

NOTICES

DEPARTMENT OF AGRICULTURE

Dog Control Facility Bill Reimbursement Grant Program; Addition to Final Guidelines and Conditions

The Department of Agriculture makes a correction to the final guidelines and conditions for the Year 2005 Dog Control Facility Bill Reimbursement Program (program). The final guidelines and conditions were published at 34 Pa.B. 4472 (August 14, 2004). The notice omitted one of the eligibility criteria published in the proposed guidelines and conditions at 34 Pa.B. 3151 (June 19, 2004).

Paragraph 2 of the final guidelines and conditions is revised to add subparagraph (g), with ellipses referring to the existing text of the notice:

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2. Eligibility.

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

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g. Has a valid Pennsylvania 2005 "Nonprofit" kennel license, and operates only a nonprofit kennel at the facility for which grant reimbursement is requested. Facilities which house kennel operations other than a nonprofit facility (that is, boarding kennel and/or commercial kennel) at the same location are not eligible to participate in this program.

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DENNIS C WOLFF,
Secretary

[Pa.B. Doc. No. 04-1689. Filed for public inspection September 10, 2004, 9:00 a.m.]

DEPARTMENT OF BANKING

Action on Applications

The Department of Banking, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending August 31, 2004.

BANKING INSTITUTIONS

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
8-25-04	First CornerStone Bank King of Prussia Montgomery County	Ridley Shopping Center 160 Morton Avenue Ridley Park Delaware County	Filed
8-26-04	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	205 Lancaster Avenue Devon Chester County	Filed
8-26-04	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	Spring House Village Plaza Bethlehem Pike Spring House Montgomery County	Filed
8-26-04	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	Giant Eagle 3701 SR 88 Finleyville Washington County	Filed
8-26-04	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	Giant Eagle 1700 New Butler Road New Castle Lawrence County	Filed
8-26-04	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	Giant Eagle 3230 Wilmington Road New Castle Lawrence County	Filed
8-26-04	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	Giant Eagle 223 Grove City Road Slippery Rock Butler County	Filed

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

No activity.

A. WILLIAM SCHENCK, III,
Secretary

[Pa.B. Doc. No. 04-1690. Filed for public inspection September 10, 2004, 9:00 a.m.]

**DEPARTMENT OF CONSERVATION AND NATURAL
RESOURCES****Conservation and Natural Resources Advisory Council Meeting**

The Conservation and Natural Resources Advisory Council to the Department of Conservation and Natural Resources (Department) will hold a meeting on Wednesday, September 22, 2004, at 9 a.m. in the Bedford/Westmoreland Room, Holiday Inn, 250 Market Street, Johnstown, PA.

Questions concerning this meeting or agenda items should be directed to Kurt Leitholf at (717) 705-0031.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Joan Dupes at (717) 705-0031 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

MICHAEL F. DIBERARDINIS,
Secretary

[Pa.B. Doc. No. 04-1691. Filed for public inspection September 10, 2004, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION**Applications, Actions and Special Notices****APPLICATIONS****THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT
APPLICATIONS FOR NATIONAL POLLUTION DISCHARGE ELIMINATION
SYSTEM (NPDES) PERMITS AND WATER QUALITY MANAGEMENT (WQM)
PERMITS**

This notice provides information about persons who have applied for a new, amended or renewed NPDES or WQM permit, a permit waiver for certain stormwater discharges or submitted a Notice of Intent (NOI) for coverage under a general permit. The applications concern, but are not limited to, discharges related to industrial, animal or sewage waste, discharges to groundwater, discharges associated with municipal separate storm sewer systems (MS4), stormwater associated with construction activities or concentrated animal feeding operations (CAFOs). This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92 and 40 CFR Part 122, implementing The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and the Federal Clean Water Act.

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

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

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

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

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

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

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

I. NPDES Renewal Applications

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0061590	Little Washington Wastewater Company 762 West Lancaster Avenue Bryn Mawr, PA 19010	North Union Township Schuylkill County	Tomhicken Creek 5E	Y
PA0032590 Minor Sewage	Frieden Associates, L. P. 215 West Church Road, Suite 105 King of Prussia, PA 19406	Schuylkill County Wayne Township	Long Run 3A	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>
PA0088170 IW	Leffler Energy 225 East Main Street Richland, PA 17087	Lebanon County Richland Borough	UNT of Mill Creek 3-C	Y
PA0088161 IW	Leffler Energy 225 East Main Street Richland, PA 17087	Lancaster County New Holland Borough	UNT of Conestoga River 7-J	Y
PA0088099 IW	Leffler Energy 225 East Main Street Richland, PA 17087	Lancaster County Mount Joy Borough	UNT of Little Chickies Creek 7-G	Y
PA0088145 IW	Leffler Energy 225 East Main Street Richland, PA 17087	York County West Manchester Township	UNT of Codorus Creek 7-H	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>
PA0114286 Sewerage	New Albany Borough P. O. Box 67 New Albany, PA 18833-0067	New Albany Borough Bradford County	South Branch Towanda Creek 4-C	Y

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

<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>
PA0101508	Pennsylvania Brine Treatment, Inc. Franklin Facility 5148 US 322 Franklin, PA 16323	Venango County Cranberry Township	Allegheny River 16-G	Y

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

Northcentral Region: Water Management Program Manager, 208 West Third Street, Williamsport, PA 17701, (570) 327 3664.

PA0228842, Sewerage SIC, 4952, **Muddy Run Regional Authority**, P. O. Box 474, Madera, PA 16661-0474. This proposed facility is in Bigler Township, **Clearfield County**.

Description of Proposed Activity: Issuance of an NPDES permit for a proposed discharge of treated sewage wastewater.

The receiving stream, Clearfield Creek, is in the State Water Plan watershed 8C and classified for WWF. The nearest downstream public water supply intake for Reliant Energy at Shawville is on the West Branch Susquehanna River, 34 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.4 MGD.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Daily Maximum (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40		50
TSS	30	45		60
Total Cl ₂ Residual	0.50			1.6
Fecal Coliform (5-1 to 9-30)	200 col/100 ml as a geometric mean			
(10-1 to 4-30)	2,000 col/100 ml as a geometric mean			
pH	6.0 to 9.0 at all times			

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

PA0096091, Sewage, **Aleppo Township Authority**, P. O. Box 81, Sewickley, PA 15143-0081. This application is for renewal of an NPDES permit to discharge treated sewage from the I-79 North STP in Aleppo Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Kilbuck Run, which are classified as a CWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Nova Chemicals Beaver Valley Plant.

Outfall 001: existing discharge, design flow of 0.095 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen (5-1 to 10-31)	2.5			5.0
(11-1 to 4-30)	7.5			15.0
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000 as a geometric mean			
Dissolved Oxygen	not less than 5 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

PA0006343—Amendment No. 2, Industrial Waste, **AK Steel Corporation—Butler Operations**, P. O. Box 832, 210 Pittsburgh Road, Butler, PA 16003-0832. The facility is in Butler Township and the City of Butler, **Butler County**.

Description of Proposed Activity: Discharge of treated industrial waste, noncontact cooling water and stormwater.

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply (stream and public water supplier) considered during the evaluation is the Zelenople Water Works and the Connoquenessing Creek at Zelenople, approximately 20 miles below point of discharge.

The receiving streams, Connoquenessing Creek, Sawmill Run, Rocklick Run and Sullivan Run, are in watershed 20-C and classified for WWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 002.

<i>Parameter</i>	<i>Loadings</i>		<i>Concentrations</i>		
	<i>Average Monthly (lb/day)</i>	<i>Maximum Daily (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (MGD)	XX				
TSS					150
Oil and Grease					30
pH	within limits of 6.0 to 9.0 standard units at all times				

The proposed effluent limits for Outfall 003.

<i>Parameter</i>	<i>Loadings</i>		<i>Concentrations</i>		
	<i>Average Monthly (lb/day)</i>	<i>Maximum Daily (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (MGD)	XX				
TSS					150
Oil and Grease					30
pH	within limits of 6.0 to 9.0 standard units at all times				

The proposed effluent limits for Outfall 004 based on a design flow of 0.25 MGD.

<i>Parameter</i>	<i>Loadings</i>		<i>Concentrations</i>		
	<i>Average Monthly (lb/day)</i>	<i>Maximum Daily (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (MGD)	XX				
Temperature					XX
pH	within limits of 6.0 to 9.0 standard units at all times				

The proposed effluent limits for Outfall 005 based on a design flow of 2.63 MGD.

<i>Parameter</i>	<i>Loadings</i>		<i>Concentrations</i>		
	<i>Average Monthly (lb/day)</i>	<i>Maximum Daily (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (MGD)	XX				
Total Suspended Solids	1,495	3,479	XX	XX	170
Oil and Grease	498	1,492	15	XX	30
Chromium, Total	19.9	49.8	XX	XX	2.3
Nickel, Total	15	44.8	XX	XX	2.0
Iron, Total	55.7	111	2.54	5.08	6.35
Fluoride+	440		XX		
Nitrite and Nitrate (as Nitrogen)+	999		XX		
Sulfate (Interim)+	67,800		XX		
(Final)	18,000	36,000	800	1,640	2,500
Chloride (Interim)+	71,240		XX		
(Final)	22,526	45,053	1,027	2,055	2,570
pH	within limits of 6.0 to 9.0 standard units at all times				

+—Total for Outfalls 001 and 005.

The proposed effluent limits for Outfall 006.

<i>Parameter</i>	<i>Loadings</i>		<i>Concentrations</i>		
	<i>Average Monthly (lb/day)</i>	<i>Maximum Daily (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (MGD)	XX				
TSS			30		60
Oil and Grease			15		30
pH	within limits of 6.0 to 9.0 standard units at all times				

XX—Monitor and report

Outfall 001—No proposed changes to the effluent requirements.

Outfall 005—The effluent limitations for Ammonia-Nitrogen are being removed based on the conversion of their pickling lines to hydrogen-peroxide pickling. Monthly temperature effluent limitations are no longer necessary due to the elimination of the major heat source to this outfall. The following wastewater sources are being removed as tributary to

this outfall: tandem mills, no. 3 cold rolling mill and sludge bed no. 5. Newly identified wastewater sources are being added: boiler blowdown, softener backwash and the overflow from the main plant water recycle system.

Outfall 006—The effluent limits were revised since the process wastewater has been permanently rerouted to the Outfall 005 treatment facilities. The remaining, nonprocess wastewater sources include: stormwater, boiler blowdown, softener backwash and the overflow from the main plant water recycle system.

Outfall 007—Identification of the following additional waste sources: titanium rolling (hot strip mill), stormwater, boiler blowdown and softener backwash.

Outfalls 008, 017—022, 026 and 027—Identification of an additional waste source: stormwater and low-volume discharges of treated recycle water from the main plant recycle system.

Outfalls 009—017, 023, 024 and 028—045—New and existing stormwater outfalls.

Special Condition: A monitoring waiver is granted for Outfall 005—Lead, Zinc, Tetrachloroethylene and Naphthalene and Outfall 007—Ammonia-N, Cyanide, Fluoride, Lead and Zinc in accordance with 40 CFR 122.44(a)(2).

The EPA waiver is not in effect.

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

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

WQM Permit No. 0904413, Sewerage, **Hilltown Water & Sewer Authority**, P. O. Box 365, Sellersville, PA 18960. This proposed facility is in Hilltown Township, **Bucks County**.

Description of Proposed Action/Activity: Construction and operation of a wastewater treatment plant for a new 190 EDU residential development.

WQM Permit No. 4604413, Sewerage, **Harold and Flo Rae Booth**, 1000 Stony Lane, Gladwyne, PA 19035. This proposed facility is in Lower Merion Township, **Montgomery County**.

Description of Proposed Action/Activity: General Permit for the installation of a stream discharge wastewater treatment plant.

WQM Permit No. 4604414, Sewerage, **Frederick Mennonite Community**, 2849 Big Road, P. O. Box 498, Frederick, PA 19435-0498. This proposed facility is in Upper Frederick Township, **Montgomery County**.

Description of Proposed Action/Activity: Construction and operation of a sanitary sewer extension 8-inch PVC and pumping station to serve new housing units adjacent to existing unit.

WQM Permit No. 1504411, Sewerage, **John Stoltzfus**, 920 Pleasant View Road, Honey Brook, PA 19344. This proposed facility is in Honey Brook Township, **Chester County**.

Description of Proposed Action/Activity: Applicant is requesting for the construction and operation of a small flow treatment facility.

WQM Permit No. 1504413, Sewerage, **Atglen Borough Sewer Authority**, 120 West Main Street, P. O. Box 250, Atglen, PA 19310. This proposed facility is in Atglen Borough, **Chester County**.

Description of Proposed Action/Activity: Applicant is requesting approval to increase hydraulic design capacity to the wastewater treatment plant from 0.09 mgd to 0.155 mgd.

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

WQM Permit No. 5204406, Pennsylvania Utility Company, Inc., **Tamiment Resort**, Bushkill Falls Road, Bushkill, PA 18371. This proposed facility is in Lehman Township, **Pike County**.

Description of Proposed Action/Activity: This project involves the replacement of the LaBar Pump Station to serve existing interim and ultimate flows within the ultimate service area of the Tamiment Resort.

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

WQM Permit No. 0603413 Amendment 04-1, Sewerage, **Neighborhood Home Owners Association**, 6350 Daniel Boone Road, Birdsboro, PA 19508. This proposed facility is in Exeter Township, **Berks County**.

Description of Proposed Action/Activity: Construction of a small flow treatment facility to serve a single family.

