

# NOTICES

## DEPARTMENT OF AGRICULTURE

### Dog Control Facility Bill Reimbursement Grant Program

The Department of Agriculture (Department) gives notice of the guidelines and conditions under which it will award up to \$250,000 in grants under the Year 2005 Dog Control Facility Bill Reimbursement Program (program). The program will award bill reimbursement grants of up to \$10,000 per recipient to humane societies or associations for the prevention of cruelty to animals that meet the guidelines and conditions of the program. The program will be funded from the Dog Law Restricted Account from funds which are declared to be "surplus" funds for the limited purposes set forth in section 1002(b) of the Dog Law (3 P. S. § 459-1002(b)).

A proposed version of these guidelines and conditions was published at 34 Pa.B. 3151 (June 19, 2004). The Department invited public and legislative review of these proposed guidelines and conditions in accordance with 7 Pa. Code § 23.4 (relating to guidelines and conditions).

The Department received a single comment on the proposed guidelines and conditions. The commentator suggested that the eligibility guideline that excludes facilities with annual operating budgets of over \$350,000 from participating in the program disqualifies larger facilities from participating in the program, and that this dollar figure should be increased to allow participation by more (and larger) facilities. The commentator also suggested that the eligibility criteria be based on other factors, including number of animals handled.

Given the limited funding that is available for the program for 2005, the Department declines to implement the commentator's suggestions. The Department will evaluate its program needs and will reconsider its eligibility guidelines for subsequent funding years and will continue to consult with affected parties in this process.

#### Guidelines and Conditions for the Year 2005 Dog Control Facility Bill Reimbursement Grant Program

##### 1. Definitions.

The following words and terms, when used in these guidelines and conditions, have the following meanings:

*Department*—The Department of Agriculture.

*Dog control*—The apprehending, holding and disposing of stray or unwanted dogs, or as otherwise defined in section 102 of the Dog Law (3 P. S. § 459-102).

*Eligible bill*—A document seeking payment for materials, services or utilities from a grant recipient, setting forth the following:

- i. The date the document is issued.
- ii. The name and address of the humane society or association for the prevention of cruelty to animals to which the bill is issued.
- iii. If for materials, a description of the materials and the date of delivery. Invoices and/or receipts for materials must set forth or be accompanied by a written description of the intended use of the material and the date the

material is used. Materials may not include computers, computer equipment or software. Examples of eligible materials include the following:

- Cleaning supplies.
- Office supplies—typical supplies used to carry on daily office duties.
- Materials for building and repair projects.
- Purchases of medication, needles, and the like.

iv. If for services, a description of the nature of the services and the dates upon which the services were rendered. Veterinarian services for the spaying or neutering of dogs are ineligible. Examples of services include the following:

- Labor charges with respect to which the invoice details the exact service performed and the date of performance.
- Veterinarian services with respect to which the invoice identifies the dog treated and the reason for the treatment.
- Cremation services with respect to which the invoice either verifies that only dogs were cremated or, in the event that animals other than dogs were cremated, separates the dogs from those other animals and identifies a charge attributable to only the cremation of the dogs.

v. If for utilities (such as electricity, water, sewer, waste disposal and similar purposes), a statement of the period for which the utility, for which payment is sought, was provided.

vi. The name, address and telephone number of the entity issuing the document.

*Humane society or association for the prevention of cruelty to animals*—A nonprofit society or association duly incorporated under 15 Pa.C.S. Chapter 53, Subchapter A (relating to incorporation generally) for the purpose of prevention of cruelty to animals, or as otherwise defined in section 102 of the Dog Law.

*Program*—The Year 2005 Dog Control Facility Bill Reimbursement Program.

##### 2. Eligibility.

A humane society or association for the prevention of cruelty to animals is eligible to apply to receive a grant under the program if that humane society or association for the prevention of cruelty to animals:

- a. Has been in operation for at least 1 year immediately preceding the application date.
- b. Has performed dog control functions for at least 1 year immediately preceding the application date.
- c. Has, in the performance of its dog control functions, accepted at least 100 stray or unwanted dogs into its facility within the year immediately preceding the application date.
- d. Is not a party to a contract with the Department under which the Department pays that humane society or association for the prevention of cruelty to animals for dog control activities performed in 2005.
- e. Agrees, as a condition of receiving any grant money under the program, to continue to perform dog control activities through 2005.

f. Has a total operating budget of \$350,000 or less for the 2005 calendar year or, if its budget is on a basis other than calendar year, has a total operating budget of \$350,000 or less for each fiscal year comprising any portion of calendar year 2005.

### 3. *Use of Grant Funds.*

The Department will allocate a specific maximum grant amount to a successful grant applicant through a written grant agreement. This maximum grant amount will be specified in the grant agreement and will not exceed \$10,000 with respect to any application. The maximum grant amount will be retained by the Department and used to reimburse the grant recipient for eligible bills the grant recipient has paid with respect to materials, services or utilities provided to the grant recipient from January 1, 2005, through December 31, 2005. The total reimbursement the Department will pay a grant recipient will not exceed the maximum grant amount. Money remaining in a grant allocation beyond the termination date of the grant agreement will lapse into the Dog Law Restricted Account. If a bill covers materials, services or utilities provided, in whole or in part, before January 1, 2005, or after December 31, 2005, that bill is not an eligible bill and will not be reimbursed by the Department under the program. The sole exception to the prohibition set forth in the preceding sentence is as follows: If a bill covers materials, services or utilities provided in part in 2004 and in part in 2005, and the grant recipient was also a grant recipient under the Year 2004 Dog Control Facility Bill Reimbursement Program, the Department may, at its discretion, consider the bill an eligible bill.

### 4. *Application Process.*

a. *Application required.* A humane society or association for the prevention of cruelty to animals seeking a grant under the program must complete a written application form and deliver it to the Department no later than 30 days from the date this notice is published in the *Pennsylvania Bulletin*. Applications received by the Department beyond that date will not be considered.

b. *Obtaining an application form.* The Department will provide grant application forms upon request. Requests for application forms should be directed to Mary Bender, Director, Bureau of Dog Law Enforcement, Department of Agriculture, 2301 North Cameron Street, Harrisburg, PA 17110-9408, (717) 787-4833, fax (717) 772-4352.

c. *Contents of grant application form.* A grant application form requires the following information:

- i. The name and address of the applicant.
- ii. Information to verify that the applicant is a humane society or association for the prevention of cruelty to animals and otherwise meets the eligibility requirements in paragraph 2.
- iii. The maximum grant amount sought by the applicant, not to exceed \$10,000.
- iv. A description of the eligible bills for which the grant applicant intends to seek reimbursement, including a description (and copies, if available) of bills received by the applicant in 2004 for the same type of materials, services or utilities for which reimbursement will be sought under the grant agreement.

v. Other information as the Department might reasonably require.

### 5. *Review and approval of grant application.*

a. *Review and notification.* The Department will review each timely grant application and provide the applicant written notification of whether the Department awards the grant, denies the grant or awards a grant in some amount less than the applicant sought. This written notification will be mailed no later than 60 days from the date the Bureau of Dog Law Enforcement receives the grant application to the address provided by the applicant on the grant application form. If an application is incomplete or the Department requires additional information or documentation to evaluate the grant request, it will so advise the applicant within 60 days from the date it receives the grant application.

b. *Review criteria.* The Department will consider the following, among other factors, in determining whether to award a grant application:

- i. The number of applications received and the availability of funds for the grants sought.
- ii. The relative contribution of the applicant to dog control activities in the area it serves.
- iii. The relative contribution of the applicant to dog control as compared to the relative contribution of other applicants.
- iv. The relative importance of the grant to the continued operation of the applicant's dog control facility.

v. The expense or logistical difficulty the Department would encounter if the applicant's dog control facility was no longer in operation.

### 6. *Grant agreement.*

a. *Grant agreement required.* A successful grant applicant must execute a grant agreement with the Department, setting forth the terms and conditions under which the grant money will be used by the Department to reimburse the grant recipient for payment of eligible bills.

b. *Reimbursement requests.* The grant agreement will set forth the exact procedure by which a grant recipient shall seek reimbursement from the Department for payment of eligible bills. The basic reimbursement request procedure will be as follows:

By May 15, 2005, the grant recipient will: (1) deliver copies of the eligible bills it has paid between January 1, 2005, and April 30, 2005; (2) verify that these bills have been paid and are eligible for reimbursement; and (3) provide a detailed report of the dog control activities performed by the successful applicant during the referenced 4-month period.

By September 15, 2005, the grant recipient will: (1) deliver copies of the eligible bills it has paid between May 1, 2005, and August 31, 2005; (2) verify that these bills have been paid and are eligible for reimbursement; and (3) provide a detailed report of the dog control activities performed by the successful applicant during the referenced 4-month period.

By January 15, 2006, the grant recipient will: (1) deliver copies of the eligible bills it has paid between September 1, 2005, and December 31, 2005; (2) verify that these bills have been paid and are eligible for reimbursement; and (3) provide a detailed report of the dog control activities performed by the successful applicant during the referenced 4-month period.

c. *Payment by the Department.* The Department will reimburse a grant recipient for eligible bills within 90 days of receiving a complete and timely reimbursement request.

d. *Termination.* The Department may terminate a grant agreement at any time by providing the grant

recipient written notice of termination at the address set forth on the grant application.

DENNIS C WOLFF,  
*Secretary*

[Pa.B. Doc. No. 04-1494. Filed for public inspection August 13, 2004, 9:00 a.m.]

## 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 August 3, 2004.

#### BANKING INSTITUTIONS

##### New Charters

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-28-04	MoreBank Philadelphia Philadelphia County	470 West Cheltenham Avenue Philadelphia Philadelphia County	Approved

##### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
8-2-04	First Columbia Bank & Trust Company Bloomsburg Columbia County  Assumption of certain liabilities of two branch offices of First Susquehanna Bank & Trust, Sunbury  Located at: 209 Twelfth Street Berwick Columbia County	Bloomsburg       Weis Market 725 Columbia Boulevard Bloomsburg Columbia County	Filed

##### Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-29-04	First Commonwealth Bank Indiana Indiana County	Corner of Washington Road and Trinity Place Washington Washington County	Filed
7-29-04	First Commonwealth Bank Indiana Indiana County	4198 Washington Road Route 19 McMurry Washington County	Filed
8-2-04	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	Acme Store Lawrence Park Shopping Center 11 Sproul Road Broomall Delaware County	Approved
8-2-04	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	Acme Store 720 Downingtown Pike West Chester Chester County	Approved
8-2-04	1st Summit Bank Johnstown Cambria County	Super WalMart 2600 Plank Road Commons Altoona Blair County	Approved

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
8-2-04	1st Summit Bank Johnstown Cambria County	Super WalMart Old Greengate Mall U. S. Route 30 Greensburg Westmoreland County	

**Branch Relocations**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
8-2-04	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	<i>To:</i> 2801 East Carson Street Pittsburgh Allegheny County  <i>From:</i> 1401 Carson Street Pittsburgh Allegheny County	Approved

**Branch Discontinuances**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-29-04	The Juniata Valley Bank Mifflintown Juniata County	100 East Market Street Lewistown Mifflin County	Filed

**SAVINGS INSTITUTIONS**

No activity.

**CREDIT UNIONS**

No activity.

A. WILLIAM SCHENCK, III,  
*Secretary*

[Pa.B. Doc. No. 04-1495. Filed for public inspection August 13, 2004, 9:00 a.m.]

**Maximum Lawful Rate of Interest for Residential Mortgages for the Month of August 2004**

The Department of Banking (Department), under the authority contained in section 301 of the act of January 30, 1974 (P. L. 13, No. 6) (41 P. S. § 301), hereby determines that the maximum lawful rate of interest for residential mortgages for the month of August 2004 is 7 1/2%.

The interest rate limitations under the State's usury statute were preempted to a great extent by Federal law, the Depository Institutions Deregulation and Monetary Control Act of 1980 (Pub. L. No. 96-221). Further preemption was instituted with the signing of Pub. L. No. 96-399, which overrode State interest rate limitations on any individual who finances the sale or exchange of residential real property which the individual owns and which the individual occupies or has occupied as a principal residence.

Each month the Department is required by State law to compute and announce the ceiling rate on residential mortgages in this Commonwealth. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board and/or the United States Treasury. The latest yield rate on long-term government securities is 5.04 to which was added 2.50 percentage points for a total of 7.54 that by law is rounded off to the nearest quarter at 7 1/2%.

A. WILLIAM SCHENCK, III,  
*Secretary*

[Pa.B. Doc. No. 04-1496. Filed for public inspection August 13, 2004, 9:00 a.m.]

**DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT**

**Consolidated Plan Public Meeting and Regional Housing Advisory Committee Meetings**

The Department of Community and Economic Development (Department) is preparing its 2005 Action Plan that supplements the Commonwealth's annual Action Plan for its Consolidated Plan for Federal fiscal years 2004-2008. This document must be submitted to, and approved by, the United States Department of Housing and Urban Development (HUD) for the Commonwealth and organizations within this Commonwealth to receive funding under most HUD housing and community development programs. The Consolidated Plan creates a unified strategy for housing and community development programs, as well as the necessary linkages for building successful neighborhoods and communities.

The Commonwealth's 2005 Action Plan will address how the Commonwealth intends to allocate funds under the following programs: Community Development Block Grant, HOME Investment Partnerships, Emergency Shelter Grant and Housing Opportunities for Persons with AIDS.

*Public Meeting*

The public meeting will be held on September 9, 2004, from 9 a.m. to 12 p.m. in the Commonwealth Keystone Building, PUC Hearing Room No. 1, 2nd Floor, 400 North

Street, Harrisburg, PA 17120. The public meeting may be shortened if there is minimal response.

Individuals or organizations may give testimony or comments at the public meeting. Comments will be accepted about topics related to community development, housing, the content of the Commonwealth's Action Plan and the process by which the public input is gathered. The Commonwealth encourages public participation in this process.

Individuals or organizations who want to speak must call to schedule a time to give oral testimony at the meeting. The public meeting will be shortened if no one is scheduled to testify or if there is minimal response. Call Karen Overly Smith at (717) 214-5340 to schedule oral testimony at the public meeting at least 24 hours prior to the meeting date.

#### *Written Comments*

Written testimony to be read into the record may be submitted by 5 p.m. on September 3, 2004, to Karen Overly Smith, Department of Community and Economic Development, Center for Community Building, Office of Community Development, 400 North Street, 4th Floor, Harrisburg, PA 17120-0225.

#### *Regional Housing Advisory Committee Meetings*

The Commonwealth has regional housing advisory committees (committees) across this Commonwealth comprised of appointed members. Meetings of these committees are open to the public under 65 Pa.C.S. §§ 701—716 (relating to Sunshine Act). These committees advise the Department regarding housing and community development needs, as well as assist in fair housing planning. These meetings will be held as follows:

August 24, 2004, 9 a.m. to 12 p.m.  
Conference Room 171  
Chester County Government Center  
601 Westtown Road  
West Chester, PA 19380-0990

August 25, 2004, 9:30 a.m. to 12:30 p.m.  
Borough of State College Municipal Office  
Conference Room 201  
243 South Allen Street  
State College, PA 16801

August 26, 2004, 9 a.m. to 12 p.m.  
Conference Room 43B  
Lehigh County Government Services Center  
17 South 17th Street  
Allentown, PA 18101

September 1, 2004, 1 p.m. to 4 p.m.  
Conference Room  
Kittanning Belmont Complex  
415 Butler Road  
Kittanning, PA 16201

September 2, 2004, 8:30 a.m. to 11:30 a.m.  
William Bainbridge Technical Center  
RCTC—Presentation Center  
Industrial Blvd.  
Meadville, PA 16335

Individuals who have a disability who wish to attend a committee meeting and require an auxiliary aid, service or other accommodation to participate in the proceeding should contact Karen Overly Smith at the previous address or telephone number to discuss how the Department can best accommodate their needs. Text Telephone

calls can be placed through the Pennsylvania Relay System at (800) 654-5984.

DENNIS YABLONSKY,  
*Secretary*

[Pa.B. Doc. No. 04-1497. Filed for public inspection August 13, 2004, 9:00 a.m.]

## DEPARTMENT OF EDUCATION

### Availability of 2004-2005 Innovative Learning and Workforce Development Agriculture Funds

Applications are invited for FY 2004-2005 Innovative Learning and Workforce Development Agriculture funding. The project period is from September 17, 2004, to June 30, 2005. The maximum amount per application is \$30,000. Available funds total \$315,000.

#### 1. *Eligibility Requirements*

Funding is available on a competitive basis to career and technical education centers and area school districts with approved agriculture programs.

#### 2. *Applications Deadline*

Applications are due September 17, 2004.

#### 3. *How to Apply*

The Department of Education (Department) has implemented an Internet-based e-grant system that requires eligible applicants to apply for funding on-line. The grant guidelines will be available on the Department's website: [www.pde.state.pa.us](http://www.pde.state.pa.us). Click on "K-12 Schools," "Career/Technical Education," "Grants and Funding," "Funding Sources" and "Innovative Learning and Workforce Development Grant: Agriculture Programs."

#### 4. *Questions Concerning the Grant Application*

Questions concerning the grant application should be addressed to John Bonchalk, General Vocational Education Advisor, Department of Education, Bureau of Career and Technical Education, Division of Contract Administration, 333 Market Street, 6th Floor, Harrisburg, PA 17126-0333, (717) 772-4177, [jbonchalk@state.pa.us](mailto:jbonchalk@state.pa.us).

GERALD L. ZAHORCHAK, Ed.D.,  
*Acting Secretary*

[Pa.B. Doc. No. 04-1498. Filed for public inspection August 13, 2004, 9:00 a.m.]

### Availability of 2004-2005 Innovative Learning and Workforce Development Funding

Applications are invited for FY 2004-2005 Innovative Learning and Workforce Development funding. The project period is from September 17, 2004, to June 30, 2005. The maximum amount per application is \$50,000. Available funds total \$2.3 million.

#### 1. *Eligibility Requirements*

Funding is available on a competitive basis to career and technical education centers and area school districts with approved career and technical programs.

2. *Applications Deadline*

Applications are due September 17, 2004, by 5 p.m.

3. *How to Apply*

The Department of Education (Department) has implemented an Internet-based e-grant system that requires eligible applicants to apply for funding on-line. The grant guidelines will be available on the Department's website: [www.pde.state.pa.us](http://www.pde.state.pa.us). Click on "K-12 Schools," "Career/Technical Education," "Grants and Funding," "Funding Sources" and "Innovative Learning & Workforce Development Grants."

4. *Questions Concerning the Grant Application*

Questions concerning the grant application should be addressed to John Bonchalk, General Vocational Education Advisor, Department of Education, Bureau of Career and Technical Education, Division of Contract Administration, 333 Market Street, 6th Floor, Harrisburg, PA 17126-0333, (717) 772-4177, [jbonchalk@state.pa.us](mailto:jbonchalk@state.pa.us).

GERALD L. ZAHORCHAK, Ed.D.,  
*Acting Secretary*

[Pa.B. Doc. No. 04-1499. Filed for public inspection August 13, 2004, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

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#### APPLICATIONS

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### 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>
PA0062511	Roy E. Laudenslager 6278 Route 309 New Tripoli, PA 18066	Lehigh County Heidelberg Township	Jordan Creek 2C	Y
PA0061034	Abington Township Municipal Authority Lake Henry Drive P. O. Box 8 Waverly, PA 18471	Abington Township Lackawanna County	Unnamed tributary to Ackerly Creek CWF Lackawanna Basin 5A	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>
PA0221325	Abbey Woods Homeowners Association P. O. Box 407 Zelienople, PA 16063-0407	Jackson Township Butler County	Unnamed tributary to Brush Creek 20-C	Y
PA0221023	Christopher S. Arford 942 Hatch Run Road Warren, PA 16365-4232	Glade Township Warren County	Unnamed tributary to Hatch Run	Y
PA0220981	Darrell L. Kysor P. O. Box 34 Corry, PA 16407-0034	Elgin Borough Erie County	Beaver Run	Y
PA0210153	Coinco Incorporated d/b/a MORCO Manufacturing 125 High Street Cochranton, PA 16314	Cochranton Borough Crawford County	Unnamed tributary to French Creek 16-D	Y

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

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

**PA0030457**, Sewage, **Forbes Trail Mobile Home Park and Thorn Run Estates**, 100 Forbes Trail Drive, Export, PA 15632-9614. This application is for renewal of an NPDES permit to discharge treated sewage from the Forbes Trail MHP and the Thorn Run Estates STP in Salem Township, **Westmoreland County**.

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

*Outfall 001: existing discharge, design flow of 0.031 mgd.*

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	10			20
Suspended Solids	10			20
Ammonia Nitrogen				
(5-1 to 10-31)	3			6
(11-1 to 4-30)	9			18
Phosphorus	2			4
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000 as a geometric mean			
Total Residual Chlorine	1.4			3.3
Dissolved Oxygen	not less than 5 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA0091049**, Sewage, **United States Health and Human Services, Centers for Disease Control and Prevention, National Institute for Occupational Safety and Health**, P. O. Box 18070, Pittsburgh, PA 15236-0070. This application is for renewal of an NPDES permit to discharge treated sewage from the Lake Lynn Laboratory STP in Springhill Township, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as unnamed tributary of Rubles Run—Dragoo Hallow, which are classified as a CWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Albert Gallatin Municipal Authority on the Cheat River.

*Outfall 001*: existing discharge, design flow of 0.00035 mgd.

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

The EPA waiver is in effect.

**PAS206108**, Industrial Waste, SIC, 3466, **Crown Cork & Seal**, 1840 Baldrige Street, Connellsville, PA 15425. This application is for an issuance of an NPDES permit to discharge stormwater from the Crown Cork & Seal in South Connellsville, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, Youghiogheny River, classified as a HQ-CWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is the Westmoreland Municipal Authority, approximately 1 mile below.

*Outfalls 001—003*: existing discharge, design flow of N/A mgd (stormwater).

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Aluminum (Total)					Monitor and Report
Iron (Total)					Monitor and Report
Zinc (Total)					Monitor and Report
NO <sub>2</sub> -NO <sub>3</sub>					Monitor and Report

The EPA waiver is in effect.

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

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

**WQM Permit No. 0104402**, Sewerage, **Hundredfold Farm Joint Venture**, 1668F Old Route 30, Orrtanna, PA 17353. This proposed facility is in Franklin Township, **Adams County**.

Description of Proposed Action/Activity: Construction of a wastewater treatment, recycling and disposal system that is proposed to serve the planned Hundredfold Farm Community.

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

**WQM Permit No. 6304406**, Sewerage, **Center-West Joint Sewer Authority**, 134 Main Street, P. O. Box 542, Brownsville, PA 15417. This proposed facility is in Centerville Borough, **Washington County**.

Description of Proposed Action/Activity: Application for the construction and operation of the Center-West Joint Sewer Authority sewage treatment plant and collection system.

**WQM Permit No. WQG016103**, Sewerage, **G Thomas Hall**, R. D. 9 Box 483, Greensburg, PA 15601. This proposed facility is in Mt. Pleasant Township, **Westmoreland County**.

Description of Proposed Action/Activity: Application for the construction and operation of a small flow sewage treatment plant to serve the G Thomas Hall property.

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

**WQM Permit No. 4204402**, Sewerage, **Borough of Kane Authority**, 112 Bayard Street, Kane, PA 16735. This proposed facility is in Wetmore Township, **McKean County**.

Description of Proposed Action/Activity: This project is for the construction of sanitary sewers, force mains, an access road and a pump station for the proposed Northwest Development.



**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.*

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI011504053	JA Forcine, Inc. Warehouse and Office Addition 282 Woodland Road Radnor, PA 19087-2453	Chester	East Whiteland Township	Valley Creek EV
PAS10-G267	The Hankin Group Eagleview Corporate Center Review No. 1—Lot 2 707 Eagleview Blvd. P. O. Box 562 Exton, PA 19341	Chester	Upper Uwchlan Township	Shamona Creek HQ

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

*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>
PAS10S019-R	Big Ridge Developers, LLP 130 Buck Rd., Suite 201 Holland, PA 18966	Monroe	Middle Smithfield Township	Pond Creek UNT Pond Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024804028	Charles Tuskes Stone Creek Development Corp. 4511 Falmer Drive Bethlehem, PA 18020	Northampton	Upper Nazareth Township	Monocacy Creek HQ-CWF

*Wayne County Conservation District: Ag. Service Center, 470 Sunrise Ave., Honesdale, PA 18431, (570) 253-0930.*

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI026404006	Roger Hirschorn 810 Seventh Ave. New York, NY 10019	Wayne	Texas Township	Unnamed tributary to Lackawaxen River HQ-CWF

*Pike County Conservation District: HC 6, Box 6770, Hawley, PA 18428, (570) 226-8220.*

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI025204008	Milford Arcadia Milford Highlands 113 7th Street, No. 122 Milford, PA 18337	Pike	Milford Township	Deep Brook EV Vandermark Creek HQ-CWF Crawford Branch HQ-CWF UNT to Delaware HQ-CWF

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI025204009	Peter Timan Pike County Plaza Land Dev. R. D. 1, Box 875 Dingmans Ferry, PA 18328	Pike	Delaware Township	Adams Creek EV

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10Q177-R	Lehigh West Land Assoc. 1390 Ridgeview Dr., Suite 302 Allentown, PA 18104	Lehigh	Lower Macungie Township	Little Lehigh Creek HQ-CWF
PAI023904031	Polaris Iron Run, LP 7562 Penn Dr., Suite 100 Allentown, PA 18106	Lehigh	Upper Macungie Township	Little Lehigh Creek HQ-CWF
PAI023904032	Robert Bayuk 11 Hillside Dr. Annandale, PA 08801	Lehigh	Lower Macungie Township	Little Lehigh Creek HQ-CWF
PAI023904033	Minukumar Desai 5650 Tilghman St. Allentown, PA 18104	Lehigh	Upper Macungie Township	Little Lehigh Creek HQ-CWF

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

*Washington County Conservation District: 602 Courthouse Square, Washington, PA 15301, (724) 228-6774.*

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI056304005	McDowell Estates, LP 300 Weyman Plaza, Suite 210 Pittsburgh, PA 15236	Washington	North Strabane Township	Little Chartiers Creek HQ-WWF

**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**

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

**Permit No. 0904505**, Public Water Supply.

Applicant	<b>Hilltown Township Water and Sewer Authority</b>
Township	Hilltown
Responsible Official	James Groff 316 Highland Park Road Sellersville, PA 18960

Type of Facility PWS  
 Consulting Engineer Castle Valley Consultant, Inc.  
 10 S. Clinton Street, Suite 302  
 Doylestown, PA 18901  
 Application Received July 26, 2004  
 Date  
 Description of Action Changing the disinfection from  
 chlorine gas to sodium  
 hypochlorite.

