, \$25, \$50, \$150 and \$1,000 a week for life (\$1 million lifetime minimum). The prizes that can be won in "Game 3" are \$1, \$2, \$4, \$20, \$25, \$50, \$150 and \$1,000 a week for life (\$1 million lifetime minimum). The prizes that can be won in the "Fast Cash Bonus" area are \$4, \$8, \$20, \$25 and \$50. The player can win up to seven times on a ticket.

6. *Approximate Number of Tickets Printed for the Game:* Approximately 14,400,000 tickets will be printed for the Pennsylvania Win For Life '04 instant lottery game.

7. *Determination of Prize Winners:*

(a) Determination of prize winners for "Game 1" are:

(1) Holders of tickets with three matching play symbols of LIFE (\$1,000/WEEK) in the play area, on a single ticket, shall be entitled to a prize of \$1,000 a week for life (\$1 million lifetime minimum) which will be paid by an initial cash payment of \$52,000 plus equal annual payments of \$52,000 over the lifetime of the winner and continuing under the provisions of 61 Pa. Code § 811.16 (relating to prizes payable after death of prize winner) until the \$1 million minimum has been paid to the estate of the deceased. If the winner of the Pennsylvania Win For Life '04 prize is younger than 18 years of age, the winner will not begin to receive the prize until the winner reaches 18 years of age. Only one claimant per ticket allowed.

(2) Holders of tickets with three matching play symbols of \$150 (ONEHUNFTY) in the play area, on a single ticket, shall be entitled to a prize of \$150.

(3) Holders of tickets with three matching play symbols of \$50 (FIFTY) in the play area, on a single ticket, shall be entitled to a prize of \$50.

(4) Holders of tickets with three matching play symbols of \$25 (TWY FIV) in the play area, on a single ticket, shall be entitled to a prize of \$25.

(5) Holders of tickets with three matching play symbols of \$20 (TWENTY) in the play area, on a single ticket, shall be entitled to a prize of \$20.

(6) Holders of tickets with three matching play symbols of \$8<sup>00</sup> (EGT DOL) in the play area, on a single ticket, shall be entitled to a prize of \$8.

(7) Holders of tickets with three matching play symbols of \$4<sup>00</sup> (FOR DOL) in the play area, on a single ticket, shall be entitled to a prize of \$4.

(8) Holders of tickets with three matching play symbols of \$2<sup>00</sup> (TWO DOL) in the play area, on a single ticket, shall be entitled to a prize of \$2.

(b) Determination of prize winners for "Game 2" are:

(1) Holders of tickets with three matching Keystone Symbol (KYSTN) play symbols in the same row, column or diagonal, and a prize play symbol of LIFE (\$1,000/WEEK) in the "Prize" area for that game, on a single ticket, shall be entitled to a prize of \$1,000 a week for life (\$1 million lifetime minimum) which will be paid by an initial cash payment of \$52,000 plus equal annual payments of \$52,000 over the lifetime of the winner and continuing under the provisions of 61 Pa. Code § 811.16 (relating to prizes payable after death of prize winner) until the \$1 million minimum has been paid to the estate of the deceased. If the winner of the Pennsylvania Win For Life '04 prize is younger than 18 years of age, the

winner will not begin to receive the prize until the winner reaches 18 years of age. Only one claimant per ticket allowed.

(2) Holders of tickets with three matching Keystone Symbol (KYSTN) play symbols in the same row, column or diagonal, and a prize play symbol of \$150 (ONEHUNFTY) in the "Prize" area for that game, on a single ticket, shall be entitled to a prize of \$150.

(3) Holders of tickets with three matching Keystone Symbol (KYSTN) play symbols in the same row, column or diagonal, and a prize play symbol of \$50 (FIFTY) in the "Prize" area for that game, on a single ticket, shall be entitled to a prize of \$50.

(4) Holders of tickets with three matching Keystone Symbol (KYSTN) play symbols in the same row, column or diagonal, and a prize play symbol of \$25 (TWY FIV) in the "Prize" area for that game, on a single ticket, shall be entitled to a prize of \$25.

(5) Holders of tickets with three matching Keystone Symbol (KYSTN) play symbols in the same row, column or diagonal, and a prize play symbol of \$20 (TWENTY) in the "Prize" area for that game, on a single ticket, shall be entitled to a prize of \$20.