WQM Permit No. 2204408, Sewerage, **Bright Hope Fellowship Brethren in Christ Church**, 180 Hershey Road, Elizabethtown, PA 17022. This proposed facility is in Londonderry Township, **Dauphin County**.

Description of Proposed Action/Activity: Construction of a small flow sewage treatment facility to serve a 600-seat church.

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

WQM Permit No. 0804405, Sewerage, **Charles Miller**, R. R. 2 Box 128G, Ulster, PA 18850. This proposed facility is in Sheshequin Township, **Bradford County**.

Description of Proposed Action/Activity: Construction and operation of a small flow treatment facility to serve a residence. The treatment facility will discharge to an unnamed tributary to Deer Lick Creek (WWF).

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

WQM Permit No. 0204409, Sewerage, City of McKeesport, 201 Lysle Boulevard, McKeesport, PA 15132. This proposed facility is in McKeesport City, **Allegheny County**.

Description of Proposed Action/Activity: Application for the construction and operation of the Hartman Street Sanitary Sewer Project.

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.

IV. NPDES Applications for Stormwater Discharges from MS4

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

WQM Permit No. 4904402, Sewage 4952, **Mt. Carmel Borough**, P. O. Box 365, Mt. Carmel, PA 17851. This proposed facility is in Mt. Carmel Township, **Northumberland County**.

Description of Proposed Action/Activity: The applicant proposes to replace vacuum sludge dewatering with a sludge belt press.

V. Applications for NPDES Waiver Stormwater Discharges from MS4

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI011504061	James Mark Property P. O. Box 63 New London, PA 19360	Chester	East Nottingham Township	Big Elk Creek HQ-TSF-MF
PAI012304006	Sposato-Rayor Builders, Inc. Old Forge Road Subdivision 114 Black Bass Lane—West Media, PA 19063	Delaware	Middletown Township	Rocky Run HQ-CWF-MF

Cambria District: Environmental Program Manager; 286 Industrial Park Road, Ebensburg, PA 15931-4119.

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAG2091004004	Bureau of Abandoned Mine Reclamation Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119	Butler	Cherry Township	Slippery Rock Creek CWF

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

PAG-12	CAFOs
PAG-13	Stormwater Discharges from MS4

PUBLIC WATER SUPPLY (PWS) PERMIT

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

Persons wishing to comment on a permit application are invited to submit a statement to the office listed before the application within 30 days of this public notice. Comments received within the 30-day comment period will be considered in the formulation of the final determinations regarding the application. Comments should include the name, address and telephone number of the writer and a concise statement to inform the Department of Environmental Protection (Department) of the exact

basis of a comment and the relevant facts upon which it is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

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

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

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

SAFE DRINKING WATER

Applications Received under the Pennsylvania Safe Drinking Water Act

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

Permit No. 6404501, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**
 Township or Borough Canaan Township
 County **Wayne**
 Responsible Official Roswell McMullen, P. E.,
 Manager, Northeast Operations
 Aqua Pennsylvania, Inc.
 HC 6, Box 6040
 Hawley, PA 18428

Type of Facility PWS
 Consulting Engineer Doug Berg, P. E.
 Entech Engineering, Inc.
 P. O. Box 268
 East Stroudsburg, PA 18301

Application Received August 24, 2004
 Date

Description of Action The applicant requests a major permit amendment for pH adjustment through the addition of caustic soda at well 2 and general corrosion control treatment through the addition of a sodium orthopolyphosphate blend at wells 1 and 2.

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

Permit No. 5604502, Public Water Supply.

Applicant **Somerset County General Authority**
 146 West Main Street
 Somerset, PA 15501

Township or Borough Jenner, Lincoln and Somerset Townships
 Boswell Borough

Responsible Official Frederick R. Smith, Vice
 Chairperson
 Somerset County General Authority
 146 West Main Street
 Somerset, PA 15501

Type of Facility Water System
 Consulting Engineer Crouse & Company
 332 South Lynn Avenue
 Somerset, PA 15501

Application Received May 26, 2004
 Date

Description of Action Interconnection with the Quemahoning Reservoir, construction of a raw water pump station, raw water pipeline, 2 MGD water treatment plant, 2 MG water storage tank, two booster stations and interconnection with the Somerset system.

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

Application No. 1004503, Public Water Supply.

Applicant **Kennedy Mobile Home Park**
 Township or Borough Marion Township, **Butler County**

Responsible Official G. Victor Kennedy, Owner
 Type of Facility PWS
 Application Received August 2, 2004
 Date

Description of Action Construction of a public water system utilizing two existing water wells, the construction of a proposed new water well and water treatment plant.

WATER ALLOCATIONS

Applications received under the act of June 24, 1939 (P. L. 842, No. 365) (35 P. S. §§ 631—641) relating to the Acquisition of Rights to Divert Waters of this Commonwealth

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

WA56-1003, Water Allocations, **Cambria Somerset Authority**, 224 Walnut Street, Johnstown, PA 15901, **Allegheny County**. The applicant is requesting to withdraw 71.0 MGD peak day from the Quemahoning Reservoir, 10 MGD peak day from the Hinckston Run Reservoir, 10 MGD peak day from the Wilmore Reservoir, 26 MGD peak day from the South Fork Dam Intake and 27 MGD peak day from the Border Dam Intake. All combined sources will not withdraw more than 71.0 MGD on a peak day average.

WA56-1002, Water Allocations, **Somerset County General Authority, Indiana County**. The applicant is requesting a subsidiary water allocation permit to purchase 4 million gallons per day for an average day from the Cambria Somerset Authority.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 1

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

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment

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

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

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

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

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

Sel-Lo Oil, Muncy Creek Township, **Lycoming County**. Andres J. Sokol, P. G., 938 Lincoln Ave., Suite 203, Springfield, PA 19064 on behalf of Sean Alexander, Department of Transportation, 715 Jordan Avenue, Montoursville, PA 17754, has submitted a Notice of Intent to Remediate groundwater contaminated with benzene. This site is being remediated to meet the Site-Specific Standards.

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

Honeywell Farmers Valley Wax Plant Main, Keating Township, **McKean County**. Dayne M Crowley, P. G., MACTEC Eng. Consulting, on behalf of Shane Dunn,

Honeywell Specialty Materials has submitted a Notice of Intent to Remediate. Within certain portions of this site, historic refining activities have resulted in releases of petroleum products that have impacted soil and groundwater and separate phase liquid has accumulated on the water table, including weathered gasoline, naphtha, lubrication oil and other finished and crude petroleum products. Groundwater recovery will be continued until it is determined that further recovery is not necessary. Soil remedial measures will be implemented based on the development of site specific standards and the results of soil sampling to be completed at the site.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

Northwest Region: Regional Solid Waste Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

Permit Application No. 101678. Tri-County Landfill, Inc., 159 TCI Park Drive, Grove City, PA 16365, Liberty and Pine Townships, **Mercer County**. The application, originally submitted January 9, 2004, was to repermit and expand the Tri-County Landfill. Due to administrative incompleteness, the application was withdrawn, with the intention of resubmitting. The application was withdrawn by Tri-County Landfill, Inc. on July 28, 2004.

Comments concerning the application should be directed to Todd Carlson, Program Manager, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. Persons interested in obtaining more information about the general permit application should contact the Northwest Regional Office at (814) 332-6848. TDD users should contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

NEW SOURCES AND MODIFICATIONS

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

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

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

Persons wishing to receive a copy of a proposed plan approval or operating permit must indicate their interest

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

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

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

PLAN APPROVALS

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

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

36-05135A: StyleCraft Corp. (400 Broad Street, Terre Hill, PA 17581) for installation of four spray booths controlled by dry filters in their Terre Hill Borough, **Lancaster County**. The plan approval will include monitoring, recordkeeping, reporting and work practice standards designed to keep the facility operating within all applicable air quality requirements.

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

17-305-050A: Penfield Collieries, LLC (301 Market Street, Kittanning, PA 16201) for construction of a clean coal stockpiling and railcar loading operation in Huston Township, **Clearfield County**.

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

10-171B: Butler Color Press (119 Bonnie Drive, Butler, PA 16003) for plan approval to discontinue use of solvent recovery system and allow disposal of used solvent offsite as hazardous waste in the City of Butler, **Butler County**.

10-338B: Superior Adsorbents—AC Valley Industrial Park (3781 Oneida Valley Road, Emlenton, PA 16373) for plan approval to reactivate their resin bonded filter plant in Allegheny Township, **Butler County**.

10-065A: Allegheny Mineral Corp. (Camp Ground Road, Harrisville, PA 16038) for construction of a new limestone grinding mill and hot air generator controlled by a fabric collector at an existing facility in Mercer Township, **Butler County**. The facility is subject to New Source Performance Standards Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants.

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

AMS 04108: Naval Surface Warfare Center—Carderock Division (5001 South Broad Street, Code 357, Philadelphia, PA 19112) for modification of RACT plan approval for five 125 mmBtu/hr boilers in Building 23 burning natural gas and no. 6 oil in the City of Philadelphia, **Philadelphia County**. The modified RACT plan approval retroactively sets a NOx emission limit of 534 tons per year as the RACT requirement for these boilers. The boilers are shut down and there will be no emissions as a consequence of this action. This RACT modification is being done to establish a basis for emission reduction credits for the boilers' shut down.

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

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

23-0014E: Kimberly-Clark Pennsylvania, LLC (Front and Avenue of the States, Chester, PA 19013) for installation of two low NOx burners in the drying hood system of paper machine no. 16 in City of Chester, **Delaware County**. The facility is a Title V facility. The new burners are rated at 18 mmBtu/hr each and will replace two 22.5 mmBtu/hr (each) burners. Natural gas is the only fuel used. The existing burners are currently permitted with NOx emission limits of: 0.1 lb/mmBtu/hr; 4.50 lb/hr (total); and 19.71 tons/yr (total). The NOx emission limits for the proposed new burners are: 0.035 lb/mmBtu; 1.26 lb/hr (total); and 5.52 tons/yr (total) on a 12-month rolling sum basis. The company shall keep records of fuel use on a monthly basis. The proposed Plan Approval also requires the company to perform stack tests for NOx and CO.

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

48-399-054: Spray-Tek LLC (3010 Avenue B, Bethlehem, PA 18017) for construction of a spray dryer and associated air cleaning devices (venturi scrubber and fabric collector) at their facility in the City of Bethlehem, **Northampton County**. The facility is a non-Title V (State-only) facility. Particulate emissions from the venturi scrubber and the fabric collector will not exceed the Best Available Technology standard of 0.02 grain/dscf. The plan approval and operating permit will include emission restrictions, work practice standards and monitoring, reporting and recordkeeping requirements designed to keep the source operating within all applicable air quality requirements.

OPERATING PERMITS

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

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 a 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 adopted in 25 Pa. Code Chapter 127, Subchapter G. The proposed Title V Operating Renewal does not adopt any new regulations and does not reflect any change in air emissions from the facility. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting.

23-00051: Riddle Memorial Hospital (1068 West Baltimore Pike, Media, PA 19063) for operation of a general medical hospital in Middletown Township, **Delaware County**. The permit is for a Title V facility. The facility's major emission points are three boilers, three emergency generators, one infectious waste incinerator and one natural gas-fired air conditioning system, which have the potential to emit major levels of NOx and hydrochloric acid. Additionally, the facility is subject to the NSPS requirements of 40 CFR 60, Subpart Ce.

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

14-00003: The Pennsylvania State University (101-P Physical Plant Building, University Park, PA 16802) for renewal of the Title V Operating Permit for their University Park campus in State College Borough, **Centre County**. The facility is currently operating under Title V Operating Permit 14-00003. The facility's main sources include 4 bituminous coal/natural gas/no. 2 fuel oil fired boilers, 3 natural gas/no. 2 fuel oil fired boilers, 1 natural gas/coal-water slurry/micronized coal fired boiler, 1 medium hazardous/medical/infectious waste incinerator and 46 natural gas/propane/diesel fuel fired emergency generators. The facility has the potential to emit major quantities of NOx, SOx, CO, PM10 and HAPs. The facility has the potential to emit VOCs below the major emissions threshold. The four bituminous coal/natural gas/no. 2 fuel oil fired boilers are subject to Compliance Assurance Monitoring requirements specified in 40 CFR 64.1—64.10. The proposed Title V operating permit contains all applicable requirements including Federal and State regulations. In addition, monitoring, recordkeeping and reporting conditions regarding compliance with all applicable requirements are included.

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

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

36-03135C: Shared Mail Acquisitions, LLC (72 Industrial Circle, Leola, PA 17540-0129) for construction of a heatset printing press at their facility in Upper Leacock Township, **Lancaster County**. This printing facility is a non-Title V (State-only) facility. This construction will result in 1.43 tons per year of VOC emissions after control by the existing thermal oxidizer. Conditions for monitoring, recordkeeping and work practice standards are included to keep the facility operating within the applicable requirements.

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

42-00172: Borden Chemical, Inc. (Hutchins Road, Mount Jewett, PA 16740) for issuance of a Natural Minor Operating Permit to produce urea-formaldehyde resins in Sergeant Township, **McKean County**. The facility's primary emission sources include storage tanks and a resin kettle. The VOC and HAP emissions from this facility are well below major source levels.

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

Written comments, objections or requests for informal conferences on applications may be submitted by any person or any officer or head of any Federal, State or local government agency or authority to the Department at the district mining office indicated before an application within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement, as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34.

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

requested review of NPDES permit requirements for a particular mining activity within the previously mentioned public comment period will be provided with a 30-day period to review and submit comments on the requirements.