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

**Permit No. 3804501**, Public Water Supply.

Applicant **Amvets Post 293**  
 Municipality Swatara Township  
 County **Lebanon**  
 Responsible Official Walter J. Bernheisel Jr., Post  
 Commander/President  
 2074 Route 72 N  
 Lebanon, PA 17046  
 Type of Facility PWS  
 Consulting Engineer Jeffrey D. Steckbeck  
 Steckbeck Engineering Assoc.  
 43 N. Cornwall Rd.  
 Lebanon, PA 17042  
 Application Received July 20, 2004  
 Date  
 Description of Action Installation of a nitrate removal  
 system with pH neutralization.

**Permit No. 0104502**, Public Water Supply.

Applicant **Bonneauville Borough  
 Municipal Authority**  
 Municipality Bonneauville Borough  
 County **Adams**  
 Responsible Official Bernard Shanbrook  
 86 W. Hanover St.  
 Gettysburg, PA 17325  
 Type of Facility PWS  
 Consulting Engineer Mark S. Snyder, P. E.  
 Buchart-Horn, Inc.  
 445 West Philadelphia Street  
 York, PA 17405-7040  
 Application Received July 20, 2004  
 Date  
 Description of Action This PWS permit application is  
 for the construction of  
 Bonneauville Borough Municipal  
 Authority's well no. 9 and  
 corresponding well house  
 containing manganese treatment  
 and disinfection facilities.

**Permit No. 0604513**, Public Water Supply.

Applicant **Borough of Bally**  
 Municipality Bally Borough  
 County **Berks**  
 Responsible Official Toni Hemerka, Borough Manager  
 P. O. Box 217  
 Bally, PA 19503-0217

Type of Facility PWS  
 Consulting Engineer Kenneth R. Miller, P. E.  
 Civil & Environmental  
 Consultants, Inc.  
 333 Balwin Road  
 Pittsburgh, PA 15205  
 Application Received July 22, 2004  
 Date  
 Description of Action Provide redundancy to the  
 existing VOC treatment with the  
 addition of a backup air stripper.

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

**Application No. 6286502-T1-MA1, Minor Amendment.**

Applicant **Valley View Village MHP**  
 Township or Borough Pittsfield Township, Warren  
 County  
 Responsible Official Timothy Shield, Owner  
 Type of Facility PWS  
 Application Received August 3, 2004  
 Date  
 Description of Action Modification of existing facilities  
 to increase chlorine retention  
 time by the addition of four  
 120-gallon tanks, two at each  
 well location.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995

#### PREAMBLE 1

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

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use the Background Standard, Statewide Health Standard, the Site-Specific Standard or who intend to remediate a site as a special industrial area must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one, a combination of the cleanup standards or who receives approval of a special industrial area remediation identified under the act will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

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

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

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

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

**William Hilger Property**, Worth Township, **Centre County**. Mountain Research, Inc. on behalf of William Hilger, 220 East Flat Rock Road, Port Matilda, PA 16870, has submitted a Notice of Intent to Remediate soil contaminated with fuel oil. This site is being remediated to meet the Statewide Health Standards.

#### **DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS**

**Application for Determination of Applicability 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/or the beneficial use of residual waste other than coal ash**

*Central Office: Division of Municipal and Residual Waste, Rachel Carson State Office Building, 14th Floor, 400 Market Street, Harrisburg, PA 17101-2301.*

**General Permit Application No. WMGR081D007. AERC.com, Inc.**, 2591 Mitchell Ave., Allentown, PA 18103-6609. For the recycling of various uncontaminated and source-separated electronic equipment and components electronics equipment by sorting, disassembling and mechanical processing (by sizing, shaping, separating and volume reduction only). The application for determination of applicability was deemed administratively complete by the Division of Municipal and Residual Waste on July 28, 2004.

Persons interested in obtaining more information about the general permit application should contact the Division of Municipal and Residual Waste, General Permits/Beneficial Use Section, Rachel Carson State Office Building, P. O. Box 8472, Harrisburg, PA 17105-8472, (717)

787-7381. TDD users should contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

## **AIR QUALITY**

### **PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS**

#### **NEW SOURCES AND MODIFICATIONS**

The Department of Environmental Protection (Department) has developed an "integrated" plan approval, State operating permit and Title V operating permit program. This integrated approach is designed to make the permitting process more efficient for the Department, the regulated community and the public. This approach allows the owner or operator of a facility to complete and submit all the permitting documents relevant to its application one time, affords an opportunity for public input and provides for sequential issuance of the necessary permits.

The Department has received applications for plan approvals and/or operating permits from the following facilities.

Copies of the applications, subsequently prepared draft permits, review summaries and other support materials are available for review in the regional office identified in this notice. Persons interested in reviewing the application files should contact the appropriate regional office to schedule an appointment.

Persons wishing to receive a copy of a proposed plan approval or operating permit must indicate their interest to the Department regional office within 30 days of the date of this notice and must file protests or comments on a proposed plan approval or operating permit within 30 days of the Department providing a copy of the proposed document to that person or within 30 days of its publication in the *Pennsylvania Bulletin*, whichever comes first. Interested persons may also request that a hearing be held concerning the proposed plan approval and operating permit. Comments or protests filed with the Department regional offices must include a concise statement of the objections to the issuance of the Plan approval or operating permit and relevant facts which serve as the basis for the objections. If the Department schedules a hearing, a notice will be published in the *Pennsylvania Bulletin* at least 30 days prior to the date of the hearing.

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

Final plan approvals and operating permits will contain terms and conditions to ensure that the source is constructed and operating in compliance with applicable requirements in 25 Pa. Code Chapters 121—143, the Federal Clean Air Act (act) and regulations adopted under the act.

#### **PLAN APPROVALS**

**Plan Approval Applications Received under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B that may have special public interest. These applications are in review and no decision on disposition has been reached.**

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

**38-03045A: Valspar Corp.** (4406 Industrial Park Road, Camp Hill, PA 17011) for construction of a latex paint manufacturing plant in North Lebanon Township, **Lebanon County**.

**67-03128A: Bookspan, Inc.** (501 Ridge Avenue, Hanover, PA 17331) for construction of a no. 6 oil-fired boiler rated at 8.5 mmBtu/hr at their book distribution facility in Penn Township, **York County**.

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

**26-00546B: Atlas Pipeline Pennsylvania LLC** (311 Rouser Road, P. O. Box 611, Moon Township, PA 15108) for installation of two natural gas fired engine/compressors at the Prah Compressor Station in German Township, **Fayette County**.

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**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.**

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

**09-0048C: H and K Materials** (300 Skunk Hollow Road, Chalfont, PA 18914) for construction of a rotary mixer at their existing batch asphalt plant in Hilltown Township, **Bucks County**. This facility is a non-Title V facility. H and K Materials is requesting to increase the amount of recycled asphalt pavement (RAP) used in the batch asphalt plant. H and K Materials is currently permitted to use a maximum of 15% RAP in the asphalt production and is requesting to increase the RAP usage up to 40% through the use of the rotary mixer. The Plan Approval will contain recordkeeping, operating restrictions and performance testing requirements designed to keep the facility operating within all the applicable air quality requirements.

**09-0176: Metal Improvement Co.** (3434 State Road, Bensalem, PA 19020) for installation of four paint booths and two chromium anodizing lines, at the company's existing facility in Bensalem Township, **Bucks County**. This facility is a non-Title V facility. The Plan Approval will contain work performance standards, monitoring and recordkeeping requirements, add-on air control equipment, emission restrictions and performance testing requirements designed to keep the facility operating within the allowable emission limits and all applicable air quality requirements.

**23-0100: Pyramid Materials—a Division of Haines and Kibblehouse, Inc.** (P. O. Box 196, Skippack, PA 19474) for construction of a nonmetallic mineral processing plant in Aston Township, **Delaware County**. The plant has a rated capacity of 350 tons per hour. The hours of operation will be limited to 3,000 hours per year (12-month rolling sum). The plant will use a wet suppression system to reduce fugitive emissions of PM. 40 CFR Part 60 Subpart OOO—Standard of Performance for Nonmetallic Processing Plants applies to this Plan Approval. The Plan Approval will require the company to perform stack tests for opacity.

**23-0003E: ConocoPhillips** (4101 Post Road, Trainer, PA 19061) for construction and/or modification of several refinery units, as described in the applicant's application

of April 4, 2003, for the company's refinery in the Borough of Trainer, **Delaware County**.

Under 25 Pa. Code §§ 127.44(a) and 127.424(b) as well as 40 CFR 52.21, the Department intends to issue a Plan Approval to ConocoPhillips for the company's refinery in the Borough of Trainer, Delaware County. This plan approval will authorize the applicant to construct and/or modify several refinery units, as described in the applicant's application of April 4, 2003. For ConocoPhillips to comply with the new regulations regarding sulfur in gasoline the following units will be constructed, installed, replaced or modified: a fluid catalytic cracking unit (FCCU) fresh feed heater; FCCU air blowers, reactor feed nozzles, main fractionator overhead condensers, FCCU rerun tower, a wet gas scrubber and an enhanced selective noncatalytic reduction (SNCR) system on the FCCU; an existing kerosene hydrodesulfurization unit to process FCCU heavy naphtha; an existing diesel hydrodesulfurization unit to produce ultra-low sulfur diesel; next generation ultra-low NOx burners in the existing 544 Vacuum Heater; distillation trays and installation of tie-ins for a future project on the naphtha hydrodesulfurization unit stabilizer; new product drying facilities for jet fuel and heating oil; and utilities, interconnecting piping and storage tank tie-ins. The Plan Approval will subsequently be incorporated into the company's Title V Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Plan Approval 23-0003E is for the construction, installation, replacement or modification of: a FCCU fresh feed heater; FCCU air blowers, reactor feed nozzles, main fractionator overhead condensers, FCCU rerun tower, a wet gas scrubber and an enhanced SNCR system on the FCCU; an existing kerosene hydrodesulfurization unit to process FCCU heavy naphtha; an existing diesel hydrodesulfurization unit to produce ultra-low sulfur diesel; next generation ultra-low NOx burners in the existing 544 Vacuum Heater; distillation trays and installation of tie-ins for a future project on the naphtha hydrodesulfurization unit stabilizer; new product drying facilities for jet fuel and heating oil; and utilities, interconnecting piping and storage tank tie-ins. Based on the information provided by the applicant and the Department's own analysis, the modification or installation of the units listed will result in an emissions change of: -408.34 tons of NOx per year; -188.59 tons of NO<sub>2</sub> per year; 491.79 tons of CO per year; 20.6 tons of VOC per year; -1,602.99 tons per year of SO<sub>2</sub>; 7.06 tons of PM per year; and 9.87 tons of PM<sub>10</sub> per year.

To assure compliance with the applicable standards, the Department has placed the following conditions in the proposed Plan Approval:

1. Operational Limitations

A. The following conditions apply to the FCC heavy naphtha hydrodesulfurization unit:

i. The company shall limit the hydrogen sulfide in the refinery fuel gas combusted to 0.1 grain per dry standard cubic foot (0.1 gr/dscf), or less.

ii. The company shall install, operate and maintain the FCC heavy naphtha hydrodesulfurization unit in accordance with manufacturer's specifications as well as good air pollution control practices.

iii. The company shall limit the FCC heavy naphtha hydrodesulfurization unit heater to a heat input of 23 mmBtu/hr, calculated as a 365-day rolling average.

iv. The FCC heavy naphtha hydrodesulfurization unit is subject to Subpart J of the Standards of Performance for

New Stationary Sources and shall comply with all applicable requirements of this subpart. 40 CFR 60.4 requires submission of copies of all requests, reports, applications, submittals and other communications to both the EPA and the Department. The EPA copies shall be forwarded to the Director, Air, Toxics and Radiation Division, U. S. EPA, Region III, 1650 Arch Street, Philadelphia, PA 19103.

v. The FCC heavy naphtha hydrodesulfurization unit is subject to Subpart CC of the National Emission Standards for Hazardous Air Pollutants and shall comply with all applicable requirements of this subpart. 40 CFR 60.4 requires submission of copies of all requests, reports, applications, submittals and other communications to both the EPA and the Department. The EPA copies shall be forwarded to the Director, Air, Toxics and Radiation Division, U. S. EPA, Region III, 1650 Arch Street, Philadelphia, PA 19103.

vi. The company shall, prior to the issuance of an Operating Permit, demonstrate which components of the hydrodesulfurization plant are in hydrogen service.

vii. Each valve, pump, pressure relief device, sampling connection system, open-ended valve or line, flange and/or other connector in VOC service is subject to Subpart GGG of the Standards of Performance for New Stationary Sources and shall comply with all applicable requirements of this subpart. 40 CFR 60.4 requires submission of copies of all requests, reports, applications, submittals and other communications to both the EPA and the Department. The EPA copies shall be forwarded to the Director, Air, Toxics and Radiation Division, U. S. EPA, Region III, 1650 Arch Street, Philadelphia, PA 19103.

B. The following conditions apply to the modified diesel hydrodesulfurization unit:

i. The company shall limit the diesel hydrodesulfurization unit heater to a heat input of 27 mmBtu/hr, calculated as a 365-day rolling average.

ii. The company shall, prior to the issuance of an Operating Permit, demonstrate which components of the hydrodesulfurization plant is in hydrogen service.

C. The following conditions apply to the modified FCCU:

i. The company shall limit the amount of coke combusted in the FCCU regenerator to 42,554 pounds per hour, calculated as a 30-day rolling average.

ii. The company shall install, operate and maintain a wet gas scrubber to control the emissions of SO<sub>2</sub> and PM.

iii. The company shall continuously monitor the flow rate of the scrubbing liquid to the wet gas scrubber.

iv. The company shall maintain the pH of the scrubbing liquid between 6.0 and 8.0.

v. The company shall install, operate and maintain a continuous monitor for pH.

vi. Prior to the issuance of an Operating Permit, the company shall determine the operating range of the scrubbing liquid flow rate to the scrubber.

vii. The company shall install a rotameter, or equivalent as approved by the Department, to determine the flow rate to the wet gas scrubber.

viii. The company shall install, operate and maintain an enhanced SNCR system to control the emissions of NO<sub>x</sub>.

ix. The company shall continuously monitor the amount of reagent flowing to the SNCR system.

x. The company shall install, operate and maintain the wet gas scrubber and SNCR systems in accordance with manufacturer's specifications as well as good air pollution control practices.

xi. The company shall conduct an initial stack test for PM, NO<sub>x</sub>, SO<sub>2</sub> and CO. The company shall comply with Condition 4 of this Plan Approval, regarding stack testing requirements.

xii. The FCCU is subject to Subpart J of the Standards of Performance for New Stationary Sources and shall comply with all applicable requirements of this subpart. 40 CFR 60.4 requires submission of copies of all requests, reports, applications, submittals and other communications to both the EPA and the Department. The EPA copies shall be forwarded to the Director, Air, Toxics and Radiation Division, U. S. EPA, Region III, 1650 Arch Street, Philadelphia, PA 19103.

xiii. The FCCU is subject to Subpart UUU of the National Emission Standards for Hazardous Air Pollutants for Refineries and shall comply with all applicable requirements of this subpart. The FCCU shall comply with Subpart UUU by April 11, 2005. 40 CFR 63.9 requires submission of copies of all requests, reports, applications, submittals and other communications to both the EPA and the Department. The EPA copies shall be forwarded to the Director, Air, Toxics and Radiation Division, U. S. EPA, Region III, 1650 Arch Street, Philadelphia, PA 19103.

xiv. The company shall install, operate and maintain continuous emission monitors for NO<sub>x</sub>, CO, SO<sub>2</sub>, opacity and oxygen on the FCCU.

xv. In the event that the opacity cannot be monitored by a continuous emission monitor, the company shall submit an alternative monitoring plan for approval by the Department.

D. The following conditions apply to the new FCCU feed heater:

i. The company shall only combust refinery fuel gas and/or natural gas.

ii. The company shall limit the FCCU feed heater to 95 mmBtu/hr, or less, calculated as a 365-day rolling average.

iii. The company shall install, operate and maintain next generation ultra-low NO<sub>x</sub> burners on the FCCU feed heater.

iv. The company shall operate and maintain the next generation ultra-low NO<sub>x</sub> burners in accordance with manufacturer's specifications as well as good air pollution control practices.

v. The company shall limit the hydrogen sulfide in the refinery fuel gas combusted to 0.1 grain per dry standard cubic foot (0.1 gr/dscf), or less, calculated as a 3-hour rolling average.

vi. The company shall install, operate and maintain the new FCCU feed heater in accordance with manufacturer's specifications as well as good air pollution control practices.

vii. The company shall conduct an initial stack test for PM, NO<sub>x</sub>, SO<sub>2</sub> and CO. The company shall comply with Condition 4 of this Plan Approval, regarding stack testing requirements.

viii. The new FCCU feed heater is subject to Subpart J of the Standards of Performance for New Stationary Sources and shall comply with all applicable requirements of this subpart. 40 CFR 60.4 requires submission of copies of all requests, reports, applications, submittals and other communications to both the EPA and the Department. The EPA copies shall be forwarded to the Director, Air, Toxics and Radiation Division, U. S. EPA, Region III, 1650 Arch Street, Philadelphia, PA 19103.

ix. The new FCCU feed heater is subject to Subpart CC of the National Emission Standards for Hazardous Air Pollutants and shall comply with all applicable requirements of this subpart. 40 CFR 63.9 requires submission of copies of all requests, reports, applications, submittals and other communications to both the EPA and the Department. The EPA copies shall be forwarded to the Director, Air, Toxics and Radiation Division, U. S. EPA, Region III, 1650 Arch Street, Philadelphia, PA 19103.

E. The following conditions apply to the 544 Vacuum Heater:

i. The company shall only combust refinery fuel gas and/or natural gas in the 544 Vacuum Heater.

ii. The company shall install, operate and maintain next generation ultra-low NO<sub>x</sub> burners to control the emissions of NO<sub>x</sub> from the 544 Vacuum Heater.

iii. The company shall limit the 544 Vacuum Heater to 160 mmBtu/hr, or less, calculated as a 365-day rolling average.

iv. The company shall install, operate and maintain the next generation ultra-low NO<sub>x</sub> burners in accordance with manufacturer's specifications as well as good air pollution control practices.

v. The company shall conduct an initial stack test for NO<sub>x</sub>, SO<sub>2</sub> and CO. The company shall comply with Condition 4 of this Plan Approval, regarding stack testing requirements.

## 2. Emission Limitations

A. The following air contaminant emission limits are approved for the FCCU:

i. NO<sub>x</sub>: 654.5 tons per year calculated as a 12-month rolling sum.

ii. CO: 250 ppm<sub>dv</sub> corrected to 0% oxygen, calculated as a 24-hour average, 150 ppm<sub>dv</sub> corrected to 0% oxygen, calculated as a 365-day rolling average and 434.1 tons per year calculated as a 12-month rolling sum.

iii. VOCs: 8.1 tons per year calculated as a 12-month rolling sum.

iv. PM: 93.3 tons per year calculated as a 12-month rolling sum.

v. Ammonia (NH<sub>3</sub>): 10 ppm<sub>dv</sub> corrected to 0% oxygen.

vi. SO<sub>2</sub>: 50 ppm<sub>dv</sub> corrected to 0% oxygen, calculated as a 3-hour rolling average and 165.8 tons per year calculated as a 12-month rolling period.

vii. The company shall comply with 25 Pa. Code § 123.41, regarding visible emissions, and/or 40 CFR 60.102(a)(2), regarding the standard for PM, whichever is more stringent.

viii. The Department reserves the right to establish and impose more stringent limitations based on the results from stack testing and/or continuous monitoring.

B. The following air contaminant emission limits are approved for the FCCU feed heater:

i. NO<sub>x</sub>: 0.03 lb/mmBtu, calculated as a 3-hour rolling average and 12.5 tons per year calculated as a 12-month rolling sum.

ii. CO: 36.8 tons per year calculated as a 12-month rolling sum.

iii. VOCs: 2.4 tons per year calculated as a 12-month rolling sum.

iv. PM: 3.3 tons per year calculated as a 12-month rolling sum.

C. The following air contaminant emission limits are approved for the diesel hydrodesulfurization unit:

i. NO<sub>x</sub>: 50.7 tons per year calculated as a 12-month rolling sum.

ii. CO: 14.2 tons per year calculated as a 12-month rolling sum.

iii. VOCs: 3.4 tons per year calculated as a 12-month rolling sum.

iv. PM: 1.5 tons per year calculated as a 12-month rolling sum.

D. The company shall limit the emissions of SO<sub>2</sub> from the sulfur recovery unit to 0.036 pound of SO<sub>x</sub> per pound of sulfur compounds, expressed as sulfur, in the feed gases. The company shall limit the increase in the emissions of SO<sub>2</sub> from the sulfur recovery unit to 10.3 tons per year, or less, calculated as a 12-month rolling average.

E. The following air contaminant emission limits are approved for the 544 Vacuum Heater:

i. NO<sub>x</sub>: 0.06 lb/mmBtu, calculated as a 3-hour rolling average and 42.1 tons per year calculated as a 12-month rolling sum.

ii. CO: 84.1 tons per year calculated as a 12-month rolling sum.

iii. VOCs: 6.6 tons per year calculated as a 12-month rolling sum.

iv. PM: 9.1 tons per year calculated as a 12-month rolling sum.

## 3. Monitoring Requirements

A. The company shall install, operate and maintain a Department certified continuous monitor for hydrogen sulfide for all sources that are subject to 40 CFR Part 60, Subpart J. If the sources have a common refinery fuel gas supply, then only one continuous emission monitor for hydrogen sulfide shall be installed.

B. The continuous emission monitoring systems required by this Plan Approval must be approved by the Department. The continuous emission monitoring systems shall be installed, operated and maintained in accordance with 25 Pa. Code Chapter 139. Proposals containing the information as listed in Phase I section of the Department's Continuous Source Monitoring Manual for the continuous emission monitoring system must be submitted at least 3 months prior to the start-up of each source that is required to install continuous emission monitoring systems.

C. Testing as listed in the Phase II section of the Department's Continuous Source Monitoring Manual must be completed for the CEMs no later than 180 days after initial source start-up date and no later than 60

days after the source achieves normal process capacity.

D. The Final Report as listed in the Phase III section of the Department's Continuous Source Monitoring Manual must be submitted no later than 60 days after the completion of testing.

E. All of the continuous emission monitoring system installed to comply with the requirements of this Plan Approval shall be maintained and operated to achieve the following data availability requirements:

F. For NO<sub>x</sub> (measured as NO<sub>2</sub>), hydrogen sulfide, CO, opacity and oxygen continuous emission monitors, the company shall maintain a data availability standard of equal to or greater than 90% valid hours per calendar month or equal to or greater than 95% valid hours per calendar quarter. A valid hour is defined as an hour where the number of minutes with valid readings is equal to or greater than 45.

F. Continuous monitoring shall be conducted at the locations approved by the Department.

G. The continuous emission monitors shall be operated in a manner as to determine compliance with the applicable limits in Condition 2.

H. The company, on a daily basis, shall monitor the heating value of the refinery fuel gas using gas chromatography, calorimeter or another Department approved method. The company may apply to the Department to change the monitoring schedule based upon the results of the daily monitoring.

#### 4. Testing Requirements

A. Within 60 days after achieving the maximum production rate at which the affected source will be operated, but not later than 180 days after the initial start-up of the source, the owner or operator shall conduct performance tests as per section 60.8 and 40 CFR Part 60, Subpart J and/or 25 Pa. Code Chapter 139. The company shall include in the stack test report all pertinent operational data for the source. Pertinent information shall include the amount of refinery fuel/natural gas combusted, the feed rate to the unit, amount of coke combusted, the temperature of the feeds to the reactors and all pertinent information relating to the control device (if applicable).

B. The company shall perform an initial stack test on the following units: FCCU, sulfur plant, FCCU feed heater and 544 Vacuum Heater.

C. At least 30 days prior to each test, the regional air quality manager shall be informed of the date and time of the test.

D. At least 60 days prior to each test, the company shall submit to the Department for approval the procedures for the test and a sketch with dimensions indicating the location of sampling ports and other data to ensure the collection of representative samples.

E. Within 60 days after each source test, two copies of the complete test report, including all operating conditions, shall be submitted to the regional air quality manager for approval. Test reports shall be complete and include all operating conditions.

#### 5. Recordkeeping and Reporting Requirements

Sufficient data shall be recorded so that compliance with the conditions in the Plan Approval can be determined. Records shall be kept for a minimum of 5 years

and shall be made available to the Department upon request:

A. The company shall keep a copy of all stack tests that are required.

B. The company shall, on a monthly basis, keep a record of the emissions from the FCCU, the FCC heavy naphtha heater, FCCU feed heater, diesel hydrodesulfurization unit and sulfur recovery plant to demonstrate compliance with Condition 2.