(6) Holders of tickets with three matching Keystone Symbol (KYSTN) play symbols in the same row, column or diagonal, and a prize play symbol of \$8<sup>00</sup> (EGT DOL) in the "Prize" area for that game, on a single ticket, shall be entitled to a prize of \$8.

(7) Holders of tickets with three matching Keystone Symbol (KYSTN) play symbols in the same row, column or diagonal, and a prize play symbol of \$4<sup>00</sup> (FOR DOL) in the "Prize" area for that game, on a single ticket, shall be entitled to a prize of \$4.

(8) Holders of tickets with three matching Keystone Symbol (KYSTN) play symbols in the same row, column or diagonal, and a prize play symbol of \$2<sup>00</sup> (TWO DOL) in the "Prize" area for that game, on a single ticket, shall be entitled to a prize of \$2.

(c) Determination of prize winners for "Game 3" are:

(1) Holders of tickets where any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of LIFE (\$1,000/WEEK) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$1,000 a week for life (\$1 million lifetime minimum) which will be paid by an initial cash payment of \$52,000 plus equal annual payments of \$52,000 over the lifetime of the winner and continuing under 61 Pa. Code § 811.16 (relating to prizes payable after death of prize winner) until the \$1 million minimum has been paid to the estate of the deceased. If the winner of the Pennsylvania Win For Life '04 prize is younger than 18 years of age, the winner will not begin to receive the prize until the winner reaches 18 years of age. Only one claimant per ticket allowed.

(2) Holders of tickets where any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$150 (ONEHUNFTY) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$150.

(3) Holders of tickets where any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$50 (FIFTY) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$50.



(FIFTY) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(4) Holders of tickets where any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$25\$ (TWY FIV) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$25.

(5) Holders of tickets where any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$20\$ (TWENTY) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(6) Holders of tickets where any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$4.<sup>00</sup> (FOR DOL) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$4.

(7) Holders of tickets where any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$2.<sup>00</sup> (TWO DOL) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$2.

(8) Holders of tickets where any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$1.<sup>00</sup> (ONE DOL) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$1.

(d) Determination of prize winners for the "Fast Cash Bonus" are:

(1) Holders of tickets with a prize play symbol of \$50\$ (FIFTY) in the "Fast Cash Bonus" area, on a single ticket, shall be entitled to a prize of \$50.

(2) Holders of tickets with a prize play symbol of \$25\$ (TWY FIV) in the "Fast Cash Bonus" area, on a single ticket, shall be entitled to a prize of \$25.

(3) Holders of tickets with a prize play symbol of \$20\$ (TWENTY) in the "Fast Cash Bonus" area, on a single ticket, shall be entitled to a prize of \$20.

(4) Holders of tickets with a prize play symbol of \$8.<sup>00</sup> (EGT DOL) in the "Fast Cash Bonus" area, on a single ticket, shall be entitled to a prize of \$8.

(5) Holders of tickets with a prize play symbol of \$4.<sup>00</sup> (FOR DOL) in the "Fast Cash Bonus" area, on a single ticket, shall be entitled to a prize of \$4.

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>Fast \$ Bonus</i>	<i>Game 1</i>	<i>Game 2</i>	<i>Game 3</i>	<i>Win:</i>	<i>Approximate Odds of 1 In:</i>	<i>Approximate No. of Winners Per 14,400,000 Tickets</i>
		\$2		\$2	20	720,000
			\$2	\$2	20	720,000
\$4	\$2			\$2	21.43	672,000
		\$4		\$4	750	19,200
	\$4			\$4	750	19,200
			\$4	\$4	750	19,200
		\$2	\$1 × 2	\$4	1,500	9,600
	\$2		\$1 × 2	\$4	150	96,000
			\$1 × 4	\$4	115.38	124,800
\$8	\$2	\$2		\$4	150	96,000
		\$8		\$8	750	19,200
	\$8			\$8	750	19,200
\$4		\$4		\$8	750	19,200
\$4			\$1 × 4	\$8	500	28,800
\$4	\$2	\$2		\$8	500	28,800
\$4		\$2	\$2	\$8	500	28,800
\$20	\$2		\$1 × 6	\$8	500	28,800
	\$20			\$20	1,500	9,600
		\$20		\$20	1,500	9,600
			\$20	\$20	1,500	9,600
\$8	\$8		\$2 × 2	\$20	750	19,200
\$8			\$4 × 3	\$20	750	19,200
			\$4 × 5	\$20	750	19,200
\$25				\$25	375	38,400
	\$25			\$25	750	19,200