Written comments or objections should contain the name, address and telephone number of the person submitting comments or objections; the application number; and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based. Requests for an

informal conference must contain the name, address and telephone number of requestor; the application number; a brief summary of the issues to be raised by the requestor at the conference; and a statement whether the requestor wishes to have the conference conducted in the locality of the proposed mining activities.

Coal Applications Received

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

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

*The parameter is applicable at all times.

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

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

56040105 and NPDES Permit No. PA0249602. Berwind Coal Sales Company, 509 15th Street, Windber, PA 15963, commencement, operation and restoration of a bituminous surface mine in Shade and Paint Townships, **Somerset County**, affecting 170.5 acres. Receiving streams: unnamed tributaries to/and Shade Creek (CWF). The first downstream potable water supply intake from the point of discharge is the Cambria Somerset Authority Border Dam SWI. Application received August 16, 2004.

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

61040102 and NPDES Permit No. PA0242560. Ben Hal Mining Company (389 Irishtown Road, Grove City, PA 16127). Commencement, operation and restoration of a bituminous surface strip operation in Irwin Township, **Venango County** affecting 58.0 acres. Receiving streams: two unnamed tributaries to Scrubgrass Creek (CWF). There are no potable surface water supply intakes within 10 miles downstream. Application received August 24, 2004.

33693008 and NPDES Permit No. PA0604186. P. and N. Coal Co., Inc. (P. O. Box 332, Punxsutawney, PA 15767). Renewal of and existing bituminous surface strip and auger operation in Gaskill Township, **Jefferson County** affecting 116.0 acres. Receiving streams: unnamed tributaries to Lost Run and East Branch Lost Run (HQ, CWF). There are no potable surface water supply intakes within 10 miles downstream. Application for reclamation only. Application received August 26, 2004.

33010102 and NPDES Permit No. PA0241890. McKay Coal Company, Inc. (P. O. Box 343, Punxsutawney, PA 15767). Revision to an existing bituminous

surface strip, auger and coal refuse disposal operation in Perry Township, **Jefferson County** affecting 56.4 acres. Receiving streams: two unnamed tributaries to Foundry Run, Foundry Run to Mahoning Creek (CWF). There are no potable surface water supply intakes within 10 miles downstream. Revision to include the request to disposal of coal refuse. Application received August 27, 2004.

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

17040109 and NPDES Permit No. PA0243841. Forcey Coal, Inc. (P. O. Box 225, Madera, PA 16661). Commencement, operation and restoration of a bituminous surface mine-auger permit in Bigler Township, **Clearfield County** affecting 67 acres. Receiving streams: unnamed tributary to Muddy Run; Banian Run to Muddy Run (WWF). The first potable water supply intake from the point of discharge is: none. Application received August 17, 2004.

17000107 and NPDES Permit No. PA0242951. Shud's Coal Hounds, Inc. (5757 Green Acres Road, Houtzdale, PA 16651). Revision to an existing bituminous surface mine-auger permit for a change in permit acreage from 146.8 to 167.8 acres. The permit is in Woodward and Bigler Townships, **Clearfield County**. Receiving streams: Upper Morgan Run and Goss Run. Application received August 12, 2004.

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

54880201R3. Blaschak Coal Corp. (P. O. Box 12, Mahanoy City, PA 17948), renewal of an existing coal refuse reprocessing and preparation plant operation in Pine Grove Township, **Schuylkill County** affecting 61.4 acres, receiving stream: none. Application received August 24, 2004.

54880203T3 and R3. Rausch Creek Land, LP (978 Gap Street, Valley View, PA 17983), renewal and transfer of an existing coal refuse reprocessing operation from Meadowbrook Coal Co., Inc. in Tremont Township, **Schuylkill County** affecting 15.8 acres, receiving stream: Rowe Tunnel to Lorberry Creek. Applications received August 24, 2004.

California District Mining Office: 25 Technology Drive, Coal Center, PA 15423.

63921301. NPDES Permit No. PA0214434, UMC Energy, Inc. (981 Route 917, Bentleyville, PA 15314), to revise the permit for the High Quality Mine in Fallowfield Township, **Washington County** to add surface acres to install the 8 East air shaft and sedimentation pond. Surface Acres Proposed 9.5. Receiving stream: unnamed tributary to Maple Creek (WWF). Application received July 7, 2004.

56831601. NPDES Permit No. PA0213497, Reitz Coal Company (509 15th Street, Windber, PA 15963-1603), to revise the permit for the Reitz No. 11 Coal Preparation Plant in Shade Township, **Somerset County** to change post-mining land use on 25.7 acres of the 33-acre site from forestland to industrial/commercial. No additional discharges. Application received July 21, 2004.

63921301. NPDES Permit No. PA0214434, UMC Energy, Inc. (981 Route 917, Bentleyville, PA 15314), to revise the permit for the High Quality Mine in Fallowfield Township, **Washington County** for stream remediation within the unnamed tributary to Maple Creek. No additional discharges. Application received July 28, 2004.

63831302. NPDES Permit No. PA0213608, Eighty Four Mining Company (1525 Pleasant Grove Road, P. O. Box J, Claysville, PA 15323), to revise the permit for Mine No. 84 in South Strabane Township, **Washington County** to add surface activity site acres for the installation of a ventilation borehole and a pressure relief borehole. Surface Acres Proposed 2.0. No additional discharges. Application received July 29, 2004.

32981301. NPDES Permit No. PA0215180, Rox COAL, Inc. (P. O. Box 149, Friedens, PA 15541), to renew the permit for the North Branch Mine in Green Township, **Indiana County** and related NPDES permit. No additional discharges. Application received August 4, 2004.

32971302. NPDES Permit No. PA0215040, Rosebud Mining Company (301 Market Street, Kittanning, PA 16201-9642), to revise the permit for the Dutch Run Mine in Washington and Armstrong Townships, **Indiana County** to add underground permit and subsidence control plan area acres. Underground Acres Proposed 1,229.0, SCP Acres Proposed 1,229.0. No additional discharges. Application received August 5, 2004.

30841316. NPDES Permit No. PA0213535, Consol Pennsylvania Coal Company (P. O. Box J, Claysville, PA 15323), to revise the permit for the Bailey Mine in Richhill Township, **Greene County** to perform evaluations of potential stream remediation area sites along unnamed tributary no. 3 Dunkard Fork and Wharton Run. No additional discharges. Application received August 9, 2004.

Noncoal Permit Applications Received

Small Noncoal Permit—Final Bond Release

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

08930801. Chet Ostrosky (R. D. 1, Box 91, Wyalusing, PA 18853). Final bond release for a small noncoal mining operation in Herrick Township, **Bradford County**. Restoration of 1 acre completed. Application for final bond release received July 20, 2004. Final bond release approved August 18, 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

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

E01-248: Robert Foehrkolb, 7018 Greenbank Road, Baltimore, MD 21220 in Franklin Township, **Adams County**, ACOE Baltimore District.

To construct and maintain an access road to an existing home which will impact two wetlands with a de minimis impact of 0.01 acre and a 12-foot by 17-foot bridge across an unnamed tributary to Marsh Creek (CWF) (Caledonia Park, PA Quadrangle N: 0.4 inch; W: 0.4 inch) in Franklin Township, Adams County.

E67-757: Homewood Retirement Centers, P. O. Box 250, Williamsport, MD 21795 in Penn Township, **York County**, ACOE Baltimore District.

To remove an existing 4-foot by 5-foot metal tank road crossing, then construct and maintain: (1) a 27-foot 6-inch low arch metal culvert 85-foot long in Plum Creek

(WWF); (2) a 24-foot by 60-foot supercor metal box culvert in an unnamed tributary to Plum Creek (WWF); (3) one 18-inch sanitary sewer line crossing of Plum Creek (WWF); (4) two 18-inch sanitary sewer line crossings of unnamed tributaries to Plum Creek (WWF); (5) one 8-inch sanitary sewer line crossing of Plum Creek (WWF); (6) a 12-foot by 14-foot footbridge over Plum Creek (WWF) and associated wetlands; and (7) a 6-foot by 14-foot footbridge over Plum Creek (WWF) and associated wetlands all (Hanover, PA Quadrangle N: 6.0 inches; W: 17.1 inches) in Penn Township, York County. The 300 square feet of wetland impacts is de minimis and therefore mitigation is not required.

E67-772: North Codorus Township, 1986 Stoverstown Road, Spring Grove, PA 17362 in North Codorus Township, **York County**, ACOE Baltimore District.

To remove three existing culverts at three separate roadway crossings, then to construct and maintain: (1) a 16-foot by 5-foot 8-inch corrugated metal pipe arch and rip-rap rock bank protection at a point where Spangler's Road crosses an unnamed tributary to the South Branch Codorus Creek (WWF) (Seven Valleys, PA Quadrangle N: 16.5 inches; W: 7.7 inches); (2) a 16-foot by 5-foot 2-inch corrugated metal pipe arch and rip-rap rock bank protection at a point where Brush Valley Road crosses over an unnamed tributary to the South Branch Codorus Creek (WWF) (Seven Valleys, PA Quadrangle N: 15.6 inches; W: 9.2 inches); and (3) a 12-foot by 5-foot reinforced concrete box culvert with rip-rap rock bank protection at a point where Buffalo Valley Road crosses over an unnamed tributary to the South Branch Codorus Creek (WWF) (Seven Valleys, PA Quadrangle N: 13.8 inches; W: 11.6 inches) all in North Codorus Township, York County.

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

E08-416. Burlington Township, R. R. 3, Box 118, Towanda, PA 18848. Bridge replacement in Burlington Township, **Bradford County**, ACOE Baltimore District (Ulster, PA Quadrangle N: 6.75 inches; W: 11.75 inches).

To: (1) remove the existing single span concrete steel bridge with steel I-beams, concrete abutments and wingwalls and steel pipe parapet. This structure has a 20-foot span, 7-foot rise and a hydraulic opening of 106 square feet; (2) construct and maintain a single span reinforced concrete rigid frame on a 57-degree skew left hand ahead with a span length of about 26 feet and an underclearance of about 9.4 feet; and (3) place approximately 50 linear feet of upstream and downstream left and right stream bank class R-7 and R-4 borrow excavation rock. The project is over Wallace Run (WWF) on T-558 about 0.2 mile north of the intersection of T-558 and Covered Bridge Road. The project will not impact wetlands while impacting approximately 170 feet of waterway and disturbing 0.4 acre of earth.

E12-151. Seneca Resources Corporation, P. O. Box 125, Kane, PA 16735. Seneca Resources 25,000-acre timbering tract in Shippen, Jones, Norwich and Sergeant Townships, **Cameron, Elk and McKean Counties**, ACOE Baltimore District (Rich Valley, PA Quadrangle N: 14 inches; W: 13.39 inches).

The applicant is applying for an after-the-fact permit for 172 stream crossings in North Creek, Cooks Run, Elk Fork, Driftwood Branch of the Sinnemahoning Creek, Bobby Run, Clear Creek, Havens Run and tributaries to

these streams in Cameron County. All streams in this tract have a Chapter 93 water quality use of either HQ-CWF or EV. Many of the stream crossings have been in for several years and they range from ford crossings to bridges.

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

E63-563. Bobby Rahal Dealerships, 6305 Carlisle Pike, Mechanicsburg, PA 17055. Bobby Rahal Land Rover dealership bridges and stream enclosure in North Strabane Township, **Washington County**, Pittsburgh ACOE District (Canonsburg, PA Quadrangle N: 1.5 inches; W: 6.2 inches—Latitude: 40° 15' 30" and Longitude: 80° 10' 10"). The applicant proposes to enclose and maintain 240 linear feet of an unnamed tributary to Little Chartiers Creek and to construct and maintain two bridges, one having a span of 16.0 feet with an underclearance of 5.0 feet and one having a span of 32.0 feet with an underclearance of 8.0 feet across an unnamed tributary to Little Chartiers Creek for the purpose of providing access to the proposed Land Rover dealership on the north side of Route 19, approximately 1,500 feet northeast from the intersection of Route 19 and Weavertown Road.

E65-854. Westmoreland County Industrial Development Corporation, Courthouse Square, Suite 601, 2 North Main Street, Greensburg, PA 15601. Five-span bridge in East Huntingdon Township, **Westmoreland County**, Pittsburgh ACOE District (Connellsville, PA Quadrangle N: 20.43 inches; W: 7.46 inches—Latitude: 40° 6' 45" and Longitude: 79° 33' 12"). The applicant proposes to remove the existing structure and to construct and maintain an 11.0-foot wide, five-span railroad bridge having normal spans of 11 feet, 12 feet, 14 feet, 14 feet and 13.0 feet and a minimum underclearance of 2.1 feet across Jacobs Creek (WWF). The project is off of SR 1027, 1 mile south of its intersection with SR 819.

E65-855. Ligonier Township, One Municipal Drive, Ligonier, PA 15658. Box culvert in Ligonier Township, **Westmoreland County**, Pittsburgh ACOE District (Wilpen, PA Quadrangle N: 0.4 inch; W: 7.56 inches—Latitude: 40° 15' 8" and Longitude: 79° 10' 45"). The applicant proposes to remove the existing structure and to construct and maintain a 24.5-foot long, 1.0-foot depressed, 7.0-foot by 5.0-foot concrete box culvert in an unnamed tributary to Mill Creek (CWF) for the purpose of improving transportation safety and roadway standards. The project is on Griffith Road.

