

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 June 15, 2004.

BANKING INSTITUTIONS

Mutual Holding Company Reorganizations

| <i>Date</i> | <i>Name of Corporation</i> | <i>Location</i> | <i>Action</i> |
|-------------|--|-----------------|---------------|
| 6-11-04 | Abington Savings Bank Jenkintown Montgomery County | Jenkintown | Filed |

Application represents reorganization into a mutual holding company to be known as Abington Mutual Holding Company.

Branch Applications

| <i>Date</i> | <i>Name of Bank</i> | <i>Location</i> | <i>Action</i> |
|-------------|--|--|---------------|
| 5-24-04 | Community Banks Millersburg Dauphin County | One East Harrisburg Street Dillsburg York County | Opened |
| 6-10-04 | New Century Bank Phoenixville Chester County | 155 East Lancaster Avenue Wayne Radnor Township Delaware County | Opened |

Branch Relocations/Consolidations

| <i>Date</i> | <i>Name of Bank</i> | <i>Location</i> | <i>Action</i> |
|-------------|--|--|---------------|
| 6-9-04 | NorthSide Bank Pittsburgh Allegheny County | <i>Into:</i> 100 Federal Street Pittsburgh Allegheny County <i>From:</i> 701 Liberty Avenue Pittsburgh Allegheny County | Filed |
| 6-14-04 | S & T Bank Indiana Indiana County | <i>To:</i> 920 Fifth Avenue Ford City Armstrong County <i>From:</i> 323 Ford Street Ford City Armstrong County | Approved |

Branch Discontinuances

| <i>Date</i> | <i>Name of Bank</i> | <i>Location</i> | <i>Action</i> |
|-------------|---|---|---------------|
| 6-4-04 | The Legacy Bank Harrisburg Dauphin County | 422 North Elmira Street Sayre Bradford County | Effective |
| 6-4-04 | The Legacy Bank Harrisburg Dauphin County | 304 Main Street Towanda Bradford County | Effective |

NOTICES

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

Consolidations, Mergers and Absorptions

| <i>Date</i> | <i>Name of Credit Union</i> | <i>Location</i> | <i>Action</i> |
|-------------|---|-----------------|---------------|
| 6-15-04 | Belco Community Credit Union, Harrisburg, and Wellspan Federal Credit Union, York Surviving Institution—Belco Community Credit Union, Harrisburg | Harrisburg | Approved |

A. WILLIAM SCHENCK, III,
Secretary

[Pa.B. Doc. No. 04-1139. Filed for public inspection June 25, 2004, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Eligible Partnerships Postsecondary Grant Application Guidelines for Conducting Praxis Preparation in Core Academic Areas for Professional Development for Educators in this Commonwealth

The Department of Education (Department) has established Eligible Partnerships Postsecondary Grant (grant) application guidelines to provide direction to eligible partnerships for submitting applications targeting the preparation of special education and middle school teachers to meet the core academic content areas required under the No Child Left Behind Act (act). An eligible partnership that receives a grant under these guidelines shall use the grant for designing and implementing core academic content in professional development for Praxis preparation for special education and middle school teachers in this Commonwealth to meet the highly qualified status under the act. The guidelines define a partnership that is eligible to apply. Each partnership must designate either an institution of higher education or an intermediate unit as the lead organization to execute a contract or memorandum of understanding with the Commonwealth. Approximately \$275,000 is available on a competitive basis under these guidelines. Eight to ten contracts or memoranda of understanding will be awarded in amounts ranging from \$10,000 to \$60,000.

Copies of the application guidelines are available from the Issuing Office, Division of Program Services, Bureau of Postsecondary Services, Department of Education, 333 Market Street, Harrisburg, PA 17126-0333, (717) 772-3623, TDD (717) 783-8445. Copies of the application guidelines are also available on the Department's website: www.pde.state.pa.us.

Applications submitted in response to the guidelines for conducting Praxis preparation in core academic content areas are due in the Division of Program Services by 5 p.m. on Friday, July 16, 2004.

VICKI L. PHILLIPS, Ed.D.,
Secretary

[Pa.B. Doc. No. 04-1140. Filed for public inspection June 25, 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

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

| <i>NPDES Permit No. (Type)</i> | <i>Facility Name and Address</i> | <i>County and Municipality</i> | <i>Stream Name (Watershed No.)</i> | <i>EPA Waived Y/N?</i> |
|--------------------------------|--|---|------------------------------------|------------------------|
| PA0029653 | Jewish Community Center Day Camp 601 Jefferson Avenue Scranton, PA 18510 | Covington Township Lackawanna County | Spring Brook 5A | Y |

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

| <i>NPDES Permit No. (Type)</i> | <i>Facility Name and Address</i> | <i>County and Municipality</i> | <i>Stream Name (Watershed No.)</i> | <i>EPA Waived Y/N?</i> |
|---------------------------------|--|-------------------------------------|------------------------------------|------------------------|
| PA0247081 Amendment No. 1 | Hopewell Township Bedford County 2759 Raystown Road Hopewell, PA 16650 | Bedford County Hopewell Township | Piper's Run 11-D | Y |
| PA0080594 | Bristolpipe Corporation 88 Newport Road Leola, PA 17540 | Lancaster County Leola City | UNT to Mill Creek 7-J | 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> |
|--------------------------------|---|-----------------------------------|--|------------------------|
| PA0210820 | Michael P. and Cheryl L. Nass 2670 Old State Road Waterford, PA 16441 | Waterford Township Erie County | Unnamed tributary to Little Conneauttee Creek | Y |

| <i>NPDES Permit No. (Type)</i> | <i>Facility Name and Address</i> | <i>County and Municipality</i> | <i>Stream Name (Watershed No.)</i> | <i>EPA Waived Y/N?</i> |
|--------------------------------|---|--|---|------------------------|
| PA0222780 | Scott W. Zimmerman SFTF 4822 Glen Hazel Road Wilcox, PA 15870 | Jones Township Elk County | Unnamed tributary to East Branch of the Clarion River 17-B | Y |
| PA0222887 | Gateway Lodge Box 125, Route 36 Cooksburg, PA 16217 | Barnett Township Jefferson County | Unnamed tributary to Clarion River 17-B | Y |
| PA0222712 | Sykesville Borough 21 East Main Street Sykesville, PA 15865 | Henderson Township Jefferson County | Stump Creek 17-D | Y |
| PA0021521 | Borough of Smethport Authority P. O. Box 152 201 West Water Street Smethport, PA 16749 | Borough of Smethport McKean County | Potato Creek 16-C | Y |

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

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

PA0063118, Industrial, **Tri-Cell Plastics**, 1149 Franklin Street, Old Forge, PA 18518. This proposed facility is in Old Forge Borough, **Lackawanna County**.

The receiving stream, St. John's Creek, is in State Water Plan watershed no. 5A and classified for CWF. The nearest downstream public water supply intake for the Danville Borough Water Authority is on the Susquehanna River, about 50 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.003 MGD.

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

PA0027715, Industrial Waste, SIC, 4953, **MAX Environmental Technologies, Inc.**, 1815 Washington Road, Pittsburgh, PA 15241. This application is for renewal of an NPDES permit to discharge treated process water, sewage, stormwater and leachate from a landfill in South Huntingdon Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, Sewickley Creek, classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is the Westmoreland County Municipal Authority at McKeesport, 26.2 miles below the discharge point.

Outfall 001: existing discharge, design flow of 0.28 mgd.

| <i>Parameter</i> | <i>Mass (lb/day)</i> | | <i>Concentration (mg/l)</i> | | |
|--------------------|------------------------|----------------------|-----------------------------|----------------------|------------------------------|
| | <i>Average Monthly</i> | <i>Maximum Daily</i> | <i>Average Monthly</i> | <i>Maximum Daily</i> | <i>Instantaneous Maximum</i> |
| Flow (MGD) | Monitor and Report | | | | |
| TSS | | | 30 | 60 | |
| Oil and Grease | | | 15 | | 30 |
| NH ₃ -N | | | 45 | 90 | |
| TRC | | | 0.5 | 1.0 | |
| Barium | | | 4.0 | 8.0 | |
| Iron | | | 3.5 | 7.0 | |

Outfall 001: existing discharge, design flow of 0.117 MGD.

| <i>Parameter</i> | <i>Mass (lb/day)</i> | | <i>Concentration (mg/l)</i> | | |
|--------------------------|------------------------|----------------------|-----------------------------|----------------------|------------------------------|
| | <i>Average Monthly</i> | <i>Maximum Daily</i> | <i>Average Monthly</i> | <i>Maximum Daily</i> | <i>Instantaneous Maximum</i> |
| Cadmium | | | 0.025 | 0.05 | |
| Chromium | | | 0.5 | 1.0 | |
| Hexavalent Chromium | | | 0.05 | 0.1 | |
| Copper | | | 0.1 | 0.2 | |
| Lead | | | 0.12 | 0.24 | |
| Nickel | | | 1.0 | 2.0 | |
| Zinc | | | 0.35 | 0.70 | |
| Cyanide (free) | | | 0.1 | 0.2 | |
| Phenols | | | 0.1 | 0.2 | |
| Osmotic Pressure (mo/kg) | | | 1,000 | 2,000 | |
| Aluminum | | | 1.0 | 2.0 | |

| Parameter | Mass (lb/day) | | Concentration (mg/l) | | |
|------------|--|---------------|----------------------|---------------|-----------------------|
| | Average Monthly | Maximum Daily | Average Monthly | Maximum Daily | Instantaneous Maximum |
| Silver | | | 0.005 | 0.01 | |
| Tin | | | Monitor and Report | | |
| Molybdenum | | | Monitor and Report | | |
| Antimony | | | Monitor and Report | | |
| pH (S. U.) | not less than 6.0 nor greater than 9.0 | | | | |

Outfall 201: new discharge, design flow of 0.163 MGD.

| Parameter | Mass (lb/day) | | Concentration (mg/l) | | |
|----------------|--|---------------|----------------------|---------------|-----------------------|
| | Average Monthly | Maximum Daily | Average Monthly | Maximum Daily | Instantaneous Maximum |
| Flow (MGD) | Monitor and Report | | | | |
| TSS | | | 31 | 60 | |
| Oil and Grease | | | 50.2 | 205 | |
| Antimony | | | 0.206 | 0.249 | |
| Arsenic | | | 0.104 | 0.162 | |
| Cadmium | | | 0.0962 | 0.474 | |
| Chromium | | | 3.07 | 15.5 | |
| Cobert | | | 0.124 | 0.192 | |
| Copper | | | 1.06 | 4.14 | |
| Cyanide, Total | | | 178 | 500 | |
| Lead | | | 0.283 | 1.32 | |
| Mercury | | | 0.000739 | 0.00234 | |
| Nickel | | | 1.45 | 3.95 | |
| Silver | | | 0.0351 | 0.120 | |
| Tin | | | 0.120 | 0.409 | |
| Titanium | | | 0.0618 | 0.0947 | |
| Vanadium | | | 0.0662 | 0.218 | |
| Zinc | | | 0.641 | 2.87 | |
| pH (S. U.) | not less than 6.0 nor greater than 9.0 | | | | |

Outfall 005: existing discharge.

| Parameter | Mass (lb/day) | | Concentration (mg/l) | | |
|----------------|--|---------------|----------------------|---------------|-----------------------|
| | Average Monthly | Maximum Daily | Average Monthly | Maximum Daily | Instantaneous Maximum |
| Flow (MGD) | Monitor and Report | | | | |
| TSS | | | 30 | | 60 |
| Oil and Grease | | | 15 | | 30 |
| pH | not less than 6.0 nor greater than 9.0 | | | | |

Outfall 007: new discharge, design flow of 0.0018 MGD.

| Parameter | Mass (lb/day) | | Concentration (mg/l) | | |
|---------------------------|--|---------------|----------------------|---------------|-----------------------|
| | Average Monthly | Maximum Daily | Average Monthly | Maximum Daily | Instantaneous Maximum |
| Flow (MGD) | Monitor and Report | | | | |
| CBOD ₅ | | | 25 | | 50 |
| TSS | | | 30 | | 60 |
| TRC | | | 0.5 | | 1.0 |
| Fecal Coliform (#/100 ml) | | | | | |
| (5-1 to 9-30) | | | 200 | | 1,000 |
| (10-1 to 4-30) | | | 2,000 | | |
| pH (S. U.) | not less than 6.0 nor greater than 9.0 | | | | |

The EPA waiver is not in effect.

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

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

WQM Permit No. 4804403, Sewerage, **Palmer Township Municipal Authority**, 3 Weller Place, P. O. Box 3039, Palmer, PA 18043-3039. This proposed facility is in Palmer Township, **Northampton County**.

Description of Proposed Action/Activity: This project consists of the construction of a pump station to serve Palmer North, a proposed 251-residential development.

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

WQM Permit No. 0503404 Amendment 04-1, Sewerage, **Hopewell Township Supervisors**, 2759 Raystown Road, Hopewell, PA 16650. This proposed facility is in Hopewell Township, **Bedford County**.

Description of Proposed Action/Activity: Construction of a wastewater collection and treatment system.

WQM Permit No. 2904401, Sewerage, **Seema Sinha and Sridhar Ramasubbu, All Seasons Hospitality, LLC**, 6512 Limerick Court, Clarksville, MD 21029. This proposed facility is in Brush Creek Township, **Fulton County**.

Description of Proposed Action/Activity: Replacement of existing wastewater treatment facility.

WQM Permit No. 2204403, Sewerage, **Lower Paxton Township**, 425 Prince Street, Suite 139, Harrisburg, PA 17109. This proposed facility is in Lower Paxton, South Hanover and West Hanover Townships, **Dauphin County**.

Description of Proposed Action/Activity: Construction of a wastewater treatment plant, pump station improvements and conveyance system improvements.

WQM Permit No. 2104407, Sewerage, **David W. Ketner**, 308 Steeleastown Road, Newville, PA 17241. This proposed facility is in North Newton Township, **Cumberland County**.

Description of Proposed Action/Activity: Construction of a small flow treatment facility.

WQM Permit No. 2888407, Amendment 04-1, Sewerage, **Greencastle, Franklin County, Authority, Borough of Greencastle**, 60 North Washington Street, Greencastle, PA 17225-1230. This proposed facility is in Antrim Township, **Franklin County**.

Description of Proposed Action/Activity: Additions and alterations to aeration and sludge handling.

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

WQM Permit No. 0291205-A2, Industrial Waste, **United States Steel Corp., Clairton Works**, 400 State Street, Clairton, PA 15025-1855. This proposed facility is in Clairton, **Allegheny County**.

Description of Proposed Action/Activity: Application for the modification and operation of the United States Steel Corp. Clairton Works Treatment Plant.

IV. NPDES Applications for Stormwater Discharges from MS4

V. Applications for NPDES Waiver Stormwater Discharges from MS4

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

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

NPDES Permit

| <i>No.</i> | <i>Applicant Name and Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|--------------|---|---------------|---------------------------|---|
| PAI011504033 | Camp Hill Village—Kimberton Hill, Inc. Development P. O. Box 1045 Kimberton, PA 19442 | Chester | West Vincent Township | French Creek HQ-TSF-MF |
| PAI011504032 | Roger Evans Elk Ridge Subdivision 135 Watson Mill Road Landenberg, PA 19350 | Chester | West Vincent Township | McDonald Run HQ-TSF-MF |
| PAI011504034 | Rouse/Chamberlin Homes Providence Hill Subdivision 500 Exton Commons Exton, PA 19341 | Chester | East Fallowfield Township | Unnamed tributary West Branch Brandywine Creek EV-MF-WWF |

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

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

NPDES Permit

| <i>No.</i> | <i>Applicant Name and Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|--------------|--|---------------|--------------------------|-------------------------------|
| PAI023904022 | Lehigh Valley Hospital Cedar Crest and I-78 P. O. Box 689 Allentown, PA 18105 | Lehigh | South Whitehall Township | Little Lehigh Creek HQ-CWF |
| PAI023904023 | Buckeye Pipeline Co., LP P. O. Box 368 5002 Buckeye Rd. Emmaus, PA 18049 | Lehigh | Lower 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> |
|-------------------------|--|---------------|--------------------------|-------------------------------|
| PAI023903044 | TEMPLE BETH-EL of Allentown, Inc. 1702 Hamilton St. Allentown, PA 18104 | Lehigh | South Whitehall Township | Little Lehigh Creek HQ-CWF |
| PAI023904001 | Robert Bender Heritage Building Group 3326 Old York Rd. Suite 4100 Furlong, PA 18925 | Lehigh | Upper Macungie Township | Schaeffer Run 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> |
|-------------------------|---|---------------|---------------------|----------------------------|
| PAI024504017 | Sevenson Environmental Services, Inc. 2749 Lockport Rd. Niagara Falls, NY 14305 | Monroe | Coolbaugh Township | Tobyhanna Creek HQ-CWF |
| PAI024504016 | C & M Developers, LLC 2421 Bristol Rd. Warrington, PA 18976 | Monroe | Stroud Township | Brodhead Creek HQ-CWF |

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

Tioga Conservation District: 29 East Ave., Wellsboro, PA 16901, (570) 724-1801.

| <i>NPDES Permit No.</i> | <i>Applicant Name and Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|---|---------------|---------------------|--|
| PAI045904001 | Department of Conservation and Natural Resources Tioga State Forest 1 Nessmuk Lane Wellsboro, PA 16901 | Tioga | Elk Township | Kramer Run, tributary of Francis Branch of Slate Run EV |

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

Conservation District: Elk County Conservation District, P. O. Box 448, 300 Center Street, Ridgway, PA 15853, (814) 776-5373.

| <i>NPDES Permit No.</i> | <i>Applicant Name and Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|---|---------------|---------------------|----------------------------|
| PAI062404002 | Army Corps of Engineers—Baltimore District 10 South Howard Street Baltimore, MD 21201 | Elk | Benezette Township | Dents Run HQ CWF |

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

| <i>NPDES Permit No.</i> | <i>Applicant Name and Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|--|---------------|---------------------|----------------------------|
| PAI084204001 | DL Resources, Inc. 1066 Hoover Road Smicksburg, PA 16256 | McKean | Hamilton Township | Markham Run HQ-CWF |

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

| | |
|--------|--------------------------------|
| PAG-12 | CAFOs |
| PAG-13 | Stormwater Discharges from MS4 |

PUBLIC WATER SUPPLY (PWS) PERMIT

Under the Pennsylvania Safe Drinking Water Act (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

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

Permit No. 6704511, Public Water Supply.

| | |
|---------------------------|---|
| Applicant | The York Water Company |
| Municipality | York |
| County | York |
| Responsible Official | Jeffrey R. Hines, Vice President—Engineering 130 E. Market St. P. O. Box 15089 York, PA 17405-7089 |
| Type of Facility | PWS |
| Consulting Engineer | Ryan M. Ural, P. E. The York Water Company 130 East Market Street P. O. Box 15089 York, PA 17405-7089 |
| Application Received Date | May 27, 2004 |
| Description of Action | This permit application is for the installation of a packaged booster pump station on Oak Street. |

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

Permit No. 5904502, Public Water Supply.

| | |
|----------------------|---|
| Applicant | George Dear Mobile Home Park |
| Township or Borough | Lawrence Township |
| County | Tioga |
| Responsible Official | George Dear R. R. 2 Box 174 Tioga, PA 16946 |
| Type of Facility | PWS—Construction. |

| | |
|---------------------|---|
| Consulting Engineer | Alfred Benesch & Co. 400 One Norwegian Plaza P. O. Box 1090 Pottsville, PA 17901 |
|---------------------|---|

| | |
|---------------------------|--------------|
| Application Received Date | June 1, 2004 |
|---------------------------|--------------|

| | |
|-----------------------|--|
| Description of Action | Major amendment for ion exchange system. |
|-----------------------|--|

Permit No. 1404501, Public Water Supply.

| | |
|---------------------------|--|
| Applicant | Centre Hall Borough Municipal Water Authority |
| Township or Borough | Center Hall Borough |
| County | Centre |
| Responsible Official | Lynn Dutrow, Manager Centre Hall Borough P. O. Box 54 Centre Hall, PA 16828 |
| Type of Facility | PWS—Construction. |
| Consulting Engineer | Dana R. Boob Surveying & Engineering 136 West Main St. P. O. Box 699 Millheim, PA 16854 |
| Application Received Date | June 7, 2004 |
| Description of Action | Construction of a new well and disinfection system. |

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

Permit No. 3204504, Public Water Supply.

| | |
|---------------------------|--|
| Applicant | Indiana County Municipal Services Authority |
| Responsible Official | Indiana County Municipal Services Authority |
| Type of Facility | Water Treatment Plant |
| Consulting Engineer | Gibson Thomas Engineering Co., Inc. 1004 Ligonier Street P. O. Box 853 Latrobe, PA 15650 |
| Application Received Date | May 6, 2004 |
| Description of Action | Construction of a 1 MGD water treatment plant on Crooked Creek at Creekside, construction of 81,300 LF of 8-inch water line to interconnect existing ICMSA water systems. A 1 MG storage tank and two pump stations are also proposed. |

Permit No. 3204505, Public Water Supply.

| | |
|---------------------|--|
| Applicant | Cherry Tree Borough Municipal Authority Box 156 Cherry Tree, PA 15724 |
| Township or Borough | Susquehanna Township |

Responsible Official Ronald Homer, Manager
Cherry Tree Borough Municipal Authority
Box 156
Cherry Tree, PA 15724

Type of Facility Water Treatment Plant

Consulting Engineer Gibson-Thomas Engineering Co., Inc.
1004 Ligonier Street
Latrobe, PA 15650

Application Received Date January 14, 2004

Description of Action Permitting of an existing well source.

Application Received Date June 1, 2004

Description of Action The applicant requests the transfer of PWS Permit No. 2400036 from the Community Bank to Country Crest LLC.

WATER ALLOCATIONS

Applications received under the act of June 24, 1939 (35 P. S. §§ 631—641) relating to the acquisition of rights to divert waters of this Commonwealth

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

WA2-200E, Water Allocations, **Pennsylvania American Water Company**, 300 Galley Road, McMurray, PA 15317, **Allegheny County**. The applicant is requesting a subsidiary allocation to purchase 12 million, peak month, on an emergency basis, from the Pittsburgh Sewer and Water Authority.

WA2-200F, Water Allocations, **Pennsylvania American Water Company**, 300 Galley Road, McMurray, PA 15317, **Allegheny County**. The applicant is requesting a subsidiary allocation to purchase 50,000, peak month, from the Municipal Authority of Westmoreland County.

WA11-1000C, Water Allocations, **Blacklick Valley Municipal Authority**, P. O. Box 272, Twin Rocks, PA 15960, **Cambria County**. The applicant is requesting to purchase 150,000 gpd, peak month, from the Municipal Authority of the Borough of Ebensburg and for a service area expansion in Blacklick and Cambria Townships along US Route 422.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 1

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

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use the Background Standard, Statewide Health Standard, the Site-Specific Standard or who intend to remediate a site as a special industrial area must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one, a combination of the cleanup standards or who receives approval of a special industrial area remediation identified under the act will be relieved of further liability for the remediation of the site for any

MINOR AMENDMENT

Applications Received under the Pennsylvania Safe Drinking Water Act

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

Application No. Minor Amendment.

Applicant **Pennsylvania American Water Company**

Township or Borough Lehman Township, **Pike County**

Responsible Official William C. Kelvington, VP Operations
Pennsylvania American Water Company
800 West Hersheypark Drive
Hershey, PA 17033
(717) 531-3365

Type of Facility Community Water System

Consulting Engineer Michael P. Goodwin, P. E.
Milnes Engineering, Inc.
12 Frear Hill Road
Tunkhannock, PA 18657
(570) 836-2145

Application Received Date May 28, 2004

Description of Action Application for construction of a 242,000-gallon glass-lined, bolted steel storage tank as an alternative to the 250,000-gallon welded steel tank (and pump station) which was previously permitted for the Saw Creek Estates development under a PWS minor amendment issued April 16, 2004.

Application No. Minor Amendment.

Applicant **Country Crest LLC**

Township or Borough Lehman Township, **Luzerne County**

Responsible Official Gordon Banzhuff
Country Crest LLC
1 South Baltimore Street
Dillsburg, PA 17019

Type of Facility PWS

contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

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

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

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

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

Corell Steel Site, Bristol Township, **Bucks County**. Samuel Kucia, Environmental Consulting, Inc., 500 East Washington Street, Suite 375, Norristown, PA 19401 on behalf of Michael Dvorak, STD Associates, L. P., 1027 Conshohocken Road and P. O. Box 580, Conshohocken, PA 19428 has submitted a Notice of Intent to Remediate. The remediation consists of the removal of three USTs and nine drums of petroleum. The intended future use of the property is to rehabilitate the existing structures and incorporate the site into Crownwood Industrial Estates, a larger development of nonresidential, commercial/industrial properties adjacent to the site.

Island Realty Corp. Property, City of Philadelphia, **Philadelphia County**. Jeffrey S. Moore, Environmental Liability Management, Inc., Buckingham Green II, 14920 York Road, Suite 290, P. O. Box 306, Holicong, PA 18928-0306 on behalf of Kevin Lumpe, Island Realty Corporation c/o Steel Equities, Inc., 700 Hicksville Road, Bethpage, NY 11714 has submitted a Notice of Intent to Remediate. The remnant of remediation is benzene, which is detected in groundwater and soil. Separate phase liquid detected in groundwater. Proposed remediation for SPL site is product recovery to the extent practicable through passive collection devices. The intended future use of the property will be for warehousing (nonresidential).

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

The SYGMA Network, Inc., City of Harrisburg, **Dauphin County**. Professional Services Industries, Inc., 1707 South Cameron Street, Suite B, Harrisburg, PA 17104, on behalf of The SYGMA Network, Inc., 5550 Blazer Park-

way, Suite 300, Dublin, OH 43017, submitted a Notice of Intent to Remediate site soils contaminated with petroleum hydrocarbons and lead. The proposed future use of the property will remain as a nonresidential warehouse facility.

Lancaster Laboratories, Inc., Upper Leacock Township, **Lancaster County**. Liesch Associates, Inc., 13400 15th Avenue North, Plymouth, NM 55441, on behalf of Lancaster Laboratories, Inc., 2425 New Holland Pike, P. O. Box 12425, Lancaster, PA 17605-2425, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with VOCs, SVOCs, PCBs, pesticides and metals. The property is currently used as an analytical testing laboratory and will continue to operate into the foreseeable future. The applicant proposes to remediate the site to meet the Statewide Health Standards.

Roger Davis Property, York Haven Borough, **York County**. Chambers Environmental Group, Inc., 629 East Rolling Ridge Drive, Bellefonte, PA 16823, on behalf of R. J. Davis and Company, 655 Laura Drive, Lewisberry, PA 17339, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with no. 2 fuel oil. The applicant proposes to remediate the site to the Statewide Health Standard. The proposed future use of the property is both residential and nonresidential.

Dura-Bond Pipe, LLC, formerly Bethlehem Steel Corporation, Steelton Borough, **Dauphin County**. Alliance Environmental Services, Inc., 1414 North Cameron Street, Suite B, Harrisburg, PA 17103, on behalf of Capital Region Economic Development Corporation, 3211 North Front Street, Harrisburg, PA 17110 and Dura-Bond Pipe, LLC, 2716 South Front Street, Steelton, PA 17113, submitted a Notice of Intent to Remediate concerning remediation of site soils and groundwater contaminated with lead and arsenic, metals, VOCs and SVOCs. Dura-Bond proposes to continue operation of a steel pipe fabrication facility at this site. The applicant proposes to remediate the site to meet a combination of requirements for the Site-Specific and Statewide Health Standards.

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

Jersey Shore Steel, Pine Creek Township, **Clinton County**. Chambers Environmental, on behalf of Jersey Shore Steel, P. O. Box 5055, Jersey Shore, PA 17740, has submitted a Notice of Intent to Remediate soil and groundwater contaminated with waste oil. This site is being remediated to meet the Statewide Health Standards.

HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

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

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

PAD085690592. Republic Environmental Systems PA, Inc., 2869 Sandstone Drive, Hatfield, PA 19440, Hatfield Township, **Montgomery County**. The application was received for class 2 permit modification to incorporate additional residual waste codes for nonhazardous waste managed at the facility. The application was received by the Southeast Regional Office on June 7, 2004.

RESIDUAL WASTE GENERAL PERMITS

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

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

General Permit Application No. WMGR102. Soil Technology, Inc., 7 Steel Road East, Morrisville, PA 19067. General Permit No. WMGR102 is for the beneficial use of engineered soil, which has been processed under Individual Permit 301254 at the Morrisville facility. The engineered soil is proposed for beneficial use as: (1) borrow source; (2) landfill cover; (3) general construction; (4) site development; (5) road embankments; (6) road base; (7) manufactured topsoil; (8) landscaping; (9) soil amendment; (10) quarry reclamation; (11) mine reclamation; and (12) brownfield redevelopment. The Central Office received the application on March 29, 2004, and determined administratively complete on June 10, 2004.

Comments concerning the application should be directed to Ronald C. Hassinger, Chief, General Permits and Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Land Recycling and Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472. Persons interested in obtaining more information about the general permit application should contact the Division at (717) 787-7381. TDD users should contact the Department through the Pennsylvania Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to and approval or denial of the application.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Application 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. 400682. East Norriton Plymouth Whitpain Joint Sewer Authority, 200 Ross Street, Plymouth Meeting, PA 19462-2740, Plymouth Township, **Montgomery County.** This application was received for the permit renewal for the facility. The application was received by the Southeast Regional Office on June 8, 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 regu-

lated 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.

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

39-318-112: Mack Truck, Inc. (7000 Alburtis Road, Macungie, PA 18062) for amendment of their facility's Title V Permit 39-00004 to increase the allowable emission limits therein for the facility in Lower Macungie Township, **Lehigh County.**

35-317-004: Polarized Meat Co., Inc. (107 Keystone Industrial Park, Dunmore, PA 18512) for installation of an air cleaning device to control the atmospheric emission from two ovens at their facility in the Keystone Industrial Park, Dunmore Borough, **Lackawanna County.**

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

07-05027A: Millennium Rail, Inc. (US Route 22, Hollidaysburg, PA 16648) for replacement of a baghouse controlling their shot blast operations in Hollidaysburg Borough, **Blair County**.

22-05034B: Pennsy Supply, Inc. (1001 Paxton St., P. O. Box 3331, Harrisburg, PA 17104-3331) for construction of a pulverized mineral processing operation, Hummelstown Quarry, South Hanover Township, **Dauphin County**.

36-03147A: A and M Composting, Inc. (2022 Mountain Road, Manheim, PA 17545) for increasing the capacity of their sludge composting facility in Penn Township, **Lancaster County**.

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

10-027E: Penreco (138 Petrolia Street, Karns City, PA 16041) for construction of a new gas/oil fired boiler rated at 91 mmBtu/hr to replace the existing coal fired boiler in Karns City Borough, **Butler County**. The new boiler is subject to the New Source Performance Standards for boilers greater than 10 mmBtu and less than 100 mmBtu. The facility is a Title V Facility.

10-0344A: Fannie's Friends, Inc. (352 Railroad Street, Evans City, PA 16033) for construction of a new pathological waste incinerator for pet remains rated at 130 pounds per hour in Evans City, **Butler County**.

24-012D: C/G Electrodes LLC—St. Marys Plant (800 Theresia Street, St. Marys, PA 15857-1898) for reactivation of the 25-inch press and dust collector in their extrusion department in St. Marys City, **Elk County**. This is a Title V facility.

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.

15-0090A: National Service Industries (303 Eagleview Boulevard, Exton, PA 19341) for installation of a state-of-the-art flexographic printing press (Cerutti) at their Atlantic Envelope Company facility in Uwchlan Township, **Chester County**. This facility is a non-Title V facility. The facility is making the following modifications: (1) removal of individual hourly and annual emission limits for flexographic and lithographic printing presses; (2) incorporation of a facility-wide emission limit for VOCs of 24.66 tons per year; (3) incorporation of a facility-wide emission limit for HAPs of 12.62 tons per year; and (4) transfer of printer from one flexographic printing press to another flexographic printing press. The Plan Approval will contain recordkeeping and further operating restrictions 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.

13-399-008B: Horsehead Corp. (900 Delaware Avenue, Palmerton, PA 18071) for modification to the blower unit of a calcine kiln receiving bin and associated bin vent collectors at the company's facility in Palmerton

Borough, **Carbon County**. This high temperature metal recovery facility is a Title V facility. Particulate emissions from the modification will be less than 1 ton per year. The plan approval will include all appropriate monitoring, recordkeeping and reporting requirements designed to keep the source operating within all applicable air quality requirements and will be incorporated into the Title V Operating Permit through an Administrative Amendment in accordance with 25 Pa. Code § 127.450.

48-328-006A: Conectiv Bethlehem LLC (P. O. Box 6066, Newark, DE 19714) for amendment of language related to the start-up definitions of the combustion turbines as described in Plan Approval 48-328-006 at their facility in the City of Bethlehem and Lower Saucon Township, **Northampton County**. There is no new equipment being constructed under this plan approval, nor is there any increase of any pollutants related to the amended language. The plan approval will include all appropriate monitoring, recordkeeping and reporting requirements designed to keep the source operating within all applicable air quality requirements. The facility has submitted an application to the Department to obtain a Title V Operating Permit. This plan approval will subsequently be incorporated into the Title V Operating Permit or the Title V Operating Permit will be administratively amended in accordance with 25 Pa. Code § 127.450.

39-304-026: Ransom Industries LP—Tyler Pipe Penn Division (101 North Church Street, Macungie, PA 18062) for construction of a thermal sand reclamation system and associated air cleaning devices (fabric collectors) at their facility in Macungie Borough, **Lehigh County**. The particulate emissions from each fabric collector will not exceed the Best Available Technology standard of 0.02 grain per dry standard cubic foot. The Plan Approval and Operating Permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements. The facility has submitted an application to the Department for a Synthetic Minor Operating Permit, has been assigned Permit 39-00068 and is currently under review. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Synthetic Minor Operating Permit.

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

22-03055A: Kimmel's Coal and Packaging (Machamer Avenue, P. O. Box 1, Wiconisco, PA 17097) for replacing the fluidized bed dryer with a rotary dryer and changing the venting of two baghouses at their coal preparation facility in Wiconisco Township, **Dauphin County**. These changes will result in an actual increase in PM emissions of 0.6 ton per year. This plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the sources operating within all applicable air quality requirements.

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

42-178A: Glenn O. Hawbaker, Inc.—Plant No. 7—Turtlepoint (Chaplin Hill Road, Turtlepoint, PA 16750) for modification of a plan approval to burn reprocessed/recycled oil in Annin Township, **McKean County**. In accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department intends to issue a plan approval. This plan approval will, in accordance with 25

Pa. Code § 127.450, be incorporated into a State-only operating permit through an administrative amendment at a later date.

10-293B: Quality Aggregates (201 Deer Road, Boyers, PA 16020) for replacement of two 150 top crushers with one 300 tph crusher at their nonmetallic crushing/screening plant at the Boyers plant in Marion Township, **Butler County**. In accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department intends to issue a plan approval that 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.

OPERATING PERMITS

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

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401; Edward Jurdones Brown, Facilities Permitting Chief, (484) 250-5920.

23-00034: Villanova University (800 Lancaster Avenue, Villanova, PA 19085) for renewal of their Title V Operating Permit in Radnor Township, **Delaware County**. The initial permit was originally issued on August 10, 1999. Villanova University owns and operates 4 dual-fired natural gas and no. 6 fuel oil boilers, 19 natural gas fired emergency generators, 18 no. 2 fuel oil fired emergency generators, 34 natural gas fired heaters and 5 furnaces. As a result of potential emissions of NOx, the facility is a major stationary source as defined in Title I, Part D of the Clean Air Act amendments and is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The proposed Title V operating renewal does not adopt any new regulations and does not reflect any change in air emissions from the facility. The facility is not subject to Compliance Assurance Monitoring (CAM) under 40 CFR Part 64. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting.

15-00017: Transcontinental Gas Pipeline Corp. (60 Bacton Hill Rd., Frazer, PA 19355) for renewal of their Title V Operating Permit in East Whiteland Township, **Chester County**. The initial permit was issued on July 19, 1999. The facility is a natural gas pipeline gas compressor station. As a result of potential emissions of VOCs, the facility is a major stationary source as defined in Title I, Part D of the Clean Air Act amendments and is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. No new sources have been added to the facility since the Title V permit was issued in 1999. No sources at this facility are subject to CAM under 40 CFR Part 64. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting.

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

18-00006: Dominion Transmission Inc. (625 Liberty Avenue, Pittsburgh, PA 15222) for renewal of the Title V operating permit for their Leidy natural gas storage and transmission facility in Leidy Township, **Clinton County**. The facility is currently operating under Title V Operating Permit 18-00006. The facility's main sources include two 3,400 horsepower natural gas fired internal

combustion gas transmission engines, eight 2,000 horsepower natural gas fired internal combustion gas transmission engines, three 1,000 horsepower natural gas fired internal combustion engines and three 40.0 mmBtu/hr natural gas fired boilers which have the potential to emit major quantities of NOx, VOCs, formaldehyde (HAP) and CO. The facility has the potential to emit PM10 and SOx below the major emission thresholds. The facility is subject to all applicable regulatory requirements of Reasonably Available Control Technology for NOx and VOC emissions. The proposed Title V operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

17-00005: Glen-Gery Corp. (P. O. Box 338, Bigler, PA 16825) for renewal of the Title V operating permit for their brick manufacturing facility in Bradford Township, **Clearfield County**. The facility is currently operating under TVOP 17-00005, which was issued on June 15, 1999. The facility's sources include three natural gas fired furnaces, a number of natural gas fired space heaters, a natural gas fired water heater, raw material crushing, grinding, screening, mixing and forming, two natural gas and sawdust fired brick kilns, a sawdust screen, a parts washer, an aluminum oxide blasting and painting operation, four natural gas fired brick dryers, two small specialty dryers, a natural gas fired holding room and a chromite storage bin, which have the potential to emit major quantities of CO, PM10, SOx and HAPs. The facility has the potential to emit NOx and VOCs below the major emission thresholds. The proposed Title V operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

43-00196: GE Transportation System—Grove City Plant (1503 W. Main Street Extension, Grove City, PA 16127) for issuance of a Title V Operating Permit to operate their diesel engine manufacturing plant in Pine Township, **Mercer County**.

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

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19428; Edward Jurdones Brown, Facilities Permitting Chief, (484) 250-5920.

23-00055: Cheyney University of PA (1837 University Cir., Cheyney, PA 19319) for a non-Title V Facility, State-only, Synthetic Minor Operating Permit in Thornbury Township, **Delaware County**. The permit is for the operation of 10 boilers, 5 A/C chiller units, 12 hot water heaters and 5 emergency generators firing natural gas, no. 2 or LPG as fuel. The permit will include monitoring, recordkeeping, reporting and work practice standards designed to keep the facility operating within all applicable air quality requirements.

09-00161: Giles & Ransome, Inc.—Bensalem (2975 Galloway Road, Bensalem, PA 19020) for a non-Title V Facility, State-only, Synthetic Minor Operating Permit in Bensalem Township, **Bucks County**. Giles & Ransome, Inc.—Bensalem rents out, repairs and repaints construction equipment for use in industry. The facility's major emission points are a paint booth, paint shop and 16 cold parts cleaners, from which the main pollutants emitted are VOCs. The facility pollutant potential to emit for

VOCs exceed the major facility threshold of 25 tons per year. The facility will limit the hours of operation and material usage. The permit will contain monitoring, recordkeeping, reporting and work practice standards designed to keep the facility operating within all applicable air quality requirements.

23-00035: Community Light and Sound, Inc. (333 East Fifth Street, Chester, PA 19013) for a non-Title V Facility, State-only, Synthetic Minor Operating Permit in the City of Chester, **Delaware County**. Community Light and Sound, Inc. manufactures commercial loudspeakers for indoor and outdoor use at concerts, amusement parks and other locations. The facility's major emission points are paint booths and coating booths, from which the main pollutants emitted are VOCs. The facility pollutant potential to emit for VOCs exceeds the major facility threshold of 25 tons per year. The facility will limit their material usage to prevent exceeding this threshold. The permit will contain monitoring, recordkeeping, reporting and work practice standards designed to keep the facility operating within all applicable air quality requirements.

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

06-03029: Yuasa Battery, Inc. (2901 Montrose Avenue, Laureldale, PA 19605) for a lead/acid storage battery manufacturing facility controlled by various fabric collectors and wet scrubbers in the Borough of Laureldale, **Berks County**. The facility is subject to 40 CFR Part 60, Subpart KK, Standards of Performance for New Stationary Sources. The permit will include emission limits for lead from the various manufacturing sources. The permit will include monitoring, testing, work practices, 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.

08-00021: Mill's Pride—Pennsylvania (P. O. Box 158, 100 Lamoka Road, Sayre, PA 18840) for their Sayre plant in Athens Township, **Bradford County**. The facility's main sources include 2 natural gas and wood waste fired boilers, 1 wood predryer, 18 wood drying kilns, various woodworking equipment, 1 wood waste storage silo, a wood finishing operation, veneer pressing operations, 2 solvent parts washers and 2 diesel-fired engines. The facility has the potential to emit major quantities of PM (PM10). The facility has taken a synthetic minor restriction to limit its PM (PM10) emissions below the major emission thresholds. The facility has the potential to emit SOx, NOx, CO, VOCs, individual HAPs and combined HAPs below the major emission thresholds. The proposed operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

19-00008: Bloomsburg Hospital (549 East Fair Street, Bloomsburg, PA 17815) for operation of their facility in Bloomsburg, **Columbia County**. The facility's main sources include five no. 2 fuel oil/natural gas fired boilers and a diesel fired generator. This facility has the potential to emit SOx, CO, NOx, VOCs, HAPs and PM10 below the major emission thresholds.

08-00023: Faithful Companions Pet Cemetery (R. D. 2, Box 210, Ulster, PA 18850) for their pet cremation facility in Smithfield Township, **Bradford County**.

The facility's main sources include two natural gas fired animal crematory incinerators. The facility has the potential to emit SOx, NOx, CO, PM (PM10), 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.

14-00022: State College Area School District (131 West Nittany Avenue, State College, PA 16801) for their junior-senior high school in State College Borough, **Centre County**. The facility's main sources include five natural gas/no. 2 fuel oil fired boilers and four natural gas fired emergency generators. The facility has the potential to emit major quantities of SOx. The facility has taken a synthetic minor restriction to limit its SOx emissions below the major emission thresholds. The facility has the potential to emit NOx, CO, PM (PM10), VOCs and HAPs below the major emission thresholds. The proposed operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

08-00022: Cummings Lumber Co., Inc. (P. O. Box 6, Troy, PA 16947) for their lumber mill facility in Troy Township, **Bradford County**. The facilities main source includes a stoker wood-fired boiler for producing steam for nine lumber-drying kilns. Other sources at the facility include a two parts cleaning stations and mill operations, which process green wood. These sources have the potential to emit PM (PM10), NOx, SOx, CO and VOCs below the major emission thresholds. The proposed operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and report conditions.

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

62-00093: Torpedo Specialty Wire—Pittsfield City Plant (R. D. 2, Route 27, Pittsfield, PA 16340) for issuance of a Natural Minor Operating Permit to operate the nickel plating plant in Pittsfield Township, **Warren County**.

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

N04-001: Presbyterian Medical Center (51 North 39th Street, Philadelphia, PA 19104) for operation of a not-for-profit hospital in the City of Philadelphia, **Philadelphia County**. The facility's air emissions sources include two 400 HP boilers, a 250 HP boiler and four emergency generators.

The operating permit will be reissued under the 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener, (215) 685-9426.

Persons wishing to file protests or comments on the previous operating permit must submit protests or comments within 30 days from the date of this notice. Protests or comments filed with the AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, the AMS may modify the operating permit or schedule a public hearing. The hearing

notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least 30 days before the hearing.

**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) | 3.0 mg/l | 6.0 mg/l | 7.0 mg/l |
| Manganese (total) | 2.0 mg/l | 4.0 mg/l | 5.0 mg/l |
| Suspended solids | 35 mg/l | 70 mg/l | 90 mg/l |
| pH* | | greater than 6.0; less than 9.0 | |
| Alkalinity greater than acidity* | | | |

*The parameter is applicable at all times.

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

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

40920102R2. Susquehanna Coal Company (200 East Front Street, P. O. Box 27, Nanticoke, PA 18634), renewal of an existing anthracite surface mine operation in Newport Township, **Luzerne County**, affecting 1,325.0 acres. Receiving streams: Susquehanna River Watershed. Application received June 9, 2004.

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

16880104 and NPDES Permit No. PA0104710. Terry Coal Sales, Inc. (Box 58, Distant, PA 16223), renewal of an existing bituminous surface strip and tippie refuse disposal operation in Limestone, Porter and Monroe Townships, **Clarion County**, affecting 156.2 acres. Receiving streams: one unnamed tributary to Sloan Run, one unnamed tributary to Parsons Run and three unnamed tributaries to Leatherwood Creek (CWF). There are no potable surface water supply intakes within 10 miles downstream. Application for reclamation only. Application received June 7, 2004.

10040103 and NPDES Permit No. PA0242535. Anandale Quarries, Inc. (219 Goff Station Road, Boyers, PA 16020), commencement, operation and restoration of a bituminous surface strip and beneficial ash operation in Venango Township, **Butler County**, affecting 23.3 acres. Receiving streams: unnamed tributary to Seaton Creek (CWF). There are no potable surface water supply intakes

within 10 miles downstream. Application received June 7, 2004.

24930101 and NPDES Permit No. PA0211770. Fairview Coal Company (P. O. Box R, Ridgway, PA 15853), renewal of an existing bituminous surface strip, auger and beneficial use of residual waste sludge operation in Horton Township, **Elk County**, affecting 65.3 acres. Receiving streams: Johnson Run (CWF). There are no potable surface water supply intakes within 10 miles downstream. Application for reclamation only. Application received June 10, 2004.

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

56040102 and NPDES Permit No. PA0249564. Mountaineer Mining Corporation (1010 Garrett Shortcut Road, Berlin, PA 15530), commencement, operation and restoration of a bituminous surface mine in Brothersvalley Township, **Somerset County**, affecting 51.3 acres. Receiving streams: Swamp Creek and unnamed tributaries to Swamp Creek (CWF). There are no potable water supply intakes within 10 miles downstream. Application received June 1, 2004.

56010106 and NPDES Permit No. PA0249076. PBS Coals, Inc. (P. O. Box 260, Friedens, PA 15541), surface mining permit revision to add acreage in Shade Township, **Somerset County**, affecting 317.1 acres. Receiving streams: Dixie Run and Fallen Timber Run (CWF). The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Stoneycreek Surface Water Intake. Application received May 28, 2004.

56920113 and NPDES Permit No. PA0212300. Action Mining, Inc. (1117 Shaw Mines Road, Meyersdale, PA 15552), surface mining permit renewal in Summit and Elk Lick Townships, **Somerset County**, affecting 106 acres. Receiving streams: unnamed tributaries to Casselman River and Casselman River (CWF, WWF). There are no potable water supply intakes within 10 miles downstream. Application received May 28, 2004.

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

03920103 and NPDES Permit No. PA0200484. Allegheny Mineral Corp. (P. O. Box 1022, Kittanning, PA 16201), renewal application for continued operation and restoration of an existing bituminous surface mine in West Franklin Township, **Armstrong County**, affecting 284.7 acres. Receiving streams: Buffalo Creek and Claypoole Run (TSF). The first potable water supply intake within 10 miles downstream from the point of discharge is Moonlight Mushrooms, Inc. Renewal application received June 7, 2004.

03980106 and NPDES Permit No. PA0202291. Thomas J. Smith, Inc. (R. D. 1, Box 260D, Shelocta, PA 15774), renewal application for reclamation only of an existing bituminous surface mine in South Bend Township, **Armstrong County**, affecting 94.1 acres. Receiving streams: unnamed tributary to Lindsay Creek. There is

no potable water supply intake within 10 miles from the point of discharge. Renewal application received June 7, 2004.

03900109 and NPDES Permit No. PA0200476. Short Brothers, Inc. (15 Rayne Run Road, Marion Center, PA 15759), application received for transfer of permit currently issued to State Industries, Inc. for continued operation and reclamation of a bituminous surface mining site in Kittanning Township, **Armstrong County**, affecting 92.5 acres. Receiving streams: Campbell Run to Crooked Creek to Allegheny River (WWF). The first downstream potable water supply intake from the point of discharge is greater than 10 miles from the site. Transfer application received June 1, 2004.

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

17040901 and NPDES Permit No. PA0243752. Larry Fahr Coal Company (2062 Ashland Road, Osceola Mills, PA 16666), commencement, operation and restoration of an incidental coal extraction permit in Decatur Township, **Clearfield County**, affecting 11.9 acres. Receiving streams: Morgan Run. Application received May 18, 2004.

17030121 and NPDES Permit No. PA0243671. AMFIRE Mining Company, LLC (One Energy Place, Latrobe, PA 15650), transfer of an existing bituminous surface mine-auger permit application from Moravian Run Reclamation Co., Inc. The permit is in Penn Township, **Clearfield County** and affects 43.2 acres. Receiving streams: unnamed tributary to Bell Run (CWF). Application received June 2, 2004.

17910113 and NPDES Permit No. PA0206610. AMFIRE Mining Company, LLC (One Energy Place, Latrobe, PA 15650), transfer of an existing bituminous surface mine-coal refuse disposal permit in Penn Township, **Clearfield County**, affecting 78 acres. Receiving streams: Bell Run and Poplar Run. Application received June 2, 2004.

17030101 and NPDES Permit No. PA0243418. AMFIRE Mining Company, LLC (One Energy Place, Latrobe, PA 15650), transfer of an existing bituminous surface mine-auger permit in Penn Township, **Clearfield County**, affecting 220.8 acres. Receiving streams: unnamed tributaries to Bell Run and Bell Run. Application received June 2, 2004.

17970110 and NPDES Permit No. PA0220655. AMFIRE Mining Company, LLC (One Energy Place, Latrobe, PA 15650), transfer of an existing bituminous surface mine-auger permit in Penn Township, **Clearfield County**, affecting 256 acres. Receiving streams: Bell Run, three unnamed tributaries to Bell Run. Application received June 2, 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.

7874SM3A1C6 and NPDES Permit No. PA0612537. Eastern Industries, Inc. (4401 Camp Meeting Road, Suite 200, Center Valley, PA 18034), correction to increase flow rate for the NPDES discharge of treated mine drainage in Whitehall Township, **Lehigh County**. Receiving streams: Coplay Creek. Application received June 7, 2004.

6376SM2A1C4 and NPDES Permit No. PA0594474. York Building Products Company, Inc. (P. O. Box 1708, York, PA 17405), renewal NPDES permit for discharge of treated mine drainage in Jackson Township, **York County**. Receiving streams: Little Conewago Creek (TSF). Application received June 8, 2004.

52980301C3 and NPDES Permit No. PA0223905. ER Linde Construction Corporation (9 Collan Park, Honesdale, PA 18431), renewal of NPDES permit for discharge of treated mine drainage in Lackawaxen Township, **Pike County**. Receiving streams: unnamed tributary to Little Blooming Grove Creek (CWF, MF). Application received June 8, 2004.

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

20870304. Heritage Excavating & Stone (P. O. Box 462, Wampum, PA 16157), revision to an existing sandstone operation in South Shenango Township, **Crawford County**, affecting 37.8 acres. Receiving streams: unnamed tributary to Pymatuning Reservoir (WWF). There are no potable surface water supply intakes within 10 miles downstream. Revision to add blasting. Application received June 8, 2004.

4673SM13. John D. Anderson (P. O. Box 676, Warren, PA 16365), transfer of an existing sand and gravel operation in Pine Grove Township, **Warren County**, affecting 28.5 acres. Receiving streams: North Branch Akeley Run to Conewago Creek (CWF). There are no potable surface water supply intakes within 10 miles downstream. Transfer from I. A. Construction Corporation. Application received June 9, 2004.

ABANDONED MINE RECLAMATION

Under Act 181 of 1984, the Department solicits letters of interest from the landowners and/or licensed mine operators for the reclamation of the following abandoned mine project:

Project No. NCF 006-101.1, Vandergrift Borough, **Westmoreland County**, 6.6 acres.

Letters of interest must be received by Roderick A. Fletcher, P. E., Director, Bureau of Abandoned Mine Reclamation, Department of Environmental Protection, 400 Market Street, P. O. Box 8476, Harrisburg, PA 17105-8476 by 4 p.m. on July 26, 2004, to be considered. Telephone inquiries should be directed to Chuck Siders, Division of Mine Hazards, (717) 783-0474.

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.

E23-443. Transcontinental Gas Pipe Line Corporation, 2800 Post Oak Boulevard, Level 17, Houston, TX 77056, Upper Chichester Township, **Delaware County**, ACOE Philadelphia District.

To maintain the existing Transcontinental Gas Pipe Line (Transco) at Naaman's Creek (WWF) by utilizing four 8-foot long by 20-foot wide mat sections, associated with the Marcus Hook Main Line A. The site is approximately 800 feet west of the intersection of Bethel Road and Mill Road (Marcus Hook, PA-NJ-DE USGS Quadrangle N: 15.2 inches; W: 10.6 inches).

E15-718. Borough of Avondale, P. O. Box 247, Avondale, PA 19311, Borough of Avondale, **Chester County**, ACOE Philadelphia District.

To modify and maintain three reaches of stream as part of the stream restoration project for the East Branch of White Clay Creek Watershed. Work will include the following:

(1) A 750 linear foot reach of Indian Run (CWF) between West State Street Bridge and the confluence of the creek by installing four treatment areas consisting of Branch Packing Stabilization and Boulder Toe Stabilization System.

(2) A 225 linear foot reach of the creek immediately east of terminus of Miller Drive by installing two treatment areas consisting of "Boulder Toe Stabilization System and Tree Revetment."

(3) A 2,034 linear foot reach of the creek between Third Street Bridge and SR 0041 by installing cross vane structures, j-hook structures, modifying the channels cross-section and relocating approximately 1,720 length of channel to add sinuosity to a reach with a linear meander geometry using natural channel design methods.

The project is within the Borough of Avondale (West Grove, PA Quadrangle N: 13.4 inches; W: 4.5 inches).

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

E39-434. Ward Trucking, Ward Tower, P. O. Box 1553, Altoona, PA 16603 in South Whitehall Township, **Lehigh County**, U. S. Army Corps of Engineers, Philadelphia District.

To place fill in 0.12 acre of PEM wetlands within the Little Cedar Creek Watershed (HQ-CWF) for the purpose of constructing the Ward Trucking facility. The project is on the north side of Crackersport Road approximately 0.3 mile west of Route 309 (Allentown West, PA Quadrangle N: 18.0 inches; W: 9.5 inches).

E39-435. Washington Township, P. O. Box 27, Slatedale, PA 18079-0027 in Washington Township, **Lehigh County**, U. S. Army Corps of Engineers, Philadelphia District.

To remove the existing structure and to construct and maintain a concrete arch bridge having a span of 20 feet and an underclearance of approximately 5 feet across a tributary to the Lehigh River (CWF). The project is on Shady Nook Road at its intersection with Walnut Street (Cementon, PA Quadrangle N: 20.5 inches; W: 13.5 inches).

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

E07-386: Department of Transportation, District 9-0, 1620 North Juniata Street, Hollidaysburg, PA 16648, Freedom Township, **Blair County**, ACOE Baltimore District.

