

# NOTICES

## DEPARTMENT OF BANKING

### Action on Applications

The Department of Banking, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending August 17, 2004.

#### BANKING INSTITUTIONS

##### Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
8-16-04	Sterling Financial Corporation, Lancaster, to acquire 100% of the voting shares of The Pennsylvania State Banking Company, Camp Hill, and thereby indirectly acquire Pennsylvania State Bank, Camp Hill, which will become a wholly-owned subsidiary of Sterling Financial Corporation	Lancaster	Filed

##### New Charter Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
8-16-04	Bucks County Bank Doylestown Bucks County	350 South Main Street Doylestown Bucks County	Commenced Operations

##### Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
8-9-04	EBS Bank Ellwood City Lawrence County	3360 Wilmington Road New Castle Lawrence County	Opened

#### SAVINGS INSTITUTIONS

No activity.

#### CREDIT UNIONS

No activity.

A. WILLIAM SCHENCK, III,  
*Secretary*

[Pa.B. Doc. No. 04-1596. Filed for public inspection August 27, 2004, 9:00 a.m.]

## DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

### FY 2004 Emergency Responders Resources and Training Program

The Department of Community and Economic Development announces the availability of guidelines for the FY 2004 Emergency Responders Resources and Training Program (program). The program provides grants for facilities and equipment to support the operation of fire, ambulance and emergency medical services, operational support for fire, ambulance and emergency medical ser-

vices that enhances the health, safety and welfare of citizens in this Commonwealth, emergency services training activities and projects that improve the stability and public safety of the community.

Assistance from the program is in the form of grants from the Commonwealth to eligible applicants for projects which conform to the eligibility criteria detailed in the program guidelines.

Grants are made in three funding rounds during the fiscal year. Application deadline and tentative announcement dates for each round are as follows.

<i>Funding Round</i>	<i>Application Deadline Date</i>	<i>Target Announcement Date</i>
Round 1	September 30, 2004	November 2004
Round 2	December 30, 2004	February 2005
Round 3	March 31, 2005	May 2005

Applications and requests for guidelines should be sent to the Department of Community and Economic Development, Customer Service Center, Commonwealth Keystone Building, 400 North Street, Fourth Floor, Harrisburg, PA 17120-0225, (800) 379-7448, ra-dcedcs@state.pa.us.

DENNIS YABLONSKY,  
*Secretary*

[Pa.B. Doc. No. 04-1597. Filed for public inspection August 27, 2004, 9:00 a.m.]

### FY 2004 Local Municipal Resources and Development Program

The Department of Community and Economic Development announces the availability of guidelines for the FY 2004 Local Municipal Resources and Development Program (program). The program provides grants that promote community and/or economic development, improve the stability of the community, enhance the delivery of local government services through intermunicipal approaches to service delivery, improve existing and/or develop new civic, cultural, recreational, industrial, infrastructure and other facilities, assist in business retention, expansion, creation or attraction, promote the creation of jobs and employment opportunities and/or enhance the health, welfare and quality of life of citizens in this Commonwealth.

Assistance from the program is in the form of grants from the Commonwealth to eligible applicants for projects which conform to the eligibility criteria detailed in the program guidelines.

Grants are made in three funding rounds during the fiscal year. Application deadline and tentative announcement dates for each round are as follows.

<i>Funding Round</i>	<i>Application Deadline Date</i>	<i>Target Announcement Date</i>
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Applications and requests for guidelines should be sent to the Department of Community and Economic Development, Customer Service Center, Commonwealth Keystone

Building, 400 North Street, Fourth Floor, Harrisburg, PA 17120-0225, (800) 379-7448, ra-dcedcs@state.pa.us.

DENNIS YABLONSKY,  
*Secretary*

[Pa.B. Doc. No. 04-1598. Filed for public inspection August 27, 2004, 9:00 a.m.]

### FY 2004 Urban Development Program

The Department of Community and Economic Development announces the availability of guidelines for the FY 2004 Urban Development Program (program). The program provides grants to promote and encourage the prosperous development of business, industry and commerce in this Commonwealth, to expand markets and promote and develop new markets for products made in this Commonwealth, encouraging the location and development of new business, industry and commerce in this Commonwealth, to aid in restoring employment in communities affected by unemployment and to assist persons, firms, associations, political subdivisions, corporations, cooperative associations and other organizations to assist various public safety, recreation, senior citizens or other community service organizations.

Assistance from the program is in the form of grants from the Commonwealth to eligible applicants for projects which conform to the eligibility criteria detailed in the program guidelines.

Grants are made in three funding rounds during the fiscal year. Application deadline and tentative announcement dates for each round are as follows.

<i>Funding Round</i>	<i>Application Deadline Date</i>	<i>Target Announcement Date</i>
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Applications and requests for guidelines should be sent to the Department of Community and Economic Development, Customer Service Center, Commonwealth Keystone Building, 400 North Street, Fourth Floor, Harrisburg, PA 17120-0225, (800) 379-7448, ra-dcedcs@state.pa.us.

DENNIS YABLONSKY,  
*Secretary*

[Pa.B. Doc. No. 04-1599. Filed for public inspection August 27, 2004, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

#### APPLICATIONS

#### THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

#### APPLICATIONS FOR NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS AND WATER QUALITY MANAGEMENT (WQM) PERMITS

This notice provides information about persons who have applied for a new, amended or renewed NPDES or WQM permit, a permit waiver for certain stormwater discharges or submitted a Notice of Intent (NOI) for coverage under a

general permit. The applications concern, but are not limited to, discharges related to industrial, animal or sewage waste, discharges to groundwater, discharges associated with municipal separate storm sewer systems (MS4), stormwater associated with construction activities or concentrated animal feeding operations (CAFOs). This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92 and 40 CFR Part 122, implementing The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and the Federal Clean Water Act.

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
Section I	NPDES	Renewals
Section II	NPDES	New or amendment
Section III	WQM	Industrial, sewage or animal waste; discharge into groundwater
Section IV	NPDES	MS4 individual permit
Section V	NPDES	MS4 permit waiver
Section VI	NPDES	Individual permit stormwater construction
Section VII	NPDES	NOI for coverage under NPDES general permits

For NPDES renewal applications in Section I, the Department of Environmental Protection (Department) has made a tentative determination to reissue these permits for 5 years subject to effluent limitations and monitoring and reporting requirements in their current permits, with appropriate and necessary updated requirements to reflect new and changed regulations and other requirements.

For applications for new NPDES permits and renewal applications with major changes in Section II, as well as applications for MS4 individual permits and individual stormwater construction permits in Sections IV and VI, the Department, based upon preliminary reviews, has made a tentative determination of proposed effluent limitations and other terms and conditions for the permit applications. These determinations are published as proposed actions for comments prior to taking final actions.

Unless indicated otherwise, the EPA Region III Administrator has waived the right to review or object to proposed NPDES permit actions under the waiver provision in 40 CFR 123.24(d).

Persons wishing to comment on an NPDES application are invited to submit a statement to the regional office noted before an application within 30 days from the date of this public notice. Persons wishing to comment on a WQM permit application are invited to submit a statement to the regional office noted before the application within 15 days from the date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the applications. Comments should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

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

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

## **I. NPDES Renewal Applications**

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N ?</i>
PA0057801	J. Brad Bennington 520 Ridge Valley Road Sellersville, PA 18960	Bucks County West Rockhill Township	UNT to Ridge Valley Creek	Y

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N ?</i>
PA0062405 Minor	Scott Tech Park R. R. 1, Box 457 Olyphant, PA 18447	Scott Township Lackawanna County	Unnamed tributary to South Branch Tunkhannock Creek 4F	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>
PA0088048 SEW	Borough of New Morgan Building D, Room 3 Grace Boulevard Morgantown, PA 19543	Berks County New Morgan Borough	Conestoga River 7-J	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>
PA0088072 (IW)	Stericycle (formerly Bridgeview, Inc.) 1525 Chestnut Hill Road Morgantown, PA 19543	Berks County Robeson Township	Tributary to Hay Creek 3-C	Y

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N ?</i>
PA0028606 Sewerage	Delaware Township Municipal Authority P. O. Box 80 Dewart, PA 17730-0080	Delaware Township Northumberland County	West Branch Susquehanna River 10D	Y
PA0009318 IW	Alcan Cable 409 Reighard Avenue Williamsport, PA 17701-4195	Williamsport Lycoming County	Fox Hollow Run 10-A	Y
PA0114308 Sewerage	Orange Township Supervisors 2028 SR 487 Orangeville, PA 17859	Orange Township Columbia County	Fishing Creek 5-C	Y
PA0100161 IW	Triangle Suspension Systems, Inc. P. O. Box 425 DuBois, PA 15801	Sandy Township Clearfield County	Pentz Run 17-C	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>
PA0222844	Ellwood Industrial Facilities Company Oxygen Generation Plant 700 Moravia Street New Castle, PA 16101	City of New Castle Lawrence County	Shenango River 20-A	Y
PA0102385	Springfield Restaurant Group Iron Bridge Inn 1438 Perry Highway Mercer, PA 16137-3738	Springfield Township Mercer County	Neshannock Creek 20-A	Y
PA0003573	Schry Water Conditioning 128 Portersville Road Ellwood City, PA 16117	Ellport Borough Lawrence County	Connoquenessing Creek 20-C	Y

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

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

**NPDES Permit No. PA0011002**, Industrial Waste, **American Inks and Coatings Corporation**. This proposed facility is in Schuylkill Township, **Chester County**.

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

**NPDES Permit No. PA0051071**, Industrial Waste, **Schramm Incorporated**, 800 East Virginia Avenue, West Chester, PA 19380-4206. This proposed facility is in West Goshen Township, **Chester County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge in Goose Creek in Watershed 3H.

**NPDES Permit No. PA0053376**, Sewage, **Strawberry Family Restaurant**, 3773 Layfield Road, Pennsburg, PA 18073. This proposed facility is in Upper Hanover Township, **Montgomery County**.

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

**NPDES Permit No. PA0058343**, Sewage, **Bedminster Municipal Authority**, P. O. Box 92, Bedminster, PA 18910-0092. This proposed facility is in Pennsbury Township, **Chester County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge into an unnamed tributary to Deep Run in Watershed 2D-Three Mile.

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

**PA0228818**, Industrial Waste (SIC 2621), **First Quality Tissue LLC**, 599 South Highland Street, Lock Haven, PA 17745-3431. This proposed/existing facility is in Castanea Township, **Clinton County**.

Description of Proposed Activity: First Quality Tissue has purchased the former International Paper site and will begin making paper products in late Fall 2004. The applicant has applied for a permit to authorize the discharge of treated process wastewater. The industrial waste treatment plant will be upgraded to meet the needs of the new processes onsite.

The receiving stream, Bald Eagle Creek, is in the State Water Plan watershed 9C and classified for WWF. The nearest downstream public water supply intake for the Pennsylvania American Water Company is on the West Branch Susquehanna River, 60.29 miles below the point of discharge.

The proposed effluent limits for Outfall 003 are based on a design flow of 3.95 MGD.

Parameter	Mass (lb/day)		Concentration (mg/L)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
BOD <sub>5</sub>	3,550	7,308	108	222	333
TSS	2,714	6,264	82	190	285
Total P			Report		
Total N			Report		
pH			within the range of 6.0 to 9.0		

Outfalls 001, 002 and 004 are proposed stormwater outfalls.

In addition to the effluent limits, the permit contains the following major special conditions: management of chemical usage additives; stormwater management; and prohibition of chlorophenolic compounds.

**PA0111929**, Sewage, SIC 4952, **Lawrenceville Borough Authority**, P. O. Box 115, Lawrenceville, PA 16929-0115. This existing facility is in Lawrenceville Borough, **Tioga County**.

Description of Proposed Activity: The Authority is applying to renew the existing NPDES permit.

The receiving stream, Tioga River, is in the State Water Plan watershed 4A and classified for WWF. The nearest downstream public water supply considered during this review is the PA-NY border, 1.1 river miles below the point of discharge.

The existing effluent limits for Outfall 001 are based on a design flow of 0.1 MGD:

Parameter	Average Monthly (mg/l)	Average Weekly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
TSS	30	45		60
CBOD <sub>5</sub>	25	40		50
Total Chlorine Residual	1.0			2.3
pH			within the range 6.0 to 9.0	
Fecal Coliform (5-1 to 9-30)		200 per 100 mL as a geometric average		
(10-1 to 4-30)		2,000 per 100 mL as a Geometric Average		

The EPA waiver is in effect.

**PAS214801**, Industrial Waste SIC, 3273, **Little Lisa Inc. d/b/a Wayne Concrete**, 262 Route 44, Coudersport, PA 16915. This existing facility is in Eulalia Township, **Potter County**.

Description of Proposed Activity: Issuance of an NPDES permit for an existing discharge of stormwater.

The receiving stream, storm drain to Mill Creek, is in the State Water Plan watershed 16C and classified for HQ-CWF. The nearest downstream public water supply intake is assumed to be the NY/PA border on the Allegheny River, 48 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.018 MGD.

Parameter	Mass (lbs/day)		Concentration (mg/l)		
	Average Monthly	Daily Maximum	Average Monthly	Daily Maximum	Instantaneous Maximum
CBOD <sub>5</sub>				Report	
COD				Report	
Oil and Grease				Report	
TSS				Report	
Total Kjeldahl Nitrogen				Report	
Total Phosphorous				Report	
Total Iron				Report	

Best Management Practices

1. Diversion of offsite stormwater to prevent run on of stormwater from neighboring properties.
2. Isolation of truck wash water from the stormwater by pumping the truck wash water to the detention basin and regular cleaning of the solids in truck wash water sump.
3. Utilize a stormwater sediment trap before discharging to a grassy swale.

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

**PA000361**, Industrial Waste, SIC, 4941, **Municipal Authority of Westmoreland County**, P. O. Box 730, Greensburg, PA 15601. This application is for renewal of an NPDES permit to discharge treated process water and stormwater from water treatment plant operations in Bell and Washington Townships, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, Beaver Run, classified as a TSF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is the Buffalo Township Water Authority at Freeport, 21.2 miles below the discharge point.

*Outfall 001: existing discharge, design flow of 0.397 mgd.*

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow	Monitor and Report				
TSS			30	60	
Iron			2	4	
Aluminum			1.8	3.6	
Manganese			1	2	
TRC			0.5	1.0	
pH	not less than 6.0 nor greater than 9.0				

*Outfall 002: existing discharge.*

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow	Monitor and Report				
TSS			30		60
Iron			2		4
Aluminum			4		8
Manganese			1		2
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is in effect.

**PAI136133**, MS4, **City of Pittsburgh**, 441 Smithfield Street, Pittsburgh, PA 15222. This facility is in City of Pittsburgh, **Allegheny County**.

Description of Proposed Activity: New NPDES permit for an existing discharge of stormwater.

The receiving waters, Allegheny River, Chartiers Creek, Monongahela River, Ninemile Run and Ohio River, are in the Act 167 Watersheds, Monongahela River, Allegheny River, Ohio River and are classified for WWF, WWF, WWF, TSF, WWF, aquatic life, water supply and recreation.

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

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

The EPA waiver is in effect.

### **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. 2804404**, Sewerage, **Roger A. Wingert**, 4546 Philadelphia Avenue, Chambersburg, PA 17201. This proposed facility is in Greene Township, **Franklin County**.

Description of Proposed Action/Activity: Authorization to construct a small flow treatment facility.

**WQM Permit No. 2204407, West Hanover Township Water and Sewer Authority**, 7901 Jonestown Road, Harrisburg, PA 17112. This proposed facility is in West Hanover Township, **Dauphin County**.

Description of Proposed Action/Activity: Authorization for the construction of a wastewater pumping station and force main.

**WQM Permit No. WQG013501**, Sewerage, **Noah Lee Stoltzfus**, 307 Newville Road, Newburg, PA 17240. This proposed facility is in Upper Mifflin Township, **Cumberland County**.

Description of Proposed Action/Activity: Construction for small flow sewage treatment system to serve a single family residence on Mountain Road.

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

**WQM Permit No. 1804401**, Sewerage 4952, **East Nittany Valley Joint Municipal Authority**, 216 Spring Run Road, Mill Hall, PA 17751. This proposed facility is in Lamar Township, **Centre County**.

Description of Proposed Action/Activity: The applicant proposes to construct and operate a sewer extension to the Lamar Township Business Park.

**WQM Permit No. 5504402**, Sewerage 4952, **Middleburg Municipal Authority**, 13 North Main Street, Middleburg, PA 17842. This proposed facility is in Middleburg Borough, **Snyder County**.

Description of Proposed Action/Activity: The applicant proposes to modify the sewage plant influent pump station, yard piping and UV disinfection chamber and add a sludge basin decant pump.

**WQM Permit No. 4704401**, Sewerage 4952, **Doris F. Phillips**, 26 Strick Road, Danville, PA 17821. This proposed facility is in Limestone Township, **Montour County**.

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

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

**WQM Permit No. 2604404**, Sewerage, **Yough Sanitary Authority**, c/o L Wayne Cable, P. O. Box 168, Dawson, PA 15428. This proposed facility is in Dunbar Township, **Fayette County**.

Description of Proposed Action/Activity: Application for the construction and operation of the Yough Sanitary Authority Wastewater Treatment Plant.

**WQM Permit No. 3004402**, Sewerage, **Center Township**, P. O. Box 435, 100 Municipal Drive, Rogersville, PA 15359. This proposed facility is in Center Township, **Greene County**.

Description of Proposed Action/Activity: Application for the construction and operation of the Rogersville Sewage Treatment Plant.

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

**WQM Permit No. 6504402**, Sewerage, **C Harper Ford**, P. O. Box 748, Belle Vernon, PA 15012. This proposed facility is in Rostraver Township, **Westmoreland County**.

Description of Proposed Action/Activity: Application for the construction and operation of the C Harper Autoplex Sewage Treatment Plant.

**WQM Permit No. 6504403**, Sewerage, **Oak Farm Estates Partners**, 27 Barri Drive, Irwin, PA 15642. This proposed facility is in Penn Township, **Westmoreland County**.

Description of Proposed Action/Activity: Application for the construction and operation of a sewer extension and pump station to serve Oak Farm Estates Phase 5.

**WQM Permit No. 6504404**, Sewerage, **The Borough of Ligonier**, 120 East Main Street, Town Hall, Ligonier, PA 15658. This proposed facility is in Ligonier Borough, **Westmoreland County**.

Description of Proposed Action/Activity: Application for the construction and operation of a relief sewer to serve Bunger Street.

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

**WQM Permit No. 6104404**, Sewerage, **Cranberry Venango County General Authority**, 3726 SR 257, Seneca, PA 16346. This proposed facility is in Cranberry Township, **Venango County**.

Description of Proposed Action/Activity: This project is for the construction of a pressure sewer system and sewer extension along Route 322, through Victory Heights and ending west of Astral Road.

#### **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**

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI032904001	Crystal Spring, LLC 5305 Kings Court Frederick, MD 21701	Fulton	Brush Creek Township	Brush Creek HQ-CWF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI044104004	Ray Eck 2862 Gap Road Allenwood, PA 17810	Lycoming	Washington Township	White Deer Hole Creek HQ-CWF

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

PAG-12	CAFOs
PAG-13	Stormwater Discharges from MS4

**MS4 Notices of Intent Received**

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>Department Protocol (Y/N)</i>
PAG132276	Pottsville City 401 North Centre Street Pottsville, PA 17901	Schuylkill	Pottsville City	Schuylkill River CWF West Branch of Schuylkill River CWF Norwegian Creek CWF	Y

**PUBLIC WATER SUPPLY (PWS) PERMIT**

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

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

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

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

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

**SAFE DRINKING WATER**

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

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

**Application, Minor Amendment.**

Applicant	<b>Aqua Pennsylvania, Inc.</b>
Township or Borough	Palmyra Township, <b>Pike County</b>
Responsible Official	Roswell S. McMullen, P. E., Manager, Northeast Operations HC 6, Box 6040 Hawley, PA 18428 (570) 226-1528
Type of Facility	Community Water System
Consulting Engineer	Douglas E. Berg, P. E. Entech Engineering, Inc. P. O. Box 32 Reading, PA 18603 (610) 373-6667
Application Received Date	August 5, 2004



Description of Action      Application for modification of the community water system serving the Tanglewood North Development to allow for a change in the pH adjustment chemical from soda ash to caustic soda.

#### WATER ALLOCATIONS

#### Applications received under the act of June 24, 1939 (P. L. 842, No. 365) (32 P. S. §§ 631—641) relating to the acquisition of rights to divert waters of this Commonwealth

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

**WA 27-1000, Water Allocations, Aqua Pennsylvania, Inc.**, 644 North Water Avenue, Sharon, PA 16146, Jenks Township, **Forest County**. Application request for all available flow from three springs used for water supply. Request is result of agreement between Aqua Pennsylvania and Marienville Water Supply Company reached under pending transfer of ownership to Aqua Pennsylvania.

### 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 pub-

lished in a newspaper of general circulation in the area of the site. For the sites identified, proposed for remediation to a Site-Specific Standard or as a special industrial area, the municipality within which the site is located may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30 days of the date specified. During this comment period, the municipality may request that the person identified as the remediator of the site develop and implement a public involvement plan. Requests to be involved and comments should be directed to the remediator of the site.

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

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

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

**Former SPS Technologies, Inc. Facility**, Upper Dublin Township, **Montgomery County**. Kate Gibbons, Environmental Strategies Corp., 334 Elizabeth Ave., Suite B, Somerset, NJ 08873 on behalf of Philip L. Hinerman, Esq., 135 Commerce, Inc., Fort Washington, PA 19634 has submitted a Notice of Intent to Remediate. Groundwater at the site has been impacted by release of chlorinated solvents. A summary of the Notice of Intent to Remediate was reported to have been published in the *Ambler Gazette* on July 7, 2004.

**Quan Residence and Mercedes Residence**, Abington Township, **Montgomery County**. Richard D. Trimpi, CHMM, P. G., Trimpi Assoc., Inc., 1635 Old Plains Rd., Pennsburg, PA 18073 on behalf of Duchan Quan and Joe Mercedes, 3022 Turner Ave. and 3018 Turner Ave., Roslyn, PA 19001 has submitted a Notice of Intent to Remediate. Approximately 10-30 gallons of no. 2 fuel oil was released from a leaking furnace in the basement of the 3022 Turner Rd. It flowed into a nearby sump pit and was pumped outside and onto the grass of 3018 Turner Ave. and then downgradient onto the lawn. The soil was contaminated with benzene, toluene, ethylbenzene, total xylenes, fluorine, naphthalene and phenanthrene. The Quan and Mercedes sites are currently residential. A summary of the Notice of Intent to Remediate was reported to have been published in the *Intelligencer* on July 21, 2004.

**Proposed Wendy's Site**, Upper Darby Township, **Delaware County**. Samuel Kucia, Environmental Consulting, Inc., 500 East Washington St., Suite 375, Norristown, PA 19401 on behalf of Benjamin Willner, Willner Realty and Development Co., 140 S. 69th St., 2nd Floor, Upper Darby, PA 19082 has submitted a Notice of Intent to Remediate. The consultant was retained to excavate and dispose of a limited volume of contaminated soil that was discovered during a previous geotechnical investigation completed on property. Soil at the site has been impacted with benzene. The future use of the site is a Wendy's Restaurant. A summary of the Notice of Intent to Remediate was reported to have been published in the *Delaware County Daily Times* on July 14, 2004.

## HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

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

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

**Permit ID No. 301193. United States Steel Corporation**, 600 Grant Street, Pittsburgh, PA 15219-4776. South Taylor Environmental Park Landfill, 555 Delwar Road, Pittsburgh, PA 15236. Application for the renewal of a captive residual waste landfill permit in West Mifflin Borough, **Allegheny County** was received in the Regional Office on August 10, 2004.

### ISSUANCE OF MUNICIPAL WASTE GENERAL PERMIT

### Determination of Applicability for General Permit under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and municipal waste regulations for a general permit to operate municipal waste processing facilities and/or the beneficial use of municipal waste.

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

**General Permit No. WMGM007SC001, Associated Products Services, Inc.**, 14 Long Lane, Mechanicsburg, PA 17055, Silver Springs Township, **Cumberland County**. The Department issued a general permit to Associated Products Services on July 23, 2004. The general permit allows the temporary storage of residential septage at the previous address to facilitate the transfer of the septage to offsite processing facilities.

Questions concerning the general permit should be directed to John Krueger, Program Manager, Department of Environmental Protection, 909 Elmerton Ave., Harrisburg, PA 17110. Persons interested in obtaining more information about the general permit should contact the Southcentral Regional Office at (717) 705-4706. TDD users should contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

### Applications received 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.

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

**Permit Application No. 100944, Lanchester Landfill**, Honeybrook Township, **Chester County**. The permit modification approves the Area D expansion. Compliance with the terms and conditions set forth in the permit is mandatory. Individuals have the right to file an appeal as to these terms and conditions.

Comments concerning the application should be directed to John Krueger, Program Manager, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110. Persons interested in obtaining more information about the general permit application should contact the

Waste Management Program, (717) 705-4706. 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.

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

**Permit ID No. 301307. US Liquids**, RJ Casey Industrial Park, 1800 Columbus Avenue, Suite 5, Pittsburgh, PA 15233. **Perma-Fix of Pittsburgh, Inc.**, RJ Casey Industrial Park, 1800 Columbus Avenue, Suite 5, Pittsburgh, PA 15233. Application for a change of name and ownership of a residual waste processing facility in the City of Pittsburgh, **Allegheny County**, was received in the regional office on August 16, 2004.

## AIR QUALITY

### PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

#### NEW SOURCES AND MODIFICATIONS

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

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

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

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

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

**35-318-087: Milso Industries, Inc.** (8 River Street, Jermyn, PA 18433) for reactivation of paint spray operations and associated air cleaning devices at their facility in Jermyn Borough, **Lackawanna County**.

**45-317-001A: CHS, Inc.** (Horizon Milling LLC, P. O. Box 147, Harvest Lane, Route 940, Mount Pocono, PA 18344) for modification of a flour milling operation and associated air cleaning devices at their facility in Tobyhanna Township and Mount Pocono Borough, **Monroe County**.

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

**06-05002E: Lehigh Cement Co.** (537 Evansville Road, Fleetwood, PA 19522-8541) for installation of a mid-kiln blower on Portland cement kiln no. 1 at their Evansville Plant in Maiden Creek Township, **Berks County**. The device is for the control of CO, NO<sub>x</sub> and SO<sub>2</sub>. The kiln is subject to 40 CFR Part 63, Subpart LLL, National Emission Standards for Hazardous Air Pollutants from the Portland Cement Manufacturing Industry.

**36-03141A: Kellogg USA, Inc.** (2050 State Road, Lancaster, PA 17604) for modifications of an existing coating line in their facility in East Hempfield Township, **Lancaster County**.

**36-05027D: RR Donnelley and Sons Co.** (216 Greenfield Road, Lancaster, PA 17601-5885) to install a 66.4 mmBtu/hour natural gas and no. 6 fuel oil boiler at their Lancaster East facility in Lancaster City, **Lancaster County**. This application is subject to 40 CFR Part 60, New Source Performance Standard Subpart Dc, Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units.

**38-05032: Lebanon Valley Aluminum, Inc.** (33 Keystone Drive, Lebanon, PA 17042) for installation of a secondary aluminum smelting facility in South Lebanon Township, **Lebanon County**.

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

**62-174A: Warren County Humane Society** (212 Elm Street, Warren, PA 16356) for construction of a small animal crematory in the City of Warren, **Warren County**.

**10-030A: Concast Metal Products Co., Inc.** (Myoma Road, Mars, PA 16046) to install an additional bag-house to supplement existing controls on the induction melting furnaces in Adams Township, **Butler County**.

**Intent to Issue Plan Approvals and Intent to Issue or Amend Operating Permits under the Air Pollu-**

**tion Control Act and 25 Pa. Code Chapter 127, Subchapter B. These actions may include the administrative amendments of an associated operating permit.**

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

**35-322-007: Alliance Sanitary Landfill, Inc.** (398 South Keyser Avenue, Taylor, PA 18517) for installation and operation of one 1,600 scfm capacity enclosed flare system to destroy landfill gas collected from uncapped, active areas of the landfill in Taylor and Old Forge Boroughs and Ransom Township, **Lackawanna County**. This action does not represent any additional waste being introduced into the landfill, or an expansion of the landfill, merely the installation of control devices. No additional gas is being generated since the gas generation is based on the size and volume of the landfill. The company has proposed no other changes. Alliance Sanitary Landfill is a major facility subject to Title V permitting requirements. The VOC emissions from the landfill will be controlled by enclosed landfill gas flares and will continue to be less than 50 tons per year. The Plan Approval and Operating Permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements. For further details, contact Mark Wejkszner.

**39-309-015: Eastern Industries, Inc.** (4401 Camp Meeting Road, Suite 200, Center Valley, PA 18034) for construction and operation of a drum mix asphalt plant at 500 Walnut Street, North Whitehall Township, **Lehigh County**. The facility will utilize waste derived liquid fuel (WDLF) and no. 2 fuel oil as fuels. The plant is also capable of utilizing recycled asphalt pavement material. WDLF will be heated in a preheater prior to being used. Particulate emissions from the plant will be controlled by a baghouse. Expected particulate emission rate will be less than 0.02 grain/dscf. The company will operate the facility and maintain the equipment in accordance with the good engineering practices to assure proper operation of the system. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions, that are designed to keep the facility operating within all applicable air quality requirements.

**45-302-074: Aventis Pasteur, Inc.** (Discovery Drive, Swiftwater, PA 18370) for their facility in Pocono Township, **Monroe County**.

In accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department intends to issue Plan Approval 45-302-074 to Aventis Pasteur, Inc. for their facility in Pocono Township, Monroe County. This plan approval will be incorporated into Title V Operating Permit 45-00005 through an administrative amendment at a later date. The action will be published as a notice in the *Pennsylvania Bulletin*.

Plan Approval 45-302-074 is for installation and operation of two natural gas/no. 2 fuel oil fired Johnston boilers 9 and 10, conversion of existing boiler 1—3 and permanent shutdown of boilers 4 and 5 at their existing facility in Pocono Township, Monroe County. The designed rated heat input to each new boiler 9 and 10 will be 30.98 mmBtu/hr for no. 2 oil and 32.3 mmBtu/hr for natural gas. Each boiler will fire no. 2 fuel oil as a primary fuel and natural gas as a backup and using a forced draft low NO<sub>x</sub> burner with internal flue gas recirculation (IFGR). Also the company will convert three existing boilers,

boilers 1—3 from no. 6 fuel oil to no. 2 fuel oil with low NOx burners and IFGR. One additional fuel oil storage tank is also proposed.