C. The company shall keep a copy of the manufacturer's specifications for the units listed, certified continuous emission monitors and any other equipment associated with the hydrodesulfurization plant units listed.

D. The company shall keep a record of the components that are in hydrogen service.

E. The company shall, on a daily basis, keep a record of the heating value of the refinery fuel gas that is combusted.

Copies of the application, the Department's analysis and other documents used in the evaluation are available for public inspection between 8 a.m. and 4 p.m. To make an appointment, contact Records Management at (484) 250-5910.

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

**48-309-123: Hercules Cement Co.** (501 Center Street, Stockertown, PA 18083) for reactivation of the no. 1 stock-house railcar load-out system and the replacement/installation of the associated air cleaning device (fabric collector) at their facility in the Borough of Stockertown, **Northampton County**. The particulate emissions from the fabric collector will not exceed the Best Available Technology standard of 0.02 grain/dscf and will result in an annual particulate emission rate of 1.16 tons per year. The Plan Approval and Operating Permit will include emission restrictions, work practice standards and monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements. The facility currently has Title V Operating Permit 48-00005. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V Operating Permit through an administrative amendment at a later date.

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

**36-05017A: Conestoga Wood Specialties Corp.** (245 Reading Road, East Earl, PA 17519-0518) for construction of Spray Booth in East Earl Township, **Lancaster County**. This source has a potential to increase the facility VOC emissions by 6.4 tons per year. The facility's major sources of emissions include woodworking operations controlled by dust collectors and coating booths, which primarily emit VOCs. This Plan Approval will be incorporated into the facility's Title V Operating Permit 36-05017. The Title V operating permit will contain the facility VOC emission limit and monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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



**42-158I: Temple Inland Forest Products** (Hutchins Road, Mt. Jewett, PA 16740) for the Mt. Jewett Complex in Sargeant Township, **McKean County**. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V operating permit through an administrative amendment at a later date. The plan approval is for the issuance of a Plant Wide Applicability Limit (PAL) and Federally Enforceable Emission Cap (FEEC) and will incorporate conditions from existing Plan Approval 42-158H and allow for facility wide flexibility of operation. The permit will allow the facility to return to burning clean wood fuel in the existing dual fueled Westec Coen and Geka Coen burners. The facility had been burning only natural gas in these units for approximately the past 3 years. The permit will limit facility-wide emissions from all sources combined to be less than 233.77 tpy, 184.19 tpy, 126.90 tpy and 264.55 tpy for NOx, CO, VOC and PM PAL emission limits, respectively. In addition, the facility will limit NOx and VOC emissions limits to 171.14 tpy and 126.90 tpy, respectively, under the FEEC. The limits provide reduced emissions for all pollutants when compared to the total emissions under previous Plan Approval 42-158H. The Plan Approval contains conditions for testing to establish source specific emission factors, monitoring in accordance with the PAL and FEEC requirements to ensure the emission caps are not exceeded based on a 12-month rolling total and additional recordkeeping and reporting to keep the facility operating within the PAL and FEEC requirements. In addition, the plan approval contains conditions requiring deviation reports, work practice standards for the sources and control devices, preventative maintenance inspections and daily inspections of the sources and control devices to ensure compliance with all applicable air quality requirements.

#### OPERATING PERMITS

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

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

**36-05014: Alumax Mill Products, Inc.** (1480 Manheim Pike, Lancaster, PA 17604) for a Title V Operating Permit renewal to operate their secondary aluminum production facility in Manheim Township, **Lancaster County**. The facility is a major source of NOx and VOC emissions. The facility is subject to 40 CFR Part 63, Subpart RRR—National Emission Standards for Hazardous Air Pollutants; an aluminum coil coating system is subject to 40 CFR Part 60, Subpart TT—Standards of Performance for Metal Coil Surface Coating. The Title V Operating Permit will contain emission limits along with appropriate monitoring, recordkeeping and reporting requirements to ensure the facility operates in accordance with the applicable air quality regulations.

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

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

**06-03090: Western Berks Refuse Authority** (455 Poplar Neck Road, Birdsboro, PA 19508) for operation of a municipal solid waste landfill controlled by an enclosed ground flare in Cumru Township, **Berks County**. The landfill is not subject to Title V (State-only operating permit). The permit will include testing, monitoring, work practices, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

#### 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.

<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.*

**13940201R2. Rossi Excavating Company** (9 West 15th Street, Hazleton, PA 18201), renewal of an existing coal refuse reprocessing operation in Banks Township, **Carbon County**, affecting 11.5 acres. Receiving stream: none. Application received July 21, 2004.

**54773215R3. Jeddo-Highland Coal Company** (46 Public Square, Suite 600, Wilkes-Barre, PA 18701), renewal of an existing coal refuse reprocessing operation in Reilly and Frailey Townships, **Schuylkill County**, affecting 46.4 acres. Receiving stream: none. Application received July 22, 2004.

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

**30940701 and NPDES Permit No. PA0215465. Cobra Mining, LLC** (P. O. Box 40, 178 Chess Mine Road, Dilliner, PA 15327), to transfer the permit for the Refuse Dump No. 4 in Monongahela Township, **Greene County** and related NPDES permit from Dunkard Mining Company. No additional discharges. Application received June 17, 2004.

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

**56890111 and NPDES Permit No. PA0598577. Duppsstadt Coal** (2835 Stutzman Road, Somerset, PA 15501), SMP transfer to Ritchie Trucking and Excavating, Inc. (19709 Winner View Terrace, Frostburg, MD) in Elk Lick Township, **Somerset County**, affecting 66.3 acres. Receiving streams: Tub Mill Run, unnamed tributaries to Tub Mill Run, unnamed tributaries to Casselman River and Casselman River (CWF and WWF). There are no potable water supply intakes within 10 miles downstream. Application received July 21, 2004.

**56990102 and NPDES Permit No. PA0235105. Duppsstadt Coal** (2835 Stutzman Road, Somerset, PA 15501), SMP transfer to Ritchie Trucking and Excavating,

#### *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:

Inc. (19709 Winner View Terrace, Frostburg, MD) in Elk Lick Township, **Somerset County**, affecting 87.8 acres. Receiving streams: Tub Mill Run, unnamed tributaries to Tub Mill Run, unnamed tributaries to Casselman River and Casselman River (CWF and WWF). There are no potable water supply intakes within 10 miles downstream. Application received July 21, 2004.

**56763114 and NPDES Permit No. PA0608238. Svonavec, Inc.** (150 West Union Street, Suite 201, Somerset, PA 15501), surface mining permit renewal in Milford Township, **Somerset County**, affecting 96.8 acres. Receiving streams: unnamed tributaries to South Glade Creek and South Glade Creek (WWF). There are no potable water supply intakes within 10 miles downstream. Application received July 9, 2004.

**56940105 and NPDES Permit No. PA0212890. Action Mining, Inc.** (1117 Shaw Mines Road, Meyersdale, PA 15552), surface mining permit renewal in Elk Lick and Summit Townships, **Somerset County**, affecting 108 acres. Receiving streams: unnamed tributaries to and Casselman River (CWF and WWF). There are no potable water supply intakes within 10 miles downstream. Application received July 14, 2004.

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

**03010103 and NPDES Permit No. PA0202991. Rosebud Mining Company** (301 Market Street, Kittanning, PA 16201), application received for transfer of permit currently issued to Marquise Mining Corporation for continued operation and reclamation of a bituminous surface mining site in Kiskiminetas Township, **Armstrong County** and Conemaugh Township, **Indiana County**, affecting 145.6 acres. Receiving streams: unnamed tributary to Long Run and Sulphur Run to Kiski River, unnamed tributaries to and Kiskiminetas River (CWF and WWF). The first downstream potable water supply intake from the point of discharge is the Avonmore Municipal Authority. Transfer application received July 14, 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.*

**40040301. Airport Sand & Gravel Co., Inc.** (500 Swetland Lane, West Wyoming, PA 18644), commencement, operation and restoration of a quarry operation in Duryea Borough, **Luzerne County**, affecting 75.0 acres. Receiving stream: none. Application received July 23, 2004.

### FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department of Environmental Protection (Department). Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) requires the State to certify that the involved projects will not violate the applicable provisions of sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as relevant State requirements. Persons objecting to approval of a request for certification under section 401 of the FWPCA or to the issuance of a Dam Permit, Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment must submit comments, suggestions or objections within 30 days of the date of this notice, as well as questions, to the regional office noted before the application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

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

Persons with a disability who wish to attend a hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the specified program. TDD users should contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

**Applications received under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act**

**(32 P. S. § 679.302) and requests for certification under section 401 of the FWPCA (33 U.S.C.A. § 1341(a)).**

### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E46-962. Abington School District**, 970 Highland Avenue, Abington, PA 19001, Abington Township, **Montgomery County**, ACOE Philadelphia District.

To perform the following activities associated with the demolition and construction of the Roslyn Elementary School:

1. To construct and maintain three outfall structures with tide flex check valves along tributary no. 1 to Sandy Run (TSF).
2. To grade and place fill in the portions of the 100 year floodplain of tributary no. 1 to Sandy Run associated with parking lots and athletic fields.

The site is at the intersection of Susquehanna Road (SR 2017) and Johnston Avenue (Amber, PA USGS Quadrangle N: 0.2 inch; W: 2.1 inches) in Abington Township, Montgomery County.

**E46-963. Cheltenham Township**, 8230 Old York Road, Cheltenham, PA 19027, Cheltenham Township, **Montgomery County**, ACOE Philadelphia District.

To perform the following activities associated with the existing walking trail in Tookany Creek Park:

1. To rehabilitate and widen an existing pedestrian bridge across the Tacony Creek (also known as Tookany Creek) just downstream of the confluence with Jenkintown Creek.
2. To construct and maintain a 6-foot wide by 70-foot long pedestrian bridge across the Jenkintown Creek upstream from the Jenkintown Creek confluence with Tacony Creek.
3. To construct and maintain a 6-foot wide by 57-foot long pedestrian bridge across the Tacony Branch no. 1, upstream from its confluence with the Tacony Creek.

The park is between Central Avenue and Jenkintown Road (Frankford, PA USGS Quadrangle N: 11.5 inches; W: 13.75 inches).

**E15-723. Upper Uwchlan Township, Sunoco Pipeline**, 525 Fritztown Road, Reading, PA 19608, **Chester County**, ACOE Philadelphia District.

The Marsh Creek Pipeline Maintenance Project proposes to excavate and replace up to a 500-foot segment of an existing deteriorated Sunoco Steel pipeline, which traverse an unnamed tributary to Marsh Creek (HQ-TSF) and adjacent wetland (PEM-EV). The work will involve construction of a temporary road crossing, excavation of a trench and backfilling of approximately 278 cubic yards of wetland soils. The project will temporarily impact up to 10 linear feet of stream and a maximum of 0.12 acre of the wetland associated with the pipe replacement. The project lies about 500 feet northeast of the Marsh Creek Area and is situated approximately 710 feet northwest of

the intersection of Park and Moore Roads in Upper Uwchlan Township, Chester County (Downing-town, PA Quadrangle N: 13.66 inches; W: 10.91 inches).

**E15-724. Department of Transportation**, 7000 Geerdes Blvd., King of Prussia, PA 19406, West Pikeland Township, **Chester County**, ACOE Philadelphia District.

To replace the existing Yellow Springs Road Bridge (SR 1024) and to construct and maintain, at the same location, a 49.5-foot long by 32-foot wide by 7.33-foot high bridge across Pickering Creek (HQ-TSF). The site is approximately 300 feet southeast of the intersection of Art School Road and Yellow Springs Road (Malvern, PA USGS Map N: 17.5 inches; W: 14.5 inches).

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

**E45-470. Nyles J. Possinger**, 256 Rimrock Road, Stroudsburg, PA 18360 in Hamilton Township, **Monroe County**, U. S. Army Corps of Engineers, Philadelphia District.

To place fill in approximately 0.2 acre of PFO wetlands and in the floodway of a tributary to Pocono Creek (HQ-CWF) for the purpose of constructing a road to access a 43-acre property. The project is on the east side of SR 3023 (Rimrock Road), approximately 0.2 mile south of SR 0080 (Mt. Pocono, PA Quadrangle N: 0.1 inch; W: 4.2 inches).

**E45-469. Arrowhead Lake Community Association**, HC 88, Pocono Lake, PA 18347 in Coolbaugh Township, **Monroe County**, U. S. Army Corps of Engineers, Philadelphia District.

To remove the existing structures and to construct and maintain an open-bottom concrete arch culvert having a span of 24.0 feet and an underclearance of approximately 8.0 feet in Trout Creek (HQ-CWF) and a de minimis area of adjacent PFO wetlands. The project is along Awassa Drive in Arrowhead Lake Residential Community (Thornhurst, PA Quadrangle N: 5.7 inches; W: 7.6 inches).

**E52-198. Department of Conservation and Natural Resources**, P. O. Box 8451, Harrisburg, PA 17105-8451 in Porter Township, **Pike County**, U. S. Army Corps of Engineers, Philadelphia District.

To modify and maintain an existing bridge (known as Bridge 19-0002) across Middle Branch (HQ-CWF) with work consisting of replacing the superstructure utilizing concrete spread box beams on the existing stone masonry abutments and placing rock protection along the abutments. The bridge has a clear span of approximately 21.8 feet and an underclearance of approximately 5.0 feet. The project includes a temporary road crossing to be immediately downstream of the bridge. The total length of channel impact is approximately 60 feet, including temporary measures. The project is along Hay Road in Forest District 19, Delaware State Forest (Twelvemile Pond, PA Quadrangle N: 19.6 inches; W: 14.9 inches).

**E40-638. Harry V. Cardoni**, 340 Market Street, Kingston, PA 18704 in Harveys Lake Borough, **Luzerne County**, U. S. Army Corps of Engineers, Baltimore District.

To remove the existing structure and to construct and maintain a pile-supported dock/boathouse, having an area of 2,790 square feet, on Harveys Lake (HQ-CWF). The project will extend approximately 50 feet from the shoreline, with an overall width of approximately 62 feet. The applicant proposes to place fine gravel over approximately 1,845 square feet of the lake bottom in shallow water as

mitigation for the net increase in structure area above shallow water and over approximately 300 square feet of lakebed in deep water for swimming purposes. The project is at Pole No. 260 (Harveys Lake, PA Quadrangle N: 19.0 inches; W: 5.9 inches).

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

**E67-766. J. G. Leasing, Co., Inc.**, 2780 York Haven Road, York, Haven, PA 17370 in Manchester Township, **York County**, ACOE Baltimore District.

To construct and maintain a 15-inch pipe culvert which will cross a wetland associated with an unnamed tributary to Conewago Creek (TSF). The roadway will impact 0.10 acre of palustrine emergent wetlands which will require mitigation (Dover, PA Quadrangle N: 4.8 inches; W: 2.5 inches) in Manchester Township, York County.

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

**E08-414. Calvin C. Cole, Inc.**, 809 North Elmira Street, Sayre, PA 18840. Athens Township, **Bradford County**, U. S. Army Corps of Engineers, Baltimore District (Sayre, PA 7.5 feet Quadrangle N: 8.7 inches; W: 3.8 inches).

To place and maintain fill in 2.616 acres of a palustrine emergent wetland system and to place and maintain fill in 0.437 acre of an open water system for the purpose of consolidating business and administrative operations. Replacement wetlands are proposed. The site is approximately 0.2 mile south of the SR 220 and T-811 (Macaffe Road) intersection on the west side of SR 220.

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

**E03-425. West Penn Power d/b/a Allegheny Power**, 800 Cabin Hill Drive, Greensburg, PA 15601-9442. Kittanning Substation in Manor North Township, **Armstrong County**, Pittsburgh ACOE District (Kittanning, PA Quadrangle N: 8.0 inches; W: 2.4 inches—Latitude: 40° 47' 37" and Longitude: 79° 31' 03"). The applicant proposes to remove bays and a concrete platform that span Garretts Run (WWF) and to remove, replace, install and maintain numerous electrical facilities along Garretts Run including transformers, breakers and arresters. The project is at the Kittanning Substation along the west side of Old Route 66.

**E65-852. South Gate Plaza, L. P.**, 420 Jamie Drive, Belle Vernon, PA 15012. Sheet South Gate Plaza stream relocation in Rostraver Township, **Westmoreland County**, Pittsburgh ACOE District (Donora, PA Quadrangle N: 11.1 inches; W: 9.5 inches—Latitude: 40° 11' 9" and Longitude: 79° 49' 5"). The applicant proposes to construct a Sheetz Food Mart and fuel dispensing facility, also to relocate and maintain approximately 600 linear feet of the channel of an unnamed tributary to Pollock Run (WWF) by constructing a stream enclosure 170 feet long, 5 feet in diameter and 320 linear feet of channel in the stream starting from the outlet of the proposed structure. The project is off the intersection of SR 51 and Fellsburg Road.

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

**E10-393. John Volkar and Matthew Volkar**, 454 Mower Drive, Apt. A, Pittsburgh, PA 15239. Bridge over Glade Run in Adams Township, **Butler County**, ACOE Pittsburgh District (Valencia, PA Quadrangle N: 14.65 inches; W: 15.9 inches).

The applicant proposes to construct and maintain a single span prestressed concrete box beam bridge having a clear span of 35 feet and an underclearance of 3.85 feet across Glade Run (WWF, perennial) approximately 1,000 feet northwest of the intersection of Huch and Three Degree Roads. The project is in support of two single family residences and includes a direct impact of 0.23 acre of PEM wetland for driveway construction. The application is for an after-the-fact permit. A portion of the driveway (with wetland impacts) has already been constructed. The project proposes to directly affect 0.23 acre of PEM wetlands and approximately 30 feet of stream.

**E62-401, Sugar Grove Area Sewage Authority.** Sugar Grove sewer pipeline in Sugar Grove Borough and Sugar Grove Township, **Warren County**, ACOE Pittsburgh District (Sugar Grove, PA-NY Quadrangle N: 18.3 inches; W: 14.9 inches).

The applicant proposes to construct and maintain a wastewater treatment plant and conveyance systems within the Borough of Sugar Grove and Sugar Grove Township. The project includes installing lines having diameters of 1.5 inches, 2 inches, 2.5 inches, 3 inches, 4 inches, 6 inches, 8 inches and 10 inches (65,000 lineal feet of gravity sewer line and 80,000 lineal feet of pressure sewer line) involving: (1) construct and maintain a 10-inch diameter PVC plastic sewage treatment plant effluent outfall pipe discharging to Stillwater Creek; (2) temporarily affect 0.507 acre of nonexceptional value wetland and 0.207 acre exceptional value wetland with 23 crossings by sewer lines; and (3) to temporarily affect

Stillwater Creek (CWF), unnamed tributaries to Stillwater Creek (CWF), Jackson Run (CWF) and unnamed tributaries to Jackson Run with 43 crossings by sewer lines. The project proposes to temporarily impact approximately 860 linear feet of stream and 0.507 acre of nonexceptional value wetland and 0.207 acre exceptional value wetland.

#### ENVIRONMENTAL ASSESSMENTS

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

**EA43-06-004, Whittaker Corporation**, 1955 N. Surveyor Ave., Simi Valley, CA. Mercer Alloys (Whittaker) Site remediation in Pymatuning Township, **Mercer County**, ACOE Pittsburgh District (Sharpsville, PA Quadrangle N: 19.8 inches; W: 3.7 inches).

Restoration plan provided under section 105.12(a)(16) for the remediation of the Mercer Alloys (Whittaker) Site at the Reynolds Industrial Park. Restoration includes the removal of radioactive slag and slag-like material from the floodway of the Shenango River based on onsite characterization and hand removal of chunks of radioactive slag from wetlands in the floodway of the Shenango River based on onsite characterization. The site is a waste and slag storage area regulated under United States Nuclear Regulatory Commission Source Material License No. SMA-1018 for the possession of source material and the performance of specified surveillance, maintenance and control activities in support of decontamination and decommissioning.

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## ACTIONS

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### 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>
PA0062618 Renewal	City of Bethlehem City Administration Building 10 East Church Street Bethlehem, PA 18018-6025	Lehigh Township Northampton Country	Unnamed tributary to Indian Creek 02C	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>
PA0081035 Sewage	Paul Miller Oakwood Heights Mobile Home Park 17880 Barrens Road North Stewartstown, PA 17363	York County Hopewell Township	UNT Deer Creek 7I	Y
PA0087947 Sewage	Amy Ellis Columbia Gas Transmission Corp. 1700 MacCorkel Avenue SE Charlestown, WV 25314-1273	Adams County Straban Township	Beaverdam Creek 7F	Y
PAS104507-R	Edge Wood Estates, Inc.	Brown Township Mifflin County	Tea Creek HQ-CWF	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>
PA0025798 Sewage	Centerville Borough Sanitary Authority P. O. Box 332 Richeyville, PA 15358	Washington County Centerville Borough	Pike Run	Y
PA0031984 Sewage	Department of Conservation and Natural Resources Bureau of State Parks Raccoon Creek State Park 300 SR 18 Hookstown, PA 15050	Beaver County Hanover Township	Traverse Creek	Y
PA0032271 Sewage	Bureau of State Parks Keystone State Park R. R. 2, Box 101 Derry, PA 15627-9617	Westmoreland County Derry Township	McCune Run	Y
PA0096229 Sewage	Marianna-West Bethlehem Jt. Sew. Auth. P. O. Box 428 Marianna, PA 15345	Washington County West Bethlehem Township	Ten Mile Creek	Y
PA0096318 Sewage	Municipal Authority of the Township of Robinson P. O. Box 15539 Pittsburgh, PA 15244-0539	Allegheny County Robinson Township	Tributary of Moon Run	Y
PA0098817 Sewage	Hickory Acres 669 Nelson Road F Farmington, PA 15437	Fayette County Wharton Township	UNT of Meadow Run	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>
PA0110302 Sewage	Johnstown Industrial Development Corp. 111 Market Street Johnstown, PA 15901	Somerset County Quemahoning Township	Quemahoning Creek	Y
PA0216437 Sewage	William L. Kovach 1027 South 88 Road Greensboro, PA 15338	Greene County Dunkard Township	Meadow Run	Y
PA0216984 Sewage	Shannock Valley General Services Auth. P. O. Box 168 111 South Center Street NuMine, PA 16244-0168	Armstrong County Cowanshannock Township	Cowanshannock Creek	Y
PA0218111 Sewage	Conemaugh Township Supervisors 1120 Tire Hill Road Johnstown, PA 15905-7707	Somerset County Conemaugh Township	Stony Creek	Y
<i>Northwest Region: Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.</i>				
<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>
PA0222887	Gateway Lodge Box 125, Route 36 Cooksburg, PA 16217	Barnett Township Jefferson County	Unnamed tributary to Clarion River 17-B	Y
PA0222712	Borough of Sykesville 21 East Main Street Sykesville, PA 15865	Henderson Township Jefferson County	Stump Creek 17-D	Y
PA0036064	Washington Township Sewer Authority Angling Road Sewage Treatment Plant 11800 Edinboro Road Edinboro, PA 16412	Washington Township Erie County	Unnamed tributary to Edinboro Lake (Whipple Creek) 16-A	Y
PA0222593	William C. Hickman Building 104 Atlantic Avenue Elizabeth, PA 13037	North East Township Erie County	Unnamed tributary to Sixteen Mile Creek 15	Y

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

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

**NPDES Permit No. PA0028720**, Sewage, **John Rinehart, Reading Regional Airport Authority**, 2501 Bernville Road, Reading, PA 19605. This proposed facility is in Bern Township, **Berks County**.

Description of Proposed Action/Activity: Authorization to discharge to Schuylkill River in Watershed 3-C.

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

**NPDES Permit No. PA0252689**, Sewage, **C. Harper Ford**, P. O. Box 748, Belle Vernon, PA 15012. This proposed facility is in Rostraver Township, **Westmoreland County**.

## III. WQM Industrial Waste and Sewerage Actions 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 Sewer 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: Issuance of Water Quality Management Permit.

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

**WQM Permit No. 0604401**, Sewerage, **John Rinehart, Reading Regional Airport Authority**, 2501 Bernville Road, Reading, PA 19605. This proposed facility is in Bern Township, **Berks County**.

Description of Proposed Action/Activity: Authorization for wastewater treatment plant expansion.

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

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

Description of Proposed Action/Activity: Construction of treatment plant, pump stations and sewers to serve the Village of Distant. The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, has been identified as the funding source. The Department's review of the sewage facilities plan revision has not identified any significant environmental impacts resulting from this proposal.

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

**WQM Permit No. 510652**, Sewerage, **Christine A. Shupenko**, 25674 Capp Road, Edinboro, PA 16412. This proposed facility is in Venango Township, **Crawford County**.