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

E37-163. Department of Transportation, District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017-2853. SR 4005, Section L02 over McClanahan Run in Pulaski Township, **Lawrence County**, ACOE Pittsburgh District (Edinburg, PA Quadrangle N: 17.75 inches; W: 5.06 inches).

To remove the existing structure and to construct and maintain an approximately 32.0-foot long, 24-foot wide by 11-foot high precast concrete pipe arch culvert in McClanahan Run (WWF) on SR 4005, Section L02, approximately 270 feet northwest of intersection T-605 (Heather Heights Road) and SR 4005. Project also includes widening and reconstruction of the roadway for approximately 260 feet.

ENVIRONMENTAL ASSESSMENTS

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

D13-027EA. Bureau of Waterways Engineering, P. O. Box 8460, Harrisburg, PA 17105-8460. Borough of Palmerton, **Carbon County,** ACOE Philadelphia District.

Project proposes to breach and remove Diversion Dam across the Lehigh River (TSF) to eliminate a threat to public safety and to restore the stream to a free flowing condition. The dam is adjacent to SR 248, approximately 1,000 feet downstream of Bowman Island, 1 mile southwest of the Town of Palmerton (Lehigh, PA Quad-range N: 7.6 inches; W: 1.4 inches).

D46-245EA. Campbell, Edwards and Conroy, 600 Lee Road, Suite 300, Wayne, PA 19087. Upper and Lower Providence Township, **Montgomery County,** ACOE Philadelphia District.

Project proposes to breach and remove Goodrich Dam across Perkiomen Creek (WWF, MF) for the purpose of eliminating a threat to public safety and restoring the stream to a free flowing condition to promote unobstructed fish passage. The dam is approximately 2,200 feet northeast of the intersection of Pawlings Road (SR 4004) and Wetherill Road (T605). The dam is approximately 1,400 feet upstream from the confluence of Perkiomen Creek and the Schuylkill River in Upper and Lower Providence Townships (Valley Forge, PA Quad-range N: 21.7 inches; W: 11.5 inches).

ACTIONS**THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT****FINAL ACTIONS TAKEN FOR NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS AND WATER QUALITY MANAGEMENT (WQM) PERMITS**

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

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

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

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

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

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

I. NPDES Renewal Permit Actions

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0063045 IW	Polarized Meat Company, Inc. 107 Keystone Industrial Park Dunmore, PA 18512-0172	Lackawanna County Scott Township	South Branch Tunkhannock Creek 4F	Y

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0003824 Industrial Waste	Nalco Company P. O. Box 391 Ellwood City, PA 16117	Franklin Township Beaver County	Unnamed tributary to Connoquenessing Creek and Connoquenessing Creek	Y
PA0031330 Sewage	Brownsville Area School District 1025 Lewis Street Brownsville, PA 15417	Fayette County Redstone Township	Unnamed tributary of Dunlap Creek	Y
PA0031402 Sewage	Brownsville Area School District 1025 Lewis Street Brownsville, PA 15417	Fayette County Luzerne Township	UNT of the Monongahela River	Y
PA0033626 Sewage	West Greene School District 1367 Hargus Creek Road Waynesburg, PA 15370	Greene County Center Township	Hargus Creek	Y
PA0093254 Sewage	Sugar Creek Rest, Inc. R. D. 2 Box 80 Worthington, PA 15262-9004	Armstrong County Sugarcreek Township	UNT of Patterson Run	Y
PA0098230 Sewage	Fort Cherry Area School District 110 Fort Cherry Road McDonald, PA 15057	Washington County Mt. Pleasant Township	Cherry Run	Y
PA0098973 Sewage	Conemaugh Township Supervisors 1120 Tire Hill Road Johnstown, PA 15905	Somerset County Paint Township	Stoney Creek	Y
PA0215945 Sewage	Trinity Area School District 231 Park Avenue Washington, PA 15301	Amwell Township Washington County	Little Tenmile Creek	Y
PA0216747 Sewage	Consol Pennsylvania Coal Company 172 Route 519 P. O. Box 355 Eighty Four, PA 15330	Washington County West Finley Township	Drainage swale of Robinson Fork	Y

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

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

NPDES Permit No. PA0098761-A1, Sewage, **NWL Company**, 1001 LaFayette Drive, Farmington, PA 15437. This proposed facility is in Wharton Township, **Fayette County**.

Description of Action/Activity: This amendment is to provide for the reuse of the Nemaocolin Woodlands sewage treatment plant effluent for snowmaking, golf course irrigation and wetland management.

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

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

WQM Permit No. 1504410, Sewerage, **London Grove Township Municipal Authority**, 372 Rosehill Road, Suite 300, West Grove, PA 19390. This proposed facility is in London Grove Township, **Chester County**.

Description of Proposed Action/Activity: Construction and operation of a sewage pumping station and force main.

WQM Permit No. 1504402, Sewerage, **Camp Hill Village—Kimberton Hills, Inc.**, P. O. Box 1045, Kimberton, PA 19442. This proposed facility is in West Vincent Township, **Chester County**.

Description of Proposed Action/Activity: Construction and operation of the Wetland Community Sewage Treatment System for a private residential development.

WQM Permit No. 1595409, Sewerage, **White Manor Country Club**, 831 Providence Road, Malvern, PA 19355. This proposed facility is in Willistown Township, **Chester County**.

Description of Proposed Action/Activity: Treatment lagoons with disinfection and spray irrigation.

WQM Permit No. 1500421-E, Sewerage, **Upper Uwchlan Township**, 140 Pottstown Pike, Chester Springs, PA 19425. This proposed facility is in Upper Uwchlan Township, **Chester County**.

Description of Proposed Action/Activity: Amending existing permit.

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

WQM Permit No. 6704407, Sewerage, **Jackson Township Sewer Authority**, 439 Roth's Church Road, Spring Grove, PA 17362. This proposed facility is in Jackson Township, **York County**.

Description of Proposed Action/Activity: Authorization for the construction of the Pahagaco Heights Pump Station and the Little Creek Road Sewer Extension.

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

1404404, Sewerage, SIC 4952, **Spring-Benner-Walker Joint Authority**, 170 Irish Hollow Road, Bellefonte, PA 16823. This proposed facility will be in Spring Township, **Centre County**.

Description of Proposed Action/Activity: Permit issued authorizing the construction and operation of a new suction lift pump station to (initially) serve 76 units in the Rosewood Cove Residential Subdivision. The project will also include the construction of a gravity sewer and force main.

WQM Permit No. 0804404, Sewerage, **Lowell Patton**, R. R. 1, Box 196A, Towanda, PA 18848. This proposed facility will be in Sheshequin Township, **Bradford County**.

Description of Proposed Action/Activity: Issuance of a WQM permit authorizing the construction and operation of a small flow treatment facility to serve a residence. Discharge will be to an unnamed tributary to the Susquehanna River (WWF).

1804201, Industrial Waste, SIC 2621, **First Quality Tissue, LLC**, 599 South Highland Street, Lock Haven, PA 17745-3431. This existing facility is in Castanea Township, **Clinton County**.

Description of Proposed Action/Activity: Permit is issued, authorizing the renovation and operation of the existing industrial waste treatment system serving the new papermaking process at the facility. Discharge will be to Bald Eagle Creek (WWF).

WQM Permit No. 4704401, Sewage 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.

WQM Permit No. 1704402, Sewerage 4952, **Woodward Township Sewage and Water Authority**, 131 Punkin Hollow Drive, Houtzdale, PA 16651. This proposed facility is in Woodward Township, **Clearfield County**.

Description of Proposed Action/Activity: The Nicholas Wolff Foundation, Inc. has been approved to convert the existing holding tank into an equalization tank at the Camp Victory Wastewater Treatment Plant. The proposed conversion will allow to plant to more effectively treat seasonal peak flows.

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

WQM Permit No. 0303405, Industrial Waste, **Kittanning Suburban Joint Water Authority**, R. R. 1, Box 23, Adrian, PA 16210-9712. This proposed facility is in East Franklin Township, **Armstrong County**.

Description of Proposed Action/Activity: Construction of wastewater treatment facilities.

WQM Permit No. 0204405, Sewage, **Ohio Township Sanitary Authority**, 1719 Roosevelt Road, Pittsburgh, PA 15237. This proposed facility is in Ohio Township and Sewickley Hills Borough, **Allegheny County**.

Description of Proposed Action/Activity: Construction of sewage treatment plant and intercepting sewers to serve the Kilbuck Run Sewage Treatment Plant.

WQM Permit No. 0404403, Sewerage, **Beaver County Corporation for Economic Development**, 250 Insurance Street, Suite 300, Beaver, PA 15009. This proposed facility is in Big Beaver Borough, **Beaver County**.

Description of Proposed Action/Activity: Construct approximately 2,300 feet of 8-inch diameter gravity sewers, approximately 660 feet of 4-inch diameter force main and a submersible type wastewater pump station to serve the proposed CED Route 18 Business Park.

WQM Permit No. WQG016101, Sewerage, **Mount Carmel Hermitage**, R. R. 1 Box 330-C, Bolivar, PA 15923. This proposed facility is in Fairfield Township, **Westmoreland County**.

Description of Proposed Action/Activity: To construct a small flow treatment facility to serve the Mount Carmel Hermitage.

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

WQM Permit No. WQG018302, Sewerage, **Barbara A. and John R. Miles**, 6366 Heidler Road, Fairview, PA 16415. This proposed facility is in Beaver Township, **Crawford County**.

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

WQM Permit No. 6104403, Sewerage, **Richard A. and Tambra W. Sabatini**, 349 Turkey Farm Road, Titusville, PA 16354. This proposed facility is in Cherrytree Township, **Venango County**.

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

WQM Permit No. WQG018304, 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

IV. NPDES Stormwater Discharges from MS4 Permit Actions

V. NPDES Waiver Stormwater Discharges from MS4 Actions

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

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>
PAI041404007	Richard and Brooke Frautschi 214 Blackberry Hill Road Port Matilda, PA 16870	Centre	Patton Township	Buffalo Run HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI063704001	D & D Development, LP 107 Taylor Street New Castle, PA 16101 Linton Industries, Inc. 2 George Street Ext. New Castle, PA 16101 Riverview Park Development US Route 422 New Castle, PA 16101	Lawrence	New Castle City	Shenango River WWF

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>
Pocopson Township Chester County	PAG200150117-1	County of Chester Chester County Prison Expansion 14 East Biddle Street West Chester, PA 19380	Unnamed tributary Pocopson Creek TSF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
West Caln Township Chester County	PAG2001504066	Simmers Builders, Inc. 1035 West Lincoln Highway Coatesville, PA 19320	Rock Run TSF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Bethel Township Delaware County	PAG2002304044	Stephen Conrad P. O. Box 251 Chester Heights, PA 19017	East Branch Chester Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Abington Township Montgomery County	PAG2004604117	Road-Con, Inc. St. Basil Academy 917 Old Fern Road Suite 5400 West Chester, PA 19380	Jenkintown Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Lower Moreland Township Montgomery County	PAG2004604060	Nolan Brothers of Texas, Inc. Nolan Self Storage 57 Main Street P. O. Box 243 Fort Worth, TX 76109	Huntingdon Valley Creek TSF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Lower Salford Township Montgomery County	PAG2004604053	Lower Salford Township Authority Alderfer Road Pump Station Upgrade 57 Main Street P. O. Box 19451 Mainland, PA 19451	Skippack Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Providence Township Montgomery County	PAG2004604088	Iron Mountain, Inc. Iron Mountain Parking Addition 745 Atlantic Avenue Boston, MA 02111	Doe Run TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Lower Salford Township Montgomery County	PAG2004604014	Whitehall Homes, Inc. Detwiler Tract 1620 Bustard Road Kulpville, PA 19443	West Branch Skippack Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Gwynedd Township Montgomery County	PAG2004604107	Merck and Company, Inc. Merck Office Complex Expansion Phase 2 351 Sumneytown Pike North Wales, PA 19454	Doeworth Run TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Hanover Township Montgomery County	PAG2004604046	Corrado Homes, Inc. Wild Run Road Subdivision 1021 Egypt Road Oaks, PA 19456	Perkiomen Creek CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Glenburn Township Lackawanna County	PAG2003504028	Frank Columbo P. O. Box O Clarks Summit, PA 18411	Ackerly Creek TSF	Lackawanna County Conservation District (570) 281-9495
Salem Township Luzerne County	PAG2004004017	Randall Rinehimer 1507 Salem Blvd. Berwick, PA 18603	Susquehanna River CWF	Luzerne County Conservation District (570) 674-7991