The facility is in an area designated as a marginal nonattainment area for O<sub>3</sub>. The project area is also included in the northeast Ozone Transport Region. The facility is currently a major source for NOx emissions only. The Federally enforceable limit chosen by the company for the NOx emission will keep the proposed emission increase from the facility below the NSR applicability triggering thresholds from the proposed new and modified sources. Thus, the addition and modification of sources will not subject the facility to the provisions of NA NSR for NOx, emissions of SO<sub>2</sub>, CO, NOx, TSP, PM10, lead, asbestos, beryllium, mercury, vinyl chloride, fluorides, sulfuric acid mist, hydrogen sulfide, total reduced sulfur and reduced sulfur compounds associated with the proposed project will be below the PSD significant emission rates as the company will maintained the emissions from the entire facility below the PSD PALS level and thus are not subject to PSD review. The following emission limitations are set for each new and modified boiler.

NOx emissions	From BAT, 30 PPM @ 3%O <sub>2</sub> when firing with natural gas 90 PPM @ 3% O <sub>2</sub> when firing with no. 2 fuel oil
CO emission	From BAT, 100 PPM at 3% O <sub>2</sub>

Copies of the application, the Department's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711.

Persons who wish to provide the Department with additional information they believe should be considered prior to the issuance of this permit should submit the information to the previous address. Written comments must contain the name, address and telephone number of the person submitting the comments, identification of proposed Permit 45-302-074 and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department, in its discretion, decides that a hearing is warranted based on the comments received. Persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in a newspaper, the *Pennsylvania Bulletin* or by telephone, when the Department determines notification by telephone is sufficient. Written comments or requests for a public hearing should be directed within 30 days after the publication date to Mark J. Wejkszner, P.E., Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711, (570) 826-2531.

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

**ER-36-05031: Bollman Hat Co.** (Route 272 and Willow Street, Adamstown, PA 19501) for an Emission Reduction Credit (ERC) approval of 14.34 tons of VOCs from the shutdown of the company's Willow Street manufacturing plant in Adamstown Borough, **Lancaster County**. The ERCs resulted from the October 3, 2003, permanent shutdown of the facility.

**44-03014: Barr Funeral Home, Inc.** (120 Logan Street, Lewistown, PA 17044) for installation of a natural gas operated human crematory controlled by a secondary

chamber afterburner in Lewistown Borough, **Mifflin County**. The unit will have a rated capacity of 100 pounds per hour. Expected NOx emissions will be 1.5 tons, or less, per year and particulate emissions will be less than 0.50 ton per year. The Plan Approval and Operating Permit will contain recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

**31-03033A: Stone Valley Welding** (R. R. 2, Box 213, Huntingdon, PA 16652) for operation of a metal surface coating booth using solvent coatings in Jackson Township, **Huntingdon County**. The primary emissions from the source are VOCs which will be limited to 20.5 tons per year. The Plan Approval will contain restrictions, monitoring, recordkeeping, work practice and reporting requirements designed to keep the source 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.*

**10-027E: Penreco** (138 Petrolia Street Karns City, PA 16041) for replacement of existing coal fired boiler 5 with a new boiler rated at 91 mmBtu/hr in Karns City, **Butler County**. The facility was issued Title V Permit TV-10-00027 on May 4, 2000, which was revised on July 18, 2003. 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.

Plan Approval 10-0027E is for the replacement of existing coal fired boiler 5 with a new boiler rated at 91 mmBtu/hr. The new boiler will be capable of firing natural gas, distillate oil, residual oil and off specification oil, which is currently fired in the no. 1 boiler. The new boiler will be equipped with low NOx burners and flue gas recirculation. This replacement is intended to be an environmental improvement that will reduce emissions and provide a dependable supply of steam for processing needs. This boiler is identical to the new gas/oil boiler that was constructed earlier this year. The project will decrease emissions of PM10, NOx, SO<sub>2</sub> and VOCs by 66.77 tpy, 82.89 tpy, 99.01 tpy and 31.57 tpy, respectively. CO emissions will increase by 6.81 tpy. This is a net result of combining the decreases from the no. 5 and no. 6 coal boilers along with other increases and decreases that have occurred at the facility since 1991 (including the new emissions for the two new boilers based on the permit limits). The Plan Approval will include the emission limits for firing natural gas, distillate oil and residual oil as well as off-specification oil and will also include all applicable conditions to ensure compliance with Subpart Dc of the Standards of Performance for New Stationary Sources. The Approval also requires stack tests to demonstrate compliance with the emission limits. The permit contains limitations pertaining to fugitive, odor and visible emissions. The Plan Approval and Operating Permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

**10-345A: Allegheny Mineral Corp.** (SR 4013, Harrisville, PA 16038) for construction of a limestone processing facility in Marion Township, **Butler County**.

In accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department intends to issue a plan approval for the construction of a limestone processing facility in Marion Township, Butler County. This plan approval will, in accordance with 25 Pa. Code § 127.450,

be incorporated into the State-only operating permit through an administrative amendment at a later date. Issuance of the plan approval is recommended with the appropriate conditions in the plan approval:

1. The source shall comply with 25 Pa. Code §§ 123.1, 123.31 and 123.41 for fugitive, odor and visible emissions, respectively.

2. The sources maximum hours of operation are limited to 4,800 hours per year. The amount of limestone processed per calendar year shall not exceed 1 million tons.

3. The permittee shall control process emissions through wet suppression on an as needed basis.

4. The permittee shall perform daily visible emissions monitoring with discrepancies noted on a facility log.

5. The permittee shall maintain the following records:

a. The amount of limestone processed per month. This number will be added to the previous 11 months for a rolling twelve month total.

b. The number of hours operation per day for the facility.

6. The permittee shall comply with 25 Pa. Code § 127.25 as follows:

No person shall cause or permit the operation of the source unless the source is operated and maintained in accordance with specifications in the Plan Approval application and conditions listed previously. A person may not cause or permit the operation of this source in a manner inconsistent with good operating practices.

#### OPERATING PERMITS

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

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

**15-00022: Columbia Gas Transmission Corp.** (1700 MacCorkle Avenue, SE, Charleston, WV 25325-1273) for operation of their natural gas transmission facility in West Vincent Township, **Chester County**. This action is a renewal of the Title V Operating Permit. The initial permit was issued on August 22, 1997. The facility's major emission points include four reciprocating engine/internal compressors and one reciprocating engine/generator. As a result of potential emissions of VOCs and NOx, the facility is a major stationary source as defined in Title I, Part D of the Clean Air Act amendments and is therefore subject to the Title V permitting requirements in 25 Pa. Code Chapter 127, Subchapter G. The proposed Title V Operating Renewal does not adopt any new regulations and does not reflect any change in air emissions from the facility. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting.

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

**33-00002: Owens-Brockway Glass Container, Inc.—Plant No. 19** (Route 219N, Brockway, PA 15824) for reissuance of a Title V Permit to operate a glass containers manufacturing facility in Snyder Township, **Jefferson County**. The facility's major emission sources include boiler, raw material handling, batch gathering and mixing, glass melting furnaces, cullet handling and storage,

two refiners, six forehearth, six lehrs, miscellaneous combustion sources, six container forming machines, road fugitives and four degreaser units. The facility is a major facility due to its potential to emit NOx and SOx.

**10-00001: AK Steel Corp.** (Route 8 South, Butler, PA 16003) for a Title V Operating Permit Re-issuance to operate a steel manufacturing facility in Butler Township, **Butler County**.

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

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

**09-00102: Soil Technologies, Inc.** (7 Steel Road East, P. O. Box 847, Morrisville, PA 19067) for operation for operation of a facility that uses thermal remediation to clean contaminated soils/aggregates of hydrocarbon contamination is in Falls Township, **Bucks County**. The permit is for a non-Title V (State-only) facility. The major sources of air emissions are the rotary kiln dryer, a storage building where the contaminated soil/aggregate is handled, a pugmill mixer and associated control devices. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**46-00056: Hale Products, Inc.** (700 Spring Mill Avenue, Conshohocken, PA 19428) for operation of their facility to test pumps and operate two paint booths in the Borough of Conshohocken, **Montgomery County**. The permit is for a non-Title V (State-only) facility. The major sources of air emissions are three pump test engines; two emergency generators and two paint booths and associated control devices. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**23-00086: Engineered Systems Co.** (2250 Market Street, Aston, PA 19014) for operation of their assembly facility in Upper Chichester Township, **Delaware County**. The permit is for a non-Title V (State-only) facility. Major sources of air emissions include two spray paint booths and a natural gas-fired curing oven. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

**06-05030A: Carastar Mill Group, Inc.** (3110 Paper Mill Road, Sinking Spring, PA 19608) for modification of the dual fuel boiler at their facility in Spring Township, **Berks County**. The modification changes the method of limiting the emissions of sulfur oxides from the boiler. The method limits the amount of fuel fired based on the type of fuel and the sulfur content. The facility's emissions will be limited to less than 100 tons of SOx per year. The approval will include monitoring, recordkeeping, reporting and work practices designed to keep the source operating within all applicable air quality requirements.

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

**04-00600: Rosebud Mining Co.** (301 Market Street, Kittanning, PA 16201) a renewal for operation of coal crushing and screening plant at Mine No. 1 in Greene Township, **Beaver County**.

**56-00291: RoxCoal Inc.** (P. O. Box 149, Friedens, PA 15541) for operation of a coal processing plant at the Miller Mine in Lincoln Township, **Somerset County**.

**COAL AND NONCOAL MINING  
ACTIVITY APPLICATIONS**

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

The following permit applications to conduct mining activities have been received by the Department of Environmental Protection (Department). A copy of an application is available for inspection at the district mining office indicated before an application. Where a 401 Water Quality Certification is needed for any aspect of a particular proposed mining activity, the submittal of the permit application will serve as the request for certification.

Written comments, objections or requests for informal conferences on applications may be submitted by any person or any officer or head of any Federal, State or local government agency or authority to the Department at the district mining office indicated before an application within 30 days of this publication, or within 30 days

after the last publication of the applicant's newspaper advertisement, as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34.

Where any of the mining activities listed will have discharges of wastewater to streams, the Department will incorporate NPDES permits into the mining activity permits issued in response to these applications. NPDES permits will contain, at a minimum, technology-based effluent limitations as identified in this notice for the respective coal and noncoal applications. In addition, more restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining which may occur will be incorporated into a mining activity permit, when necessary, for compliance with water quality standards (in accordance with 25 Pa. Code Chapters 93 and 95). Persons or agencies who have requested review of NPDES permit requirements for a particular mining activity within the previously mentioned public comment period will be provided with a 30-day period to review and submit comments on the requirements.

Written comments or objections should contain the name, address and telephone number of the person submitting comments or objections; the application number; and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based. Requests for an informal conference must contain the name, address and telephone number of requestor; the application number; a brief summary of the issues to be raised by the requestor at the conference; and a statement whether the requestor wishes to have the conference conducted in the locality of the proposed mining activities.

*Coal Applications Received*

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

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

\* The parameter is applicable at all times.

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

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

**03980107 and NPDES Permit No. PA0202495. State Industries, Inc.** (P. O. Box 1022, Kittanning, PA 16201). Renewal application for continued operation and reclamation of an existing bituminous surface mine in Washington Township, **Armstrong County**, affecting 355.6 acres. Receiving stream: unnamed tributary to Allegheny River (WWF). The first potable water supply intake within 10

miles downstream from the point of discharge is Allegheny Power. Renewal application received July 29, 2004.

**03890109 and NPDES Permit No. PA0591700. Rosebud Mining Company** (301 Market Street, Kittanning, PA 16201) renewal application for reclamation only to an existing bituminous surface mine in Perry Township, **Armstrong County**, affecting 56.0 acres. Receiving stream: unnamed tributary to Allegheny River (WWF). The first portable water supply intake within 10 miles downstream from the point of discharge is the Pennsylvania American Water Co. Renewal application received August 5, 2004.

**03940110 and NPDES Permit No. PA0200999. Seven Sisters Mining Company, Inc.** (200 Route 22, P. O. Box 300, Delmont, PA 15626). Renewal application for continued operation and reclamation of an existing bituminous surface mine in Wayne Township, **Armstrong County**, affecting 55.5 acres. Receiving streams: un-

named tributaries to the North Branch of the South Fork of Pine Creek (CWF). There is no potable water supply intake within 10 miles from the point of discharge. Renewal application received August 16, 2004.

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

**56980106 and NPDES Permit No. PA0234842. Marquis Mining Corporation**, 3889 Menoher Blvd., Johnstown, PA 15905, surface mining permit renewal for reclamation only in Quemahoning and Jenner Townships, **Somerset County**, affecting 139 acres. Receiving streams: unnamed tributary to/and Two Mile Run; unnamed tributaries to/and Higgins Run (CWF). The first downstream potable water supply intake from the point of discharge is the Cambria Somerset Authority Quemahoning surface water intake. Application received July 29, 2004.

**56940104 and NPDES Permit No. PA0212849. Mountaineer Mining Corporation**, 1010 Garrett Shortcut Road, Berlin, PA 15530-8822, surface mining permit renewal in Brothersvalley Township, **Somerset County**, affecting 107.2 acres. Receiving streams: unnamed tributaries to Tubs Run and Laurel Run; and to Tubs Run and Laurel Run (WWF). There are no potable water supply intakes within 10 miles downstream. Application received July 29, 2004.

**56880103 and NPDES Permit No. PA0598143. Future Industries, Inc.**, P. O. Box 157, Meyersdale, PA 15552, permit revision to obtain a stream variance to one unnamed tributary to Bigby Creek and three unnamed tributaries to the Casselman River in Summit Township, **Somerset County**, affecting 785.0 acres. Receiving streams: unnamed tributary to Casselman River, Casselman River, two unnamed tributaries to Bigby Creek and unnamed tributary to Cranberry Run (CWF). There are no potable water supply intakes within 10 miles downstream. Application received August 3, 2004.

*California District Mining Office: 2 Technology Drive, Coal Center, PA 15423, (724) 769-1100.*

**02851602. NPDES Permit No. PA0214396, Mon Valley Transportation Center, Inc.** (P. O. Box 135, 1060 Ohio Avenue, Glassport, PA 15045-0135), to renew the permit for the Glassport Tipple in Glassport and Lincoln Boroughs, **Allegheny County** and related NPDES permit. No additional discharges. Application received July 22, 2004.

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

**24020102 and NPDES Permit No. PA0242080. P. and N. Coal CO., Inc.** (P. O. Box 332, Punxsutawney, PA 15767). Revision to an existing bituminous surface strip and coal ash use application in Benezette Township, **Elk County** affecting 118.9 acres. Receiving streams: unnamed tributary to Porcupine Run to Porcupine Run, unnamed tributary to Chase Hollow and unnamed tributary to Trout Run (CWF). There are no potable surface water supply intakes within 10 miles downstream. Revision to add coal ash as a beneficial use to the site. Application received August 9, 2004.

**33940102 and NPDES Permit No. PA0211923. Mahoning Mining, Inc.** (P. O. Box 44, New Bethlehem, PA 16242). Renewal of an existing bituminous surface strip and auger operation in Knox Township, **Jefferson County**, affecting 101.0 acres. Receiving streams: Two unnamed tributaries to Licking Run (CWF). There are no potable surface water supply intakes within 10 miles

downstream. Application for reclamation only. Application received August 9, 2004.

**33990113 and NPDES Permit No. PA0241679. Cookport Coal Co., Inc.** (425 Market Street, Kittanning, PA 16201). Renewal of an existing bituminous surface strip operation in Perry Township, **Jefferson County** affecting 50.1 acres. Receiving streams: unnamed tributary to Rose Run (CWF). There are no potable surface water supply intakes within 10 miles downstream. Application for reclamation only. Application received August 11, 2004.

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

**17040106 and NPDES Permit No. PA0243809. Waroquier Coal Company** (P. O. Box 128, Clearfield, PA 16830). Commencement, operation and restoration of a bituminous surface mine permit in Chest Township, **Clearfield County** affecting 50 acres. Receiving streams: Chest Creek (CWF). There are no downstream surface water supply intakes from the point of discharge. Application received August 4, 2004.

**17000109 and NPDES Permit No. PA0242985. Kenneth K. Rishel & Sons, Inc.** (1229 Turnpike Avenue, Clearfield, PA 16830). Revision to an existing bituminous surface mine permit for a change in permit acreage from 25 to 49.2 acres. The permit is in Lawrence Township, **Clearfield County**. Receiving streams: Orr's Run and unnamed stream to Orr's Run. Application received July 30, 2004.

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

**49851605R4. Twin Creek Coal, Inc.** (R. R. 1, Box 308, Paxinos, PA 17860), renewal of an existing underground mine operation in Ralpho Township, **Northumberland County** affecting 9.0 acres, receiving stream: none. Application received August 4, 2004.

**54851315T2. Summit Anthracite, Inc.** (196 Vista Road, Klingerstown, PA 17941), transfer of an existing underground mine operation from Nowacki Coal Company in Schuylkill and Blythe Townships, **Schuylkill County** affecting 8.7 acres, receiving stream: none. Application received August 5, 2004.

**54890102R3 and NPDES Permit No. PA0594504. White Pine Coal Co., Inc.** (P. O. Box 119, Ashland, PA 17921), renewal of an existing anthracite surface mine, coal refuse reprocessing and refuse disposal operation in Reilly, Cass and Foster Townships, **Schuylkill County** affecting 729.7 acres, receiving streams: Muddy Branch Creek. Application received August 11, 2004.

**54040202. Frederick Consulting** (P. O. Box 524, 50 Big Diamond Road, Minersville, PA 17954), commencement, operation and restoration of an anthracite coal refuse reprocessing operation in Cass Township, **Schuylkill County** affecting 30.0 acres, receiving stream: none. Application received August 10, 2004.

*Noncoal Permit Applications Received*

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

**08040809. Robert C. Seeley** (R. R. 2, Box 1685, Mansfield, PA 16933), commencement, operation and restoration of a small industrial minerals (flagstone) permit in Columbia Township, **Bradford County** affecting 5 acres. Receiving streams: unnamed tributary, tributary to North Branch Sugar Creek. Application received July 2, 2004.



*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931-4119, (814) 472-1900.*

**11940301 and NPDES Permit No. PA0212873. Pheasant & Shearer**, 1922 Ohio Street, Johnstown, PA 15904, renewal of NPDES Permit in East Taylor Township, **Cambria County**. Receiving streams: Hinckston Run (WWF). There are no potable water supply intakes within 10 miles downstream. Application received July 22, 2004.

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

**5677SM1C7 and NPDES Permit No. PA0223263. Watsontown Brick Company** (P. O. Box 68, Route 405, Watsontown, PA 17777), renewal of NPDES permit for discharge of treated mine drainage from a quarry operation in Delaware Township, **Northumberland County**, receiving stream: West Branch of Susquehanna River (WWF). The first potable downstream water supply intake from the point of discharge is the Pennsylvania American Water Company. Application received August 9, 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

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

**E39-441. The Atlantic Companies, LLC**, 485 Route 1 South, Iselin, NJ 08830 in Upper Macungie Township, **Lehigh County**, U. S. Army Corps of Engineers, Philadelphia District.

To remove the existing structure and to construct and maintain a 72-foot long triple cell concrete box culvert having cell dimensions of 24-foot by 8-foot across Iron Run (HQ-CWF). The project is immediately west of Route 100 and Certronia Road (Allentown West, PA Quadrangle N: 9.8 inches; W: 15.2 inches).

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

**E05-326: Colerain Township**, 3017 Centennial Road, Bedford, PA 15522 in Colerain Township, **Bedford County**, ACOE Baltimore District.

To construct and maintain two upstream and downstream concrete abutment extensions and a reinforced concrete Cobel type extension on the upstream side of the pier on Colerain Township Bridge No. 2 over Cove Creek (EV) at a site (Rainsburg, PA Quadrangle N: 5.4 inches; W: 4.9 inches) in Colerain Township, Bedford County for the purpose of increasing the bridge's bearing capacity.

**E28-319: Department of Transportation, District 8-0**, 2140 Herr Street, Harrisburg, PA 17103 in Quincy Township, **Franklin County**, ACOE Baltimore District.

To remove the existing structure and then to construct and maintain an 8-foot by 4-foot box culvert with a 1-foot depression at the channel of an unnamed tributary to West Branch Antietam Creek (CWF) on SR 0997, Section 012, Segment 0180, Offset 0004 to improve the traffic conditions about 1,000 feet north of Quincy High School (Waynesboro, PA Quadrangle N: 12.2 inches; W: 10.2 inches) in Quincy Township, Franklin County.

**E22-480: Department of Transportation, District 8-0**, 2140 Herr Street, Harrisburg, PA 17103 in Jackson Township, **Dauphin County**, ACOE Baltimore District.

To remove the existing bridge and then to construct and maintain a single-span bridge with a clear span of 34.5 feet with an underclearance of 6.75 feet across Armstrong Creek (CWF) on SR 1004, Section 004, Segment 0030, Offset 0000, about 2.8 miles southwest of Elizabethville Borough (Elizabethville, PA Quadrangle N: 1.6 inches; W: 10.8 inches) in Jackson Township, Dauphin County.

**E22-481: Department of Transportation, District 8-0**, 2140 Herr Street, Harrisburg, PA 17103 in Washington Township, **Dauphin County**, ACOE Baltimore District.

To remove the existing two-span bridge and then to construct and maintain a two-span bridge with a total centerline clear span of 106.34 feet on an 80 degree skew with a minimum underclearance of 8.35 feet over Wiconisco Creek (WWF) on SR 1021, Section 003, Segment 0050, Offset 2708 about 1.4 miles north of Elizabeth Borough (Elizabethville, PA Quadrangle N: 12.5 inches; W: 10.65 inches) in Washington Township, Dauphin County.



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

**E17-399. Clearfield Municipal Authority**, 107 East Market Street, Clearfield, PA 16830. Moose Creek Public Water Supply Project in Lawrence Township, **Clearfield County**, ACOE Baltimore District (Clearfield, PA Quadrangle N: 10.25 inches; W: 13.5 inches).

Applicant proposes to remove a roadway crossing of Moose Creek (HQ-CWF, WT, TSF), restore EV palustrine emergent wetland systems impacted by roadways and permit a water line crossing of EV palustrine emergent wetlands along Moose Creek. This application has been submitted under compliance action initiated by the Department.

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

**E02-1475. Camp Guyasuta**, Flag Plaza, 1275 Bedford Avenue, Pittsburgh, PA 15219. McGinnis Education Center at Camp Guyasuta outfall structure in Ohara Township, **Allegheny County**, Pittsburgh ACOE District (Pittsburgh East, PA Quadrangle N: 22.4 inches; W: 5.0 inches—Latitude: 40° 29' 54" and Longitude: 79° 54' 39"). The applicant proposes to construct a water line across the channel of Guyasuta Run (HQ-WWF) and two outfall structures (36-inch diameter and 12-inch diameter) on the right bank of said stream for the purpose of providing water to the proposed McGinnis Education Center and to transport water from the existing detention basin. The project is on the north side of SR 28, approximately 2,500 feet north from the Highland Park Bridge.

**E02-1477. Penn Hills Properties, L.P.**, One Atlantic Avenue, Pittsburgh, PA 15202-1707. Wetland fill in the Borough of Penn Hills, **Allegheny County**, Pittsburgh ACOE District (Braddock, PA Quadrangle N: 17.7 inches; W: 4.2 inches—Latitude: 40° 28' 35" and Longitude: 79° 46' 50"). The applicant proposes to place and maintain fill in two wetlands, wetland A—0.02 acre (PEM) and wetland C—0.01 acre (PEM) for a total impact of 0.03 acre. The applicant also proposes to impact approximately 389 feet of a tributary to Thompson Run, which meets the Department's waiver 105.12(a)(2). The proposed impacts are for a proposed development to be known as Penn Hills Retail Center in the southeast corner of the intersection of Saltsburg and Reiter Roads. The total proposed wetland impact is 0.03 acre and stream impact is 389 feet to a tributary to Thompson Run.

**E26-320. Fairchance-Georges Joint Municipal Sewage Authority**, 141 Big Six Road, Smithfield, PA

15478. Wetland fill in Georges Township, **Fayette County**, Pittsburgh ACOE District (Smithfield, PA Quadrangle N: 10.5 inches; W: 2.6 inches—Latitude: 39° 48' 28" and Longitude: 79° 46' 7"). The applicant proposes to place and maintain fill in 0.1 acre of wetlands associated with construction of buildings to increase the capacity of the sewage treatment plant along the right bank of Georges Creek (WWF). The project's length is approximately 300 feet and is just downstream of the Big Six Road Bridge.

**E30-210. Pamela Snyder, Greene County Board of Commissioners**, 93 East High Street, Waynesburg, PA 15370. Bridge rehabilitation in Greene Township, **Greene County**, Pittsburgh ACOE District (Garards Fort, PA Quadrangle N: 10.3 inches; W: 8.5 inches—Latitude: 39° 48' 24" and Longitude: 80° 3' 24"). The applicant proposes to rehabilitate and maintain Green County Bridge No. 18 having a clear span of 67 feet and an underclearance of 7.5 feet across Whiteley Creek (TSF) on T-604.

**E30-211. Debra G. Haring, Rices Landing Borough**, Rices Landing, PA 15357. Construct boat docks in Rices Landing Borough, **Greene County**, Pittsburgh ACOE District (Mather, PA Quadrangle N: 13.6 inches; W: 0.05 inch—Latitude: 39° 57' 00" and Longitude: 80° 0' 1"). The applicant proposes to construct and maintain boat docks 1,350 feet by 6 feet along the left bank of the Monongahela River (WWF), Mile 68.5 in four phases and 102 feet by 6 feet boat docks along the left bank of Pumpkin Run (WWF) at the confluence with the Monongahela River for the use of the community and other organizations.

**E65-853. Donald A. Paulone Custom Built Homes, Inc.**, One Corporate Circle, Suite 1000, Greensburg, PA 15601. To construct two pipe culverts and fill in wetland in Unity Township, **Westmoreland County**, Pittsburgh ACOE District (Latrobe, PA Quadrangle N: 8.0 inches; W: 14.0 inches—Latitude: 40° 17' 40" and Longitude: 79° 28' 30"). The applicant proposes to construct and maintain two pipe culverts and to place and maintain fill in 0.92 acre of wetlands for the purpose of construction of a residential development known as Villas of Grayhawk: (1) a 57-foot long pipe culvert having three 4 feet diameter pipes in an unnamed tributary to Slate Creek (WWF), under Grayhawk Road; and (2) a 300-foot long stream enclosure having an opening diameter of 4 feet in another unnamed tributary to Slate Creek, under the proposed houses and Grayhawk Road. The project is approximately 200 feet east of the intersection of SR 30 and Johnson Road.

## ACTIONS

### THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

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

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

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

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
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**

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N ?</i>
PA0057568	Robert Stetson 1422 Hilltown Pike Hilltown, PA 18927	Bucks County Hilltown Township	UNT to Neshaminy Creek (Reading Creek) 2F-Neshaminy Watershed	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>
PA0020834 Amendment 1 Sewerage	Borough of Greencastle 60 North Washington Street Greencastle, PA 17225-1230	Franklin County Antrim Township	UNT Conococheague Creek 13-C	Y
PA0080594 IW	Bristolpipe Corporation 88 Newport Road Leola, PA 17540	Lancaster County Upper Leacock Township	UNT Mill Creek 7-J	Y

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N ?</i>
PA0112445 IW	P & N Packing, Inc. R. R. 2 Box 180 Wyalusing, PA 18853	Terry Township Bradford County	North Branch Susquehanna River 4-D	Y
PA0042722 Sewerage Public	Dushore Sewer Authority P. O. Box 248 Dushore, PA 18614	Sullivan County Dushore Borough	Little Loyalsock Creek 10B	Y
PA0033162 Sewerage	David L. Burns P. O. Box 6 Boalsburg, PA 16827	Huston Township Centre County	UNT Bald Eagle Creek 9-C	Y

NPDES Permit No. (Type)	Facility Name and Address	County and Municipality	Stream Name (Watershed No.)	EPA Waived Y/N ?
PA0007854 Industrial Waste	Pennsylvania American Water 105 Sodom Road Milton, PA 17847-9762	Northumberland County Milton Borough	West Branch Susquehanna River 10D	Y

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

NPDES Permit No. (Type)	Facility Name and Address	County and Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0024163	Cambria Township Sewer Authority P. O. Box 247 Revloc, PA 15948	Cambria County Cambria Township	South Branch Blacklick Creek	Y
PA0037818	Saltsburg Borough 320 Point Street P. O. Box 104 Saltsburg, PA 15681	Indiana County Saltsburg Borough	Conemaugh River	Y

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

NPDES Permit No. (Type)	Facility Name and Address	County and Municipality	Stream Name (Watershed No.)	EPA Waived Y/N ?
PA0101737	Wilderness Mobile Home Park P. O. Box 924 Warren, PA 16365	Pleasant Township Warren County	Unnamed tributary to Morrison Run 16-B	Y
PA0102717	Sandy Hill Estates P. O. Box 2 Curtisville, PA 15032	Middlesex Township Butler County	Glade Run 20-C	Y
PA0222780	Scott W. Zimmerman SFTF 4822 Glen Hazel Road Wilcox, PA 15870	Jones Township Elk County	Unnamed tributary to East Branch Clarion River 17-B	Y
PA0210820	Michael P. and Cheryl L. Nass 2670 Old State Road Waterford, PA 16441	Waterford Township Erie County	Unnamed tributary to Little Conneauttee Creek	Y

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

NPDES Permit No. (Type)	Facility Name and Address	County and Municipality	Stream Name (Watershed No.)	EPA Waived Y/N ?
PA0105295	Minard Run Oil Company Dent Water Treatment Facility P. O. Box 18 Bradford, PA 16701	McKean County Lafayette Township	Lewis Run 16-C	Y

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

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

**NPDES Permit No. PA0026743, Amendment No. 3, Sewage, Charlotte Katzenmoyer, Director of Public Works, City of Lancaster, 120 North Duke Street, P. O. Box 1599, Lancaster, PA 17608-1599.** This proposed facility is in Lancaster City, **Lancaster County**.