<i>Fast \$ Bonus</i>	<i>Game 1</i>	<i>Game 2</i>	<i>Game 3</i>	<i>Win:</i>	<i>Approximate Odds of 1 In:</i>	<i>Approximate No. of Winners Per 14,400,000 Tickets</i>
		\$25		\$25	750	19,200
			\$25	\$25	750	19,200
\$50				\$50	1,017	14,160
	\$50			\$50	1,200	12,000
		\$50		\$50	1,200	12,000
\$25			\$25	\$50	1,200	12,000
\$25	\$25			\$50	1,200	12,000
	\$25	\$25		\$50	1,200	12,000
\$20	\$20		\$2 × 5	\$50	1,200	12,000
	\$150			\$150	60,000	240
		\$150		\$150	60,000	240
			\$150	\$150	60,000	240
	\$50		\$50 × 2	\$150	60,000	240
\$50	\$50	\$50		\$150	60,000	240
\$50	\$50		\$50	\$150	60,000	240
	LIFE			\$1,000/WK/LIFE	14,400,000	1
		LIFE		\$1,000/WK/LIFE	14,400,000	1
			LIFE	\$1,000/WK/LIFE	14,400,000	1

9. *Claiming of Prizes.* For purposes of claiming the \$1,000 a week for life prize under the Pennsylvania Win For Life '04 game, "lifetime" for legal entities shall be defined as 20 years beginning the date the prize is claimed. Only one claimant per ticket is allowed for the \$1,000 a week for life prize.

10. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Win For Life '04 instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

11. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Win For Life '04, prize money from winning Pennsylvania Win For Life '04 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 Win For Life '04 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.

12. *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.

13. *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 Win For Life '04 or through normal communications methods.

GREGORY C. FAJT,  
Secretary

[Pa.B. Doc. No. 04-625. Filed for public inspection April 9, 2004, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Finding Chester County

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

The Department of Transportation (Department), in cooperation with the Federal Highway Administration (FHA), plans to reconstruct the Westtown Road Bridge (SR 2007, Section EBR) that conveys Westtown Road over the East Branch of Chester Creek. The Westtown Road Bridge lies completely within the boundaries of Westtown Township and is located 0.8 mile south of the Village of Milltown.

The scope of the project involves restoring the transportation link on Westtown Road due to Westtown Road Bridge having been closed to vehicular traffic since February 2003. A State Emergency Action was issued on March 27, 2003, with the purpose of reopening Westtown Road to traffic as soon as possible.

The proposed bridge replacement project will have an adverse effect on two Section 2002 resources, the Westtown Road Bridge and the Westtown Boarding School and Farm Historic District. Both Section 2002 resources were determined eligible for listing on the Nation Register of Historic Places. Based upon these studies, there is no feasible and prudent alternative to the total replacement of the Westtown Road Bridge.

The Recommended Alternative meets the purpose and need of the project while mitigating the impacts to the historic Westtown Road Bridge and the surrounding historic district. Three mitigation measures, as per the Memorandum of Agreement (MOA), have been proposed for the project: (1) provide recordation of the existing Westtown Road Bridge to State-level recordation standards; (2) ensure that the design of the new bridge is compatible with the historic and architectural qualities of the Westtown Boarding School and Farm Historic District; and (3) avoid affecting historic properties outside of the Area of Potential Effect, specifically ruins associated

with a former dam located east of the Westtown Road Bridge and a former mill race located south of the Westtown Road Bridge. The FHA and the State Historic Preservation Officer were signatories to the MOA dated January 12, 2004, with additional concurrence from the Department, the Westtown School and the Delaware Nation, OK.

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

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

[Pa.B. Doc. No. 04-626. Filed for public inspection April 9, 2004, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

**Borough of Rochester v. DEP; EHB Doc. No. 2004-075-R**

The Borough of Rochester has appealed the issuance by the Department of Environmental Protection of an NPDES Phase II permit to same for a facility in the Borough of Rochester, Beaver County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457 and may be reviewed by interested parties on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board, (717) 787-3483. TDD users may telephone the Board through the AT&T Pennsylvania Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

MICHAEL L. KRANCER,  
*Chairperson*

[Pa.B. Doc. No. 04-627. Filed for public inspection April 9, 2004, 9:00 a.m.]