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

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

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#### V. NPDES Waiver Stormwater Discharges from MS4) Actions

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI010903007	Heritage Building Group, Inc. Fox Field Estates Development 3326 Old York Road, Suite A100 Furlong, PA 18925	Bucks	Milford Township	Barrell Run HQ-TSF
PAI2011503021	The Harlan Corporation The Hendrick Property 214 Pond View Drive Chadds Ford, PA 19317	Chester	West Pikeland Township	Pigeon Run HQ

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023904023	Buckeye Pipe Line Company, LP P. O. Box 368 5002 Buckeye Road Emmaus, PA 18049	Lehigh	Lower Macungie and Upper Milford Townships	Little Lehigh Creek HQ-CWF
PAI024504017	Sevenson Environmental Services, Inc. 2749 Lockport Rd. Niagara Falls, NY 14305-2229	Monroe	Coolbaugh Township	Tobyhanna Creek HQ-CWF
PAI024504001	David Quarsimo Route 209 Brodheads ville, PA 18322	Monroe	Chestnuthill Township	McMichael 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>
PAS10F107	Woods at Sand Ridge Phase IV—Minor Modification Tom McGeoy, North-Lands, Inc. PMB 233 416 River Ave. Williamsport, PA 17701	Centre	Marion and Walker Townships	East Branch, Lick Run HQ-CWF

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

*Westmoreland County Conservation District: Center for Conservation Education, 211 Donohoe Road, Greensburg, PA 15601, (724) 837-5271.*

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI056503001	Manor Development Group II 109 Gateway Avenue, Suite 202 Wexford, PA 15090	Westmoreland	Municipality of Murrysville	Unnamed tributary to Steele Run HQ-CWF



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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI062404001	MiCale Construction Services, Inc. MiCale Subdivision 416 Main Street Kersey, PA 15846	Elk	Fox Township	UNT Byrnes Run EV

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

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

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

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

### **List of NPDES and/or Other General Permit Types**

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

#### *General Permit Type—PAG-2*

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Hilltown Township Bucks County	PAG2000903002	Telegraph Investment Company Pond View Estates 235 North Sycamore Street Newtown, PA 18940	Unnamed tributary East Branch Perkiomen Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Hilltown Township Bucks County	PAG2000904103	Eric Thrush Aichele Tract 115 County Side Lane Telford, PA 18696-1857	Unnamed tributary East Branch Perkiomen Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Warrington Township Bucks County	PAG2000904012	Easton Road Retail, LP Retail and Restaurant at Warrington 4427 Spruce Street Philadelphia, PA 19104	Tributary Little Neshaminy Creek WWF	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>
Newtown Borough Bucks County	PAG2000903146	Cologne Associates, LP Phillips Court 10 North State Street Newtown, PA 18940	Newtown Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Warrington Township Bucks County	PAG2000903117	WVS Associates, LP Valley Square 232 North 22nd Street Philadelphia, PA 19102	Little Neshaminy Creek TSF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
East Rockhill Township Bucks County	PAG2000904123	Bucks County Community College BCC College Parking Lot Expansion 275 Swamp Road Newtown, PA 18940	East Branch Perkiomen Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Warrington Township Bucks County	PAG2000903158	The Cutler Group, Inc. The Estates at Warrington Ridge 5 Sentry Park West Suite 100 Blue Bell, PA 19422	Unnamed tributary Neshaminy Creek TSF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Sellersville Borough Bucks County	PAG2000904035	North Penn Polishing and Plating, Inc. 40 West Park Avenue P. O. Box 305 Sellersville, PA 18960	East Branch Perkiomen Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
West Rockhill Township Bucks County	PAG2000904015	East Coast Hoist, Inc. 146 Keystone Drive Telford, PA 18965	Mill and Perkiomen Creeks TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Buckingham Township Bucks County	PAG2000903187	TB Enterprises, LLC Campbell Tract 1005 Floral Vale Blvd. Yardley, PA 19087	Tributary to Mill Creek CWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Warrington Township Bucks County	PAG2000904137	Sal Paone Builder Grauer Tract 1120 North Bethlehem Pike Springhouse, PA 19477	Little Neshaminy Creek MF, WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
South Abington Township Lackawanna County	PAG2003504023	Ed Baldoni 806 Layton Rd. Clarks Summit, PA 18411	Leggetts Creek TSF	Lackawanna County Conservation District (570) 281-9495
Clarks Summit Borough Lackawanna County	PAG2003504024	Richard Feibus 1000 Greenbriar Drive Clarks Summit, PA 18411	Tributary to Leggetts Creek CWF	Lackawanna County Conservation District (570) 281-9495
Allen Township Northampton Borough Northampton County	PAG2004804017	J.B. Reilly Traditions of America, LLC 1 Saucon View Drive Bethlehem, PA 18017	Catasauqua Creek CWF	Northampton County Conservation District (610) 746-1971
City of Easton Northampton County	PAG2004803045	Director of Corrections County of Northampton 669 Washington St. Easton, PA 18042	Lehigh River WWF	Northampton County Conservation District (610) 746-1971
Jackson Township Lebanon County	PAG2003804007	Landis W. and Edna G. Weaver 336 Brethren Church Road Leola, PA 17540	Little Swatara Creek WWF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 (717) 272-3908

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Clearfield County City of DuBois	PAG2001704010	Carney Cataldo 10040 Tyler Rd. Penfield, PA 15849	Beaver Run CWF	Clearfield County Conservation District 650 Leonard St. Clearfield, PA 16830 (814) 765-2629
Allegheny County City of Pittsburgh	PAR10A510-1	William J. Rogers 407 West 8th Avenue West Homestead, PA 15120	Unnamed tributary to Monongahela River	Allegheny County Conservation District (412) 241-7645
Allegheny County City of Pittsburgh	PAR10A520-2	Port Authority of Allegheny County 345 Sixth Avenue Pittsburgh, PA 15222 Bruce & Merrilees Electric Company 930 Cass Street New Castle, PA 16101	Chartiers Creek WWF Campbells Run WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Plum Borough	PAG2000203083-1	Meritage Group 772 Pine Valley Drive Pittsburgh, PA 15239	Pierson Run TSF	Allegheny County Conservation District (412) 241-7645
Allegheny County Mount Lebanon	PAG2000204005	Kossman Development Company 11 Parkway Center Pittsburgh, PA 15220	Painters Run WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Baldwin Borough	PAG2000204014	William Tomko 2559 Route 88 Finleyville, PA 15332	Streets Run WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Jefferson Hills Borough	PAG2000204049	MB2K Development P. O. Box 18671 Pittsburgh, PA 15236	Unnamed tributary to Beams Run TSF	Allegheny County Conservation District (412) 241-7645
Allegheny County White Oak Borough	PAG2000204053	First Christian Church Ripple Road White Oak, PA 15132	Long Run TSF	Allegheny County Conservation District (412) 241-7645
Allegheny County Franklin Park Borough	PAG2000204054	YMCA of Pittsburgh 330 Blvd. of the Allies Pittsburgh, PA 15222-1980	Pine Creek CWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Monroeville	PAG2000204056	Wal-Mart Stores, Inc. 2001 SE 10th Street Bentonville, AR 72716	Thompson Run WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County City of Pittsburgh Wilkinsburg Borough	PAG2000204057	Covenant Church of Pittsburgh 1111 Wood Street Pittsburgh, PA 15221	Nine Mile Run TSF	Allegheny County Conservation District (412) 241-7645
Allegheny County Collier Township	PAG2000204070	Chartiers Valley School District 2030 Swallow Hill Road Pittsburgh, PA 15220	Chartiers Creek WWF	Allegheny County Conservation District (412) 241-7645
Armstrong County Rayburn and Boggs Townships	PAG2000304005	Allegheny Valley Land Trust P. O. Box 777 Kittanning, PA 16201	Allegheny River WWF	Armstrong County Conservation District (724) 548-3425
Washington County Peters Township	PAG2006304021	South Hills Bible Chapel 300 Gallery Drive McMurray, PA 15317	Brush Run WWF	Washington County Conservation District (724) 228-6774
Washington County Peters Township	PAG2006304022	Peters Township 610 East McMurray Rd. McMurray, PA 15317	Brush Run WWF	Washington County Conservation District (724) 228-6774
Jefferson County Punxsutawney Borough	PAG2003304001	University Acquisitions, Inc. Student Housing—Indiana University of PA S. Trevor Hadley Union Building 319 Pratt Drive Indiana, PA 157001	UNT to Saw Mill Run CWF	Jefferson County Conservation District (814) 849-7463

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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>
Jefferson County Washington Township	PAG2003304002	Glenn O. Hawbaker, Inc. DuBois Jefferson County Airport Interchange Waste Area 1952 Waddle Road State College, PA 16803	Horm Run CWF	Jefferson County Conservation District (814) 849-7463
Mercer County City of Hermitage	PAG2004304005	Cedarwood Development, Inc. Hermitage Crossing 1765 Merriman Road Akron, OH 44313	Pine Hollow Run WWF	Mercer County Conservation District (724) 662-2242

*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>
Washington County Chartiers Township	PAR116112	Joy Technologies Inc. Thorn Hill Industrial Park 177 Thorn Hill Road Warrendale, PA 15086	Chartiers Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Westmoreland County East Huntingdon Township	PAR116127	ABB Inc. 100 Distribution Circle Mount Pleasant, PA 15666	Tributary to Buffalo Run	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Westmoreland County South Greensburg Borough	PAR206102	Moore & Morford Inc. P. O. Box 759 Broad Street Greensburg, PA 15601-0759	Jacks Run	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Washington County Chartiers Township	PAR206115	Industrial Gasket & Shim Co. 200 Country Club Road P. O. Box 368 Meadowlands, PA 15347	UNT to Chartiers Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Beaver County Monaca	PAR216141	Newell Company 29 East Stephenson Street Freeport IL 61032	Ohio River	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Armstrong County Rayburn Township	PAR606144	Rupp's Auto Wrecking R. R. 6 Kittanning, PA 16201	UNT to Allegheny River	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>
Westmoreland County New Kensington	PAR606193	Rex Lucchetti Auto Parts 2460 Constitution Blvd. New Kensington, PA 15068	Allegheny River	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Allegheny County Elizabeth Township	PAR706125	Yurechko Auto 830 Golfview Drive McKeesport, PA 15135	Youghiogheny River	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Allegheny County Bethel Park Borough	PAR806118	Laidlaw Transit Services Inc. 4780 Library Road Bethel Park, PA 15102-2918	Saw Mill Run Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Allegheny County Braddock Borough	PAR806127	S H Bell Company 644 Alpha Drive P. O. Box 11495 Pittsburgh, PA 15238-3190	Monongahela River	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Beaver County Ohioville Borough	PAR806233	S H Bell Company 644 Alpha Drive P. O. Box 11495 Pittsburgh, PA 15238-3190	Ohio River	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
<i>General Permit Type—PAG-4</i>				
<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Lancaster County Conoy Township	PAG043503	John Augustine P. O. Box 111 2447 River Road Bainbridge, PA 17502	Stony Run (WWF) to Susquehanna River	SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
West Salem Township Mercer County	PAG048596	Steven J. Higgins, Jr. 199 Coal Hill Road Greenville, PA 16125	Unnamed tributary of Big Run	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Venango Township Crawford County	PAG048633	Christine A. Shupenko 25674 Capp Road Edinboro, PA 16412	Boles Run	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

Permit Type—PAG-5

Facility Location and Municipality	Permit No.	Applicant Name and Address	Receiving Water/Use	Contact Office and Telephone No.
Lancaster County Mountville Borough	PAG053580	HyWay Inc. 534 Kansas Avenue Suite 1200 Topeka, KS 66603	West Branch Little Conestoga Creek TSF	SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Former Shawville Grocery and Gas 18792 Shawville Croft Highway Shawville, PA 16873 Goshen Township Clearfield County	PAG054833	David and Sarah Amon 470 Trout Run Road Shawville, PA 16873	West Branch of the Susquehanna River (Stream Code 18668)	Northcentral Regional Office 208 West Third Street, Suite 101 Williamsport, PA 17701-6448

**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.**

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

**Permit No. 3604504**, Public Water Supply.

Applicant	<b>Fairmount Homes Inc</b>
Municipality	West Earl Township
County	<b>Lancaster</b>
Type of Facility	The addition of well no. 4 to augment the existing sources of supply. Also will add new treatment to the existing treatment system that will consist of pH adjustment using caustic soda and polyphosphate addition for sequestering manganese and corrosion control.
Consulting Engineer	David J. Gettle Kohl Bros., Inc. P. O. Box 350 Myerstown, PA 17067
Permit to Construct Issued	July 9, 2004

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<b>Permit No. 5003502</b> , Public Water Supply.	
Applicant	<b>Roberts Investment Group LLC</b>
Municipality	Centre Township
County	<b>Perry</b>
Type of Facility	Installation of iron and manganese treatment system.
Consulting Engineer	James A. Cieri Sr., P. E. Act One Consultants Inc. 2656 Walnut Street Harrisburg, PA 17103
Permit to Construct Issued	July 6, 2004
<b>Permit No. 0603514</b> , Public Water Supply.	
Applicant	<b>Pennsylvania American Water Company</b>
Municipality	Amity Township
County	<b>Berks</b>
Type of Facility	Addition of Rosecliff Pointe Well Facility to the Douglasville Water System.
Consulting Engineer	Michael J. Daschbach, P. E. Entech Engineering Inc. 4 South Fourth Street Reading, PA 19603

Permit to Construct Issued July 26, 2004

**Permit No. 3603511**, Public Water Supply.

Applicant **Getty Petroleum Marketing Inc.**

Municipality Leacock Township

County **Lancaster**

Type of Facility Installation of granular activated carbon to treat for TCE in the groundwater source.

Consulting Engineer N. Dennis Eryou, P. E.  
Eryou Engineering  
Nine Lady Janes Way  
Northport, NY 11768

Permit to Construct Issued July 8, 2004

**Permit No. 3602516**, Public Water Supply.

Applicant **Borough of Lititz**

Municipality Lititz Borough

County **Lancaster**

Type of Facility Addition of two 1 mg storage tanks, a new wastewater holding tank, new filters and building, new pump station and related piping and upgrading existing filters.

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

Permit to Construct Issued March 17, 2003

**Permit No. 2204505 MA, Minor Amendment**, Public Water Supply.

Applicant **United Water Pennsylvania**

Municipality Susquehanna Township

County **Dauphin**

Type of Facility Construction of a pretreatment caustic soda injection.

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

Permit to Construct Issued July 27, 2004

**Permit No. 3104501**, Public Water Supply.

Applicant **Trough Creek State Park Youth Forestry Camp No. 3**

Municipality Todd Township

County **Huntingdon**

Type of Facility Construction of a 22,000-gallon finished water storage tank with an in-line booster pump.

Consulting Engineer Dennis K. Hosler, P. E.  
Department of Public Welfare  
1401 N. 7th Street  
P. O. Box 2675  
Harrisburg, PA 17105

Permit to Construct Issued July 21, 2004

**Permit No. 6704506**, Public Water Supply.

Applicant **PADE—PA Auto Dealers Exchange**

Municipality Conewago Township

County **York**

Type of Facility Installation of nitrate treatment utilizing reverse osmosis.

Consulting Engineer Edward M. Lesny, P. E.  
Hydro-Geo Services, Inc.  
1542 Bridge St.  
New Cumberland, PA 17070

Permit to Construct Issued July 30, 2004

**Permit No. 3603513**, Public Water Supply.

Applicant **Ridgewood Manor Inc.**

Municipality Rapho Township

County **Lancaster**

Type of Facility Proposal is for a new source of supply known as well no. 3 to augment the existing sources of supply. No change in treatment is proposed.

Consulting Engineer David J. Gettle  
Kohl Bros., Inc.  
P. O. Box 350  
Myerstown, PA 17067

Permit to Construct Issued July 9, 2004

**Permit No. 3603514**, Public Water Supply.

Applicant **Columbia Water Company**

Municipality Columbia Borough

County **Lancaster**

Type of Facility Modification to the new Lockhard's Hollow booster pump station which will include the installation of additional pumps and controls. The project will also include the construction of a new 1 MG storage tank that will serve the new Columbia Pressure Zone.

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

Permit to Construct Issued March 31, 2004

**Permit No. 0504501**, Public Water Supply.

Applicant **Saxton Borough Municipal Authority**

Municipality Saxton Borough

County **Bedford**

Type of Facility Construction of a new 300,000 gpd membrane filtration system to replace the existing treatment facility.

Consulting Engineer Mark V. Glenn, P. E.  
Gwin, Dobson & Foreman, Inc.  
3121 Fairway Dr.  
Altoona, PA 16602-4475

Permit to Construct May 17, 2004  
Issued

**Permit No. 2204504**, Public Water Supply.

Applicant **Tulpehocken Spring Water Inc.**

Municipality Gratz Borough

County **Dauphin**

Type of Facility Installation of ozone disinfection equipment.

Consulting Engineer Thomas G. Pullar, P. E.  
P. O. Box 468  
Pipersville, PA 18947

Permit to Construct July 21, 2004  
Issued

**Operations Permit** issued to **Kitchen Kettle Foods Inc.**, Leacock Township, **Lancaster County** on March 26, 2004, for the operation of facilities approved under Construction Permit No. 3603506.

**Operations Permit** issued to **Antrim Brethern in Christ Church**, Antrim Township, **Franklin County** on July 12, 2004, for the operation of facilities approved under Construction Permit No. 2803505.

**Operations Permit** issued to **Goldsboro Firemans Club**, 7671145, Goldsboro Borough, **York County** on July 23, 2004, for the operation of facilities approved under Construction Permit No. 6703515.

**Operations Permit** issued to **East Cocalico Township Authority**, Ephrata, **Lancaster County** on May 12, 2003, for the operation of facilities approved under Construction Permit No. 3601518.

**Operations Permit** issued to **Western Berks Water Authority**, 3060066, Lower Heidelberg Township, **Berks County** on July 22, 2004, for the operation of facilities approved under Construction Permit No. 0604505.

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

**Permit No. 0803502**, Public Water Supply.

Applicant **Sherwood Retirement & Personal Care Home, Inc.**

Township or Borough Canton Township

County **Bradford**

Responsible Official James Sherwood, Owner  
R. R. 1 Box 35A  
Canton, PA 17724

Type of Facility PWS—Construction

Application Issued July 28, 2004  
Date

Description of Action Denial of application for public water supply permit.

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

Applicant **Troy Borough**

Township or Borough Troy Borough

County **Bradford**

Responsible Official Dan Close, Manager  
Troy Borough  
110 Elmira Street  
Troy, PA 16947-1202

Type of Facility PWS—Operation.

Application Issued July 29, 2004  
Date

Description of Action Authorizing operation of a 500,000-gallon water storage tank, replacement lines and new controls for the pump station.

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

Applicant **Williamsport Municipal Water Authority**

Township or Borough City of Williamsport

County **Lycoming**

Responsible Official Larue F. Vanzile, Director of Engineering  
253 West Fourth Street  
Williamsport, PA 17701

Type of Facility PWS—Operation.

Application Issued July 27, 2004  
Date

Description of Action Loyalsock water storage tank rehabilitation.

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

Applicant **Mifflinburg Borough Water System**

Township or Borough Mifflinburg Borough

County **Union**

Responsible Official Steve B. Benner, Project Manager  
333 Chestnut Street  
Mifflinburg, PA 17844

Type of Facility PWS—Construction.

Application Issued July 27, 2004  
Date

Description of Action Authorizing construction of two replacement covers on the Chambers Spring and finished storage tank no. 1.

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

**Permit No. 0404502**, **Minor Amendment**. Public Water Supply.

Applicant **Beaver Falls Municipal Authority**  
1425 Eighth Avenue  
Beaver Falls, PA 15010

Borough or Township New Brighton

County **Beaver**

Type of Facility Water Storage Tank

Consulting Engineer US Engineering, LLC  
4 Sunrise Court  
Highland, IL 62249

Permit to Construct July 28, 2004  
Issued



**Permit No. 0404501, Minor Amendment.** Public Water Supply.

**Applicant** **Beaver Falls Municipal Authority**  
1425 Eighth Avenue  
Beaver Falls, PA 15010

**Borough or Township** Eastvale

**County** **Beaver**

**Type of Facility** Water Storage Tank

**Consulting Engineer** US Engineering, LLC  
4 Sunrise Court  
Highland, IL 62249

**Permit to Construct Issued** July 28, 2004

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

**Operations Permit issued to Greenville Borough Municipal Authority**, 44 Clinton Street, Greenville, PA 16125, PWS ID 6430037, Greenville Borough, **Mercer County**, on August 2, 2004, for the operation potassium permanganate and ammonia feed systems for chloramination, as approved under Construction Permit No. 4303504.

**SEWAGE FACILITIES ACT PLAN APPROVAL**

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

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Upper Macungie Township	8330 Schantz Road Breinigsville, PA 18031	Lehigh

Plan Description: The approved plan provides for a 15 lot residential subdivision of a 2.52-acre tract. The proposed 6,000 GPD of sewage flows will be collected by a force main to be owned by Upper Macungie Township Authority. Lehigh County Authority will provide conveyance facilities to the Allentown Wastewater Treatment Plant. Public water will be provided by the Lehigh County Authority. The proposed development is at Kemmerer Lane and Memorial Road, Upper Macungie Township, Lehigh County. Any required NPDES permits or WQM permits must be obtained in the name of the municipality or authority as appropriate.

*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>
Hamilton Township	272 Mummert's Church Rd. Abbotstown, PA 17301	Adams

Plan Description: The approved plan provides for 83 single-family residential lots on 76 acres. The name of the project is Cedar Ridge (north of the intersection of Carlisle Pike and Cedar Rd.) and the homes will be served by public sewer and private wells. Wastewater flows are estimated at 19,050 gpd and will be tributary to the Berwick Township Wastewater Treatment Plant.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Jackson Township	439 Roth's Church Road Spring Grove, PA 17362	York

Plan Description: Jackson Heights, A3-67931-194-3. The approved plan provides for a 332-lot subdivision on 153.7 acres with 126 single family residential lots, 204 townhouse lots, 1 multifamily residential lot containing 166 condominium units and 1 lot for a community center. Total estimated sewage flows are 139,160 gpd and they will be a tributary to the Jackson Township Wastewater Treatment Plant. The proposed development is on the northwest and southeast sides of Hanover Road (SR 116), approximately 9,000 feet northeast of Spring Grove Borough in Jackson Township, York County. Any required NPDES permits or WQM permits must be obtained in the name of the municipality or authority as appropriate.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
German Township	c/o Daniel Shimshock, Secretary 2 Long Street McClellandtown, PA 15458	Fayette

Plan Description: The approved plan provides for the construction of a new sewage collection, conveyance and treatment system for the Route 21 area and the Villages of Edenborn, McClellandtown, Leckrone, Ronco and Balsinger in German Township, Fayette County. Treated sewage effluent will be discharged to the Monongahela River near the Village of Ronco. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES permits or WQM permits must be obtained in the name of the municipality or authority as appropriate.

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Cranberry Township	Box 378, SR 257 Seneca, PA 16346	Venango

Plan Description: The approved plan provides for the extension of sanitary sewers to serve the Route 322 corridor west of the Cranberry Mall. Any required NPDES permits or WQM permits must be obtained in the name of the municipality or authority as appropriate.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Greenfield Township	11184 Rich Hill Road North East, PA 16428	Erie

Plan Description: The approved plan provides for construction and operational oversight for small flow treatment facilities in participating municipalities.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
North East Township	10300 West Main Road North East, PA 16428	Erie

Plan Description: The approved plan provides for construction and operation oversight for small flow treatment facilities in participating municipalities.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Elgin Borough	18282 North Main Street P. O. Box 86 Elgin, PA 16413	Erie

Plan Description: The approved plan provides for construction and operation oversight for small flow treatment facilities in participating municipalities.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Franklin Township	10411 Route 98 Edinboro, PA 16412	Erie

Plan Description: The approved plan provides for construction and operation oversight for small flow treatment facilities in participating municipalities.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
McKean Township	9231 Edinboro Road McKean, PA 16426	Erie

Plan Description: The approved plan provides for construction and operation oversight for small flow treatment facilities in participating municipalities.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Summit Township	8900 Old French Road Edinboro, PA 16509-5461	Erie

Plan Description: The approved plan provides for construction and operation oversight for small flow treatment facilities in participating municipalities.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Concord Township	12677 Ormsbee Road Corry, PA 16407	Erie

Plan Description: The approved plan provides for construction and operation oversight for small flow treatment facilities in participating municipalities.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Wayne Township	17395 Sciota Road Corry, PA 16407	Erie

Plan Description: The approved plan provides for construction and operation oversight for small flow treatment facilities in participating municipalities.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Washington Township	11800 Edinboro Road Edinboro, PA 16412	Erie

Plan Description: The approved plan provides for construction and operation oversight for small flow treatment facilities in participating municipalities.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Amity Township	15030 Casler Road Union City, PA 16438-8118	Erie

Plan Description: The approved plan provides for construction and operation oversight for small flow treatment facilities in participating municipalities.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Fairview Township	7471 McCray Road Fairview, PA 16415	Erie

Plan Description: The approved plan provides for construction and operation oversight for small flow treatment facilities in participating municipalities.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Venango Township	9141 Townhall Road Watsburg, PA 16442	Erie

Plan Description: The approved plan provides for construction and operation oversight for small flow treatment facilities in participating municipalities.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Conneaut Township	12500 Route 6N Albion, PA 16401-9778	Erie

Plan Description: The approved plan provides for construction and operation oversight for small flow treatment facilities in participating municipalities.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Union Township	16075 Shreve Ridge Road Union City, PA 16438	Erie

Plan Description: The approved plan provides for construction and operation oversight for small flow treatment facilities in participating municipalities.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Waterford Township	12451 Circuit Road Waterford, PA 16441	Erie

Plan Description: The approved plan provides for construction and operation oversight for small flow treatment facilities in participating municipalities.

## Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Mill Village Borough	14350 North Main Street P. O. Box 10 Mill Village, PA 16427	Erie

Plan Description: The approved plan provides for construction and operation oversight for small flow treatment facilities in participating municipalities.

## 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 Sunoco Station No. 0363-0761**, Lower Providence Township, **Montgomery County**. Jennifer L. O'Reilly, P. G., Groundwater & Environmental Services, Inc., 410 Eagleview Blvd., Suite 110, Exton, PA 19341, on behalf of Peskin Realty & Construction Co., Joel Peskin, P. O. Box 176, 33 E. Lancaster Ave., Wynnwood, PA 19096, has submitted a combined Remedial Investigation/Risk Assessment/Cleanup Plan/Final Report concerning the remediation of site soil and groundwater contaminated with unleaded gasoline. The combined Remedial Investigation/Risk Assessment/Cleanup Plan/Final Report demonstrated attainment of the Statewide Health and Site-Specific Standards and was approved by the Department on July 14, 2004.