NOTICES

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<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Forks Township Northampton County	PAG2004804016	Gary Cleaver Segal & Morel at Forks Township X, LLC 991 Highway 22 West Bridgewater, NJ 08807	UNT Delaware River CWF	Northampton County Conservation District (610) 746-1971
Pine Grove Township Schuylkill County	PAG2005404018	Pine Grove Joint Treatment Authority P. O. Box 426 Pine Grove, PA 17963	Unnamed tributary to Swatara Creek CWF	Schuylkill County Conservation District (570) 622-3742
New Milford Township Susquehanna County	PAG2005804006	Andrew Steitz and Theresa Sullivan R. R. 4, Box 200 Walton, NY 13865	Nine Partners Creek CWF	Susquehanna County Conservation District (570) 278-4600
Greenwich Township Berks County	PAG2000604083	Fred Vertucci Land Development Plant 130 Rhoades Road Kutztown, PA 19530	Mill Creek into Sacony Creek WWF	Berks County Conservation District (610) 372-4657, Ext. 201
Indiana County Indiana Borough	PAG2003204012	Optimist Club of Indiana PA 724 Church Street Indiana, PA 15701	Marsh Run CWF	Indiana County Conservation District (724) 463-8547
Butler County Cranberry Township	PAG2001004010	Christopher J. Kaclik Future Dev. Group, LP Heritage Creek Phase II 141 Crowe Avenue Mars, PA 16046	UNT Kaufman Run WWF	Butler County Conservation District (724) 284-5270
Butler County Slippery Rock Township	PAG2001004016	Amerikohl Mining Inc. Branchton Act 181 Reclamation Site 202 Sunset Drive Butler, PA 16001	Tributaries to McMurray Run— Slippery Rock Creek CWF	Butler County Conservation District (724) 284-5270
Jefferson County Washington Township	PAG2003304003	Glenn O. Hawbaker 1952 Waddle Road State College, PA 16803	Horn Run CWF	Jefferson County Conservation District (814) 849-7463
Venango County Oil Creek and Allegheny Townships	PAG2006104005	Belden & Blake Corp. 22811 Titusville Road Pleasantville, PA 16341	UNT Pithole Creek CWF	Venango County Conservation District (814) 676-2832

General Permit Type—PAG-3

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Lehigh Township Northampton County	PAR112217	Martin Sprocket & Gear, Inc. P. O. Box 267 3376 Delps Road Danielsville, PA 18038	Indian Creek CWF	NERO Water Management Program 2 Public Square Wilkes-Barre, PA 18711-0790 (570) 826-2511
Allegheny County Sharpsburg Township	PAR146103	International Paper 23rd Street Extension Sharpsburg, PA 15215	Guyasuta Creek to Allegheny River	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Beaver County Rochester Township	PAR156102	Valspar Coatings 372 Cleveland Street Rochester, PA 15074	UNT of Beaver River	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Beaver County Ambridge Borough	PAR206112	CENTRIA 1005 Beaver Grade Road Moon Township, PA 15108-2944	Ohio River	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
<i>General Permit Type—PAG-4</i>				
<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Sheshequin Township Bradford County	PAG045184	Lowell Patton R. R. 1, Box 196A Towanda, PA 18848	Unnamed tributary to Susquehanna River WWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3664
Limestone Township Montour County	PAG045183	Doris F. Phillips 26 Strick Road Danville, PA 17821	Storm Drain to County Line Branch WWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3664
Morris Township Clearfield County	PAG045180	Department of Environmental Protection 186 Enterprise Drive Philipsburg, PA 16840-0209	Hawk Run CWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3664
Conewango Township Warren County	PAG049002	Carol L. and James M. Lopez 191 Scott Run Road Warren, PA 16365	Scott Run	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Summit Township Erie County	PAG048964	Kris Risto 9595 Donation Road Waterford, PA 16441	Unnamed tributary to Walnut Creek NWRO	Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Cussewago Township Crawford County	PAG049000	Thomas E. Mook P. O. Box 1077 Saegertown, PA 16433	Unnamed tributary to Cussewago Creek	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

General Permit Type—PAG-5

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Third Street Office/Lycoming Gas & Oil Facility No. 41-12611 Loyalsock Township Centre County	PAG054834	Lycoming Gas & Oil Corporation 1450 East Third Street Williamsport, PA 17701	Miller's Run	Northcentral Regional Office Environmental Cleanup 208 W. Third St. Suite 101 Williamsport, PA 17701-6448 (570) 321-6550

General Permit Type—PAG-13

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>Department Protocol (Y/N)</i>
PAG132260	Pennsylvania State University 101P Office of Physical Plant University Park, PA 16802-1118	Lackawanna	Dunmore Borough	Unnamed tributary to Lackawanna River CWF	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.

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

Permit No. 4189514-T2 , Public Water Supply.	
Applicant	Livermore Family Trust
Township or Borough	Armstrong Township
County	Lycoming
Responsible Official	Livermore Family Trust c/o Nelson Livermore, Trustee 1207 Hepburn Street Williamsport, PA 17701
Type of Facility	PWS—Operation.
Permit Issued Date	August 26, 2004
Description of Action	Operation of the Chad-Lee Mobile Home Park water system.
Permit No. Minor Amendment , Public Water Supply.	
Applicant	Pennsylvania American Water Company
Township or Borough	White Deer Township
County	Union
Responsible Official	Pennsylvania American Water Company c/o Steven Seidl, Vice President, Engineering 800 Hersheypark Drive Hershey, PA 17033
Type of Facility	PWS—Operation.
Consulting Engineer	Scott Thomas, P. E. Pennsylvania American Water Company 800 Hersheypark Avenue Hershey, PA 17033
Permit Issued Date	August 26, 2004
Description of Action	Operation of purification unit 1.

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

Operations Permit issued to **Cooperstown Water Company**, P. O. Box 397, Reno, PA 16343, PWS ID 6610017, Cooperstown Borough, **Venango County**, on August 25, 2004, for the operation of two 1,200-gallon polyethylene tanks, as approved under Construction Permit No. 6188503-MA1.

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Borough of Coaldale	P. O. Box 116 Coaldale, PA 18218	Schuylkill

Plan Description: The Department agrees with the conclusions/course of action proposed in the Corrective Action Plan Final Report (Report), dated February 2003 (received by the Department on March 12, 2003) with additional materials dated March 10, 2003 (received by the Department on March 17, 2003), and March 17, 2004 (received by the Department on March 22, 2004), as prepared by Edward J. Gaydos Inc., on behalf of the Borough of Coaldale (Borough).

The Report/Special Study is approved. The Borough should now complete implementation of the corrective tasks/activities outlined in the Report. The Department will continue its role in monitoring the Borough's final completion of the tasks/activities outlined in the Report. The Borough also needs to provide an update to the Department detailing the progress of the Borough's implementation of the tasks/activities outlined in the Report. This progress report should be included as part of the Borough's required, annual submission to the Coaldale-Lansford-Summit Hill Sewer Authority's Annual Municipal Wasteload Management Report.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Foster Township	P. O. Box 465 Freeland, PA 18224	Luzerne

Plan Description: The approval of the Plan is conditioned, though, upon ultimate compliance with the provisions of the History Code (37 Pa.C.S. § 507). The costs of conducting any required survey work related to compliance with the History Code must be included in the cost of the proposed sewage facilities project. If recovery work or system redesign is required as a result of attaining compliance with the requirements of the Historical and Museum Commission, the Department's Northeast Regional Office must be notified immediately.

The Plan calls for the implementation of Alternative No. 1 as described in the Plan. Alternative No. 1 calls for the abandonment of the Hickory Hills and Ag-Mar Estates Wastewater Treatment Facilities currently owned by Foster Township (Township). The Hickory Hills Wastewater Treatment Facility will be replaced by a pump station, 6-inch force main and 8-inch gravity conveyance line that will convey the development's wastewater to the proposed Ag-Mar Estates Wastewater Pump Station. The existing Ag-Mar Estates Wastewater Treatment Facility will be abandoned and replaced by this proposed pump station, a 6-inch force main and an 8-inch gravity conveyance line. This pump station and force main will convey all of the wastewater received from the Hickory Hills and Ag-Mar Estates wastewater collection systems to a high point on SR 0940. At this high point, wastewater flow will transition from the 6-inch force main to an 8-inch gravity conveyance line. Wastewater will then flow through this

8-inch conveyance line to the existing pump station on Power House Road. The existing on-lot disposal systems servicing properties adjacent to SR 0940 along the route of the proposed 8-inch conveyance line will be abandoned and the structures on these properties will connect to the proposed conveyance line.

The existing Power House Road Pump Station will be upgraded to accommodate the additional wastewater flow conveyed to it from the proposed Hickory Hills, Ag-Mar Estates and SR 0940 service areas in the Township. Wastewater from the Power House Road Pump Station will be conveyed through the existing force main and White Haven Borough Wastewater Collection System. Portions of the gravity wastewater collection system serving White Haven Borough will be upgraded to accommodate the additional wastewater flow from the project area. Ultimate treatment of the project area's wastewater will occur at the Suburban Wastewater Company's (a/k/a Aqua Pennsylvania Inc.) Wastewater Treatment Facility in White Haven Borough. This existing facility's NPDES permitted capacity will be increased by 0.150 mgd from its current permitted capacity of 0.450 mgd. Treated wastewater will continue to be discharged to the Lehigh River.

The Plan also calls for the rehabilitation and repair of various portions of the existing wastewater collection systems within the Hickory Hills and Ag-Mar Estates developments. These actions are necessary to reduce the amount of excessive infiltration and inflow that is currently entering both wastewater collection systems.

Financing of the wastewater collection and conveyance systems is to be provided by the Pennsylvania Infrastructure Investment Authority.

Implementation of the proposed project will require an NPDES permit application submission for the 0.150 mgd increase in the discharge at Suburban Wastewater Company's (a/k/a Aqua Pennsylvania Inc.) Wastewater Treatment Facility in White Haven Borough. The proposed project will also require a Water Management Part II Permit for the construction and operation of the proposed sewage facilities. Issuance of a Part II Permit will be based upon a technical evaluation of the permit application and supporting documentation. Starting construction prior to obtaining a Part II Permit is a violation of The Clean Streams Law. Both permits shall be obtained by the appropriate owners of the wastewater disposal facilities.

Other Departmental permits may be required for construction if encroachment to streams or wetlands will result. The Department's review has also not identified any significant environmental impacts resulting from this proposal.

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>
Jackson Township	439 Roth's Church Road Spring Grove, PA 17362	York

Plan Description: Pahagaco Hills, A3-67931-192-3: The approved plan provides for a 64-lot single-family residential subdivision on 33.362 acres with 17,900 gpd tributary to the Jackson Township Wastewater Treatment Plant. The subdivision is on the north side of Pahagaco Road, approximately 500 feet west of Roth's Church Road in Jackson Township, York County. Any required NPDES

permits or WQM permits must be obtained in the name of the municipality or authority as appropriate.

BIOSOLIDS INDIVIDUAL PERMITS

(PABIG, SSN and PABIS)

The Department of Environmental Protection has taken the following actions on the previously received individual permit applications for the land application of treated sewage sludge (biosolids).

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.

Central Office: Water Management Program Manager, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105, (717) 787-8184.

PABIG 9903. Synagro Mid-Atlantic, Inc., 7014 East Baltimore Street, Baltimore, MD is approved for an Individual Generator Permit for the beneficial use of biosolids by land application.

HAZARDOUS SITES CLEANUP UNDER THE ACT OF OCTOBER 18, 1988

Prompt Interim Response

Eastmont Dry Cleaners, Monroeville Borough, Allegheny County

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (HSCA) (35 P. S. §§ 6020.101—6020.1305), has initiated a prompt interim response at the Eastmont Dry Cleaner Site (Site), 4137 William Penn Highway, Borough of Monroeville, Allegheny County. This response has been initiated under sections 501(a) and 505(b) of the HSCA (35 P. S. §§ 6020.501(a) and 6020.505(b)).

The property has been the location of dry cleaning operations dating to 1970. Analytical data generated by Walnut Capital, a prospective buyer for the Site, indicates that groundwater onsite and offsite in the area of Kenmar Drive is contaminated with tetrachloroethene (PCE), trichloroethene (TCE) and other chlorinated hydrocarbons.

Due to concerns of vapor intrusion into residences on Kenmar Drive, the Department conducted an investigation in the area in May 2004. Indoor air samples were taken at eight homes along Kenmar Drive. The results of the indoor air analyses indicated that PCE was present in seven of the eight homes sampled. In addition, the levels of PCE detected exceeded the Act 2 indoor air standard in three of the eight homes sampled.

To protect the affected residents on Kenmar Drive against the inhalation of hazardous contaminants, the Department initiated a prompt interim response. The Department hired Shaw Environmental & Infrastructure, Inc. to install "reverse flow" radon remediation systems to address the indoor air problems at eight residences on Kenmar Drive. Installation of the systems took place in August 2004. Follow up sampling of the residences will be conducted to ensure that the systems are functioning as anticipated.

This notice is being provided under sections 505(b) and 506(b) of the HSCA. The administrative record, which contains the information that forms the basis and documents the selection of this response action, is available for public review and comment Monday through Friday from 8 a.m. to 4 p.m. at the Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA.

The administrative record will be open for comments from September 11, 2004, until December 11, 2004. Persons may submit written comments into the record, during this time only, by sending them to Paul Vogel, Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222 or by delivering them to this office in person.

In addition, persons may present oral comments, for inclusion in the administrative record, at a public hearing on Thursday, October 21, 2004, at 6 p.m. at the Monroeville Municipal Building, 2700 Monroeville Blvd., Monroeville, PA. Persons wishing to present comments must register before October 21, 2004, with Helen Humphreys Short, 400 Waterfront Dr., Pittsburgh, PA 15222, (412) 442-4183.

Persons with a disability who wish to attend the hearing and require auxiliary aid, service or other accommodations to participate in the proceedings should call Helen Humphreys Short at (412) 442-4183 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

Provisions of 25 Pa. Code § 250.8, administration of the Land Recycling and Environmental Remediation Standards Act (act), require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the

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

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

The Department has received the following plans and reports:

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

National Castings Former, City of Sharon, **Mercer County**. Deborah Perry, Compliance Env. Services, 2700 Kirila Drive, Hermitage, PA 16148, on behalf of David Grande, Shenango Valley Industrial Development Corp., 41 Chestnut Street, Sharon, PA 16146 has submitted a Baseline Environmental Report concerning the remediation of site soil and groundwater contaminated with chlorinated solvents, diesel fuel, fuel oil nos. 1, 2, 4 and 6, inorganics, kerosene, leaded gasoline, lead, MTBE, new motor oil, other organics, PCB, unleaded gasoline and used motor oil. The Baseline Environmental Report was approved by the Department on August 25, 2004.