To remove the existing bridges and then to construct and maintain: (1) a single clear span bridge of 45.32 feet on a 60 degree skew with an underclearance of 5.2 feet across Poplar Run (CWF) and related outfalls; and (2) a single clear span bridge of 41.0 feet on a 60 degree skew with an underclearance of 4.2 feet across Blue Knob Run (CWF) and related outfalls on SR 3010, Section 002, Segment 0140, Offsets 0446 and 0670 to improve the traffic safety conditions at the Village of Puzzletown (Hollidaysburg, PA Quadrangle N: 0.5 inch; W: 16.0 inches) in Freedom Township, Blair County.

E34-112: Department of Transportation, District 2-0, 1924 Daisy Street Extension, P. O. Box 342, Clearfield, PA 16830, Turbett and Milford Townships, **Juniata County**, ACOE Baltimore District.

To remove the existing steel truss bridge and then to construct and maintain a two-span concrete bridge with a

total span of 251.5 feet on an 84.68 degree skew with an average underclearance of 15.4 feet across the Tuscarora Creek (CWF) on SR 3008, Section A01, Segment 0170, Offset 1681 and to provide a 95-foot long right bank revetment to improve traffic safety about 1.7 miles west of Port Royal (Mifflintown, PA Quadrangle N: 2.85 inches; W: 6.2 inches) in Turbett and Milford Townships, Juniata County.

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

E47-078. Department of Transportation, Engineering District 3-0, P. O. Box 218, Montoursville, PA 17754. Bridge replacement in Anthony Township, **Montour County**, ACOE Baltimore District (Washingtonville, PA Quadrangle N: 15.4 inches; W: 9.0 inches).

To: (1) remove the existing single span timber deck steel I-beam bridge which is on a 90 degree skew, with a span length of 44 feet, a normal opening of 39 feet, a hydraulic opening of 281 square feet, an underclearance of 7.22 feet, a curb-to-curb width of 14.1 feet and an out-to-out width of 15.2 feet; (2) construct and maintain a single span prestressed concrete box beam bridge on a 70 degree skew with concrete wingwalls, a clear span of 62.8 feet, a normal opening of 59 feet, a hydraulic opening of 373 square feet, an underclearance of 6.32 feet, a curb-to-curb width of 34.8 feet and an out-to-out width of 38.2 feet; and (3) construct and maintain 229 cubic yards R-8 riprap scour protection extending 5 linear feet beyond the concrete wingwalls.

The project will involve about 0.5 acre of earth disturbance. The project is off SR 1004, Section 013, Segment 0010, Offset 1553 over Chillisquaque Creek (WWF) approximately 0.4 mile northeast of the intersection of SR 1004 with SR 54. The project will have a de minimis impact on 0.006 acre of wetlands while impacting about 105 feet of waterway.

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

E02-1471. Township of Upper St. Clair, 1820 McLaughlin Run Road, Upper St. Clair, PA 15241. Stream channel relocation in the Municipality of Bethel Park, **Allegheny County**, Pittsburgh ACOE District (Bridgeville, PA Quadrangle project begins at N: 14.4 inches; W: 8.6 inches and Latitude: 40° 19' 45" and Longitude: 80° 3' 42" and project Ends: N: 14.6 inches; W: 7.6 inches and Latitude: 40° 19' 49" and Longitude: 80° 3' 16"). The applicant proposes to relocate and maintain approximately 913 feet of Graesers Run (WWF) and stabilize and maintain in place and approximately 1,250 feet of the same stream channel. The project is along the north side of Bethel Church Road and Walter Lane. This project is using fluvial geomorphology to improve water quality and habitat as part of the McLaughlin Run watershed restoration Phase IV. The project starts at the Upper St. Clair Municipality border and extends approximately 2,163 feet upstream in Upper St. Clair Township and the Municipality of Bethel Park in Allegheny County.

E65-847. Penneco Oil Company, Inc., P. O. Box 300, 200 U. S. Route 22, Delmont, PA 15626. Haymakers Run culvert in the Municipality of Murrysville, **Westmoreland County**, Pittsburgh ACOE District (Murrysville, PA Quadrangle N: 16.2 inches; W: 1.05 inches) (Latitude: 40° 27' 50" and Longitude: 79° 37' 58"). The applicant proposes to construct and maintain a 65.0-foot long, 8.0-foot by 5.0-foot concrete box culvert in Haymakers

Run (HQ-CWF) for the purpose of providing access to an existing gas well. The project is on the south side of Mamont Road, approximately 1.7 miles east of its intersection with Sardis Road.

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

E10-397, Lawrence W. and Victoria L. Pacey, 103 Pointe Drive, Valencia, PA 16059-2125. Pacey Bridge project in Middlesex Township, **Butler County**, ACOE Pittsburgh District (Valencia, PA Quadrangle N: 12.5 inches; W: 9.9 inches).

To construct and maintain a pedestrian bridge having a clear span of 32.66 feet and an instream length of 6.0 feet across Glade Run (WWF) at a point approximately 1,500 feet southeast of the intersection of SR 0228 and Park Road, south of Park Road.

E42-309, Elk County Fishermen, 6231 Shawmut Road, Ridgway, PA 15853. Twomile Run AMD wetland treatment system in Sergeant Township, **McKean County**, ACOE Pittsburgh District (Hazel Hurst, PA Quadrangle N: 7.1 inches; W: 3.1 inches).

To construct and maintain an acid mine drainage treatment system along Twomile Run within the Upper Clarion River Watershed (HQ-CWF) consisting of: anaerobic vertical flow wetland cells, a flushing pond, limestone channel intakes and outfalls, a check dam and other appurtenant structures along with an access roadway having two minor road crossings all at a point approximately 13,750 feet southwest of the intersection of SR 0146 and the Wilcox/Clermont Road. This project will have a de minimis impact to 0.047 acre of PEM wetlands.

E43-313, Glenn R. Moore, 167 Tieline Road, Grove City, PA 16127. Tieline Road driveway culvert in Pine Township, **Mercer County**, ACOE Pittsburgh District (Grove City, PA Quadrangle N: 5.5 inches; W: 4.6 inches).

The applicant proposes to construct and maintain an approximately 14-foot long, 18-foot wide by 5.5-foot high pipe arch culvert in Swamp Run (CWF, perennial) in support of a private access driveway and a single family residence on Tieline Road approximately 1.7 miles northwest of the intersection of SR 8 and SR 58. The project proposes to directly affect a total of approximately 30 linear feet of stream channel.

E62-399, North Penn Pipe and Supply, 2351 Dorcon Road, Warren, PA 16365. Stream enclosure replacement in Mead Township, **Warren County**, ACOE Pittsburgh District (Warren, PA Quadrangle N: 13.9 inches; W: 0.5 inch).

The applicant proposes to remove the existing structure and to construct and maintain a 200-foot long, 8-foot diameter CMP stream enclosure in Ott Run (CWF, perennial) at the North Penn Pipe and Supply pipe yard approximately 0.7 mile northwest of the intersection of US Route 6 and SR 59. The current structure is deteriorated and the fill above the structure is sinking in several places in the pipe yard resulting in a potentially unsafe condition and loss of usable yard space for the business.

The Department issued Emergency Permit EP6204601 on June 10, 2004, to construct the stream enclosure and the applicant is continuing with the permitting process. The project proposes to directly affect a total of approximately 220 linear feet of stream channel.

Bureau of Waterways Engineering, Water Management Program Manager, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8554, Harrisburg, PA 17105-8554.

E4014-001, Department of General Services, Bureau of Engineering and Architecture, 18th and Herr Streets, Harrisburg, PA 17125, flood control project on Mill Creek, Borough of Dupont, **Luzerne County**, ACOE Baltimore District. Application to amend Permit E40-613.

Permit E40-613 authorized the Department of General Services to maintain the existing concrete trapezoidal channel and to construct and maintain new sections of rectangular concrete channel and concrete box culvert stream enclosure, within a 3,000-foot reach of Mill Creek and a 220-foot reach of Collins Creek, for the purpose of flood control.

The permit is requested to be amended to extend the flood protection project with the following activates associated with the construction of the project in and along approximately 1,870 linear feet (approximately 2.5 acres) of Mill Creek (CWF, perennial):

1. The upstream end of the project will tie into the existing Route 315 South Bridge and the downstream end will be just upstream of the junction of Mill Creek with Lidy Creek. The channel will follow the existing alignment of Mill Creek through a residential section of Dupont and will consist of the following work.

2. An 18-foot wide rectangular concrete channel between Route 315 South and Center Street. This channel will have wall heights between 9 feet and 7 feet high and will extend for a distance of 616 feet.

3. A 45-foot long precast concrete box culvert at Center Street. The box culvert is 18 feet wide and 6 feet high.

4. A 75-foot long rectangular concrete channel will be constructed downstream of Center Street. The channel width will vary between 18 feet and 23 feet and the wall height is 6 feet. This channel will connect to the existing stone walled channel.

5. Remove the sediment and debris from the existing stone walled channel downstream of Center Street. Repair damaged portions of the stone walls and construct a concrete invert to prevent undermining of the stone walls. This portion of the project is 443 feet long.

6. Construct a trapezoidal channel with a concrete invert and grouted riprap side slopes for a distance of 657 feet. The upstream end of this reach is at the downstream outlet of the existing stone walled channel and the downstream end is just above the junction of Mill Creek with Lidy Creek.

The project is just downstream of the Route 315 South Bridge (Avoca, PA Quadrangle N: 13.4 inches; W: 17.0 inches) in the Borough of Dupont, Luzerne County.

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

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

| <i>NPDES Permit No. (Type)</i> | <i>Facility Name and Address</i> | <i>County and Municipality</i> | <i>Stream Name (Watershed No.)</i> | <i>EPA Waived Y/N?</i> |
|--------------------------------|--|-----------------------------------|------------------------------------|------------------------|
| PA0063223 | Martha J. Vetter P. O. Box 152 Damascus, PA 18415-0152 | Wayne County Damascus Township | Delaware 1A | Y |

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

| <i>NPDES Permit No. (Type)</i> | <i>Facility Name and Address</i> | <i>County and Municipality</i> | <i>Stream Name (Watershed No.)</i> | <i>EPA Waived Y/N?</i> |
|--------------------------------|---|--------------------------------|------------------------------------|------------------------|
| PA0080489 SEW | New Buffalo Restaurant R. D. 4, Box 4940 Duncannon, PA 17020-9409 | Perry County Watts Township | Susquehanna River 6-C | Y |

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

| <i>NPDES Permit No. (Type)</i> | <i>Facility Name and Address</i> | <i>County and Municipality</i> | <i>Stream Name (Watershed No.)</i> | <i>EPA Waived Y/N?</i> |
|----------------------------------|---|---|------------------------------------|------------------------|
| PAS806104 Industrial Waste | Con-Way Central Express 736 Cooper Avenue Johnstown, PA 15906 | Cambria County West Taylor Township | Wildcat and Laurel Runs | 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> |
|--------------------------------|---|--|---|------------------------|
| PA0222780 | Scott W. Zimmerman SFTF 4822 Glen Hazel Road Wilcox, PA 15870 | Jones Township Elk County | Unnamed tributary to East Branch of the Clarion River 17-B | Y |
| PA0222887 | Gateway Lodge Box 125, Route 36 Cooksburg, PA 16217 | Barnett Township Jefferson County | Unnamed tributary to Clarion River 17-B | Y |
| PA0222712 | Sykesville Borough 21 East Main Street Sykesville, PA 15865 | Henderson Township Jefferson County | Stump Creek 17-D | Y |
| PA0021521 | Borough of Smethport Authority P. O. Box 152 201 West Water Street Smethport, PA 16749 | Borough of Smethport McKean County | Potato Creek 16-C | Y |

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

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

NPDES Permit No. PA0082708, Sewage, **Calamus Estates, LLP**, 652 Georgetown Road, Ronks, PA 17572. This proposed facility is in Paradise Township, **Lancaster County**.

Description of Proposed Action/Activity: Authorization to discharge to the Calamus Run in Watershed 7-K.

NPDES Permit No. PA0246964, CAFO, **Kenneth R. Martin, Ken Martin Farm**, 1397 Fulton Highway, Quarryville, PA 17566. This proposed facility is in East Drumore Township, **Lancaster County**.

Description of Proposed Action/Activity: Authorization for operation of a 1,046.45 AEU swine, pullet and dairy CAFO with discharge in Watershed 7-K.

NPDES Permit No. PA0008435, Industrial Waste, **PPL Holtwood, LLC, Holtwood Hydroelectric Station**, Two North Ninth Street, Allentown, PA 18101. This proposed facility is in Martic Township, **Lancaster County**.

Description of Proposed Action/Activity: Authorization to discharge to the Susquehanna River in Watershed 7-K.

NPDES Permit No. PA0009741, Industrial Waste, **Exelon Generation Company, Muddy Run Pumped Storage Plant**, 300 Exelon Way KSB-320, Kennett Square, PA 19348. This proposed facility is in Drumore Township, **Lancaster County**.

Description of Proposed Action/Activity: Authorization to discharge to the Susquehanna River in Watershed 7-K.

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

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

WQM Permit No. 6704405, Sewerage, **Cornerstone Development Group, Inc., Buttonwood Gardens, L. P.**, 1 Market Way East, York, PA 17401. This proposed facility is in Hallam Borough, **York County**.

Description of Proposed Action/Activity: Permit returned.

WQM Permit No. 2104201, Industrial Waste, **Fish and Boat Commission**, 450 Robinson Lane, Bellefonte, PA 16823-9620. This proposed facility is in Penn Township, **Cumberland County**.

Description of Proposed Action/Activity: Approval of the construction/operation of industrial wastewater facilities consisting of an aerated sludge storage tank and associated equipment.

WQM Permit No. 3604202, CAFO, **Kenneth Martin**, 1397 Robert Fulton Highway, Quarryville, PA 17566. This proposed facility is in East Drumore Township, **Lancaster County**.

Description of Proposed Action/Activity: Construction/operation of manure storage facilities for a 1,047 AEU CAFO at the location identified in Part B. The facilities approved for construction and operation under this permit are described as follows: a circular 12-foot by 110-foot concrete manure storage structure with a concrete manure transfer gutter.

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

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

Description of Proposed Action/Activity: To construct a small flow sewage treatment plant.

WQM Permit No. 6570401-A2, Sewerage, **Alcoa, Inc., Alcoa Technical Center**, 100 Technical Drive, Alcoa Center, PA 15061-0001. This proposed facility is in Upper Burrell Township, **Westmoreland County**.

Description of Proposed Action/Activity: Modification of sewage treatment plant at the Alcoa Technical Center (Research and Development Facility).

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

WQM Permit No. 6103403, Sewerage, **Frenchcreek Township**, 4507 Georgetown Road, Franklin, PA 16323. This proposed facility is in Frenchcreek Township, **Venango County**.

Description of Proposed Action/Activity: This project is for pump stations, gravity sewers, low pressure force mains and sewer lines to serve various areas in Frenchcreek Township.

IV. NPDES Stormwater Discharges from MS4 Permit Actions

V. NPDES Waiver Stormwater Discharges from MS4 Actions

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

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

NPDES Permit

| <i>No.</i> | <i>Applicant Name and Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|--------------|---|---------------|------------------------|--|
| PAI011504011 | Richard and Sally McDonald Residence 2 Matthews Run Spring City, PA 19475 | Chester | West Vincent Township | Birch Run EV |
| PAI011504012 | Anthony P. Napolentano Residence 731 Jacques Circle Chester Springs, PA 19425 | Chester | West Pikeland Township | Unnamed tributary Pickering Creek HQ-TSF |
| PAI010904004 | Clifford Starr Funks Mill Rd. Development P. O. Box 84 Zion Hill, PA 18981 | Bucks | Springfield Township | Cooks Creek EV |

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

NPDES Permit

| <i>No.</i> | <i>Applicant Name and Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|--------------|---|---------------|--------------------------|---------------------------------|
| PAI021304002 | Blue Ridge Real Estate P. O. Box 707 Blakeslee, PA 18610-0707 | Carbon | Kidder Township | Tobyhanna Creek HQ-CWF |
| PAI023903038 | Ruby Tuesday, Inc. 350 Sentry Parkway Bldg. 620, Suite 110 Blue Bell, PA 19422 | Lehigh | City of Allentown | Little Lehigh Creek HQ-CWF |
| PAI023904010 | J & G Properties, Inc. 1327 Tilghman St. Allentown, PA 18102-2127 | Lehigh | South Whitehall Township | Little Lehigh Creek HQ-CWF |
| PAI023903042 | Pulte Homes of PA, LP 1100 Northbrook Dr., Suite 200 Trevose, PA 19053 | Lehigh | Lower Macungie Township | Little Lehigh Creek HQ-CWF |
| PAI023904007 | SAR Associates, LLC 3333 Lehigh St. Allentown, PA 18103-7036 | Lehigh | Salisbury Township | Little Lehigh Creek HQ-CWF |
| PAS10Q123-R | Treetop Estates Development Company 7356 Spring Creek Rd. Macungie, PA 18062 | Lehigh | Upper Macungie Township | Little Lehigh Creek HQ-CWF |
| PAS10U109R | Joleone K. Kinney 918 Blue Mountain Dr. Walnutport, PA 18088 | Northampton | Plainfield Township | Little Bushkill 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> |
|-------------------------|--|---------------|--------------------------|-------------------------------|
| PAI024803040 | Pennsylvania American Water Company 4 Wellington Blvd. Wyomissing, PA 19610 | Northampton | Bushkill Township | Bushkill Creek HQ-CWF |
| PAI024804007 | Northampton Hospital Corp. 250 South 21st St. Easton, PA 18042 | Northampton | Wilson Borough | Bushkill Creek HQ-CWF |
| PAI024804003 | Nic Zawarski & Sons Developers, Inc. 1441 Linden St. Bethlehem, PA 18018 | Northampton | Forks Township | Bushkill Creek HQ-CWF |
| PAI024804008 | Industrial Development International, Inc. 3424 Peachtree Road, N. E. Atlanta, GA 30326 | Northampton | Hanover Township | Monocacy Creek HQ-CWF |
| PAS10Q161-R | Segal and Morel at South Whitehall, LLC 991 Highway 22 West, Suite 100 Bridgewater, NJ 08807 | Lehigh | South Whitehall Township | Little Cedar Creek HQ-CWF |
| PAS10Q171-R | The Residuary Trust of Andrew Yastishok 6500 Chapman Rd. Allentown, PA 18106 | Lehigh | Lower Macungie Township | Little Lehigh Creek HQ-CWF |

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

| <i>NPDES Permit No.</i> | <i>Applicant Name and Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|---|---------------|------------------------|---|
| PAI033804001 | Arborgate, LTD 950 East Kerchner Avenue Myerstown, PA 17067 | Lebanon | Jackson Township | UNT to Tulpehocken Creek TSF |
| PAI026703003 | The Stephen Group, Inc. 4603 Compass Point Road Belcamp, MD 21017 | York | East Hopewell Township | UNT to South Branch Muddy Creek HQ-CWF |

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

| <i>NPDES Permit No.</i> | <i>Applicant Name and Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|---|---------------|---------------------|----------------------------|
| PAI041404001 | Barry Begoumian Timberton Estates Dev. Inc. 2790 West College Ave. State College, PA 16801 | Centre | Patton Township | Buffalo Run EV |

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

Allegheny County Conservation District: Lexington Technology Park, Building 1, Suite 102, 400 North Lexington Avenue, Pittsburgh, PA, (412) 241-7645.

| <i>NPDES Permit No.</i> | <i>Applicant Name and Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|---|---------------|---------------------|----------------------------|
| PAI050204003 | Fox Chapel Area School District 611 Field Club Road Pittsburgh, PA 15238-2406 | Allegheny | O'Hara Township | Guyasuta Run HQ |

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> |
|---|-------------------|--|--|---|
| West Sadsbury Township Chester County | PAG2001504020 | Peter Schiffer Schiffer Publishing, LTD 4880 Lower Valley Road Atglen, PA 19310 | Valley Creek TSF, MF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900 |
| West Bradford Township Chester County | PAG2001504042 | Department of Transportation New Chester County Maintenance Complex—Embreeville Maintenance District 6-2 401 Montgomery Avenue West Chester, PA 19380 | Unnamed tributary West Branch Brandywine Creek WWF, MF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900 |
| West Bradford Township Chester County | PAG2001504014 | Sawmill Realty Associates, LP Sawmill Residential Subdivision P. O. Box 1906 West Chester, PA 19380 | Sawmill Run and East Branch Brandywine Creek WWF, MF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900 |
| East Caln Township Chester County | PAR10G338-R | T. David Thomas Excavating, Inc. Trestle Bridge Lots 11 and 12 1 Wagner Lane East Fallowfield, PA 19320 | East Branch Brandywine Creek WWF, MF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900 |
| Pennsbury Township Chester County | PAG2001504045 | Michael Ritter 40 Bullock Rd. Chadds Ford, PA Tim Dewson 7 S. Lincoln St. Wilmington, DE | Brandywine Creek WWF, MF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900 |
| London Grove Township Chester County | PAG2001504048 | Southeastern Chester County Refuse Authority SECCRA—Stock Pile 219 Street Road West Grove, PA 19390 | Chatham Run CWF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900 |
| Kennett Township Chester County | PAG2001504039 | Harkins Property, LLC Martin Property Townhomes 242 Winged Foot Drive Blue Bell, PA 19422 | West Branch Red Clay Creek TSF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900 |

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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> |
|---|-------------------|--|---|--|
| Pocopson Township Chester County | PAG2001504024 | Jack Becker Hallelynn Corporation 97T Harvey Road Chadds Ford, PA 19317 | West Branch Brandywine Creek WWF, MF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900 |
| Franklin Township Chester County | PAG2001504030 | Christopher Lang Frederic A. Lang Trust 1263 Newark Road Toughkenamon, PA 19374 | West Branch White Clay Creek TSF, MF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900 |
| West Grove Borough Chester County | PAG2001504038 | Borough of West Grove West Grove Borough Property P. O. Box 61 West Grove, PA 19390 | Unnamed tributary East Branch White Clay Creek CWF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900 |
| Middletown Township Delaware County | PAG2002303086 | Middletown Baptist Church 28 South New Middletown Road Media, PA 19063 | Chester Creek TSF, MF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900 |
| Darby Township Delaware County | PAG2002304028 | Wal-Mart Stores, Inc. 2001 South East 100th Street Bentonville, AR 72716 | Muckinipattis Creek WWF, MF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900 |
| Whitemarsh Township Montgomery County | PAG2004604058 | Colonial School District Whitemarsh Elementary School 201 Germantown Pike Plymouth Meeting, PA 19462 | Mill Creek TSF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900 |
| Towamencin Township Montgomery County | PAG2004603226 | Gator Holdings, LLC The Court at Towamencin Village 240 Farmview Drive Harleysville, PA 19488 | Skippack Creek TSF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900 |
| Plymouth Township Montgomery County | PAG2004604010 | Philomeno and Salamone Aschmann Development 545 W. Germantown Pike Suite 200 Plymouth Meeting, PA 19462 | Saw Mill Run WWF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900 |
| Cheltenham Township Montgomery County | PAG2004604074 | Department of Transportation Church Road Improvement Project 7000 Geerdes Boulevard King of Prussia, PA 19406 | Tacony Creek TSF-CWF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900 |
| Newtown Township Bucks County | PAR10D424-R | Community Association of Underwriters Office Park 2 Caufield Place Newtown, PA 18940 | Core Creek CWF, MF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900 |
| Falls Township Bucks County | PAR10D580-1 | Pennsbury School District Pennsbury HS West Campus 134 Yardley Avenue P. O. Box 338 Falsington, PA 19058 | Mill Creek WWF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900 |
| New Britain Township Bucks County | PAR10D641 | Clay Heckler Barclay Road Subdivision 2312 North Broad Street Colmar, PA 18915-1489 | West Branch Neshaminy Creek WWF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900 |

| <i>Facility Location and Municipality</i> | <i>Permit No.</i> | <i>Applicant Name and Address</i> | <i>Receiving Water/Use</i> | <i>Contact Office and Telephone No.</i> |
|--|-------------------|---|---------------------------------------|--|
| New Britain Township Bucks County | PAR10D702 | Heritage Building Group, Inc. Loh, Hagey, DiCarlantonio 3326 Old York Road Suite A-100 Furlong, PA 18925 | West Branch Neshaminy Creek WWF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900 |
| Upper Saucon Township Lehigh County | PAG2003904022 | Robert Littner 512 N. New St. Bethlehem, PA 18018 | Saucon Creek CWF | Lehigh County Conservation District (610) 391-9583 |
| City of Pottsville Palo Alto Borough Schuylkill County | PAG2005404003 | Greater Pottsville Area Sewer Authority Attn: Timothy Yingling, Asst. Exec. Director P. O. Box 1163 Pottsville, PA 17901 | Schuylkill River CWF | Schuylkill County Conservation District (570) 622-3742 |
| Butler Township Schuylkill County | PAG2005404016 | Michelle Minakowski 2982 Fairgrounds Rd. Ashland, PA 17921 | Mahanoy Creek CWF | Schuylkill County Conservation District (570) 622-3742 |
| South Manheim Township Schuylkill County | PAG2005404009 | Catherine S. Allen c/o Karl K. Kramer Atty-in-Fact P. O. Box 218 Orwigsburg, PA 17961 | Plum Creek Schuylkill River CWF | Schuylkill County Conservation District (570) 622-3742 |
| Wayne Township Schuylkill County | PAG2005404015 | Keith Koch 2194 Montana Dr. Auburn, PA 17922 | Plum Creek CWF | Schuylkill County Conservation District (570) 622-3742 |
| Cumru Township Berks County | PAG2000604016 | Joseph Deerin, Sr. Lancaster Avenue Assoc., LP 120 N. Pointe Boulevard Lancaster, PA 17601 | Angelica Creek CWF | Berks County Conservation District 1238 County Welfare Road P. O. Box 520 Leesport, PA 19533 (610) 372-4657, Ext. 201 |
| Heidelberg Township Berks County | PAG2000604044 | Carmine Lenzi P. O. Box 206 Robesonia, PA 19551 | UNT to Tulpehocken Creek CWF | Berks County Conservation District 1238 County Welfare Road P. O. Box 520 Leesport, PA 19533 (610) 372-4657, Ext. 201 |
| Hampden Township Cumberland County | PAG2002104023 | The McNaughton Company 4400 Deer Path Road Harrisburg, PA 17110 | Sears Run | Cumberland County Conservation District 43 Brookwood Avenue Carlisle, PA 17013 (717) 240-7812 |
| Silver Spring Township Cumberland County | PAG2002104019 | R. S. M. Associates Don Mowery 1000 Bent Creek Boulevard Mechanicsburg, PA 17050 | Conodoguinet Creek WWF | Cumberland County Conservation District 43 Brookwood Avenue Carlisle, PA 17013 (717) 240-7812 |
| South Middleton Township Cumberland County | PAG2002104011 | Trammell Crow Services, Inc. Jeffery Goggins 101 West Elm Street Suite 400 Conshohocken, PA 19428 | Alexander Spring Creek CWF | Cumberland County Conservation District 43 Brookwood Avenue Carlisle, PA 17013 (717) 240-7812 |
| Lower Allen Township Cumberland County | PAG2002104002 | RCP&P, LLC J. Michael Brill 5052 Ritter Road Suite 200 Mechanicsburg, PA 17055 | Cedar Run CWF | Cumberland County Conservation District 43 Brookwood Avenue Carlisle, PA 17013 (717) 240-7812 |