**PPG Industries, Inc. v. DEP; EHB Doc. No. 2004-076-R**

PPG Industries, Inc. has appealed the issuance by the Department of Environmental Protection of NPDES Permit No. PA0001198 (renewal) to PPG Industries, Inc. for a facility in Springdale Borough, Allegheny County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457 and may be reviewed by interested parties on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the AT&T Pennsylvania Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

MICHAEL L. KRANCER,  
*Chairperson*

[Pa.B. Doc. No. 04-628. Filed for public inspection April 9, 2004, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Actions Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10:30 a.m., Thursday, March 25, 2004, and announced the following:

#### *Regulations Approved*

Department of Agriculture #2-138: Agricultural Area Security Program; Agricultural Conservation Easement Purchase Program; Agricultural Security Area Program (amends 7 Pa. Code Chapters 138, 138e and 138l)

State Board of Education #6-287: Special Education Services and Programs (amends 22 Pa. Code Chapter 14)

### Approval Order

Public Meeting held  
March 25, 2004

*Commissioners Voting:* Alvin C. Bush, Vice Chairperson; Daniel F. Clark, Esq.; Arthur Coccodrilli; Murray Ufberg, Esq.

*Department of Agriculture—Agricultural Area Security Program; Agricultural Conservation Easement Purchase Program; Agricultural Security Area Program; Regulation No. 2-138*

On January 29, 2002, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Agriculture (Department). This rulemaking amends 7 Pa. Code Chapters 138, 138e and 138l. The proposed regulation was published in the February 9, 2002, *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on February 13, 2004.

This regulation updates provisions relating to the Agricultural Area Security Law to implement numerous statutory revisions including Act 14 of 2001. The Department is also codifying procedures it has been using to adminis-

ter the agricultural area security program and the agricultural conservation easement program.

We have determined this regulation is consistent with the statutory authority of the Department (3 P. S. § 915) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

**Approval Order**

Public Meeting held  
March 25, 2004

*Commissioners Voting:* Alvin C. Bush, Vice Chairperson; Daniel F. Clark, Esq.; Arthur Coccodrilli; Murray Ufberg, Esq.

*State Board of Education—Special Education Services and Programs; Regulation No. 6-287*

On August 18, 2003, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Education (Board). This rulemaking amends 22 Pa. Code Chapter 14. The proposed regulation was published in the August 30, 2003, *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on February 13, 2004.

By promulgating this regulation, the Board is bringing its special education regulations into compliance with the federal regulations established by the United States Department of Education's Office of Special Education Programs. The final-form regulation bars a local educa-

tion agency from initiating due process hearings when parents have not consented to the initiation of special education services for their children.

We have determined this regulation is consistent with the statutory authority of the Board (24 P. S. § 13-1372(1)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 04-629. Filed for public inspection April 9, 2004, 9:00 a.m.]

**Notice of Comments Issued**

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

The Commission has issued comments on the following proposed regulations. 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>
2-142	Department of Agriculture Sheep and Lamb Marketing Program; Wine Marketing and Research Program (34 Pa.B. 561 (January 31, 2004))	3/1/04	3/31/04
16A-5313	State Board of Osteopathic Medicine Continuing Medical Education (34 Pa.B. 563 (January 31, 2004))	3/1/04	3/31/04
16A-448	State Board of Podiatry Sexual Misconduct (34 Pa.B. 565 (January 31, 2004))	3/1/04	3/31/04

**Department of Agriculture Regulation No. 2-142**

**Sheep and Lamb Marketing Program; Wine Marketing and Research Program**

**March 31, 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 Department of Agriculture (Department) must respond to these comments when it submits the final-form regulation. The public comment period for this regulation closed on March 1, 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. Section 104.71. Scope.—Clarity.**

Section 104.71 states that persons who produce or sell wine under the authority of a limited winery license will be required to pay producer charges to the Wine Marketing and Research Program (Program). The Department should add a citation in this section to 47 P. S. § 5-505.2 regarding limited wineries in the Liquor Code.