Kathleen Kopta (Grace Church Secondary Property), Sandy Creek Township, **Mercer County**. Jeff Trotter, ECS&R, 3237 US Highway 19, Cochranton, PA 16314 on behalf of Kathleen Kopta, Owner, has submitted a Final Report concerning remediation of site soil and groundwater contaminated with no. 2 heating oil. The report is intended to document remediation of the site to meet the Residential Statewide Health Standards.

Deluxe Storage Systems, Inc., City of Warren, **Warren County**. Mark A Spence, W J Smith & Assoc. Inc.,

P. O. Box 153, Corry, PA 16407 on behalf of Struthers Street Realty, 415 Madison Ave., 7th Floor, New York, NY 10017, has submitted a Final Report concerning remediation of site soil and groundwater contaminated with solvents. The report is intended to document remediation of the site to meet the Statewide Health Standards.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

Northwest Region: Regional Solid Waste Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.

Permit No. 301304. Northeastern Power Company (NEPCO), P. O. Box 7, McAdoo, PA 18237-0007. Per 25 Pa. Code § 287.505, the Department hereby gives notice that NEPCO has submitted a Final Report regarding the Big Gorilla Demonstration Facility Permit for the demonstration of an innovative mine reclamation methodology (involving the placement of trucked coal ash into a water-filled strip pit for purposes of reclamation). This reclamation took place at the Big Gorilla Pit within Kline Township, **Schuylkill County**. The Department seeks public comment in regard to the Final Report. Copies of the Final Report are available for review at the Northeastern Regional Office, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511 and the Mining & Reclamation Program, Pottsville District Office, 5 West Laurel Blvd., Pottsville, PA 17901, (570) 621-3118.

AIR QUALITY

Plan Approvals Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) 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.

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

24-083F: Carbone of America Industrial Corp. (215 Stackpole Street, Saint Mary's, PA 15857) on August 20, 2004, to construct carbon baking kiln no. 34 with a thermal oxidizer and connecting to an existing scrubber in St. Mary's City, **Elk County**. This is a Title V facility.

16-132C: Aconcagua Timber Corp. (143 Fiberboard Road, Box 340, Shippensburg, PA 16245) on August 24, 2004, to replace an existing prefilter with a Turbo Venturi Scrubber in Paint Township, **Clarion County**. The facility is a Title V Facility.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

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

09-0133: Webcraft, LLC (250 W. Pratt Street, 18th Floor, Baltimore, MD 21201) on August 26, 2004, to operate four lithographic printing presses in Bristol Township, **Bucks County**.

23-0066A: PyroPure, Inc. t/a Pyromet, Inc. (5 Commerce Drive, Aston, PA 19014) on August 27, 2004, to operate a crucible and rotary furnace in Chester Township, **Delaware County**.

46-0036A: Visteon Systems LLC (2750 Morris Road, Lansdale, PA 19446) on August 24, 2004, to operate an area selective catalytic reduction in Worcester Township, **Montgomery County**.

46-0062: Jefferson Smurfit Corp.—US (500 Church Road, North Wales, PA 19454) on August 24, 2004, to operate a thermal oxidizer on printing press no. 502 in Upper Gwynedd Township, **Montgomery County**.

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

32-00365B: Rosebud Mining Co. (301 Market Street, Kittanning, PA 16201) on August 27, 2004, to construct a coal preparation plant and air jig at their Dutch Run Deep M/Parker Mine in Washington Township, **Indiana County**. This plan approval was extended.

03-00229D: Rosebud Mining Co. (301 Market Street, Kittanning, PA 16201) on August 27, 2004, to construct a coal preparation plant in Bethel Township, **Armstrong County**. This plan approval was extended.

Operating Permits for Non-Title V Facilities Issued 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 19401; Edward Jurdones Brown, Facilities Permitting Chief, (484) 250-5920.

46-00177: Mass Lamination, Inc. (2280-A Amber Drive, Hatfield, PA 19440) on August 25, 2004, to operate a facility natural minor operating permit in Hatfield Township, **Montgomery County**.

09-00161: Giles and Ransome, Inc. (2975 Galloway Road, Bensalem, PA 19020) on August 24, 2004, to operate a facility synthetic minor operating permit in Bensalem Township, **Bucks County**.

23-00035: Community Light and Sound, Inc. (333 East Fifth Street, Chester, PA 19013) on August 24, 2004, to operate a facility synthetic minor operating permit 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.

67-05101: Kinsley Construction, Inc. (P. O. Box 2886, York, PA 17403) on August 25, 2004, to operate a drum mix asphalt plant in West Manchester Township, **York County**.

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

63-00101: Maple Creek Mining, Inc. (981 Route 917, Bentleyville, PA 15314) on August 24, 2004, to operate their coal preparation plant in New Eagle Borough, **Washington 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.

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

S04-005: Tasty Baking Co. (2801 Hunting Park Avenue, Philadelphia, PA 19129-1392) on August 26, 2004, to administratively amend to add conditions for two boilers in the City of Philadelphia, **Philadelphia County**. The Synthetic Minor Operating Permit was originally issued July 2, 2004.

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

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

65-00061: RAM Terminals (One Fifth Street, New Kensington, PA 15058-6537) on August 25, 2004, to operate a roll crusher in **Westmoreland County**. The crushed material from the roll crusher is transported by conveyor to the SECO screen. This operation is totally enclosed and it is estimated that less than .01 ton of PM emissions will be discharged from the roll crusher. The addition of the roll crusher is authorized as a de minimis emission increases specified under 25 Pa. Code § 127.449.

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

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

16990104 and NPDES Permit No. PA0241563. Original Fuels, Inc. (P. O. Box 343, Punxsutawney, PA 15767). Renewal of an existing bituminous strip operation in Porter Township, **Clarion County** affecting 208.5 acres. This renewal is issued for reclamation only. Receiving streams: two unnamed tributaries to Leatherwood Creek and one unnamed tributary to West Fork Leatherwood Creek. Application received June 28, 2004. Permit issued August 23, 2004.

61990102 and NPDES Permit No. PA0228036. Ben Hal Mining Company (389 Irishtown Road, Grove City, PA 16127). Renewal of an existing bituminous strip operation in Clinton and Venango Townships, **Venango and Butler Counties** affecting 40.7 acres. This renewal is issued for reclamation only. Receiving streams: unnamed tributary to Scrubgrass Creek. Application received June 28, 2004. Permit issued August 23, 2004.

16040101 and NPDES Permit No. PA0242489. Ben Hal Mining Company (389 Irishtown Road, Grove City, PA 16127). Commencement, operation and restoration of a bituminous strip operation in Limestone Township, **Clarion County** affecting 29.5 acres. Receiving streams: Piney Creek. Application received November 17, 2003. Permit issued August 24, 2004.

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

56001301. NPDES Permit No. PA0235393, Genesis, Inc. d/b/a Meadow Run Genesis, Inc. (P. O. Box 552, Somerset, PA 15501-0552), to revise the permit for the Genesis No. 17 Mine in Lincoln Township, **Somerset County** to add acreage to the subsidence control plan area. SCP Acres Proposed 924.0. No additional discharges. Permit issued August 23, 2004.

32991301. NPDES Permit No. PA0215228, AMFIRE Mining Company, LLC (One Energy Place, Latrobe, PA 15650), to transfer the permit for the Nolo Mine in Buffington, Pine, Cherryhill and Brush Valley Townships, **Indiana County** and related NPDES permit from DLR Mining, Inc. No additional discharges. Permit issued August 25, 2004.

32851302. NPDES Permit No. PA0213934, Helvetia Coal Company (P. O. Box 219, 400 Overview Drive, Shelocta, PA 15774), to renew the permit for the Lucerne No. 6-E Mine in Black Lick Township, **Indiana County** and related NPDES permit. No additional discharges. Permit issued August 27, 2004.

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

17030108 and NPDES Permit No. PA0243507. Larry D. Baumgardner Coal Co., Inc. (P. O. Box 186, Lanse, PA 16849). Commencement, operation and restoration of bituminous surface mine permit in Woodward Township, **Clearfield County** affecting 176 acres. Receiving streams: North Branch. Application received May 14, 2003. Permit issued August 19, 2004.

17010106 and NPDES Permit No. PA0243086. AMFIRE Mining Co., LLC (One Energy Place, Latrobe, PA 15850). Transfer of an existing bituminous surface mine-auger permit from Moravian Run Reclamation Co., Inc. The permit is in Woodward Township, **Clearfield County** and affects 286.7 acres. Receiving streams: unnamed tributary to Upper Morgan Run. Application received April 7, 2004. Permit issued August 19, 2004.

17010105 and NPDES Permit No. PA0243078. AMFIRE Mining Co., LLC (One Energy Place, Latrobe, PA 15850). Transfer of an existing bituminous surface mine permit from Moravian Run Reclamation Co., Inc. The permit is in Knox Township, **Clearfield County** and affects 29.9 acres. Receiving streams: unnamed tributary to Potts Run. Application received April 27, 2004. Permit issued August 19, 2004.

17990901 and NPDES Permit No. PA0238295. AMFIRE Mining Co., LLC (One Energy Place, Latrobe, PA 15850). Transfer of an existing bituminous surface mine permit from Moravian Run Reclamation Co., Inc. The permit is in Morris Township, **Clearfield County** and affects 22.6 acres. Receiving streams: unnamed tributaries to Moshannon Creek. Application received April 27, 2004. Permit issued August 19, 2004.

17714022 and NPDES Permit No. PA0611034. A. W. Long Coal Company (1203 Presqueisle Street, Philipsburg, PA 16866). Renewal of an existing bituminous surface mine permit in Morris Township, **Clearfield**

County affecting 149.6 acres. Receiving streams; Hawk Run to Moshannon Creek and Moshannon Creek to West Branch Susquehanna River to Susquehanna River. Application received May 10, 2004. Permit issued August 18, 2004.

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

56030106 and NPDES Permit No. PA0249513. Action Mining, Inc., 1117 Shaw Mines Road, Meyersdale, PA 15552, commencement, operation and restoration of a bituminous surface mine in Summit Township, **Somerset County**, affecting 370.0 acres. Receiving streams: Casselman River (WWF); unnamed tributaries (CWF); unnamed tributaries to/and Elk Lick Creek (CWF). There are no potable water supply intakes within 10 miles downstream. Application received August 7, 2003. Permit issued August 25, 2004.

Noncoal Permits Actions

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

20042803. Meadville Land Service, Inc. (10551 S. Watson Run Road, Meadville, PA 16335). Commencement, operation and restoration of small noncoal shale operation in Union Township, **Crawford County** affecting 5.0 acres. Receiving streams: unnamed tributary to Conneaut Outlet. Application received May 28, 2004. Permit issued August 20, 2004.

37030305 and NPDES Permit No. PA0242543. Glacial Sand & Gravel Co. (P. O. Box 1022, Kittanning, PA 16201). Commencement, operation and restoration of a large noncoal sand and gravel operation in Plain Grove Township, **Lawrence County** affecting 98.2 acres. Receiving streams: unnamed tributary to Jamison Run. Application received November 17, 2003. Permit issued August 20, 2004.

4950-37030305-E-1. Glacial Sand & Gravel Co. (P. O. Box 1022, Kittanning, PA 16201). Application for a stream encroachment to conduct mining activities within 100 feet but no closer than 50 feet to unnamed tributary no. 2 to Jamison Run in Plain Grove Township, **Lawrence County**. Receiving streams: unnamed tributary to Jamison Run. Application received November 17, 2003. Permit issued August 20, 2004.

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

6376SM2A1C3. York Building Products Co., Inc. (P. O. Box 1708, York, PA 17405), depth correction for an existing quarry operation in Jackson Township, **York County** affecting 282.5 acres, receiving stream: Little Conewago Creek. Application received March 31, 2003. Correction issued August 23, 2004.

6376SM2A1C4 and NPDES Permit No. PA0594474. York Building Products Co., Inc. (P. O. Box 1708, York, PA 17405), NPDES Permit renewal for discharge of treated mine drainage from a quarry in Jackson Township, **York County**, receiving stream: Little Conewago Creek. Application received June 8, 2004. Renewal issued August 23, 2004.

8074SM1C and NPDES Permit No. PA0013722. Glasgow, Inc. (P. O. Box 1089, Glenside, PA 19038), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Montgomery Township, **Montgomery County**, receiving stream: Park Creek. Application received July 12, 2004. Renewal issued August 25, 2004.

58040833. Dennis R. Bevin (R. R. 2 Box 2406, Hallstead, PA 18822), commencement, operation and restoration of a quarry operation in Liberty Township, **Susquehanna County** affecting 5.0 acres, receiving stream: none. Application received May 24, 2004. Permit issued August 25, 2004.

58040837. James E. Marcy, Jr. (R. R. 2 Box 152A, New Milford, PA 18834), commencement, operation and restoration of a quarry operation in Lenox Township, **Susquehanna County** affecting 5.0 acres, receiving stream: none. Application received June 21, 2004. Permit issued August 25, 2004.

58042802. Timothy Mark Smith (R. R. 3 Box 329-E, Montrose, PA 18801), commencement, operation and restoration of a quarry operation in Oakland Township, **Susquehanna County** affecting 5.0 acres, receiving stream: none. Application received June 29, 2004. Permit issued August 25, 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.