**Hull Corporation Site**, Upper Moreland Township, **Montgomery County**. Mark J. Irani, P. G., Advantage Environmental Consultants, LLC, 3101 Mt. Carmel Ave., Suite 3, Glenside, PA 19038, on behalf of Hull Corp., 21 Bonair Dr., Warminster, PA 18974, has submitted a Final Report concerning the remediation of site soil contaminated with PCB, BTEX, PAH and solvents and groundwater contaminated with solvents and VOCs. The Final Report demonstrated attainment of the Site Specific Standard and was approved by the Department on July 22, 2004.

**Sunroc Corporation Facility**, Middletown Township, **Delaware County**. Donald A. Coleman, P. G., Penn Environmental & Remediation, Inc., 2755 Bergey Rd., Hatfield, PA 19440, on behalf of Sunroc Corp., Mark Whitaker, 60 Starlifter Ave., Dover, DE 19903, has submitted a Final Report concerning the remediation of site soil contaminated with chlorinated solvents, inorganics, lead and other organics; and site groundwater contaminated with chlorinated solvents. The Final Report demonstrated attainment of the Statewide Health and Site Specific Standards and was approved by the Department on June 25, 2004.

**Macclesfield Park Site**, Yardley Borough, **Bucks County**. Ann Logue, Shoor DePalma, Inc., 200 State Highway Nine, P. O. Box 900, Manalapan, NJ 07726-0900, on behalf of Township of Lower Makefield, Terry Fedorchak, 1100 Edgewood Rd., Yardley, PA 19067-1696, has submitted a Remedial Investigation Report concerning the remediation of site soil and groundwater contaminated with inorganics and lead. The Remedial Investigation Report was approved by the Department on June 29, 2004.

**Montgomery Commons Shopping Center**, Montgomery Township, **Montgomery County**. Jeffrey Goudsward, Penn E & R, Inc., 2755 Bergey Rd., Hatfield, PA 19440 on behalf of Donald Cafiero, Montgomery Commons Associates, LP c/o Pennmark, 1000 E. Germantown Pike, Suite A-2, Plymouth Meeting, PA 19462 has submitted a Remedial Investigation/Final Report concerning the remediation of site soil contaminated with dry cleaning fluid. The Remedial Investigation/Final Report demonstrated attainment of the Site Specific Standard and was approved by the Department on July 20, 2004.

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

**Americana, Inc.—Truck Spill**, South Centre Township, **Columbia County**. Marshall Miller & Associates, Inc. on behalf of American, Inc., P. O. Box 71, Wolcott, IN 47994, has submitted a Final Report concerning soil contaminated with diesel fuel. This Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on July 30, 2004.

#### RESIDUAL WASTE GENERAL PERMITS

**Permits Issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and 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, 14th Floor, 400 Market Street, Harrisburg, PA 17105-8472.*

**General Permit Application No. WMGR003. Pennsylvania Precision Cast Parts, Inc.**, 521 N. 3rd Avenue, Lebanon, PA 17042-0400. General Permit No. WMGR003 is for the beneficial use of spent fired colloidal silica waste from a ferrous iron foundry using the lost wax casting process. This general permit was issued as a renewal of Pennsylvania Precision Cast Parts, Inc.'s original General Permit WMGR003 issued on December 7, 1993. The general permit renewal was issued by Central Office on August 2, 2004.

Persons interested in obtaining more information or obtaining copies of the general permit should contact Ronald C. Hassinger, Chief, General Permits and Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Land Recycling and Waste Management, Rachel Carson State Office Building, P. O. Box 8472, Harrisburg, PA 17105-8472, (717) 787-7381. TDD users should contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

#### REGISTRATION FOR GENERAL PERMIT—RESIDUAL WASTE

**Registration Approved under the Solid Waste Management Act, the Residual Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and residual waste regulations for a general permit to operate residual waste processing facilities and/or the beneficial use of residual waste other than coal ash.**

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

**Registration under General Permit No. WMGR090R024. Beaver Valley Asphalt Corporation**, 6010 Woodlawn Road, Aliquippa, PA 15001-2461. General Permit No. WMGR090 authorizes the processing and beneficial use of reclaimed asphalt pavement materials as a roadway construction material. The Central Office approved this registration for coverage under the general permit on August 2, 2004.

Persons interested in obtaining more information or obtaining copies of the general permit should contact Ronald C. Hassinger, Chief, General Permits and Beneficial Use Section, Division of Municipal and Residual

Waste, Bureau of Land Recycling and Waste Management, Rachel Carson State Office Building, P. O. Box 8472, Harrisburg, PA 17105-8472, (717) 787-7381. TDD users should contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

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

**Permits application accepted as complete under the Solid Waste Management Act, 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.**

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

**Permit No. 301626. White Pines Corporation**, 320 Godshall Drive, Harleysville, PA 19438 in Pine Township, **Columbia County**. This permit application was accepted as complete by the Williamsport Regional Office on July 26, 2004.

Comments concerning the application should be directed to John C. Hamilton, P.E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Persons interested in obtaining more information about the general permit application should contact the Williamsport Regional Office, (570) 327-3653. TDD users should contact the Department through the Pennsylvania Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to and approval or denial of the application.

**Permits issued under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act 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. 100277. Sanitary Landfill, Westmoreland Waste, LLC**, 1428 Delberts Drive, Unit 2, Monongahela, PA 15063. Operation of a municipal waste landfill in Rostraver Township, **Westmoreland County**. Major permit modification authorizing the Northern and Southern Expansion, increase in waste acceptance rates, change in operating hours and related operational revisions issued in the regional office on July 27, 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.*

**46-320-036GP: International Business Systems, Inc.** (431 Yerkes Road, King of Prussia, PA 19406) on July 28, 2004, to operate two new webfed presses in Upper Merion Township, **Montgomery County**.

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

**40-310-059GP3: Pennsy Supply, Inc.** (1001 Paxton Street, Harrisburg, PA 17104) on July 29, 2004, to construct and operate a portable stone crushing plant at their Pittston Quarry, 400 Old Boston Road, Jenkins Township, **Luzerne County**.

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

**GP3-67-03127: Reading Materials, Inc.** (P. O. Box 79, Skippack, PA 19474) on July 16, 2004, for portable nonmetallic mineral processing plants under GP3 in Fairview Township, **York County**.

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

**24-123: Onyx Greentree Landfill, Inc.** (635 Toby Road, Kersey, PA 15846) on July 21, 2004, to operate their portable mineral processing plant in Fox Township, **Elk County**.

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**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.**

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

**09-0082: Quakertown Veterinary Clinic PC** (2250 North Old Bethlehem Pike, Quakertown, PA 18951) on July 30, 2004, to operate a cremator in Milford Township, **Bucks County**.

**15-0078C: Centocor Inc.** (90 Great Valley Parkway, Malvern, PA 19355) on July 27, 2004, to operate two emergency generators in East Whiteland Township, **Chester County**.

**46-0198H: Blommer Chocolate Co.** (1101 Blommer Drive, East Greenville, PA 18041) on July 30, 2004, to operate a roasting line micronizer in Upper Hanover Township, **Montgomery County**.

**46-0005T: Merck and Co., Inc.** (770 Sumneytown Pike, West Point, PA 19486) on July 29, 2004, to operate two 1,300 kW emergency generators in Upper Gwynedd Township, **Montgomery County**.

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

**39-304-026: Ransom Industries LP—Tyler Pipe Penn Division** (101 North Church Street, Macungie, PA 18062) on July 26, 2004, to construct a thermal sand reclamation system and associated air cleaning devices at their facility in Macungie Borough, **Lehigh County**.

**13-399-008B: Horsehead Corp.** (900 Delaware Avenue, Palmerton, PA 18071) on July 28, 2004, to modify a calcine kiln receiving bin and associated air cleaning devices at their facility in Palmerton Borough, **Carbon County**.

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

**22-05003A: Stroehmann Bakeries, LC** (3996 Paxton Street, Harrisburg, PA 17111) on July 27, 2004, to replace

a catalytic oxidizer which controls VOC emissions from the ovens at their Capitol Bakery in Swatara Township, **Dauphin County**.

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

**03-00238A: Curran-Shaffer Funeral Home, Inc.** (100 Owens View Avenue, Apollo, PA 15613-1614) on July 28, 2004, to construct and install a multiple chambered gas fired crematory incinerator at their Curran-Shaffer Funeral Home in Apollo, **Armstrong County**.

**56-00292A: Elk Lick Energy, Inc.** (P. O. Box 240, 1576 Stoystown Road, Friedens, PA 15541) on August 2, 2004, to install dry screening processing equipment at their Roytown Deep Mine Facility in Lincoln Township, **Somerset County**. Equipment shall include an Allis Chalmers screen rated at 1,500 tons per hour (or equivalent), various conveyors, stockpiles and front-end loaders.

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

**37-243C: International Metals Reclamation Company, Inc.** (245 Portersville Road, Ellwood City, PA 16117) on July 22, 2004, to construct the eighth electric cadmium furnace in Ellwood City Borough, **Lawrence County**.

**10-027D: Penreco** (138 Petrolia Street, Karns City, PA 16041) on July 6, 2004, to modify Plan Approval 10-027C in Karns City, **Butler County**.

**42-178A: Glenn O. Hawbaker, Inc.—Turtlepoint Plant** (SR 1002, Champlin Hill Road, Turtlepoint, PA 16750) on July 12, 2004, to use alternative fuels in Annin Township, **McKean County**.

**61-193D: National Fuel Gas Supply Corp.** (TR 300, Stoneboro, PA 16153) on July 21, 2004, to modify existing Plan Approval 61-0193C to allow revision of minimum thermal oxidizer temperature from 1,400°F to 1,300°F at their Henderson Station in Mineral Township, **Venango County**.

**16-094A: IA Construction Corp.** (Route 66, Shippenville, PA 16254) on July 21, 2004, to modify the existing plan approval for asphalt plant to allow no. 2 oil, liquid propane or natural gas fuels for the rotary dryer burner at their Clarion Plant in Paint Township, **Clarion County**.

**20-295A Baillie Lumber Co.** (45529 SR 27, Titusville, PA 16354) on July 28, 2004, to install a 600 hp wood-fired boiler at Baillie Lumber Yard in Oil Creek Township, **Crawford County**.

**10-037: Crompton Corp.** (100 Sonneborn Lane, Petrolia, PA 16050) on July 26, 2004, for Emission Reduction Credits for their reject stripper in Fairview Township, **Butler County**.

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**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.**

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

**46-317-005E: Moyer Packing Co.** (P. O. Box 395, Souderton, PA 18964) on July 27, 2004, to operate various rendering equipment and scrubber in Franconia Township, **Montgomery County**.

**09-0048A: H and K Materials—Division of Haines and Kibblehouse** (P. O. Box 196, 2052 Lucon Road, Skippack, PA 19474) on July 27, 2004, to operate a batch asphalt plant in Hilltown Township, **Bucks County**.

**09-0143: Naceville Materials** (P. O. Box 196, 2052 Lucon Road, Skippack, PA 19474) on July 27, 2004, to operate a primary crusher and conveyor in West Rockhill Township, **Bucks County**.

**46-0036G: Visteon Systems LLC** (2750 Morris Road, Lansdale, PA 19446) on July 27, 2004, to operate selective solder machine no. 10 in Worcester Township, **Montgomery County**.

**46-0112: Palmer International, Inc.** (P. O. Box 315, Skippack, PA 19474) on July 27, 2004, to operate a thermal oxidizer in Skippack Township, **Montgomery County**.

**46-0112B: Palmer International, Inc.** (P. O. Box 315, Skippack, PA 19474) on July 27, 2004, to operate a turbo mixer thermal oxidizer in Skippack Township, **Montgomery County**.

**23-0082: Liberty Electric Power, LLC** (1000 Industrial Hwy., Route 291, Eddystone, PA 19022) on July 27, 2004, to operate a power plant—500 mW in Eddystone Borough, **Delaware County**.

**46-0025C: Lonza, Inc.** (900 River Road, Conshohocken, PA 19428) on July 29, 2004, to operate a waste incinerator in Upper Merion Township, **Montgomery County**.

**09-0050: Better Materials Corporation** (P. O. Box 231, Easton, PA 18044) on August 2, 2004, to operate one crusher and two conveyor belts in Wrightstown Township, **Bucks County**.

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

**17-305-049: Energy Link, Inc.** (840 Philadelphia Street, Indiana, PA 15701) on July 28, 2004, to operate a coal stockpiling and railcar loading operation on a temporary basis, to November 25, 2002, in Lawrence Township, **Clearfield 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.*

**03-00197A: Nature's Blend Wood Products, Inc.** (P. O. Box 392, 202 First Avenue, Ford City, PA 16226) on July 28, 2004, to install a finishing line and American finishing system in Ford City, **Armstrong County**. This plan approval was extended.

**32-00367A: Ridge Energy Company, Inc.** (265 Swamp Road, Suite 3000, Clymer, PA 15728) on August 28, 2004, to install a crusher and screener at the Laurel Run Quarry in Cherryhill Township, **Indiana County**. This plan approval was extended.

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

**37-013E: Cemex, Inc.** (2001 Portland Park, Wampum, PA 16157) on June 30, 2004, to change their slag feeding equipment in Wampum, **Lawrence County**.

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

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

**15-00002: Quebecor Printing Atglen, Inc.** (4581 Lower Valley Road, P. O. Box 365, Atglen, PA 19310) on July 30, 2004, amended facility Title V Operating Permit in West Sadsbury Township, **Chester County**.

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

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

**09-00081: Thermco Products Co.** (1409 West Broad Street, Quakertown, PA 18951) on July 28, 2004, to operate a facility natural minor operating permit in Quakertown Borough, **Bucks County**.

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

**63-00899: Pleiger Plastics Co.—Washington Plant** (P. O. Box 1271, Crile Road, Washington, PA 15301-1271) for their Washington Plant in South Strabane Township, **Washington County**. The facility's sources of emissions include polyurethane molding operations that primarily emit nonmajor levels of VOC compounds.

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

**62-00150: Superior Tire and Rubber Corp.** (1818 Pennsylvania Avenue, Warren, PA 16365) on July 22, 2004, for a Synthetic Minor Permit to operate their tires and inner tubes manufacturing facility in the City of Warren, **Warren County**. The significant emitting sources are boilers, space heaters, spray booths, molding process, burn off oven and shot blasting booth. This facility has taken a restriction on emission of single HAP less than 10 tons per year and multiple HAP less than 25 tons per year.

**25-00917: Performance Castings, Inc.** (242 East 16th Street, Erie, PA 16503) on July 13, 2004, for a Natural Minor Permit to operate their iron and aluminum foundry manufacturing facility in the City of Erie, **Erie County**. The significant emitting sources are induction furnace, annealing operation, inoculation, charge handling, pouring/casting, cooling, shake out, grinding/cleaning, core ovens, shell core machines and binder operation.

**20-00266: Electro-Tech, Inc.** (100 West Poplar Street, Meadville, PA) on July 23, 2004, for a Natural Minor operating permit for air emissions from a hard chromium electroplating facility in the City of Meadville, **Crawford County**.

**25-00883: The Township of Millcreek** (3608 West 26th St., Erie, PA) on July 23, 2004, for a Natural Minor operating permit for air emissions from a hot mix asphalt facility in Millcreek Township, **Erie County**.

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

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

**43-00329: White Rock Silica Sand Co., Inc.** (331 Methodist Road, Greenville, PA 16125) on July 29, 2004, for an amendment to their Natural Minor operating permit to increase the allowable annual operating hours for a diesel-fueled generator in Hempfield Township, **Mercer County**. The change is authorized by Plan Approval 43-0329B.

## 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

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

**32851601 and NPDES Permit No. PA0095966. P & N Coal Company, Inc.** (240 Mahoning Street, P. O. Box 332, Punxsutawney, PA 15767), to renew the permit for the Hillman Tipple in Banks Township, **Indiana County** and related NPDES permit. No additional discharges. Permit issued July 28, 2004.

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

**32000107. Kraynak Coal Company** (3124 Firetower Road, Mahaffey, PA 15757), permit revision to add 1.0 acre of mining to the existing permit in Grant Township, **Indiana County**, affecting 39.0 acres. Receiving streams: East Run to Little Mahoning Creek to Mahoning Creek to the Allegheny River (HQ to CWF). There are no potable water supply intakes within 10 miles downstream. Application received April 9, 2004. Permit issued July 21, 2004.

**56813050 and NPDES Permit No. PA0605891. Shade Mining Company** (P. O. Box 130, 118 Runway Road, Friedens, PA 15541), surface mining permit renewal for reclamation only in Quemahoning, Shade and Stonycreek Townships, **Somerset County**, affecting 150.7 acres. Receiving streams: unnamed tributaries to Oven Run and to unnamed tributary to Lamberts Run. The first downstream potable water supply intake from the point of discharge is the Hooversville Borough Municipal Authority Stonycreek surface water withdrawal. Application received March 30, 2004. Permit issued July 27, 2004.

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

**03910115 and NPDES Permit No. PA0200174. Allegheny Mineral Corporation** (P. O. Box 1022, Kittanning, PA 16201), permit renewal issued for continued operation and reclamation of a bituminous surface/auger mining site in West Franklin Township, **Armstrong County**, affecting 468.8 acres. Receiving streams: Buffalo Creek to the Allegheny River. Application received January 20, 2004. Renewal issued July 27, 2004.

**26890103 and NPDES Permit No. PA0591327. Durant Excavating Company** (18 North Ross Street, Masontown, PA 15461-1764), permit renewal issued for continued operation and reclamation of a bituminous surface mining site in Nicholson Township, **Fayette County**, affecting 32.0 acres. Receiving streams: unnamed tributaries to Cats Run to Monongahela River. Application received May 4, 2004. Renewal issued July 29, 2004.

### Noncoal Permit Actions

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

**26950401 and NPDES Permit No. PA0201294. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001), transfer of permit formerly issued to Better Materials Corporation for continued operation and reclamation of a noncoal surface mining site (limestone quarry) in Springfield Township, **Fayette County**, affecting 570 acres. Receiving streams: unnamed tributary to Clay Run and Buck Run. Application received March 16, 2004. Transfer permit issued July 28, 2004.

**26970401 and NPDES Permit No. PA0202100. Laurel Aggregates, Inc.** (P. O. Box 1209, Morgantown, WV 26507), NPDES permit renewal issued for continued operation and reclamation of a noncoal surface mining site in Springhill Township, **Fayette County**, affecting 254.52 acres. Receiving streams: unnamed tributaries to Rubles Run and Rubles Run. Application received March 15, 2004. NPDES renewal issued July 29, 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.*

**52044009. Ed Wean Drilling & Blasting, Inc.** (112 Ravine Road, Stewartsville, NJ 08886), construction blasting at Saw Creek Estates in Lehman Township, **Pike County**, with an expiration date of July 23, 2005. Permit issued July 26, 2004.

**45044030. Ed Wean Drilling & Blasting, Inc.** (112 Ravine Road, Stewartsville, NJ 08886), construction blasting at the intersection of Route 209 and Business Route 209 in Smithfield Township, **Monroe County**, with an expiration date of July 28, 2005. Permit issued July 26, 2004.

**48044029. Rich Rufe Drilling & Blasting** (R. R. 6, Box 63608, Saylorsburg, PA 18353) and **Austin Powder**



**Company** (P. O. Box 289, Northampton, PA 18067), construction blasting at Penn Dixie Development in Upper Nazareth Township, **Northampton County**, with an expiration date of July 20, 2005. Permit issued July 26, 2004.

**35044011. Hayduk Enterprises** (P. O. Box 554, Dalton, PA 18414), construction blasting in Madison Township, **Lackawanna County**, with an expiration date of January 21, 2005. Permit issued July 26, 2004.

**09044021. Eastern Blasting Company, Inc.** (1292 Street Road, New Hope, PA 18938), construction blasting at BJ's Food Retail Site in Warrington Township, **Bucks County**, with an expiration date of May 31, 2005. Permit issued July 26, 2004.

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

### FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department of Environmental Protection (Department) has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with the applicable provisions of sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

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

(800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

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

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

#### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E46-926. Stewart and Conti Development Company**, 3801 Germantown Pike, Fairview Village, PA 19426, Douglass Township, **Montgomery County**, ACOE Philadelphia District.

To perform the following activities associated with the Cobblestone Crossing Residential Subdivision, Phases II and III:

1. To install an 8-inch water line under Swamp Creek (TSF, MF) and adjacent wetlands by method of directional bore.

2. To construct an 8-inch sanitary sewer line with impacts at three locations: (1) across an unnamed tributary to Swamp Creek; (2) across Swamp Creek; (3) across Swamp Creek and its adjacent wetlands; and (4) across a wetland. The project will have total temporary impacts of 0.11 acre of wetland (PEM) and 57 linear feet of stream channel.

3. To construct and maintain four stormwater outfall structures, three discharging to wetlands (PEM) and one discharging to Swamp Creek.

The site is just north of the intersection of Big Road (SR 0073) and Smith Road (Sassamansville, PA USGS Quadrangle N: 12.5 inches; W: 13.1 inches).

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

**E51-209. Isle of Capri Associates, L. P.**, 242 South 17th Street, Philadelphia, PA 19103, City and County of Philadelphia, ACOE Philadelphia District.

To redevelop and maintain Piers 36—39 North (also known as Waterfront Square) consisting of a high-rise



condominium gated community with several multistory structures, including a parking garage. Work will include:

1. The placement of approximately 18,572 cubic yards of fill within a footprint of the piers currently occupying submerged lands of the Delaware River (WWF-MF).

2. To construct and maintain a new high-deck structure over an existing timber low deck structure at the ends of Piers 37 and 38. This structure will consist of several steel pipe piles, a concrete seawall and concrete deck. Timber piles will be attached to the face of the seawall along with a horizontal timber wale system and a vertical timber planking debris barrier.

3. To install and maintain approximately 924 14-inch diameter steel piles through the fill and underlying submerged lands of the Delaware River to provide structural support for the proposed buildings.

4. To install and maintain approximately 296 10-inch diameter steel piles through the fill and underlying submerged lands of the Delaware River to provide structural support for the proposed parking garage.

5. The placement of approximately 1,015 linear feet of steel sheet piling to provide perimeter bulkhead support.

6. To construct and maintain one 24-inch diameter and one 12-inch diameter RCP stormwater outfall structure along the southern edge of Pier 36 and discharging into the area labeled as Cohocksink Creek. Also, to construct and maintain one 24-inch diameter RCP stormwater outfall structure at the eastern limit of Pier 39 and discharging into the Delaware River.

7. To place and maintain approximately 700 linear feet of riprap bank protection around the perimeter of previously filled submerged lands along with landscaping features.

8. To construct and maintain a facility allowing public access to the Delaware River consisting of an 8-foot wide walkway along the northern edge of Pier 39 North with an observatory platform at its terminus.

The existing site and encroachment on Commonwealth submerged lands was authorized by numerous pre-existing licenses issued by either the Port of Warden's Office, Department of Wharves, Docks and Ferries or the City of Philadelphia—Department of Commerce. Leasehold of the property within Commonwealth submerged lands was further authorized by an act of General Assembly (House Bill No. 629 (Session of 2003)).

This site is approximately 3,500 feet north of the Ben Franklin Bridge at a site along the Delaware River between 877 and 923 Penn Street (Philadelphia, PA-NJ Quadrangle N: 15.7 inches; W: 1.7 inches).

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

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

**E45-400. Barbara Kulick**, 5257 Milford Road, East Stroudsburg, PA 18301. Middle Smithfield Township, **Monroe County**, Army Corps of Engineers Philadelphia District.

To place fill in approximately 0.09 acre of PFO-EV wetlands for the purpose of constructing an access road to serve two commercial buildings. The work includes the placement of a 54-foot long, 15-inch diameter culvert, a 38-foot long, 15-inch by 21-inch arch culvert and a 1 1/4-inch diameter sanitary sewer force main in two

separate wetland systems along the access road. The permittee is required to provide for 0.09 acre of replacement wetlands by participating in the Pennsylvania Wetland Replacement Project. The project is located on the south side of SR 0209, approximately 0.7 mile east of Township Road T550 (Keystone Road) (Bushkill, PA-NJ Quadrangle N: 11.7 inches; W: 7.6 inches) (Subbasin 1D).

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

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

To install and maintain: (1) an 11-foot span by 5-foot rise arch pipe to cross an unnamed tributary to the Conodoguinet Creek (WWF); and (2) a 3-inch diameter outfall to discharge treated effluent to an unnamed tributary of the Conodoguinet Creek, just south of the SR 944 culvert crossing (Shermans Dale, PA Quadrangle N: 4.29 inches; W: 1.63 inches) in Middlesex Township, Cumberland County.

**E50-224: Paradise Stream Family Campground, Inc.**, R. R. 2 Box 248, Loysville, PA 17047 in Southwest Madison Township, **Perry County**, ACOE Baltimore District.

To: (1) remove an existing deteriorated 22-foot span bridge; and (2) install and maintain a new 35-foot span steel bridge across an unnamed tributary to Sherman Creek (HQ-CWF), locally known as Cisna Run, for the purpose of providing a safe access to existing homes and property, approximately 1,500 feet south of Route 274 on the western side of SR 3008 (Andersonburg, PA Quadrangle N: 18.2 inches; W: 7.0 inches) in Southwest Madison Township, Perry County.

**E31-195: R. Scott Shearer**, 850 Weldon Street, Latrobe, PA 15650 in Franklin Township, **Huntingdon County**, ACOE Baltimore District.