Description of Proposed Action/Activity: Authorization to discharge to Conestoga River in Watershed 7-J.

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

**NPDES Permit No. PA0095087-A1, Sewage, Chippewa Township Sanitary Authority, Municipal Building, 2568 Darlington Road, Beaver Falls, PA 15010.** This proposed facility is in Chippewa Township, **Beaver County**.

Description of Proposed Action/Activity: Re-locate the monitoring point for total residual chlorine from the effluent flume to the outfall pipe.

**NPDES Permit No. PA0252654, Sewage, Yough Sanitary Authority, P. O. Box 168, Dawson, PA 15428.** This proposed facility is in Dunbar Township, **Fayette County**.

Description of Proposed Action/Activity: Discharge of sewage from the Yough Sanitary Authority Wastewater Treatment Facility to the Youghiogheny River.

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

**NPDES Permit No. PA0021598, Sewage, Conneaut Lake Joint Municipal Authority, First Street Extension, Conneaut Lake, PA 16316.** This proposed facility is in Sadsbury Township, **Crawford County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to the Conneaut Outlet in Watershed 16-D.

**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. 5204401**, Sewerage, **Aqua PA, Inc.**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010. This proposed facility is in Lackawaxen Township, **Pike County**.

Description of Proposed Action/Activity: Issuance of Water Quality Management Permit. Construction of a low pressure sewage collection system for 21 lots.

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

**WQM Permit No. 3603204**, CAFO, **Mike Brubaker, Brubaker Farms Partnership**, 493 Musser Road, Mount Joy, PA 17552. This proposed facility is in East Donegal Township, **Lancaster County**.

Description of Proposed Action/Activity: This permit authorizes the construction and operation of manure storage facilities at Brubaker Farms, a 1,324 AEU dairy, broiler and swine CAFO.

**WQM Permit No. 3604412**, Sewerage, **Robert Tucci, Chairperson, Northwestern Lancaster County Authority**, 97 North Penryn Road, Manheim, PA 17545. This proposed facility is in Penn Township, **Lancaster County**.

Description of Proposed Action/Activity: This permit authorizes the relocation and expansion of pump station no. 3.

**WQM Permit No. 2204405**, Sewerage, **Clifford Lewis, South Hanover Township Sewer Authority**, 111 West Third Street—Union Deposit, Hershey, PA 17033. This proposed facility is in South Hanover Township, **Dauphin County**.

Description of Proposed Action/Activity: This permit approves the construction of sewerage facilities consisting of the construction of a 94 gpm pump station and 1,029 feet of 4-inch force main to serve Phases 9 and 13 of the Meadows of Hanover development.

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

Description of Proposed Action/Activity: Construction of modifications to the existing plant to increase the hydraulic and organic capacities.

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

**WQM Permit No. 1404405**, Sewage, **Spring-Benner-Walker Joint Authority**, 170 Irish Hollow Road, Bellefonte, PA 16823. This proposed facility is in Walker Township, **Centre County**.

Description of Proposed Action/Activity: The applicant proposes to construct a sewer extension and pump station serving the Springfield Subdivision Phase VI.

**WQM Permit No. 1400403-T2**, Sewerage 4952, **David L. Burns**, P. O. Box 6, Boalsburg, PA 16827. This existing facility is in Huston Township, **Centre County**.

Description of Proposed Action/Activity: Issuance of a WQM Part II Permit for the sewage treatment plant

serving Martha's Furnace MHP, LLC. This permit is being transferred due to a change in ownership.

**WQM Permit No. 1404403**, Sewerage 4952, **Spring-Benner-Walker Joint Authority**, 170 Irish Hollow Road, Bellefonte, PA 16823. This proposed facility is in Spring Township, **Centre County**.

Description of Proposed Action/Activity: Construction of a pump station and force main to serve the White Rock Quarry.

**WQM Permit No. 4904401**, Sewerage 4952, **Noah and Rebecca Peachey**, 3350 SR 54, Turbotville, PA 17772. This proposed facility is in Lewis Township, **Northumberland County**.

Description of Proposed Action/Activity: The applicant proposes the respective permit for a small flow treatment facility to serve a residence. The treatment facility will discharge to an unnamed tributary of Beaver Run (WWF).

**WQM Permit No. 1903404**, Sewage 4952, **Mifflin Township**, P. O. Box 170, Mifflinville, PA 18631. This proposed facility is in Mifflin Township, **Columbia County**.

Description of Proposed Action/Activity: The applicant proposes to construct and operate a sewage collection system. The sewage will be pumped to the Berwick sewerage for treatment and discharge.

**WQM Permit No. 4104402**, Sewerage 4952, **Jersey Shore Borough**, 232 Smith Street, Jersey Shore, PA 17740. This facility is in Jersey Shore Borough, **Lycoming County**.

Description of Proposed Action/Activity: Replacement of 14-inch pipe with a new 18-inch line and a new bypass pipe with metering manhole at the Jersey Shore Borough wastewater treatment plant.

**WQM Permit No. 1795408-A45**, Sewerage 4952, **Bradford Township**, 2289 Barrett Road, Suite B Road, Woodland, PA 16881. This proposed facility is in Bradford Township, **Clearfield County**.

Description of Proposed Action/Activity: Construction of small flow sewage treatment system to serve the Gospel Church of Clearfield County.

**WQM Permit No. 1499406-T1**, Sewerage 4952, **Joseph W. Charnick**, 148 Guenot Lane, Port Matilda, PA 16870. This facility is in Worth Township, **Centre County**.

Description of Proposed Action/Activity: Transfer of a WQM Part II Permit for a small flow sewage treatment plant serving a single residence.

**WQM Permit No. 1404406**, Sewage 4952, **Centre Hall-Potter Sewer Authority**, P. O. Box 497, Centre Hall, PA 16828. This proposed facility is in Potter Township, **Centre County**.

Description of Proposed Action/Activity: The applicant proposes to construct and operate a sewer and pump station serving Ashford Manor Housing Development.

**WQM Permit No. 0804201**, Industrial Waste 2011, **Taylor Packing Company, Inc.**, P. O. Box 188, Wyalusing, PA 18853. This proposed facility is in Wyalusing Township, **Bradford County**.

Description of Proposed Action/Activity: The applicant proposes to construct and operate an anaerobic lagoon biogas collection system. The biogas fuel will be used in the plant boiler.

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

**WQM Permit No. 6304403**, Sewerage, **Washington-East Washington Joint Authority**, 66 East Beau Street, P. O. Box 510, Washington, PA 15301. This proposed facility is in Canton Township, **Washington County**.

Description of Proposed Action/Activity: Construction of approximately 3,500 feet of new interceptor sewer and inverted sewer to provide relief capacity to existing sewers.

**WQM Permit No. 6304405**, Sewerage, **John Navrat**, 111 Beallsville Road, Bentleyville, PA 15314. This proposed facility is in Somerset Township, **Washington County**.

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

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

**WQM Permit No. WQG018311**, Sewerage, **Thomas E. Mook**, P. O. Box 1077, Saegertown, PA 16433. This proposed facility is in Cussewago Township, **Crawford County**.

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

**WQM Permit No. WQC018304**, Sewerage, **Kris Risto**, 9595 Donation Road, Waterford, PA 16441. This proposed facility is in Summit Township, **Erie County**.

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

**WQM Permit No. 6204407**, Sewerage, **Carol L. and James M. Lopez**, 191 Scott Run Road, Warren, PA 16365. This proposed facility is in Conewango Township, **Warren County**.

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

**WQM Permit No. WQG018312**, Sewerage, **Michael Fargiorgio**, 9850 Townline Road, North East, PA 16428. This proposed facility is in North East Township, **Erie County**.

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

**WQM Permit No. WQG018314**, Sewerage, **Laura M. Royer**, 272 Tower Road, Jamestown, PA 16134. This proposed facility is in Greene Township, **Mercer County**.

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

**WQM Permit No. WQG018308**, Sewerage, **Fred Seibel**, 1409 Pittsburgh Road, Valencia, PA 16059. This proposed facility is in Clinton Township, **Butler County**.

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

**WQM Permit No. 6204408**, Sewerage, **Carol and Kenneth A. Johnson**, 38 Peterson Hollow Road, Russell, PA 16345. This proposed facility is in Pine Grove Township, **Warren County**.

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

**WQM Permit No. 3704201**, Industrial Waste, **Castle Cheese, Inc.**, Route 19, Box 378, Portersville, PA 16051. This proposed facility is in Scott Township, **Lawrence County**.

Description of Proposed Action/Activity: This project is for the construction of a wastewater treatment facility to treat washdown from floors and equipment and sewage from the restrooms.

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>Department Protocol (Y/N)</i>
PAI136132	Sewickley Hills Borough 1165 Fairhill Playground Road Sewickley, PA 15143	Allegheny	Sewickley Hills Borough	Kilbuck Run CWF Little Sewickley Creek HQ-TSF	Y

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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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*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>
PAI023903044	Temple Beth El of Allentown, Inc. 1702 Hamilton St. Allentown, PA 18104	Lehigh	South Whitehall Township	Little Cedar 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>
PAI041404009	Joseph DeMartino Wiltree Properties LLC 2056 Incinal Ave., No. 4 Alameda, CA 94501	Centre	College Township	UNT Slab Cabin Run (locally known as Thompson 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>
City of Bethlehem Northampton County	PAG2004804021	John Blair Turnbridge Partnership Rt. 378S and Walter Ave. Bethlehem, PA 18015	Saucon Creek CWF	Northampton County Conservation District (610) 746-1971
Lower Nazareth and Palmer Townships Northampton County	PAG2004803009-1	Andrew Kolb Prologis Development Services, Inc. One Capital Dr., Suite 103 Cranbury, NJ 08512	Shoeneck Creek WWF	Northampton County Conservation District (610) 746-1971
Lehigh Township Northampton County	PAG2004804026	Kemmerer Corp. 3220 Valley View Dr. Bath, PA 18014	Hokendauqua Creek CWF	Northampton County Conservation District (610) 746-1971
Bradford County Columbia Township	PAG2000804007	James Van Blarcom R. R. 2, Box 50 Columbia Cross Roads, PA 16914	Wolfe Creek TSF	Bradford County Conservation District R. R. 5, Box 5030C Towanda, PA 18848 (570) 264-5539x205

<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>
Snyder County Penn Township	PAG2005504006	Forest Homes R. R. 1, Box 131K Selinsgrove, PA 13870	Middle Creek TSF	Snyder County Conservation District 403 W. Market St. Middleburg, PA 17842 (570) 837-0007x112
Fayette County City of Connellsville	PAG2002604020	The Wide Waters Group 5786 Widewaters Parkway DeWitt, NY 13214	Opposum Run WWF	Fayette County Conservation District (724) 438-4497
Fayette County Perryopolis Borough	PAG2002604025	Mark Simpson 1019 Bush Road Saltsburg, PA 15681	Washington Run WWF	Fayette County Conservation District (724) 438-4497
Indiana County Brush Valley Township	PAG2003204001	Neil W. Hedrick Robindale Energy Services, Inc. 7 Riverside Plaza Blossburg, PA 16912	Unnamed tributary of Blacklick Creek CWF	Indiana County Conservation District (724) 463-8547
Westmoreland County Murrysville	PAG2006504032	John Nicklas P. O. Box 1730 Cranberry, PA 16066	Turtle Creek WWF	Westmoreland County Conservation District (724) 837-5271
Mercer County Farrell City	PAG2004304011	PBL Associates LP 1625 Dutch Lane Hermitage, PA 16148	Tributary Shenango River WWF	NWRO 230 Chestnut Street Meadville, PA 16335 (814) 332-6945

*General Permit Type—PAG-3*

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Bethlehem City Northampton County	PAR202237	Tecumseh Redevelopment, Inc. Bethlehem Works 3250 Interstate Drive Richfield, OH 44286-9000	Lehigh River WWF	NERO Water Mgmt. Program 2 Public Square Wilkes-Barre, PA 18711-0790 (570) 826-2511
Bethlehem City Northampton County	PAR202236	Tecumseh Redevelopment, Inc. Bethlehem Commerce Center 3250 Interstate Drive Richfield, OH 44286-9000	Lehigh River WWF Saucon Creek CWF Laubach Creek CWF	NERO Water Mgmt. Program 2 Public Square Wilkes-Barre, PA 18711-0790 (570) 826-2511
Susquehanna County Auburn Township	PAR212228	S & K Stone R. R. 3, Box 179 Meshoppen, PA 18630	Tributary to Meshoppen Creek, Susquehanna Watershed CWF	NERO Water Mgmt. Program 2 Public Square Wilkes-Barre, PA 18711-0790 (570) 826-2511
Berks County Muhlenberg Township	PAR803661	Berks Fuel Storage, Inc. 1248 Wayne Avenue Reading, PA 19601	Laurel Run WWF	SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

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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>
Berks County Reading City	PAR803568	Dana Corporation P. O. Box 13459 Reading, PA 19612	Schuylkill River WWF	SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Berks County Laureldale Borough	PAR113505	Yuasa Battery, Inc. 2901 Montrose Avenue Laureldale, PA 19605-2752	Bernhart Creek WWF	SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
York County Spring Garden Township	PAR143524	American Rock Salt Company LLC 5520 Rt. 63 P. O. Box 190 Mt. Morris, NY 14510-0190	Codorus Creek WWF	SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Lycoming County Muncy Creek Township	PAR224850	Muncy Homes Inc. 1567 Route 442 Muncy, PA 17756-0246	Little Muncy Creek CWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Sandy Township Clearfield County	PAR804872	Greg B. Murray Murrays Freightliner 1844 Rich Highway Route 219 North DuBois, PA 15801-3970	Slab Run CWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Point Township Northumberland County	PAR124809	Tulpehocken Spring Water Co., Inc. R. R. 1 Box 114-T Northumberland, PA 17857	UNT Lithia Springs Creek CWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666

*General Permit Type—PAG-4*

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Berks County Amity Township	PAG043614	Barry C. Templin 577 Monocacy Hill Road Birdsboro, PA 19508	UNT Monocacy Creek WWF	SCRO 909 Elmerton Ave. Harrisburg, PA 17110 (717) 705-4707
Cumberland County Upper Mifflin Township	PAG043720	Noah Lee Stoltzfus 307 Newville Road Newburg, PA 17240	UNT Three Squares Hollow Run	SCRO 909 Elmerton Ave. Harrisburg, PA 17110 (717) 705-4707



<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>
Bradford Township Clearfield County	PAG045179 Sewerage	Gospel Chapel Church 300 Pleasant Valley Road P. O. Box 165 Woodland, PA 16881	UNT Sulphur Run CWF	Water Management Program 208 West Third Street Williamsport, PA 17701 (570) 327-3666
Lewis Township Northumberland County	PAG045181	Mr. and Mrs. Noah Peachey 3350 SR 54 Turbotville, PA 17772	UNT to Beaver Run WWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Worth Township Centre County	PAG045071 Sewerage	Joseph Charnick 148 Guenot Lane Port Matilda, PA 16870	Ardery Hollow CWF	Water Management Program 208 West Third Street Williamsport, PA 17701 (570) 327-3666
Westmoreland County Fairfield Township	PAG046283	Mount Carmel Hermitage R. R. 1 Box 330-C Bolivar, PA 15923	UNT of Hypocrite Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Washington County Somerset Township	PAG046285	John Navrat 111 Beallsville Road Bentleyville, PA 15314	UNT of North Branch Pigeon Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
North East Township	PAG048990	Michael Fargiorgio 9850 Townline Road North East, PA 16428	Unnamed tributary to Scott Run	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Greene Township Mercer County	PAG049004	Laura M. Royer 272 Tower Road Jamestown, PA 16134	Unnamed tributary to Little Shenango River	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Clinton Township Butler County	PAG048996	Fred Seibel 1409 Pittsburgh Road Valencia, PA 16059	Bull Creek	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

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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>
Hamlin Township McKean County	PAG048333	Dale W. Howard P. O. Box 193 Hazel Hurst, PA 16733-0193	Kane Creek	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Liberty Township McKean County	PAG048646	Tracy L. Kio 604 Lower Portage Road Port Allegany, PA 16743-9431	Unnamed tributary to Allegheny Portage Creek	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Pine Grove Township Warren County	PAG049005	Carol and Kenneth A. Johnson 38 Peterson Hollow Road Russell, PA 16345	Unnamed tributary to Rhine Run	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Vernon Township Crawford County	PAG048648	James C. and Katherine A. Rothbrust 14799 Middle Road Meadville, PA 16335	Unnamed tributary to Conneaut Outlet	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
City of St. Marys Elk County	PAG048624	Robert T. Nasoni 1293A South Michael Road Saint Marys, PA 15857	Unnamed tributary of Trout Run	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

*General Permit Type—PAG-8*

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Site Name and Location</i>	<i>Contact Office and Telephone No.</i>
Toles Hollow Road Eulalia Township Potter County	PAG084833	Coudersport Area Municipal Authority P. O. Box 82 Coudersport, PA 16915-0820	Coudersport Area Municipal Authority Wastewater Treatment Plant	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3655
Deerfield Township Tioga County	PAG084804	Knoxville Borough P. O. Box 191 Knoxville, PA 16928	Knoxville Borough Wastewater Plant	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3655

*General Permit Type—PAG-9*

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Site Name and Location</i>	<i>Contact Office and Telephone No.</i>
West Chillisquaque Township Northumberland County	PAG094836	Mark Cromley 69 Campbelmill Road Lewisburg, PA 17837	Mark Crumley Septic Service	Northcentral Regional Office (570) 327-3655

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Site Name and Location</i>	<i>Contact Office and Telephone No.</i>
Perry Township Jefferson County	PAG098303	Clifford Neal Neal Septic Tank Service 1570 Sportsburg Road Punxsutawney, PA 15767-1103	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942	

*General Permit Type—PAG-9 (SSN)*

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Contact Office and Telephone No.</i>
West Chillisquaque Township Northumberland County	PAG084836	Mark Cromley 2055 Shakespeare Road Milton, PA	NCRO (570) 327-3655

*General Permit Type—PAG-13*

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>Department Protocol (Y/N)</i>
PAG136341	East Taylor Township 2402 William Penn Avenue Johnstown, PA 15909	Cambria	East Taylor Township	Little Conemaugh River WWF Hinckston Run CWF and WWF	Y

## PUBLIC WATER SUPPLY (PWS) PERMITS

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

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

**Operations Permit** issued to **Shady Grove Menno-nite School**, Antrim Township, **Franklin County** on September 11, 2004, for the operation of facilities approved under Construction Permit No. 2803508.

**Operations Permit** issued to **New Oxford Municipal Authority**, 7010025, Oxford Township, **Adams County** on August 12, 2004, for the operation of facilities approved under Construction Permit No. 0103501.

**Operations Permit** issued to **United Water Pennsylvania**, 7220015, Susquahanna Township, **Dauphin County** on August 12, 2004, for the operation of facilities approved under Construction Permit No. 2204507 MA.

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

#### **Permit No. 262W5**, Public Water Supply.

Applicant	<b>Centre Hall Borough Water System</b>
Township or Borough	Centre Hall Borough
County	<b>Centre</b>
Responsible Official	Lynn Dutrow, Operator/Manager Centre Hall Borough Water System 253 West Fourth Street P. O. Box 54 Centre Hall, PA 16828
Type of Facility	PWS—Cancellation.
Application Issued Date	August 13, 2004

**Description of Action** Wells 1, 2 and 10 and the old reservoir have been physically disconnected from the public water system. Permit 262W5 was issued on June 20, 1962 and approved springs 4 and 5, wells 6 and 7 as additional sources for supply 1, disinfecting equipment for all water from supply 1 and approval of supply 2 which included Sharer Run 1, Sharer Run 2, wells 3 and 4 as sources of supply, reservoir 2 and disinfecting equipment for all the water from supply 2. Permit 262W5 is hereby cancelled in its entirety.

**Permit No. 262W15**, Public Water Supply.  
**Applicant** Centre Hall Borough Water System  
**Township or Borough** Centre Hall Borough  
**County** Centre  
**Responsible Official** Lynn Dutrow, Operator/Manager  
 Centre Hall Borough Water System  
 253 West Fourth Street  
 P. O. Box 54  
 Centre Hall, PA 16828  
**Type of Facility** PWS—Cancellation.  
**Application Issued Date** August 12, 2004

**Description of Action** Permit 265W15 issued on July 20, 1965, approved the use of wells 9 and 10 as sources of supply and 3,015 feet of 6-inch cast iron transmission main from well 10 to reservoir 1. Permit 265W15 is hereby partially cancelled. Well 10 is no longer a permitted source.

**Permit No. Minor Amendment**, Public Water Supply.  
**Applicant** Centre Hall Borough Water System  
**Township or Borough** Centre Hall Borough  
**County** Centre  
**Responsible Official** Lynn Dutrow, Operator/Manager  
 Centre Hall Borough Water System  
 253 West Fourth Street  
 P. O. Box 54  
 Centre Hall, PA 16828  
**Type of Facility** PWS—Operation.  
**Application Issued Date** August 13, 2004

**Description of Action** Operation of the transmission lines and the finished water storage tank.

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

**Permit No. 6286502-T1-MA1**, Minor Amendment.  
**Applicant** Valley View Village MHP

**Borough or Township** Pittsfield Township  
**County** Warren  
**Type of Facility** PWS  
**Permit to Construct Issued** August 13, 2004

**Operations Permit** issued to **Aqua Pennsylvania, Inc.**, 762 West Lancaster Ave., Bryn Mawr, PA 19010-3420, PWS ID 6270008, Jenks Township, **Forest County**, on August 13, 2004, for the operation of Well 1A as an additional source of supply, as approved under Construction Permit No. 2703502.

**STORMWATER MANAGEMENT**

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

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

**Plan No 079:53, Coxes Creek Stormwater Management Plan**, as submitted by **Somerset County**, was approved on August 11, 2004.

**Plan No 100:09, East Branch Perkiomen Creek Stormwater Management Plan**, as submitted by **Bucks County**, was approved on August 11, 2004.

**Plan No 305:22, Susquehanna River, Clarks Creek, Stony Creek and Powell's Creek Stormwater Management Plan**, as submitted by **Dauphin County**, was approved on August 11, 2004.

**SEWAGE FACILITIES ACT PLAN APPROVAL**

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

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
North Annville Township	1929 Thompson Ave. Jonestown, PA 17038	Lebanon

**Plan Description:** The approved plan provides for a gravity sewer extension to serve the existing Hill Farm at Annville retirement community consisting of 65 beds, 7 independent living units and up to 84 new units. This project provides for a new sewerage service area near Kreider. The Department's review of the sewage facilities minor 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.

**SEWAGE FACILITIES ACT PLAN DISAPPROVAL**

**Plan Disapprovals Granted under the Pennsylvania Sewage Facilities Act**

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
West Rockhill Township	1028 Ridge Road, Sellersville, PA 18960	Bucks

Plan Description: On August 17, 2004, the Southeast Regional office disapproved the sewage facilities planning module for the Benson Property, code number 1-09952-197-3s, APS ID 513231, Site ID 631781. The project is in West Rockhill Township, Bucks County. The project was disapproved for the following reasons:

1. The submitted alternative analysis indicated that the Bucks County Health Department investigated the soils on the site, but the results of this testing were not included with the planning module submission. Therefore, adequate documentation was not provided to demonstrate that the soils on the site are not suitable for the installation of an on-lot sewage disposal systems.

2. The submitted site plan did not depict the location of any soil testing, the slopes at each test area and the types of soils present and their boundaries.

3. The public notice included with the submission did not meet the requirements of 25 Pa. Code §§ 71.31(c), 71.53(d)(6) and 93.4c(c)(3). Specifically, the public notice included with the submission did not indicate the antidegradation classification of Ridge Valley Creek.

4. The planning module submission did not adequately evaluate nondischarge sewage disposal alternatives. The project's alternative analysis indicated that the site is unsuitable for the placement of either a conventional onlot sewage disposal system or an individual residential spray irrigation sewage disposal system. However, there was no indication in the submission of whether any alternate or experimental onlot sewage disposal technologies were considered. The Department was therefore unable to determine whether the site is unsuitable for all on-lot sewage disposal methods.

5. The proposed discharge would have had an adverse impact on the quality of Ridge Valley Creek (HQ). Under 25 Pa. Code § 93.4c(b)(1)(iii), the Department may allow a reduction of water quality in an HQ stream if a reduction is necessary to accommodate important economic or social development in the area in which the waters are located. The applicant supplied a social or economic justification (SEJ) in support of the proposed discharge. However, no social justification for the discharge was presented in the SEJ and only a minimal economic benefit was anticipated. Furthermore, it was unclear from the submission whether the existing onlot sewage disposal system on the property is creating a public health or pollution hazard. Therefore, the Department cannot support the proposed discharge.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 2

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

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

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

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

The Department has received the following plans and reports:

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

**Former SPS Technologies, Inc. Facility**, Upper Dublin Township, **Montgomery County**. Kate Gibbons, Environmental Strategies Corp., 334 Elizabeth Ave., Suite B, Somerset, NJ 08873 on behalf of Philip L. Hinerman, Esq., 135 Commerce, Inc., Fort Washington, PA 19634 has submitted a Final Report concerning remediation of site groundwater contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the Site-Specific Standard.

**Quan Residence and Mercede Residence**, Abington Township, **Montgomery County**. Richard D. Trimpi, CHMM, P. G., Trimpi Assoc., Inc., 1635 Old Plains Rd., Pennsburg, PA 18073 on behalf of Duchan Quan and Joe Mercede, 3022 Turner Ave. and 3018 Turner Ave., Roslyn, PA 19001 has submitted a Final Report concerning remediation of site soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Proposed Wendy's Site**, Upper Darby Township, **Delaware County**. Samuel Kucia, Environmental Consulting, Inc., 500 East Washington St., Suite 375, Norristown, PA 19401 on behalf of Benjamin Willner, Willner Realty and Development Co., 140 S 69th St., 2nd Floor, Upper Darby, PA 19082 has submitted a Final Report concerning remediation of site soil contaminated with benzene. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**280 North Providence Rd. Office Bldg.**, Media Borough, **Delaware County**. Mark J. Irani, P. G., Advantage Environmental Consultants, LLC, 3101 Mount Carmel Ave., Suite 3, Glenside, PA 19038 on behalf of Blake A. Strine, Professional Bldg. Investments, Inc., 203 Baltimore Ave., Media, PA 19063 has submitted a Final Report concerning remediation of site soil contaminated

with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Pemberton Site**, Malvern Borough, **Chester County**. Michael J. Edelman, P. G., URS Corp., 2325 Maryland Rd., 2nd Floor, Willow Grove, PA 19090, on behalf of Shirley Pemberton, C104 Westridge Ct., Phoenixville, PA 19460, has submitted a Final Report concerning remediation of site soil contaminated with PCB. The report is intended to document remediation of the site to meet the Statewide Health and Site-Specific Standards.

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

**American Electric Facility (Former)**, City of Pittsburgh, **Allegheny County**. Ruch C. Mannebach, NPN Environmental, 1631 Headland Drive, St. Louis, MO 63026 (on behalf of Om Chopra, Thomas & Betts, 8155 T & B Boulevard, 4B-35, Memphis, TN 38125) has submitted a Final Report concerning remediation of site soil contaminated with PAHs and lead. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Johnstown High School**, City of Johnstown, **Cambria County**. Von E. Fisher, KU Resources, Inc., One Library Place, Suite 207, Duquesne, PA 15110 (on behalf of Donald Irwin, Greater Johnstown School District, 1091 Broad Street, Johnstown, PA 15906 and Deborah Walters, Johnstown Redevelopment Authority, Fourth Floor, 401 Washington Street, Johnstown, PA 15901) has submitted a Final Report, concerning remediation of site soil and groundwater contaminated with chlorinated solvents, inorganics, leaded gasoline, PAHs, unleaded gas, used motor oil, diesel fuel and other organics. The report is intended to document remediation of the site to meet the Site Specific Standard.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995

#### PREAMBLE 3

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

Provisions of 25 Pa. Code § 250.8, administration of the Land Recycling and Environmental Remediation Standards Act (act), require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by provisions of the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report in-

cludes 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.*

**Gilbertsville CVS**, New Hanover Township, **Montgomery County**. Craig Herr, RT Environmental Svc., Inc., 215 W. Church Rd., King of Prussia, PA 19406, has submitted a Final Report concerning the remediation of site soil contaminated with lead and site groundwater contaminated with lead and MTBE. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on July 21, 2004.

**Melchiorre Const. Co. Park Site**, Phoenixville, Borough, **Chester County**. Lawrence W. Bily, RT Environmental Svc., Inc., 215 W. Church Rd., King of Prussia, PA 19406, on behalf of Peter Melchiorre, Melchiorre Construction Co., P. O. Box 14, R. D. 5, Malvern, PA 19355 has submitted a Final Report concerning the remediation of site soil contaminated with heavy metal. The Final report demonstrated attainment of the Site-Specific Standard and was approved by the Department on August 3, 2004.

**Darby Creek Joint Authority Former Sewage Treatment Plant**, Darby Township, **Delaware County**. Edward R. Kashdan, P. E., Gannett Fleming, Inc., P. O. Box 80794, Valley Forge, PA 194840794 on behalf of Darby Creek Joint authority, DELCORA, 100 E. Fifth St., P. O. Box 999, Chester, PA 19016-0999 has submitted a Remedial Investigation/Risk Assessment Report concerning the remediation of site soil contaminated with inorganics, PAH and PCB and groundwater contaminated with inorganics. The Remedial Investigation/Risk Assessment Report was approved by the Department on July 27, 2004.

**Rosemont Estates**, Upper Providence Township, **Montgomery County**. Christopher Orzechowski, RT Environmental Svc., Inc., 215 W. Church Rd., King of

Prussia, PA 19406 on behalf of Penn International Land Co., 900 E. 8th Ave., Suite 300, King of Prussia, PA 19406 has submitted a Final Report concerning the remediation of site soil contaminated with arsenic. The Final Report demonstrated attainment of the Site-Specific Standard and was approved by the Department on August 6, 2004.

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

**Industrial Property (Former)**, Borough of Versailles, **Allegheny County**. Charles Haefner, Jr., P. G., KU Resources, Inc., Business Innovation Center, One Library Place, Suite 207, Duquesne, PA 15110 (on behalf of Pat McGrail, Borough of Versailles, 1714 Lincoln Way, White Oak, PA 15131 and Stephen Pholar, West-to-West Coalition, P. O. Box 720, Duquesne, PA 15110) has submitted a Remedial Investigation Report, Risk Assessment Report and a Cleanup Plan concerning remediation of site soil and groundwater contaminated with inorganics, lead and PAHs. The Remedial Investigation Report, Risk Assessment Report and Cleanup Plan were approved by the Department on August 12, 2004.