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

29044003. Sheehan Pipeline Construction, P. O. Box 950, Waynesburg, PA 15370. Blasting activity permit issued for an oil pipeline project in Ayr Township, **Fulton County**. Expected duration of blasting is 180 days. Permit issued August 23, 2004.

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

39044014. Popple Contracting, Inc. (202 Main Street, Laflin, PA 18702) and **D. C. Guelich Explosives Company** (P. O. Box 29, Bloomsburg, PA 17815), construction blasting at Advanced Auto Lot No. 4 Arcadia Industrial Park in Weisenberg Township, **Lehigh County** with an expiration date of September 24, 2005. Permit issued August 27, 2004.

39041015. Schlouch Inc. (Excelsior Industrial Park, P. O. Box 69, Blandon, PA 19510), construction blasting at Mill Run Lot No. 9 in Upper Macungie Township, **Lehigh County** with an expiration date of September 26, 2005. Permit issued August 27, 2004.

35044012. Holbert Explosives, Inc. (237 Masthope Plank Road, Suite, Lackawaxen, PA 18435), construction blasting at Covington Industrial Park in Covington Township, **Lackawanna County** with an expiration date of September 29, 2005. Permit issued August 27, 2004.

36044079. Keystone Blasting Services (381 Reifsnnyder Road, Lititz, PA 17543), construction blasting for Aaron Weaver's Basement in West Cocalico Township, **Lancaster County** with an expiration date of January 23, 2005. Permit issued August 27, 2004.

50044002. Pavex, Inc. (4400 Gettysburg Road, Camp Hill, PA 17011) and **Kesco, Inc.** (127 Oneida Valley Road, Butler, PA 16001), construction blasting for Perry County Development No. 2 in Penn Township, **Perry County** with an expiration date of November 30, 2004. Permit issued August 27, 2004.

67044042. Thomas J. Angelozzi, Inc. (7845 Kabik Court, Woodbine, MD 21797), construction blasting at Biscayne Woods in York Township, **York County** with an expiration date of August 31, 2005. Permit issued August 27, 2004.

28044035. Charles E. Brake Company, Inc. (6450 Lincoln Way West, St. Thomas, PA 17252), construction blasting at Creekwood Subdivision in Antrim Township, **Franklin County** with an expiration date of June 30, 2005. Permit issued August 27, 2004.

21044064. Hall Explosives, Inc. (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting in Dickinson Township, **Cumberland County** with an expiration date of November 30, 2004. Permit issued August 27, 2004.

36044080. Hall Explosives, Inc. (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting at Im Tree Properties, LLC in Rapho Township and Mt. Joy Borough, **Lancaster County** with an expiration date of September 30, 2005. Permit issued August 27, 2004.

46044031. Eastern Blasting Company, Inc. (1292 Street Road, New Hope, PA 18938), construction blasting at Lot No. 5 Montgomeryville Industrial Park in Montgomery Township, **Montgomery County** with an expiration date of May 23, 2005. Permit issued August 27, 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.

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

Permits, Environmental Assessments and 401 Water Quality Certifications Issued

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E39-431. Lehigh Country Club, 2319 South Cedarcrest Boulevard, Allentown, PA 18103. Lower Macungie and Salisbury Townships, **Lehigh County**, Army Corps of Engineers Philadelphia District, Subbasin 2C.

To construct and maintain a stream stabilization project in a 2,400-foot reach of the Little Lehigh Creek (HQ-CWF, perennial) using natural stream channel design with work consisting of floodway excavation, streambank grading, vegetative planting and the placement of in-stream structures such as rock cross vanes, log vanes and boulder clusters (Allentown West, PA Quadrangle N: 8.8 inches; W: 1.0 inch). The project proposes to directly affect, through grading, approximately 2,400 feet of stream bank and through excavation, approximately 1.5 acres in the right side floodway and 0.8 acre in the left side floodway. Maximum depth of excavation will be approximately 2 feet, grading down to the stream edge and back to existing grade, on average, 40 feet away from the stream.

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

E26-319. Thomas Canigiani, 916 Fayette Avenue, Belle Vernon, PA 15012. Bridge in Washington Township, **Fayette County**, Pittsburgh ACOE District (Fayette City, PA Quadrangle N: 20.0 inches; W: 6.6 inches—Latitude: 40° 6' 36" and Longitude: 79° 41' 49"). To construct and maintain a bridge having a clear span of 14 feet and an underclearance of 6.5 feet across Mill Run (WWF) for a proposed residential driveway. The project is along SR 4046 at a point approximately 2.1 miles from SR 51.

E63-559. Ronald Romanetti, 206 Agape Road, Hickory, PA 15340. Four arch culverts in Hopewell Township, **Washington County**, Pittsburgh ACOE District (Midway, PA Quadrangle N: 1.3 inches; W: 15.9 inches—Latitude: 40° 15' 26" and Longitude: 80° 21' 50"). To construct and maintain a low flow stream crossing consisting of four arch culverts each 20.0 feet in length and each having a span of 3.5 feet with an underclearance of 2.4 feet (one culvert will be depressed 1 foot below the streambed) in the channel of Cross Creek (HQ-WWF) for the purpose of providing cattle and tractor access to applicant's property. The project is on the south side of Lynn Portal Road (SR 4035), approximately 5,100 feet north from the intersection of T-653, LR 62041 and T-486. The project will impact 20.0 linear feet of stream channel.

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

E10-385, Mercer Township, P. O. Box 380, Harrisville, PA 16038. Shields Road (T-840) bridge replacement project in Mercer Township, **Butler County**, ACOE Pittsburgh District (Slippery Rock, PA Quadrangle N: 4.5 inches; W: 5.5 inches).

To remove the existing single lane reinforced concrete bridge having a clear span of 17.67 feet and an instream length of 18 feet and to construct and maintain a two-lane galvanized steel arch culvert having a clear span of 18.08 feet, a rise of 4.75 feet and an instream length of 42 feet at a point along Shields Road 1.75 miles west of the intersection of SR 0008 and within an unnamed tributary to Wolf Creek (CWF).

E10-390, Key Properties Holdings, L. P., 939 Sheraton Drive, Mars, PA 16046. Summit Square of Cranberry Commercial Development in Cranberry Township, **Butler County**, ACOE Pittsburgh District (Mars, PA Quadrangle N: 12.6 inches; W: 14.1 inches).

The applicant proposes to fill 0.19 acre of PEM and PEM/PSS wetlands for the construction of commercial and office buildings approximately 0.6 mile north of the intersection of U. S. Route 19 and SR 228. The project includes filling and enclosing a total of 290 feet of stream channel of two unnamed tributaries to Brush Creek each with a drainage area less than 100 acres. Project includes wetland creation of 0.30 acre onsite. The project proposes to directly affect 0.19 acre of PEM and PEM/PSS wetlands and 290 linear feet of stream. Wetland creation of 0.30 acre is proposed.

E24-234, Brockway Area Sewer Authority, 501 Main Street, Brockway, PA 15824. Wastewater treatment and collection system improvements in Horton Township, **Elk County** and the Borough of Brockway and Snyder Township, **Jefferson County**, ACOE Pittsburgh District (Carman, PA Quadrangle N: 0.5 inch; W: 6.8 inches).

To construct and maintain an upgrade to the existing wastewater treatment plant and conveyance systems within the Borough of Brockway to address the hydraulic overload and to extend public sewage line to areas in Snyder Township and Horton Township. Upgrades include upgrading the new facility to 1.5 mgd with a instant peak capacity of 6.0 mgd, upgrading two main interceptors within the Borough of Brockway and installing a vacuum sewer collection system with some gravity collection for a total of approximately 169,000 lineal feet of 4-inch vacuum collection line, 6-inch vacuum collection line and gravity lines involving: (1) to fill 0.40 acre of PEM wetland for the construction of the upgrade of the wastewater treatment plant and to replace approximately 0.40 acre of wetland onsite; (2) to construct and maintain a 2-foot diameter PVC plastic sewage treatment plant effluent outfall pipe discharging to the 100-year of floodplain Little Toby Creek bored under the Brockway Flood Protection Project dike; (3) to temporarily affect 10.45 acres of PEM and riverine wetland with 39 crossings by sewer lines as described in the application; and (4) to temporarily affect Boggy Run (HQ-CWF), Curry Run (CWF), Little Toby Creek (CWF), unnamed tributaries to Little Toby Creek (CWF), Mead Run (CWF), unnamed tributaries to Mead Run (CWF), Oyster Run (CWF), Rattlesnake Creek (CWF), unnamed tributaries to Rattlesnake Creek (CWF), Walburn Run (CWF), an unnamed tributary to Whetstone Branch (CWF) and Whetstone Branch (CWF) with 28 crossings by sewer lines as described in the application. Thirteen of the stream crossings would be at a depth of less than 3 feet of cover and include varying protection measures including carrier

pipe and concrete encasement. Four of the stream crossings would be aerial crossings.

E25-681, Whispering Woods Estates Subdivision, Whispering Woods, Inc., 4132 Stone Creek Drive, Erie, PA 16506-7006. Whispering Woods Estates subdivision and golf course in Millcreek Township, **Erie County**, ACOE Pittsburgh District.

To conduct the following activities impacting a total of 6,885 linear feet of the channels and floodways of tributaries to Walnut Creek classified by 25 Pa. Code Chapter 93 as CWF, MF and tributaries of Walnut Creek known as "Thomas Run" and "Zaun Run" both classified as HQ-CWF, MF and impact a de minimis amount of wetlands (total of 0.049 acre) associated with construction of additional phases of the Whispering Woods Estates residential subdivision and construction of an 18-hole golf course, on an approximate 367-acre tract between Thomas Road and Grubb Road south of Walnut Creek in Millcreek Township, Erie County. The impacts are broken down as follows:

1. Construct and maintain culverts and stream enclosures totaling 2,251 feet including:

a. A 188-foot-long open bottom corrugated metal arch stream enclosure having a span of 18 feet and a maximum rise of 8 feet in a tributary to Thomas Run (Zaun Run) (HQ-CWF, MF) for construction of Stonebridge Drive connecting Forest Crossing Drive to Thomas Road (Swanville, PA Quadrangle N: 7.5 inches; W: 4.0 inches).

b. A 108-foot-long, 36-inch diameter HDPE pipe stream enclosure in a tributary to Walnut Creek (Thomas Run) (HQ-CWF, MF) on Stonebridge Drive approximately 1,125 feet east of Thomas Road. This crossing also impacts 0.018 acre of wetland.

c. A 166-foot long 72-inch diameter stream enclosure having the invert buried approximately 3 feet into the stream bed of a tributary to Walnut Creek (CWF, MF) having a drainage area less than 100 acres on Stone Creek Drive approximately 0.9 mile west of Grubb Road.

d. A total of 1,789 feet of other culverts and stream enclosures on tributaries having less than 100-acre contributory drainage associated with 17 golf cart crossings, 8 residential roadway crossings, 4 fairways and 3 nonjurisdictional dams used as stormwater detention basins/irrigation ponds.

2. To construct and maintain a 5-foot long steel beam pedestrian bridge having a span of approximately 40 feet and an underclearance of 8 feet across a tributary to Walnut Creek (Zaun Run) (HQ-CWF, MF) approximately 850 feet downstream of Stonebridge Drive.

3. To construct and maintain an 8-foot wide by 107-foot long golf cart path impacting a total of 0.031 acre of wetland.

4. Impact a total of 4,634 linear feet of tributaries to Walnut Creek (HQ-CWF, MF and CWF, MF) (including both direct impact to the channels and other general clearing and grading within 50 feet of the channels) associated with construction of the golf course fairways, greens and three nonjurisdictional dams used as stormwater detention ponds/irrigation ponds.

E25-686, Franklin Township, 10411 Route 98, Edinboro, PA 16412. T-424 (Falls Road) bridge replacement in Franklin Township, **Erie County**, ACOE Pittsburgh District (Edinboro North, PA Quadrangle N: 13.5 inches; W: 13.7 inches).

The applicant proposes to remove the existing structure and to construct and maintain a single span prestressed concrete adjacent box beam bridge having a clear span of 28.5 feet and an average underclearance of 7.5 feet across Falk Run (CWF, MF, perennial) on T-424 (Falls Road) approximately 100 feet west of the intersection of SR 98 and T-424 (Falls Road). The project proposes to directly affect a total of approximately 50 linear feet of stream channel.

E33-217, Brockway Area Sewer Authority, 501 Main Street, Brockway, PA 15824. Wastewater treatment and collection system improvements in Horton Township, **Elk County** and the Borough of Brockway and Snyder Township, **Jefferson County**, ACOE Pittsburgh District (Carman, PA Quadrangle N: 0.5 inch; W: 6.8 inches).

To construct and maintain an upgrade to the existing wastewater treatment plant and conveyance systems within the Borough of Brockway to address the hydraulic overload and to extend public sewage line to areas in Snyder and Horton Townships. Upgrades include upgrading the new facility to 1.5 mgd with a instant peak capacity of 6.0 mgd, upgrading two main interceptors within the Borough of Brockway and installing a vacuum sewer collection system with some gravity collection for a total of approximately 169,000 lineal feet of 4-inch vacuum collection line, 6-inch vacuum collection line and gravity lines involving: (1) to fill 0.40 acre of PEM wetland for the construction of the upgrade of the wastewater treatment plant and to replace approximately 0.40 acre of wetland onsite; (2) to construct and maintain a 2-foot diameter PVC plastic sewage treatment plant effluent outfall pipe discharging to the 100-year of floodplain Little Toby Creek bored under the Brockway Flood Protection Project dike; (3) to temporarily affect 10.45 acres of PEM and riverine wetland with 39 crossings by sewer lines as described in the application; and (4) to temporarily affect Boggy Run (HQ-CWF), Curry Run (CWF), Little Toby Creek (CWF), unnamed tributaries to Little Toby Creek (CWF), Mead Run (CWF), unnamed tributaries to Mead Run (CWF), Oyster Run (CWF), Rattlesnake Creek (CWF), unnamed tributaries to Rattlesnake Creek (CWF), Walburn Run (CWF), an unnamed tributary to Whetstone Branch (CWF) and Whetstone Branch (CWF) with 28 crossings by sewer lines as described in the application. Thirteen of the stream crossings would be at a depth of less than 3 feet of cover and include varying protection measures including carrier pipe and concrete encasement. Four of the stream crossings would be aerial crossings.