To rehabilitate and maintain an existing timber plank bridge across Spruce Creek (HQ-CWF) by removing the existing piers and replacing the steel superstructure and timber plank deck at a site (Franklinville, PA Quadrangle N: 3.7 inches; W: 12.7 inches) east of SR 45 approximately 0.8 mile north of SR 4015 and to construct and maintain a 36-foot by 128-foot residential structure with associated fill material at a point (Franklinville, PA Quadrangle N: 3.4 inches; W: 12.7 inches) approximately 600 feet downstream on the left floodway of Spruce Creek in Franklin Township, Huntingdon County.

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

**E59-457. Department of Transportation**, 715 Jordan Ave., Montoursville, PA 17701. SR 6015 Sections G20 and G22 in Tioga and Lawrence Townships and Lawrenceville Borough, **Tioga County**, ACOE Baltimore District (Jackson Summit (center of project), PA Quadrangle N: 14.75 inches; W: 16.5 inches).

To construct, operate and maintain a four-lane limited access highway with 14 permanent stream impacts totaling 5,137.0 linear feet, 21 temporary stream impacts totaling 1,878.0 linear feet and 84 permanent and temporary wetland impacts for a total of 9.5752 acres of permanent impact and 0.3142 acre of temporary impact. The crossing over the Tioga River, at latitude 41-56-20 longitude 77-6-33, is authorized as a dual 11-span composite prestressed concrete I-beam bridge structure with a total length of 1,690 linear feet for the northbound structure and a total length of 1,680 linear feet for the

southbound structure. The Cowanesque River Bridge, at latitude 42-00-01 and longitude 77-8-5, is similar to the previous structure with the exception of only being eight spans and having a length of 1,088 linear feet of the northbound structure and 847 linear feet of the southbound structure. An unnamed tributary to the Susquehanna River, local name Rick Creek at latitude 41-57-3 and longitude 77-7-1, is another dual bridge structure having a length of 95 linear feet. A stream relocation of 491 linear feet is also authorized at this location. An unnamed tributary to the Susquehanna River, local name Hemlock Creek at latitude 41-57-17 and longitude 77-7-12, is authorized as a 60-inch reinforced concrete pipe culvert with chute blocks on the outlet to dissipate velocities. The remaining stream impacts (at latitudes and longitudes: 41-56-01, 77-6-1; 41-56-40, 77-6-39; 41-56-48, 77-6-44; 41-57-5, 77-7-4; 41-57-24, 77-7-25; 41-58-13, 77-7-16; and 41-58-29, 77-7-25) are all unnamed tributaries to the Tioga River and are authorized to have reinforced concrete pipe culvert or concrete box culvert stream crossings. Authorized fills at locations latitude and longitude 41-57-38, 77-7-13 and 41-57-42, 77-7-13 will eliminate 318 linear feet between two unnamed tributaries to the Tioga River. An authorized cut at location 41-58-14, 77-7-16 will impact 639 linear feet of an unnamed tributary to the Tioga River. This stream will be relocated into a concrete pipe culvert, discharged into a stormwater basin then discharged back into the natural channel. This permit also authorizes a 3,300 linear foot stream revitalization project in Bentley Creek. Within this reach the revitalization efforts will include Boulder Bank packing, bank regarding above the installed boulder toe treatments, bank regarding alone, boulder toe with a constructed bankfull bench and 18 rock cross vane structures (Jackson Summit (center of project), PA Quadrangle N: 14.75; W: 16.5 inches), Tioga and Lawrence Townships, Lawrenceville Borough, Tioga County.

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

**E65-835. Manor Development Group II**, 109 Gateway Avenue, Suite 202, Wexford, PA 15090. Stream enclosure in the Municipality of Murrysville, **Westmoreland County**, Pittsburgh ACOE District (Murrysville, PA Quadrangle N: 14.1 inches; W: 2.13 inches—Latitude: 40° 27' 15" and Longitude: 78° 38' 33"). To construct and maintain a 124.5-foot long, 60-inch CPP stream enclosure in an unnamed tributary to Steels Run (HQ-CWF) under Sinan Farms Drive as part of a planned 74-lot residential subdivision. The project will include the construction and maintenance of a 132.0-foot long, 66-inch RCP stream enclosure in an unnamed tributary to Steels Run under Parkview Court and a 39.0-foot long, 36-inch CPP culvert in an unnamed tributary to Steels Run both eligible for authorization under the Department's waiver of section 105.12(a)(2). The project as proposed will affect approximately 905 feet of watercourse and 0.1 acre of wetlands. Additional impacts to watercourses and wetlands will result from multiple utility line crossings and eight temporary road crossings in unnamed tributaries to Steels Run (HQ-CWF). The permittee shall also construct 0.25 acre of replacement wetlands onsite. The project is at the intersection of Sinan and Evans Roads.

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

**E10-394, Butler County**, P. O. Box 1208, Butler, PA 16003-1208. Harrisville Borough Bridge Replacement Project (County Bridge No. 7) in Mercer Township, **Butler County**, ACOE Pittsburgh District (Grove City, PA Quadrangle N: 1.7 inches; W: 0.07 inch).

To remove the existing single lane reinforced concrete bridge having a clear span of 22 feet, a maximum underclearance of 14 feet and an instream length of 19 feet, 5 inches and to construct and maintain a two-lane steel girder bridge with reinforced concrete deck having a clear span of 26 feet, a maximum underclearance of 14 feet and an instream length of 25 feet at a point within McMurray Run (CWF) approximately 2,600 feet southeast of the Borough of Harrisville along Frampton Road.

**E10-398, Robert W. Barr**, 149 Weston Lane, Sarver, PA 16055. Barr Residence Driveway Crossing in Buffalo Township, **Butler County**, ACOE Pittsburgh District (Curtisville, PA Quadrangle N: 18.21 inches; W: 1.89 inches).

To remove the existing temporary road crossing constructed under General Permit No. 08-10-03-611 and to construct and maintain a single span bridge having an approximate clear span of 20 feet, an instream length of 20 feet and a minimum under clearance of 5 feet at a point across Sarver Run (HQ-TSF) approximately 1,800 feet northwest of the intersection of SR 0228 and SR 0356, 200 feet south of Coal Hollow Road.

**E25-682, Department of Transportation, District 1-0**, 255 Elm Street, P. O. Box 398, Oil City, PA 16301. SR 0020, Section 11M across tributaries to Turkey Creek in Springfield Township, **Erie County**, ACOE Pittsburgh District (East Springfield, PA Quadrangle N: 13.6 inches; W: 15.8 inches).

To conduct the following activities in tributaries to Turkey Creek on SR 0020, Section 11M just east of its intersection with SR 5:

1. To remove the existing structure and to install and maintain a 124-foot long, 76-inch wide by 48-inch high elliptical reinforced concrete pipe stream enclosure approximately 400 feet east of SR 5.

2. To remove the existing structure and to install and maintain twin 180-foot long, 48-inch diameter reinforced concrete pipe stream enclosure approximately 700 feet east of SR 5.

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## SPECIAL NOTICES

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### Certification to Perform Radon-Related Activities in this Commonwealth

During July 2004, the Department of Environmental Protection, under the Radon Certification Act (63 P. S. §§ 2001—2014) and regulations promulgated thereunder in 25 Pa. Code Chapter 240, has certified the following persons to perform radon-related activities in this Commonwealth. The period of certification is 2 years. For a complete list of persons currently certified to perform radon-related activities in this Commonwealth and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P. O. Box 8469, Harrisburg, PA 17105-8469, (800) 23RADON.

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Bruce Atkins	1341 North Delaware Avenue Suite 205 Philadelphia, PA 19125	Testing
Roger Baker	1564 Dry Hollow Road Warriors Mark, PA 16877	Testing
Edward Beers	P. O. Box 733 Tannersville, PA 18372	Mitigation
Brian Cessna	407 West Sample Street Ebensburg, PA 15931	Testing
Ralph D'Angelo	474 Burnley Lane Drexel Hill, PA 19026	Testing
Joseph Donnelly, III	1341 North Delaware Avenue Suite 205 Philadelphia, PA 19125	Testing
Paul Edwards	215 Kelso Circle Collegeville, PA 19426	Testing
Samuel Falcone Falcone Building Inspections, Inc.	4204 Greenridge Road Pittsburgh, PA 15234	Testing
Arnold Fiergang	P. O. Box 54 Pocono Pines, PA 18350	Testing
David Grammer Stoneridge/RAdata, Inc.	27 Ironia Road Unit 2 Flanders, NJ 07836	Mitigation
Michael Lay	2235 Bernays Drive York, PA 17404	Testing
Kenneth Lewis	1341 North Delaware Avenue Suite 205 Philadelphia, PA 19125	Testing
G. Richard Lininger, Jr. Penn-Mar Services	122 Madison Avenue Waynesboro, PA 17268	Mitigation
Paul McGowan	14520 Otis Drive North Huntingdon, PA 15642	Mitigation
Gary Merlo	203 South 8th Street Bangor, PA 18013	Testing
Gary Morrissey	202 President Avenue Rutledge, PA 19070	Testing
Karl Orwig	471 Hemlock Lane Nazareth, PA 18064	Testing
Michael Palmieri	346 Madison Avenue Nazareth, PA 18064	Testing
Pillar To Post	325 West Second Avenue Conshohocken, PA 19428	Testing
Steven Platz	2006 West 51st Street Erie, PA 16509	Testing
Jeffrey Porte	1962 Wager Road Erie, PA 16509	Testing and Laboratory

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Radon Testing Corporation of America	2 Hayes Street Elmsford, NY 10523	Laboratory
Kyle Reuber	191 Kemmerer Road Nazareth, PA 18064	Testing
Herbert Scott	P. O. Box 276 Point Pleasant, PA 18950	Testing
Clarence Sisco Cape Atlantic, Inc.	P. O. Box 954 Blue Bell, PA 19422	Testing
Chris Smith	301 Rte. 940 Mount Pocono, PA 18344	Testing
Robert Wilmoth Radon Management of Erie	3402 Holland Street Erie, PA 16504	Mitigation

**Categorical Exclusion**

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

*Location:* Brownsville Municipal Authority, P. O. Box 330, 7 Jackson Street, Brownsville, PA 15417.

*Description:* The Pennsylvania Infrastructure Investment Authority (Authority), which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. The Authority proposes to refurbish and replace existing pump stations, treatment plant and other sewerage facilities. The Department's review of the project and the information received has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby categorically excludes this project from the State Environmental Review Process.

**Public Meeting and Request for Comment for the Proposed Total Maximum Daily Load (TMDL) for the Hartshorn Run Watershed in Clearfield County**

The Department will hold a public meeting to discuss and accept comments on a proposed TMDL for the Hartshorn Run Watershed in Clearfield County. The meeting will be held on September 1, 2004, at 6:30 p.m. at the Clearfield County Multiservice Center, Daisy Street, Clearfield. Individuals who plan to make a presentation at the public meeting should contact, by 4 p.m. on Friday, August 27, 2004, John Mital, Moshannon District Mining Office, (814) 342-8200. The Department will consider all comments in developing the final TMDL for the Hartshorn Run Watershed, which will be submitted to the EPA for approval.

The proposed TMDL for the Hartshorn Run Watershed was established in accordance with the requirements of the Clean Water Act, section 303(d). One stream segment in the Hartshorn Run Watershed has been identified as impaired on the 1996 Pennsylvania Section 303(d) list due to depressed pH and/or high concentrations of metals. The listed segment and miles degraded are shown in the following table:

<i>Stream Code (Segment ID)</i>	<i>Stream Name</i>	<i>Miles Degraded</i>
26652 (7191)	Hartshorn	1.3

The proposed plan provides calculations of the stream's total capacity to accept metals (aluminum, iron, manga-

nese and acidity), pH and maintain levels below water quality criteria. The applicable water quality criteria are as follows:

<i>Parameter</i>	<i>Criterion Value (mg/l)</i>	<i>Total Recoverable/Dissolved</i>
Aluminum	0.75	Total Recoverable
Iron	1.5	Total Recoverable
Manganese	1.00	Total Recoverable
pH	6.0—9.0	N/A

The primary pollutant source for the watershed is abandoned mine workings. This watershed was mined for coal in the 1900s. The effects of this are still present.

The proposed TMDL was developed using Monte Carlo Simulation (MCS) to determine long-term average concentrations that each stream segment could accept and still meet water quality criteria 99% of the time. MCS allows for the expansion of a data set based on its statistical makeup. Since there was no critical flow condition where criteria were exceeded, the Department used the average flow to express the loading values in the proposed TMDL. The proposed TMDL for the Hartshorn Run Watershed sets allowable loading rates for metals and acidity at specified points in the watershed. Field data collected over the past 2 years was used to establish the proposed TMDL for the Hartshorn Run Watershed. The data and all supporting information used to develop the proposed TMDL are available from the Department.

The Department will accept written comments on the proposed TMDL for the Hartshorn Run Watershed. Written comments must be postmarked by October 13, 2004, and sent to John Mital, Geologic Specialist, Department of Environmental Protection, Moshannon District Mining Office, 186 Enterprise Drive, Philipsburg, PA 16866, (814) 342-8200, jmital@state.pa.us.

To request a copy of the proposed TMDL and associated information sheet or to obtain directions to the Clearfield County Multiservice Center, contact John Mital at the previous phone number or e-mail address.

The proposed TMDL for the Hartshorn Run Watershed can be accessed through the Department's website: www.dep.state.pa.us (DEP Keyword: TMDL). Persons with a disability who require accommodations to attend this meeting should contact the Department at (814) 472-1900 or the Pennsylvania AT&T Relay Service at (800) 654-

5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

**Public Meeting and Request for Comment for the Proposed Total Maximum Daily Load (TMDL) for the Sanbourn Run Watershed in Clearfield County**

The Department will hold a public meeting to discuss and accept comments on a proposed TMDL for the Sanbourn Run Watershed in Clearfield County. The meeting will be held on September 1, 2004, at 6:30 p.m. at the Clearfield County Multiservice Center, Daisy Street, Clearfield. Individuals who plan to make a presentation at the public meeting should contact, by 4 p.m. on Friday, August 27, 2004, John Mital, Moshannon District Mining Office, (814) 342-8200. The Department will consider all comments in developing the final TMDL for the Sanbourn Run Watershed, which will be submitted to the EPA for approval.

The proposed TMDL for the Sanbourn Run Watershed was established in accordance with the requirements of the Clean Water Act, section 303(d). One stream segment in the Sanbourn Run Watershed has been identified as impaired on the 1996 Pennsylvania Section 303(d) list due to depressed pH and/or high concentrations of metals. The listed segment and miles degraded are shown in the following table:

<i>Stream Code (Segment ID)</i>	<i>Stream Name</i>	<i>Miles Degraded</i>
26184 (7173)	Sanbourn	5.2

The proposed plan provides calculations of the stream's total capacity to accept metals (aluminum, iron, manganese and acidity), pH and maintain levels below water quality criteria. The applicable water quality criteria are as follows:

<i>Parameter</i>	<i>Criterion Value (mg/l)</i>	<i>Total Recoverable/ Dissolved</i>
Aluminum	0.75	Total Recoverable
Iron	1.5	Total Recoverable
Manganese	1.00	Total Recoverable
pH	6.0—9.0	N/A

The primary pollutant source for the watershed is abandoned mine workings. This watershed was mined for coal in the 1900s. The effects of this are still present.

The proposed TMDL was developed using MCS to determine long-term average concentrations that each stream segment could accept and still meet water quality criteria 99% of the time. MCS allows for the expansion of a data set based on its statistical makeup. Since there was no critical flow condition where criteria were exceeded, the Department used the average flow to express the loading values in the proposed TMDL. The proposed TMDL for the Sanbourn Run Watershed sets allowable loading rates for metals and acidity at specified points in the watershed. Field data collected over the past 2 years was used to establish the proposed TMDL for the Sanbourn Run Watershed. The data and all supporting information used to develop the proposed TMDL are available from the Department.

The Department will accept written comments on the proposed TMDL for the Sanbourn Run Watershed. Written comments must be postmarked by October 13, 2004, and sent to John Mital, Geologic Specialist, Department of Environmental Protection, Moshannon District Mining

Office, 186 Enterprise Drive, Philipsburg, PA 16866, (814) 342-8200, [jmital@state.pa.us](mailto:jmital@state.pa.us).

To request a copy of the proposed TMDL and associated information sheet or to obtain directions to the Clearfield County Multiservice Center, contact John Mital at the previous phone number or e-mail address.

The proposed TMDL for the Sanbourn Run Watershed can be accessed through the Department's website: [www.dep.state.pa.us](http://www.dep.state.pa.us) (DEP Keyword: TMDL). Persons with a disability who require accommodations to attend this meeting should contact the Department at (814) 472-1900 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

**Public Meeting and Request for Comment for the Proposed Total Maximum Daily Load (TMDL) for Crosskill Creek in Berks and Lebanon Counties**

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

The Department will accept comments on the proposed TMDL developed for a portion of the Crosskill Creek watershed in northeast Berks County. The TMDL was established in accordance with the requirements of section 303(d) of the Clean Water Act. The Commonwealth's 1996-303(d) list included stream segments in the watershed. The listings of these segments were due to use impairments caused by turbidity and suspended solids.

The proposed TMDL sets allowable sediment loadings in the watershed. There currently are no State or Federal in-stream numerical water quality criteria for sediment. Therefore, the Department utilized a reference watershed approach to implement the applicable narrative criteria. The sediment loading was allocated among all land use categories present in the watershed. Data used in establishing this TMDL were generated using a water quality analysis model (AVGWLF) designed by the Pennsylvania State University.

The following table shows the estimated current sediment loading for the portion of the Crosskill Creek watershed covered by the TMDL. Overall load reductions necessary to meet the TMDL are also identified.

*Summary of TMDL-Based Load Reductions in the Crosskill Creek Watershed*

<i>Watershed</i>	<i>Pollutant</i>	<i>Existing Load (lbs/yr)</i>	<i>TMDL (lbs/yr)</i>	<i>Reduction</i>
Crosskill Creek	Sediment	2,133,904	1,790,881	16%

The data and all supporting documentation used to develop the proposed TMDL are available from the Department. The proposed TMDL and information on the TMDL program can be viewed on the Department's website: [www.dep.state.pa.us](http://www.dep.state.pa.us) (DEP Keyword: TMDL). To request a copy of this TMDL, contact Travis Stoe, Water Supply and Wastewater Management, P. O. Box 8467, Harrisburg, PA 17105-8467, [tstoe@state.pa.us](mailto:tstoe@state.pa.us).

The Department will consider all comments in developing the final TMDL, which will be submitted to the EPA for approval. Written comments will be accepted at the previous address and must be postmarked by September 13, 2004. A public meeting to discuss the technical merits

of the TMDL will be held on August 31, 2004, at 7 p.m. in the Bethel Township Community Center, 81 Klahr Road, Bethel, PA.

**Public Meeting and Request for Comment for the Proposed Total Maximum Daily Loads (TMDLs) for the Watershed of Unnamed Tributary 44769 to the Conemaugh River in Indiana County**

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

The Department will accept comments on the proposed TMDL developed for the watershed of Unnamed Tributary 44769 in Indiana County. The TMDL was established in accordance with the requirements of section 303(d) of the Clean Water Act. The Commonwealth's 1996 and 1998 Section 303(d) lists included stream segments in the watershed. The listings of these segments were due to use impairments caused by sediment and nutrients.

There currently are no State or Federal in-stream numerical water quality criteria for nutrients and sediment. Therefore, the Department utilized a reference watershed approach to implement the applicable narrative criteria. The proposed TMDL sets allowable loadings of phosphorus and sediment in the watershed of Unnamed Tributary 44769. Phosphorus was chosen as the TMDL endpoint for nutrient impairments due to its being the limiting nutrient in the watershed. The phosphorous and sediment loadings were allocated among all land use categories present in the watershed. Data used in establishing these TMDLs were generated using a water quality analysis model (AVGWLF) designed by the Pennsylvania State University.

The data and all supporting documentation used to develop the proposed TMDL are available from the Department. The proposed TMDL and information on the TMDL program can be viewed on the Department's website: [www.dep.state.pa.us](http://www.dep.state.pa.us) (DEP Keyword: TMDL). To request a copy of this TMDL, contact Joe Boylan, 400 Waterfront Drive, Pittsburgh, PA 15222, [jboylan@state.pa.us](mailto:jboylan@state.pa.us).

The Department will consider all comments in developing the final TMDL, which will be submitted to the EPA for approval. Written comments will be accepted at the previous address and must be received by September 14, 2004. A public meeting to discuss the technical merits of the TMDL will be held on August 25, 2004, at 6:30 p.m. at the Burrell Township Municipal Building, Blairsville, PA.

[Pa.B. Doc. No. 04-1500. Filed for public inspection August 13, 2004, 9:00 a.m.]

**State Board for Certification of Sewage Enforcement Officers; 2004 Examination Announcement**

The Statewide sewage enforcement officer (SEO) examination scheduled for October 30, 2004, has been rescheduled for November 19, 2004, following completion of the Pre-certification Academy in Exton, PA.

Applications must be received by the State Board for Certification of Sewage Enforcement Officers, complete and correct, by the close of business on October 13, 2004.

For information on SEO training, contact the Pennsylvania State Association of Township Supervisors, 4855 Woodland Dr., Enola, PA 17025-1291, (717) 763-0930.

Examination applications may be obtained by contacting the Department of Environmental Protection, Certification and Licensing Section, Rachel Carson State Office Building, 400 Market St., P. O. Box 8454, Harrisburg, PA 17105-8454, (717) 705-8024.

KATHLEEN A. MCGINTY,  
*Secretary*

[Pa.B. Doc. No. 04-1501. Filed for public inspection August 13, 2004, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Application of Adler Institute for Advanced Imaging for Exception

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

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

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

CALVIN B. JOHNSON, M.D., M.P.H.,  
*Secretary*

[Pa.B. Doc. No. 04-1502. Filed for public inspection August 13, 2004, 9:00 a.m.]

### Application of Blake Gastroenterology Ambulatory Surgery Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Blake Gastroenterology Ambulatory Surgery Center has requested an exception to the requirements of 28 Pa. Code § 571.1 (relating to minimum standards), which requires compliance with minimum standards in the *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exemption from the following standard contained in this publication: 9.5.C (relating to public parking).

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 previously listed.

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

CALVIN B. JOHNSON, M.D., M.P.H.,  
*Secretary*

[Pa.B. Doc. No. 04-1503. Filed for public inspection August 13, 2004, 9:00 a.m.]

### Application of Gettysburg Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Gettysburg Hospital has requested an exception to the requirements of 28 Pa. Code § 553.31(a) (relating to administrative responsibilities).

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 previously listed.

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

CALVIN B. JOHNSON, M.D., M.P.H.,  
*Secretary*

[Pa.B. Doc. No. 04-1504. Filed for public inspection August 13, 2004, 9:00 a.m.]

### Application of Jennersville Regional Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives

notice that Jennersville Regional Hospital has requested an exception to the requirements of 28 Pa. Code § 51.23 (relating to positron emission tomography).

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

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

CALVIN B. JOHNSON, M.D., M.P.H.,  
*Secretary*

[Pa.B. Doc. No. 04-1505. Filed for public inspection August 13, 2004, 9:00 a.m.]

### Application of Mount Nittany Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Mount Nittany Medical Center has requested an exception to the requirements of 28 Pa. Code § 107.26(b) (relating to additional committees).

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 previously listed.

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

CALVIN B. JOHNSON, M.D., M.P.H.,  
*Secretary*

[Pa.B. Doc. No. 04-1506. Filed for public inspection August 13, 2004, 9:00 a.m.]

### Application of Nason Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Nason Hospital has requested an exception to the requirements of 28 Pa. Code §§ 107.26(b)(2) and 107.32 (relating to additional committees; and meetings and attendance).

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 previously listed.

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

CALVIN B. JOHNSON, M.D., M.P.H.,  
*Secretary*

[Pa.B. Doc. No. 04-1507. Filed for public inspection August 13, 2004, 9:00 a.m.]

### Application of Philipsburg Area Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Philipsburg Area Hospital has requested an exception to the requirements of 28 Pa. Code § 107.62 (relating to oral orders).

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 previously listed.

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, for speech and/or hearing

impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

CALVIN B. JOHNSON, M.D., M.P.H.,  
*Secretary*

[Pa.B. Doc. No. 04-1508. Filed for public inspection August 13, 2004, 9:00 a.m.]

### Application of UPMC Lee Regional Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that UPMC Lee Regional Hospital has requested an exception to the requirements of 28 Pa. Code § 138.15 (relating to high-risk cardiac catheterizations).

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 previously listed.

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

CALVIN B. JOHNSON, M.D., M.P.H.,  
*Secretary*

[Pa.B. Doc. No. 04-1509. Filed for public inspection August 13, 2004, 9:00 a.m.]

### Application of UPMC Passavant Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that UPMC Passavant Hospital has requested an exception to the requirements of 28 Pa. Code § 107.62 (relating to oral orders).

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 previously listed.

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



Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

CALVIN B. JOHNSON, M.D., M.P.H.,  
Secretary

[Pa.B. Doc. No. 04-1510. Filed for public inspection August 13, 2004, 9:00 a.m.]

### Application of The Washington Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that The Washington Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards in the *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exemption from the following standards contained in this publication: 7.9.D24 (relating to secured holding room).

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 previously listed.

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

CALVIN B. JOHNSON, M.D., M.P.H.,  
Secretary

[Pa.B. Doc. No. 04-1511. Filed for public inspection August 13, 2004, 9:00 a.m.]

### Availability of Draft Preventive Health and Health Services Block Grant Application for Federal Fiscal Year 2005; Public Hearing

The Department of Health (Department) is making copies available of the Draft Preventive Health and Health Services Block Grant Application (draft block grant application) for FFY 2005, under 42 U.S.C.A. § 300w-4. This draft block grant application is the Commonwealth's draft request to the United States Department of Health and Human Services for block grant funding to address the Healthy People 2010 Health Status Objectives.