**BP Site 0700**, North Huntingdon Township, **Westmoreland County**. Heather Fazekas, 2020 Ardmore Boulevard, Pittsburgh, PA 15221 (on behalf of Nancy Eisaman, Writings on the Wall, 7950 Lincoln Highway, North Huntingdon, PA 15642 and Richard Blackburn, BP Products North America, Inc., 1 West Pennsylvania Ave., Suite 440, Towson, MD 21204) has submitted a Final Report concerning the remediation of site soil contaminated with constituents associated with waste oil, diesel fuel and gasoline. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on July 21, 2004.

**6260 Broad Street**, City of Pittsburgh, **Allegheny County**. William G. Weir, Civil & Environmental Consultants, Inc., 333 Baldwin Road, Pittsburgh, PA 15205 and Plumbers Equipment Company, 8150 North Lehigh Street, Morton Grove, IL 60053 (on behalf of URA of Pittsburgh, 200 Ross Street, Pittsburgh, PA 15219) has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with PAHs and solvents. The Final Report demonstrated attainment of the Site Specific Standard and was approved by the Department on August 10, 2004.

**Homewood School Plating Shop**, City of Pittsburgh, **Allegheny County**. Wayne D. Rideout, Sci-Teck Environmental Services Company, 655 Rodi Road, Suite 303, Pen Hills, PA 15235 (on behalf of Robert Kennedy, Pittsburgh School Board, 1302 Muriel Street, Pittsburgh, PA 15203) has submitted a Remedial Investigation Report, Cleanup Plan and Final Report concerning the remediation of site soil contaminated with Inorganics. The Remedial Investigation Report, Cleanup Plan and Final Report were approved by the Department on August 2, 2004.

**Flint Ink**, Borough of Sharpsburg, **Allegheny County**. Martin Knuth, Civil & Environmental Consultants, Inc., 333 Baldwin Road, Pittsburgh, PA 15205 (on behalf of Norfolk-Southern RR, 425 Holiday Drive, Pittsburgh, PA 15220 and Flint Ink, 4600 Arrowhead Drive, Ann Arbor, MI 48105) has submitted a Remedial Investigation Report and Cleanup Plan concerning the remediation of site soil and groundwater contaminated with lead and heavy metals. The Remedial Investigation Report and Cleanup Plan were approved by the Department on August 12, 2004.

## HAZARDOUS WASTE TRANSPORTER LICENSE

### Actions on applications for Hazardous Waste Transporter License received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations to transport hazardous waste.

*Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471.*

*Hazardous Waste Transporter License Renewed*

**Cousins Waste Control Corporation**, 1701 E Matzinger Rd., Toledo, OH 43612. License No. PA-AH0344. Effective August 10, 2004.

**American Environmental Services, Inc.**, 4990 Grand Ave., Pittsburgh, PA 15225. License No. PA-AH0671. Effective August 10, 2004.

**Heritage-Crystal Clean LLC**, 2250 Point Blvd, Suite 250, Elgin, IL 60123. License No. PA-AH0672. Effective August 2, 2004.

**Teris LLC**, 880 W. Verdulera St., Camarillo, CA 93010. License No. PA-AH0690. Effective July 8, 2004.

**Consolidated Transportation, Inc.**, 23 Perrine St., P. O. Box 768, Auburn, NY 13021. License No. PA-AH0059. Effective July 15, 2004.

*Hazardous Waste Transporter License Voluntarily Terminated*

**Applied Construction & Environmental Services, Inc.**, 5140 Paxton St., Harrisburg, PA 17111. License No. PA-AH0705. Effective June 11, 2004.

**Nappi Trucking Corporation**, 151C Morristown Rd., Matawan, NJ 07747. License No. PA-AH0278. Effective June 1, 2004.

## INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSE

### Actions on applications for Infectious and Chemotherapeutic Waste Transporter License received under the Solid Waste Management Act and the act of July 13, 1988 (P. L. 525, No. 93) (35 P. S. §§ 6019.1—6019.6) and regulations to transport infectious and chemotherapeutic waste.

*Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471.*

*Infectious and Chemotherapeutic Waste Transporter License Renewed*

**Cole Care, Inc.**, 1001 E Second St., Coudersport, PA 16915. License No. PA-HC0178. Effective July 15, 2004.

**Med-Flex, Inc.**, 105 High St., Mt. Holly, NJ 08060. License No. PA-HC0207. Effective July 15, 2004.

## 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. WMGR090R036. Asphalt Paving Systems, Inc.**, 500 N. Egg Harbor Road, Hammonton, NJ 08037. 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 11, 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**

**Permit application received 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. 101217. Casella Waste Management Inc.**, 16 State Street, Montpelier, VT 05602, Delmar Township, **Tioga County**. The permit application for the acceptance of new residual waste was received by the Williamsport Regional Office on August 3, 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. 301268. Hansen Engineering, Inc.**, 167 Laidley's Run Road, West Alexander, PA 15376. Operation of a residual waste processing facility in West Finley Township, **Washington County**. Permit renewal issued in the Regional Office on August 11, 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.*

**AQ-SE-0016: Allan A. Myers, LP** (1805 Berks Road, P. O. Box 98, Worcester, PA 19490) on August 11, 2004, to operate and relocate two mobile portable nonmetallic mineral crushing units in Bethel and Aston Townships, **Delaware County**.

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

**40-323-014GP4: First Quality Nonwovens, Inc.** (101 Green Mountain Road, Humboldt Industrial Park, Hazleton, PA 18201) on August 12, 2004, to construct and operate a burn-off oven and associated air cleaning device for line 5 cleaning at their facility in Hazleton Township, Luzerne County and East Union Township, **Schuylkill County**.

**64-310-016GP3: E R Linde Construction Corp.** (R. R. 6, Box 6825, Honesdale, PA 18431) on August 12, 2004, to construct and operate a portable stone crushing plant and associated air cleaning device at their facility in Cherry Ridge Township, **Wayne County**.

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

**GP4-06-05019A: Hofmann Industries, Inc.** (3145 Shillington Road, Sinking Spring, PA 19608) on August 9, 2004, for burn off ovens under GP4 in Sinking Spring Borough, **Berks County**.

**GP4-06-05025: Morgan Corp.** (One Morgan Way, Morgantown, PA 19543) on August 10, 2004, for burn off ovens under GP4 in Caernarvon Township, **Berks County**.

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

**GP5-65-00959A: The Peoples Natural Gas Co.** (625 Liberty Avenue, Pittsburgh, PA 15222) on August 11, 2004, to operate the tri-ethylene glycol dehydration system at Arnold Compressor Station, Arnold Borough, **Westmoreland County**.

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

**43-313: TRM, Inc.** (110 North Main Street, Greenville, PA 16125) on August 16, 2004, to operate a jet fuel storage tank in Greenville, **Mercer County**.

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

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

**23-0074: GS Roofing Products Co., Inc.** (800 West Front Street, Chester, PA 19013) on August 11, 2004, to operate a thermal oxidizer in City of Chester, **Delaware County**.

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



**07-05027A: Millennium Rail, Inc.** (P. O. Box 349, Hollidaysburg, PA 16648) on August 9, 2004, to replace a fabric collector in Frankstown Township, **Blair County**.

**29-03010: JLG Industries, Inc.** (One JLG Drive, McConnellsburg, PA 17233-9533) on August 10, 2004, to operate two blast booths controlled by fabric collectors, a paint kitchen and two paint spray booths controlled by dry filters. The equipment had previously been operated as the NES Rebuild Center, Inc. in Ayr Township, **Fulton County**.

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

**56-00232B: Shade Landfill, Inc.** (625 Charrington Parkway, Coraopolis, PA 15108) on August 11, 2004, to allow the expansion of their existing municipal solid waste disposal facility in Shade Township, **Somerset County**. The facility is subject to the operational, monitoring, recordkeeping, testing and reporting requirements required by 40 CFR 60, Subpart WWW and 25 Pa. Code Chapter 127 and the Plan Approval has been conditioned accordingly.

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

**10-0344A: Fannie's Friends Inc.** (352 Railroad Street, Evans City, PA 16033) on August 10, 2004, to construct a new pathological waste incinerator for pet remains rated at 130 pounds per hour in Evans City, **Butler County**.

**37-323A: IA Construction Corp.—Plain Grove Plant** (Mason Road, Volant, PA 16156) on August 5, 2004, for post construction plan approval of a permanent 350 tph nonmetallic crushing/screening plant at a permitted noncoal surface mining operation in Plain Grove Township, **Lawrence 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.*

**09-0087B: Air Products and Chemicals, Inc.** (351 Philadelphia Avenue, Morrisville, PA 19067) on August 15, 2004, to operate an SiF<sub>4</sub> process scrubber in Falls Township, **Bucks County**.

**15-0115: QVC, Inc.** (1200 Wilson Drive, West Chester, PA 19380) on August 6, 2004, to operate two 12.55 mmBtu/hr gas/fuel boilers in West Goshen Township, **Chester County**.

**23-0006D: Foamex LP** (1500 East Second Street, Eddystone, PA 19022) on August 12, 2004, to operate a thermal reticulator in Eddystone Borough, **Delaware County**.

**46-0018C: Brown Printing Co.** (668 Gravel Pike, East Greenville, PA 18041) on August 16, 2004, to operate a lithographic printing press in Upper Hanover 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.*

**35-318-086: McGregor Industries, Inc.** (46 Line Street, Dunmore, PA 18512) on August 10, 2004, to

construct a paint spray booth and associated air cleaning device at their facility in Dunmore Borough, **Lackawanna County**. The Plan Approval has been extended.

**54-399-029A: Silberline Manufacturing Co., Inc.** (Lincoln Drive, P. O. Box B, Tamaqua, PA 18252) on August 10, 2004, to construct a vacuum metalize pigment manufacturing process at their Tidewood Plant in Rush Township, **Schuylkill County**. The Plan Approval has been extended.

**40-328-004B: Williams Generation Co.—Hazleton** (P. O. Box 2848—WRC-A, Tulsa, OK 74101-9567) on August 2, 2004, to modify three simple cycle turbines and associated air cleaning devices at their facility in Hazle Township, **Luzerne County**. The Plan Approval has been extended.

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

**28-03044: Tarco Roofing Materials, Inc.** (8650 Molly Pitcher Highway North, Antrim, PA 17225) on August 15, 2004, to construct an asphalt coater and associated storage tanks in Antrim Township, **Franklin County**. This plan approval was extended.

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

**56-00025E: New Enterprise Stone and Lime** (P. O. Box 77, New Enterprise, PA 16664) on August 5, 2004, to install the Bakersville Quarry/Hot Mix Asphalt Plant in Jefferson Township, **Somerset County**. This plan approval was extended.

**03-00023A: Allegheny Energy Supply Co., LLC** (4350 Northern Pike, Monroeville, PA 15146) on August 11, 2004, to install a rotating over-fire air and Rotomix™ SNCR at their Armstrong Power Station in Washington Township, **Armstrong County**. This plan approval was extended.

**04-00235D: Pennsylvania Power Co.** (P. O. Box 128, Shippingport, PA 15077) on August 12, 2004, to construct a sodium bisulfite injection system on Units 1—3 at their Bruce Mansfield Power Station in Shippingport Borough, **Beaver County**. This plan approval was extended.

**32-00238A: Weimer's Iron and Scrapmetal** (5639 Tunnelton Road, Saltsburg, PA 15681) on August 12, 2004, to install an aluminum melting furnace in Conemaugh 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.*

**16-132B: Aconcagua Timber Corp.—Clarion** (1 Fiberboard Avenue, Shippenville, PA 16245) on August 31, 2004, to modify the fiberboard plant in Paint Township, **Clarion County**.

**33-033B: Owens Brockway Glass Container—Plant 18** (Cherry Street, Brockway, PA 15824) on August 10, 2004, to construct an applied ceramic labeling process in Brockway, **Jefferson 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.*

**23-00055: Cheyney University** (1837 University Circle, Cheyney, PA 19319) on August 12, 2004, to operate a synthetic minor operating permit in Thornbury Township, **Delaware County**.

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

**06-03029: Yuasa Battery, Inc.** (2901 Montrose Avenue, Laureldale, PA 19605) on August 11, 2004, for a lead/acid storage battery manufacturing facility controlled by various fabric collectors and wet scrubbers in the Borough of Laureldale, **Berks County**.

**07-05038: Federal Carbide Co.** (One Eagle Ridge Road, Tyrone, PA 16686) on August 11, 2004, to operate their manufacturing facility in the Township of Snyder, **Blair County**.

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

**62-00093: Torpedo Specialty Wire, Inc.** (R. D. 2, Route 27, Pittsfield, PA 16340) on August 11, 2004, for a Natural Minor Operating Permit to operate their nickel-plating plant in Pittsfield Township, **Warren County**.

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

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

**22-03041: Librandis Machine Shop, Inc.** (93 Airport Drive, HIA, Middletown, PA 17057) on August 12, 2004, for a natural minor permit for chromium electroplating operations controlled by surface tension method in Middletown Borough, **Dauphin County**. The State-only Operating Permit was administratively amended to incorporate the conditions of Plan Approval 22-03041 and General Permit GP4-22-03041. This is Revision No. 1 of the operating permit.

**38-05008: Rich Maid Cabinetry, LLC** (633 West Lincoln Avenue, Myerstown, PA 17067) on August 12, 2004, to operate a wood furniture manufacturing facility in Jackson Township, **Lebanon County**. The State-only Operating Permit was modified to incorporate a recent ownership transfer and a voluntary 25 tpy limit on VOC emissions to preclude the applicability of the 25 Pa. Code §§ 129.101—129.107 requirements for wood furniture manufacturing. This is Revision No. 1 of the operating permit.

**67-05016: R. H. Sheppard Co., Inc.** (101 Philadelphia Street, P. O. Box 877, Hanover, PA 17331-0877) on August 12, 2004, to operation an iron foundry in Hanover Borough, **York County**. The Title V Operating Permit was administratively amended to incorporate the requirements of Plan Approvals 67-05016B, 67-05016C and 67-05016D. This is Revision No. 2 of the operating permit.

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

**43-00011: Greenville Metals, Inc.—Transfer Plant** (99 Crestview Drive Extension, Transfer, PA 16154) for an administrative amendment to incorporate changes brought about through Plan Approval 43-011D at their facility in Pymatuning Township, **Mercer County**. EPA and public comment periods were addressed during the plan approval process.

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

**S95-063: Commander Navy Region Mid-Atlantic** (700 Robbins Avenue, Philadelphia, PA 19111) on July 29, 2004, administratively amended to add conditions for one emergency generator in the City of Philadelphia, **Philadelphia County**. The Synthetic Minor Operating Permit was originally issued June 25, 2001.

## 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 Permits Actions

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

**03930108 and NPDES Permit No. PA0200816. Mears Enterprises, Inc.** (P. O. Box 157, Clymer, PA 15728). Permit revised to change the land use from forestland to pastureland at an existing bituminous surface mine in Wayne and Cowanshannock Townships, **Armstrong County**, affecting 281.7 acres. Receiving streams: unnamed tributaries to South Fork Pine Creek. Application received May 11, 2004. Revised permit issued August 3, 2004.

**03990109 and NPDES Permit No. PA0202673. Mears Enterprises, Inc.** (P. O. Box 157, Clymer, PA 15728). Permit revised to change the land use from forestland to pastureland at an existing bituminous surface mine in Wayne Township, **Armstrong County**, affecting 58 acres. Receiving streams: unnamed tributaries to South Fork Pine Creek and South Fork Pine Creek. Application received May 11, 2004. Revised permit issued August 3, 2004.

**03990107 and NPDES Permit No. PA0202622. AMFIRE Mining Co., LLC** (One Energy Place, Latrobe, PA 15650). Application received to add 60 acres to an existing bituminous surface mining site in Washington and East Franklin Townships, **Armstrong County**, now

affecting 263.8 acres. Receiving streams: unnamed tributaries of Limestone Run to Limestone Run. Application received July 9, 2003. Revised permit issued August 5, 2004.

**63020101 and NPDES Permit No. PA0250104. Neiswonger Construction, Inc.** (17592 Route 322, Strattanville, PA 16528). Transfer of permit formerly issued to David Breeden Enterprises, Inc., for continued operation and reclamation of a bituminous surface mining site in Somerset Township, **Washington County**, affecting 261.6 acres. Receiving streams: unnamed tributary to Center Branch of Pigeon Creek to Pigeon Creek to Monongahela River. Application received April 26, 2004. Transfer permit issued August 11, 2004.

**03020113 and NPDES Permit No. PA0250279. Reichard Contracting, Inc.** (212 Olean Trail, New Bethlehem, PA 16242). Permit revised to add 10.5 mining acres to an existing bituminous surface mining site in Wayne Township, **Armstrong County**, now affecting 73.0 acres. Receiving streams: unnamed tributaries to Glad Run to Mahoning Creek. Application received April 12, 2004. Revised permit issued August 12, 2004.

**26870107 and NPDES Permit No. PA0589802. David L. Patterson, Jr.** (12 Short Cut Road, Smithfield, PA 15478). Transfer of permit formerly issued to Durant Excavating for continued operation and reclamation of a bituminous surface mining site in Nicholson Township, **Fayette County**, affecting 82.0 acres. Receiving streams: unnamed tributaries to Jacobs Creek. Application received April 30, 2004. Transfer permit issued August 13, 2004.

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

**56951301. NPDES Permit No. PA0214850, Rox Coal, Inc.** (P. O. Box 149, Friedens, PA 15541), to renew the permit for the Agustus Mine in Shade Township, **Somerset County** and related NPDES permit. No additional discharges. Permit issued August 6, 2004.

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

**54830104R4. Hardway Coal Company** (44 Keystoker Lane, Schuylkill Haven, PA 17972), renewal of an existing anthracite surface mine operation in Cass Township, **Schuylkill County** affecting 54.4 acres, receiving stream: none. Application received December 30, 2003. Renewal issued August 9, 2004.

**54910206R2. Meadowbrook Coal Co., Inc.** (6690 SR 209, Lykens, PA 17048-9608), renewal of an existing coal refuse reprocessing operation in Tremont Township, **Schuylkill County** affecting 190.0 acres, receiving stream: Stumps Run. Application received December 19, 2003. Renewal issued August 9, 2004.

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931-4119, (814) 472-1900.*

**11803024 and NPDES Permit No. PA0124524. Cooney Brothers Coal Company**, P. O. Box 246, Cresson, PA 16630, surface mining permit renewal in Dean Township, **Cambria County**, affecting 327 acres. Receiving streams: unnamed tributary to/and Brubaker Run (CWF). There are no potable water supply intakes within 10 miles downstream. Application received February 18, 2004. Permit issued August 11, 2004.

**56920113 and NPDES Permit No. PA0212300. Action Mining, Inc.**, 1117 Shaw Mines Road, Meyersdale,

PA 15552, surface mining permit renewal in Summit and Elk Lick Townships, **Somerset County**, affecting 106 acres. Receiving streams: UNTs to Casselman River and Casselman River (CWF and WWF). There are no potable water supply intakes within 10 miles downstream. Application received May 28, 2004. Permit issued August 5, 2004.

**56713039 and NPDES Permit No. PA0069426. PBS Coals, Inc.**, P. O. Box 260, Friedens, PA 15541, surface coal mining permit renewal in Brothersvalley and Somerset Townships, **Somerset County**, affecting 1843 acres. Receiving streams: unnamed tributary to Kimberly Run, Kimberly Run, unnamed tributary to Sandy Hollow Creek (CWF). There are no potable water supply intakes within 10 miles downstream. Application received February 26, 2004. Permit issued August 9, 2004.

**56920106 and NPDES Permit No. PA0599557. Cooney Brothers Coal Company**, P. O. Box 246, Cresson, PA 16630, surface mine/coal refuse disposal permit renewal in Shade Township, **Somerset County**, affecting 276.0 acres. Receiving streams: unnamed tributary to Hinson Run, unnamed tributary to Shade Creek, unnamed tributary to Stoney Creek (CWF). The first downstream potable water supply intake from the point of discharge is the Cambria Somerset Authority Stoneycreek Surface Water Withdrawal. Application received February 26, 2004. Permit issued August 11, 2004.

**32020108 and NPDES Permit No. PA0249351. Amerikohl Mining, Inc.**, 202 Sunset Drive, Butler, PA 16001, commencement, operation and restoration of a bituminous surface mine and discharge of treated mine drainage in Buffington Township, **Indiana County**, affecting 44.0 acres. Receiving streams: unnamed tributary to Mardis Run (CWF). There are no potable water supply intakes within 10 miles downstream. Application received December 2, 2002. Permit issued August 11, 2004.

#### *Noncoal Permits Actions*

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

**67920301C. York Building Products Co., Inc.** (P. O. Box 1708, York, PA 17405), correction to an existing quarry operation in Jackson Township, **York County** affecting 59.0 acres, receiving stream: none. Application received March 31, 2003. Correction issued August 9, 2004.

**8275SM1C3 and NPDES Permit No. PA0594601. Prospect Aggregates, Inc.** (P. O. Box 7, East Petersburg, PA 17520), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in West Hempfield Township, **Lancaster County**, receiving stream: unnamed tributary to Chickies Creek. Application received February 17, 2004. Renewal issued August 10, 2004.

**28042801. David H. Martin Excavating, Inc.** (4961 Cumberland Highway, Chambersburg, PA 17201), commencement, operation and restoration of a Small Noncoal (Shale) Quarry operation in Hamilton Township, **Franklin County** affecting 5.0 acres. Receiving stream: Whiskey Run, tributary to Dennis Creek and Back Creek. Application received May 26, 2004. Permit issued August 11, 2004.

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

**10030302 and NPDES Permit No. PA0242462. Allegheny Mineral Corporation** (P. O. Box 1022, Kittan-

ning, PA 16201) Commencement, operation and restoration of a large noncoal limestone operation in Brady Township, **Butler County** affecting 340.7 acres. Receiving streams: unnamed tributaries to Big Run. Application received December 24, 2003. Permit issued August 6, 2004.

**62042801. Raymond C. Shield** (391 N. Main Street, Russell, PA 16345) Commencement, operation and restoration of a small noncoal sand and gravel operation in Pine Grove Township, **Warren County** affecting 4.0 acres. Receiving streams: Akeley Run. Application received February 18, 2004. Permit issued August 6, 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.*

**40044012. Hayduk Enterprises** (P. O. Box 554, Dalton, PA 18414) construction site blasting for Mill Creek Estates in Plains Township, **Luzerne County** with an expiration date of July 31, 2005. Permit issued August 7, 2004.

**28044033. Geological Technologies, Inc.** (715 Baltimore Street, Martinsburg, WV 25401), construction blasting for Grove Manufacturing in Antrim Township, **Franklin County** with an expiration date of October 31, 2004. Permit issued August 7, 2004.

**36044075. Abel Construction Co., Inc.** (3925 Columbia Avenue, Mountville, PA 17554), construction blasting for Covered Bridge Marketplace "Target" in East Lampeter Township, **Lancaster County** with an expiration date of September 2, 2005. Permit issued August 7, 2004.

**46044027. American Rock Mechanics, Inc.** (7531 Chestnut Street, Zionsville, PA 18092), fuel tank excavation at Lower Providence Wawa, Lower Providence Township, **Montgomery County** with an expiration date of November 2, 2004. Permit issued August 7, 2004.

**21044059. Bernard J. Hasara** (1125 East Mahanoy Avenue, Mahanoy City, PA 17948) and **M. F. Ronca & Sons** (179 Mikron Road, Bethlehem, PA 18020), construction blasting for sanitary and water lines in the Western Village Area of South Middleton Township, **Cumberland County** with an expiration date of August 31, 2005. Permit issued August 7, 2004.

**67044040. Abel Construction Co., Inc.** (3925 Columbia Avenue, Mountville, PA 17554), construction blasting for Delta Ridge proposed single family subdivision in Peach Bottom Township, **York County** with an expiration date of August 31, 2005. Permit issued August 7, 2004.

**36044074. Keystone Blasting Services** (381 Reifsnnyder Road, Lititz, PA 17543), construction blasting for an animal waste containment structure at 157 Locust Street, West Earl Township, **Lancaster County** with an expiration date of March 2, 2005. Permit issued August 7, 2004.

**40044010. Hayduk Enterprises** (P. O. Box 554, Dalton, PA 18414), construction blasting for Willow View

Estates in Pittston Township, **Luzerne County** with an expiration date of July 31, 2005. Permit issued August 7, 2004.

**38044017. J. Roy's, Inc.** (Box 125, Bowmansville, PA 17507), construction blasting for the London Croft new housing development in North Londonderry Township, **Lebanon County** with an expiration date of July 2, 2005. Permit issued August 7, 2004.

**06044031. J. Roy's, Inc.** (Box 125, Bowmansville, PA 17507), construction blasting for the Landis Office Building in Spring Township, **Berks County** with an expiration date of July 2, 2005. Permit issued August 7, 2004.

**22044023. J. Roy's, Inc.** (Box 125, Bowmansville, PA 17507), construction blasting for Greenbelt road widening project in Susquehanna Township, **Dauphin County** with an expiration date of July 2, 2005. Permit issued August 7, 2004.

**40044009. Austin Powder Company** (P. O. Box 289, Northampton, PA 18067), construction blasting at Blue Ridge Trail Golf Course in Dorrance Township, **Luzerne County** with an expiration date of July 31, 2005. Permit issued August 11, 2004.

**28044034. Hall Explosives, Inc.** (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting at Johnies Restaurant Supplies in Guilford Township, **Franklin County** with an expiration date of August 31, 2005. Permit issued August 11, 2004.

**21044060. Hall Explosives, Inc.** (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting at High Meadows in Lower Allen Township, **Cumberland County** with an expiration date of August 31, 2005. Permit issued August 11, 2004.

**40044011. Popple Contracting Company, Inc.** (202 Main Street, Laflin, PA 18702) and **D. C. Guelich Explosive Company** (P. O. Box 29, Bloomsburg, PA 17815), construction blasting at Butler Teaching & Learning Center in Hazle Township, **Luzerne County** with an expiration date of July 31, 2005. Permit issued August 11, 2004.

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

**14044017. Graymont (PA) Inc.** (965 E. College Avenue, Pleasant Gap, PA 16823), for construction blasting in Spring Township, **Centre County**, with an expected duration of 60 days. Permit issued July 29, 2004.

**14044018. Glenn O. Hawbaker** (P. O. Box 135, State College, PA 16803), for construction blasting in Ferguson Township, **Centre County**, with an expected duration of 365 days. Permit issued July 29, 2004.

**14044019. Graymont (PA) Inc.** (965 E. College Avenue, Pleasant Gap, PA 16823), for construction blasting in Spring Township, **Centre County**, with an expected duration of 60 days. Permit issued August 3, 2004.

**14044020. Paradise Contracting** (223 Paradise Road, Bellefonte, PA 16823), for construction blasting in College Township, **Centre County**, with an expected duration of 120 days. Permit issued August 10, 2004.

**59044002. Glenn O. Hawbaker** (P. O. Box 135, State College, PA 16803), for construction blasting in Covington Township, **Tioga County**, with an expected duration of 137 days. Permit issued August 11, 2004.

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

**04044002. Janod Contractors** (555 Vermont Rt. 78, P. O. Box 717, Swenson, VT 05488). Blasting activity permit for road construction in Aliquippa Township, **Beaver County**, with an expected duration of blasting is 90 days. Blasting activity permit issued August 9, 2004.

**04044003. Gasparovich Excavating** (1698 Pine Hollow Road, McKees Rocks, PA 15136). Blasting activity permit for construction of sewer lines in Brighton Township, **Beaver County**, with an expected duration of blasting is 15 days. Blasting activity permit issued August 9, 2004.

## 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.

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**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).**

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

## WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E45-458. Michael F. and Grace E. Covey**, 4 Hickory Lane, Chalfont, PA 18914-2013. Stroud Township, **Monroe County**, Army Corps of Engineers Philadelphia District.

To place fill in a de minimis area of PFO wetlands equal to 0.05 acre for the purpose of constructing two road crossings for a driveway to provide access to a proposed single-family dwelling. The first road crossing will be 144 feet long with five 12-inch diameter culverts and the second road crossing will be 18 feet long with one 12-inch diameter culvert. The project is on the south side of Township Road T383 (Poplar Valley Road), approximately 0.5 mile east of SR 0191 (Stroudsburg, PA-NJ Quadrangle N: 13.4 inches; W: 9.4 inches) (Subbasin: 1E).

**E48-348. Frederick Kelly Stewart**, 315 Allegheny Road Mount Bethel, PA 18343. Upper Mount Bethel Township, **Northampton County**, Army Corps of Engineers Philadelphia District, Subbasin 1F.

To construct and maintain a private bridge having a single span of approximately 24 feet and an underclearance of approximately 4.5 feet across Allegheny Creek (CWF, perennial). The project is on the southwestern side of Township Road T807 (Allegheny Road), approximately 0.5 mile northwest of Centerville Drive (Portland, PA-NJ Quadrangle N: 0.6 inch; W: 15.1 inches). The project proposes to directly affect 12 linear feet of stream.

**E54-310. Hammer's Towing, Inc.**, 1298 Valley Road, Pottsville, PA 17901. Cass Township, **Schuylkill County**, Army Corps of Engineers Philadelphia District.

To place fill in 0.50 acre of EV-PEM wetlands for the purpose of expanding an existing parking area for Hammer's Towing, Inc. The permittee is required to provide 0.10 acre of replacement wetlands onsite and provide for 0.40 acre of replacement wetlands by participating in the Pennsylvania Wetland Replacement Project. The project is on the west side of SR 4002, approximately 2,000 feet north of Minersville Borough (Minersville, PA Quadrangle N: 13.0 inches; W: 0.8 inch) (Subbasin: 3A).

**E39-405B. City of Allentown, Bureau of Parks**, 2700 Parkway Boulevard, Allentown, PA 18104-5399. City of Allentown, **Lehigh County**, Army Corps of Engineers Philadelphia District.

To construct and maintain Phase II of a stream restoration project in a 4,135-foot reach of Little Cedar Creek (HQ-CWF). The project is known as the Allentown Municipal Golf Course Little Cedar Creek Rehabilitation Project.