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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> |
|---|-------------------|---|----------------------------|---|
| City of Harrisburg Dauphin County | PAG2002204029 | The Harrisburg Authority 1 Keystone Plaza Suite 104 Front and Market Streets Harrisburg, PA 17101 | Spring Creek WWF | Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100 |
| City of Harrisburg Dauphin County | PAG200220431 | Dauphin County Commissioners 2 South 2nd Street Harrisburg, PA 17101 | Spring Creek WWF | Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100 |
| Swatara Township Dauphin County | PAG2002204020 | Department of Transportation District 8-0 2140 Herr Street Harrisburg, PA 17103 | Spring Creek WWF | Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100 |
| Leacock Township Lancaster County | PAG2003604029 | Mose G. Riehl 3637 East Pequea Lane Gordonville, PA 17529 | Pequea Creek WWF | Lancaster County Conservation District 1383 Arcadia Road Room 6 Lancaster, PA 17601 (717) 299-5361 |
| Mount Joy Township Lancaster County | PAG2003604030 | Harold Z. Musser 566 Green Tree Road Elizabethtown, PA 17022 | UNT to Conoy Creek CWF | Lancaster County Conservation District 1383 Arcadia Road Room 6 Lancaster, PA 17601 (717) 299-5361 |
| Warwick Township Lancaster County | PAG2003604039 | Allen Martin-Green RAV Properties 70 Clay Road Lititz, PA 17543 | Lititz Run WWF | Lancaster County Conservation District 1383 Arcadia Road Room 6 Lancaster, PA 17601 (717) 299-5361 |
| Paradise Township Lancaster County | PAG2003604040 | Dean Kready P. O. Box 369 3246 Lincoln Highway East Paradise, PA 17562 | Eshleman Run CWF | Lancaster County Conservation District 1383 Arcadia Road Room 6 Lancaster, PA 17601 (717) 299-5361 |
| West Lampeter Township Lancaster County | PAG2003604042 | Willow Valley Associates, Inc. 100 Willow Valley Lakes Drive Willow Street, PA 17584 | Big Spring Run WWF | Lancaster County Conservation District 1383 Arcadia Road Room 6 Lancaster, PA 17601 (717) 299-5361 |
| Leacock Township Lancaster County | PAG2003604043 | Benuel Stoltzfoos 3773 East Newport Road Gordonville, PA 17529 | UNT to Pequea Creek WWF | Lancaster County Conservation District 1383 Arcadia Road Room 6 Lancaster, PA 17601 (717) 299-5361 |
| Paradise Township Lancaster County | PAG2003604047 | Milton Woods Home P. O. Box 40062 Jacksonville, FL 32231 | Pequea Creek CWF | Lancaster County Conservation District 1383 Arcadia Road Room 6 Lancaster, PA 17601 (717) 299-5361 |

| <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> |
|--|-------------------|---|--|---|
| Manheim Township Lancaster County | PAG2003604048 | Gerald Horst 120 N. Pointe Boulevard Lancaster, PA 17601 | UNT to Little Conestoga TSF | Lancaster County Conservation District 1383 Arcadia Road Room 6 Lancaster, PA 17601 (717) 299-5361 |
| East Cocalico Township Lancaster County | PAG2003604051 | Betty Kindt 200 Brunners Grove Road Reinholds, PA 17569 | UNT to Little Cocalico Creek WWF | Lancaster County Conservation District 1383 Arcadia Road Room 6 Lancaster, PA 17601 (717) 299-5361 |
| East Hempfield Township Lancaster County | PAG2003604053 | M. Gregory Gehman 556 Oak Tree Drive Manheim, PA 17545 | Chiques Creek WWF | Lancaster County Conservation District 1383 Arcadia Road Room 6 Lancaster, PA 17601 (717) 299-5361 |
| Lancaster City Lancaster County | PAG2003604057 | Redevelopment Authority of Lancaster County 150 N. Queen Street Suite 110 Lancaster, PA 17603 | Conestoga River WWF | Lancaster County Conservation District 1383 Arcadia Road Room 6 Lancaster, PA 17601 (717) 299-5361 |
| Lititz Borough Lancaster County | PAG2003604059 | Farmers First Bank P. O. Box 1000 26 N. Cedar Street Lititz, PA 17543 | Lititz Run WWF | Lancaster County Conservation District 1383 Arcadia Road Room 6 Lancaster, PA 17601 (717) 299-5361 |
| Leacock Township Lancaster County | PAG2003604062 | Jacob Beiler 59 Orchard Road Bird in Hand, PA 17505 | Muddy Run WWF | Lancaster County Conservation District 1383 Arcadia Road Room 6 Lancaster, PA 17601 (717) 299-5361 |
| Ephrata Township Lancaster County | PAG2003604063 | L/B Water Service Inc. 550 S. High Street P. O. Box 60 Selingsgrove, PA 17870 | UNT to Conestoga Creek WWF | Lancaster County Conservation District 1383 Arcadia Road Room 6 Lancaster, PA 17601 (717) 299-5361 |
| Bradford County Athens Township | PAG2000804005 | Calvin C. Cole Inc. 809 N. Elmira St. Sayre, PA 18840 | Buck Creek WWF | Bradford County Conservation District R. R. 5, Box 5030C Stoll Natural Resource Center Towanda, PA 18848 (570) 265-5539 |
| Bradford County Towanda Borough | PAG2000804006 | Towanda Area School District N. 4th St. Towanda, PA 18848 | Mix Run WWF | Bradford County Conservation District R. R. 5, Box 5030C Stoll Natural Resource Center Towanda, PA 18848 (570) 265-5539 |
| Beaver County Harmony Township | PAG2000404005 | Cold Star Farms c/o Joseph Taylor 114 Heldon Drive Moon Township, PA 15108 | Ohio River WWF | Beaver County Conservation District (724) 774-7090 |

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> |
|---|-------------------|--|----------------------------------|--|
| Fayette County Dunbar Township | PAG2002604018 | Fayette County Airport Authority 874 Airport Road Lemont Furnace, PA 15456 | Redstone Creek WWF | Fayette County Conservation District (724) 438-4497 |
| Elk County City of St. Marys | PAG2002403009 | St. Mary's Clary Products c/o Alvin Wolfe P. O. Box 375 St. Marys, PA 15857 | Tributary to Elk Creek CWF | Elk County Conservation District (814) 776-5373 |
| Lawrence County Wayne Township | PAG2003704003 | Wayne Township Municipal Authority 1418 Wampum Road New Castle, PA 16117 | Squaw and Duck Runs WWF | Lawrence County Conservation District (724) 652-4512 |
| Mercer County City of Sharon | PAG2004304007 | Greystone Group 360 Corporate Circle 30050 Chagrin Blvd. Pepper Pike, OH 44124-5704 | Pine Run Tributary WWF | Mercer County Conservation District (724) 662-3905 |
| Venango County Oil Creek Township | PAG2006104004 | Belden and Blake Corp. 22811 Titusville Rd. Pleasantville, PA 16341 | Tributary to Oil Creek | Venango County Conservation District (814) 676-2832 |

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> |
|---|-------------------|--|----------------------------|--|
| Bethlehem City Lehigh County | PAR802245 | Norfolk Southern Railway Company 110 Franklin Road, S. E. Roanoke, VA 24042-0013 | Lehigh River WWF | NERO Water Management Program 2 Public Square Wilkes-Barre, PA 18711-0790 (570) 826-2511 |

General Permit Type—PAG-6

| <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> |
|---|-------------------|---|----------------------------|---|
| Borough of Homestead Allegheny County | PAG066103 | Homestead Borough 1705 Maple Street Suite 112 West Homestead, PA 15120 | Monongahela River | Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000 |
| Township of Stowe Allegheny County | PAG066107 | Stowe Township 1301 Island Avenue McKees Rocks, PA 15136 | Ohio River | Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000 |
| Township of Wilkins Allegheny County | PAG066108 | Wilkins Township Irene J. Pohl Municipal Building 110 Peffer Road Turtle Creek, PA 15145-1192 | Thompson Run | Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000 |

| <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> |
|---|-------------------|--|----------------------------|---|
| Borough of Aspinwall Allegheny County | PAG066113 | Aspinwall Borough 217 Commercial Avenue Aspinwall, PA 15215 | Allegheny River | Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000 |
| Borough of East Pittsburgh Allegheny County | PAG066120 | East Pittsburgh Borough 811 East Pittsburgh Mall East Pittsburgh, PA 15112 | Turtle Creek | Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000 |
| Borough of Swissvale Allegheny County | PAG066128 | Swissvale Borough 7560 Roslyn Street Pittsburgh, PA 15218 | Monongahela River | Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000 |
| Borough of Freedom Beaver County | PAG066131 | Freedom Borough 901 Third Avenue Freedom, PA 15042 | Ohio River | Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000 |
| Borough of East Rochester Beaver County | PAG066132 | East Rochester Borough 760 Spruce Street East Rochester, PA 15074 | Ohio River | Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000 |

General Permit Type—PAG-10

| <i>Facility Location and Municipality</i> | <i>Permit No.</i> | <i>Applicant Name and Address</i> | <i>Receiving Water/Use</i> | <i>Contact Office and Telephone No.</i> |
|---|-------------------|--|---|---|
| City of Erie Erie County | PAG109616 | National Fuel Gas Supply Corporation 1100 State Street Erie, PA 16501 | Statewide use—water/use information to be provided to the Department before the discharge. | Central Office 400 Market Street Harrisburg, PA 17105 (717) 787-8184 |

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 **Air Products and Chemicals, Inc.**, 357 Marian Avenue, Tamaqua, PA 18252, PWS ID 3540445, Rush Township, **Schuylkill County** on June 7, 2004, for the operation of facilities approved under Construction Permit N/A.

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

Permit No. 0504502, Public Water Supply.
 Applicant **Bedford Township Municipal Authority**
 Municipality Bedford Township
 County **Bedford**
 Type of Facility Installation of 15,000 LF of water main, three pressure reducing stations, five fire hydrants, change of well 1 pump form a 30 hp to a 40 hp. And change of ownership of 4,000 feet of water main from the Borough of Bedford.
 Consulting Engineer Timothy A. Cooper, P. E. Stiffler McGraw & Associates Inc. 19 N. Juniata Street Hollidaysburg, PA 16648
 Permit to Construct Issued June 14, 2004

Permit No. 6704507 MA, Minor Amendment, Public Water Supply.
 Applicant **West Manchester Township Authority**
 Municipality West Manchester Township
 County **York**
 Type of Facility This permit approves the repainting and repair of the West Manchester Township Authority's 100,000-gallon finished water storage tank.
 Consulting Engineer Diana Young, P. E. Buchart-Horn, Inc. P. O. Box 15040 York, PA 17405-7040
 Permit to Construct Issued May 17, 2004

Permit No. 0604508 MA, Minor Amendment, Public Water Supply.
 Applicant **Pennsylvania American Water Company**
 Municipality Exeter Township
 County **Berks**
 Type of Facility This permit approves the interior and exterior painting of Pennsylvania American Water Company's Butler Lane tank, as well as safety and sanitary modifications.
 Consulting Engineer Scott M. Thomas, P. E. Pennsylvania American Water Company 800 West Hersheypark Drive Hershey, PA 17033
 Permit to Construct Issued June 4, 2004

Permit No. 3103501, Public Water Supply.
 Applicant **Petersburg Borough Water Authority**
 Municipality Logan Township
 County **Huntingdon**
 Type of Facility Installation of well 3 to supplement the existing sources.
 Consulting Engineer Mark V. Glenn, P. E. Gwin, Dobson & Foreman, Inc. 3121 Fairway Dr. Altoona, PA 16602-4475
 Permit to Construct Issued June 14, 2004

Permit No. 0604505, Public Water Supply.
 Applicant **Western Berks Water Authority**
 Municipality Lower Heidelberg Township
 County **Berks**
 Type of Facility Addition of chlorination equipment at the interconnection with the Wernersville Municipal Authority.
 Consulting Engineer Robert A. Stark, P. E. Gannett Fleming Inc. P. O. Box 67100 Harrisburg, PA 17106-7100
 Permit to Construct Issued: June 14, 2004

Permit No. 3102502, Public Water Supply.
 Applicant **Mill Creek Area Municipal Authority**
 Municipality Brady Township
 County **Huntingdon**
 Type of Facility Service extension to the Village of Fousetown including the construction of a 74,000-gallon water storage tank and pumping station.

Consulting Engineer David A. Hegemann, P. E.
Hegemann and Wray Consulting
Engineers
429 Park Avenue
Cresson, PA 16630

Permit to Construct June 8, 2004
Issued

Operations Permit issued to **The York Water Company**, 7670100, York, **York County** on June 4, 2004, for the operation of facilities approved under Construction Permit No. 6780503.

Operations Permit issued to **Blue Yonder Management**, 7670028, Fairview Township, **York County** on June 9, 2004, for the operation of facilities approved under Construction Permit No. 6787512.

Operations Permit issued to **Heritage Hill II Limited Partnership**, 7010022, Littlestown Borough, **Adams County** on June 14, 2004, for the operation of facilities approved under Construction Permit No. 0197505.

Operations Permit issued to **Heritage Hill II Limited Partnership**, 7010022, Littlestown Borough, **Adams County** on June 14, 2004, for the operation of facilities approved under Construction Permit No. 0101509.

Northcentral Region, 208 West Third Street, Williamsport, PA 17701.

Permit No. Minor Amendment. Public Water Supply.

Applicant **Whiskey Run Water Association**
Borough or Township Colebrook Township
County **Clinton**
Type of Facility PWS—Construction and rehabilitation of Spring 1.
Consulting Engineer Alfred Benesch & Co.
400 One Norwegian Plaza
P. O. Box 1090
Pottsville, PA 17901
Permit to Construct June 9, 2004
Issued

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

Permit No. 0498502-A1, Public Water Supply.

Applicant **Harshbarger Mobile Home Park**
P. O. Box 24509
Pittsburgh, PA 15234
Borough or Township Hanover Township
County **Beaver**
Type of Facility WTP
Consulting Engineer George J. Wagner, Jr., P. E.
1033 Stewart Road
McDonald, PA 15057
Permit to Construct June 2, 2004
Issued

Permit No. 1191503-A2, Minor Amendment. Public Water Supply.

Applicant **Glendale Yearound Water Company**
P. O. Box 89
Flinton, PA 16640
Borough or Township White Township
County **Cambria**
Type of Facility WTP
Consulting Engineer Dakota Engineering Associates, Inc.
35 Wilson Street, Suite 200
Pittsburgh, PA 15223
Permit to Construct June 8, 2004
Issued

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

Operations Permit issued to **Imperial Development Co., Glen Lakes Estates MHP**, 6315 Forbes Ave., Suite 123, Pittsburgh, PA 15217, PWS ID 6430014, Pine Township, **Mercer County** on June 9, 2004, for the operation of new treatment facilities for Well 2 as a primary source and Well 1 as a back-up (emergency) source, as approved under Construction Permit No. 4303501.

Permit No. 4303503, Public Water Supply

Applicant **Hemlock MHP**
Borough or Township Wolf Creek Township
County **Mercer**
Type of Facility PWS
Consulting Engineer Robert L. Rabell, P. E.
RL Rabell Surveying & Engineering
10560 Walnut St.
Albion, PA 16401
Permit to Construct June 9, 2004
Issued

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:

| Borough or Township | Borough or Township Address | County |
|---------------------|-------------------------------------|------------|
| Borough of Coaldale | P. O. Box 116 Coaldale, PA 18218 | Schuylkill |

Plan Description: The Department agrees with the conclusions/course of action proposed in the Corrective Action Plan Final Report (Report). The Report is approved. The Borough should now complete implementation of the corrective tasks/activities outlined in the Report. The Department will continue its role in monitoring the Borough's final completion of the tasks/activities outlined in the Report. The Borough also needs to provide an update to the Department detailing the progress of the Borough's implementation of the tasks/activities outlined in the Report. This progress report should be included, as part of the Borough's required, annual submission to the Coaldale-Lansford-Summit Hill Sewer Authority's Annual Municipal Wasteload Management Report.

Additional wastewater related improvements, additions, deletions or changes outside of those explicitly described

in the Report and its correspondence must be in compliance with the Department's regulations and be submitted to and approved by the Department in writing.

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

Plan Location:

| <i>Borough or Township</i> | <i>Borough or Township Address</i> | <i>County</i> |
|----------------------------|---|---------------|
| Paradise Township | 82 Beaver Creek Road Abbottstown, PA 17301 | York |

Plan Description: A3-67949-155-3, Paradise Elementary School. The approved plan provides small package wastewater treatment plant that will address nitrate-nitrogen concerns and replace a malfunctioning elevated sand mound system at the Paradise Elementary School with total estimated sewage flows of 2,400 gpd. The elementary school is on the northeastern corner of the Lincoln Highway (US Route 30) and Lake Road in Paradise Township, York County. Any required NPDES permits or WQM permits must be obtained in the name of the Spring Grove Area School District.

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

Plan Location:

| <i>Borough or Township</i> | <i>Borough or Township Address</i> | <i>County</i> |
|----------------------------|---------------------------------------|---------------|
| Potter Township | 124 Short Road Spring Mills, PA 16875 | Centre |

Plan Description: The approved plan provides for a gravity sewer extension from the Spring/Potter Township line to the top of the mountain along SR 144. The project will serve 70 EDUs, including the Empire Mobile Home Court. Sewers will be extended from a proposed Spring Township sewer extension, which was approved by the Department on May 11, 2004. Sewage will be conveyed through the proposed sewer extension to the existing Spring-Benner-Walker Joint Authority's existing collection system and treated at the Bellefonte Sewage Treatment Plant. 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 Interim Response

Wolf Run Site, Upper Pottsgrove Township, Montgomery County

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (HSCA) (35 P. S. §§ 6020.101—6020.1305), is proposing an interim response at the Wolf Run Site (Site), Upper Pottsgrove Township, Montgomery County.

The Department, under the authority of the HSCA, is conducting an investigation of the Site. This investigation has included sampling of more than 200 private drinking water supply wells. To date, 87 wells are contaminated with detectable levels of trichloroethylene (TCE). The Department has not identified the source of this ground-water contamination.

To address the release and threat of release of hazardous substances at the Site, and corresponding threats to human health and the environment, the Department proposes a response action at the Site under section 501(a) of the HSCA (35 P. S. § 6020.501(a)). The Department is proposing the installation of water mains and lateral connections to the public water supply. This proposed alternative complies with Applicable, Relevant and Appropriate Requirements and is feasible and cost-effective. Other possible alternatives include no action or the installation and continued monitoring and maintenance of whole-house carbon filtration units.

An Administrative Record, which contains more detailed information concerning this proposed response action, is available for public inspection from 8 a.m. to 4 p.m. at the Department's office at 2 East Main Street, Norristown, PA 19401. Individuals interested in examining the Administrative Record should contact Sharon Mills at (484) 250-5722 to arrange for an appointment. An additional copy of the Administrative Record is available for review at the Upper Pottsgrove Administrative Offices, 1409 Farmington Avenue, Pottstown, PA 19464.

A public hearing is scheduled under section 506(d) of the HSCA (35 P. S. § 6020.506(d)) for Tuesday, August 3, 2004, at 7 p.m. in the Pottsgrove Middle School, 1351 N. Hanover Street, Pottstown, PA 19464. Individuals who would like to present formal oral comments regarding this interim response may do so by registering with the Department before the meeting. Individuals may register by calling Lynda Rebarchak, Community Relations Coordinator, (484) 250-5820.

Individuals with a disability who wish to attend the public hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Lynda Rebarchak at the previous telephone number or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs. The public may also submit written comments regarding the Department's proposed interim response action during the period of public comment. In accordance with section 506(c) of the HSCA, the Department has established a period for public comment that will close on Thursday, September 23, 2004. Written comments should be addressed to Sharon Mills, Project Officer, Department of Environmental Protection, 2 East Main Street, Norristown, PA 19401.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 2

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

Provisions of Chapter 3 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documenta-

tion supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, shall also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media; benefits of refuse of the property and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

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

The Department has received the following plans and reports:

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

Corell Steel Site, Bristol Township, **Bucks County**. Samuel Kucia, Environmental Consulting, Inc., 500 East Washington Street, Suite 375, Norristown, PA 19401 on behalf of Michael Dvorak, STD Associates, L. P., 1027 Conshohocken Road and P. O. Box 580, Conshohocken, PA 19428 has submitted a Final Report concerning remediation of site soil contaminated with petroleum. The report is intended to document remediation of the site to meet the Special Industrial Area Requirements.

Former U. S. Magnet Site, Yardley Borough, **Bucks County**. Jeffery Fehr, P. G., Penn Environmental and Remediation, Inc., 2755 Bergey Rd., Hatfield, PA 19440, on behalf of Redevelopment authority of Bucks County, Robert White, Executive, Director, 1 N. Wilson Ave., Bristol, PA 19007 has submitted a Final Report/Baseline Environmental Report concerning remediation of site soil contaminated with fuel oils nos. 2, 4 and 6, other organics, benzo(a)pyrene, lead and arsenic. The report is intended to document remediation of the site to meet the Special Industrial Area requirements.

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

McCleary Oil Company at the Luben Burkholder Farm, Hamilton Township, **Franklin County**. BL Companies, 830 Sir Thomas Court, Harrisburg, PA 17109, on behalf of McCleary Oil Company, 19 West King Street, Chambersburg, PA 17201, has submitted a Final Report concerning remediation of site soils and groundwater contaminated with benzene, toluene, ethylbenzene and xylenes (BTEX). The report is intended to document remediation of the site to the Statewide Health Standard.

FCI USA, Inc., Hanover, Penn Township, **York County**. HRP Associates, Inc., 4811 Jonestown Road, Suite 235, Harrisburg, PA 17109, on behalf of FCI USA, Inc., 825 Old Trail Road, Eters, PA 17319, submitted a Remedial Investigation Report concerning remediation of

site soils and groundwater contaminated with VOCs. The applicant is seeking to attain a combination of the Statewide Health and Site-Specific Standards.

The SYGMA Network, Inc., City of Harrisburg, **Dauphin County**. Professional Services Industries, Inc., 1707 South Cameron Street, Suite B, Harrisburg, PA 17104, on behalf of The SYGMA Network, Inc., 5550 Blazer Parkway, Suite 300, Dublin, OH 43017, submitted a Final Report concerning remediation of site soils contaminated with petroleum hydrocarbons and lead. The report is intended to document remediation of the site to the Statewide Health 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.

Former U-Haul Property, City of Philadelphia, **Philadelphia County**. William F. Schmidt, P. E., Pennoni Associates, Inc., 3001 Market St., Suite 200, Philadelphia, PA 19104, on behalf of Broad & Washington Corp., Michael Fluehr, 101 S. King St., Gloucester City, NJ 08030, has submitted a Remedial Investigation/Final Report concerning the remediation of site soil contaminated with lead and PAH and groundwater contaminated with chlorinated solvents, fuel oil no. 2 and PAH. The report demonstrated attainment of the Site Specific Standards and was approved by the Department on June 7, 2004.

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

AmerGen Energy Company LLC—Three Mile Island Nuclear Station, Londonderry Township, **Dauphin County**. ARM Group, Inc., P. O. Box 797, Hershey, PA 17033-0797, on behalf of AmerGen Energy Company, LLC, Route 441 South, P. O. Box 480, Middletown, PA 17057-0480, submitted a revised Final Report concerning remediation of site groundwater contaminated with fuel oil no. 2 and PAHs. The final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on June 2, 2004.

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

Ocker's Fuel Oil, Inc., Loyalsock Township, **Lycoming County**. Converse Consultants, on behalf of Robert Ocker, 1 Woodbryn Drive, Williamsport, PA 17701, has submitted a Final Report concerning site soil and groundwater contaminated with BTEX and PHCs. This Final Report demonstrated attainment of the Site-Specific Standard and was approved by the Department on June 9, 2004.

HAZARDOUS WASTE—INTENT TO REDUCE BOND

Proposed action on a request for a bond reduction under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations to operate a hazardous waste management facility.

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

Permit No. PAD059087072. MAX Environmental Technologies, Inc., 200 MAX Drive, Bulger, PA 15019, Smith Township, **Washington County**. On June 10, 2004, the Department received a request for bond reduction from MAX Environmental Technologies, Inc. for its closing hazardous waste impoundment no. 2. The Department has reviewed the request and has determined that it is consistent with 25 Pa. Code § 265a.165.

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 public notice. Comments received within this 45-day period will be considered in the formulation of the final determination regarding this application. Responses should include the name, address and telephone number of the writer and

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.

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

Permit ID No. 100620. Imperial Landfill, BFI Waste Systems of North America, Inc., 11 Boggs Road, P. O. Box 47, Imperial, PA 15126. Operation of a municipal waste landfill in Findlay Township, **Allegheny County**. Major permit modification for implementation of Radiation Protection and Meteorological Monitoring Plans issued in the regional office on June 10, 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.

Green Oak Farm, 2807 Johnsonville Rd., Farmersville, OH 45325. Authorization No. WH6184. Effective May 26, 2004.

Wayne Mattice, 6323 College Hill Rd., Vernon Center, NY 13447. Authorization No. WH6185. Effective May 26, 2004.

Gregory Gaudin, 3153 Simmons Rd., Vernon Center, NY 13477. Authorization No. WH6186. Effective May 26, 2004.

General Express Transportation Corp., Apt. 12, 559 Broadway Ave., Newark, NJ 07104. Authorization No. WH6204. Effective June 2, 2004.

Juda Construction, Ltd., 300 Fullerton Ave., Yonkers NY 10704. Authorization No. WH6229. Effective June 8, 2004.

Jolicoeur Desruisseaux d/b/a J & J Transportation, 711 Toulon Dr., Kissimmee, FL 34759. Authorization No. WH6234. Effective June 8, 2004.

C & C Tire, Inc., 21 Route 17 S., East Rutherford, NJ 07073-2106. Authorization No. WH6235. Effective June 2, 2004.

Heath Oil Co., P. O. Box 1128, Oil City, PA 16301-0628. Authorization No. WH6236. Effective June 2, 2004.

Jimmie Carter Equipment Rental, 200 Lake Spangenberg Rd., Lake Ariel, PA 18436. Authorization No. WH6237. Effective June 2, 2004.

Stewartstown Borough Authority, Suite 4, 6 N. Main St., Stewartstown, PA 17363. Authorization No. WH6238. Effective June 2, 2004.

Surinder P. Singh, 1212 Westminster Blvd., Parlin, NJ 08859. Authorization No. WH6240. Effective June 2, 2004.

Grasshopper Landscapes, Inc., 124 Beechwood Rd., Newtown Square, PA 19073. Authorization No. WH6241. Effective June 2, 2004.

Sperry Homes, LLC, R. R. 7, Box 7148, Lake Ariel, PA 18436. Authorization No. WH6242. Effective June 2, 2004.

Brookwood Construction Assoc., L. P., 600 Old Elm Street, Conshohocken, PA 19428. Authorization No. WH6243. Effective June 2, 2004.

Highmark Management, Inc., 1290 Loop Road, Lancaster, PA 17601. Authorization No. WH6244. Effective June 2, 2004.

Slippery Rock Commercial Roofing, Inc., 3941 Old Butler Road, New Castle, PA 16101. Authorization No. WH6245. Effective June 2, 2004.

Loners Salvage & Car Crushing, 11810 S. Eagle Valley Rd., Port Matilda, PA 16870. Authorization No. WH6246. Effective June 2, 2004.

Antoni J. Szot, 90 Marilyn Pl. No. D10, Clifton, NJ 07011. Authorization No. WH6247. Effective June 2, 2004.

Terry Dippery Trucking, 204 Long Ln., Lewistown, PA 17044. Authorization No. WH6248. Effective June 3, 2004.

Daniel E. Diehl, 1775 Briar Valley Rd., Bedford, PA 15522. Authorization No. WH6249. Effective June 3, 2004.

Murat U. Yucel, 3rd Floor, 34 Edward St., Newburgh, NY 12550-6035. Authorization No. WH6250. Effective June 3, 2004.

Paul C. Emery Co., Kimberton Rd., R. R. 3, Box 147, Phoenixville, PA 19460. Authorization No. WH6251. Effective June 8, 2004.