**2. Section 104.72. Definitions.—Need; Clarity.**

The terms "marketing contract," "PLCB" and "ACMA" are defined in this section but not used elsewhere in the regulation. We question the need for defining these terms.

The Department should delete these terms from this section in the final-form regulation.

**3. Section 104.75. Accounting and payment.—Clarity.**

*Subsection (a)(2)*

This subsection includes the language “or other time period designated by the Program.” What would be an “other time period” besides what is stated in the definition of “marketing season”? The Department should either specify what an “other time period” would be or delete it from this subsection.

*Subsection (e)*

This subsection requires producers to pay a penalty for nonpayment of producer charges “of at least \$100 but not more than \$5,000, and as nearly equivalent to 100% of the amount of the delinquent producer charges as is practicable.” We note in the Vegetable Marketing and Research Program and the Peach and Nectarine Research Program the maximum fine levied is \$500. Why has the Department chosen to implement a much higher fine for this Program? The preamble should include the Department’s reasoning for the fines in this subsection.

**State Board of Osteopathic Medicine Regulation  
No. 16A-5313**

**Continuing Medical Education**

**March 31, 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 State Board of Osteopathic Medicine (Board) must respond to these comments when it submits the final-form regulation. The public comment period for this regulation closed on March 1, 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. Section 25.1. Definitions.—Reasonableness; Clarity.**

*Approved course*

There are two concerns pertaining to this definition. First, it limits “approved courses” to those accredited by the Accreditation Council on Continuing Medical Education (ACCME) or the American Osteopathic Association (AOA). Will the Board accept courses accredited by other organizations such as State medical associations or the American Medical Association?

Second, the definition of “approved course” should include credits that are not formally accredited by the ACCME and the AOA. Alternatively, the Board could amend the language of § 25.271 to allow other credits for the remaining credit hours.

**2. Section 25.271. Requirements for renewal.—Implementation procedures; Feasibility; Reasonableness; Clarity.**

*Sufficient notice*

The House Professional Licensure Committee questions whether licensees have received sufficient notice to complete continuing education by the deadline for license renewal. The Board should explain:

- The specific date a licensee will be required to certify completion of ten continuing education credits in the area of patient safety and risk management to renew a license.

- What notice the Board has given to licensees of this continuing education obligation.

- How licensees can reasonably comply with this requirement by the Board’s deadline.

*Approved courses in the area of patient safety and risk management*

Related to our comment on the definition of “approved course,” are the 10 credit hours in patient safety and risk management required to be Category I or Category II courses?

*Remaining credit hours*

Subsection (c)(1) has a typographical error. It should state “. . . the remaining 70 credit hours. . .”

**State Board of Podiatry Regulation No. 16A-448**

**Sexual Misconduct**

**March 31, 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 State Board of Podiatry (Board) must respond to these comments when it submits the final-form regulation. The public comment period for this regulation closed on March 1, 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. Section 29.21a. Sexual misconduct.—Protection of the public health, safety and welfare; Reasonableness.**

Paragraph (1)(ii) prohibits sexual exploitation of a current patient by a podiatrist. This prohibition, however, does not include former patients or immediate family members of current or former patients.

In its comments, the House Professional Licensure Committee (Committee) recommended that the Board adopt sexual misconduct regulations that are similar to those adopted by the State Board of Medicine in 49 Pa. Code § 16.110. The Committee notes that those regulations address situations involving immediate family members of patients and former patients.

The provision in the State Board of Medicine’s regulations regarding sexual exploitation in 49 Pa. Code § 16.110(a) addresses family members of patients. We agree with the Committee that the approach adopted by the State Board of Medicine regarding sexual exploitation is more protective of the public health, safety and welfare than a prohibition that applies solely to current patients. Therefore, we suggest that the Board amend paragraph (1)(ii) to prohibit sexual exploitation of current and former patients, as well as their immediate family members.

**2. Section 29.1. Definitions.—Clarity.**

*Sexual exploitation*

If the Board agrees with our suggestion to apply the prohibition on sexual exploitation to current and former patients, as well as their immediate family members,

then it should amend the definition of "sexual exploitation." Specifically, the phrase "with a current patient" should be deleted.