Phase II of the multiphase project includes: (1) restoration of 1,080 linear feet of Little Cedar Creek with work consisting of reshaping portions of the channel and stabilizing the banks with a combination of soil reinforcement matting, rock armor, biodegradable logs, a J-hook, a cross vane and vegetation; (2) removing the existing structure known as Bridge 1 and constructing and maintaining a golf cart bridge having a 32-foot span and a 6.6-foot underclearance; (3) constructing and maintaining a temporary golf cart bridge having a 32-foot span and a 5.7-foot underclearance; and (4) modifying and maintaining a 3-foot by 2-foot elliptical reinforced concrete pipe

with work consisting of removing a section of pipe and constructing a flared end section.

Phase II begins approximately 450 feet downstream of Little Cedar Creek's intersection with Springhouse Road (Allentown West, PA Quadrangle N: 18.3 inches; W: 6.3 inches) and extends 0.2 mile downstream (Allentown West, PA Quadrangle N: 18.4 inches; W: 5.8 inches) in the City of Allentown, Lehigh County (Subbasin: 1C).

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

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

To remove the existing unsafe bridge and to construct and maintain: (1) a steel beam wood deck single span bridge with a 76-foot clear span, a 14-foot maximum underclearance with the new top-of-bank concrete abutments; (2) a stabilized area of 140 linear feet of the right bank and 90 linear feet of the left bank to a slope of 1 vertical to 1.5 horizontal protected by Class 2 Type A geotextile and R-8 riprap with minor backfilling of native stone material; (3) a temporary construction crossing of six 18-inch pipes and the associated R-2 choked R-4 cover placed next to the existing left bank parking area downstream of the bridge; and (4) a straw filled gabion basket curtain placed across the entire streambed downstream of the temporary crossing to filter sediment right in the right branch of Young Womens Creek. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

**E02-1393. Department of General Services, Bureau of Engineering and Architecture**, 18th and Herr Streets, Harrisburg, PA 17120. To construct a flood wall in the City of McKeesport, **Allegheny County**, Pittsburgh ACOE District (McKeesport, PA Quadrangle N: 13.6 inches; W: 9.5 inches—Latitude: 40° 19' 32" and Longitude: 79° 49' 08"). To remove existing structures, to construct and maintain a 1780' long flood wall along the right bank, to construct and maintain a 10-foot wide maintenance road, to reconstruct and maintain a 25-foot wide channel for approximately 2,162 feet in Long Run (TSF) with a 35-foot long transition on the upstream end and a 38-foot long transition on the downstream end and to construct and maintain various outfall structures to Long Run. The purpose of the project is to restore the hydraulic capacity of Long Run. The project is along the southeast side of SR 48 approximately 350 feet south of its intersection with Ripple Road.

**E02-1443. The Meritage Group, L. P.**, 772 Pine Valley Drive, Pittsburgh, PA 15239. Fill wetlands in Plum Borough, **Allegheny County**, Pittsburgh ACOE District (Murrysville, PA Quadrangle N: 14.5 inches; W: 14.0 inches—Latitude: 40° 27' 13" and Longitude: 79° 43' 28"). To place fill in a de minimis area of wetlands (0.02 acre) associated with unnamed tributaries to Piersons Run (TSF) for the purpose of constructing Lot 107, Lot 108 and an access road for the Whispering Pines residential development. The development is approximately 2,000 feet west from the intersection of Lindsey Lane and Old Frankstown Road. The project will also impact 237.0

linear feet of stream channel due to the construction of a stream enclosure for a proposed road crossing.

**E02-1459. Borough of Green Tree**, 10 West Manilla Avenue, Pittsburgh, PA 15220. Stream impact to Whiskey Run in Green Tree Borough, **Allegheny County**, Pittsburgh ACOE District (Pittsburgh West, PA Quadrangle N: 6.9 inches; W: 7.2 inches—Latitude: 40° 24' 27" and Longitude: 80° 03' 08"). To construct and maintain an energy dissipater for approximately 41 feet on the downstream end of an existing 54-inch diameter culvert in Whiskey Run (WWF). The project is on the north side of Glencoe Avenue approximately 350 feet west of its intersection with Dale Drive. The total stream impact to Whiskey Run is 41 feet.

**E26-318. Fayette County Commissioners**, 60 East Main Street, Uniontown, PA 15401. Fayette County Bridge No. 54 in German Township, **Fayette County**, Pittsburgh ACOE District (Masontown, PA Quadrangle N: 21.4 inches; W: 2.2 inches—Latitude: 39° 52' 4" and Longitude: 79° 53' 26"). To operate and maintain Fayette County Bridge No. 54 having a clear span of 41 feet and an underclearance of 9.3 feet across Browns Run (WWF). The bridge is on T-439 (Yuras Farm Road). The bridge was constructed under Emergency Permit No. EP2604201 issued on January 23, 2004.

**E65-845. Fernando and Melissa Ferraro**, 294 Morgan Street, Lower Burrell, PA 15068. Ferraro residential bridge in Washington Township, **Westmoreland County**, Pittsburgh ACOE District (Vandergrift, PA Quadrangle N: 5.5 inches; W: 11.7 inches—Latitude: 40° 31' 48" and Longitude: 79° 35' 01"). To construct and maintain a 15.0-foot wide single span bridge having a normal span of 24.0 feet and an underclearance of 4.5 feet across an unnamed tributary to Beaver Run (TSF) for the purpose of providing access to a proposed single family residence. The permit also authorizes the installation and maintenance of various utility lines across an unnamed tributary to Beaver Run (TSF). The project is off of Beaver Run Road, 0.6 mile east from its intersection with SR 66.

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

**E10-286A. Mine Safety Appliance Company**, P. O. Box 426, Pittsburgh, PA 15230-0426. Out parcel at SR 0228, Cranberry Woods in Cranberry Township, **Butler County**, ACOE Pittsburgh District (Mars, PA Quadrangle N: 5.5 inches; W: 5.5 inches).

The original permit giving its consent to fill 2.29 acres of 14 wetland areas for development of building lots and roadways within Cranberry Woods Corporate Office Park and which required the construction of 2.29 acres of replacement wetlands is to be amended to include the construction and maintenance of: (1) fill within an additional 0.17 acre of PEM/PSS/PFO wetlands; (2) a 10-foot by 3.5-foot steel arch culvert 64 feet 10 inches long; (3) a 26-foot extension of a 54-inch diameter RCP culvert; (4) an 18-foot extension of a 54-inch diameter RCP culvert; (5) an 18-foot extension of a 36-inch diameter RCP culvert; and (6) to relocate and maintain approximately 460 linear feet of a UNT to Brush Creek (WWF) on the out parcel at the southeast corner of the intersection of SR 0228 and Cranberry Woods Drive. The applicant will construct an additional 0.17 acre of PEM/PSS wetlands as a part of this project.

**E10-386. Future Development Group, L. P.**, 191 Crowe Avenue, Mars, PA 16046. Heritage Creek Phase II in Adams Township, **Butler County**, ACOE Pittsburgh District.

To construct and maintain: (1) a reinforced concrete arch having a rise of 7 feet, a span of 28 feet and an instream length of 66 feet along Heritage Creek drive within Kaufman Run (WWF) (Mars, PA Quadrangle N: 13.45 inches; W: 5.44 inches); (2) a reinforced concrete box culvert having a maximum rise of 3 feet, a span of 8 feet and an instream length of 20 feet along the driveway of Lot 301 within Kaufman Run (WWF) (Mars, PA Quadrangle N: 13.1 inches; W: 5.83 inches); (3) a 36-inch diameter SLCP having an instream length of approximately 370 feet at the intersection of Crider and Brad-dock Court Roads within an unnamed tributary to Kaufman Run (WWF) (Mars, PA Quadrangle N: 13.05 inches; W: 4.66 inches); (4) approximately 30 CY and 140 CY of fill to the floodway of Kaufman Run south of lots 222/223 and west of Lot 127 (WWF) (Mars, PA Quadrangle N: 13.5 inches; W: 5.2 inches) (Mars, PA Quadrangle N: 13.5 inches; W: 5.2 inches) respectively; (5) approximately 700 CY of fill material to an unnamed tributary to Kaufman Run at lots 215/216 (WW) (Mars, PA Quadrangle N: 13.9 inches; W: 4.68 inches); and (6) to fill 0.0689 acre of floodplain wetlands associated with upper perennial stream at the proposed office/day care center (Mars, PA Quadrangle N: 12.98 inches; W: 5.27 inches) all within the Heritage Creek Subdivision 3.1 miles east of SR 0079 at the intersection of SR 0228 and Crider Road.

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

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

**E42-308, Ceres Township**, 2420 Kings Run Road, Shinglehouse, PA 16748. Church Hollow (T-427) bridge replacement in Ceres Township, **McKean County**, ACOE Pittsburgh District (Shinglehouse, PA Quadrangle N: 11.1 inches; W: 14.45 inches).

To remove: (1) the existing bridge having a clear span of 28 feet, an instream length of 14 feet and an average under-clearance of 4.5 feet; and (2) the existing temporary crossing consisting of three 48-inch diameter pipes approximately 20 feet long and associated fill material and to construct and maintain a bridge having a clear span of 30 feet, an instream length of 22 feet and an average under-clearance of 6.0 feet at a point along Church Hollow Road (T-427) over Bell Run (CWF).

**E43-307, Department of Transportation, District 1-0**, P. O. Box 398, 255 Elm Street, Oil City, PA 16340. SR 0019, Segment 0420, Offset 0000 across tributary to Little Shenango River Streambed Paving in Perry Township, **Mercer County**, ACOE Pittsburgh District (Hadley, PA Quadrangle N: 2.2 inches; W: 12.6 inches).

To install 63 linear feet of concrete paving and 10 feet of rock riprap aprons depressed 6 inches below the existing streambed elevation and maintain the existing reinforced concrete arch having a span of 10 feet and a maximum rise of 9.75 feet in a tributary to Little Shenango River on SR 0019, Segment 0420, Offset 0000 approximately 0.75 mile south of SR 358.

**E43-308, Department of Transportation, District 1-0**, 255 Elm Street, Oil City, PA 16301. SR 0358,

Segment 0030, Offset 0134 streambed paving in Booth Run in West Salem Township, **Mercer County**, ACOE Pittsburgh District (Kinsman, OH-PA Quadrangle N: 3.0 inches; W: 0.1 inch).

To install 93.5 linear feet of concrete paving and 10 feet of rock riprap aprons depressed 6 inches below the existing streambed elevation and to maintain the reinforced concrete slab bridge having a span of 19 feet and an underclearance of 10 feet across Booth Run on SR 0358, Segment 0030, Offset 0134 approximately 0.9 mile west of SR 4001.

**E43-309, Department of Transportation, District 1-0**, 255 Elm Street, Oil City, PA 16301. SR 0062, Segment 0220, Offset 1540 streambed paving in a tributary to Magargee Run in Jefferson Township, **Mercer County**, ACOE Pittsburgh District (Greenfield, PA Quadrangle N: 20.4 inches; W: 14.6 inches).

To install 42 linear feet of concrete paving and 10 feet of rock riprap aprons depressed 6 inches below the existing streambed elevation and to maintain the reinforced concrete slab bridge having a span of 9 feet and an underclearance of 4 feet across a tributary to Magargee Run on SR 0062, Segment 0220, Offset 1540 approximately 0.3 mile east of Charleston Road at the village of Charleston.

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

**E53-398, National Fuel Gas Supply Corporation**, P. O. Box 2081, Erie, PA 16512-1720. South Branch Oswayo Creek Bridge Replacement Project in Hebron Township, **Potter County**, ACOE Pittsburgh District (Coudersport, PA Quadrangle N: 21.56 inches; W: 0.25 inch).

To conduct the following activities on an unnamed tributary to South Branch Oswayo Creek (EV) approximately 400 feet south of the intersection of Route 44 and SR 4008:

1. To replace an existing wooden plank bridge having a span of 7 feet with a steel bridge having a single span of 12 feet and an underclearance of approximately 4 feet.

2. To construct a temporary crossing using a culvert and stream mats approximately 20 feet downstream of the existing wooden plank bridge.

#### ENVIRONMENTAL ASSESSMENTS

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

**EA65-007SW, Sewickley Creek Watershed Association**, P. O. Box 323, Youngwood, PA 15697-0323. Mt. Pleasant Township, **Westmoreland County**, Pittsburgh ACOE District (Mt. Pleasant, PA Quadrangle N: 17.2 inches; W: 3.0 inches—Latitude: 40° 13' 11" and Longitude: 79° 31' 17"). To relocate and maintain approximately 675 feet of an unnamed tributary to Sewickley Creek (WWF) around a proposed acid mine drainage treatment system and to construct and maintain an acid mine drainage treatment system, consisting of a series of barrier walls, settling basins and wetland cells in 7.90 acres of wetlands (PEM/PSS) that are reportedly degraded currently by acid mine drainage. The project site is along Sewickley Creek near the intersection of Brinkerton Extension Road with SR 2012. This authorization includes 401 Water Quality Certification.



**STORAGE TANKS**  
**SITE-SPECIFIC INSTALLATION PERMITS**

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

<i>SSIP Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
04-10-004	Darko Puz Penreco 138 Petrolia Street Karns City, PA 16041	Butler	Karns City	1 AST storing mineral oil feedstock	377,602 gallons

**SPECIAL NOTICES**

**BUREAU OF DEEP MINE SAFETY**

**Request for Variance**

The Department of Environmental Protection (Department), Bureau of Deep Mine Safety (Bureau), has received a request for variance from Parkwood Resources, Inc. The following notification contains a summary of this request. A complete copy of the variance request may be obtained from Allison Gaida, (724) 439-7469 or from the Bureau website: [www.dep.state.pa.us/dep/deputate/minres/dms/dms.htm](http://www.dep.state.pa.us/dep/deputate/minres/dms/dms.htm).

The Department is publishing a summary of the request to solicit comments from affected parties on the proposed variance request. Comments may be used by the Bureau to assist in its investigation of the variance request. Comments will be accepted for 30 days following the publication of this notice. Comments should be sent to Joseph A. Scaffoni, Director, Bureau of Deep Mine Safety, Fayette County Health Center, 100 New Salem Road, Room 167, Uniontown, PA 15401.

Section 702 of the Pennsylvania Bituminous Coal Mine Act (act) provides a mechanism for operators to obtain variances from specific requirements of the act to accommodate the adoption of new machinery, equipment, tools, supplies, methods or processes.

Section 242(c) of the act states that where belt conveyors are installed, main stoppings and regulators shall be so arranged as to reduce the quantity of air traveling in the belt conveyor entry to a minimum for effective ventilation and to provide an intake air split as an escapeway from the face area to the main air current.

*Summary of the Request:* Parkwood Resources, Inc. requests a variance to use point carbon monoxide early warning fire detection system and entries in common with the belt conveyor entry at the Cherry Tree Mine.

**Request for Comments on the Proposed Total Maximum Daily Loads (TMDLs) Developed for the Conestoga Headwaters in Berks County**

The Department of Environmental Protection (Department) will accept comments on the proposed TMDL developed for the Conestoga Headwaters in Berks County. The TMDL was established in accordance with the requirements of section 303(d) of the Clean Water Act. The Commonwealth's 1996, 1998, 2002 and 2004 Section 303(d) lists included stream segments in the watershed. The listings of these segments were due to use impairments caused by nutrients, organic enrichment and low dissolved oxygen, as a result of agricultural and other nonpoint source runoff.

There currently are no State or Federal instream numerical water quality criteria for nutrients. Therefore, the Department utilized a reference watershed approach to implement the applicable narrative criteria. The proposed TMDL sets allowable loadings of phosphorus in the Conestoga Headwaters. Phosphorus was chosen as the TMDL endpoint for nutrient impairments due to it being the limiting nutrient in the watershed. The phosphorus 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 following table shows the estimated current phosphorus loading for the watershed. Overall load reductions necessary to meet the TMDLs are also identified.

*Summary of TMDL Based Load Reductions in the Conestoga Headwaters*

<i>Pollutant</i>	<i>Existing Load (lbs/yr)</i>	<i>TMDL (lbs/yr)</i>	<i>% Reduction</i>
Phosphorus	10,949.55	8,877.82	19

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/watermanagement\\_apps/tmdl/](http://www.dep.state.pa.us/watermanagement_apps/tmdl/). To request a copy of this TMDL contact Lee McDonnell, Department of Environmental Protection, Water Quality Assessment and Standards, 400 Market Street, P. O. Box 8467, Harrisburg, PA 17105, (717) 783-2938, [lmcdonnell@state.pa.us](mailto:lmcdonnell@state.pa.us).

The Department will consider all comments in developing the final TMDL, which will be submitted to EPA for approval. Written comments will be accepted at the previous address and must be received by September 28, 2004. A public meeting to discuss the technical merits of the TMDL will be held on September 16, 2004, at 7 p.m. at the Holiday Inn, Morgantown, PA.

[Pa.B. Doc. No. 04-1600. Filed for public inspection August 27, 2004, 9:00 a.m.]



### Availability of Technical Guidance

Technical guidance documents are on the Department of Environmental Protection's (Department) website: [www.dep.state.pa.us](http://www.dep.state.pa.us) (DEP Keyword: Participate). The "Current Inventory" heading is the Governor's list of nonregulatory guidance documents. The "Final Documents" heading is the link to a menu of the various Department bureaus and from there to each bureau's final technical guidance documents. The "Draft Technical Guidance" heading is the link to the Department's draft technical guidance documents.

The Department will continue to revise its nonregulatory documents, as necessary, throughout 2004.

#### *Ordering Paper Copies of Department Technical Guidance*

The Department encourages the use of the Internet to view guidance documents. When this option is not available, persons can order a bound paper copy of the latest inventory or an unbound paper copy of any of the final documents listed on the inventory by calling the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

#### *Changes to Technical Guidance Documents*

Following is the current list of recent changes. Persons who have any questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

#### *Final Technical Guidance*

DEP ID: 012-0200-002. Title: Policy for Consideration of Comprehensive Plans and Zoning Ordinances in DEP Review of Grants and Funding for Facilities and Infrastructure. Description: The policy entitled "Policy for Consideration of Comprehensive Plans and Zoning Ordinances in DEP Review of Grants and Funding for Facilities and Infrastructure" is designed to promote sound land use planning and development by discouraging financial assistance from the Department for facilities and infrastructure development where the proposed project is inconsistent with local land use plans and implementing ordinances. The revised guidance addresses how the Department will consider comprehensive plans and generally consistent zoning ordinances when reviewing grant applications for facilities or infrastructure projects. Under this policy, if a proposed project will be located in a municipality meeting at least one of the three Pennsylvania Municipalities Planning Code criteria, the application will receive higher priority or increased ranking in the scoring of its grant proposals. This policy applies to Department decision making processes for grants and funding requests related to developing facilities and infrastructure, including Growing Greener grants, coastal zone management grants and Act 198 Resource Recovery Development Fund grants. Effective Date: August 28, 2004.

DEP ID: 012-020-004. Title: Policy for Applications for Technical or Financial Assistance Proposals Consistent with Multi-Municipal Planning Under Acts 67 & 68. Description: This policy is intended to encourage multi-municipal planning by giving priority in the ranking or scoring of those applications coming from areas of the state that have undertaken planning on a regional basis.

Specifically, this policy offers a preference for projects originating from areas of the state with existing multi-municipal planning efforts and for projects seeking funding for planning activities. This policy applies to grants related to planning, including the preparation and development of county waste management plans under Act 101 or grants for the preparation and development of stormwater management plans under Act 167. Effective Date: August 28, 2004.

KATHLEEN A. MCGINTY,  
*Secretary*

[Pa.B. Doc. No. 04-1601. Filed for public inspection August 27, 2004, 9:00 a.m.]

### Chesapeake Bay Advisory Committee Meeting Cancellation

The September 2, 2004, meeting of the Chesapeake Bay Advisory Committee has been postponed. The reason for postponement is to allow the committee to meet concurrently with the Chesapeake Bay Tributary Steering Committee. This joint meeting will occur during September 2004. A location for this joint meeting will be announced as soon as a meeting date is determined.

Questions concerning the next meeting should be directed to Dave Reed, (717) 772-5649, [davreed@state.pa.us](mailto:davreed@state.pa.us). The agenda and meeting materials will be available through the Public Participation Center on the Department of Environmental Protection's (Department) website at <http://www.dep.state.pa.us> (DEP Keyword: Participate).

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact the Department at (717) 787-9637 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

KATHLEEN A. MCGINTY,  
*Secretary*

[Pa.B. Doc. No. 04-1602. Filed for public inspection August 27, 2004, 9:00 a.m.]

### State Board for Certification of Water and Wastewater Systems Operators Meeting Change

The State Board for Certification of Water and Wastewater Systems Operators (Board) has made the following change to its 2004 meeting schedule.

The Board has added a meeting on August 31, 2004, at 9 a.m. in the 14th Floor Conference Room, Rachel Carson State Office Building, Harrisburg, PA.

Persons who have questions concerning this meeting should contact Lynn Rice, (717) 787-5236, [mlrice@state.pa.us](mailto:mlrice@state.pa.us).

Individuals in need of an accommodation as provided for in the Americans With Disabilities Act should contact Lynn Rice at (717) 787-5236 to discuss how the Department of Environmental Protection (Department) may accommodate their needs. Brenda Coakley, Disabilities

Services Coordinator for the Department may be reached at (717) 783-6118 for additional questions or concerns.

KATHLEEN A. MCGINTY,  
*Secretary*

[Pa.B. Doc. No. 04-1603. Filed for public inspection August 27, 2004, 9:00 a.m.]

### State Water Plan Statewide Water Resources Committee, Critical Water Planning Area Subcommittee Meeting

The Critical Water Planning Area Subcommittee of the State Water Plan Statewide Water Resources Committee has scheduled a meeting to discuss the development of criteria/guidelines for designation of Critical Water Planning Areas. The meeting will be held on September 2, 2004, at 10 a.m. at the U. S. Geological Survey PA Office, 215 Limekiln Road, New Cumberland, PA 17070-2424.

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

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

KATHLEEN A. MCGINTY,  
*Secretary*

[Pa.B. Doc. No. 04-1604. Filed for public inspection August 27, 2004, 9:00 a.m.]

### State Water Plan Statewide Water Resources Committee Meeting

The State Water Plan Statewide Water Resources Committee has scheduled a meeting to discuss the development of the State Water Plan. The meeting will be held on September 27, 2004, at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105.

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

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

KATHLEEN A. MCGINTY,  
*Secretary*

[Pa.B. Doc. No. 04-1605. Filed for public inspection August 27, 2004, 9:00 a.m.]

### Water Resources Advisory Committee Meeting Cancellation

The September 8, 2004, meeting of the Water Resources Advisory Committee has been cancelled. The next scheduled meeting will be held on November 10, 2004, at 9:30 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning the November 10, 2004, meeting should be directed to Carol Young, (717) 787-9637, cayoung@state.pa.us. The agenda and meeting materials will be available through the Public Participation Center on the Department of Environmental Protection's (Department) website at <http://www.dep.state.pa.us> (DEP Keyword: Participate).

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact the Department at (717) 787-9637 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

KATHLEEN A. MCGINTY,  
*Secretary*

[Pa.B. Doc. No. 04-1606. Filed for public inspection August 27, 2004, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Health Research Advisory Committee Meeting

The Health Research Advisory Committee (Committee), established under section 903(b) of the Tobacco Settlement Act (35 P.S. § 5701.903(b)), will hold a public meeting on November 22, 2004, from 9:30 a.m. to 3:30 p.m. in Room 812, Health and Welfare Building, Commonwealth Avenue and Forster Street, Harrisburg, PA.

The Committee will finalize the research priorities for the nonformula funds for State fiscal year 2005-06. This meeting is open to the public. No reservations are required. The meeting is not a public hearing and therefore public testimony and/or comments are not part of the meeting agenda.

For additional information or persons with a disability who wish to attend the meeting and require an auxiliary aid service or other accommodation to do so, contact Patricia W. Potrzebowski, Director, Bureau of Health Statistics and Research, or Robin C. Cohick, Administrative Officer, Bureau of Health Statistics and Research, 555 Walnut Street, 6th Floor, Harrisburg, PA 17101-1914, (717) 783-2548, for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

This meeting is subject to cancellation without notice.

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

[Pa.B. Doc. No. 04-1607. Filed for public inspection August 27, 2004, 9:00 a.m.]

### Health Research Advisory Committee Public Hearing and Meeting

The Health Research Advisory Committee (Committee) will hold a public hearing and meeting on October 18, 2004, from 9:30 a.m. to 12 p.m. in the Large Hearing Room, 2nd Floor, Commonwealth Keystone Building, Commonwealth and Forster Streets, Harrisburg, PA.

The primary purpose of the public hearing is to obtain suggestions for health research priorities under the Tobacco Settlement/Act 77, Commonwealth Universal Research Enhancement Program for State fiscal year 2005-06. Current 2004-05 State fiscal year priorities for both formula funded and nonformula funded health research are posted on the Department of Health's website: [www.health.state.pa.us](http://www.health.state.pa.us) (click "Tobacco Settlement/Act 77" and "Commonwealth Universal Research Enhancement").

Public comments must be submitted by 2:30 p.m. on September 24, 2004, by e-mail to David Hooper, [dhooper@state.pa.us](mailto:dhooper@state.pa.us). Persons wishing to present written statements orally at the public hearing must contact David Hooper at (717) 783-2548 by 2:30 p.m. on September 24, 2004, to make a reservation for testifying at the hearing.

Written comments must be no more than five single-spaced typewritten pages. Comments should recommend research on one or more health related issues that have a significant impact on the health of the residents of this Commonwealth. Although comments may include data supporting the significance of a particular health related issue, written comments should identify, in priority order, the specific research issues and questions that need to be addressed. Testimony should include the specific aims of the research being proposed.

Oral testimony will be limited to 3 minutes. Prior to the public hearing, a copy of written comments will be provided to Committee members for review. Therefore, oral presentations should not repeat the written comments but instead should focus on the highlights or key points in the written comments. If time permits, 2 minutes will be allowed for questions and answers following the oral testimony. Persons will be scheduled on a first come, first served basis, as time permits. Oral testimony that is duplicative of previously presented testimony may not be allowed, if time is limited.

This hearing is open to the public. No reservations are required to attend the public meeting but persons wishing to present oral testimony must submit written comments in advance in accordance with the previous guidance.

After the public hearing, a 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 research priorities for State fiscal year 2005-06.

For additional information or persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so, contact Patricia W. Potrzebowski, Director, Bureau of Health Statistics and Research, or Robin C. Cohick, Administrative Officer, Bureau of Health Statistics and Research, 555 Walnut Street, 6th Floor, Harrisburg, PA 17101-1914, (717) 783-2548, for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

The public hearing and meeting are subject to cancellation without notice.

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

[Pa.B. Doc. No. 04-1608. Filed for public inspection August 27, 2004, 9:00 a.m.]

### Human Immunodeficiency Virus (HIV) Community Prevention Planning Committee Public Meeting

The Statewide HIV Community Prevention Planning Committee, established by the Department of Health (Department) under sections 301(a) and 317(b) of the Public Health Service Act (42 U.S.C.A. §§ 241(a) and 247(b)), will hold a public meeting on Wednesday, September 15, 2004, from 9 a.m. to 3 p.m. at the Best Western Inn and Suites, 815 Eisenhower Boulevard, Middletown, PA, 17057.

The Department reserves the right to cancel this meeting without prior notice.

For additional information or persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so, contact Kenneth McGarvey, Department of Health, Bureau of Communicable Diseases, P. O. Box 90, Room 1010, Health and Welfare Building, Harrisburg, PA 17108, (717) 783-0572 or 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. 04-1609. Filed for public inspection August 27, 2004, 9:00 a.m.]

## DEPARTMENT OF LABOR AND INDUSTRY

### Application for Plan Approval and Permit for a Liquefied Petroleum Gas Facility

The Department of Labor and Industry (Department) publishes this notice of application under section 10 of the Propane and Liquefied Petroleum Gas Act (35 P.S. § 1329.10). The Department received an application for plan approval and permit from the following liquefied petroleum gas (LPG) facility: TE Products Pipeline Company (TEPPCO), Eagle Terminal Facility, 520 Milford Road, Upper Uwchlan, PA 19353.

The application is for adding 6 additional 30,000-gallon LPG storage tanks to the location. The addition of these 6 tanks would make a total of 18 30,000-gallon LPG storage tanks at the location. According to the application, the facility will have loading and offloading of transports and bobtails.

The due date for protests or comments concerning this application is 45 days after the date of this published notice. Parties that fail to file a timely protest will be barred from any participation in the application process. However, a municipality or county may submit written comments within 45 days after the date of publication of this notice.

Written protests or written comments should be sent to Charles J. Sludden, Jr., Director, Bureau of Occupational and Industrial Safety, Department of Labor and Industry, 1629 Labor and Industry Building, Harrisburg, PA 17120.

STEPHEN M. SCHMERIN,  
*Secretary*

[Pa.B. Doc. No. 04-1610. Filed for public inspection August 27, 2004, 9:00 a.m.]

## DEPARTMENT OF PUBLIC WELFARE

### Fee Increase for Select Obstetrical/Gynecological Services

The Department of Public Welfare (Department) announces that fees on the Medical Assistance (MA) Program Fee Schedule for deliveries and associated services performed by obstetricians/gynecologists (OB/GYN) will be increased, effective with dates of service on and after January 1, 2004.

This Commonwealth is currently experiencing a medical malpractice crisis that is creating a serious shortage of physicians. Obstetrics is one of the high-risk specialties most affected by the crisis. Obstetricians pay some of the highest malpractice insurance premiums in this Commonwealth. For example, in 2002 an obstetrician in Philadelphia insured with a major liability insurer would have paid approximately \$105,000 for primary and excess liability coverage of \$1.2 million. In 2004, that same physician paid approximately \$110,000 just for primary coverage. Obstetricians throughout this Commonwealth have experienced similar premium increases.

As a result of the significant increases in insurance premiums, many OB/GYNs have been unable to afford private insurance coverage. Some obstetricians have restricted their practices to gynecology while others have left this Commonwealth to practice elsewhere or ceased practicing medicine altogether. The decrease in the number of physicians and available services has a dramatic impact on MA patients. The MA Program pays for approximately 28% of all births in this Commonwealth.