Roberto C. Hernando, 316 Hillside Ave., No. 1, Hillside, NJ 07205. Authorization No. WH6252. Effective June 3, 2004.

Metaza Transport Corp., P. O. Box 737926, Elmhurst, NJ 11373. Authorization No. WH6253. Effective June 8, 2004.

Robert L. Bartlett, 65 Decker St., Mansfield, PA 16933. Authorization No. WH6254. Effective June 8, 2004.

West Auto Sales, Inc., 1874 Round Top Rd., Wellsboro, PA 16901. Authorization No. WH6255. Effective June 8, 2004.

A Better Construction Co., 1330 Patterson Ave., Erie, PA 16508-1447. Authorization No. WH6256. Effective June 8, 2004.

SDA Mechanical Services, Inc., 2522 Metropolitan Dr., Trevose, PA 19053. Authorization No. WH6257. Effective June 8, 2004.

W. F. Anderson, LLC, 4 Old Mill Plain Rd., Danbury, CT 06811. Authorization No. WH6259. Effective June 8, 2004.

Francis J. Palo, Inc., 245 S. 4th Ave., Clarion, PA 16214-1307. Authorization No. WH6258. Effective June 8, 2004.

Arblaster Construction Company, 122 Debbie Ave., Slippery Rock, PA 16057-2408. Authorization No. WH6260. Effective June 9, 2004.

Smart Truck Training Company, 20-6 Cranberry Ridge, Reading, PA 19606. Authorization No. WH6261. Effective June 9, 2004.

Manuel K. Delgado, 2 Fish House Rd., South Kearny, NJ 07032. Authorization No. WH6262. Effective June 9, 2004.

All Type Fence Company, Inc., 1600 W. Schuylkill Rd., Douglasville, PA 19518. Authorization No. WH6263. Effective June 9, 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.

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

09-320-058GP: Consolidated Graphics (315 West Street Road, Warminster, PA 18974) on June 14, 2004, to operate a lithographic printing press in Warminster Township, **Bucks County**.

46-302-225GP: Montgomery Chemicals, LLC (901 Conshohocken Road, Conshohocken, PA 19428) on June 14, 2004, to operate a 500 HP steam boiler in Plymouth Township, **Montgomery County**.

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

GP1-36-03150: Kunzler and Co., Inc. (652 Manor Street, P. O. Box 4747, Lancaster, PA 17604-4747) on June 10, 2004, for small gas and no. 2 oil fired combustion units under GP1 in the City of Lancaster, **Lancaster 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, 2 East Main Street, Norristown, PA 19401; Thomas McGinley, New Source Review Chief, (484) 250-5920.

46-0155D: Sermatech International (155 S. Limerick Rd., Limerick, PA 19468) on June 11, 2004, to operate a spray booth in Limerick Township, **Montgomery County**.

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

ER-67-05016E: R. H. Sheppard Co., Inc. (P. O. Box 877, Hanover, PA 17331-0877) on June 10, 2004, for an Emission Reduction Credit approval for 14.84 tons of VOC resulting from the shutdown of three cold box core

making machines at their ductile and gray iron foundry in Hanover Borough, **York County**.

34-03005B: Energex American, Inc. (R. R. 5, Box 343, Mifflintown, PA 17059) on June 10, 2004, to modify their wood pellet manufacturing plant in Walker Township, **Juniata 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) on June 3, 2004, for a coal staging and coal sizing operation at Keystone East Mine in Plumcreek Township, **Armstrong County**.

04-412A: PSC Metals Inc. (20521 Chagrin Boulevard, Cleveland, OH 44122) on June 9, 2004, PSC Metals operates an auto shredder at their Koppel Plant in Big Beaver Borough, **Beaver County**. Plan Approval authorizes the replacement of the hammer mill with a new unit of the same size, installation of a water spray system on the hammer mill, rearrangement of existing equipment and installation of a replacement cyclone on the Z-box.

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.

09-0024C: Waste Management Disposal Services of PA Inc. (1121 Bordentown Road, Morrisville, PA 19067) on June 10, 2004, amended the operation of their landfill in Tullytown Borough, **Bucks County**.

09-0027E: Fres-Co Systems USA, Inc. (3005 State Road, Telford, PA 18969) on June 10, 2004, modified the operation of a thermal oxidizer in West Rockhill Township, **Bucks County**.

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

40-303-021: Reading Materials, Inc. (P. O. Box 79, Skippack, PA 19474) on June 9, 2004, to modify a batch hot mix asphalt plant and associated air cleaning device at their facility in Foster Township, **Luzerne County**. The Plan Approval has been extended.

40-320-017: Bemis Co., Inc. (20 Jaycee Drive, West Hazleton, PA 18201) on June 9, 2004, to modify two flexographic printing presses and associated air cleaning device at their facility in the Valmont Industrial Park, West Hazleton Borough, **Luzerne County**. The Plan Approval has been extended.

40-320-016: Quebecor World Hazleton, Inc. (Route 924, Humboldt Industrial Park, R. R. 1, Box 409Z, Hazleton, PA 18201) on June 9, 2004, to modify lithographic printing operations and associated air cleaning device at their facility in Hazleton, **Luzerne County**. The Plan Approval has been extended.

66-315-012B: The Procter and Gamble Paper Products Co. (P. O. Box 32, Route 87 South, Mehoopany, PA 18629) on June 10, 2004, to modify the 4M paper machine room and associated air cleaning device at their facility in Washington Township, **Wyoming County**. The Plan Approval has been extended.

40-303-013A: Barletta Materials and Construction, Inc. (East Broad Street, P. O. Box 550, Tamaqua, PA 18252) on June 10, 2004, to modify a batch hot mix asphalt plant and associated air cleaning device at their facility on Route 924, Hazle Township, **Luzerne County**. The Plan Approval has been extended.

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

36-05126A: McMinn's Asphalt Co., Inc. (P. O. Box 4688, Lancaster, PA 17604-4688) on April 30, 2004, to construct batch asphalt plant controlled by a fabric filter at Donegal Quarry, Heisey Quarry Road in West Donegal Township, **Lancaster County**. This plan approval was extended.

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

49-331-001: Merck and Co., Inc. (P. O. Box 600, Danville, PA 17821) on May 20, 2004, to operate the hazardous waste incinerator and associated ancillary equipment and air cleaning devices (quench, venturi scrubber, tray tower scrubber and wet electrostatic precipitator) identified in the respective plan approval on a temporary basis until September 12, 2004, at their Cherokee Plant in Riverside Borough, **Northumberland County**. The authorization has been extended.

41-310-012: Glenn O. Hawbaker, Inc. (711 East College Avenue, Bellefonte, PA 16823) on June 2, 2004, to operate a sandstone crushing, screening, and the like, plant and associated air cleaning devices (two fabric collectors) on a temporary basis, until September 30, 2004, in Armstrong Township, **Lycoming County**. The plan approval has been extended.

8-310-004: Glenn O. Hawbaker, Inc. (711 East College Avenue, Bellefonte, PA 16823) on June 9, 2004, to authorize the construction of a different mobile screening unit in a sand and gravel processing plant than that originally approved in Canton Township, **Bradford County**.

53-0009D: National Fuel Gas Supply Corp. (P. O. Box 2081, Erie, PA 16512) on June 11, 2004, to operate a 4,445 horsepower natural gas-fired reciprocating internal combustion compressor engine (Engine 1A) on a temporary basis, until October 9, 2004, at their Ellisburg Compressor Station in Allegany 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.

03-00976A: AMFIRE (One Energy Place, Latrobe, PA 15650) on June 8, 2004, for a coal staging and coal sizing operation at their Deep Ridge mine in Southbend Township, **Armstrong County**. The Plan Approval for this facility has been revised to include two diesel engines not identified in the original application. A 125 HP Cummins 6BT5.9 engine will be used to power the coal screen and a 575 HP Caterpillar 3406 engine will be available for emergency backup power. The following conditions have been added to the Plan Approval as a result:

Plan Approval Condition 12: The Cummins diesel engine used to power the screen shall be limited to 4,000 hours of operation in any consecutive 12-month period (25 Pa. Code § 127.12b).

Plan Approval Condition 13: The Caterpillar emergency backup diesel engine shall be limited to 500 hours of operation in any consecutive 12-month period (25 Pa. Code § 127.12b).

Plan Approval Condition 14: The owner/operator shall maintain records of the 12-month rolling total of hours of operation of each diesel engine at this facility (25 Pa. Code § 127.12b).

26-00495A: Allegheny Energy Supply Co., LLC (4350 Northern Pike, Monroeville, PA 15146) on June 10, 2004, to modify the Plan Approval to provide an exemption from the short-term emission limits during startups and shutdowns at their Gans Power Station in Springhill Township, **Fayette County**. All emissions will be counted towards annual emission limits. Annual emission limits have not been changed. This is a Title V Facility.

11-00507B: Rosebud Mining Co. (301 Market Street, Kittanning, PA 16201) on June 4, 2004, to install an air jig operation in Blacklick Township, **Cambria County**. This plan approval was extended.

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

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701; Muhammad Zaman, Facilities Permitting Chief, (570) 327-3637.

53-00005: Dominion Transmission, Inc. (625 Liberty Avenue, Pittsburgh, PA 15222) on May 14, 2004, issued a renewal Title V operating permit for their Greenlick natural gas transmission facility in Stewardson Township, **Potter County**. This renewal Title V operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

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

06-03025: Reading Plating and Polishing Works, Inc. (1833 Cotton Street, Reading, PA 19606) on June 10, 2004, to operate their decorative chrome plating facility in the City of Reading, **Berks County**.

07-03022: Juniata Fabrics, Inc. (P. O. Box 1806, Altoona, PA 16603) on June 10, 2004, to operate their fabric mill in the City of Altoona, **Blair County**.

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

03-00199: Kittanning Brick Co. (R. R. 1 Box 279, Adrian, PA 16210) on June 11, 2004, to operate a clay refractory at their Reesedale Facility in Washington Township, **Armstrong County**.

11-00282: Ameriserv Financial (216 Franklin St., Johnstown, PA 15903) on June 14, 2004, for the bank building in Johnstown, **Cambria County**. The facility's sources of emissions includes one tri-fuel boiler.

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

10-00326: Oesterling Sandblasting and Painting, Inc. (686 Glenwood Way, Butler, PA 16001) on June 8,

2004, issued a Natural Minor Operating Permit for emissions from the surface coating and abrasive blasting of metal parts in Center Township, **Butler County**.

Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

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

38-05020: G and H Fortyniners, Inc. d/b/a Keystone Protein Co. (P. O. Box 37, Fredericksburg, PA 17026) on June 8, 2004, to modify their 400 hp boiler in Bethel Township, **Lebanon County**. The State-only operating permit was amended to include Source ID 02, a 400 hp boiler. This is Revision No. 1 of the operating permit.

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

41-00019: Specialized Vehicle Corp. (13442 Emerson Road, Kidron, OH 44636) on January 29, 2004, issued a revised operating permit, Revision No. 1, for the change of ownership of their Montgomery plant from Grumman Olson Industries, Inc. to Specialized Vehicle Corporation in Clinton Township, **Lycoming County**. This Title V operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

12-00002: GKN Sinter Metals (15420 Route 120, P. O. Box 493, Emporium, PA 15834) on May 14, 2004, issued a revised Title V operating permit, Revision No. 3, for their powdered metal parts manufacturing facility in Shippen Township, **Cameron County**. The revision of this permit authorizes the use of Dry Film RA/IPA as a replacement sizing lubricant for Krytox DF in the powdered metal parts dip sizing operation. The revision also included the removal of two electric discharge machines from the operating permit because they are no longer in operation. This Title V operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

32-00055: Homer City OL1—OL8, LLC—EME Homer City Generation LP (1750 Power Plant Road, Homer City, PA 15748) on May 27, 2004, for the Homer City Station in Center Township, **Indiana County**. The change of the alternate designated representative is defined as an Administrative Amendment under 40 CFR 72.83(a)(2). This is a Title V Facility.

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

24-00009: Weyerhaeuser Inc. (100 Center Street, Johnsonburg, PA 15845) on June 8, 2004, for an administrative amendment of their Title V Operating Permit to operate a paper mill facility in Johnsonburg Borough, **Elk County**. The amendment incorporates the conditions of Plan Approval 24-009C.

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

V95-087: Calpine Philadelphia, Inc.—Southwest Water Pollution Control Plant (8200 Enterprise Avenue, Philadelphia, PA 19153) on June 14, 2004, administratively amended to change ownership from O'Brien (Philadelphia) Cogeneration, Inc. to remove two Dorman engines that have been shut down and to correct contact information. The Title V operating permit was originally issued on August 4, 2000.

V95-086: Calpine Philadelphia, Inc.—Northeast Water Pollution Control Plant (3895-99 Richmond Street, Philadelphia, PA 19137) on June 14, 2004, administratively amended to change ownership from O'Brien (Philadelphia) Cogeneration, Inc. and to correct contact information. The Title V operating permit was originally issued on August 4, 2000.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the request for 401 Water Quality Certification and the NPDES permit application. Mining activity permits issued in response to the applications will also address the application permitting requirements of the following statutes: the Air Quality Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

Coal Permit Actions

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

54870102R3 and NPDES Permit No. PA0595923. Joe Kuperavage Coal Company (916 Park Avenue, Port Carbon, PA 17965), renewal of an existing anthracite surface mine operation in Blythe Township, **Schuylkill County**, affecting 106.1 acres. Receiving streams: unnamed tributary to East Branch Schuylkill River. Application received April 13, 2004. Renewal issued June 8, 2004.

54860206C14. WPS Westwood Generation, LLC (1088 Springhurst Drive, Green Bay, WI 54304), correction to an existing anthracite surface mine operation in Frailey and Porter Townships, **Schuylkill County**, affecting 441.4 acres. Receiving streams: Lower Rausch Creek. Application received August 21, 2003. Correction issued June 10, 2004.

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

56911602 and NPDES Permit No. PA0214400. Berwind Coal Sales Company (509 15th Street, Windber, PA 15963), to renew the permit for the Huskin Run Tipple in Shade Township, **Somerset County** and related NPDES permit. No additional discharges. Permit issued June 7, 2004.

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

32830113 and NPDES Permit No. PA0605778. Beilchick Brothers (P. O. Box 7, Heilwood, PA 15745), SMP renewal in Buffington Township, **Indiana County**, affecting 410.5 acres. Receiving streams: unnamed tributary to Mardis Run and Mardis Run (CWF). There are no potable water supply intakes within 10 miles downstream. Application received March 10, 2004. Permit issued June 10, 2004.

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

03020109 and NPDES Permit No. PA0250228. Thomas J. Smith, Inc. (R. D. 1, Box 260D, Shelocta, PA 15774), revision to permit to include auger mining to an existing bituminous surface mine in Plumcreek Township, **Armstrong County**, affecting 181 acres. Receiving streams: unnamed tributary to Cherry Run and Cherry Run. Revision application received April 14, 2004. Permit issued June 10, 2004.

65990102 and NPDES Permit No. PA0202479. AMFIRE Mining Co., LLC (One Energy Place, Suite 2800, Latrobe, PA 15650), transfer of permit formerly issued to Dunamis Resources, Inc. for continued operation and reclamation of a bituminous surface mining site in Fairfield Township, **Westmoreland County**, affecting 91 acres. Receiving streams: unnamed tributaries to Conemaugh River, to Conemaugh River. Application received March 11, 2003. Transfer permit issued June 10, 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.

21044041. M & J Explosives, Inc. (P. O. Box 608, Carlisle, PA 17013), construction blasting for the Commons at Parker Springs in North Middleton and Middlesex Townships, **Cumberland County**, with an expiration date of June 30, 2005. Permit issued June 9, 2004.

67044029. Stewart & Tate, Inc. (1020 North Hartley Street, York, PA 17405) and **DC Guelich Explosive Co.** (P. O. Box 29, Bloomsburg, PA 17815), construction blasting for Deer Creek Business Park in Hopewell Township, **York County**, with an expiration date of December 31, 2004. Permit issued June 9, 2004.

67044030. J. Roy's, Inc. (Box 125, Bowmansville, PA 17507), construction blasting at Emigsville Quarry Construction Project in Manchester Township, **York County**, with an expiration date of June 30, 2005. Permit issued June 9, 2004.

28044023. M & J Explosives, Inc. (P. O. Box 608, Carlisle, PA 17013), construction blasting at TMS/Foremost in Montgomery Township, **Franklin County**, with an expiration date of June 30, 2005. Permit issued June 9, 2004.

28044024. Hempt Brothers, Inc. (205 Creek Road, P. O. Box 278, Camp Hill, PA 17011-0278) and **Senex**

Explosives, Inc. (710 Millers Run Road, Cuddy, PA 15031), construction blasting at I-81 Project CMS 083056 in Chambersburg Borough, Guilford and Greene Townships, **Franklin County**, with an expiration date of September 30, 2004. Permit issued June 9, 2004.

21044043. M & J Explosives, Inc. (P. O. Box 608, Carlisle, PA 17013), construction blasting at Best Western in Middlesex Township, **Cumberland County**, with an expiration date of June 30, 2005. Permit issued June 9, 2004.

21044042. R & M Excavating (403 Hilltop Road, Newburg, PA 17240), construction blasting at Shippensburg Park in Shippensburg Township, **Cumberland County**, with an expiration date of June 30, 2005. Permit issued June 9, 2004.

40044006. Slusser Brothers Trucking & Excavating Company (125 North Warren Street, North Hazleton, PA 18202) and **DC Guelich Explosive Company** (P. O. Box 29, Bloomsburg, PA 17815), construction blasting at the Butler Teaching and Learning Center in Hazle Township, **Luzerne County**, with an expiration date of May 31, 2005. Permit issued June 9, 2004.

67044031. Follmer Excavating, Inc. (6 Summer Drive, Dillsburg, PA 17019) and **John W. Gleim, Jr., Inc.** (625 Hamilton Street, Carlisle, PA 17013), construction blasting at Old Orchard Development in Fairview Township, **York County**, with an expiration date of November 30, 2004. Permit issued June 9, 2004.

67044032. Brubacher Excavating, Inc. (P. O. Box 528, 825 Reading Road, Bowmansville, PA 17507), construction blasting at Brownstown Manor in Dover Township, **York County**, with an expiration date of June 30, 2005. Permit issued June 9, 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

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

E39-429. Pulte Homes of PA, LP, 1100 Northbrook Drive, Suite 200, Treose, PA 19053. Lower Macungie Township, **Lehigh County**, Army Corps of Engineers Philadelphia District.

To construct and maintain an outfall channel having a 1-foot depth, 6-foot bottom width and 3H:1V side slopes, two 24-inch diameter RCP outfall structures with rip-rap aprons and approximately 375 feet of 8-inch diameter sanitary sewer line in the floodway of the Little Lehigh Creek (HQ-CWF, perennial). The project is on the south side of Spring Creek Road approximately 1.5 miles east of

Route 100 (Allentown West, PA Quadrangle N: 7.5 inches; W: 11.0 inches), Subbasin 2C. The project proposes to directly affect 31 linear feet of stream bank with the rip-rap aprons and 0.03 acre of floodway for the outfall channel and temporarily affect 375 linear feet of the right side floodway for the three sanitary sewer crossings.

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

E31-194: Huntingdon County Conservation District, R. R. 1 Box 7C, Huntingdon, PA 16552 in Coalmont Borough, **Huntingdon County**, ACOE Baltimore District.

To construct and maintain a stream rehabilitation project on Shoup Run (WWF) beginning at a point (Saxton, PA Quadrangle N: 15.7 inches; W: 10.7 inches), 50 feet upstream of the SR 913 bridge and continuing to a point (Saxton, PA Quadrangle N: 15.7 inches; W: 10.6 inches), 325 feet downstream using a natural stream channel design approach involving floodway excavation and grading, the placement of a 60-foot rock toe and the placement of two w-weirs and three rock vanes for the purpose of improving sediment transport and local channel stability around the SR 913 bridge in Coalmont Borough, Huntingdon County. The project proposes to directly affect 325 feet of Shoup Run.

E36-783: Marietta-Donegal Joint Authority, P. O. Box 167, Marietta, PA 17547 in Marietta Township, **Lancaster County**, ACOE Philadelphia District.

To construct and maintain a sewage treatment plant expansion within the floodplain of Susquehanna River for the purpose of increasing the capacity of the treatment plant (Columbia West, PA Quadrangle N: 10.24 inches; W: 4.94 inches) in Marietta Borough, Lancaster County.

E29-088: Empire Industries Limited, 100 Tonoloway Bluffs Lane, Needmore, PA 17238 in Thompson Township, **Fulton County**, ACOE Baltimore District.

To maintain a pedestrian suspension bridge 120 feet in length by 3 feet in width with a low chord 15 feet above the normal water surface elevation of Tonoloway Creek (WWF), at a point (Hancock, PA Quadrangle N: 20.1 inches; W: 2.8 inches) approximately 1 mile upstream of SR 2005 in Thompson Township, Fulton County.

E67-735: Turnpike Commission, P. O. Box 67676, Harrisburg, PA 17106 in Highspire and Steelton Boroughs and Swatara and Lower Swatara Townships, **Dauphin County** and Fairview Township, **York County**, ACOE Baltimore District.

To remove the existing bridge and then to construct and maintain the eastbound and westbound bridges of the Pennsylvania Turnpike (I-76) across the Susquehanna River (WWF) with a total length of 3,780 feet with an average underclearance of 65 feet, to extend and maintain the length of the existing 20-foot by 13.5-foot box culvert by 146.75 feet long at the channel of Laurel Run (WWF) and other related small structures and to fill in 0.004 acre of de minimis wetland to rehabilitate I-76 from Milepost 245.72 to Interchange No. 19 (Steelton, PA Quadrangle N: 14.6 inches; W: 7.6 inches; N: 16.15 inches; W: 6.25 inches, respectively) in Fairview Town-

ship, York County and in Steelton and Highspire Boroughs and Swatara and Lower Swatara Townships, Dauphin County. The wetland impact is considered a de minimis impact; therefore, a replacement wetland is not required.

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

E02-1436. Edward R. Buczkowski, 4330 Route 8, Allison Park, PA 15101. Buczkowski residential culvert in Hampton Township, **Allegheny County**, Pittsburgh ACOE District (Glenshaw, PA Quadrangle N: 14.15 inches; W: 10.9 inches) (Latitude: 40° 34' 41" and Longitude: 79° 57' 13"). To operate and maintain the existing 40-foot long 5-foot diameter culvert that was constructed under Emergency Permit EP0203203 in the channel of McCaslin Run (TSF) to provide access to the applicant's property. The project is on the east side of Route 8, approximately 200 feet south from the intersection of Route 8 and McCully Road.

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

E27-074, Richard J. Luty, Sr., 2385 Saxonburg Road, Cheswick, PA 15024 in Kingsley Township, **Forest County**, ACOE Pittsburgh District (Mayburg, PA Quadrangle N: 16.7 inches; W: 11.5 inches).

The applicant proposes to fill 0.22 acre of PEM/PSS wetland for the construction of a cabin with attached porch, privy and associated 1,000-gallon holding tank approximately 0.4 mile east of the intersection of SR 666 and Bobbs Creek Road. Payment to the Wetland Replacement Project fund shall compensate for wetland impacts. This is an after-the-fact permit. The project has already been constructed. The project proposes to directly affect 0.22 acre of wetland.

E37-159, Department of Transportation, District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017. SR 4006, Segment 0050, Offset 0672 across Marshall Run in Mahoning Township, **Lawrence County**, ACOE Pittsburgh District (Edinburg, PA Quadrangle N: 6.4 inches; W: 11.35 inches).

To remove the existing culvert and to install and maintain a 35-foot long, 117-inch wide by 79-inch high corrugated steel pipe arch culvert having a 6-inch depressed invert in Marshall Run on SR 4006, Segment 0050, Offset 0672 approximately 1 mile west of SR 551.

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 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.

STORAGE TANKS**SITE-SPECIFIC INSTALLATION PERMITS**

The following Storage Tank Site-Specific Installation Permits, under the authority of the Storage Tank Spill Prevention Act (35 P. S. §§ 6021.304, 6021.504, 6021.1101—6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C, have been issued by the Bureau of Land Recycling and Waste Management, Director, P. O. Box 8763, Harrisburg, PA 17105-8763.

| <i>SSIP Permit No.</i> | <i>Applicant Name and Address</i> | <i>County</i> | <i>Municipality</i> | <i>Tank Type</i> | <i>Tank Capacity</i> |
|------------------------|--|---------------|-------------------------|------------------------------------|----------------------|
| 04-15-001 | Bud Mauger Mauger Oil Company 300 Lawrence Drive West Chester, PA 19380 | Chester | City of West Chester | 21 ASTs storage lubricating oil | 154,000 gallons |

SPECIAL NOTICES**Planning Grant Awards under section 901 of the Municipal Waste Planning Recycling and Waste Reduction Act of 1988, Act 101**

The Department of Environmental Protection (Department) announces the following grants to counties under the Pennsylvania Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, Act 101, section 901 and section 208 of the Waste Tire Recycling Act/Small Business and Household Pollution Prevention Act (Act 190).

Planning grants are awarded to counties for 80% of approved costs for preparing municipal waste management plans as required by Act 101 for carrying out related studies, surveys, investigations, inquiries, research and analysis, including those related to siting, environmental mediation, education programs on pollution prevention and household hazardous waste and providing technical assistance to small businesses for pollution prevention. Grants may be awarded for feasibility studies and project development for municipal waste processing or disposal facilities, except for facilities for the combustion of municipal waste that are not proposed to be operated for the recovery of energy. Grant awards are predicated on the receipt of recycling fees required by sections 701 and 702 of Act 101 and the availability of moneys in the Recycling Fund.

Inquiries regarding the grant offerings should be directed to Sally Lohman, Chief, Waste Planning Section, Department of Environmental Protection, Bureau of Land Recycling and Waste Management, Division of Waste Minimization and Planning, P. O. Box 8472, Harrisburg, PA 17105-8472.

Act 101, Section 901 Planning Grant

| <i>Region</i> | <i>County</i> | <i>Applicant</i> | <i>Project Description</i> | <i>Grant Award</i> |
|---------------|---------------|------------------|--|--------------------|
| Southcentral | Blair | Blair County | Collection Study for the City of Altoona | \$87,318 |

Submission Date Extension for Recycling Program Development and Implementation Grant Applications under Act 101, section 902 of the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988

The Department announces an extension to the deadline for Recycling Program Development and Implementation Grant applications from municipalities for grant assistance under section 902 of the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. § 4000.902).

The deadline for submission of applications has been extended to 3 p.m. on July 2, 2004. Applications received by the Department after that date will not be considered. Applications must be on forms provided by the Department, with two copies submitted to the Department's Central Office (Rachel Carson State Office Building, Harrisburg) and one copy submitted to the appropriate county recycling coordinator. Grant awards are predicated on the receipt of recycling fees required by sections 701 and 702 of Act 101 and the availability of moneys in the Recycling Fund.

Potential applicants must contact the appropriate Department regional planning and recycling coordinator to schedule a preapplication conference to discuss application requirements and program particulars. Applications will be returned to municipalities that fail to schedule preapplication conferences. Grant application forms are available from the Department's regional offices and the Department's website: www.dep.state.pa.us (DEP Keyword: Recycling Grants).

Inquiries concerning this notice should be directed to Todd Pejack, Department of Environmental Protection, Rachel Carson State Office Building, Bureau of Land Recycling and Waste Management, Division of Waste Minimization and Planning, P. O. Box 8472, Harrisburg, PA 17105-8472, (717) 787-7382, tpejack@state.pa.us.

[Pa.B. Doc. No. 04-1141. Filed for public inspection June 25, 2004, 9:00 a.m.]

Air Quality Technical Advisory Committee Meeting Cancellation

The Air Quality Technical Advisory Committee (Committee) meeting that was scheduled for June 29, 2004, has been cancelled. The next meeting of the Committee is scheduled for Tuesday, August 10, 2004.