*Immediate family member*

If the Board applies the prohibition on sexual exploitation to immediate family members of patients, then the term "immediate family member" should be defined in the final-form regulation. We suggest that the Board adopt the definition found in the State Board of Medicine's regulations in 49 Pa. Code § 16.1 which reads "A parent or guardian, child, sibling, spouse, or other family member, whether related by blood or marriage, with whom a patient resides."

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 04-630. Filed for public inspection April 9, 2004, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application to Modify Structure of Insurance Holding Company System Containing Three Domestic Insurers

PMA Capital Corporation, a Pennsylvania domiciled insurance holding company, has filed a request for a determination that section 1402 of the Insurance Holding Companies Act (act) (40 P. S. § 991.1402) does not apply to, or in the alternative, for an order of exemption under section 1402(g) of the act in connection with a proposed modification of the structure of its holding company system so that its wholly owned indirect subsidiaries, Pennsylvania Manufacturers Association, Insurance Company, Pennsylvania Manufacturers Indemnity Company and Manufacturers Alliance Insurance Company, will become its direct subsidiaries. Copies of the request are available for public inspection during normal business hours by appointment at the Insurance Department's (Department) regional office in Harrisburg. Persons wishing to comment on the issuance of the Department's order approving this request for determination are invited to submit a written statement for receipt by the Department within 45 days of the date of this issue of the *Pennsylvania Bulletin*. Written statements must include the name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Robert Brackbill, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, rbrackbill@state.pa.us.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 04-631. Filed for public inspection April 9, 2004, 9:00 a.m.]

### Jeffrey Myers; Hearing

#### License Denial; Doc. No. AG04-03-029

The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Ad-

ministrative 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 May 13, 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 April 5, 2004. A hearing shall occur on June 2, 2004, at 10 a.m. in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA.

On or before April 22, 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. Any report subsequently received from a party's expert witness prior to hearing shall be supplied to the other party within 2 business days. Copies of expert reports need not be filed with the Administrative Hearings Office.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before May 19, 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 May 26, 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. 04-632. Filed for public inspection April 9, 2004, 9:00 a.m.]

### Review Procedure Hearings; Cancellation or Refusal of Insurance

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

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

Appeal of Esther B. Jordan; file no. 04-181-00058; Progressive Insurance Company; doc. no. P04-03-026; May 6, 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 Brian Buckson; file no. 04-215-00296; Allstate Insurance Company; doc. no. PH04-03-025; May 12, 2004, 12:30 p.m.

Appeal of Michael Martin; file no. 04-280-00508; Keystone Insurance Company; doc. no. PH04-03-024; May 12, 2004, 1:30 p.m.

Parties may appear with or without counsel and offer relevant testimony or evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

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

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 04-633. Filed for public inspection April 9, 2004, 9:00 a.m.]

### Review Procedure Hearings under the Unfair Insurance Practices Act

The following insureds have requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (40 P. S. § 1171.8) in connection with their companies' termination of the insureds' policies. The administrative hearings will be held in the Insurance Department's regional offices in Harrisburg and Philadelphia, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

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

Appeal of Kimberly McLaughlin; file no. 04-181-01713; State Farm Fire and Casualty Insurance Company; doc. no. P04-03-023; April 27, 2004, 1:30 p.m.

The following hearing will be held in the Philadelphia Regional Office, Room 1701 State Office Building, 1400 Spring Garden Street, Philadelphia, PA 19130.

Appeal of Ann Kreines; file no. 04-280-00911; Travelers Insurance Company; doc. no. PH04-03-036; May 11, 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. 04-634. Filed for public inspection April 9, 2004, 9:00 a.m.]

## LIQUOR CONTROL BOARD

### Expiration of Leases

The following Liquor Control Board leases will expire:

Bucks County, Wine & Spirits Store #0932, Warrington Mews S. C., Suite 31, 111 Easton Road, Warrington, PA 18976.

*Lease Expiration Date:* June 30, 2005

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 4,000 to 8,000 net useable square feet of new or existing retail commercial space in a 1-mile radius of the intersection of Easton and Bristol Roads, Warrington Township.

*Proposals due:* April 30, 2004, at 12 p.m.