As one of several initiatives that the Commonwealth has undertaken to address the medical malpractice crisis, to assure continued access to OB/GYN services, the Department will increase the MA fee for the following procedure codes on the MA Program Fee Schedule:

<i>Procedure Code</i>	<i>Description of Service</i>	<i>Current Fee</i>	<i>Increased Fee</i>
59410	Vaginal delivery only (with or without episiotomy and/or forceps); including postpartum care	\$800	\$1,200
59515	Cesarean delivery only; including postpartum care	\$800	\$1,200
59610	Routine obstetric care including antepartum care, vaginal delivery (with or without episiotomy and/or forceps) and postpartum care, after previous cesarean delivery	\$1,000	\$1,500
59612	Vaginal delivery only, after previous cesarean delivery (with or without episiotomy and/or forceps)	\$1,000	\$1,500
59614	Vaginal delivery only, after previous cesarean delivery (with or without episiotomy and/or forceps); including postpartum care	\$1,000	\$1,500
59618	Routine obstetric care including antepartum care, cesarean delivery and postpartum care, following attempted vaginal delivery after previous cesarean delivery	\$1,000	\$1,500
59620	Cesarean delivery only, following attempted vaginal delivery after previous cesarean delivery	\$1,000	\$1,500
59622	Cesarean delivery only, following attempted vaginal delivery after previous cesarean delivery; including postpartum care	\$1,000	\$1,500
W5953	Third trimester basic maternity care package	\$1,386	\$1,786
W5956	Third trimester high risk maternity care package	\$1,576	\$2,076
W5985	Second Trimester high risk maternity care package with delivery	\$1,525	\$2,025
W9969	Third trimester early delivery	\$1,550	\$2,050

#### *Fiscal Impact*

The estimated cost relating to Fiscal Year 2003-2004 is \$9.549 million (\$4.318 million in State funds). Of this amount, \$1.586 million (\$0.716 million in State funds) relates to the Outpatient Program while \$7.963 million (\$3.602 million in State funds) is for MA-Capitation services.

The estimated cost for Fiscal Year 2004-2005 is \$20.684 million (\$9.495 million in State funds). Of this amount, \$4.758 million (\$2.180 million in State funds) relates to the Outpatient Program while \$15.926 million (\$7.315 million in State funds) is for MA-Capitation services.

*Public Comment*

Interested persons are invited to submit written comments to this notice within 30 days of this publication to the Department of Public Welfare, Office of Medical Assistance Programs, c/o Deputy's Secretary Office, Attention: Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Comments will be considered in future revisions to the MA Program Fee Schedule. Persons with a disability may use the AT&T Relay Service, (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

ESTELLE B. RICHMAN,  
*Secretary*

**Fiscal Note:** 14-NOT-397. (1) General Fund;

	<i>Outpatient</i>	<i>Capitation</i>
(2) Implementing Year 2003-04 is	\$716,000	\$3,602,000
(3) 1st Succeeding Year 2004-05 is	\$2,180,000	\$7,315,000
2nd Succeeding Year 2005-06 is	\$2,191,000	\$7,351,000
3rd Succeeding Year 2006-07 is	\$2,191,000	\$7,351,000
4th Succeeding Year 2007-08 is	\$2,191,000	\$7,351,000
5th Succeeding Year 2008-09 is	\$2,191,000	\$7,351,000
	<i>Outpatient</i>	<i>Capitation</i>
(4) 2002-03 Program—	\$666,832,000	\$1,863,772,000
2001-02 Program—	\$705,750,000	\$1,711,084,000
2000-01 Program—	\$668,586,000	\$1,487,944,000

(7) Medical Assistance—Outpatient and Capitation; (8) recommends adoption. Costs for Fiscal Year 2003-04 have been included in Act 9-A of 2003, The First Supplemental General Appropriation Act of 2003. Costs for 2004-05 have been included in Act 7-A of 2004, the General Appropriation Act of 2004.

[Pa.B. Doc. No. 04-1611. Filed for public inspection August 27, 2004, 9:00 a.m.]

### **Medical Assistance Program Fee Schedule Revisions; Addition of Procedure Codes and Change in Payment Methodology for Anesthesia Services**

The purpose of this notice is to announce that the Department of Public Welfare (Department) will add procedure codes for anesthesia services to the Medical Assistance (MA) Program fee schedule and change the payment methodology for those services in the Fee-for-Service Program (program). The changes are effective with dates of service on and after July 1, 2004.

The procedure codes are being added to comply with Title II of the Health Insurance Portability and Accountability Act, and accompanying regulations, which require that the MA Program adopt national code sets for all procedures. See 42 U.S.C.A. §§ 1320d—1320d-8 and 45 CFR 160.101—160.312 and 162.1000—62.1011. The new procedure codes will also more accurately reflect the manner in which anesthesia care is delivered. To pay claims for the new procedure codes in the program, the Department will adopt a payment methodology that conforms to the Medicare method of reimbursement. The payment methodology was developed in consultation with the Pennsylvania Medical Society and the Pennsylvania Society of Anesthesiologists.

*Methodology*

To establish the fees for the new procedure codes for anesthesiology services, the Department will utilize 100% of the Pennsylvania-specific Medicare 2004 conversion factor, which is \$17.04. Fees will be established using the following pricing formula: (base unit assigned to each procedure code × conversion factor) + (conversion factor × time units). For select obstetrical anesthesia services (procedure codes 01960, 01961, 01962, 01963 and 01967), the Department will use the same pricing formula but will adjust the base units by adding four units to the

Medicare base units, to account for the particular manner in which these services are provided.

When submitting claims for payment, providers will report the time the procedure began and the time the procedure ended, in accordance with the Medicare definition of "anesthesia time." Anesthesia time is defined as the time during which an anesthesia practitioner is present with the patient. It starts when the anesthesia practitioner begins to prepare the patient for anesthesia services and ends when the anesthesia practitioner is no longer in personal attendance—that is, when the patient may safely be placed under postoperative supervision. See 42 CFR 414.46(a)(3). In the event that a surgery is cancelled following the beginning of anesthesia time, the anesthesiologist should report the actual number of minutes spent with the patient.

The Department will continue to pay for multiple surgeries in accordance with 55 Pa. Code § 1150.52(c) (relating to anesthesia services).

The new procedure codes for anesthesia services are as follows. The Department will publish the fees for the new procedure codes in an MA Bulletin that will be issued to providers before the effective date of the changes announced in this notice.

*Fiscal Impact*

The fiscal impact as a result of these changes is estimated at \$1.536 million in total funds (\$0.705 million in State funds and \$0.831 million in Federal funds) for Fiscal Year 2004-2005. The estimated cost for Fiscal Year 2005-2006 is \$1.843 million in total funds (\$0.851 million in State funds and \$0.992 million in Federal funds).

*Public Comment*

Interested persons are invited to submit written comments to this notice within 30 days of this publication to the Department of Public Welfare, Office of Medical Assistance Programs, c/o Deputy Secretary's Office, Atten-

tion: Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Persons with a disability may use the AT&T Relay Service, (800) 654-5984 (TDD users) or (800) 654-5988 (voice users). Comments will be considered in subsequent revisions to the fee schedule.

ESTELLE B. RICHMAN,  
*Secretary*

**Fiscal Note:** 14-NOT-395. (1) General Fund; (2) Implementing Year 2004-05 is \$705,000; (3) 1st Succeeding Year

2005-06 is \$851,000; 2nd Succeeding Year 2006-07 is \$851,000; 3rd Succeeding Year 2007-08 is \$851,000; 4th Succeeding Year 2008-09 is \$851,000; 5th Succeeding Year 2009-10 is \$851,000; (4) 2003-04 Program—\$727,979,000; 2002-03 Program—\$666,832,000; 2001-02 Program—\$705,750,000; (7) Medical Assistance—Outpatient; (8) recommends adoption. The costs outlined have been included in the General Appropriation Act of 2004 (Act 7A).

#### Anesthesia Procedure Codes Chart—2004

<i>Code</i>	<i>Description (CPT)</i>	<i>Base Units</i>	<i>Place of Service</i>	<i>PVR Type</i>
00100	Anesthesia for procedures on salivary glands, including biopsy	5	21, 24	31, 32
00102	Anesthesia for procedures on plastic repair of cleft lip	6	21, 24	31, 32
00103	Anesthesia for reconstructive procedures of eyelid (for example, blepharoplasty, ptosis surgery)	5	21, 24	31, 32
00104	Anesthesia for electroconvulsive therapy	4	21, 24	31, 32
00120	Anesthesia for procedures on external, middle and inner ear including biopsy; not otherwise specified	5	21, 24	31, 32
00124	Anesthesia for procedures on external, middle and inner ear including biopsy; otoscopy	4	21, 24	31, 32
00126	Anesthesia for procedures on external, middle and inner ear including biopsy; tympanotomy	4	21, 24	31, 32
00140	Anesthesia for procedures on eye; not otherwise specified	5	21, 24	31, 32
00142	Anesthesia for procedures on eye; lens surgery	4	21, 24	31, 32
00144	Anesthesia for procedures on eye; corneal transplant	6	21, 24	31, 32
00145	Anesthesia for procedures on eye; vitreoretinal surgery	6	21, 24	31, 32
00147	Anesthesia for procedures on eye; iridectomy	4	21, 24	31, 32
00148	Anesthesia for procedures on eye; ophthalmoscopy	4	21, 24	31, 32
00160	Anesthesia for procedures on nose and accessory sinuses; not otherwise specified	5	21, 24	31, 32
00162	Anesthesia for procedures on nose and accessory sinuses; radical surgery	7	21, 24	31, 32
00164	Anesthesia for procedures on nose and accessory sinuses; biopsy, soft tissue	4	21, 24	31, 32
00170	Anesthesia for intraoral procedures, including biopsy; not otherwise specified	5	21, 24	31, 32
00172	Anesthesia for intraoral procedures, including biopsy; repair of cleft palate	6	21, 24	31, 32
00174	Anesthesia for intraoral procedures, including biopsy; excision of retropharyngeal tumor	6	21, 24	31, 32
00176	Anesthesia for intraoral procedures, including biopsy; radical surgery	7	21, 24	31, 32
00190	Anesthesia for procedures on facial bones or skull; not otherwise specified	5	21, 24	31, 32
00192	Anesthesia for procedures on facial bones or skull; radical surgery (including prognathism)	7	21, 24	31, 32
00210	Anesthesia for intracranial procedures; not otherwise specified	11	21	31, 32
00212	Anesthesia for intracranial procedures; subdural taps	5	21	31, 32
00214	Anesthesia for intracranial procedures; burr holes, including ventriculography	9	21	31, 32
00215	Anesthesia for intracranial procedures; cranioplasty or elevation of depressed skull fracture, extradural (simple or compound)	9	21	31, 32
00216	Anesthesia for intracranial procedures; vascular procedures	15	21	31, 32
00218	Anesthesia for intracranial procedures; procedures in sitting position	13	21	31, 32

<i>Code</i>	<i>Description (CPT)</i>	<i>Base Units</i>	<i>Place of Service</i>	<i>PVR Type</i>
00220	Anesthesia for intracranial procedures; cerebrospinal fluid shunting procedures	10	21	31, 32
00222	Anesthesia for intracranial procedures; electrocoagulation of intracranial nerve	6	21	31, 32
00300	Anesthesia for all procedures on the integumentary system, muscles and nerves of head, neck and posterior trunk, not otherwise specified	5	21, 24	31, 32
00320	Anesthesia for all procedures on esophagus, thyroid, larynx, trachea and lymphatic system of neck; not otherwise specified, age 1 year or older	6	21, 24	31, 32
00322	Anesthesia for all procedures on esophagus, thyroid, larynx, trachea and lymphatic system of neck; needle biopsy of thyroid	3	21, 24	31, 32
00326	Anesthesia for all procedures on the larynx and trachea in children less than 1 year of age	7	21, 24	31, 32
00350	Anesthesia for procedures on major vessels of neck; not otherwise specified	10	21	31, 32
00352	Anesthesia for procedures on major vessels of neck; simple ligation	5	21	31, 32
00400	Anesthesia for procedures on the integumentary system on the extremities, anterior trunk and perineum; not otherwise specified	3	21, 24	31, 32
00402	Anesthesia for procedures on the integumentary system on the extremities, anterior trunk and perineum; reconstructive procedures on breast (for example, reduction or augmentation mammoplasty, muscle flaps)	5	21, 24	31, 32
00404	Anesthesia for procedures on the integumentary system on the extremities, anterior trunk and perineum; radical or modified radical procedures on breast	5	21, 24	31, 32
00406	Anesthesia for procedures on the integumentary system on the extremities, anterior trunk and perineum; radical or modified radical procedures on breast with internal mammary node dissection	13	21, 24	31, 32
00410	Anesthesia for procedures on the integumentary system on the extremities, anterior trunk and perineum; electrical conversion of arrhythmias	4	21, 24	31, 32
00450	Anesthesia for procedures on clavicle and scapula; not otherwise specified	5	21, 24	31, 32
00452	Anesthesia for procedures on clavicle and scapula; radical surgery	6	21	31, 32
00454	Anesthesia for procedures on clavicle and scapula; biopsy of clavicle	3	21, 24	31, 32
00470	Anesthesia for partial rib resection; not otherwise specified	6	21	31, 32
00472	Anesthesia for partial rib resection; thoracoplasty (any type)	10	21	31, 32
00474	Anesthesia for partial rib resection; radical procedures (for example, pectus excavatum)	13	21	31, 32
00500	Anesthesia for all procedures on esophagus	15	21, 24	31, 32
00520	Anesthesia for closed chest procedures; (including bronchoscopy) not otherwise specified	6	21, 24	31, 32
00522	Anesthesia for closed chest procedures; needle biopsy of pleura	4	21, 24	31, 32
00524	Anesthesia for closed chest procedures; pneumocentesis	4	21, 24	31, 32
00528	Anesthesia for closed chest procedures; mediastinoscopy and diagnostic thoracoscopy not utilizing one lung ventilation	8	21, 24	31, 32
00529	Anesthesia for closed chest procedures; mediastinoscopy and diagnostic thoracoscopy utilizing one lung ventilation	11	21	31, 32
00530	Anesthesia for permanent transvenous pacemaker insertion	4	21, 24	31, 32
00532	Anesthesia for access to central venous circulation	4	21, 24	31, 32
00534	Anesthesia for transvenous insertion or replacement of pacing cardioverter/defibrillator	7	21, 24	31, 32
00537	Anesthesia for cardiac electrophysiologic procedures including radiofrequency ablation	7	21, 24	31, 32
00539	Anesthesia for tracheobronchial reconstruction	18	21	31, 32

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<i>Code</i>	<i>Description (CPT)</i>	<i>Base Units</i>	<i>Place of Service</i>	<i>PVR Type</i>
00540	Anesthesia for thoracotomy procedures involving lungs, pleura, diaphragm and mediastinum (including surgical thorascoscopy); not otherwise specified	12	21	31, 32
00541	Anesthesia for thoracotomy procedures involving lungs, pleura, diaphragm and mediastinum (including surgical thorascoscopy); utilizing one lung ventilation	15	21	31, 32
00542	Anesthesia for thoracotomy procedures involving lungs, pleura, diaphragm and mediastinum (including surgical thorascoscopy); decortication	15	21	31, 32
00546	Anesthesia for thoracotomy procedures involving lungs, pleura, diaphragm and mediastinum (including surgical thorascoscopy); pulmonary resection with thoracoplasty	15	21	31, 32
00548	Anesthesia for thoracotomy procedures involving lungs, pleura, diaphragm and mediastinum (including surgical thorascoscopy); intrathoracic procedures on the trachea and bronchi	17	21	31, 32
00550	Anesthesia for sternal debridement	10	21	31, 32
00560	Anesthesia for procedures on heart, pericardial sac and great vessels of chest; without pump oxygenator	15	21	31, 32
00562	Anesthesia for procedures on heart, pericardial sac and great vessels of chest; with pump oxygenator	20	21	31, 32
00563	Anesthesia for procedures on heart, pericardial sac and great vessels of chest; with pump oxygenator with hypothermic circulatory arrest	25	21	31, 32
00566	Anesthesia for direct coronary artery bypass grafting without pump oxygenator	25	21	31, 32
00580	Anesthesia for heart transplant or heart/lung transplant	20	21	31, 32
00600	Anesthesia for procedures on cervical spine and cord; not otherwise specified	10	21, 24	31, 32
00604	Anesthesia for procedures on cervical spine and cord; procedures with patient in the sitting position	13	21, 24	31, 32
00620	Anesthesia for procedures on thoracic spine and cord; not otherwise specified	10	21, 24	31, 32
00622	Anesthesia for procedures on thoracic spine and cord; thoracolumbar sympathectomy	13	21, 24	31, 32
00630	Anesthesia for procedures in lumbar region; not otherwise specified	8	21, 24	31, 32
00632	Anesthesia for procedures in lumbar region; lumbar sympathectomy	7	21, 24	31, 32
00634	Anesthesia for procedures in lumbar region; chemonucleolysis	10	21, 24	31, 32
00635	Anesthesia for procedures in lumbar region; diagnostic or therapeutic lumbar puncture	4	21, 24	31, 32
00640	Anesthesia for manipulation of the spine or for closed procedures on the cervical, thoracic or lumbar spine	3	21, 24	31, 32
00670	Anesthesia for extensive spine and spinal cord procedures (for example, spinal instrumentation or vascular procedures)	13	21	31, 32
00700	Anesthesia for procedures on upper anterior abdominal wall; not otherwise specified	4	21, 24	31, 32
00702	Anesthesia for procedures on upper anterior abdominal wall; percutaneous liver biopsy	4	21, 24	31, 32
00730	Anesthesia for procedures on upper posterior abdominal wall	5	21, 24	31, 32
00740	Anesthesia for upper gastrointestinal endoscopic procedures, endoscope introduced proximal to duodenum	5	21, 24	31, 32
00750	Anesthesia for hernia repairs in upper abdomen; not otherwise specified	4	21, 24	31, 32
00752	Anesthesia for hernia repairs in upper abdomen; lumbar and ventral (incisional) hernias and/or wound dehiscence	6	21, 24	31, 32
00754	Anesthesia for hernia repairs in upper abdomen; omphalocele	7	21, 24	31, 32
00756	Anesthesia for hernia repairs in upper abdomen; transabdominal repair of diaphragmatic hernia	7	21, 24	31, 32



<i>Code</i>	<i>Description (CPT)</i>	<i>Base Units</i>	<i>Place of Service</i>	<i>PVR Type</i>
00770	Anesthesia for all procedures on major abdominal blood vessels	15	21	31, 32
00790	Anesthesia for intraperitoneal procedures in upper abdomen including laparoscopy; not otherwise specified	7	21, 24	31, 32
00792	Anesthesia for intraperitoneal procedures in upper abdomen including laparoscopy; partial hepatectomy or management of liver hemorrhage (excluding liver biopsy)	13	21	31, 32
00794	Anesthesia for intraperitoneal procedures in upper abdomen including laparoscopy; pancreatectomy, partial or total (for example, Whipple procedure)	8	21	31, 32
00796	Anesthesia for intraperitoneal procedures in upper abdomen including laparoscopy; liver transplant (recipient)	30	21	31, 32
00797	Anesthesia for intraperitoneal procedures in upper abdomen including laparoscopy; gastric restrictive procedure for morbid obesity	8	21	31, 32
00800	Anesthesia for procedures on lower anterior abdominal wall; not otherwise specified	4	21, 24	31, 32
00802	Anesthesia for procedures on lower anterior abdominal wall; panniculectomy	5	21, 24	31, 32
00810	Anesthesia for lower intestinal endoscopic procedures, endoscope introduced distal to duodenum	5	21, 24	31, 32
00820	Anesthesia for procedures on lower posterior abdominal wall	5	21, 24	31, 32
00830	Anesthesia for hernia repairs in lower abdomen; not otherwise specified	4	21, 24	31, 32
00832	Anesthesia for hernia repairs in lower abdomen; ventral and incisional hernias	6	21, 24	31, 32
00834	Anesthesia for hernia repairs in the lower abdomen not otherwise specified, under 1 year of age	5	21, 24	31, 32
00836	Anesthesia for hernia repairs in the lower abdomen not otherwise specified, infants less than 37 weeks gestational age at birth and less than 50 weeks gestational age at time of surgery	6	21, 24	31, 32
00840	Anesthesia for intraperitoneal procedures in lower abdomen including laparoscopy; not otherwise specified	6	21, 24	31, 32
00842	Anesthesia for intraperitoneal procedures in lower abdomen including laparoscopy; amniocentesis	4	21, 24	31, 32
00844	Anesthesia for intraperitoneal procedures in lower abdomen including laparoscopy; abdominoperineal resection	7	21	31, 32
00846	Anesthesia for intraperitoneal procedures in lower abdomen including laparoscopy; radical hysterectomy	8	21	31, 32
00848	Anesthesia for intraperitoneal procedures in lower abdomen including laparoscopy; pelvic exenteration	8	21	31, 32
00851	Anesthesia for intraperitoneal procedures in lower abdomen including laparoscopy; tubal ligation/transection	6	21, 24	31, 32
00860	Anesthesia for extraperitoneal procedures in lower abdomen, including urinary tract; not otherwise specified	6	21, 24	31, 32
00862	Anesthesia for extraperitoneal procedures in lower abdomen, including urinary tract; renal procedures, including upper 1/3 of ureter or donor nephrectomy	7	21, 24	31, 32
00864	Anesthesia for extraperitoneal procedures in lower abdomen, including urinary tract; total cystectomy	8	21	31, 32
00865	Anesthesia for extraperitoneal procedures in lower abdomen, including urinary tract; radical prostatectomy (suprapubic, retropubic)	7	21	31, 32
00866	Anesthesia for extraperitoneal procedures in lower abdomen, including urinary tract; adrenalectomy	10	21	31, 32
00868	Anesthesia for extraperitoneal procedures in lower abdomen, including urinary tract; renal transplant (recipient)	10	21	31, 32
00870	Anesthesia for extraperitoneal procedures in lower abdomen, including urinary tract; cystolithotomy	5	21, 24	31, 32
00872	Anesthesia for lithotripsy, extracorporeal shock wave; with water bath	7	21, 24	31, 32

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<i>Code</i>	<i>Description (CPT)</i>	<i>Base Units</i>	<i>Place of Service</i>	<i>PVR Type</i>
00873	Anesthesia for lithotripsy, extracorporeal shock wave; without water bath	5	21, 24	31, 32
00880	Anesthesia for procedures on major lower abdominal vessels; not otherwise specified	15	21	31, 32
00882	Anesthesia for procedures on major lower abdominal vessels; inferior vena cava ligation	10	21	31, 32
00902	Anesthesia for; anorectal procedure	5	21, 24	31, 32
00904	Anesthesia for; radical perineal procedure	7	21	31, 32
00906	Anesthesia for; vulvectomy	4	21	31, 32
00908	Anesthesia for; perineal prostatectomy	6	21	31, 32
00910	Anesthesia for transurethral procedures (including urethroscopy); not otherwise specified	3	21, 24	31, 32
00912	Anesthesia for transurethral procedures (including urethroscopy); transurethral resection of bladder tumors	5	21, 24	31, 32
00914	Anesthesia for transurethral procedures (including urethroscopy); transurethral resection of prostate	5	21, 24	31, 32
00916	Anesthesia for transurethral procedures (including urethroscopy); post-transurethral resection bleeding	5	21, 24	31, 32
00918	Anesthesia for transurethral procedures (including urethroscopy); with fragmentation, manipulation and/or removal of ureteral calculus	5	21, 24	31, 32
00920	Anesthesia for procedures on male genitalia (including open urethral procedures); not otherwise specified	3	21, 24	31, 32
00921	Anesthesia for procedures on male genitalia (including open urethral procedures); vasectomy, unilateral/bilateral	3	21, 24	31, 32
00922	Anesthesia for procedures on male genitalia (including open urethral procedures); seminal vesicles	6	21, 24	31, 32
00924	Anesthesia for procedures on male genitalia (including open urethral procedures); undescended testis, unilateral or bilateral	4	21, 24	31, 32
00926	Anesthesia for procedures on male genitalia (including open urethral procedures); radical orchiectomy, inguinal	4	21	31, 32
00928	Anesthesia for procedures on male genitalia (including open urethral procedures); radical orchiectomy, abdominal	6	21	31, 32
00930	Anesthesia for procedures on male genitalia (including open urethral procedures); orchiopexy, unilateral or bilateral	4	21, 24	31, 32
00932	Anesthesia for procedures on male genitalia (including open urethral procedures); complete amputation of penis	4	21, 24	31, 32
00934	Anesthesia for procedures on male genitalia (including open urethral procedures); radical amputation of penis with bilateral inguinal lymphadenectomy	6	21	31, 32
00936	Anesthesia for procedures on male genitalia (including open urethral procedures); radical amputation of penis with bilateral inguinal and iliac lymphadenectomy	8	21	31, 32
00938	Anesthesia for procedures on male genitalia (including open urethral procedures); insertion of penile prosthesis (perineal approach)	4	21, 24	31, 32
00940	Anesthesia for vaginal procedures (including biopsy of labia, vagina, cervix or endometrium); not otherwise specified	3	21, 24	31, 32
00942	Anesthesia for vaginal procedures (including biopsy of labia, vagina, cervix or endometrium); colpotomy, vaginectomy, colporrhaphy and open urethral procedures	4	21	31, 32
00944	Anesthesia for vaginal procedures (including biopsy of labia, vagina, cervix or endometrium); vaginal hysterectomy	6	21, 24	31, 32
00948	Anesthesia for vaginal procedures (including biopsy of labia, vagina, cervix or endometrium); cervical cerclage	4	21, 24	31, 32
00950	Anesthesia for vaginal procedures (including biopsy of labia, vagina, cervix or endometrium); culdoscopy	5	21, 24	31, 32

<i>Code</i>	<i>Description (CPT)</i>	<i>Base Units</i>	<i>Place of Service</i>	<i>PVR Type</i>
00952	Anesthesia for vaginal procedures (including biopsy of labia, vagina, cervix or endometrium); hysteroscopy and/or hysterosalpingography	4	21, 24	31, 32
01112	Anesthesia for bone marrow aspiration and/or biopsy, anterior or posterior iliac crest	5	21, 24	31, 32
01120	Anesthesia for procedures on bony pelvis	6	21, 24	31, 32
01130	Anesthesia for body cast application or revision	3	21, 24	31, 32
01140	Anesthesia for interpelviabdominal (hindquarter) amputation	15	21	31, 32
01150	Anesthesia for radical procedures for tumor of pelvis, except hindquarter amputation	10	21	31, 32
01160	Anesthesia for closed procedures involving symphysis pubis or sacroiliac joint	4	21, 24	31, 32
01170	Anesthesia for open procedures involving symphysis pubis or sacroiliac joint	8	21	31, 32
01173	Anesthesia for open repair of fracture disruption of pelvis or column fracture involving acetabulum	12	21 21	31 32
01180	Anesthesia for obturator neurectomy; extrapelvic	3	21, 24	31, 32
01190	Anesthesia for obturator neurectomy; intrapelvic	4	21, 24	31, 32
01200	Anesthesia for all closed procedures involving hip joint	4	21, 24	31, 32
01202	Anesthesia for arthroscopic procedures of hip joint	4	21, 24	31, 32
01210	Anesthesia for open procedures involving hip joint; not otherwise specified	6	21	31, 32
01212	Anesthesia for open procedures involving hip joint; hip disarticulation	10	21	31, 32
01214	Anesthesia for open procedures involving hip joint; total hip arthroplasty	8	21	31, 32
01215	Anesthesia for open procedures involving hip joint; revision of total hip arthroplasty	10	21	31, 32
01220	Anesthesia for all closed procedures involving upper 2/3 of femur	4	21, 24	31, 32
01230	Anesthesia for open procedures involving upper 2/3 of femur; not otherwise specified	6	21	31, 32
01232	Anesthesia for open procedures involving upper 2/3 of femur; amputation	5	21	31, 32
01234	Anesthesia for open procedures involving upper 2/3 of femur; radical resection	8	21	31, 32
01250	Anesthesia for all procedures on nerves, muscles, tendons, fascia and bursa of upper leg	4	21, 24	31, 32
01260	Anesthesia for all procedures involving veins of upper leg, including exploration	3	21, 24	31, 32
01270	Anesthesia for procedures involving arteries of upper leg, including bypass graft; not otherwise specified	8	21	31, 32
01272	Anesthesia for procedures involving arteries of upper leg, including bypass graft; femoral artery ligation	4	21	31, 32
01274	Anesthesia for procedures involving arteries of upper leg, including bypass graft; femoral artery embolectomy	6	21	31, 32
01320	Anesthesia for all procedures on nerves, muscles, tendons, fascia and bursa of knee and/or popliteal area	4	21, 24	31, 32
01340	Anesthesia for all closed procedures on lower 1/3 of femur	4	21, 24	31, 32
01360	Anesthesia for all open procedures on lower 1/3 of femur	5	21	31, 32
01380	Anesthesia for all closed procedures on knee joint	3	21, 24	31, 32
01382	Anesthesia for diagnostic arthroscopic procedures of knee joint	3	21, 24	31, 32
01390	Anesthesia for all closed procedures on upper ends of tibia, fibula and/or patella	3	21, 24	31, 32
01392	Anesthesia for all open procedures on upper ends of tibia, fibula and/or patella	4	21, 24	31, 32