The draft block grant application describing proposed services, program goals and objectives and activities will be available on or after August 20, 2004, and can be obtained by calling the Bureau of Chronic Diseases and Injury Prevention at (717) 787-6214. Persons with a disability who require an alternative format of the draft block grant application (for example, large print, audio tape or Braille) should contact the Bureau of Chronic Diseases and Injury Prevention at (717) 787-6214, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

Written comments on the draft block grant application will be accepted and should be sent by 4 p.m. on September 17, 2004, to the Bureau of Chronic Diseases and Injury Prevention, Room 1000, Health and Welfare Building, P. O. Box 90, Harrisburg, PA 17108.

A public hearing will be also conducted by the Department for the purpose of receiving testimony on the draft block grant application under 42 U.S.C.A. § 300w-4. Comments and suggestions from the public should relate to the priorities and program plans included in the draft block grant application.

The hearing will be held from 10 a.m. until 1 p.m. on September 17, 2004, in Conference Room 1000, Health and Welfare Building, 7th and Forster Streets, Harrisburg, PA. Persons wishing to testify are requested to pre-register by contacting the Bureau of Chronic Diseases and Injury Prevention at (717) 787-6214. Registration will be accepted on the day of the hearing. Persons will be allotted a maximum of 15 minutes to testify. Testifiers should provide the Department with two copies of the testimony they will be presenting at the hearing.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodations to do so should contact Leslie Best, Director, Bureau of Chronic Diseases and Injury Prevention, (717) 787-6214, for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

CALVIN B. JOHNSON, M.D., M.P.H.,  
Secretary

[Pa.B. Doc. No. 04-1512. Filed for public inspection August 13, 2004, 9:00 a.m.]

### Availability of Title V Funds through Mini-Grants to Support Community Outreach and Peer Support Activities about Breastfeeding

The Bureau of Family Health is accepting mini-grant applications for breastfeeding awareness, community outreach and peer support activities occurring from September 1, 2004, to June 30, 2005. Mini-grants for up to \$3,000 are available to support ongoing or single activities, events or services with the direct objectives to:

- Decrease the negative stereotypes associated with breastfeeding among the general public.
- Raise awareness of exclusive breastfeeding and the timely and adequate complementary feeding with continued breastfeeding as the standard for infant feeding.
- Increase the number of pregnant women, their partners and immediate family members who consider breastfeeding acceptable and desirable.
- Increase the number of mothers who breastfeed their infants in the early postpartum period.
- Increase the number of mothers who breastfeed their infants for 6 months to 1 year or longer.
- Develop social and institutional support resources for breastfeeding to enable breastfeeding continuation at places of work, the community, medical facilities and other public places.

The public health benefits of breastfeeding have been extensively documented. Experts agree that breastfeeding is the optimal way to feed infants. Breastfeeding significantly promotes infant and maternal immediate and long-term health, decreases the frequency of doctor visits, hospitalizations and medication utilization and thereby lowers medical costs. As a result, the decision to breastfeed is of significant importance to the newborn child, the mother and the public health and healthcare system.

Eligible applicants are public and private organizations, foundations or community-based agencies in this Commonwealth as recognized by Federal Tax ID number. Individuals may not apply. Eligible applicants include:

- Medical care facilities
- Educational providers
- Community organizations
- Community groups/civic clubs
- Employers/businesses
- Libraries
- Local governments
- Medical/dental providers
- Youth groups
- Places of worship/congregations
- Entertainment/recreation groups
- Professional associations
- Social/human service agencies
- Schools/colleges/universities

Applicants who may not apply for these funds are:

- Agencies contracting with the Department of Health (Department) to provide Special Supplemental Nutrition Program for Women, Infants and Children (WIC) for the period July 1, 2004, through June 30, 2005.
- Organizations in receipt of, or expecting to apply for, a 2004-05 Bureau of Family Health Building Inclusive Communities and/or Barrier Elimination mini-grant with a request totaling \$3,000. For application information, see the Department's website: [www.health.state.pa.us](http://www.health.state.pa.us) (Search: Inclusive Communities or Barrier Elimination).
- For-profit organizations applying for a Pennsylvania Breastfeeding Awareness and Support Program (PBASP) funds to conduct training. For-profit organizations may apply to conduct other activities; reimbursement for training violates the provisions of the Maternal and Child Health Block Grant.

Completed applications will be accepted between August 1, 2004, and May 15, 2005. Applications received after May 15, 2005, cannot be considered for fiscal year 2004-05 funding. Applications will be considered until the funds allocated for this use have been fully encumbered.

Funding decisions are contingent upon the availability of 2004 fiscal year funds and Department approval. Completed applications will be scored by a review panel using a five factor rating scale. The five rating factors are: soundness of approach (five points), documented need and target population selection (three points), resources leveraged and involvement of key stakeholders in application planning (one point) and evaluation/measurement of results (one point). Commitment from media: one bonus point. Applicants will be notified of approval/disapproval in writing within 30 days of receipt of a completed application. Applicants not selected for funding will be offered one opportunity to be reconsidered after revising their applications to conform to the application guidelines.

Applicants may be awarded any amount up to \$3,000 per State fiscal year. In all cases, Department funds

should be used as payer of last resort. Funds may be used for reimbursement of one time purchases only, after which time the grantee becomes sole owner of the purchased property. The budget section of the application must include a budget narrative detailing by line item how project funds will be used and the degree to which competitive bids were secured for purchases. Funds may be used to support ongoing and/or one-time activities, events or services that directly promote the objectives of the program. Expenses eligible for reimbursement under the PBASP include:

1. Equipment: breast pumps, and the like.
2. Teaching tools: displays, printed materials, audio-visual materials, baby dolls/mannequins, and the like.
3. Staff time for group counseling, community educational and advocacy functions.
4. Advertising.
5. Space rental for special activity.

Application materials can be downloaded from the Department's website (Search: Breastfeeding). Persons can also request application materials or additional information related to this initiative by contacting Wanda Vierthaler, Bureau of Family Health, (717) 783-6536.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape or Braille) should contact Wanda Vierthaler at (717) 783-6536, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984 (TT) for speech and/or hearing impaired persons.

CALVIN B. JOHNSON, M.D., M.P.H.,  
*Secretary*

[Pa.B. Doc. No. 04-1513. Filed for public inspection August 13, 2004, 9:00 a.m.]

## Availability of Title V Funds through Mini-Grants to Support Elimination of Barriers to Community Inclusion for Children/Youth with Special Health Care Needs

The Bureau of Family Health (Bureau) is accepting mini-grant applications up to \$3,000 related to eliminating barriers to inclusion of children and youth with special health care needs in communities in this Commonwealth. Mini-grants are available to support activities which directly address physical, environmental and informational barriers allowing community organizations, businesses, places of worship and schools to be more inclusive of children with special health care needs. This project is an extension of the Bureau's Building Inclusive Communities for Children/Youth With Special Health Care Needs Mini-Grant Initiative (BIC) which offers financial support for educational endeavors addressing community inclusion. Barrier Elimination Project (BE) funds will be used to advance this work by financially supporting the elimination of tangible barriers to inclusion.

For purposes of this funding opportunity, "children with special health care needs" are defined as those birth to 21 years of age who have a chronic physical, developmental, behavioral or emotional condition requiring services of a type or amount beyond that required by children generally.

The degree to which communities are healthy can be partly gauged by the degree to which children/youth with special health care needs are provided a full complement of services, civic engagement and social interaction. The BE is designed to empower communities by providing financial support for activities that either remove or significantly reduce obstacles that children and youth with special health care needs and their families confront as they seek to participate fully and productively in their communities. These include barriers to self-care, activities of daily living, receptive/expressive communication, learning, mobility, access to service, recreation, academics, spiritual practice, volunteerism, hobby exploration, employment, voting and economic self-sufficiency. The ultimate goal of the project is to build social capital by assisting communities to be fully accessible and inclusive and, consequently, allow for the full integration of this Commonwealth's children with special health care needs in all aspects of community life. Project funds must be used to reimburse purchases and activities occurring prior to June 30, 2005.

Eligible applicants are public and private organizations, foundations or community-based agencies in this Commonwealth as recognized by Federal Tax ID number. Individuals may not apply. Informal groups without Federal Tax ID numbers are encouraged to partner with a sponsor organization who may apply on behalf of the group. For-profit organizations may apply. However, no applicant may take a profit from these funds.

Applicants may include:

- Day care centers and child care providers
- Educational providers
- Community planners
- Community groups/civic clubs
- Potential employers/businesses
- Libraries
- Travel/tourism providers
- Bankers/lenders
- Minority groups
- Medical/dental providers
- Youth groups
- Places of worship/congregations
- Entertainment/recreation/play providers
- Professional associations/organizations
- Voting/polling providers
- Park/forest/camp ground staff
- Retailers

Applicants may apply for funding for reimbursement of multiple purchases or activities. However, the maximum cumulative award to any one applicant (as identified by Federal Tax ID number) is \$3,000 per fiscal year when combined with any funding awards received through the BIC or the Pennsylvania Breastfeeding Awareness and Support Program for the current fiscal year. In all cases, Department funds should be used as payer of last resort. Grant funds may not supplant existing funds. Grant funds may be used for reimbursement of one time purchases only, after which time the grantee becomes sole owner of the purchased property. Eligible expenses fall within the following categories: equipment, assistive technology/communication devices, site/facility improvements, environment/curriculum and technology, as described in the application materials.

To apply for funding, a completed application must be received by the Department of Health (Department) by 4:30 p.m. on October 1, 2005. Applications may be mailed or hand delivered. Applications may not be faxed. Late applications will not be accepted regardless of the reason. The Department expects to notify applicants of award status within 8 weeks of the submission due date. It is anticipated that 33 awards of \$3,000 or less will be made. This is a reimbursement program. Grantees must spend

their own funds first and then be reimbursed by the Department.

Funding decisions are contingent upon the availability of 2004-05 fiscal year funds and Department approval by means of a proposal review panel. Approval will be based upon a common set of pre-established criteria, including:

1. The justifiable need for elimination of the proposed barriers to advance the inclusion of young people with disabilities, as justified by the applicant.
2. The number of young people with special needs who will ultimately benefit from elimination of the barrier.
3. The likelihood that the activities proposed will be of ongoing, systemic benefit to the community.
4. The reasonableness of proposed expenditures/purchases.

Applicants proposing activities serving a greater number of young people with special health care needs in nonsegregated environments will be rated higher comparatively.

Application materials can be downloaded from the Department's website: [www.health.state.pa.us](http://www.health.state.pa.us) (Search: Barrier Elimination). Persons can also request application materials or additional information related to this initia-

tive by contacting Candace Johndrow, Bureau of Family Health, (717) 783-6536.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape or Braille) should contact Candace Johndrow at (717) 783-6536, V/TT (717) 783-6514 or the Pennsylvania AT&T

Relay Services at (800) 654-5984 (TT) for speech and/or hearing impaired persons.

CALVIN B. JOHNSON, M.D., M.P.H.,  
*Secretary*

[Pa.B. Doc. No. 04-1514. Filed for public inspection August 13, 2004, 9:00 a.m.]

### **Availability of Title V Funds through Mini-Grants to Support Presentations about Building Inclusive Communities for Children and Youth with Special Health Care Needs**

The Bureau of Family Health (Bureau) is accepting mini-grant applications to promote the building of inclusive communities. Mini-grants are available to support innovative, interactive educational events (that is, presentations, conference sessions, skits, trainings, forums, work shops, and the like) that will enhance community resources to promote inclusion of children and youth with special health care needs into everyday activities. For purposes of this funding opportunity, "children and youth with special health care needs" are defined as those birth to 21 years of age who have a chronic physical, developmental, behavioral or emotional condition requiring services of a type or amount beyond that required by children generally.

The degree to which communities are healthy can be partly gauged by the degree to which children and youth with special health care needs are provided supports to contribute and be a part of the community. Children and youth with special health care needs are often segregated and not offered full access to community, recreational, spiritual, social and educational life. The Building Inclusive Communities mini-grant program attempts to address this issue by providing financial support for innovative educational initiatives designed to expand the knowledge and awareness of communities in this Commonwealth as it relates to the needs of this population. The ultimate goal of the program is to build social capital and, consequently, allow for the full integration of this Commonwealth's children and youth with special health care needs into all aspects of community life. The mini-grants provide funding for events occurring prior to June 30, 2005.

Target audiences may include:

- Day care centers and child care providers
- Educational providers
- Community planners
- Community groups/civic clubs
- Employers/businesses
- Professional associations/organizations
- Voting/polling providers
- Park/forest/campground staff
- Retailers
- Policy makers
- Medical/dental providers
- Youth groups
- Places of worship/congregations
- Entertainment/recreation/play potential
- Families/relatives of children with special health care needs
- Travel/tourism providers
- Bankers/lenders
- Minority groups

Eligible applicants are public and private organizations, foundations or community-based agencies in this Commonwealth as recognized by Federal Tax ID number. For-profit entities may not apply. Individuals in informal groups without Federal Tax ID numbers are encouraged to partner with a sponsor organization who may apply on behalf of the group. Conference facilities must meet current Americans With Disabilities Act requirements.

To apply for funding, a completed application must be received by the Department of Health (Department) no fewer than 45 days prior to the date of the proposed educational event. Applications will be accepted until May 15, 2005. Applications may be mailed or faxed.

Funding decisions are contingent upon the availability of 2004/05 fiscal year funds and Department approval. Completed applications will be scored by a proposal review panel against a common set of criteria in the order that they are received. Applications achieving a minimum score of 7.5 on a 10 point rating scale will be awarded as funds remain available. Applicants will be notified of approval/disapproval in writing within 30 days of receipt of a completed application. Applicants not selected for funding will be notified and may revise their applications once to conform to the guidelines for reconsideration. It is anticipated that 17 awards of \$3,000 or less will be made.

This is a reimbursement program. Grantees must spend their own funds first and then be reimbursed by the Department.

Applicants may apply for funding to cover multiple presentations. However, the maximum cumulative award to any one applicant (as identified by Federal Tax ID number) is \$3,000 per fiscal year or for any one event when combined with any funding awards received through the Bureau's Barrier Elimination Project or the Pennsylvania Breastfeeding Awareness and Support Program for the same fiscal year. Department funds should be used as payer of last resort. Grant funds may not be used to supplant existing funds. Applicants requesting partial funding of an event must provide assurances that the balance of funds have been secured. Expenses eligible for reimbursement under this mini-grant include:

1. Speaker fees/honoraria.
2. Speaker travel costs to and from event (that is, airfare, train, automobile mileage, tolls, parking, and the like).
3. Speaker's lodging and subsistence.
4. Handout/resource material development/duplication.
5. Event promotion/media.
6. Audio-visual equipment rental/supplies.

7. Room rental costs.
8. Training supplies.

Application materials can be downloaded from the Department website: [www.health.state.pa.us](http://www.health.state.pa.us) (Search: Inclusive Communities). Persons may also request application materials or additional information related to this initiative by contacting Candace Johndrow, Bureau of Family Health, (717) 783-6536.

Persons with a disability who require an alternative format of this notice (for example, large print, audio tape or Braille) should contact Candace Johndrow, (717) 783-6536, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984 (TT) for speech and/or hearing impaired persons.

CALVIN B. JOHNSON, M.D., M.P.H.,  
*Secretary*

[Pa.B. Doc. No. 04-1515. Filed for public inspection August 13, 2004, 9:00 a.m.]

### Organ Donation Advisory Committee Meeting

The Organ Donation Advisory Committee, established under 20 Pa.C.S. § 8622 (relating to The Governor Robert P. Casey Memorial Organ and Tissue Donation Awareness Trust Fund), will hold a public meeting on September 8, 2004, from 10 a.m. to 2 p.m. in the Conference Room, Center for Organ Recovery and Education, 204 Sigma Drive, RIDC Park, Pittsburgh, PA 15238.

For additional information, contact William J. Neil, Manager, Health Education and Information Program, Bureau of Chronic Diseases and Injury Prevention, Room 1000 Health and Welfare Building, Harrisburg, PA 17120, (717) 787-5900.

Persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should contact William J. Neil at (717) 787-5900, for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

This meeting is subject to cancellation without notice.

CALVIN B. JOHNSON, M.D., M.P.H.,  
*Secretary*

[Pa.B. Doc. No. 04-1516. Filed for public inspection August 13, 2004, 9:00 a.m.]

### Requests for Exception; Long-Term Care Nursing Facilities

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

Deer Meadows  
8301 Roosevelt Boulevard  
Philadelphia, PA 19152  
FAC ID 020202

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

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

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.36 (relating to bathing facilities):

Colonial Manor Nursing Home  
970 Colonial Manor  
York, PA 17403

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](mailto:paexcept@health.state.pa.us).

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

Comments received by the Department within 15 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who require an alternative format of this document or who wish to comment in an alternative format (for example, large print, audiotape or Braille) should contact the Division of Nursing Care Facilities at the address or phone number previously listed, for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

CALVIN B. JOHNSON, M.D., M.P.H.,  
*Secretary*

[Pa.B. Doc. No. 04-1517. Filed for public inspection August 13, 2004, 9:00 a.m.]

### Tobacco Use Prevention and Cessation Advisory Committee Public Hearing and Public Meeting

The Tobacco Use Prevention and Cessation Advisory Committee (Committee) of the Department of Health (Department) will hold a public hearing and a public meeting on August 24, 2004, in Room E-100, Labor and Industry Building, Seventh and Forster Streets, Harrisburg, PA.

The public hearing will be held from 10:30 a.m. to 12 p.m. Comments must be submitted in writing by 2:30 p.m. on August 20, 2004, to the Department of Health, Bureau of Chronic Diseases and Injury Prevention, Division of Tobacco Prevention and Control, Room 1006, Health and Welfare Building, Seventh and Forster Streets, Harrisburg, PA 17120, fax (717) 214-6690. Written comments must be limited to three typewritten pages. Persons wishing to present written statements orally at the public hearing must contact Brenda Reichert at (717) 783-6600 by 2:30 p.m. on August 20, 2004, to make a reservation for testifying at the hearing. Oral testimony will be limited to 5 minutes. Persons will be scheduled on a first come, first served basis, as time permits.

The public meeting of the Committee will be held from 1 p.m. to 3:30 p.m. The purpose of the meeting is to discuss the tobacco use prevention and cessation priorities for the State fiscal year 2003-04.

This meeting is open to the public. No reservations are required to attend the public meeting.

For additional information, contact Judy Ochs, Director, or Brenda Reichert, Administrative Assistant, Division of

Tobacco Prevention and Control, 1006 Health and Welfare Building, Seventh and Forster Streets, Harrisburg, PA, (717) 783-6600.

Persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should contact Judy Ochs or Brenda Reichert, (717) 783-6600, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984 (TT) for speech and/or hearing impaired persons.

This hearing and meeting is subject to cancellation without notice.

CALVIN B. JOHNSON, M.D., M.P.H.,  
Secretary

[Pa.B. Doc. No. 04-1518. Filed for public inspection August 13, 2004, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Lifetime Riches '04 Instant Lottery Game

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

1. *Name:* The name of the game is Pennsylvania Lifetime Riches '04.

2. *Price:* The price of a Pennsylvania Lifetime Riches '04 instant lottery game ticket is \$10.

3. *Play Symbols:* Each Pennsylvania Lifetime Riches '04 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 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWININ) and 30 (THIRTY). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTEN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWININ), 30 (THIRTY) and a Moneybag Symbol (MNYBAG).

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$15\$ (FIFTN), \$20\$ (TWENTY), \$25\$ (TWY FIV), \$50\$ (FIFTY), \$100 (ONE HUN), \$250 (TWOHUNFTY), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO) and \$RICHES\$ (\$100K/YR/LIFE).

5. *Prizes:* The prizes that can be won in this game are \$5, \$10, \$15, \$20, \$25, \$50, \$100, \$250, \$500, \$1,000, \$10,000 and \$100,000 a year for life. A player can win up to 15 times on a ticket.

6. *Approximate Number of Tickets Printed for the Game:* Approximately 8,280,000 tickets will be printed for the Pennsylvania Lifetime Riches '04 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 symbol of \$RICHES\$ (\$100K/YR/LIFE) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100,000 a year for life (\$2 million lifetime minimum) which will be paid by an initial cash payment of \$100,000 plus equal annual payments of \$100,000 over the lifetime of the winner and continuing under the provisions of 61 Pa. Code § 811.16 (relating to prizes payable after death of prize winner) until the \$2 million minimum has been paid to the estate of the deceased. If the winner of the Pennsylvania Lifetime Riches '04 prize is younger than 18 years of age, the winner will not begin to receive the prize until the winner reaches 18 years of age. Only one claimant per ticket allowed.

(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 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.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize 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.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Moneybag Symbol (MNYBAG), and a prize symbol of \$500 (FIV HUN) appears under the Moneybag Symbol (MNYBAG) on a single ticket, shall be entitled to a prize of \$500.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize 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.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Moneybag Symbol (MNYBAG), and a prize symbol of \$250 (TWOHUNFTY) appears under the Moneybag Symbol (MNYBAG) on a single ticket, shall be entitled to a prize of \$250.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$250 (TWOHUNFTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$250.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Moneybag Symbol (MNYBAG), and a prize symbol of \$100 (ONE HUN) appears under the Moneybag Symbol (MNYBAG) on a single ticket, shall be entitled to a prize of \$100.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize 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.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Moneybag Symbol (MNYBAG), and a prize symbol of \$50\$ (FIFTY) appears under the Moneybag Symbol (MNYBAG) on a single ticket, shall be entitled to a prize of \$50.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50\$ (FIFTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Moneybag Symbol (MNYBAG), and a prize symbol of \$25\$ (TWY FIV) appears under the Moneybag Symbol (MNYBAG) on a single ticket, shall be entitled to a prize of \$25.

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize 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.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$20\$ (TWENTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(o) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Moneybag Symbol

(MNYBAG), and a prize symbol of \$15\$ (FIFTN) appears under the Moneybag Symbol (MNYBAG) on a single ticket, shall be entitled to a prize of \$15.

(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 symbol of \$15\$ (FIFTN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$15.

(q) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Moneybag Symbol (MNYBAG), and a prize symbol of \$10<sup>.00</sup> (TEN DOL) appears under the Moneybag Symbol (MNYBAG) on a single ticket, shall be entitled to a prize of \$10.

(r) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10<sup>.00</sup> (TEN DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(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 symbol of \$5<sup>.00</sup> (FIV DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5.

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

*When Any of Your Numbers Match Any of The Winning Numbers, Win With Prize(s) of:*

<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 8,280,000 Tickets</i>
\$10	1:50	165,600
\$10 w/MB	1:25	331,200
\$5 x 2	1:60	138,000
\$5 x 3	1:100	82,800
\$15	1:60	138,000
\$15 w/MB	1:75	110,400
\$5 x 4	1:150	55,200
\$10 x 2	1:30	276,000
\$20	1:20	414,000
\$25	1:75	110,400
\$25 w/MB	1:100	82,800
\$15 + \$10	1:300	27,600
\$5 x 3 + \$10	1:300	27,600
\$5 x 5	1:300	27,600
\$50	1:300	27,600
\$50 w/MB	1:600	13,800
\$5 x 10	1:600	13,800
\$10 x 5	1:600	13,800
\$10 x 4 + \$5 x 2	1:600	13,800
\$25 x 2	1:600	13,800
\$10 x 3 + \$20	1:600	13,800
\$15 x 2 + \$5 x 4	1:600	13,800
\$5 x 7 + \$15	1:600	13,800
\$100	1:120	69,000
\$100 w/MB	1:600	13,800
\$10 x 10	1:600	13,800
\$25 x 4	1:600	13,800
\$50 x 2	1:600	13,800
\$20 x 5	1:600	13,800
\$250	1:6,000	1,380
\$250 w/MB	1:12,000	690

*When Any of Your Numbers Match Any of The Winning Numbers, Win With Prize(s) of:*

	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 8,280,000 Tickets</i>
\$15 × 10 + \$20 × 5	\$250	1:12,000	690
\$20 × 10 + \$10 × 5	\$250	1:12,000	690
\$25 × 10	\$250	1:12,000	690
\$50 × 5	\$250	1:13,333	621
\$500	\$500	1:15,000	552
\$500 w/MB	\$500	1:30,000	276
\$50 × 10	\$500	1:30,000	276
\$100 × 5	\$500	1:30,000	276
\$100 × 10	\$1,000	1:60,000	138
\$250 × 4	\$1,000	1:60,000	138
\$1,000	\$1,000	1:30,000	276
\$1,000 × 10	\$10,000	1:394,286	21
\$10,000	\$10,000	1:394,286	21
RICHES	\$100K/YR/LIFE	1:2,760,000	3

MB = Moneybag win prize automatically

9. *Claiming of Prizes:* For purposes of claiming the \$100,000 a year for life prize under the Pennsylvania Lifetime Riches '04 game, "lifetime" for legal entities shall be defined as 20 years beginning the date the prize is claimed. Only one claimant per ticket is allowed for the \$100,000 a year for life prize. There is no cash equivalent for the \$100,000 a year for life prize.

10. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Lifetime Riches '04 instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

11. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Lifetime Riches '04, prize money from winning Pennsylvania Lifetime Riches '04 instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Lifetime Riches '04 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

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

13. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Lifetime Riches '04 or through normal communications methods.

GREGORY C. FAJT,  
*Secretary*

[Pa.B. Doc. No. 04-1519. Filed for public inspection August 13, 2004, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Finding Clinton 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 (Department) plans to replace the existing bridge carrying S. R. 1010 over Chatham Run in Pine Creek Township, Clinton County. The bridge is within the Woolrich Historic District and has been determined to be a contributing resource to the Woolrich Historic District. This project will require small strip takes of contributing element properties along with the demolition of the contributing Chatham Run Bridge.