For further information, contact Terry Black, (717) 787-2030, tblack@state.pa.us. The agenda and meeting materials for the August 10, 2004, meeting will be available through the Public Participation Center on the Department of Environmental Protection's (Department) website: www.dep.state.pa.us (DEP Keyword: Participate).

Persons with a disability who require accommodations to attend the August 10, 2004, meeting should contact the Department at (717) 787-2030 or through the Pennsylvania AT&T Relay Services at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 04-1142. Filed for public inspection June 25, 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 (DEP Keyword: Participate). 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.

Final Technical Guidance

DEP ID: 391-2000-007. Title: Technical Reference Guide WQM 7.0 for Windows Allocation Program for Dissolved Oxygen and Ammonia Nitrogen Version 1.0. Description: WQM 7.0 for Windows determines wasteload allocations and effluent limitations for Carbonaceous BOD (CBOD₅), Ammonia Nitrogen (NH₃-N)

and Dissolved Oxygen (DO) for single and multiple point source discharge scenarios. The model is designed primarily to assist Department staff in determining appropriate NPDES permit effluent limits for CBOD₅, NH₃-N and DO for sanitary waste treatment plants. It can handle both single and multiple discharge scenarios but is limited to single segment (one stream) scenarios. WQM 7.0 can be used to import previously developed WQAM 6.3 for DOS files into the WAT_QUAL database; export and then subsequently import temporary files consisting of selected stream, discharge and parameter records; view, edit, add, delete, save and analyze selected stream, discharge and parameter records from the WAT_QUAL database or from a selected temporary file; and save and retrieve completed analyses from the WAT_QUAL database. This document describes the technical methods contained in WQM 7.0 for conducting wasteload allocation analyses and for determining recommended NPDES effluent limits for point source discharges. Notice soliciting public comment on the draft of this document was published at 33 Pa.B. 4630. (September 13, 2003) with provision for a 30-day public comment period. The Department did not receive any comments from the public on the draft guidance document. Effective Date: June 26, 2004.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 04-1143. Filed for public inspection June 25, 2004, 9:00 a.m.]

Cleanup Standards Scientific Advisory Board, Risk Assessment Subcommittee Meeting on Resorcinol

The Cleanup Standards Scientific Advisory Board (Board) Risk Assessment Subcommittee (Subcommittee) will meet on July 12, 2004, from 9:30 a.m. to 12 p.m. to discuss issues related to the development and review of the reference dose (RfD) values of resorcinol (CAS # 108-46-3) and the development of the medium-specific concentrations (MSCs) for resorcinol. The meeting will be held in the large conference room on the 14th Floor, Rachael Carson State Office Building, 400 Market Street, Harrisburg, PA. A speaker phone will be provided as the Board members will be participating by teleconference. For further information, contact Dave Hess, (717) 783-9480, dahess@state.pa.us. The agenda and meeting materials for the July 12, 2004, meeting will be available through the Public Participation Center on the Department of Environmental Protection's (Department) website: www.dep.state.pa.us (DEP Keyword: Participate).

Persons with a disability who require accommodations to attend the July 12, 2004, meeting should contact the Department at (717) 783-9480 or through the Pennsylvania AT&T Relay Services at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

Resorcinol is one of the regulated substances listed at 25 Pa. Code Chapter 250, Appendix A, Table 6 (relating to threshold of regulation compounds) as a threshold-of-regulation compound. Compounds are listed in this table because reference dose and cancer slope factor were not available at the time of the last regulation amendment in 2001, so that the derivation of compound-specific MSCs was not possible. For resorcinol, the situation has changed since then. Additional toxicological data for resorcinol are now available.

The main purpose of this Subcommittee meeting is to review the latest information regarding the derivation of RfD values for resorcinol. Additional discussions will focus on issues specifically related to resorcinol under the Statewide health standard, including how the secondary maximum contaminant levels of foaming agents, color and odor may impact the implementation of MSCs for resorcinol.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 04-1144. Filed for public inspection June 25, 2004, 9:00 a.m.]

Cleanup Standards Scientific Advisory Board, Subcommittee on Attainment Meeting on Nonaqueous Phase Liquids

The Cleanup Standards Scientific Advisory Board (Board) Subcommittee on Attainment will meet on July 2, 2004, 9 a.m. to 11:30 a.m. to discuss issues related to developing guidance on the assessment and removal feasibility of nonaqueous phase liquids (NAPL) from groundwater. The meeting will be held in the large conference room on the 14th Floor, Rachael Carson State Office Building, 400 Market Street, Harrisburg, PA. A speaker phone will be provided as the Board members will be participating by teleconference. For further information, contact Dave Hess, (717) 783-9480, dahess@state.pa.us. The agenda and meeting materials for the July 2, 2004, meeting will be available through the Public Participation Center on the Department of Environmental Protection's (Department) website: www.dep.state.pa.us (DEP Keyword: Participate).

Persons with a disability who require accommodations to attend the July 2, 2004, meeting should contact the Department at (717) 783-9480 or through the Pennsylvania AT&T Relay Services at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

The standard regulatory approach with regard to NAPL is to recover NAPL to the maximum extent practicable. Experience indicates that using this approach leads to a "no endpoint" strategy that has no specific objectives. The lack of characterization of NAPL distribution and characteristics leads to ineffectively applied technology to remediate NAPL. This leads to delayed closures, backlogs and over-allocation of limited resources.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 04-1145. Filed for public inspection June 25, 2004, 9:00 a.m.]

Issuance of General Permit BWM-GP-11 for Maintenance, Testing, Repair, Rehabilitation or Replacement of Water Obstructions and Encroachments and 401 Water Quality Certification

The Department of Environmental Protection (Department), under the authority of section 7 of the Dam Safety and Encroachments Act (act) (32 P. S. § 693.7) and 25 Pa. Code Chapter 105, Subchapter L (relating to general permits), authorizes, by General Permit BWM-GP-11, the maintenance, testing, repair, rehabilitation or replace-

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

Authorization provided by this general permit will eliminate the need of filing an application for an individual permit by an applicant who intends to maintain, test, repair, rehabilitate or replace a water obstruction or encroachment, in accordance with the terms, criteria and conditions of the general permit. The applicant will be required to register the project by submitting written notice and all applicable information to the Department indicating the intent to maintain, test, repair, rehabilitate or replace a water obstruction or encroachment.

This permit contains provisions for the protection of public health and safety through the development and Department review of engineering plans and calculations; places restrictions on the permit to protect species of special concern; requires the development and implementation of erosion and sediment control plans to protect water quality; and supports environmental enhancements and improvements by requiring fish passage, the protection of wild and stocked trout streams and the restoration and stabilization of all temporary impacts.

Since there is no individual permit application, there will be significant savings of both time and money for those using the general permit. In addition to the monetary savings, the general permit enables applicants to proceed on projects with reduced time and effort while still complying with the act. Traditionally, review times for individual permits reach 120 days. A general permit can be acknowledged in approximately 30 days. A review of the permit data from 1995 to the present indicates that approximately 20% of individual permit applicants will qualify for this proposed general permit.

Minor deviations in the structure's configuration or filled area are allowed. These include changes in materials, construction techniques, current construction codes or safety standards which are necessary to repair, modify or replace. These minor deviations will be allowed, however, only if the environmental impacts resulting from the repair, rehabilitation, modification or replacement are minimal and in compliance with the terms and conditions of the general permit and there is no impact on public health and safety. The minor deviations may not change the structure's configuration so that the structure could be put to a different use.

This permit may not be used for maintenance, repair, rehabilitation, removal or replacement of dams.

Notice of intent to issue the proposed BWM-GP-11 was published at 33 Pa.B. 4981 (October 4, 2003) with a 60-day public comment period. Two hundred sixty-three comments from 22 persons/agencies were received. Comments received in response to this notice were reviewed and incorporated into the General Permit where applicable. The major comments on the proposed BWM-GP-11 follow.

Several commentators stated that a search of the Pennsylvania Natural Diversity Inventory (PNDI) was necessary to protect endangered and threatened species. The permit has been revised to require that the PNDI search be current at the time work begins to screen for

species of special concern or their habitat to ensure their protection. The permit has been revised to utilize the bog turtle screening process in Adams, Berks, Bucks, Chester, Cumberland, Delaware, Franklin, Lancaster, Lebanon, Lehigh, Monroe, Montgomery, Northampton, Schuylkill and York Counties. The incorporation of the bog turtle screening protocol will facilitate Federal permitting under PAPSPG-2.

Some commentators suggested the language regarding the time of year restrictions for the protection of wild and stocked trout needed to be clarified. The permit has been clarified to highlight the time of year restrictions necessary for the protection of both wild and stocked trout.

Several commentators suggested that requirements for fish passage needed to be clarified. The permit has been revised to include conditions for fish passage including culvert depression, low flow channels and baffles.

Some commentators suggested that the General Permit should not be used to put a structure to a different use. The permit has been clarified to indicate that structures cannot be put to a different use than for which they were originally constructed (for example, conversion and upgrade of a logging road for use as subdivision access).

Several commentators suggested that Department engineers review the General Permit to ensure the protection of public health, safety and the environment and compliance with 25 Pa. Code Chapter 105 (relating to dam safety and waterway management). Department engineers and environmental staff will review the General Permit registrations to ensure protection of the public health, safety and the environment. The permit has been conditioned to require a hydraulics and hydrology report prepared by a professional engineer and Professional Engineering seals on plans for any bridge/culvert projects across a stream that will be used by the general public.

Many commentators believe that the review and approval of an erosion and sedimentation plan should be a condition of BWM-GP-11. The permit has been revised to require the submission of an erosion and sediment control plan for Department review. Further, the permit requires the plan be implemented and available onsite.

401 Water Quality Certification

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

The Department, by this notice, certifies that the construction, operation and maintenance of encroachment or water obstructions, in accordance with the terms, criteria and conditions of BWM-GP-11, comply with the applicable provisions of sections 301—303, 306 and 307 of the Clean Water Act (33 U.S.C.A. §§ 1311—1313, 1316 and 1317). The Department further certifies that the construction, operation and maintenance of projects comply with applicable State laws related to water quality protection and standards, provided that the construction, operation and maintenance complies with the terms, criteria and conditions of the permit.

This permit, in accordance with section 7(d) of the act, will be effective on July 26, 2004.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 04-1146. Filed for public inspection June 25, 2004, 9:00 a.m.]

State Water Plan Statewide Water Resources Committee, Policy and Integration Subcommittee Meeting

The Policy and Integration Subcommittee of the State Water Plan Statewide Water Resources Committee has scheduled a meeting to discuss the development of the State Water Plan and fulfill the requirements of the act of December 16, 2002 (P. L. 1776, No. 220). The meeting will be held at 10 a.m. on June 29, 2004, in the 12th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105.

Questions concerning this meeting should be directed to Susan K. Weaver, Water Planning Office, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 783-8055, suweaver@state.pa.us.

Persons with a disability who require accommodations to attend the meeting should contact the Department of Environmental Protection (Department) at (717) 705-2425 or through the Pennsylvania AT&T Relay Services at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 04-1147. Filed for public inspection June 25, 2004, 9:00 a.m.]

DEPARTMENT OF HEALTH

Application of St. Joseph Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that St. Joseph Medical Center has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 7.2.A6, 7.2.B10, 7.2.B19 and 7.4.A7.

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

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care, (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154 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. 04-1148. Filed for public inspection June 25, 2004, 9:00 a.m.]

Application of Temple University Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Temple University Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exception from the following standard contained in this publication: 7.2.A4 (relating to handwashing stations).

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

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care, (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154 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. 04-1149. Filed for public inspection June 25, 2004, 9:00 a.m.]

Requests for Exception; Long-Term Care Nursing Facilities

The following long-term care nursing facilities are seeking an exception to 28 Pa. Code § 201.3 (relating to definitions):

Friendship Ridge
246 Friendship Circle
Beaver, PA 15009

West Haven Nursing Home
P. O. Box 278
Apollo, PA 15613

Hickory House Nursing Home
3120 Horseshoe Pike
Honey Brook, PA 19344
FAC ID 083002

Abington Crest Nursing and Rehabilitation Center
1267 South Hill Road
Erie, PA 16509

The Caring Place
103 North 13th Street
Franklin, PA 16323

Elk Haven Nursing Home
785 Johnsonburg Road
St. Marys, PA 15857

Grove Manor
435 North Broad Street
Grove City, PA 16127

Rouse-Warren County Home
701 Rouse Avenue
Youngsville, PA 16371

The following long-term care nursing facilities are seeking an exception to 28 Pa. Code § 205.6(a) (relating to function of building):

ManorCare Health Services—Pottsville
420 Pulaski Drive
Pottsville, PA 17901

Trinity Living Center
400 Hillcrest Avenue
Grove City, PA 16127

Wesbury United Methodist Community
31 North Park Avenue Extension
Meadville, PA 16335-9430

The following long-term care nursing facilities are seeking an exception to 28 Pa. Code § 205.26(e) (relating to laundry):

William Hood Dunwoody Care Center
3500 West Chester Pike
Newtown Square, PA 19073
FAC ID 041602

Naamans Creek Country Manor
1194 Naamans Creek Road
Boothwyn, PA 19061
FAC ID 122302

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.28(b) (relating to nurses' station):

Woodland Place
745 Greenville Road
Mercer, PA 16137

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.38(e) (relating to toilet facilities):

Woodland Place
745 Greenville Road
Mercer, PA 16137

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 211.12(b) (relating to nursing services):

Crawford County Care Center
20881 State Highway 198
Saegertown, PA 16433

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, paexcept@health.state.pa.us.

Persons who wish to comment on 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. 04-1150. Filed for public inspection June 25, 2004, 9:00 a.m.]

Technical Advisory on Enrollee Consent for Provider-Initiated Grievances; Sample Enrollee Consent Form

Under 28 Pa. Code § 9.603 (relating to technical advisories), the Department of Health (Department), Bureau of Managed Care, is issuing the following sample enrollee consent form for provider-initiated grievances. If a provider and enrollee follow its format, this consent form will be deemed by the Department to be compliant with 28 Pa. Code § 9.706 (relating to health care provider initiated grievances) and constitute valid enrollee consent for the purpose of a provider grievance.

Patient Consent for My Provider to
File a Grievance on my Behalf with my Health Insurance Plan

| | |
|---|---------------------------------|
| Provider Name: | Provider Plan ID Number: |
| Provider Address: | |
| Description of services that may be appealed: | Date(s) services were provided: |

I agree to allow this health care provider to file a grievance on my behalf with the following health plan if there is a question about coverage for the services listed below.

I understand that:

1. If I consent, I will not be able to file my own grievance concerning these same services, nor will any representative I appoint, unless this consent is rescinded in writing.
2. I have a right to rescind this consent at any time. My legal representative has the right to rescind this consent at any time.
3. This consent shall be automatically rescinded if my health care provider does not file a grievance, or stops grieving my case.

I have read this consent or have had it read to me, and it has been explained to my satisfaction.

I understand the information in the consent form, and grant my consent to this provider to file a grievance on my behalf.

| | | |
|---------------------|------------------------|------------------------------|
| Print Patient Name: | Patient Date of Birth: | Health Insurance Company: |
| Patient Address: | | Patient Insurance ID Number: |
| Patient Signature: | | Signature Date: |

| | | |
|---|------------------------------|-----------------|
| The above named enrollee is unable to sign this consent form because of the following reasons and I consent for the above named enrollee: | | |
| Print Representative Name: | Relationship to the Patient: | |
| Representative Signature: | Signature Date: | |
| Print Witness Name: | Witness Signature: | Signature Date: |

[Pa.B. Doc. No. 04-1151. Filed for public inspection June 25, 2004, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Double Your Money Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Double Your Money.

2. *Price:* The price of a Pennsylvania Double Your Money instant lottery game ticket is \$1.

3. *Play Symbols:* Each Pennsylvania Double Your Money instant lottery game ticket will contain one play area featuring a "Lucky Number" area and a "Your Numbers" area. The play symbols and their captions located in the "Lucky Number" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE) and 10 (TEN). The play symbols and their captions located in the "Your Numbers" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN) and \$\$ Symbol (DOUBLE).

4. *Prize Play Symbols:* The prize play symbols and their captions located in the "Your Numbers" area are: FREE (TICKET), \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20\$ (TWENTY), \$40\$ (FORTY), \$80\$ (EIGHTY), \$100 (ONE HUN) and \$10,000 (TEN THO).

5. *Prizes:* The prizes that can be won in this game are one free ticket, \$1, \$2, \$4, \$5, \$10, \$20, \$40, \$80, \$100 and \$10,000. A player can win up to five times on a ticket.

6. *Approximate Number of Tickets Printed for the Game:* Approximately 14,400,000 tickets will be printed for the Pennsylvania Double Your Money instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "Your Numbers" play symbols matches the "Lucky Number" play symbol and a prize play symbol of \$10,000 (TEN THO) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(b) Holders of tickets upon which any one of the "Your Numbers" play symbols matches the "Lucky Number" play symbol and a prize play symbol of \$100 (ONE HUN) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(c) Holders of tickets upon which any one of the "Your Numbers" is a \$\$ Symbol (DOUBLE), and a prize play symbol of \$40\$ (FORTY) appears under the \$\$ Symbol (DOUBLE) on a single ticket, shall be entitled to a prize of \$80.

(d) Holders of tickets upon which any one of the "Your Numbers" play symbols matches the "Lucky Number" play symbol and a prize play symbol of \$80\$ (EIGHTY) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$80.

(e) Holders of tickets upon which any one of the "Your Numbers" is a \$\$ Symbol (DOUBLE), and a prize play symbol of \$20\$ (TWENTY) appears under the \$\$ Symbol (DOUBLE) on a single ticket, shall be entitled to a prize of \$40.

(f) Holders of tickets upon which any one of the "Your Numbers" play symbols matches the "Lucky Number" play symbol and a prize play symbol of \$40\$ (FORTY) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(g) Holders of tickets upon which any one of the "Your Numbers" is a \$\$ Symbol (DOUBLE), and a prize play symbol of \$10⁰⁰ (TEN DOL) appears under the \$\$ Symbol (DOUBLE) on a single ticket, shall be entitled to a prize of \$20.

(h) Holders of tickets upon which any one of the "Your Numbers" play symbols matches the "Lucky Number" play symbol 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.

(i) Holders of tickets upon which any one of the "Your Numbers" is a \$\$ Symbol (DOUBLE), and a prize play symbol of \$5⁰⁰ (FIV DOL) appears under the \$\$ Symbol (DOUBLE) on a single ticket, shall be entitled to a prize of \$10.

(j) Holders of tickets upon which any one of the "Your Numbers" play symbols matches the "Lucky Number" play symbol and a prize play symbol of \$10⁰⁰ (TEN DOL) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(k) Holders of tickets upon which any one of the "Your Numbers" play symbols matches the "Lucky Number" play symbol and a prize play symbol of \$5⁰⁰ (FIV DOL)

appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(l) Holders of tickets upon which any one of the "Your Numbers" is a \$\$ Symbol (DOUBLE), and a prize play symbol of \$2⁰⁰ (TWO DOL) appears under the \$\$ Symbol (DOUBLE) on a single ticket, shall be entitled to a prize of \$4.

(m) Holders of tickets upon which any one of the "Your Numbers" play symbols matches the "Lucky Number" play symbol and a prize play symbol of \$4⁰⁰ (FOR DOL) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$4.

(n) Holders of tickets upon which any one of the "Your Numbers" is a \$\$ Symbol (DOUBLE), and a prize play symbol of \$1⁰⁰ (ONE DOL) appears under the \$\$ Symbol (DOUBLE) on a single ticket, shall be entitled to a prize of \$2.

(o) Holders of tickets upon which any one of the "Your Numbers" play symbols matches the "Lucky Number"

play symbol and a prize play symbol of \$2⁰⁰ (TWO DOL) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$2.

(p) Holders of tickets upon which any one of the "Your Numbers" play symbols matches the "Lucky Number" play symbol and a prize play symbol of \$1⁰⁰ (ONE DOL) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$1.

(q) Holders of tickets upon which any one of the "Your Numbers" play symbols matches the "Lucky Number" play symbol and a prize play symbol of FREE (TICKET) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of one Pennsylvania Instant Lottery Game ticket of equivalent sale price which is currently on sale.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

When Any of Your Numbers Match the Lucky Number Win, With Prize(s) of:

| <i>Win:</i> | <i>Approximate Odds 1 In:</i> | <i>Approximate No. of Winners Per 14,400,000 Tickets</i> |
|------------------|-------------------------------|--|
| FREE | TICKET | 20 |
| \$1 | \$1 | 13.04 |
| \$2 | \$2 | 60 |
| \$1 w/\$\$ | \$2 | 20 |
| \$1 x 2 | \$2 | 60 |
| \$4 | \$4 | 300 |
| \$2 w/\$\$ | \$4 | 100 |
| \$1 x 4 | \$4 | 300 |
| \$2 x 2 | \$4 | 300 |
| \$5 | \$5 | 600 |
| \$1 x 5 | \$5 | 600 |
| \$2 w/\$\$ + \$1 | \$5 | 150 |
| \$10 | \$10 | 600 |
| \$5 w/\$\$ | \$10 | 200 |
| \$2 x 5 | \$10 | 600 |
| \$5 x 2 | \$10 | 600 |
| \$20 | \$20 | 1,500 |
| \$10 w/\$\$ | \$20 | 1,500 |
| \$4 x 5 | \$20 | 1,500 |
| \$5 x 4 | \$20 | 1,500 |
| \$10 x 2 | \$20 | 1,500 |
| \$40 | \$40 | 80,000 |
| \$20 w/\$\$ | \$40 | 80,000 |
| \$10 x 4 | \$40 | 80,000 |
| \$20 x 2 | \$40 | 60,000 |
| \$80 | \$80 | 240,000 |
| \$40 w/\$\$ | \$80 | 240,000 |
| \$20 x 4 | \$80 | 240,000 |
| \$100 | \$100 | 240,000 |
| \$20 x 5 | \$100 | 240,000 |
| \$10,000 | \$10,000 | 1,440,000 |

\$\$ = Double the prize shown

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Double Your Money instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Double Your Money, prize money from winning Pennsylvania Double

Your Money instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Double Your Money instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State

Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Double Your Money or through normal communications methods.

GREGORY C. FAJT,
Secretary

[Pa.B. Doc. No. 04-1152. Filed for public inspection June 25, 2004, 9:00 a.m.]

Pennsylvania \$1 Million Blockbuster 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 \$1 Million Blockbuster.

2. *Price:* The price of a Pennsylvania \$1 Million Blockbuster instant lottery game ticket is \$20.

3. *Play Symbols:* Each Pennsylvania \$1 Million Blockbuster instant lottery game ticket will contain one play area featuring a "Winning Numbers" area and a "Your Numbers" area. The play symbols and their captions located in the "Winning Numbers" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTEN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORTY). The play symbols and their captions located in the "Your Numbers" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTEN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORTY), Star Symbol (STAR), Gold Bar Symbol (DOUBLE) and 5X Symbol (5 TIMES).

4. *Prize Play Symbols:* The prize play symbols and their captions located in the "Your Numbers" area are: \$10⁰⁰ (TEN DOL), \$20\$ (TWENTY), \$25\$ (TWY FIV), \$30\$ (THIRTY), \$40\$ (FORTY), \$50\$ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$250 (TWOHNFTY), \$400 (FOR HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$5,000 (FIV THO), \$20,000 (TWY THO) and \$1MILL (ONE MIL).

5. *Prizes:* The prizes that can be won in this game are \$10, \$20, \$25, \$30, \$40, \$50, \$100, \$200, \$250, \$400,

\$500, \$1,000, \$5,000, \$20,000 and \$1,000,000. The \$1,000,000 top prize is a lump-sum, cash payment. A player can win up to 20 times on a ticket.

6. *Approximate Number of Tickets Printed for the Game:* Approximately 7,200,000 tickets will be printed for the Pennsylvania \$1 Million Blockbuster instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "Your Numbers" play symbols matches any of the "Winning Numbers" play symbols and a prize play symbol of \$1MILL (ONE MIL) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$1,000,000.

(b) Holders of tickets upon which any one of the "Your Numbers" play symbols matches any of the "Winning Numbers" play symbols and a prize play symbol of \$20,000 (TWY THO) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$20,000.

(c) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Star Symbol (STAR), and a prize play symbol of \$20,000 (TWY THO) appears under the Star Symbol (STAR) on a single ticket, shall be entitled to a prize of \$20,000.

(d) Holders of tickets upon which any one of the "Your Numbers" play symbols matches any of the "Winning Numbers" play symbols and a prize play symbol of \$5,000 (FIV THO) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(e) Holders of tickets upon which any one of the "Your Numbers" play symbols is a 5X Symbol (5 TIMES), and a prize play symbol of \$1,000 (ONE THO) appears under the 5X Symbol (5 TIMES) on a single ticket, shall be entitled to a prize of \$5,000.

(f) Holders of tickets upon which any one of the "Your Numbers" play symbols matches any of the "Winning Numbers" play symbols and a prize play symbol of \$1,000 (ONE THO) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(g) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Star Symbol (STAR), and a prize play symbol of \$1,000 (ONE THO) appears under the Star Symbol (STAR) on a single ticket, shall be entitled to a prize of \$1,000.

(h) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Gold Bar Symbol (DOUBLE), and a prize play symbol of \$500 (FIV HUN) appears under the Gold Bar Symbol (DOUBLE) on a single ticket, shall be entitled to a prize of \$1,000.

(i) Holders of tickets upon which any one of the "Your Numbers" play symbols is a 5X Symbol (5 TIMES), and a prize play symbol of \$200 (TWO HUN) appears under the 5X Symbol (5 TIMES) on a single ticket, shall be entitled to a prize of \$1,000.

(j) Holders of tickets upon which any one of the "Your Numbers" play symbols matches any of the "Winning Numbers" play symbols and a prize play symbol of \$500 (FIV HUN) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(k) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Star Symbol (STAR), and a prize play symbol of \$500 (FIV HUN) appears under the Star Symbol (STAR) on a single ticket, shall be entitled to a prize of \$500.

(l) Holders of tickets upon which any one of the "Your Numbers" play symbols is a 5X Symbol (5 TIMES), and a prize play symbol of \$100 (ONE HUN) appears under the 5X Symbol (5 TIMES) on a single ticket, shall be entitled to a prize of \$500.

(m) Holders of tickets upon which any one of the "Your Numbers" play symbols matches any of the "Winning Numbers" play symbols and a prize play symbol of \$400 (FOR HUN) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$400.

(n) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Star Symbol (STAR), and a prize play symbol of \$400 (FOR HUN) appears under the Star Symbol (STAR) on a single ticket, shall be entitled to a prize of \$400.

(o) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Gold Bar Symbol (DOUBLE), and a prize play symbol of \$200 (TWO HUN) appears under the Gold Bar Symbol (DOUBLE) on a single ticket, shall be entitled to a prize of \$400.

(p) Holders of tickets upon which any one of the "Your Numbers" play symbols matches any of the "Winning Numbers" play symbols and a prize play symbol of \$250 (TWOHNFTY) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$250.

(q) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Star Symbol (STAR), and a prize play symbol of \$250 (TWOHNFTY) appears under the Star Symbol (STAR) on a single ticket, shall be entitled to a prize of \$250.

(r) Holders of tickets upon which any one of the "Your Numbers" play symbols is a 5X Symbol (5 TIMES), and a prize play symbol of \$50\$ (FIFTY) appears under the 5X Symbol (5 TIMES) on a single ticket, shall be entitled to a prize of \$250.

(s) Holders of tickets upon which any one of the "Your Numbers" play symbols matches any of the "Winning Numbers" play symbols and a prize play symbol of \$200 (TWO HUN) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$200.

(t) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Star Symbol (STAR), and a prize play symbol of \$200 (TWO HUN) appears under the Star Symbol (STAR) on a single ticket, shall be entitled to a prize of \$200.