## NOTICES

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<i>Code</i>	<i>Description (CPT)</i>	<i>Base Units</i>	<i>Place of Service</i>	<i>PVR Type</i>
01400	Anesthesia for open or surgical arthroscopic procedures on knee joint; not otherwise specified	4	21, 24	31, 32
01402	Anesthesia for open or surgical arthroscopic procedures on knee joint; total knee arthroplasty	7	21	31, 32
01404	Anesthesia for open or surgical arthroscopic procedures on knee joint; disarticulation at knee	5	21, 24	31, 32
01420	Anesthesia for all cast applications, removal or repair involving knee joint	3	21, 24	31, 32
01430	Anesthesia for procedures on veins of knee and popliteal area; not otherwise specified	3	21, 24	31, 32
01432	Anesthesia for procedures on veins of knee and popliteal area; arteriovenous fistula	6	21	31, 32
01440	Anesthesia for procedures on arteries of knee and popliteal area; not otherwise specified	8	21	31, 32
01442	Anesthesia for procedures on arteries of knee and popliteal area; popliteal thromboendarterectomy, with or without patch graft	8	21	31, 32
01444	Anesthesia for procedures on arteries of knee and popliteal area; popliteal excision and graft or repair for occlusion or aneurysm	8	21	31, 32
01462	Anesthesia for all closed procedures on lower leg, ankle and foot	3	21, 24	31, 32
01464	Anesthesia for arthroscopic procedures of ankle and/or foot	3	21, 24	31, 32
01470	Anesthesia for procedures on nerves, muscles, tendons and fascia of lower leg, ankle and foot; not otherwise specified	3	21, 24	31, 32
01472	Anesthesia for procedures on nerves, muscles, tendons and fascia of lower leg, ankle and foot; repair of ruptured Achilles tendon, with or without graft	5	21, 24	31, 32
01474	Anesthesia for procedures on nerves, muscles, tendons and fascia of lower leg, ankle and foot; gastrocnemius recession (for example, Strayer procedure)	5	21, 24	31, 32
01480	Anesthesia for open procedures on bones of lower leg, ankle and foot; not otherwise specified	3	21, 24	31, 32
01482	Anesthesia for open procedures on bones of lower leg, ankle and foot; radical resection (including below knee amputation)	4	21	31, 32
01484	Anesthesia for open procedures on bones of lower leg, ankle and foot; osteotomy or osteoplasty of tibia and/or fibula	4	21	31, 32
01486	Anesthesia for open procedures on bones of lower leg, ankle and foot; total ankle replacement	7	21	31, 32
01490	Anesthesia for lower leg cast application, removal or repair	3	21, 24	31, 32
01500	Anesthesia for procedures on arteries of lower leg, including bypass graft; not otherwise specified	8	21	31, 32
01502	Anesthesia for procedures on arteries of lower leg, including bypass graft; embolectomy, direct or catheter	6	21	31, 32
01520	Anesthesia for procedures on veins of lower leg; not otherwise specified	3	21, 24	31, 32
01522	Anesthesia for procedures on veins of lower leg; venous thrombectomy, direct or catheter	5	21, 24	31, 32
01610	Anesthesia for all procedures on nerves, muscles, tendons, fascia and bursa of shoulder and axilla	5	21, 24	31, 32
01620	Anesthesia for all closed procedures on humeral head and neck, sternoclavicular joint, acromioclavicular joint and shoulder joint	4	21, 24	31, 32
01622	Anesthesia for diagnostic arthroscopic procedures of shoulder joint	4	21, 24	31, 32
01630	Anesthesia for open or surgical arthroscopic procedures on humeral head and neck, sternoclavicular joint, acromioclavicular joint and shoulder joint; not otherwise specified	5	21, 24	31, 32
01632	Anesthesia for open or surgical arthroscopic procedures on humeral head and neck, sternoclavicular joint, acromioclavicular joint and shoulder joint; radical resection	6	21	31, 32

<i>Code</i>	<i>Description (CPT)</i>	<i>Base Units</i>	<i>Place of Service</i>	<i>PVR Type</i>
01634	Anesthesia for open or surgical arthroscopic procedures on humeral head and neck, sternoclavicular joint, acromioclavicular joint and shoulder joint; shoulder disarticulation	9	21	31, 32
01636	Anesthesia for open or surgical arthroscopic procedures on humeral head and neck, sternoclavicular joint, acromioclavicular joint and shoulder joint; interthoracoscapular (forequarter) amputation	15	21	31, 32
01638	Anesthesia for open or surgical arthroscopic procedures on humeral head and neck, sternoclavicular joint, acromioclavicular joint and shoulder joint; total shoulder replacement	10	21	31, 32
01650	Anesthesia for procedures on arteries of shoulder and axilla; not otherwise specified	6	21	31, 32
01652	Anesthesia for procedures on arteries of shoulder and axilla; axillary-brachial aneurysm	10	21	31, 32
01654	Anesthesia for procedures on arteries of shoulder and axilla; bypass graft	8	21	31, 32
01656	Anesthesia for procedures on arteries of shoulder and axilla; axillary-femoral bypass graft	10	21	31, 32
01670	Anesthesia for all procedures on veins of shoulder and axilla	4	21, 24	31, 32
01680	Anesthesia for shoulder cast application, removal or repair; not otherwise specified	3	21, 24	31, 32
01682	Anesthesia for shoulder cast application, removal or repair; shoulder spica	4	21, 24	31, 32
01710	Anesthesia for procedures on nerves, muscles, tendons, fascia and bursa of upper arm and elbow; not otherwise specified	3	21, 24	31, 32
01712	Anesthesia for procedures on nerves, muscles, tendons, fascia and bursa of upper arm and elbow; tenotomy, elbow to shoulder, open	5	21, 24	31, 32
01714	Anesthesia for procedures on nerves, muscles, tendons, fascia and bursa of upper arm and elbow; tenoplasty, elbow to shoulder	5	21, 24	31, 32
01716	Anesthesia for procedures on nerves, muscles, tendons, fascia and bursa of upper arm and elbow; tenodesis, rupture of long tendon of biceps	5	21	31, 32
01730	Anesthesia for all closed procedures on humerus and elbow	3	21, 24	31, 32
01732	Anesthesia for diagnostic arthroscopic procedures of elbow joint	3	21, 24	31, 32
01740	Anesthesia for open or surgical arthroscopic procedures of the elbow; not otherwise specified	4	21, 24	31, 32
01742	Anesthesia for open or surgical arthroscopic procedures of the elbow; osteotomy of humerus	5	21, 24	31, 32
01744	Anesthesia for open or surgical arthroscopic procedures of the elbow; repair of nonunion or malunion of humerus	5	21, 24	31, 32
01756	Anesthesia for open or surgical arthroscopic procedures of the elbow; radical procedures	6	21, 24	31, 32
01758	Anesthesia for open or surgical arthroscopic procedures of the elbow; excision of cyst or tumor of humerus	5	21, 24	31, 32
01760	Anesthesia for open or surgical arthroscopic procedures of the elbow; total elbow replacement	7	21	31, 32
01770	Anesthesia for procedures on arteries of upper arm and elbow; not otherwise specified	6	21, 24	31, 32
01772	Anesthesia for procedures on arteries of upper arm and elbow; embolectomy	6	21, 24	31, 32
01780	Anesthesia for procedures on veins of upper arm and elbow; not otherwise specified	3	21, 24	31, 32
01782	Anesthesia for procedures on veins of upper arm and elbow; phleborrhaphy	4	21, 24	31, 32
01810	Anesthesia for all procedures on nerves, muscles, tendons, fascia and bursa of forearm, wrist and hand	3	21, 24	31, 32
01820	Anesthesia for all closed procedures on radius, ulna, wrist or hand bones	3	21, 24	31, 32

<i>Code</i>	<i>Description (CPT)</i>	<i>Base Units</i>	<i>Place of Service</i>	<i>PVR Type</i>
01829	Anesthesia for diagnostic arthroscopic procedures on the wrist	3	21, 24	31, 32
01830	Anesthesia for open or surgical arthroscopic/endoscopic procedures on distal radius, distal ulna, wrist or hand joints; not otherwise specified	3	21, 24	31, 32
01832	Anesthesia for open or surgical arthroscopic/endoscopic procedures on distal radius, distal ulna, wrist or hand joints; total wrist replacement	6	21, 24	31, 32
01840	Anesthesia for procedures on arteries of forearm, wrist and hand; not otherwise specified	6	21, 24	31, 32
01842	Anesthesia for procedures on arteries of forearm, wrist and hand; embolectomy	6	21, 24	31, 32
01844	Anesthesia for vascular shunt or shunt revision, any type (for example, dialysis)	6	21, 24	31, 32
01850	Anesthesia for procedures on veins of forearm, wrist and hand; not otherwise specified	3	21, 24	31, 32
01852	Anesthesia for procedures on veins of forearm, wrist and hand; phleborrhaphy	4	21, 24	31, 32
01860	Anesthesia for forearm, wrist or hand cast application, removal or repair	3	21, 24, 99	31, 32
01905	Anesthesia for myelography, diskography, vertebroplasty	5	21, 24, 99	31, 32
01916	Anesthesia for diagnostic arteriography/venography	5	21, 24, 99	31, 32
01920	Anesthesia for cardiac catheterization including coronary angiography and ventriculography (not to include Swan-Ganz catheter)	7	21, 24, 99	31, 32
01922	Anesthesia for non-invasive imaging or radiation therapy	7	21, 24, 99	31, 32
01924	Anesthesia for therapeutic interventional radiologic procedures involving the arterial system; not otherwise specified	5	21, 24, 99	31, 32
01925	Anesthesia for therapeutic interventional radiologic procedures involving the arterial system; carotid or coronary	7	21, 24, 99	31, 32
01926	Anesthesia for therapeutic interventional radiologic procedures involving the arterial system; intracranial, intracardiac or aortic	8	21, 24, 99	31, 32
01930	Anesthesia for therapeutic interventional radiologic procedures involving the venous/lymphatic system (not to include access to the central circulation); not otherwise specified	5	21, 24, 99	31, 32
01931	Anesthesia for therapeutic interventional radiologic procedures involving the venous/lymphatic system (not to include access to the central circulation); intrahepatic or portal circulation (for example, transcutaneous porto-caval shunt (TIPS))	7	21, 24, 99	31, 32
01932	Anesthesia for therapeutic interventional radiologic procedures involving the venous/lymphatic system (not to include access to the central circulation); intrathoracic or jugular	6	21, 24, 99	31, 32
01933	Anesthesia for therapeutic interventional radiologic procedures involving the venous/lymphatic system (not to include access to the central circulation); intracranial	7	21, 24, 99	31, 32
01951	Anesthesia for second and third degree burn excision or debridement with or without skin grafting, any site, for TBSA treated during anesthesia and surgery; less than 4% TBSA	3	21, 24	31, 32
01952	Anesthesia for second and third degree burn excision or debridement with or without skin grafting, any site, for TBSA treated during anesthesia and surgery; between 4% and 9% of TBSA	5	21	31, 32
01953	Anesthesia for second and third degree burn excision or debridement with or without skin grafting, any site, for TBSA treated during anesthesia and surgery; each additional 9% TBSA or part thereof (list separately in addition to code for primary procedure)	1	21	31, 32
01958	Anesthesia for external cephalic version procedure	5	21, 24	31, 32
01960	Anesthesia for vaginal delivery only	9	21	31, 32
01961	Anesthesia for cesarean delivery only	11	21	31, 32
01962	Anesthesia for urgent hysterectomy following delivery	12	21	31, 32

<i>Code</i>	<i>Description (CPT)</i>	<i>Base Units</i>	<i>Place of Service</i>	<i>PVR Type</i>
01963	Anesthesia for cesarean hysterectomy without any labor analgesia/anesthesia care	12	21	31, 32
01964	Anesthesia for abortion procedures	4	21, 24	31, 32
01967	Neuraxial labor analgesia/anesthesia for planned vaginal delivery (this includes any repeat subarachnoid needle placement and drug injection and/or any necessary replacement of an epidural catheter during labor)	9	21	31, 32
01968	Anesthesia for cesarean delivery following neuraxial labor analgesia/anesthesia (List separately in addition to code for primary procedure performed)	2	21	31, 32
01969	Anesthesia for cesarean hysterectomy following neuraxial labor analgesia/anesthesia (List separately in addition to code for primary procedure performed)	5	21	31, 32
01991	Anesthesia for diagnostic or therapeutic nerve blocks and injections (when block or injection is performed by a different provider); other than the prone position	3	21, 24	31, 32
01992	Anesthesia for diagnostic or therapeutic nerve blocks and injections (when block or injection is performed by a different provider); prone position	5	21, 24	31, 32

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### Medical Assistance Program Fee Schedule Revisions; 2003 HCPCS Updates; Prior Authorization Requirements

By this notice, the Department of Public Welfare (Department) announces several changes to the Medical Assistance (MA) Program Fee Schedule and accompanying prior authorization requirements.

#### Fee Schedule Revisions

The Department is adding and end dating procedure codes as a result of implementing the 2003 updates made by the Centers for Medicare and Medicaid Services to the Healthcare Common Procedure Coding System (HCPCS). The 2003 HCPCS codes are effective for dates of service on and after January 1, 2004.

In addition to the HCPCS updates, the Department is adding procedure code G0234 with effective dates of service on and after July 1, 2004. Procedure code G0234 is being added because the Department has received a significant number of requests for that service through the program exception process authorized by 55 Pa. Code § 1150.63 (relating to waivers).

Effective with dates of service on and after July 1, 2004, the Department is revising the fees for several

existing procedure codes. Specifically, the Department is adjusting the fees for the following existing procedure codes for neonatal and pediatric services so that payment rates for these procedure codes remain consistent with payment rates for the procedure codes added as a result of the HCPCS updates:

99295	Old Fee: \$450	New Fee: \$703.91
99296	Old Fee: \$230	New Fee: \$309.43
99298	Old Fee: \$80	New Fee: \$108.56

In addition, the Department is reducing the fee for procedure code 58611 to reflect an appropriate payment rate to comply with the State Plan requirement that Pennsylvania Medicaid fees not exceed Medicare reimbursement fees:

58611 (surgeon)	Old Fee: \$876	New Fee: \$74.91
58611 (asst. surgeon)	Old Fee: \$175.20	New Fee: \$14.86

Fees for the added procedure codes will be published in a Medical Assistance Bulletin that will be issued to all providers within a few weeks.

#### Prior Authorization Requirements

The following new HCPCS procedure codes are for items of durable medical equipment that cost more than \$100 and therefore are subject to prior authorization under 62 P. S. § 443.6(b)(2):

A7025	High frequency chest wall oscillation system vest, replacement for use with patient owned equipment, each
A7030	Full face mask used with positive airway pressure device, each
E0117	Crutch, underarm, articulating, spring assisted, each
E0701	Helmet with face guard and soft interface material, prefabricated
E1012	Integrated seating system, planar, for pediatric wheelchair
E1013	Integrated seating system, contoured, for pediatric wheelchair
E1014	Reclining back, addition to pediatric wheelchair
E1016	Shock absorber for power wheelchair, each
E1020	"Residual limb support system for wheelchair"
E1161	Manual adult size wheelchair, includes tilt in space

- E1235 Wheelchair, pediatric size, rigid, adjustable, with seating system
- E1236 Wheelchair, pediatric size, folding, adjustable, with seating system
- E1237 Wheelchair, pediatric size, rigid, adjustable, without seating system
- E1238 Wheelchair, pediatric size, folding, adjustable, without seating system
- L0450 TLSO, flexible, provides trunk support, upper thoracic region, produces intracavitary pressure to reduce load on the intervertebral disks with rigid stays or panels, includes shoulder straps and closures, prefabricated, includes fitting and adjustment
- L0452 TLSO, flexible, provides trunk support, upper thoracic region, produces intracavitary pressure to reduce load on the intervertebral disks with rigid stays or panels, includes shoulder straps and closures, custom fabricated
- L0454 TLSO flexible, provides trunk support, extends from sacrococcygeal junction to above T-9 vertebra, restricts gross trunk motion in the sagittal plane, produces intracavitary pressure to reduce load on the intervertebral disks with rigid stays or panels, includes shoulder straps and closures, prefabricated, includes fitting and adjustment
- L0456 TLSO, flexible, provides trunk support, thoracic region, rigid posterior panel and soft anterior apron, extends from the sacrococcygeal junction and terminates just inferior to the scapular spine, restricts gross trunk motion in the sagittal plane, produces intracavitary pressure to reduce load on the intervertebral disks, includes straps and closures, prefabricated, includes fitting and adjustment
- L0458 TLSO, triplanar control, modular segmented spinal system, two rigid plastic shells, posterior extends from the sacrococcygeal junction and terminates just inferior to the scapular spine, anterior extends from the symphysis pubis to the xiphoid, soft liner, restricts gross trunk motion in the sagittal, coronal, and transverse planes, lateral strength is provided by overlapping plastic and stabilizing closures, includes straps and closures, prefabricated, includes fitting and adjustment
- L0460 TLSO, triplanar control, modular segmented spinal system, two rigid plastic shells, posterior extends from the sacrococcygeal junction and terminates just inferior to the scapular spine, anterior extends from the symphysis pubis to the sternal notch, soft liner, restricts gross trunk motion in the sagittal, coronal, and transverse planes, lateral strength is provided by overlapping plastic and stabilizing closures, includes straps and closures, prefabricated, includes fitting and adjustment
- L0462 TLSO, triplanar control, modular segmented spinal system, three rigid plastic shells, posterior extends from the sacrococcygeal junction and terminates just inferior to the scapular spine, anterior extends from the symphysis pubis to the sternal notch, soft liner, restricts gross trunk motion in the sagittal, coronal, and transverse planes, lateral strength is provided by overlapping plastic and stabilizing closures, includes straps and closures, prefabricated, includes fitting and adjustment
- L0464 TLSO, triplanar control, modular segmented spinal system, four rigid plastic shells, posterior extends from sacrococcygeal junction and terminates just inferior to scapular spine, anterior extends from symphysis pubis to the sternal notch, soft liner, restricts gross trunk motion in sagittal, coronal, and transverse planes, lateral strength is provided by overlapping plastic and stabilizing closures, includes straps and closures, prefabricated, includes fitting and adjustment
- L0466 TLSO, sagittal control, rigid posterior frame and flexible soft anterior apron with straps, closures and padding, restricts gross trunk motion in sagittal plane, produces intracavitary pressure to reduce load on intervertebral disks, includes fitting and shaping the frame, prefabricated, includes fitting and adjustment
- L0468 TLSO, sagittal-coronal control, rigid posterior frame and flexible soft anterior apron with straps, closures and padding, extends from sacrococcygeal junction over scapulae, lateral strength provided by pelvic, thoracic, and lateral frame pieces, restricts gross trunk motion in sagittal, and coronal planes, produces intracavitary pressure to reduce load on intervertebral disks, includes fitting and shaping the frame, prefabricated, includes fitting and adjustment
- L0470 TLSO, triplanar control, rigid posterior frame and flexible soft anterior apron with straps, closures and padding, extends from sacrococcygeal junction to scapula, lateral strength provided by pelvic, thoracic, and lateral frame pieces, rotational strength provided by subclavicular extensions, restricts gross trunk motion in sagittal, coronal, and transverse planes, produces intracavitary pressure to reduce load on the intervertebral disks, includes fitting and shaping the frame, prefabricated, includes fitting and adjustment
- L0472 TLSO, triplanar control, hyperextension, rigid anterior and lateral frame extends from symphysis pubis to sternal notch with two anterior components (one pubic and one sternal), posterior and lateral pads with straps and closures, limits spinal flexion, restricts gross trunk motion in sagittal, coronal, and transverse planes, includes fitting and shaping the frame, prefabricated, includes fitting and adjustment



- L0474 TLSO, triplanar control, rigid posterior frame with flexible soft apron anterior with multiple straps, closures and padding, extends from sacrococcygeal junction to scapula, lateral strength provided by pelvic, thoracic, and lateral frame pieces, rotational strength provided by subclavicular extensions, restricts gross trunk motion in the sagittal, coronal, and transverse planes, produces intracavitary pressure to reduce load on the intervertebral disks, includes fitting and shaping the frame, prefabricated, includes fitting and adjustment
- L0476 TLSO, sagittal-coronal control, flexion compression jacket, two rigid plastic shells with soft liner, posterior extends from sacrococcygeal junction and terminates at or before the T-9 vertebra, anterior extends from symphysis pubis to xiphoid, usually laced together on one side, restricts gross trunk motion in sagittal and coronal planes, allows free flexion and compression of the LS region, includes straps and closures, prefabricated, includes fitting and adjustment
- L0478 TLSO, sagittal-coronal control, flexion compression jacket, two rigid plastic shells with soft liner, posterior extends from sacrococcygeal junction and terminates at or before the T-9 vertebra, anterior extends from symphysis pubis to xiphoid, usually laced together on one side, restricts gross trunk motion in sagittal and coronal planes, allows free flexion and compression of LS region, includes straps and closures, custom fabricated
- L0480 TLSO, triplanar control, one piece rigid plastic shell without interface liner, with multiple straps and closures, posterior extends from sacrococcygeal junction and terminates just inferior to scapular spine, anterior extends from symphysis pubis to sternal notch, anterior or posterior opening, restricts gross trunk motion in sagittal, coronal, and transverse planes, includes a carved plaster or CAD-CAM model, custom fabricated
- L0482 TLSO, triplanar control, one piece rigid plastic shell with interface liner, multiple straps and closures, posterior extends from sacrococcygeal junction and terminates just inferior to scapular spine, anterior extends from symphysis pubis to sternal notch, anterior or posterior opening, restricts gross trunk motion in sagittal, coronal, and transverse planes, includes a carved plaster or CAD-CAM model, custom fabricated
- L0484 TLSO, triplanar control, two piece rigid plastic shell without interface liner, with multiple straps and closures, posterior extends from sacrococcygeal junction and terminates just inferior to scapular spine, anterior extends from symphysis pubis to sternal notch, lateral strength is enhanced by overlapping plastic, restricts gross trunk motion in the sagittal, coronal, and transverse planes, includes a carved plaster or CAD-CAM model, custom fabricated
- L0486 TLSO, triplanar control, two piece rigid plastic shell with interface liner, multiple straps and closures, posterior extends from sacrococcygeal junction and terminates just inferior to scapular spine, anterior extends from symphysis pubis to sternal notch, lateral strength is enhanced by overlapping plastic, restricts gross trunk motion in the sagittal, coronal, and transverse planes, includes a carved plaster or CAD-CAM model, custom fabricated
- L0488 TLSO, triplanar control, one piece rigid plastic shell with interface liner, multiple straps and closures, posterior extends from sacrococcygeal junction and terminates just inferior to scapular spine, anterior extends from symphysis pubis to sternal notch, anterior or posterior opening, restricts gross trunk motion in sagittal, coronal, and transverse planes, prefabricated, includes fitting and adjustment
- L0490 TLSO, sagittal-coronal control, one piece rigid plastic shell, with overlapping reinforced anterior, with multiple straps and closures, posterior extends from sacrococcygeal junction and terminates at or before the T-9 vertebra, anterior extends from symphysis pubis to xiphoid, anterior opening, restricts gross trunk motion in sagittal and coronal planes, prefabricated, includes fitting and adjustment
- L1652 Hip orthosis, bilateral thigh cuffs with adjustable abductor spreader bar, adult size, prefabricated, includes fitting and adjustment, any type
- L1836 Knee orthosis, rigid, without joints, includes soft interface material, prefabricated, includes fitting and adjustment
- L3652 Shoulder orthosis, double shoulder, elastic, prefabricated, includes fitting and adjustment (for example, neoprene, lycra)
- L4386 Non-pneumatic walking splint, with or without joints, prefabricated, includes fitting and adjustment
- L5781 Addition to lower limb prosthesis, vacuum pump, residual limb volume management and moisture evacuation system
- L5848 Addition to endoskeletal, knee-shin system, hydraulic stance extension, dampening feature, adjustable
- L6025 Transcarpal/metacarpal or partial hand disarticulation prosthesis, external power, self-suspended, inner socket with removable forearm section, electrodes and cables, two batteries, charger, myoelectric control of terminal device
- L6638 Upper extremity addition to prosthesis, electric locking feature, only for use with manually powered elbow
- L6646 Upper extremity addition, shoulder joint, multipositional locking, flexion, adjustable abduction friction control, for use with body powered or external powered system
- L6647 Upper extremity addition, shoulder lock mechanism, body powered actuator

L6648 Upper extremity addition, shoulder lock mechanism, external powered actuator  
 L7367 Lithium ion battery, replacement  
 L7368 Lithium ion battery charger

The following new HCPCS procedure codes are subject to prior authorization, as authorized in 62 P. S. § 443.6(b)(7):

G0234 Positive emission tomography, regional or whole body, for solitary pulmonary nodule following CT or for initial staging of pathologically diagnosed nonsmall cell lung cancer; gamma cameras only  
 J7342 Dermal tissue, of human origin, with or without other bioengineered or processed elements, with metabolically active elements, per square centimeter

**Changes to the MA Program Fee Schedule for Provider Types  
 01, 02, 03, 07, 08, 12, 15, 18, 25, 26, 29, 31, 33, 34, 47, 59**

**Procedure Codes Added to the Fee Schedule as a Result of the Updates and Additions which are Effective  
 and Compensable for Dates of Service as of January 1, 2004**

<i>Procedure Code</i>	<i>Modifiers</i>	<i>Procedure Code</i>	<i>Modifiers</i>	<i>Procedure Code</i>	<i>Modifiers</i>
A4266		A4267		A4268	
A4281		A4282		A4283	
A4284		A4285		A4286	
A4405		A4406		A4407	
A4408		A4409		A4410	
A4413		A4414		A4415	
A4422		A4450		A4452	
A4525		A4526		A4527	
A4528		A4531		A4532	
A4534		A4609		A4610	
A4633		A4930		A4931	
A4932		A6011		A6410	
A6411		A6421		A7025	
A7026		A7030		A7031	
A7032		A7033		A7034	
A7035		A7036		A7037	
A7038		A7039		A7044	
B4100		E0117	NU	E0454	RR
E0461	RR	E0483	RR	E0484	NU
E0618	RR	E0636	RR	E0701	NU
E1012	NU, RR	E1013	NU, RR	E1014	NU, RR
E1015	NU, RR	E1016	NU, RR	E1020	NU, RR
E1025	NU, RR	E1026	NU, RR	E1027	NU, RR
E1037	RR	E1038	RR	E1161	NU, RR
E1232	NU, RR	E1233	NU, RR	E1234	NU, RR
E1235	NU, RR	E1236	NU, RR	E1237	NU, RR
E1238	NU, RR	E1802	RR	L0450	
L0452		L0454		L0456	
L0458		L0460		L0462	
L0464		L0466		L0468	
L0470		L0472		L0474	
L0476		L0478		L0480	
L0482		L0484		L0486	
L0488		L0490		L1652	
L1836		L1901		L3651	
L3652		L3701		L3762	

<i>Procedure Code</i>	<i>Modifiers</i>	<i>Procedure Code</i>	<i>Modifiers</i>	<i>Procedure Code</i>	<i>Modifiers</i>
L3909		L3911		L4386	
L5781		L5848		L6025	
L6638		L6646		L6647	
L6648		L7367		L7368	
G0234	26, TC	G0269	SG	G0290	SG
G0291	SG	J7342		0031T	SG
20612	SG	21046	SG	21047	SG
21048	SG	21049	SG	21742	80, SG
21743	80, SG	29827	SG	29873	SG
29899	SG	33215	SG	33224	SG
33225	SG	33226	SG	33508	80
34833	80	34834	80	34900	80
35572	80	36511	SG	36512	SG
36513	SG	36514	SG	36515	SG
36516	SG	37182	80	37183	80
37500	80, SG	38205	SG	38206	SG
38242	SG	43201	SG	43236	SG
44206	80	44207	80	44208	80
44210	80	44211	80	44212	80
44701	80	45335	SG	45340	SG
45381	SG	45386	SG	46706	SG
49419	SG	49904	80	50542	80, SG
50543	80, SG	50562	SG	51701	
51702		51703	SG	51798	
55866	80	56820	SG	56821	SG
57420	SG	57421	SG	57455	SG
57456	SG	57461	SG	58146	80, SG
58290	80, SG	58291	80	58292	80
58293	80	58294	80	58545	80, SG
58546	80, SG	58552	80, SG	58553	80, SG
58554	80, SG	61316	80	61322	80
61323	80	61517	80	61623	80, SG
62148	80, SG	62160	80, SG	62161	80, SG
62162	80, SG	62163	80, SG	62164	80, SG
62165	80, SG	64416	SG	64446	SG
64447	SG	64448	SG	75901	26, TC
75902	26, TC	75954	26	76071	26, TC
76801	26, TC	76802	26, TC	76811	26, TC
76812	26, TC	76817	26, TC	83880	
84302		85004		85032	
85049		85380		87255	
87267		87271		88174	
88175		89055		92601	
92602		92603		92604	
92610		92611		92612	
92613		92614		92615	
92616		92617		93580	
93581		95990		96920	SG

<i>Procedure Code</i>	<i>Modifiers</i>	<i>Procedure Code</i>	<i>Modifiers</i>	<i>Procedure Code</i>	<i>Modifiers</i>
96921	SG	96922	SG	99293	
99294		99299		E0951	

**Procedure Codes deleted from the Fee Schedule as a Result of the Updates which will not be Compensable for Services Provided After August 31, 2004:**

*Procedure Codes*

A4370	G0015	L0310	L0390	L0950	47133	94665
A4374	K0021	L0315	L0391	L0986	58551	99297
A4386	K0034	L0317	L0400	L5660	85021	
A4572	K0101	L0320	L0410	L5662	85022	
A5123	K0183	L0321	L0420	L5663	85023	
A6405	K0184	L0330	L0430	L5664	85024	
A6406	K0185	L0331	L0440	21041	85031	
E0608	K0186	L0340	L0900	33930	85590	
G0004	K0187	L0350	L0910	33940	85595	
G0005	K0188	L0360	L0920	36520	87198	
G0006	K0189	L0370	L0930	36521	87199	
G0007	L0300	L0380	L0940	38231	90709	

*Fiscal Impact*

The fiscal note was prepared under provision of section 612 of The Administrative code of 1929 (71 P. S. § 232). The estimated cost for Fiscal Year 2003-2004 is \$1.287 million (\$0.582 million in State funds). The estimated cost for Fiscal Year 2004-2005 is \$3.861 million (\$1.773 million in State funds).

*Public Comment*

Interested persons are invited to submit written comments to this notice within 30 days of this publication to the Department of Public Welfare, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Comments received will be considered in subsequent revisions to the fee schedule. Persons with a disability may use the AT&T Relay Services, (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

ESTELLE B. RICHMAN,  
*Secretary*

**Fiscal Note:** 14-NOT-393. (1) General Fund; (2) Implementing Year 2003-04 is \$582,000; (3) 1st Succeeding Year 2004-05 is \$1,773,000; 2nd Succeeding Year 2005-06 is \$1,782,000; 3rd Succeeding Year 2006-07 is \$1,782,000; 4th Succeeding Year 2007-08 is \$1,782,000; 5th Succeeding Year 2008-09 is \$1,782,000; (4) 2002-03 Program—\$668,832,000; 2001-02 Program—\$705,750,000; 2000-01 Program—\$668,586,000; (7) Medical Assistance—Outpatient; (8) recommends adoption. The previous costs have been included in the First Supplemental General Appropriation Act of (2003) (Act 9A) and the General Appropriation Act of 2004 (Act 7A).