**Department:** Liquor Control Board  
**Location:** Real Estate Division, 8305 Ridge Avenue, Philadelphia, PA 19128  
**Contact:** Robert J. Jolly, (215) 482-9671

Philadelphia County, Wine & Spirits Store #5183, 3601 N. 22nd Street, Philadelphia, PA 19140.

*Lease Expiration:* 90-day status effective March 1, 2004

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 4,000 net useable square feet of new

or existing retail commercial space in a 1/2-mile radius of the intersection of Hunting Park Avenue and 22nd Street, Philadelphia.

*Proposals due:* April 30, 2004, at 12 p.m.

**Department:** Liquor Control Board  
**Location:** Real Estate Division, 8305 Ridge Avenue, Philadelphia, PA 19128

**Contact:** Robert J. Jolly, (215) 482-9671

The Liquor Control Board seeks the following new sites:

Montgomery County, Wine & Spirits Store #4641, Upper Dublin Township, PA.

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 3,500 net useable square feet of new or existing retail commercial space within a 1-mile radius of the intersection of Route 152 and Dreshertown Road, Upper Dublin Township.

*Proposals due:* April 30, 2004, at 12 p.m.

**Department:** Liquor Control Board  
**Location:** Real Estate Division, 8305 Ridge Avenue, Philadelphia, PA 19128

**Contact:** Robert J. Jolly, (215) 482-9671

Philadelphia County, Wine & Spirits Store #5112, Philadelphia, PA 19131.

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 4,000 net useable square feet of new or existing retail commercial space in a 1/2-mile radius of the intersection of 55th Street and Girard Avenue, Philadelphia.

*Proposals due:* April 30, 2004, at 12 p.m.

**Department:** Liquor Control Board  
**Location:** Real Estate Division, 8305 Ridge Avenue, Philadelphia, PA 19128

**Contact:** Robert J. Jolly, (215) 482-9671

JONATHAN H. NEWMAN,  
*Chairperson*

[Pa.B. Doc. No. 04-635. Filed for public inspection April 9, 2004, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Telecommunications

**A-310971F7001. Verizon North Inc. and Comtech21, LLC.** Joint petition of Verizon North Inc. and Comtech21, LLC for approval of adoption of an interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon North Inc. and Comtech21, LLC, by its counsel, filed on March 24, 2004, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of adoption of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days

after the date of publication of this notice. Copies of the Verizon North Inc. and Comtech21, LLC joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 04-636. Filed for public inspection April 9, 2004, 9:00 a.m.]

### Telecommunications

**A-310971F7000. Verizon Pennsylvania Inc. and Comtech21, LLC.** Joint petition of Verizon Pennsylvania Inc. and Comtech21, LLC for approval of adoption of an interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and Comtech21, LLC, by its counsel, filed on March 24, 2004, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of adoption of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon Pennsylvania Inc. and Comtech21, LLC joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 04-637. Filed for public inspection April 9, 2004, 9:00 a.m.]

### Telecommunications

**A-311010F7000. Verizon Pennsylvania Inc. and Trans National Communications International, Inc.** Joint petition of Verizon Pennsylvania Inc. and Trans National Communications International, Inc. for approval of an interconnection agreement and amendment no.1 under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and Trans National Communications International, Inc., by its counsel, filed on March 23, 2004, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement and amendment no. 1 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 Trans National Communi-



cations International, Inc. 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. 04-638. Filed for public inspection April 9, 2004, 9:00 a.m.]

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## PHILADELPHIA REGIONAL PORT AUTHORITY

### Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project #04-039.4, Shore Power Upgrade at Packer Avenue Marine Terminal (PAMT) until 2 p.m. on Thursday, April 29, 2004. The bid documents can be obtained from the Director of Procurement, PRPA, 3460 N. Delaware Ave., 2nd Floor, Philadelphia, PA 19134, (215) 426-2600 and will be available April 13, 2004. The cost of the bid document is \$35 (includes 7% Pennsylvania sales tax). The cost is nonrefundable. PRPA is an equal opportunity employer. Contractors must comply with all applicable equal opportunity laws and regulations.

A mandatory prebid onsite meeting will be held on April 22, 2004, at 11 a.m. at the South Guard House, 3201 S. Columbus Blvd. (PAMT Service Road), Philadelphia, PA 19148.

JAMES T. MCDERMOTT, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 04-639. Filed for public inspection April 9, 2004, 9:00 a.m.]

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