(u) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Gold Bar Symbol (DOUBLE), and a prize play symbol of \$100 (ONE HUN) appears under the Gold Bar Symbol (DOUBLE) on a single ticket, shall be entitled to a prize of \$200.

(v) Holders of tickets upon which any one of the "Your Numbers" play symbols is a 5X Symbol (5 TIMES), and a prize play symbol of \$40\$ (FORTY) appears under the 5X Symbol (5 TIMES) on a single ticket, shall be entitled to a prize of \$200.

(w) Holders of tickets upon which any one of the "Your Numbers" play symbols matches any of the "Winning Numbers" play symbols and a prize play symbol of \$100 (ONE HUN) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(x) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Star Symbol (STAR), and a prize play symbol of \$100 (ONE HUN) appears under the Star Symbol (STAR) on a single ticket, shall be entitled to a prize of \$100.

(y) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Gold Bar Symbol (DOUBLE), and a prize play symbol of \$50\$ (FIFTY) appears under the Gold Bar Symbol (DOUBLE) on a single ticket, shall be entitled to a prize of \$100.

(z) Holders of tickets upon which any one of the "Your Numbers" play symbols is a 5X Symbol (5 TIMES), and a prize play symbol of \$20\$ (TWENTY) appears under the 5X Symbol (5 TIMES) on a single ticket, shall be entitled to a prize of \$100.

(aa) Holders of tickets upon which any one of the "Your Numbers" play symbols matches any of the "Winning 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.

(bb) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Star Symbol (STAR), and a prize play symbol of \$50\$ (FIFTY) appears under the Star Symbol (STAR) on a single ticket, shall be entitled to a prize of \$50.

(cc) Holders of tickets upon which any one of the "Your Numbers" play symbols is a 5X Symbol (5 TIMES), and a prize play symbol of \$10⁰⁰ (TEN DOL) appears under the 5X Symbol (5 TIMES) on a single ticket, shall be entitled to a prize of \$50.

(dd) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Gold Bar Symbol (DOUBLE), and a prize play symbol of \$25\$ (TWY FIV) appears under the Gold Bar Symbol (DOUBLE) on a single ticket, shall be entitled to a prize of \$50.

(ee) Holders of tickets upon which any one of the "Your Numbers" play symbols matches any of the "Winning Numbers" play symbols and a prize play symbol of \$40\$ (FORTY) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(ff) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Star Symbol (STAR), and a prize play symbol of \$40\$ (FORTY) appears under the Star Symbol (STAR) on a single ticket, shall be entitled to a prize of \$40.

(gg) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Gold Bar Symbol (DOUBLE), and a prize play symbol of \$20\$ (TWENTY) appears under the Gold Bar Symbol (DOUBLE) on a single ticket, shall be entitled to a prize of \$40.

(hh) Holders of tickets upon which any one of the "Your Numbers" play symbols matches any of the "Winning Numbers" play symbols and a prize play symbol of \$30\$ (THIRTY) appears under the matching "Your Numbers"

play symbol, on a single ticket, shall be entitled to a prize of \$30.

(ii) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Star Symbol (STAR), and a prize play symbol of \$30\$ (THIRTY) appears under the Star Symbol (STAR) on a single ticket, shall be entitled to a prize of \$30.

(jj) Holders of tickets upon which any one of the "Your Numbers" play symbols matches any of the "Winning 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.

(kk) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Star Symbol (STAR), and a prize play symbol of \$25\$ (TWY FIV) appears under the Star Symbol (STAR) on a single ticket, shall be entitled to a prize of \$25.

(ll) Holders of tickets upon which any one of the "Your Numbers" play symbols matches any of the "Winning 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.

(mm) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Star Symbol (STAR), and a prize play symbol of \$20\$ (TWENTY) appears under the Star Symbol (STAR) on a single ticket, shall be entitled to a prize of \$20.

(nn) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Gold Bar Symbol (DOUBLE), and a prize play symbol of \$10⁰⁰ (TEN DOL) appears under the Gold Bar Symbol (DOUBLE) on a single ticket, shall be entitled to a prize of \$20.

(oo) Holders of tickets upon which any one of the "Your Numbers" play symbols matches any of the "Winning Numbers" play symbols and a prize play symbol of \$10⁰⁰ (TEN DOL) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$10.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

| <i>Win With Prize(s) of:</i> | <i>Win:</i> | <i>Odds of 1 In:</i> | <i>Approximate No. of Winners Per 7,200,000 Tickets</i> |
|------------------------------|-------------|----------------------|---|
| \$10 × 2 | \$20 | 75 | 96,000 |
| \$10 w/Gold Bar | \$20 | 25 | 288,000 |
| \$20 w/Star | \$20 | 75 | 96,000 |
| \$20 | \$20 | 30 | 240,000 |
| \$25 w/Star | \$25 | 25 | 288,000 |
| \$25 | \$25 | 37.50 | 192,000 |
| \$10 × 3 | \$30 | 75 | 96,000 |
| \$30 w/Star | \$30 | 150 | 48,000 |
| \$30 | \$30 | 75 | 96,000 |
| \$10 × 4 | \$40 | 150 | 48,000 |
| \$20 × 2 | \$40 | 150 | 48,000 |
| \$20 w/Gold Bar | \$40 | 150 | 48,000 |
| \$40 w/Star | \$40 | 150 | 48,000 |
| \$40 | \$40 | 150 | 48,000 |
| \$10 × 5 | \$50 | 184.62 | 39,000 |
| \$25 × 2 | \$50 | 200 | 36,000 |
| \$25 w/Gold Bar | \$50 | 160 | 45,000 |
| \$10 w/5X | \$50 | 133.33 | 54,000 |
| \$50 w/Star | \$50 | 266.67 | 27,000 |
| \$50 | \$50 | 184.62 | 39,000 |
| \$10 × 10 | \$100 | 240 | 30,000 |
| \$20 × 5 | \$100 | 240 | 30,000 |
| \$20 w/5X | \$100 | 96 | 75,000 |
| \$50 w/Gold Bar | \$100 | 160 | 45,000 |
| \$100 w/Star | \$100 | 240 | 30,000 |
| \$100 | \$100 | 240 | 30,000 |
| \$10 × 20 | \$200 | 1,714 | 4,200 |
| \$20 × 10 | \$200 | 1,714 | 4,200 |
| \$25 × 8 | \$200 | 1,714 | 4,200 |
| \$40 w/5X | \$200 | 1,714 | 4,200 |
| \$100 w/Gold Bar | \$200 | 1,714 | 4,200 |
| \$100 × 2 | \$200 | 1,714 | 4,200 |
| \$200 w/Star | \$200 | 1,714 | 4,200 |
| \$200 | \$200 | 1,690 | 4,260 |
| \$25 × 10 | \$250 | 12,000 | 600 |
| \$50 × 5 | \$250 | 12,000 | 600 |
| \$50 w/5X | \$250 | 12,000 | 600 |
| \$250 w/Star | \$250 | 12,000 | 600 |

| <i>Win With Prize(s) of:</i> | <i>Win:</i> | <i>Odds of 1 In:</i> | <i>Approximate No. of Winners Per 7,200,000 Tickets</i> |
|------------------------------|-------------|----------------------|---|
| \$250 | \$250 | 12,000 | 600 |
| \$20 × 20 | \$400 | 2,400 | 3,000 |
| \$25 × 16 | \$400 | 2,400 | 3,000 |
| \$100 × 4 | \$400 | 2,400 | 3,000 |
| \$200 × 2 | \$400 | 2,400 | 3,000 |
| \$200 w/Gold Bar | \$400 | 2,400 | 3,000 |
| \$400 w/Star | \$400 | 2,400 | 3,000 |
| \$400 | \$400 | 2,400 | 3,000 |
| \$25 × 20 | \$500 | 12,000 | 600 |
| \$50 × 10 | \$500 | 12,000 | 600 |
| \$100 × 5 | \$500 | 12,000 | 600 |
| \$200 w/Gold Bar + \$100 | \$500 | 12,000 | 600 |
| \$100 w/5X | \$500 | 12,000 | 600 |
| \$500 w/Star | \$500 | 12,000 | 600 |
| \$500 | \$500 | 12,000 | 600 |
| \$50 × 20 | \$1,000 | 40,000 | 180 |
| \$100 × 10 | \$1,000 | 40,000 | 180 |
| \$200 × 5 | \$1,000 | 40,000 | 180 |
| \$200 w/5X | \$1,000 | 40,000 | 180 |
| \$500 × 2 | \$1,000 | 40,000 | 180 |
| \$500 w/Gold Bar | \$1,000 | 40,000 | 180 |
| \$1,000 w/Star | \$1,000 | 40,000 | 180 |
| \$1,000 | \$1,000 | 40,000 | 180 |
| \$500 × 10 | \$5,000 | 120,000 | 60 |
| \$1,000 × 5 | \$5,000 | 120,000 | 60 |
| \$1,000 w/5X | \$5,000 | 120,000 | 60 |
| \$5,000 | \$5,000 | 120,000 | 60 |
| \$1,000 × 20 | \$20,000 | 1,440,000 | 5 |
| \$20,000 w/Star | \$20,000 | 1,440,000 | 5 |
| \$20,000 | \$20,000 | 1,440,000 | 5 |
| \$1,000,000 Cash | \$1,000,000 | 1,440,000 | 5 |

Star = Win prize automatically
 Gold Bar = Win double the prize shown
 5X = Win 5 times the prize shown

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania \$1 Million Blockbuster instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania \$1 Million Blockbuster, prize money from winning Pennsylvania \$1 Million Blockbuster 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 \$1 Million Blockbuster instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote

Pennsylvania \$1 Million Blockbuster or through normal communications methods.

GREGORY C. FAJT,
Secretary

[Pa.B. Doc. No. 04-1153. Filed for public inspection June 25, 2004, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Finding Elk County

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

The Department of Transportation plans to replace the existing bridge carrying SR 0219 over Gallagher Run in the Borough of Ridgway, Elk County. This project will require the acquisition of portions of properties in the National Register-eligible Ridgway Historic District.

Information describing the project together with the associated environmental analysis is contained in the Categorical Exclusion Evaluation/Section 2002 Evaluation that was prepared for this project.

Based upon studies, there is no prudent and feasible alternative to the use of property from the National Register-eligible Ridgway Historic District.

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

No adverse environmental effect is likely to result from the reconstruction of this section of highway.

GARY L. HOFFMAN, P. E.,
Deputy Secretary for Highway Administration

[Pa.B. Doc. No. 04-1154. Filed for public inspection June 25, 2004, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

Duquesne Light Company v. DEP; EHB Doc. No. 2004-121-L

Duquesne Light Company has appealed the issuance by the Department of Environmental Protection of an NPDES permit to same for a facility in Union Township, Washington 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. 04-1155. Filed for public inspection June 25, 2004, 9:00 a.m.]

ENVIRONMENTAL QUALITY BOARD

Acceptance of Rulemaking Petition for Study

On June 15, 2004, the Environmental Quality Board (Board) accepted a rulemaking petition for study under 25 Pa. Code Chapter 23 (relating to Environmental Quality Board policy for processing petitions—statement of policy). The petition, submitted by the Board of Commissioners for Upper Gwynedd Township in Montgomery County, requests the Board to redesignate the Wissahickon Creek from its headwaters in Montgomery Township to State Route 73 (Skipack Pike) bridge from Trout Stocking Fishery to Warm Water Fishes.

Under 25 Pa. Code § 93.4d(a) (relating to processing of petitions, evaluations and assessments to change a designated use), the Department of Environmental Protection (Department) is required to publish a notice of intent to assess candidate waters before performing survey work. The Department's assessment notice for the Wissahickon Creek, as identified previously, will appear in a future issue of the *Pennsylvania Bulletin*.

The referenced petition submitted by the Upper Gwynedd Township Board of Commissioners is available to the public by contacting the Environmental Quality Board, P. O. Box 8477, Harrisburg, PA 17105-8477, (717) 787-4526 and is also accessible on the Department's website: www.dep.state.pa.us (DEP Keyword: EQB (under "Meeting Agendas/Handouts/Minutes" choose "2004" then "June 15, 2004").

KATHLEEN A. MCGINTY,
Chairperson

[Pa.B. Doc. No. 04-1156. Filed for public inspection June 25, 2004, 9:00 a.m.]

FISH AND BOAT COMMISSION

Proposed Special Regulation Designations and Redesignations

The Fish and Boat Commission (Commission) has approved guidelines with regard to encouraging public participation on possible changes to the designation of streams, stream sections or lakes for special regulation programs. Under 58 Pa. Code Chapter 65 (relating to special fishing regulations), the Commission designates certain streams, stream sections and lakes as being subject to special fishing regulations. These designations are effective after Commission approval when they are posted at the site and a notice is published in the *Pennsylvania Bulletin*. Under the Commission's guidelines, a notice concerning the proposed designation or redesignation of a stream, stream section or lake under special regulations ordinarily will be published in the *Pennsylvania Bulletin* before the matter is reviewed by the Commissioners.

At the next Commission meeting on July 26 and 27, 2004, the Commission will consider designating or redesignating the following streams, stream sections and lakes as waters subject to special fishing regulations under 58 Pa. Code Chapter 65, effective January 1, 2005:

58 Pa. Code § 65.1. Selective Harvest Program.

The Commission will consider removing the following stream sections from the list of waters regulated and managed under the Selective Harvest Program under 58 Pa. Code § 65.1:

| <i>County</i> | <i>Water on which located</i> | <i>Description</i> |
|---------------|-------------------------------|---|
| Clinton | Young Womans Creek | From Beechwood Trail downstream to the Sproul State Forest Property line, a distance of 5.5 miles |
| Lycoming | Grays Run | From Grays Run Hunting Club property line downstream to concrete bridge on Grays Run Road (T-842) at old CCC Camp, a distance of 2.2 miles |
| Northampton | Saucon Creek | From the upstream boundary of the City of Bethlehem property downstream to the SR 0412 bridge, a distance of 2.1 miles |
| York | Codorus Creek | From the confluence with West Branch of Codorus Creek downstream to cable 0.5 mile downstream of T-374 (Hayrick Rd.), a distance of 3.1 miles |

58 Pa. Code § 65.4b. All-Tackle Selective Harvest Program.

The Commission will consider removing the following stream sections from the list of waters regulated and managed under the All-Tackle Selective Harvest Program under 58 Pa. Code § 65.4b:

| <i>County</i> | <i>Water on which located</i> | <i>Description</i> |
|---------------|-------------------------------|---|
| Cameron | Hunts Run | From the confluence with McNuff Branch downstream to the mouth, a distance of 4.7 miles |
| Clinton | Rauchtown Creek | From the confluence of Rockey Run and Krape Run downstream to the SR 0880 crossing upstream of the Ravensburg State Park picnic area, a distance of 1.2 miles |
| Potter | East Fork Sinnemahoning Creek | From the confluence with Wild Boy Run downstream to the confluence with Camp Run, a distance of 2.9 miles |
| Union | Cherry Run | From the mouth upstream for a distance of 2.7 miles |

58 Pa. Code § 65.5. Catch-and-release areas.

The Commission will consider designating the following stream sections as catch-and-release areas to be regulated and managed under 58 Pa. Code § 65.5:

| <i>County</i> | <i>Water on which located</i> | <i>Description</i> |
|---------------|-------------------------------|---|
| Cameron | Hunts Run | From the confluence with McNuff Branch downstream to the mouth, a distance of 4.7 miles |
| Clinton | Rauchtown Creek | From the confluence of Rockey Run and Krape Run downstream to the SR 0880 crossing upstream of the Ravensburg State Park picnic area, a distance of 1.2 miles |
| Clinton | Young Womans Creek | From Beechwood Trail downstream to the Sproul State Forest Property line, a distance of 5.5 miles |
| Lycoming | Grays Run | From Grays Run Hunting Club property line downstream to concrete bridge on Grays Run Road (T-842) at old CCC Camp, a distance of 2.2 miles |
| Potter | East Fork Sinnemahoning Creek | From the confluence with Wild Boy Run downstream to the confluence with Camp Run, a distance of 2.9 miles |
| Union | Cherry Run | From the mouth upstream for a distance of 2.7 miles |

58 Pa. Code § 65.6. Delayed harvest artificial lures only areas.

The Commission will consider designating the following stream sections as delayed harvest artificial lures only areas to be regulated and managed under 58 Pa. Code § 65.6:

| <i>County</i> | <i>Water on which located</i> | <i>Description</i> |
|---------------|-------------------------------|---|
| Dauphin | Powell Creek | Upper bridge crossing on T-551 downstream to the confluence of the unnamed tributary along T-358, a distance of 2.5 miles |
| Mifflin | Honey Creek | New Lancaster Valley Road bridge (SR 1002) downstream for a distance of 2.0 miles |

58 Pa. Code § 65.7. Trophy Trout Program.

The Commission will consider adding the following stream sections to the list of waters regulated and managed under the Trophy Trout Program under 58 Pa. Code § 65.7:

| <i>County</i> | <i>Water on which located</i> | <i>Description</i> |
|---------------|-------------------------------|---|
| Northampton | Saucon Creek | From the upstream boundary of the City of Bethlehem property downstream to the SR 0412 bridge, a distance of 2.1 miles |
| York | Codorus Creek | From the confluence with West Branch of Codorus Creek downstream to cable 0.5 mile downstream of T-374 (Hayrick Rd.), a distance of 3.1 miles |

At this time, the Commission is soliciting public input concerning the designations and redesignations listed in this notice. Persons with comments, objections or suggestions concerning the designations and redesignations are invited to

submit comments in writing to the Executive Director, Fish and Boat Commission, P. O. Box 67000, Harrisburg, PA 17106-7000 within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

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

DOUGLAS J. AUSTEN, Ph.D.,
Executive Director

[Pa.B. Doc. No. 04-1157. Filed for public inspection June 25, 2004, 9:00 a.m.]

HEALTH CARE COST CONTAINMENT COUNCIL

Meetings Scheduled

The Health Care Cost Containment Council (Council) has scheduled the following meetings: Wednesday, June 30, 2004, Data Systems Committee meeting—10 a.m., Education Committee meeting—1 p.m.; Thursday, July 1, 2004, Council meeting—10 a.m. The meetings will be held in the conference room at the Council Office, 225 Market Street, Suite 400, Harrisburg, PA 17101. The public is invited to attend. Persons who need accommodation due to a disability who wish to attend the meetings should contact Cherie Elias, Health Care Cost Containment Council, 225 Market Street, Harrisburg, PA 17101, (717) 232-6787 at least 24 hours in advance so that arrangements can be made.

MARC P. VOLAVKA,
Executive Director

[Pa.B. Doc. No. 04-1158. Filed for public inspection June 25, 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, June 10, 2004, and announced the following:

Actions Taken—Regulations Approved

State Board of Physical Therapy # 16A-6510: Certificate of Authorization (amends 49 Pa. Code Chapter 40)

Environmental Quality Board # 7-383: Safe Drinking Water; Microbial and Disinfection Byproducts (amends 25 Pa. Code Chapter 109)

Environmental Quality Board # 7-387: Radiological Health (amends 25 Pa. Code Chapters 215—221, 223—228, 230 and 240)

Approval Order

Public Meeting held
June 10, 2004

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

State Board of Physical Therapy—Certificate of Authorization; Regulation No. 16A-6510

On November 12, 2003, the Independent Regulatory Review Commission received this proposed regulation from the State Board of Physical Therapy (Board). This rulemaking amends 49 Pa. Code Chapter 40. The proposed regulation was published in the November 22, 2003, *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on May 7, 2004.

This regulation implements Act 6 of 2002 by allowing qualified physical therapists to practice without a physician's referral in certain situations. It also establishes related fees and continuing education requirements.

We have determined this regulation is consistent with the statutory authority of the Board (63 P. S. § 1303(a)) 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
June 10, 2004

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

Environmental Quality Board—Safe Drinking Water; Microbial and Disinfection Byproducts; Regulation No. 7-383

On July 22, 2003, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (Board). This rulemaking amends 25 Pa. Code Chapter 109. The proposed regulation was published in the August 2, 2003, *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on May 7, 2004.

This regulation: corrects several provisions in Chapter 109 relating to disinfectants, disinfection byproducts and

surface water treatments; makes these provisions no more stringent than federal requirements; clarifies several provisions for better understanding and readability; and corrects typographical errors.

We have determined this regulation is consistent with the statutory authority of the Board (35 P. S. § 721.4(a)) 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
June 10, 2004

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

*Environmental Quality Board—Radiological Health;
Regulation No. 7-387*

On August 20, 2003, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (Board). This rulemaking amends 25 Pa. Code Chapters 215—221, 223—228, 230 and 240. 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 May 7, 2004.

This regulation is an extensive update and revision of existing regulations. A major portion of the regulation updates references to the appropriate federal regulations

of the United States Nuclear Regulatory Commission (NRC). This regulation will maintain regulatory compatibility with other states and allow the Commonwealth to continue to assume authority from the NRC to regulate licensees.

We have determined this regulation is consistent with the statutory authority of the Board (35 P. S. §§ 7110.301 and 7110.302) 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. 04-1159. Filed for public inspection June 25, 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> |
|-----------------|--|---|-------------------------------------|
| 57-229 | Pennsylvania Public Utility Commission Permanent Standards of Conduct (34 Pa.B. 2071 (April 17, 2004)) | 5/17/04 | 6/16/04 |

**Pennsylvania Public Utility Commission Regulation
57-229 (IRRC # 2400)
Permanent Standards of Conduct
June 16, 2004**

We submit for consideration the following comments that include references to the criteria in the Regulatory Review Act (71 P. S. § 745.5b) which have not been met. The Pennsylvania Public Utility Commission (PUC) must respond to these comments when it submits the final-form regulation. The public comment period for this regulation closed on May 17, 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 62.141. Definitions.—Consistency with the statute; Reasonableness.

The definition of “NGS—Natural gas supplier” is similar to the corresponding definition in the Natural Gas Choice and Competition Act (act). However, the definition

in the proposed regulation includes the phrase “without regard to structural relationship” in subparagraph (i). This phrase is not included in the statutory definition. For consistency with the act, the PUC should delete this phrase or explain why it is necessary to vary from the statutory definition.

2. Section 62.142. Standards of conduct.—Consistency with the statute; Need; Reasonableness; Clarity.

Subsection (a)—general requirements

This subsection contains 20 separate paragraphs that set forth standards and requirements. We have concerns with the following five paragraphs under subsection (a).

Paragraph (2)—unreasonable preference

This paragraph of subsection (a) states:

An NGDC [natural gas distribution company] may not apply a tariff provision in a manner that would give its affiliated NGS an *unreasonable* preference over other NGSs” (Emphasis added.)

Section 2209(c)(1) of the act (66 Pa.C.S. § 2209(c)(1)) states that the standards of conduct will provide for “[n]o discrimination against or preferential treatment of any natural gas supplier, including an affiliated natural gas supplier.” It makes no distinction between “reasonable” or “unreasonable” preferential treatment. Therefore, the PUC should delete “unreasonable” from paragraph (2).

Paragraph (4)—waivers

If an NGDC grants a waiver to a tariff provision, paragraph (4) requires that the waiver be granted “without preference to its affiliated NGS or nonaffiliated NGS.” A commentator suggests requiring NGDCs to issue an announcement in advance of its granting any waivers related to paragraph (4). The PUC should consider adopting such a notice requirement or explain why a notice requirement is unnecessary or impracticable.

Paragraph (7)—favored customers

This paragraph includes the term “favored customers.” Under this provision, if an NGDC provides a discount, fee waiver or rebate to these customers, it must make the same offer to “other similarly situated customers.” It appears that it is unnecessary to label certain customers as “favored.” The provision is clear without this word. If certain accommodations are made for a customer, the same accommodations must be offered to other similarly situated customers. Therefore, we suggest that the word “favored” be deleted. If the PUC does not delete “favored,” it should define the term “favored customers” in § 62.141.

Paragraph (8)—Disclosure of customer proprietary information

The first sentence in paragraph (8) states that an NGDC may not disclose any customer proprietary information to its affiliated NGS without customer authorization. The second sentence states “To the extent that an NGDC does disclose customer information without customer authorization, it shall contemporaneously provide this same information to other similarly situated NGSs” The second sentence appears to contradict the prohibition on disclosing customer information without authorization.

Would the NGDC be required to seek customer authorization before releasing customer proprietary information to additional parties? The PUC should explain how and when disclosure without customer authorization would occur. Paragraph (8) and its implications need to be clarified in the final-form regulation.

Paragraph (17)—marketing or promotional advertising

This paragraph begins with the phrase “[e]xcept in competitive bid situations” This clause applies to the following subparagraphs (i) and (ii). However, its application is unclear. In addition, subparagraph (ii) includes language that creates another exception. It allows an NGDC to provide products or services to an affiliated NGS if the same products or services are also available to nonaffiliated NGSs on the same terms and conditions. The PUC needs to clarify the intent of paragraph (17) in the final-form regulation.

Subsection (b)—dispute resolution procedures

Subsection (b)(5) states that a party may file a complaint concerning a dispute with the PUC “under relevant provisions of 66 Pa.C.S. (relating to the Public Utility Code).” The final-form regulation should be amended to

include references to the specific sections of the pertinent regulations and law.

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 04-1160. Filed for public inspection June 25, 2004, 9:00 a.m.]

Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulations on the dates indicated. To obtain the date and time of the meeting at which the Commission will consider these regulations, contact the Commission at (717) 783-5417 or visit its website: www.irrc.state.pa.us. To obtain a copy of a regulation, contact the promulgating agency.

Final-Form

| <i>Reg. No.</i> | <i>Agency/Title</i> | <i>Received</i> |
|-----------------|---|-----------------|
| 11-220 | Insurance Department Continuing Care Providers | 6/11/04 |
| 11-217 | Insurance Department Annual Audited Insurers' Financial Report Required | 6/11/04 |
| 57-228 | Pennsylvania Public Utility Commission Electric Service Reliability | 6/16/04 |

Final-Omit

| <i>Reg. No.</i> | <i>Agency/Title</i> | <i>Received</i> |
|-----------------|---|-----------------|
| 15-427 | Department of Revenue Lucky for Life Lotto | 6/11/04 |

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 04-1161. Filed for public inspection June 25, 2004, 9:00 a.m.]

INSURANCE DEPARTMENT

Alleged Violation of Insurance Laws; Joseph A. Sciamanna; Doc. No. SC04-06-058

Notice is hereby given of the Order to Show Cause issued on June 10, 2004, by the Deputy Insurance Commissioner in the previously referenced matter. Violation of the following is alleged: 40 P. S. §§ 279, 310.6 and 310.11.

Respondent shall file a written answer to the Order to Show Cause within 30 days of the date of issue. If Respondent files a timely answer, a formal administrative hearing shall be held in accordance with 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), 31 Pa. Code Chapter 56 (relating to special rules of administrative practice and procedure) and other relevant procedural provisions of law.

Answers, motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed in writing with the Hearings Administrator, Insurance Department, Administrative Hearings Office, 901 North 7th Street, Harrisburg, PA 17102.

Persons with a disability who wish to attend the administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Jeffrey Wallace, Agency ADA Coordinator, (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-1162. Filed for public inspection June 25, 2004, 9:00 a.m.]

Alexander Clark; Settlement Conference

License Denial; Doc. No. AG04-06-003

The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and 31 Pa. Code Chapter 56 (relating to special rules of administrative practice and procedure).

A settlement conference is scheduled for June 22, 2004, at 1 p.m. in Room 200, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Should a hearing be held in this matter, both parties shall appear at the scheduled hearing prepared to offer all relevant testimony or other 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.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before June 18, 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 June 21, 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 Jeffrey Wallace, Agency Coordinator, (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-1163. Filed for public inspection June 25, 2004, 9:00 a.m.]