[Pa.B. Doc. No. 04-1613. Filed for public inspection August 27, 2004, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

**Montgomery Sewer Company, Inc. v. DEP; EHB  
Doc. No. 2004-185-K**

Montgomery Sewer Company, Inc. has appealed the issuance by the Department of Environmental Protection of NPDES Permit No. PA0052094 (August 1, 2004) to same for a facility in Montgomery Township, Montgomery County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457 and may be reviewed by interested parties on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the AT&T Pennsylvania Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

MICHAEL L. KRANCER,  
*Chairperson*

[Pa.B. Doc. No. 04-1614. Filed for public inspection August 27, 2004, 9:00 a.m.]

**Mount Carmel Municipal Authority v. DEP ; EHB  
Doc. No. 2004-182-L**

Mount Carmel Municipal Authority has appealed the issuance by the Department of Environmental Protection of an NPDES permit to same for a facility in Mount Carmel Township, Northumberland County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel

Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457 and may be reviewed by interested parties on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the AT&T Pennsylvania Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

MICHAEL L. KRANCER,  
*Chairperson*

[Pa.B. Doc. No. 04-1615. Filed for public inspection August 27, 2004, 9:00 a.m.]

## FISH AND BOAT COMMISSION

### Proposed Special Regulation; Designations and Redesignations

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

At the next Commission meeting on October 4 and 5, 2004, the Commission will consider designating or redesignating the following streams, stream sections and lakes as waters subject to special fishing regulations under 58 Pa. Code Chapter 65, effective January 1, 2005:

#### 58 Pa. Code § 65.1. Selective Harvest Program

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

<i>County</i>	<i>Water on which located</i>	<i>Description</i>
Clinton	Young Womans Creek	From Beechwood Trail downstream to the Sproul State Forest Property line, a distance of 5.5 miles

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

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

<i>County</i>	<i>Water on which located</i>	<i>Description</i>
Clinton	Young Womans Creek	From Beechwood Trail downstream to the Sproul State Forest Property line, a distance of 5.5 miles ( <i>Note:</i> The Commission may also consider designating this section as a catch-and-release area under 58 Pa. Code § 65.5 (relating to catch-and-release areas) or applying Statewide trout regulations to this section)
Fayette	Meadow Run	From the mouth of Meadow Run at the Youghiogheny River upstream to the State Route 2011 Bridge on Dinner Bell Road adjacent to the Ohiopyle State Park office, a distance of 2.2 miles ( <i>Note:</i> This is an extension of the 1.7 mile section of Meadow Run—from the confluence with Laurel Run downstream to the SR 0381 Bridge—that the Commission currently manages as a DHALO area)
Monroe	McMichaels Creek	From 130 yards downstream of the bridge on Turkey Hill Road (T-416) downstream to the upstream boundary of the Glen Brook Golf Course, a distance of 1.74 miles

#### 58 Pa. Code § 65.10. Select Trout Stocked Lake Program (to become the Early Season Trout Stocked Waters Program).

The Commission will consider adding the following waters to the list of waters regulated and managed under the Select Trout Stocked Lake Program under 58 Pa. Code § 65.10:

<i>County</i>	<i>Water on which located</i>
Erie	East Basin Pond
Erie	West Basin Pond

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

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

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

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

[Pa.B. Doc. No. 04-1616. Filed for public inspection August 27, 2004, 9:00 a.m.]

## HISTORICAL AND MUSEUM COMMISSION

### National Register Nominations to be Reviewed by the Historic Preservation Board

The Historic Preservation Board (Board) will hold a meeting on September 14, 2004, at 9:45 a.m. at the Barn in Fallingwater, Mill Run, PA. Individuals with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to participate should contact Helena Johnson at (717) 783-2698 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Board can accommodate their needs. Individuals with questions or comments should contact the Bureau for Historic Preservation, (717) 783-8946.

#### Allegheny Plateau

1. *Wellsboro Historic District*, roughly bounded by Nichols, Tioga, Charleston and Jackson Streets, East Avenue, Bacon Street, Morris Lane, Morris Creek, Sturrock, Meade, Grant, Walnut and Academy Streets, West Avenue, West Water and Highland Streets, Wellsboro, Tioga County.

#### Ridge and Valley

2. *Chestnut Ridge and Schellsburg Union Church and Cemetery*, south side of Lincoln Highway (U.S. Route 30), Napier Township, Bedford County.

#### Great Valley and Piedmont Region

3. *Upper Roxborough Historic District (Boundary Increase)*, consisting of the upper and lower reservoirs and water treatment plants, Philadelphia.

4. *St. Anthony Hall House*, 3637 Locust Walk, University of Pennsylvania Campus, Philadelphia.

5. *Marine Corps Depot of Supplies*, 700-734 Schuylkill Avenue, Philadelphia.

6. *Lansdale Silk Hosiery Company—Interstate Hosiery Mills, Inc.*, 200 S. Line Street, Lansdale, Montgomery County.

7. *Harrisburg Polyclinic Hospital*, 2601 N. Third Street, Harrisburg, Dauphin County.

8. *Queen Anne Historic District*, roughly bounded by the following streets: Tulpehocken, Clinton, Miltimore, Gordon, West Windsor, Spring, Robeson, Centre Avenue, North Second, Thorn, North Third, Greenwich and Green, City of Reading, Berks County.

### Anthracite Region and Poconos; Southwestern Pennsylvania

No nominations.

BARBARA FRANCO,  
*Executive Director*

[Pa.B. Doc. No. 04-1617. Filed for public inspection August 27, 2004, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Notice of Comments Issued

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

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

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
57-234	Pennsylvania Public Utility Commission Public Utility Security Planning and Readiness (34 Pa.B. 3138 (June 19, 2004))	7/19/04	8/18/04
16A-6802	State Board of Examiners in Speech-Language and Hearing Continuing Education (34 Pa.B. 3143 (June 19, 2004))	7/19/04	8/18/04

16A-5410 State Board of Pharmacy  
Technology and Automation  
(34 Pa.B. 3146 (June 19, 2004))

7/19/04 IRRC  
8/18/04

**Pennsylvania Public Utility Commission Regulation  
# 57-234 (IRRC # 2404)  
Public Utility Security Planning and Readiness  
August 18, 2004**

We submit for consideration the following comments that include references to the criteria in the Regulatory Review Act (71 P. S. § 745.5b) which have not been met. The Pennsylvania Public Utility Commission (PUC) must respond to these comments when it submits the final-form regulation. The public comment period for this regulation closed on July 19, 2004. If the final-form regulation is not delivered within 2 years of the close of the public comment period, the regulation will be deemed withdrawn.

**1. Section 101.1. Purpose.—Timetable for compliance; Clarity.**

This section establishes the purpose of Chapter 101. It uses the terms “jurisdictional utility” and “infrastructure.” These terms are not defined. The PUC should either define these terms in § 101.2 or include a cross-reference to where these definitions can be found.

**2. Section 101.2. Definitions.—Clarity.**

*Business continuity plan, contingency planning, business resumption and emergency response plan*

This section uses three phrases to describe potential service interruptions. These include “change or unforeseen circumstances” in the definitions of “business continuity plan” and “contingency planning”; “natural causes or sabotage” in the definition of “emergency response plan”; and “disaster” in the definition of “business resumption.” Based on the executive summary included with the regulatory package, the aforementioned terms are subsumed under the defined term of “abnormal operating conditions.” Therefore, we recommend that these phrases be replaced with that defined term.

*Business continuity plan, cyber security plan, emergency response plan and physical security plan*

These definitions all contain a brief description of the term and duties for jurisdictional utilities to perform. As substantive provisions, the duties should not be included in these definitions. Rather, they should be moved to § 101.3.

*Business recovery*

The phrase “less time-sensitive business operations” is included in this definition. The PUC should include examples of “less time-sensitive business operations” in the preamble or the final-form regulation.

*Critical functions*

This definition includes the phrase “several business days.” This time frame is vague. The PUC should replace this phrase with a specific time frame.

*Cyber security plan*

The phrase “appropriate backup” is in the definition of “cyber security plan.” The PUC should provide examples of “appropriate backup” or define this phrase in the final-form regulation.

Paragraph (iv) begins with the phrase “a recognition of.” This phrase is superfluous and should be deleted.

*Emergency response plan*

This definition includes the phrase “emergency management system.” What is the “emergency management system”? The PUC should either define this term in the final-form regulation or include an appropriate cross-reference.

**3. Section 101.3. Plan requirements.—Economic impact; Clarity.**

*Subsection (a)*

This subsection requires jurisdictional utilities to develop and maintain written physical security, cyber security, emergency response and business continuity plans. Do these four plans have to be independent or can they be one single plan? The PUC should explain what would be an acceptable format for maintaining these plans.

*Subsection (c)*

This subsection requires utilities to “maintain a testing schedule of these plans.” Subsection (d) requires that utilities submit The Physical and Cyber Security Planning Self Certification Form (form), which asks if the various plans have been tested. However, as currently written, this regulation does not require utilities to actually test their plans.

The PUC has indicated that the intent of this regulation is to require annual testing of each plan. Why is annual testing needed? If the PUC justifies the need for annual testing of each plan, the final-form regulation should be amended to reflect this requirement. Also, we recommend that a definition of the term “test” be added to § 101.2.

**4. Subsection 101.5. Confidentiality of self certification form.—Clarity.**

This section refers to the form filed with the PUC as a “Physical and Cyber Security Self Certification Form.” In Appendix A, the form is titled “Physical and Cyber Security Planning Self Certification.” (Emphasis added.) Section 101.1 also refers to the form as the “Physical and Cyber Security Planning Self Certification.” (Emphasis added.) For consistency, the PUC should add the word “Planning” to the form referenced in this section.

**5. Section 101.6. Compliance.—Clarity.**

*Subsections (b) and (c)*

These subsections state that the PUC may review the plans of a utility and inspect a utility’s facility. We have two concerns. First, the PUC should explain the manner in which it will make a request when it elects to review the plans or facilities of a utility. For instance, will the PUC make a written request to the utility to review its plans or facilities?

Second, the PUC should explain the procedures involved with inspecting the facilities of a utility. Will the PUC conduct their inspection during normal business hours, and will the utility have notice that an inspection will occur?

*Subsection (d)*

This subsection allows a jurisdictional utility to submit a business continuity plan, cyber security plan, emergency response plan and physical security plan prepared for another entity if the other authority requires a "substantially similar plan." We have two concerns.

First, if the other entity requires information not prescribed by the PUC, will that information be considered public or proprietary information? The PUC should explain.

Second, the phrase "substantially similar plan" is vague. The PUC should include specific guidelines in the final-form regulation for a jurisdictional utility to determine whether the plan it must file for another entity could be used to fulfill the requirements set forth in this regulation, or replace the existing phrase with "meets the requirements of."

**6. Appendix A. Physical and cyber security planning self certification.—Reasonableness: Clarity.**

Appendix A contains the form utilities are required to submit to the PUC. We have three concerns.

First, Items 2, 5, 9 and 12 ask if specific plans have been "reviewed *and* updated in the past year." (Emphasis added.) If no update is necessary, would a utility's review suffice? The PUC should consider changing the above-mentioned lines to include the phrase "reviewed and updated as needed."

Second, Item 7 asks the following question: "Has your company performed a vulnerability or risk assessment analysis as it relates to physical and/or cyber security?" For the regulated community to understand what is expected during a "vulnerability or risk assessment analysis," that phrase should be defined in § 101.2. In addition, the inclusion of the phrase "and/or" would make it difficult for the regulated community to know what is expected of them. Does the PUC expect each company to perform an analysis of their physical and cyber security each year? The final-form regulation should clarify this provision.

Finally, can this form be electronically filed with the PUC, or will utilities have to submit the form by mail, hand delivery or fax? The PUC should consider allowing electronic submission of this form.

**7. Miscellaneous clarity.**

Section 101.3 contains two subsections labeled (d). The final-form regulation should correct this typographical error.

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**State Board of Examiners in Speech-Language and  
Hearing Regulation # 16A-6802 (IRRC # 2406)**

**Continuing Education**

**August 18, 2004**

We submit for consideration the following comments that include references to the criteria in the Regulatory Review Act (71 P. S. § 745.5b) which have not been met. The State Board of Examiners in Speech-Language and Hearing (Board) must respond to these comments when it submits the final-form regulation. The public comment period for this regulation closed on July 19, 2004. If the final-form regulation is not delivered within 2 years of the close of the public comment period, the regulation will be deemed withdrawn.

**1. Section 45.13. Renewal; Inactive status; Required continuing education.—Fiscal impact; Reasonableness; Implementation procedures; Clarity.****Section 45.501. Credit hour requirements.—Fiscal impact; Reasonableness; Implementation procedures; Clarity.**

In §§ 45.13(g) and 45.501(a), the proposed regulation, as published in the *Pennsylvania Bulletin*, indicates that the continuing education requirement will become effective in the biennial period following the effective date of the regulation. However, this does not match the language in these same sections in the draft regulation submitted by the Board to the House Professional Licensure Committee, Senate Consumer Protection and Professional Licensure Committee and the Commission. In addition, Board staff indicated that the hour requirement may be prorated if the regulation becomes effective in the midst of a biennial period.

The Board should clarify how and when the requirement will be implemented in the final-form regulation. It should also describe how it will provide adequate and timely notice to all licensees of the effective date and what will be required of licensees.

**2. Section 45.2. Definitions.—Reasonableness; Clarity.***Continuing education record*

There is unnecessary duplication and a minor inconsistency between the definition of this term and the list of required contents for the "continuing education record" in § 45.506(b). The contents described in the definition are almost identical to the list in § 45.506(b)(1)—(5). The only item not included in the definition is subsection (b)(6) which requires the record to include "[t]he course approval number or an indication of the provider's status as a preapproved provider." In the final-form regulation, the definition of this term should reference § 45.506(b) to provide the reader with a complete description of "continuing education record."

**3. Section 45.501. Credit hour requirements.—Reasonableness; Clarity.***Subsection (b)—Individual programs*

Two commentators expressed concerns related to continuing education requirements for certification by the Department of Education. Act 48 of 1999 requires that certified educators complete 180 hours of continuing education programs every 5 years. This requirement includes hours in collegiate studies or courses or programs "related to an area of the professional educator's assignment or certification" (24 P. S. §§ 12-1205.2(c)(1)—(3)). The Pennsylvania State Education Association (PSEA) claimed that this proposed regulation duplicates the requirements under Act 48 of 1999. Both the PSEA and Pennsylvania Training and Technical Assistance Network request that the Board accept all continuing education provider programs approved under Act 48 of 1999 as approved continuing education providers for licensure renewal.

The Board states on page three of the Regulatory Analysis Form that it has "... determined that it would accept all credits that conform to its proposed regulation even if a licensee used that same educational experience to fulfill his or her requirements from the Department of Education." To improve clarity and alleviate any misunderstanding, the Board should include this statement in the preamble of the final-form regulation.



*Subsection (c)—Continuing education requirement*

Subsection (c) states that the Board will not renew or reactivate a license “until the continuing education required prior to the current biennial renewal period has been completed.” This phrase and its application to new licensees are unclear. Does “the continuing education required prior to the current biennial renewal period” refer to courses taken 3 years earlier during a previous biennium? If so, how can new licensees comply with this provision if they are finishing their first biennial period as new licensees? The intent of this subsection needs to be clarified in the final-form regulation.

**4. Section 45.504. Reporting completion of continuing education.—Clarity.**

Subsection (a) requires licensees to provide “. . . on forms provided by the Board, a signed statement certifying that the continuing education requirement has been met.” The Board should consider describing the required content of these forms in the final-form regulation. A good example of the content for these forms can be found in the existing regulations of the State Board of Optometry in 49 Pa. Code § 23.87.

**5. Section 45.505. Approval of continuing education programs.—Clarity.**

In subsection (d)(3), denial of a program can be based on faculty being “deemed not qualified to present the program.” The Board should explain in the preamble of the final-form regulation how faculty qualifications will be determined.

**6. Section 45.507. Disciplinary action authorized.—Clarity.**

Subsection (b) states that a licensee “. . . who fails to complete the required continuing education requirement within any biennial renewal period may be subject to discipline.” The Board should explain in the preamble to the final-form regulation what disciplinary actions the Board will take if the continuing education requirements are not met.

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**State Board of Pharmacy Regulation # 16A-5410  
(IRRC # 2405)**

**Technology and Automation**

**August 18, 2004**

We submit for consideration the following comments that include references to the criteria in the Regulatory Review Act (71 P. S. § 745.5b) which have not been met. The State Board of Pharmacy (Board) must respond to these comments when it submits the final-form regulation. The public comment period for this regulation closed on July 19, 2004. If the final-form regulation is not delivered within 2 years of the close of the public comment period, the regulation will be deemed withdrawn.

**1. General.—Possible conflict with existing regulations; Implementation procedures.**

The Department of Health (Department) commented that its regulations may conflict with changes being proposed by the Board. For example, Department regulations require handwritten notations, use of indelible ink, separation of records and use of red ink to mark prescription orders in 28 Pa. Code §§ 25.53 (b) and (d) and 25.56 (a) and (b)). The Department requests “that the Board either amend the proposed regulations or address any differences between the two regulations in the preamble.”

The House Professional Licensure Committee (House Committee) requests that the Board consult with the Department regarding its concerns before final regulations are submitted. We concur with the House Committee and suggest that these discussions should take into consideration provisions of the Electronic Transactions Act (ETA) (73 P. S. § 2260.303) that state electronic records can be substituted for written records.

**2. Broad requirements to meet state and federal laws and regulations.—Clarity.**

Several provisions require compliance with “state and federal laws and regulations” or contain similar language. These broad references are found in §§ 27.14(c)(11), 27.201(b)(2) and (5), 27.202(a), 27.203(a)(2)(i) and (3) and 27.204(c)(5).

In the preamble, the Board states its belief that these broad references are more accurate than specific citations. We disagree. Broad references do not give the regulated community guidance as to what requirements must be met. The broad references noted above should be replaced with specific citations to the applicable regulations or laws.

**3. Section 27.1. Definitions.—Need; Reasonableness; Clarity.***Automated medication system*

There are two concerns.

First, this definition excludes compounding. A commentator questions whether this definition would exclude inpatient pharmacies that use automated compounding systems. Is it the Board’s intent to exclude these compounding processes?

Second, the definition of “automated medication system” states the term does not mean an “automatic counting device.” Since the term “automatic counting device” is not defined in regulation, it is unclear what is not included. A definition of the term “automatic counting device” should be added to the regulation.

*Central processing center*

It is not clear why a central processing center must engage “solely in centralized prescription processing.” Could a central processing center perform the functions of an originating pharmacy or a delivering pharmacy? The Board should explain the need for this limitation.

*Originating pharmacy*

The House Committee commented that this definition should be re-written so that licensees can clearly determine when a central fill pharmacy or a central processing center is an originating pharmacy. We agree. Additionally, the second sentence uses the undefined term “centralized pharmacy.” The Board should re-write this definition to make it clearer.

*Prescription*

The existing regulatory definition, consistent with the Pharmacy Act (63 P. S. § 390-2), limits prescriptions to a “written or oral order.” This regulatory definition should be amended to include an “electronic order,” consistent with this proposal.

**4. Section 27.14. Supplies.—Clarity.**

The House Committee commented that this section should reference the exemption in § 27.203(b). This section would be clearer with a reference to that exemption.

**5. Section 27.201. Electronically transmitted prescriptions.—Feasibility; Reasonableness; Protection of the public; Clarity.**

*Subsection (a)*

We have three concerns with subsection (a).

First, this subsection limits electronic transmittals to a "data base exchange or e-mail." Given the rapid advance of communications technology described by commentators, a limitation to "data base exchange or e-mail" is already outdated and would be burdensome. The ETA contains a broad definition of "electronic" as "relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic or similar capabilities" (73 P. S. § 2260.103). Subsection (a) should allow any method of electronic communication that can reliably provide the information required in subsection (b). Alternatively, if there is a need to limit the methods of transmission, the regulation should provide the flexibility to petition the Board for approval of new technologies.

Second, this subsection requires the electronic prescription to not be "altered, accessed, viewed, screened or manipulated by an intervening entity or person unless authorized by law." A commentator described a system that verifies the prescriber and confirms that a prescription contains the required data before the prescription is routed to the pharmacy. Is it the Board's intent to prohibit this system?

Finally, the meaning of this subsection is difficult to comprehend. Subsection (a) is a single sentence that contains 80 words and multiple concepts. Rewriting the subsection would improve its clarity. For example, the requirement to use a pharmacy of the patient's choice could be placed in a separate subsection.

*Subsection (b)*

There are three concerns.

First, subsection (b)(1) appropriately permits the use of electronic signatures under the ETA. However, there are other prescription requirements that the regulation does not address. For example, the regulation does not address the prescription requirements under 35 P. S. § 960.3(a). Specifically, subsection (a) of the ETA states

... unless the prescriber handwrites "brand necessary" or "brand medically necessary," shall designate approval of substitution of a drug by a pharmacist pursuant to this act. Imprinted conspicuously on the prescription blanks shall be the words: "In order for a brand name product to be dispensed, the prescriber must handwrite 'brand necessary' or 'brand medically necessary' in the space below." . . .

The regulation should address the requirements of 35 P. S. § 960.3(a), as well as other concerns raised by commentators concerning the use of electronic prescriptions. Given the importance of the ETA to this regulation, it would be appropriate to address electronic prescription requirements in a separate subsection.

Second, a subparagraph should be added to paragraph (2) to specify how the requirement previously discussed will be addressed.

Finally, because paragraph (5) applies to all of § 27.201, it should be a separate subsection.

**6. Section 27.202. Computerized recordkeeping systems.—Protection of the public; Need; Clarity.**

Subsections (d) and (e) address computer down time and safeguards, but neither requires back up of informa-

tion entered into a computerized recordkeeping system. In the event of a system failure, records could be lost or could no longer be reliably audited. Why isn't the Board requiring back up of computerized recordkeeping systems?

Also, we question if the last sentence in subsection (d) is needed because prescriptions can only be refilled if "the number of refills authorized by the prescriber has not been exceeded" at any time, not just when the system is down.

**7. Section 27.204. Automated medication systems.—Protection of the public; Reasonableness; Clarity.**

*Policies, procedures and written plans*

Subsections (c), (d) and (f)—(j) all require the use of a policy, procedure or written plan in one form or another. The House Committee commented that the regulation should assign an affirmative duty to the pharmacy to create these policies, procedures or written plans. We agree. For example, subsection (c)(1) places the responsibility on the pharmacist manager to review and approve certain policies and procedures. However, who has the responsibility to write the policies and procedures?

*Subsection (b)*

Paragraph (4) contains the phrase "... with the time, date and initials or other identifier . . ." What "other identifier" does the Board consider to be an adequate method of electronically recording the activity of each pharmacist, technician or other authorized personnel?

Also, paragraph (4) concludes with the sentence "It is the intent of this section to hold responsible each pharmacist for the transaction performed by that pharmacist, precluding the need for a final check of a prescription by one individual pharmacist prior to delivery." The House Committee commented that this sentence is not clear, and we agree. How does this sentence relate to the first sentence of the paragraph?

*Subsection (d)*

Paragraph (6) limits access for stocking and removal of medications to licensed pharmacists or "qualified support personnel." Who are considered "qualified support personnel"? Is it the Board's intent to limit access to individuals supervised by the licensed pharmacist? Would healthcare professionals such as physicians, nurses or others legally authorized to administer drugs be allowed to access an automated medication system? The regulation should specifically state who may access the automated medication system.

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 04-1618. Filed for public inspection August 27, 2004, 9:00 a.m.]

## INSURANCE DEPARTMENT

### 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 company's termination of the insureds' policies. The administrative hearing will be held in the Insurance Department's

regional office in Harrisburg, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

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

Appeal of Darlene M. and Mark J. Delessio; file no. 04-182-06816; The Harford Mutual Insurance Company; doc. no. P04-07-039; September 16, 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. 04-1619. Filed for public inspection August 27, 2004, 9:00 a.m.]

## LEGISLATIVE REFERENCE BUREAU

### Documents Filed But Not Published

The Legislative Reference Bureau accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of Bulletin). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no documents have been received. For questions concerning or copies of documents filed, but not published, call (717) 783-1530.

#### *Executive Board*

Resolution # CB-04-216, Dated August 11, 2004. Authorizes the implementation of the Interest Arbitration Award between the Commonwealth and the Fraternal Order of Police Lodge # 85, Capitol Police (L4) Unit.

#### *Governor's Office*

Manual M210.7—State Records Management Manual, Amended June 8, 2004.

Manual M110.2—Rebudget Instructions, Dated July 2004.

Management Directive No. 505.31—Domestic Violence and the Workplace, Dated May 31, 2004.

Management Directive No. 524.4—Temporary Assignment in Higher Classification, Amended April 20, 2004.

Management Directive No. 615.3—Rates and Billing for Motor Vehicles of the Commonwealth Automotive Fleet, Amended May 6, 2004.

Management Directive No. 625.10—Card Reader and Emergency Response Access to Certain Capitol Complex Buildings and Other State Office Buildings, Amended April 21, 2004.

Administrative Circular No. 04-6—Directives Management System Conversion to Electronic Distribution of Documents, Dated April 8, 2004.

MARY JANE PHELPS,  
*Director*  
*Pennsylvania Bulletin*

[Pa.B. Doc. No. 04-1620. Filed for public inspection August 27, 2004, 9:00 a.m.]

## LIQUOR CONTROL BOARD

### Expiration of Leases

The following Liquor Control Board lease will expire:

Delaware County, Wine & Spirits Shoppe # 2309, 4117 Edgemont Avenue, Brookhaven, PA 19015.

*Lease Expiration Date:* January 31, 2005

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 4,500 net useable square feet of new or existing retail commercial space near the intersection of Route 352 and Brookhaven Lane.

*Proposals due:* September 17, 2004, at 12 p.m.

**Department:** Liquor Control Board  
**Location:** Real Estate Division, 8305 Ridge Avenue, Philadelphia, PA 19128  
**Contact:** James M. Bradley, (215) 482-9671

The Liquor Control Board seeks the following new sites:

Delaware County, Wine & Spirits Shoppe # 2316, Routes 3 and 252, Newtown Square, PA 19073.

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 2,500 net useable square feet of new or existing retail commercial space within a 1/2 mile radius of the intersection of Routes 252 and 3.

*Proposals due:* September 17, 2004, at 12 p.m.

**Department:** Liquor Control Board  
**Location:** Real Estate Division, 8305 Ridge Avenue, Philadelphia, PA 19128  
**Contact:** James M. Bradley, (215) 482-9671

Centre County, Wine & Spirits Shoppe # 1406, Dale Summit, PA.

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 5,000 net useable square feet of new or existing retail commercial space in a shopping center environment within 3/4 mile of the intersection of Route 150 (Benner Pike) and Route 26 (E. College Avenue) in College Township.

*Proposals due:* September 17, 2004, at 12 p.m.

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

JONATHAN H. NEWMAN,  
*Chairperson*

[Pa.B. Doc. No. 04-1621. Filed for public inspection August 27, 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, on or before September 20, 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.

**Applications of the following for approval to begin operating as common carriers for transportation of persons as described under each application.**

**A-00120994. Front Porch Enterprises, LLC t/d/b/a Magical Limousine** (127 Williams Road, Butler, Butler County, PA 16001), a Pennsylvania limited liability company—persons in group and party service, using vehicles with a seating capacity of 11 to 15 passengers, including the driver, between points in the County of Butler, and from points in said county, to points in Pennsylvania, and return.

**A-00120997. Scott A. Yon t/d/b/a Yon Transportation** (745 Clark Street, Johnstown, Cambria County, PA 15902)—persons, upon call or demand, in the City of Johnstown, Cambria County.

**A-00120991. Paul M. Weaver** (16 Emi Lane, Manheim, Lancaster County, PA 17545)—persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, between points in the County of Lancaster, and from points in said county, to points in Pennsylvania, and return.

**A-00121010. Romed, Inc. t/d/b/a Romed Ambulance** (P. O. Box 6276, Philadelphia, PA 19136), a Pennsylvania corporation—persons in paratransit service, between points in the Counties of Bucks, Montgomery and Philadelphia, and from points in said counties, to points in Pennsylvania, and return.

**Application of the following for approval of the beginning of the exercise of the right and privilege**

**of operating motor vehicles as common carriers for the transportation of persons by transfer of rights as described under the application.**

**A-00120992. Phantasy Transportation, Inc.** (4607 North Broad Street, City and County of Philadelphia, PA 19141), a corporation of the Commonwealth—persons, in limousine service, between points in Pennsylvania; which is to be a transfer of all the right authorized under the certificate issued at A-00111498, F. 2 to Lyman & Lyman, Inc. t/d/b/a Bucks County Limousine, subject to the same limitations and conditions. *Attorney:* David P. Temple, 1760 Market Street, Suite 1100, Philadelphia, PA 19103.

**Application of the following for amendment to the certificate of public convenience approval of the right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under the application.**

**A-00120074, Folder 1, Am-A. Lee Edward Williams t/d/b/a Williams Taxi** (365 E. King Street, Apt. B, Chambersburg, Franklin County, PA 17201)—discontinuance of service—and cancellation of certificate, as a common carrier, by motor vehicle, at A-00120074, authorizing the transportation of persons, upon call or demand, in the Borough of Shippensburg, Counties of Franklin and Cumberland, the Borough of Orrstown, Franklin County, the Township of Southampton, Cumberland County and the Township of Southampton, Franklin County.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 04-1622. Filed for public inspection August 27, 2004, 9:00 a.m.]

## PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

### Hearings Scheduled

Hearings have been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's (System) denial of claimants' requests concerning the indicated accounts.

The hearings will be held before a hearing examiner at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

October 13, 2004	Robert A. Imburgia (Working for a Public School after Retirement and Receive a Benefit)	1 p.m.
	Lanorde Wheeler (Change of Option)	2:30 p.m.

Persons with a disability who wish to attend the listed hearings and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Marilyn Fuller-Smith, Assistant to the Executive Director, at (717) 720-4921 to discuss how the System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective

positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to the General Rules of Admin-

istrative Practice and Procedure) unless specific exemption is granted.

JEFFREY B. CLAY,  
*Executive Director*

[Pa.B. Doc. No. 04-1623. Filed for public inspection August 27, 2004, 9:00 a.m.]

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