E43-312, John C. Oliver, 1016 Oliver Building, 535 Smithfield Street, Pittsburgh, PA 15222. Cranberry Swamp habitat enhancement in Deer Creek Township, **Mercer County**, ACOE Pittsburgh District (Hadley, PA Quadrangle N: 16.25 inches; W: 2.0 inches).

To dredge a total of 6,275 linear feet of trapezoidal channel having a bottom width of approximately 15 feet and a depth of 4 feet to create shallow open-water access within the existing 186-acre wetland shown on the USGS Topographic Map as "Cranberry Swamp." Of the 6,275 feet, 1,525 linear feet is improvement of existing channel and 4,750 feet is the construction of new channel. Excavated or dredged materials will be side-cast within the existing wetland randomly on either side of the channels. The project proposes to impact a total of 4.75 acres of wetland.

E43-313, Glenn R. Moore, 167 Tieline Road, Grove City, PA 16127. Tieline Road driveway culvert in Pine

Township, **Mercer County**, ACOE Pittsburgh District (Grove City, PA Quadrangle N: 5.5 inches; W: 4.6 inches).

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

E61-269, William T. Hufnagel, 32 Agnes Street, Coraopolis, PA 15108. Hufnagel Cottage along Porcupine Run in President Township, **Venango County**, ACOE Pittsburgh District (President, PA Quadrangle N: 11.0 inches; W: 6.6 inches).

The applicant proposes to replace and maintain a recently existing seasonal residence having a length of approximately 48 feet and a width of approximately 30 feet within the floodway of the right bank of Porcupine Creek (EV, perennial) approximately 1.0 mile southeast of the intersection of U. S. Route 62 and SR 2023. This application is the result of a compliance action. This project proposes to directly affect a surface area of approximately 1,200 square feet within the floodway.

DAM SAFETY

Central Office: Bureau of Waterways Engineering, 400 Market Street, Floor 3, P. O. Box 8554, Harrisburg, PA 17105-8554.

D40-079A. The Ice Lakes Limited, 220 Pine Ridge Road, Tunkhannock, PA 18647. To modify, operate and maintain the Ice Pond Dam across a tributary to Little Wapwallopen Creek (CWF), impacting 0 acre of wetlands and 0 foot of stream for the purpose of modifying the existing spillway to manage stormwater from the proposed The Ice Lakes Subdivision (Wilkes-Barre West, PA Quadrangle N: 3.2 inches; W: 9.2 inches) in Rice Township, **Luzerne County**.

[Pa.B. Doc. No. 04-1692. Filed for public inspection September 10, 2004, 9:00 a.m.]

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

Changes to Technical Guidance Documents

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

Final Technical Guidance—Substantive Revision

DEP ID: 274-4000-004 Title: Compliance Assurance Policy for Continuous Emission Monitoring Systems (CEMS) on Fluid Catalytic Cracking Units. Description: This policy establishes uniform criteria for assessing monetary penalties for exceedances of visible emission (opacity) standards and exceedances of data availability requirements through agreements rather than criminal citations or civil penalty actions. Substantive changes were proposed to this guidance document, which were advertised for public comment at 33 Pa.B. 4980 (October 4, 2003). Changes made to the document include updates to ensure the guidance document is consistent with the three more recent Compliance Assurance Policies implemented by the Commonwealth since 1989. Other changes made to the guidance document include the following: adjustments to penalty amounts to reflect inflation; changes to increase the maximum penalty ceilings for both emission and data availability; modifications to lower the daily maximum forgiveness allowed before penalties are assessed; and changes to increase penalties for 60% opacity standard emission violations, beyond those penalties assessed for 20% opacity standard violations, to further recognize the more adverse environmental impacts of these violations. Effective Date: The Department will begin to apply the criteria established in this guidance beginning with the fourth quarter 2004 data, or October 1, 2004.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 04-1693. Filed for public inspection September 10, 2004, 9:00 a.m.]

Availability of Technical Guidance

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

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

Ordering Paper Copies of Department Technical Guidance

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

HUMAN RELATIONS COMMISSION

Public Hearing Opinions

The Human Relations Commission (Commission), under section 7(o) of the Pennsylvania Human Relations Act (act) (43 P. S. § 957(o)), announces the publication of the Findings of Fact, Conclusions of Law, Opinion and Final Order made after a public hearing under section 9(e)—(g) of the act (43 P. S. § 959(e)—(g)), in the following cases:

Cynthia Erickson v. United States Steel Corp.; Doc. Nos. E-82330-DH and E-95705-D (Human Relations Commission, July 27, 2004).

- Termination and refusal to reinstate because of her sex (female).

Ruling for Complainant, 10-0 decision
50 pages

Sterling Feeser and Leroy Jones as Executor of the Estate of Vilma Garcia-Jones v. Spanish Council of York,

Inc., d/b/a York Spanish American Center; Doc. Nos. E-78888-AD and E-81636-DH (Human Relations Commission, July 27, 2004).

- Termination because of race and age discrimination relating to employment.

Ruling for Complainant, 5-3 decision
46 pages

The final order in the cases is subject to appeal to Commonwealth Court, and if appealed is subject to being affirmed, reversed or modified, in whole or part.

A copy of an opinion listed in this notice can be obtained by mailing a request indicating the opinion desired, accompanied by a check or money order in the amount of 15¢ per page, to Laura J. Treaster, Communications Director, Human Relations Commission, 301 Chestnut Street, Suite 300, Pennsylvania Place, Harrisburg, PA 17101. The check or money order should be made payable to the "Commonwealth of Pennsylvania." Copies are also available on the Commission's website: www.phrc.state.pa.us (choose "Legal" and "Public Hearing Opinions").

HOMER C. FLOYD,
Executive Director

[Pa.B. Doc. No. 04-1694. Filed for public inspection September 10, 2004, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Actions Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10:30 a.m., Thursday, August 26, 2004, and announced the following:

Action Taken—Regulation Approved

Department of Community and Economic Development # 4-72: Industrial Housing (amends 12 Pa. Code Chapter 145)

Approval Order

Public Meeting held
August 26, 2004

Commissioners Voting: Alvin C. Bush, Vice Chairperson, by phone; Daniel F. Clark, Esq.; Arthur Coccodrilli; Murray Ufberg, Esq.

Department of Community and Economic Development—Industrial Housing; Regulation No. 4-72

On August 9, 2002, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Community and Economic Development (Department). This rulemaking amends 12 Pa. Code Chapter 145. The proposed regulation was published in the October 12, 2002, *Pennsylvania Bulletin* with a 30-day public comment period. The Department resubmitted the proposed regulation on February 18, 2003, under section 5(e) of the Regulatory Review Act, which was in effect at the time the regulation was proposed. The final-form regulation was submitted to the Commission on July 20, 2004.

The final-form regulation updates and clarifies provisions related to Department and third-party inspections, definitions of terms and reporting requirements; adopts the International Codes Council's International Building Code; and increases fees charged by the Department for the industrialized housing program.

We have determined this regulation is consistent with the statutory authority of the Department (35 P.S. § 1651.5) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 04-1695. Filed for public inspection September 10, 2004, 9:00 a.m.]

Notice of Filing of Final Rulemakings

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

<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
17-64	Pennsylvania State Police Administration of the Bureau of Liquor Control Enforcement; Age Compliance Check Program	8/30/04

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 04-1696. Filed for public inspection September 10, 2004, 9:00 a.m.]

LIQUOR CONTROL BOARD

Expiration of Leases

The following Liquor Control Board lease will expire:

Beaver County, Wine & Spirits Shoppe # 0405, 508 Midland Avenue, Midland, PA 15059-1313.

Lease Expiration Date: August 31, 2005

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 1,500 to 1,800 net useable square feet of new or existing retail commercial space in the central business district of Midland.

Proposals due: October 1, 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: George Danis, (412) 565-5130

The Liquor Control Board seeks the following new site:

Butler County, Wine & Spirits Shoppe #1010, Seven Fields.

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 6,000 net useable square feet of new or existing retail commercial space within 2 miles of the intersection of Route 228 and High Pointe Drive in Seven Fields. Free parking and tractor trailer delivery required.

Proposals due: October 1, 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: Joseph Molhoek, (412) 565-5130

JONATHAN H. NEWMAN,
Chairperson

[Pa.B. Doc. No. 04-1697. Filed for public inspection September 10, 2004, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by October 4, 2004. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

Application of the following for approval to *begin operating as common carriers for transportation of persons as described under the application.*

A-00121046. Gail Deetta Stevenson (311 Kennard-Osgood Road, Greenville, Mercer County, PA 16125)—persons in paratransit service, between points in the Counties of Crawford and Mercer, and from points in said counties, to points in Pennsylvania, and return.

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-00121043. Corporate Sedan Service, LLC (660 Means Avenue, 2nd Floor, Pittsburgh, Allegheny County, PA 15202), a Pennsylvania limited liability company—persons in limousine service, between points in Pennsylvania, and between points in Allegheny County, which is to be a transfer of the rights authorized under the certificate issued at A-00117559 to Stephen J. Malik, Sr. t/d/b/a Corporate Sedan Service, subject to the same

limitations and conditions. *Attorney:* David M. O'Boyle, 1450 Two Chatham Center, Pittsburgh, PA 15219.

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 household goods as described under the application.*

A-00121042. Magic Trucking, Inc. (111 N. 9th Street, Stroudsburg, Monroe County, PA 18360), a corporation of the Commonwealth—household goods in use, between points in the Counties of Lehigh, Carbon, Northampton and Monroe, and from points in said counties, to points in Pennsylvania, and vice versa. *Attorney:* Marshall Andres, 18 N. 8th Street, Stroudsburg, PA 18360.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 04-1698. Filed for public inspection September 10, 2004, 9:00 a.m.]

Telecommunications

A-311080F7002. The United Telephone Company of Pennsylvania d/b/a Sprint and Cricket Communications, Inc. Joint petition of The United Telephone Company of Pennsylvania d/b/a Sprint and Cricket Communications, Inc. for approval of a commercial mobile radio services interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

The United Telephone Company of Pennsylvania d/b/a Sprint and Cricket Communications, Inc., by its counsel, filed on August 18, 2004, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of a commercial mobile radio services interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the The United Telephone Company of Pennsylvania d/b/a Sprint and Cricket Communications, Inc. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 04-1699. Filed for public inspection September 10, 2004, 9:00 a.m.]

Telecommunications

A-311328F7000. Verizon Pennsylvania Inc. and InterGlobe Communications. Joint petition of Verizon Pennsylvania Inc. and InterGlobe Communications for approval of an interconnection agreement and amendment no. 1 under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and InterGlobe Communications, by its counsel, filed on August 18, 2004, at the

Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement and amendment no. 1 under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon Pennsylvania Inc. and InterGlobe Communications joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 04-1700. Filed for public inspection September 10, 2004, 9:00 a.m.]

STATE HARNESS RACING COMMISSION

Evidentiary Hearing Regarding Bedford Downs Management Corporation Application

The State Harness Racing Commission (Commission) gives notice that an application for a license to conduct a harness horse race meeting with pari-mutuel wagering was filed on June 9, 2003, by Bedford Downs Management Corporation, in which the Corporation seeks approval to conduct live harness racing and pari-mutuel

wagering at a proposed facility to be built in Mahoning Township, Lawrence County. An evidentiary hearing concerning this matter will be held on October 25, 2004, at 9 a.m. at the Farm Show Complex, 2300 North Cameron Street, Harrisburg, PA 17110. The hearing will be held to receive evidence concerning the listed application.

The hearing will be conducted in accordance with 58 Pa. Code § 185.83 (relating to Commission hearing) and 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure). Testimony shall be under oath and witnesses may be cross-examined. The Commission will receive testimony from the applicant.

Individuals who believe they qualify as an intervenor must Petition to Intervene as provided under 1 Pa. Code §§ 35.27—35.32 (relating to intervention). Petitions to Intervene must be filed with Anton J. Leppler, Executive Secretary, State Harness Racing Commission, Agriculture Building, Room 301, 2301 N. Cameron Street, Harrisburg, PA 17110-9408 with a copy to Edward S. Finkelstein, Esq., 700 Green St., Harrisburg, PA 17102-3015, hearing examiner for the Commission, by 4:30 p.m. on September 20, 2004, and served on all participants by that date and time. Proof of service shall be attached to the Petition to Intervene. No Petition to Intervene will be accepted after September 20, 2004. Answers to a Petition to Intervene must be filed within 7 calendar days after date of service at the previous addresses.

Testimony will only be taken from the applicant and any intervenors. No one else will be entitled to testify.

ANTON J. LEPLER,
Executive Secretary

[Pa.B. Doc. No. 04-1701. Filed for public inspection September 10, 2004, 9:00 a.m.]