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 removal of the bridge over Chatham Run and the taking of strip takes from contributing properties within the Woolrich 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. 04-1520. Filed for public inspection August 13, 2004, 9:00 a.m.]



### Finding Potter 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 (Department) plans to remove the Fourth Street Bridge and the Seventh Street Bridge over the concrete lined channel of the Allegheny River in the Borough of Coudersport, Potter County. Both the Fourth Street Bridge and the Seventh Street Bridge have been determined eligible for the National Register of Historic Places. The existing historic Seventh Street Bridge superstructure will be moved and reused at the Fourth Street location as a pedestrian bridge. A new structure meeting current design criteria will be constructed at the Seventh Street location.

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 removal of the National Register-eligible bridges over the Allegheny River.

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. 04-1521. Filed for public inspection August 13, 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, July 29, 2004, and announced the following:

*Regulations Deemed Approved under section 5(g) of the Regulatory Review Act—Effective July 28, 2004*

State Real Estate Commission # 16A-569: Deletion of Examination Fees (deletes 49 Pa. Code Chapter 35)

Pennsylvania State Police # 17-66: Designation of Emergency Vehicles (amends 37 Pa. Code Chapter 41)

*Actions Taken—Regulations Approved*

State Board of Dentistry # 16A-4612: Expanded Function Dental Assistants (amends 49 Pa. Code § 33.103(c))

State Board of Physical Therapy # 16A-659: General Provisions (amends 49 Pa. Code Chapter 40)

State Board of Medicine # 16A-4914: Continuing Medical Education (amends 49 Pa. Code Chapter 16)

State Board of Education # 6-279: Pupil Attendance (amends 22 Pa. Code Chapter 11)

Environmental Quality Board # 7-376: Coal Mining (adds 25 Pa. Code § 86.6)

Pennsylvania Public Utility Commission # 57-228: Electric Service Reliability (amends 52 Pa. Code Chapter 57)

### Approval Order

Public Meeting held  
July 29, 2004

*Commissioners Voting:* Alvin C. Bush, Vice Chairperson; Daniel F. Clark, Esq.; Arthur Coccodrilli; Murray Ufberg, Esq., by phone

*State Board of Dentistry—Expanded Function Dental Assistants; Regulation No. 16A-4612*

On October 10, 2002, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Dentistry (Board). This rulemaking amends 49 Pa. Code § 33.103(c). The proposed regulation was published in the October 26, 2002, *Pennsylvania Bulletin* with a 30-day public comment period. The Board resubmitted the proposed regulation on January 29, 2003, under section 5(e) of the Regulatory Review Act, which was in effect at the time the regulation was proposed. The final-form regulation was submitted to the Commission on June 22, 2004.

This regulation removes the clinical component of the examination required for certification as an expanded function dental assistant. It retains the written examination requirement. This change will significantly reduce the cost of the examination.

We have determined this regulation is consistent with the statutory authority of the Board (63 P. S. § 122(d.1)(1), (e) and (o)) 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  
July 29, 2004

*Commissioners Voting:* Alvin C. Bush, Vice Chairperson; Daniel F. Clark, Esq.; Arthur Coccodrilli; Murray Ufberg, Esq., by phone

*State Board of Physical Therapy—General Provisions; Regulation No. 16A-659*

On February 12, 2003, the Independent Regulatory Review Commission (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 April 5, 2003, *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on June 17, 2004.

This regulation amends the Board's existing regulations relating to physical therapists and physical therapist assistants. The amendments relate to: education and

licensure requirements; scope of practice, nondelegable activities and functions; and editorial revisions.

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.

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### Approval Order

Public Meeting held  
July 29, 2004

*Commissioners Voting:* Alvin C. Bush, Vice Chairperson; Daniel F. Clark, Esq.; Arthur Coccodrilli; Murray Ufberg, Esq., by phone

*State Board of Medicine—Continuing Medical Education; Regulation No. 16A-4914*

On December 16, 2003, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Medicine (Board). This rulemaking amends 49 Pa. Code Chapter 16. The proposed regulation was published in the January 3, 2004, *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on June 22, 2004.

This regulation implements the continuing medical education mandate of The Medical Care Availability and Reduction of Error (MCARE) Act (act). Under the act, medical doctors are required to obtain 100 hours of continuing medical education as a condition of license renewal. The Board has changed the implementation date for full compliance with the continuing education requirements from January 1, 2005, until January 1, 2007, in the final-form regulation. For current licensure renewal, physicians must demonstrate they have completed 25 hours in either Category I or Category II credits.

We have determined this regulation is consistent with the statutory authority of the Board (40 P. S. § 1303.910(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.

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### Approval Order

Public Meeting held  
July 29, 2004

*Commissioners Voting:* Alvin C. Bush, Vice Chairperson; Daniel F. Clark, Esq.; Arthur Coccodrilli; Murray Ufberg, Esq., by phone

*State Board of Education—Pupil Attendance; Regulation No. 6-279*

On August 18, 2003, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Education (Board). This rulemaking amends 22 Pa. Code Chapter 11. The proposed regulation was published in the August 30, 2003, *Pennsylvania Bulletin* with a 30-day public com-

ment period. The final-form regulation was submitted to the Commission on June 24, 2004.

The Board is amending its existing regulations related to student attendance. The final-form regulation addresses: admission to school; absences from school; rules for counting daily attendance; private tutoring; minimum hours of instruction; enrollment standards for children of divorced or separated parents, foster children and children living with adults that are not their parents; and immunization requirements. The amendments also bring the Board's regulations into conformity with State and Federal statutes, regulations and judicial decisions.

We have determined this regulation is consistent with the statutory authority of the Board (24 P. S. § 26-2603-B(k)) 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.

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### Approval Order

Public Meeting held  
July 29, 2004

*Commissioners Voting:* Alvin C. Bush, Vice Chairperson; Daniel F. Clark, Esq.; Arthur Coccodrilli; Murray Ufberg, Esq., by phone

*Environmental Quality Board—Coal Mining; Regulation No. 7-376*

On April 23, 2002, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (Board). This rulemaking adds 25 Pa. Code § 86.6. The proposed regulation was published in the May 4, 2002, *Pennsylvania Bulletin* with a 45-day public comment period. The final-form regulation was submitted to the Commission on June 18, 2004.

This regulation implements two exclusions in the definition of "surface mining activities" in section 3 of the Surface Mining Conservation and Reclamation Act (52 P. S. § 1396.3). It creates a limited exemption from the coal mining regulations for government-financed construction and reclamation projects.

We have determined this regulation is consistent with the statutory authority of the Board (52 P. S. §§ 1396.3 and 1396.4b(a) and 71 P. S. § 510-20) 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.

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### Approval Order

Public Meeting held  
July 29, 2004

*Commissioners Voting:* Alvin C. Bush, Vice Chairperson; Daniel F. Clark, Esq.; Arthur Coccodrilli; Murray Ufberg, Esq., by phone

*Pennsylvania Public Utility Commission—Electric Service Reliability; Regulation No. 57-228*

On September 19, 2003, the Independent Regulatory Review Commission (Commission) received this proposed

regulation from the Pennsylvania Public Utility Commission (PUC). This rulemaking amends 52 Pa. Code Chapter 57. The proposed regulation was published in the October 4, 2003, *Pennsylvania Bulletin* with a 79-day public comment period. The final-form regulation was submitted to the Commission on June 16, 2004.

This regulation updates the PUC's existing regulations on electric service reliability. The amendments add data requirements to the existing annual reliability reports and add a new quarterly reporting requirement.

We have determined this regulation is consistent with the statutory authority of the PUC (66 Pa.C.S. § 501) 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. 04-1522. Filed for public inspection August 13, 2004, 9:00 a.m.]

### Notice of Filing of Final Rulemakings

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

*Final-Form*

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
18-387	Department of Transportation Vehicles Required to Stop at Railroad Grade Crossings	8/2/04

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 04-1523. Filed for public inspection August 13, 2004, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Hamot Medical Center; Hearing

**Appeal of Hamot Medical Center under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM04-07-021**

On or before August 25, 2004, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's May 27, 2004, 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 September 15, 2004, at 2 p.m. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before August 17, 2004. A hearing shall occur on September 29, 2004, at 1:30 p.m.

in Room 200, Administrative Hearings Office, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA.

On or before September 1, 2004, each party shall file with the Administrative Hearings Office a prehearing statement which shall contain: (1) a comprehensive statement of undisputed facts to be stipulated between the parties; (2) a statement of additional contended facts; (3) names and address of witnesses along with the specialties of experts to be called; (4) a list of documents to be used at the hearing; (5) special evidentiary or other legal issues; and (6) the estimated time for that party's case. Contemporaneously with service of the prehearing statement on the opposing party, each party shall supply the other with a copy of any report generated by an expert witness designated on the prehearing statement. Any report subsequently received from a party's expert witness prior to hearing shall be supplied to the other party within 2 business days. Copies of expert reports need not be filed with the Administrative Hearings Office.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before September 22, 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 September 27, 2004.

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

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 04-1524. Filed for public inspection August 13, 2004, 9:00 a.m.]

### Highmark Inc. d/b/a Highmark Blue Shield; New Direct Pay Medically Underwritten PPO High Deductible Health Plans (Rates are Based on Age, Gender, Smoker or Nonsmoker); Rate Filing

By filing no. 1-HDHP/INGPPO-04-HBCBS (western region only), Highmark Inc. d/b/a Highmark Blue Shield requests approval of rates for new medically underwritten direct pay PPO High Deductible Health Plans. The requested rates are based on age, gender, smoker or nonsmoker categories.

The requested effective date for the plans is January 1, 2005.

Unless formal administrative action is taken prior to October 27, 2004, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) website: [www.ins.state.pa.us](http://www.ins.state.pa.us). To access the filing, select "Consumer Information" on the left side. Under "General Information," click on "Notices." The pdf copy is at the "Filing.pdf" link following the name of the filing.

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

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

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 04-1525. Filed for public inspection August 13, 2004, 9:00 a.m.]

### Review Procedure Hearings; Cancellation or Refusal of Insurance

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

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

Appeal of Clara Murphy; file no. 04-182-06546; State Farm Mutual Automobile Insurance Company; doc. no. P04-07-037; September 16, 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 Ashwani Kumar; file no. 04-265-02655; Birmingham Fire of PA; doc. no. PH04-07-038; September 13, 2004, 1:30 p.m.

Appeal of Samuel Burton; file no. 04-267-02459; American Independent Insurance Company; doc. no. PH04-07-017; September 13, 2004, 2:30 p.m.

Appeal of Dennis Abbott; file no. 03-265-06368; Progressive Insurance Companies; doc. no. PH04-07-018; September 13, 2004, 3:30 p.m.

Appeal of Jamie Pryor; file no. 04-265-02315; AAA Mid-Atlantic Insurance Company; doc. no. PH04-07-019; September 14, 2004, 9 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. 04-1526. Filed for public inspection August 13, 2004, 9:00 a.m.]

### Review Procedure Hearings under the Unfair Insurance Practices Act

The following insureds have requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (40 P. S. § 1171.8) in connection with their companies' termination of the insureds' policies. The administrative hearings will be held in the Insurance Department's regional offices in Harrisburg and Philadelphia, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

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

Appeal of Darlene M. and Mark J. Delessio; file no. 04-182-06816; The Hartford Mutual Insurance Company; doc. no. P04-07-039; September 16, 2004, 10 a.m.

The following hearing will be held in the Philadelphia Regional Office, Room 1701 State Office Building, 1400 Spring Garden Street, Philadelphia, PA 19130.

Appeal of Ann Kerns; file no. 04-193-04338; Keystone Insurance Company; doc. no. PH04-07-036; September 14, 2004, 10 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. 04-1527. Filed for public inspection August 13, 2004, 9:00 a.m.]

## LIQUOR CONTROL BOARD

### Expiration of Leases

The following Liquor Control Board leases will expire:

Lehigh County, Wine & Spirits Shoppe #3902, Kings Plaza, 5020 Route 873, Schnecksville, PA 18078.

*Lease Expiration Date:* July 31, 2005

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 4,500 to 5,500 net useable square feet of new or existing retail commercial space within the proximity of the intersections of State Routes 873 and 309 in North Whitehall Township.

*Proposals due:* September 3, 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

Lehigh County, Wine & Spirits Shoppe #3909, 906 Club Avenue, Allentown, PA 18109.

*Lease Expiration Date:* July 31, 2005

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 6,000 to 10,000 net useable square feet of new or existing retail commercial space within 1 mile of the intersection of Club Avenue and Union Boulevard, Allentown.

*Proposals due:* September 3, 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

Monroe County, Wine & Spirits Shoppe #4505, Ames Plaza, Weir Lake Road, Route 209, Brodheadsville, PA 18322.

*Lease Expiration Date:* July 31, 2005

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 3,000 to 7,000 net useable square feet of new or existing retail commercial space within the proximity of the intersections of Route 209 and Weir Lake Road, Chestnut Hill Township.

*Proposals due:* September 3, 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. 04-1528. Filed for public inspection August 13, 2004, 9:00 a.m.]

## MILK MARKETING BOARD

### Hearing and Presubmission Schedule for Milk Marketing Area No. 1; Cost Replacement

Under the Milk Marketing Law (31 P. S. §§ 700j-101—700j-1302), the Milk Marketing Board (Board) will conduct a public hearing for Milk Marketing Area No. 1 on October 6, 2004, at 9 a.m. in Room 202, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA.

The purpose of the hearing will be to receive testimony and exhibits concerning cost replacement in Milk Marketing Area No. 1. In accordance with Section G of Official General Order A-890A, as amended by Official General Order A-890A (CRO 4), evidence will be limited to the following: annualized processing, packaging and delivery costs; updated costs for containers, ingredients and Class II products; updated labor, utility and insurance costs based on comparisons between costs per point for the second quarters of calendar years 2003 and 2004; adjustments to announced Class II prices; adjustment for shrinkage, sales of bulk products and cream processing costs; and a reasonable rate of return to milk dealers. Evidence shall be based on the audited costs of a cross section of milk dealers doing business in Milk Marketing Area No. 1. Cost information for containers, ingredients and Class II products shall be based on April 2004 data. In accordance with OGO A-927, evidence and testimony will also be considered regarding the fuel cost adjuster.

The staff of the Board is deemed to be a party to this hearing, and the attorney representing staff is deemed to have entered his appearance. Other persons who may be affected by the Board order fixing prices in Milk Marketing Area No. 1 may be included on the Board's list of parties by:

1. Having their counsel file with the Board, by 4 p.m. on September 10, 2004, a notice of appearance substantially in the form prescribed by 1 Pa. Code § 31.25 (relating to form of notice of appearance), which shall identify by name and address the party on whose behalf the appearance is made. Thereafter, documents and other written communications required to be served upon or furnished to that party shall be sent to the attorney of record.

2. If unrepresented by counsel and wishing to appear on their own behalf under 1 Pa. Code § 31.21 (relating to appearance in person), filing with the Board, by 4 p.m. on September 10, 2004, an address to which documents and other written communications required to be served upon them or furnished to them may be sent.

The parties shall observe the following requirements for advance filing of witness information and exhibits. The Board may exclude witnesses or exhibits of a party that fails to comply with these requirements. In addition, the parties shall have available in the hearing room at least 20 copies of each document for the use of nonparties attending the hearing.

1. By 4 p.m. on September 17, 2004, each party shall file with the Board six copies and serve on all other parties one copy of:

a. A list of witnesses who will testify for the party, along with a statement of the subjects concerning which each witness will testify. A witness who will be offered as an expert shall be so identified, along with the witness's area or areas of proposed expertise.

b. Each exhibit to be presented, including testimony to be offered in written form.

2. By 3 p.m. on October 1, 2004, each party shall file and serve as set forth in paragraph 1 information concerning rebuttal witnesses and copies of rebuttal exhibits.

Parties that wish to offer in evidence documents on file with the Board, public documents or records in other proceedings before the Board or wish the Board to take official notice of facts shall comply with, respectively, 1 Pa. Code § 35.164, § 35.165, § 35.167 or § 35.173. Whenever these rules require production of a document as an exhibit, copies shall be provided to each Board member and to all other parties. In addition, at least 20 copies shall be available for distribution to nonparties attending the hearing.

Requests by parties for Board staff to provide data pertinent to the hearing shall be made in writing and received in the Board office by 4 p.m. on September 10, 2004.

The filing address for the Board is Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

Persons who require this information in an alternate format should call (717) 787-4194 or (800) 654-5984 (Pennsylvania Relay Service for TDD users).

KEITH BIERLY,  
*Secretary*

[Pa.B. Doc. No. 04-1529. Filed for public inspection August 13, 2004, 9:00 a.m.]

### Hearing and Presubmission Schedule for Milk Marketing Area No. 5; Cost Replacement

Under the Milk Marketing Law (31 P. S. §§ 700j-101—700j-1302), the Milk Marketing Board (Board) will conduct a public hearing for Milk Marketing Area No. 5 on October 6, 2004, at 11 a.m. in Room 202, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA.

The purpose of the hearing is to receive testimony and exhibits concerning cost replacement in Milk Marketing Area No. 5. Evidence will be limited to the following: annualized processing, packaging and delivery costs; updated costs for containers, ingredients and Class II products; updated labor, utility and insurance costs based on comparisons between costs per point for the second quarters of calendar years 2003 and 2004; consideration of skim and butterfat contents of products regulated by the Board; adjustment for shrinkage, sales of bulk products and cream processing costs; in-store handling costs; and a reasonable rate of return to milk dealers and stores. Evidence shall be based on the audited costs of a cross section of milk dealers and stores doing business in Milk Marketing Area No. 5. Cost information for containers, ingredients and Class II products shall be based on April 2004 data. In accordance with OGO A-927, evidence and testimony will also be considered regarding the fuel cost adjuster.

The staff of the Board is deemed to be a party to this hearing, and the attorney representing staff is deemed to have entered his appearance. Other persons who may be affected by the Board order fixing prices in Milk Marketing Area No. 5 may be included on the Board's list of parties by:

1. Having their counsel file with the Board, by 4 p.m. on September 10, 2004, a notice of appearance substantially in the form prescribed by 1 Pa. Code § 31.25 (relating to form of notice of appearance), which shall identify by name and address the party on whose behalf the appearance is made. Thereafter, documents and other written communications required to be served upon or furnished to that party shall be sent to the attorney of record.

2. If unrepresented by counsel and wishing to appear on their own behalf under 1 Pa. Code § 31.21 (relating to appearance in person), filing with the Board, by 4 p.m. on September 10, 2004, an address to which documents and other written communications required to be served upon them or furnished to them may be sent.

The parties shall observe the following requirements for advance filing of witness information and exhibits. The Board may exclude witnesses or exhibits of a party that fails to comply with these requirements. In addition, the parties shall have available in the hearing room at least 20 copies of each document for the use of nonparties attending the hearing.

1. By 4 p.m. on September 17, 2004, each party shall file with the Board six copies and serve on all other parties one copy of:

a. A list of witnesses who will testify for the party, along with a statement of the subjects concerning which each witness will testify. A witness who will be offered as an expert shall be so identified, along with the witness's area or areas of proposed expertise.

b. Each exhibit to be presented, including testimony to be offered in written form.

2. By 3 p.m. on October 1, 2004, each party shall file and serve as set forth in paragraph 1 information concerning rebuttal witnesses and copies of rebuttal exhibits.

Parties that wish to offer in evidence documents on file with the Board, public documents or records in other proceedings before the Board or wish the Board to take official notice of facts shall comply with, respectively, 1 Pa. Code § 35.164, § 35.165, § 35.167 or § 35.173. Whenever these rules require production of a document as an exhibit, copies shall be provided to each Board member and to all other parties. In addition, at least 20 copies shall be available for distribution to nonparties attending the hearing.

Requests by parties for Board staff to provide data pertinent to the hearing shall be made in writing and received in the Board office by 4 p.m. on September 10, 2004.

The filing address for the Board is Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

Persons who require this information in an alternate format should call (717) 787-4194 or (800) 654-5984 (Pennsylvania Relay Service for TDD users).

KEITH BIERLY,  
*Secretary*

[Pa.B. Doc. No. 04-1530. Filed for public inspection August 13, 2004, 9:00 a.m.]

### Hearing and Presubmission Schedule for Milk Marketing Area No. 6; Cost Replacement

Under the Milk Marketing Law (31 P. S. §§ 700j-101—700j-1302), the Milk Marketing Board (Board) will conduct a public hearing for Milk Marketing Area No. 6 on October 6, 2004, at 1:30 p.m. in Room 202, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA.

The purpose of the hearing is to receive testimony and exhibits concerning cost replacement in Milk Marketing Area No. 6. Evidence will be limited to the following: annualized processing, packaging and delivery costs; updated costs for containers, ingredients and Class II products; updated labor, utility and insurance costs based on comparisons between costs per point for the second quarters of calendar years 2003 and 2004; consideration of skim and butterfat contents of products regulated by the Board; adjustment for shrinkage, sales of bulk products and cream processing costs; in-store handling costs; and a reasonable rate of return to milk dealers and stores. Evidence shall be based on the audited costs of a cross-section of milk dealers and stores doing business in Milk Marketing Area No. 6. Cost information for containers, ingredients, and Class II products shall be based on April 2004 data. In accordance with OGO A-927, evidence and testimony will also be considered regarding the fuel cost adjuster.

The staff of the Board is deemed to be a party to this hearing, and the attorney representing staff is deemed to have entered his appearance. Other persons who may be affected by the Board order fixing prices in Milk Marketing Area No. 6 may be included on the Board's list of parties by:

1. Having their counsel file with the Board, by 4 p.m. on September 10, 2004, a notice of appearance substantially in the form prescribed by 1 Pa. Code § 31.25 (relating to form of notice of appearance), which shall identify by name and address the party on whose behalf the appearance is made. Thereafter, documents and other written communications required to be served upon or furnished to that party shall be sent to the attorney of record.

2. If unrepresented by counsel and wishing to appear on their own behalf under 1 Pa. Code § 31.21 (relating to appearance in person), filing with the Board, by 4 p.m. on September 10, 2004, an address to which documents and other written communications required to be served upon them or furnished to them may be sent.

The parties shall observe the following requirements for advance filing of witness information and exhibits. The Board may exclude witnesses or exhibits of a party that fails to comply with these requirements. In addition, the parties shall have available in the hearing room at least 20 copies of each document for the use of nonparties attending the hearing.

1. By 4 p.m. on September 17, 2004, each party shall file with the Board seven copies and serve on all other parties one copy of:

- a. A list of witnesses who will testify for the party, along with a statement of the subjects concerning which each witness will testify. A witness being offered as an expert shall be so identified, along with the witness's area or areas of proposed expertise.

- b. Each exhibit to be presented, including testimony to be offered in written form.

2. By 3 p.m. on October 1, 2004, each party shall file and serve as set forth in paragraph 1 information concerning rebuttal witnesses and copies of rebuttal exhibits.

Parties that wish to offer into evidence documents on file with the Board, public documents or records in other proceedings before the Board or wish the Board to take official notice of facts shall comply with, respectively, 1 Pa. Code § 35.164, § 35.165, § 35.167 or § 35.173. Whenever these rules require production of a document as an exhibit, copies shall be provided to each Board member and to all other parties. In addition, at least 20 copies shall be available for distribution to nonparties attending the hearing.

Requests by parties for Board staff to provide data pertinent to the hearing shall be made in writing and received in the Board office by 4 p.m. on September 10, 2004.

The filing address for the Board is Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

Persons who require this information in an alternate format should call (717) 787-4194 or (800) 654-5984 (Pennsylvania Relay Service for TDD users).

KEITH BIERLY,  
*Secretary*

[Pa.B. Doc. No. 04-1531. Filed for public inspection August 13, 2004, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### 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 September 7, 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-00120968. James Kirch** (1110 Jenkins Street, Uniontown, Fayette County, PA 15401)—persons, upon call or demand, in the County of Fayette.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 04-1532. Filed for public inspection August 13, 2004, 9:00 a.m.]

## STATE BOARD OF NURSING

### Bureau of Professional and Occupational Affairs v. Mercedes Bogi, L.P.N., R.N.; Doc. No. 0146-51-04

On June 1, 2004, Mercedes Bogi, license nos. PN-258870-L and RN-525843-L, of Phoenix, AZ, was issued a public reprimand based on disciplinary action taken by the Arizona Board of Nursing on her registered nursing license.

Persons may obtain a copy of the adjudication by writing to Martha H. Brown, Board Counsel, State Board of Nursing, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represents the final State Board of Nursing (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of the petition for review. The Board contact for receiving service of appeals is the previously named Board counsel.

JANET HUNTER SHIELDS, MSN, CRNP, CS,  
*Chairperson*

[Pa.B. Doc. No. 04-1533. Filed for public inspection August 13, 2004, 9:00 a.m.]

## STATE ETHICS COMMISSION

### Public Meeting

Under 65 Pa.C.S. §§ 1101—1113 (relating to the Public Official and Employee Ethics Act) (act), the State Ethics Commission (Commission) is required to hold at least two public hearings each year to seek input from persons and organizations who represent individual subjects to the provisions of the act and from other interested parties.

The Commission will conduct a public meeting at the Bel-Aire Hotel, 2800 West 8th Street, Erie, PA 16505-4084 on September 21, 2004, at 8:30 a.m. for purposes of receiving said input and for the conduct of other Commission business. Public officials, public employees, organizations and members of the general public may attend.

Persons seeking to testify or present statements, information or other comments in relation to the act, the regulations of the Commission or Commission operations should contact Claire J. Hershberger at (717) 783-1610 or (800) 932-0936. Written copies of statements should be provided at the time of the meeting.

JOHN J. CONTINO,  
*Executive Director*

[Pa.B. Doc. No. 04-1534. Filed for public inspection August 13, 2004, 9:00 a.m.]