Dunmore Oil Company, Inc.; Hearing

Appeal of Dunmore Oil Company, Inc. under the Storage Tank and Spill Prevention Act; Underground Storage Tank Indemnification Fund; USTIF File No. 99-215(F); Doc. No. UT04-04-028

A hearing in this case is scheduled for July 20, 2004, at 10 a.m. in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Room 200, Harrisburg, PA 17102.

On or before July 13, 2004, each party must file with the Administrative Hearings Office a prehearing statement which shall contain: (1) names and address of

witnesses along with the specialties of experts to be called; (2) a list of documents to be used at the hearing; (3) special evidentiary or other legal issues; and (4) 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 any expert witness designated in the 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. Experts will be permitted to testify only on matters substantially contemplated by reports supplied to the other party in accordance with this paragraph.

A jointly executed stipulation of facts must be prepared for presentation at the beginning of the hearing scheduled in this case.

Persons with a disability who wish to attend the administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Jeffrey Wallace, Agency Coordinator, (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-1164. Filed for public inspection June 25, 2004, 9:00 a.m.]

Nationwide Mutual Fire Insurance Company; Non-standard Automobile Rate Revision; Rate Filing

On June 10, 2004, the Insurance Department (Department) received from Nationwide Mutual Fire Insurance Company a filing for a rate level change for private passenger automobile insurance.

The company requests an overall 4.3% increase amounting to \$2.98 million annually, to be effective September 15, 2004.

Unless formal administrative action is taken prior to August 9, 2004, the subject filing may be deemed approved by operation of law.

The filing is available for review on the Department's website: www.ins.state.pa.us. To access the filing, under "Quick Links," choose "Rate filings published in the PA Bulletin."

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

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-1165. Filed for public inspection June 25, 2004, 9:00 a.m.]

Michael D. Perilstein, M.D., FACP; Pre-Review Telephone Conference

Appeal of Michael D. Perilstein, M.D., FACP under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM04-06-007 (Abatement)

On or before June 30, 2004, the appellant shall file a concise statement setting forth the factual and/or legal basis for his disagreement with MCARE's May 28, 2004, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A pre-review telephone conference initiated by this office is scheduled for July 21, 2004, at 10:30 a.m. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before June 21, 2004.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-1166. Filed for public inspection June 25, 2004, 9:00 a.m.]

Maurice Prendergast, M.D.; Prehearing

Appeal of Maurice Prendergast, M.D. under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM04-06-002

On or before July 14, 2004, the appellant shall file a concise statement setting forth the factual and/or legal basis for his disagreement with MCARE's determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for August 4, 2004, at 10:30 p.m. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before June 25, 2004. A hearing date shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before July 23, 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 July 30, 2004.

Persons with a disability, who wish to attend the administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Jeffrey Wallace, Agency Coordinator, (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-1167. Filed for public inspection June 25, 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 hearings will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 N. Seventh Street, Harrisburg, PA 17102.

Appeal of Scott and Nita Nissley; file no. 04-188-03113; Pennsylvania National Mutual Casualty Insurance Company; doc. no. P04-05-049; July 22, 2004, 2 p.m.

Appeal of Paula McDermott, Esquire; file no. 04-182-04631; Ohio Casualty Insurance Company; doc. no. P04-06-009; August 3, 2004, 10 a.m.

Appeal of Frederick and Sharon Haley; file no. 04-182-05040; Travelers Insurance Company; doc. no. P04-06-008; August 4, 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 Robert Handfinger; file no. 04-215-01786; New Jersey Manufacturers Insurance Company; doc. no. PH04-06-011; August 11, 2004, 10 a.m.

Appeal of Marilyn and David Valentine; file no. 04-265-01670; AIG National Insurance Company; doc. no. PH04-05-023; August 11, 2004, 11 a.m.

Parties may appear with or without counsel and offer relevant testimony or evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend an administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Jeffrey Wallace, Agency Coordinator, (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-1168. Filed for public inspection June 25, 2004, 9:00 a.m.]

Review Procedure Hearings under the Unfair Insurance Practices Act

The following insurer has requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (40 P. S. § 1171.8) in connection with the company's termination of the insureds' policy. The administrative hearing will be held in the Insurance Department's regional office in Harrisburg, 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 Travelers Property and Casualty Insurance Company; file no. 04-181-03940; James and Wanda Glaze; doc. no. P04-06-010; August 5, 2004, 10:30 a.m.

Each party may appear with or without counsel and offer relevant testimony and/or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend an administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Jeffrey Wallace, Agency Coordinator, (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-1169. Filed for public inspection June 25, 2004, 9:00 a.m.]

LIQUOR CONTROL BOARD

Expiration of Leases

The following Liquor Control Board leases will expire:

Cumberland County, Wine & Spirits Shoppe #2103, Shippensburg Shopping Center, Shippensburg, PA 17257-9496.

Lease Expiration Date: June 30, 2005

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 4,500 to 5,000 net useable square feet of new or existing retail commercial space within Shippensburg Township.

Proposals due: July 9, 2004, at 12 p.m.

Department: Liquor Control Board
Location: Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661
Contact: Charles D. Mooney, (717) 657-4228

Mifflin County, Wine & Spirits Shoppe #4401, 129 South Main Street, Suite 3, Lewistown, PA 17044-2119.

Lease Expiration Date: August 31, 2005

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 4,500 to 5,000 net useable square feet of new or existing retail commercial space within Lewistown Borough.

Proposals due: July 9, 2004, at 12 p.m.

Department: Liquor Control Board
Location: Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661
Contact: Charles D. Mooney, (717) 657-4228
JONATHAN H. NEWMAN,
Chairperson

[Pa.B. Doc. No. 04-1170. Filed for public inspection June 25, 2004, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Creation of Fuel Cost Recovery Surcharge

Public Meeting held
June 10, 2004

Commissioners Present: Terrance J. Fitzpatrick, Chairperson; Robert K. Bloom, Vice Chairperson; Glen R. Thomas; Kim Pizzigrilli; Wendell F. Holland

Creation of Fuel Cost Recovery Surcharge; S. P. 28208

Order

By the Commission:

Over the past several weeks, the Commission has received written and verbal requests from passenger motor carriers, including a petition filed with the Secretary by Lehigh Valley Taxicab Co., Inc., and a written request from the Pennsylvania Taxicab and Paratransit Association (PTPA) on behalf of its 119 members, for the authorization of a fuel surcharge to offset the unanticipated increase in retail gasoline prices. The fuel surcharge would change the current rates for call or demand, paratransit and airport transfer carriers by adding an additional charge per trip for each paying passenger. Generally the requestors, including the PTPA, seek permission to temporarily increase rates, for a period of 1 year, with the possibility for an extension by the Commission.

In support of their proposals for a fuel surcharge, the motor carriers and the PTPA have provided the Commission with comparative information about the increases of retail prices of gasoline. The most comprehensive information was provided by the PTPA. The PTPA compared the average fuel cost of a trip during 2002 with the average fuel cost of a trip in 2004. The PTPA surveyed its members representing over 1,000 vehicles to support its analysis. The PTPA also provided statistics from its National organization: Taxicab, Limousine and Paratransit Association. The average fuel cost of a trip for call or demand carriers was calculated by dividing 6.8 miles (the average trip length for cabs as determined by the survey) by 11.5 (the average miles per gallon per cab

as determined by the survey). The results were multiplied by \$2 (the average cost of regular gas in 2004 according to the PTPA).

Cost Per Trip Basis—Call and Demand

| <i>Average Cost of Fuel 2002</i> | <i>Average Cost of Fuel 2004</i> | <i>Average Cost per Trip 2002</i> | <i>Average Cost PER Trip 2004</i> | <i>Difference in Cost per Trip</i> |
|----------------------------------|----------------------------------|-----------------------------------|-----------------------------------|------------------------------------|
| \$1.40 | \$2.00 | \$0.828 | \$1.183 | \$0.355 |

Cost Per Mile Basis—Call and Demand

| <i>Average Cost of Fuel 2002</i> | <i>Average Cost of Fuel 2004</i> | <i>Average Cost per Mile 2002</i> | <i>Average Cost per Mile 2004</i> | <i>Difference in Cost per Mile</i> |
|----------------------------------|----------------------------------|-----------------------------------|-----------------------------------|------------------------------------|
| \$1.40 | \$2.00 | \$0.122 | \$0.174 | \$0.052 |

The same calculations and analysis were done for paratransit and airport transfer carriers. The average fuel cost of a trip was calculated by dividing 13.61 (the average trip length for paratransit and airport transfer vehicles as determined by the survey) by 10 (the average miles per gallon per paratransit and airport transfer vehicles as determined by the survey). The results were multiplied by \$2 (the average cost of regular gas in 2004 according to the PTPA).

Cost Per Trip Basis—Paratransit and Airport Transfer

| <i>Average Cost of Fuel 2002</i> | <i>Average Cost of Fuel 2004</i> | <i>Average Cost per Trip 2002</i> | <i>Average Cost per Trip 2004</i> | <i>Difference in Cost per Trip</i> |
|----------------------------------|----------------------------------|-----------------------------------|-----------------------------------|------------------------------------|
| \$1.40 | \$2.00 | \$1.905 | \$2.722 | \$0.817 |

Cost Per Mile Basis—Paratransit and Airport Transfer

| <i>Average Cost of Fuel 2002</i> | <i>Average Cost of Fuel 2004</i> | <i>Average Cost per Mile 2002</i> | <i>Average Cost per Mile 2004</i> | <i>Difference in Cost per Mile</i> |
|----------------------------------|----------------------------------|-----------------------------------|-----------------------------------|------------------------------------|
| \$1.40 | \$2.00 | \$0.14 | \$0.20 | \$0.060 |

Under 66 Pa.C.S. § 1301, the Commission is required to ensure that all rates charged by a public utility are just and reasonable. In the case of common carriers, the Commission has traditionally examined the operating ratio to determine the propriety of a rate increase. We are aware of the recent surge in the retail price of fuel. To prevent financial hardships, it is imperative that call or demand, paratransit and airport transfer carriers under the jurisdiction of this Commission be afforded an opportunity to adjust rates and fares to offset unanticipated fuel expenditures.

While we recognize that the approval of the proposed surcharge may unduly benefit those carriers which have recently received rate increases, we are mindful that cost justification across all segments of the industry is not required to implement a fuel surcharge. We also need to bear in mind our obligation to address an industry-wide problem without creating a chaotic rate structure impossible to manage or police.

Based on our review, it appears that approval of a Fuel Cost Recovery is an appropriate way to address the unanticipated rise in retail gasoline prices. Its implementation will result in just and reasonable rates. We will use the average trip length information from the PTPA's survey of its members (6.8 miles for call or demand carriers and 13.61 miles for paratransit and airport transfer carriers), the average miles per gallon per vehicle provided by the PTPA from its National organization (15.04 for call or demand carriers and 13.01 for paratransit and airport transfer carriers) and the Department of Energy's report of retail on-highway gasoline prices for the Central Atlantic Region from May 31, 2002, to May 31, 2004. We concur with the PTPA's request to use the 2002 date. We note that gas costs began rising in May 2002 and continued to rise thereafter.

Cost Per Trip Basis—Call and Demand

| <i>Date</i> | <i>Retail Gas Price</i> | <i>Average Cost/Trip</i> |
|-------------|-------------------------|--------------------------|
| 2002 | \$1.35 | \$0.61 |
| 2004 | \$2.00 | \$0.90 |

*The increase in fuel prices has resulted in an increase of \$0.29 (from 2002 to 2004) in the average fuel cost per trip.

Cost per Trip Basis—Paratransit/Airport Transfer

| <i>Date</i> | <i>Retail Gas Cost</i> | <i>Average Cost/Trip</i> |
|-------------|------------------------|--------------------------|
| 2002 | \$1.35 | \$1.41 |
| 2004 | \$2.00 | \$2.09 |

*The increase in fuel prices has resulted in an increase of \$0.68 (from 2002 to 2004) in the average fuel cost per trip.

Under 66 Pa.C.S. § 1308(a), we will permit call or demand, paratransit and airport transfer carriers to recover increased fuel costs. We are hereby authorizing a fuel surcharge of \$0.30 per trip for call or demand carriers and a fuel surcharge of \$0.70 per trip for paratransit and airport transfer carriers.

This Order requires that the fuel surcharge for call or demand carriers of First Class Cities be mandatory. 66 Pa.C.S. § 2410(b) requires that all call or demand carriers in First Class Cities charge a uniform rate as determined by the Commission. The institution of a fuel surcharge for all other call or demand carriers, paratransit carriers and airport transfer carriers under the Commission's jurisdiction shall be permissive.

We will permit the fuel surcharge to be effective on June 14, 2004. Notice to the public shall be accomplished by posting the notice in Appendix A in each vehicle operated by the carrier. The posting shall also advise that any questions regarding the fuel surcharge be directed to

the Bureau of Transportation and Safety's Motor Carrier Services and Enforcement Division.

We have determined that the authorized fuel surcharge is just and reasonable for both the passenger carrier and the paying passenger. *Therefore,*

It Is Ordered That:

1. Call or demand carriers rendering transportation service under the jurisdiction of the Commission may establish and charge a \$0.30 per trip for each paying passenger fuel surcharge under Special Permission No. 28208.

2. Call or demand motor carriers in First Class Cities rendering transportation service under the jurisdiction of the Commission are required to charge a \$0.30 fuel surcharge per trip for each paying passenger under Special Permission No. 28208.

3. Paratransit carriers and airport transfer carriers rendering transportation service under the jurisdiction of the Commission may establish and charge a \$0.70 per trip for each paying passenger fuel surcharge under Special Permission No. 28208.

4. The surcharge shall become effective on June 14, 2004, and shall terminate on June 12, 2005, unless changed, cancelled or extended by the Commission. The Bureau of Transportation and Safety shall investigate the merits of the fuel surcharge on a quarterly basis, beginning September 30, 2004, or as directed by the Commission.

5. That Call or Demand motor carriers shall notify the public by placing the notice in Appendix A in all vehicles, which shall read: "The PA Public Utility Commission has authorized a fuel surcharge under Special Permission No. 28208. The surcharge of \$.30 per trip for each paying passenger is effective on June 14, 2004, and shall terminate on June 12, 2005."

6. Paratransit and airport transfer motor carriers shall notify the public by placing the notice in Appendix A in all vehicles, which shall read: "The PA Public Utility Commission has authorized a fuel surcharge under Special Permission No. 28208. The surcharge of \$.70 per trip for each paying passenger is effective on June 14, 2004, and shall terminate on June 12, 2005."

7. That the Secretary shall duly certify this Order and deposit same with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

8. A copy of this Order shall be served by the Secretary to each motor carrier holding call or demand authority, paratransit authority and/or airport transfer authority.

9. Copies of this Order shall be served by the Secretary to the Office of Consumer Advocate and Office of Small Business Advocate.

10. The surcharges collected are subject to refund in the event that any formal complaints are filed, within 30 days of the date of publication of this Order, and are successful in challenging the surcharge.

JAMES J. MCNULTY,
Secretary

Appendix A

CALL OR DEMAND CARRIER

FUEL SURCHARGE

\$0.30

The PA Public Utility Commission has authorized a fuel surcharge under Special Permission No. 28208. The sur-

charge of \$.30 per trip for each paying passenger is effective on June 14, 2004, and shall terminate on June 12, 2005.

Questions should be referred to the Motor Carrier Services & Enforcement Division at 717-783-5010.

PARATRANSIT CARRIER AND
AIRPORT TRANSFER CARRIER

FUEL SURCHARGE

\$0.70

The PA Public Utility Commission has authorized a fuel surcharge under Special Permission No. 28208. The surcharge of \$.70 per trip for each paying passenger is effective on June 14, 2004, and shall terminate on June 12, 2005.

Questions should be referred to the Motor Carrier Services & Enforcement Division at 717-783-5010.

[Pa.B. Doc. No. 04-1171. Filed for public inspection June 25, 2004, 9:00 a.m.]

Rescission Order

Public Meeting held
June 10, 2004

Commissioners Present: Terrance J. Fitzpatrick, Chairperson; Robert K. Bloom, Vice Chairperson; Glen R. Thomas; Kim Pizzingrilli; Wendell F. Holland

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. U. S. Long Distance, Inc. (2003.0264);
Doc. No. C-20031976; A-310093*

Rescission Order

By the Commission:

On October 17, 2003, Law Bureau Prosecutory Staff filed a Formal Complaint against U. S. Long Distance, Inc. (USLD or Respondent), an IXC reseller certificated at A-310093, for failure to file its 2002 Annual Report. Subsequently, on April 8, 2004, the Commission entered a Default Order that sustained the complaint and cancelled Respondent's certificate of public convenience. The notice of the Default Order was published April 24, 2004, at 34 Pa.B. 2267 with a 20-day comment period.

On May 14, 2004, within the specified comment period, Respondent filed an Answer and New Matter to the Complaint, nunc pro tunc, Adverse Comments to the Default Order and its delinquent 2002 Annual Report. USLD's Answer requested that the Complaint be dismissed as satisfied and alleged that its 2002 Annual Report was in fact filed on May 1, 2003. USLD's Adverse Comments requested that the Default Order be rescinded and its certificate be reinstated for the same reason.

In both its Answer and Adverse Comments to the Default Order, Respondent stated the following. Respondent alleged that it filed its 2002 Annual Report on May 1, 2003. Although Respondent attached a copy of that report to its Answer, a review of Commission records does not confirm receipt of that report in May 2003. Secondly, Respondent stated that it is without knowledge that it was notified by first class and certified mail that the Commission had not received its 2002 Annual Report. Respondent states that the service address for USLD referenced in the Complaint was an incorrect address. USLD states that by certified letter with a return receipt

dated January 28, 2004, USLD clarified its proper service address. A review of Commission records also does not confirm receipt of this letter. In an effort to support its allegations, on May 28, 2004, USLD faxed to Commission staff a copy of a return receipt dated January 28, 2004, signed by a Commission employee and a copy of a letter dated January 16, 2004, addressed to the Commission listing its new address for all Commission correspondence. Respondent explains that because Commission correspondence went to the wrong address, it was never received. Since Respondent was never served with the Complaint, it requests that its Answer be accepted *nunc pro tunc*.

It appears that the certified letter, the Complaint and the Default Order were all sent to an incorrect address. It is also important to note here that prior to USLD sending notification of its address change to the Commission, notices concerning the 2002 Annual Report were sent and the Complaint had been filed.

Based upon the fact that Respondent filed Adverse Comments and its delinquent Annual Report within the 20-day comment period, we will grant Respondent's request for rescission of the Default Order. We will not require USLD to pay the \$250 late-filing fee because of the confusion surrounding notification of its address change. We do not believe that any public benefit will inure to imposing a monetary penalty in this case. However, we caution Respondent that all future Annual Reports must be timely filed and all Commission correspondence must be answered in a timely manner. The Commission hereby puts USLD and the rest of the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of another remedy as the Commission may deem appropriate.

In this Order, we also advise USLD of the requirement to notify the Commission of any change of address immediately to help the Commission maintain accurate records; *Therefore,*

It Is Ordered That:

1. The Default Order entered April 8, 2004, at this docket is hereby rescinded.
2. A copy of this order be published in the *Pennsylvania Bulletin*.
3. The Secretary's Bureau change its records to reflect that the correct mailing address for USLD is 1801 California Street, 47th Floor, Denver, CO 80205.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 04-1172. Filed for public inspection June 25, 2004, 9:00 a.m.]

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made

with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by July 19, 2004. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

Application of the following for approval to *begin operating as common carriers for transportation of persons as described under the application.*

A-00120815 (corrected). Robert W. Alexander, Jr. and Linda L. Griffin (309 Main Street, Prospect, Butler County, PA 16052)—persons, in limousine service, between points in the Counties of Butler, Lawrence, Mercer, Armstrong, Allegheny and Indiana, and from points in said counties, to points in this Commonwealth, and return.

Application of the following for the approval of the *transfer of stock as described under the application.*

A-00101743 F.5000. Monroeville Moving and Storage, Inc. (603 Rodi Road, Pittsburgh, Allegheny County, PA 15235), a corporation of the Commonwealth—stock transfer—for the approval of the transfer of all of the issued and outstanding shares of stock (3,000 shares) from Jay Duquette to Erimik Development Corp. (2,400 shares) and to Monroeville Moving and Storage, Inc. (600 shares).

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 04-1173. Filed for public inspection June 25, 2004, 9:00 a.m.]

Telecommunications

A-310183F7003. Commonwealth Telephone Company and Sprint Communications Company, L. P. Joint petition of Commonwealth Telephone Company and Sprint Communications Company, L. P. for approval of a negotiated interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Commonwealth Telephone Company and Sprint Communications Company, L. P., by its counsel, filed on June 3, 2004, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of a negotiated 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 Commonwealth Telephone Company and Sprint Communications Company, L. P. 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. 04-1174. Filed for public inspection June 25, 2004, 9:00 a.m.]

Telecommunications

A-310489F7001. Verizon North Inc. f/k/a GTE North Incorporated and Cellco Partnership, Pennsylvania No. 4 Sector 2 Limited Partnership, Pittsburgh SMSA Limited Partnership, Pennsylvania RSA No. 6 (II) Limited Partnership, Bell Atlantic Mobile Systems of Allentown, Inc. and Allentown SMSA Limited Partnership, collectively d/b/a Verizon Wireless (collectively, successor to GTE Mobilenet of Cleveland Incorporated and GTE Mobilnet of Ohio Limited Partnership). Joint petition of Verizon North Inc. f/k/a GTE North Incorporated and Cellco Partnership, Pennsylvania No. 4 Sector 2 Limited Partnership, Pittsburgh SMSA Limited Partnership, Pennsylvania RSA No. 6 (II) Limited Partnership, Bell Atlantic Mobile Systems of Allentown, Inc. and Allentown SMSA Limited Partnership, collectively d/b/a Verizon Wireless (collectively, successor to GTE Mobilenet of Cleveland Incorporated and GTE Mobilnet of Ohio Limited Partnership) for approval of amendment no. 3 to an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon North Inc. f/k/a GTE North Incorporated and, Cellco Partnership, Pennsylvania No. 4 Sector 2 Limited Partnership, Pittsburgh SMSA Limited Partnership, Pennsylvania RSA No. 6 (II) Limited Partnership, Bell Atlantic Mobile Systems of Allentown, Inc. and Allentown SMSA Limited Partnership, collectively d/b/a Verizon Wireless (collectively, successor to GTE Mobilenet of Cleveland Incorporated and GTE Mobilnet of Ohio Limited Partnership), by its counsel, filed on May 27, 2004, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of amendment no. 3 to an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon North Inc. f/k/a GTE North Incorporated and Cellco Partnership, Pennsylvania No. 4 Sector 2 Limited Partnership, Pittsburgh SMSA Limited Partnership, Pennsylvania RSA No. 6 (II) Limited Partnership, Bell Atlantic Mobile Systems of Allentown, Inc. and Allentown SMSA Limited Partnership, collectively d/b/a Verizon Wireless (collectively, successor to GTE Mobilenet of Cleveland Incorporated and GTE Mobilnet of Ohio Limited Partnership) 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. 04-1175. Filed for public inspection June 25, 2004, 9:00 a.m.]

Telecommunications

A-311316F7001. Verizon North Inc. and CornerStone Telephone Co., LLC. Joint petition of Verizon North Inc. and CornerStone Telephone Co., LLC for approval of an interconnection agreement and amendment no. 1 under section 252(e) of the Telecommunications Act of 1996.

Verizon North Inc. and CornerStone Telephone Co., LLC, by its counsel, filed on May 21, 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 North Inc. and CornerStone Telephone Co., 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. 04-1176. Filed for public inspection June 25, 2004, 9:00 a.m.]

Telecommunications

A-311284F7001. Verizon North, Inc. and Tristate Bell of PA d/b/a Connectel. Joint petition of Verizon North, Inc. and Tristate Bell of PA d/b/a Connectel for approval of an interconnection agreement and amendment no. 1 under section 252(e) of the Telecommunications Act of 1996.

Verizon North, Inc. and Tristate Bell of PA d/b/a Connectel, by its counsel, filed on May 21, 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 North, Inc. and Tristate Bell of PA d/b/a Connectel 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. 04-1177. Filed for public inspection June 25, 2004, 9:00 a.m.]

Telecommunications

A-311140F7000. Verizon Pennsylvania Inc. and Comcast Phone of Pennsylvania, LLC f/k/a AT&T Broadband Phone of Pennsylvania, LLC. Joint petition of Verizon Pennsylvania Inc. and Comcast Phone of Pennsylvania, LLC f/k/a AT&T Broadband Phone of Pennsylvania, LLC for approval of adoption of amendment A to an interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and Comcast Phone of Pennsylvania, LLC f/k/a AT&T Broadband Phone of Pennsylvania,

nia, LLC, by its counsel, filed on June 2, 2004, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of adoption of amendment A to an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon Pennsylvania Inc. and Comcast Phone of Pennsylvania, LLC f/k/a AT&T Broadband Phone of Pennsylvania, 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. 04-1178. Filed for public inspection June 25, 2004, 9:00 a.m.]

Telecommunications

A-311316F7000. Verizon Pennsylvania, Inc. and CornerStone Telephone Co., LLC. Joint petition of Verizon Pennsylvania, Inc. and CornerStone Telephone Co., LLC for approval of an interconnection agreement and amendment no. 1 under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania, Inc. and CornerStone Telephone Co., LLC, by its counsel, filed on May 21, 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 CornerStone Telephone Co., 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. 04-1179. Filed for public inspection June 25, 2004, 9:00 a.m.]

Telecommunications

A-311284F7000. Verizon Pennsylvania, Inc. and Tristate Bell of PA d/b/a Connectel. Joint petition of Verizon Pennsylvania, Inc. and Tristate Bell of PA d/b/a Connectel for approval of an interconnection agreement and amendment no. 1 under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania, Inc. and Tristate Bell of PA d/b/a Connectel, by its counsel, filed on May 21, 2004, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agree-

ment 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 Tristate Bell of PA d/b/a Connectel 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. 04-1180. Filed for public inspection June 25, 2004, 9:00 a.m.]

Transfer of Stock

A-130375F5000. Trigen-Philadelphia Energy Corporation. Application of Trigen-Philadelphia Energy Corporation for approval of the transfer of control by the sale of all of its stock, currently owned by Trigen Energy Corporation, to Thermal North America, Inc.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before July 12, 2004. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

Applicants: Trigen-Philadelphia Energy Corporation, Trigen Energy Corporation and Thermal North America, Inc.

Through and By Counsel: Barnett Satinsky, Esquire, Martin G. Heckler, Esquire, Mark G. McCreary, Esquire, Fox Rothschild, LLP, 2000 Market Street, Tenth Floor, Philadelphia, PA 19103-3291; and John F. Povilaitis, Esquire, Alan Michael Seltzer, Esquire, Ryan, Russell, Ogden and Seltzer, LLP, 800 North Third Street, Suite 101, Harrisburg, PA 17102-2025.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 04-1181. Filed for public inspection June 25, 2004, 9:00 a.m.]

Water Service

A-210104F0051 and A-210033F2000. Aqua Pennsylvania, Inc. and Pennsview Water Company. Joint application of Aqua Pennsylvania, Inc. and Pennsview Water Company for approval of: (1) the acquisition by Aqua Pennsylvania, Inc. of the water system assets of Pennsview Water Company in Penn Township, Snyder County; (2) the right of Aqua Pennsylvania, Inc. to begin to offer, render, furnish and supply water service to the public in a portion of Penn Township, Snyder County; and (3) the abandonment by Pennsview Water Company of public water service within Penn Township, Snyder County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before July 12, 2004. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

Applicants: Aqua Pennsylvania, Inc. and Pennsview Water Company

Through and By Counsel: Frances P. Orth, Esquire, 762 West Lancaster Avenue, Bryn Mawr, PA 19010.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 04-1182. Filed for public inspection June 25, 2004, 9:00 a.m.]
