

NOTICES

DEPARTMENT OF BANKING

Action on Applications

The Department of Banking, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending September 7, 2004.

BANKING INSTITUTIONS

New Charter Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-1-04	Penn Liberty Bank Wayne Delaware County	353 West Liberty Avenue Wayne Delaware County	Began Operations
Penn Liberty Bank will be wholly owned by Penn Liberty Financial Corp., Wayne, Delaware County, a newly formed bank holding company.			

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-1-04	Northwest Savings Bank, Warren, and First Carnegie Deposit, Carnegie Surviving Institution— Northwest Savings Bank, Warren	Warren	Approved
9-2-04	Citizens Bank of Pennsylvania Philadelphia Philadelphia County Purchase of assets/assumption of liabilities of three branch offices of Charter One Bank, N. A., Cleveland, OH Located at: 1006 North Elmira Street Sayre Bradford County 1702 East 38th Street Erie Erie County 1520 West 26th Street Erie Erie County	Philadelphia	Filed

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
8-4-04	Stonebridge Bank Exton Chester County	408 Lakeside Drive Southampton Bucks County	Opened
9-2-04	Royal Bank America Narberth Montgomery County	418 Oak Lane Road Philadelphia Philadelphia County	Approved
9-2-04	Royal Bank America Narberth Montgomery County	6331 Castor Avenue Philadelphia Philadelphia County	Approved
9-2-04	Royal Bank America Narberth Montgomery County	7001 West Chester Pike Upper Darby Delaware County	Approved

NOTICES

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-2-04	Royal Bank America Narberth Montgomery County	1550 Lemoine Avenue Fort Lee Bergen County, NJ	Approved
9-7-04	Community Banks Millersburg Dauphin County	1415 Ritner Highway Carlisle Cumberland County	Filed
9-7-04	Coatesville Savings Bank Coatesville Chester County	1082 Georgetown Road Georgetown Lancaster County	Approved
9-7-04	First Commonwealth Bank Indiana Indiana County	4198 Washington Road Route 19 McMurray Washington County	Approved
9-7-04	First Commonwealth Bank Indiana Indiana County	Corner of Washington Road and Trinity Pl. Washington Washington County	Approved
9-7-04	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	Erie WalMart 2711 Elm Street Erie Erie County	Approved

Branch Relocations/Consolidations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
8-27-04	Northside Bank Pittsburgh Allegheny County	<i>Into:</i> 100 Federal Street Pittsburgh Allegheny County (Main Office) <i>From:</i> 701 Liberty Avenue Pittsburgh Allegheny County	Effective
9-7-04	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	<i>To:</i> 1065 West County Line Road Hatboro Montgomery County <i>From:</i> 200 Blair Mill Road Horsham Montgomery County	Approved

Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-2-04	The Juniata Valley Bank Mifflintown Juniata County	100 East Market Street Lewistown Mifflin County	Approved

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS**Branch Discontinuance**

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
8-30-04	Lancaster Postal Employees Credit Union Lancaster Lancaster County	1000 West Valley Road Southeastern Chester County	Filed

A. WILLIAM SCHENCK, III,
Secretary

[Pa.B. Doc. No. 04-1724. Filed for public inspection September 17, 2004, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Policies and Procedures under the Individuals with Disabilities Education Act

The Department of Education (Department) Policies and Procedures, under the Individuals with Disabilities Education Act, Part B, regulatory provisions in 34 CFR 300.121—300.156, were approved by the United States Department of Education on July 1, 2004.

The document is available for public inspection at school districts, intermediate units and the offices of the Pennsylvania Training and Technical Assistance Network. The document is also available for review and printing on the Department's website: www.pde.state.pa.us/special_edu/Grants. Persons who require this information in an alternate format should contact Nancy Zeigler, (717) 783-6134, TDD: (717) 787-7367.

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

[Pa.B. Doc. No. 04-1725. Filed for public inspection September 17, 2004, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

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

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

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

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

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

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

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

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

I. NPDES Renewal Applications

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0103098	Reynolds Water Co. 301 Arlington Avenue Greenville, PA 16125-8214	Pymatuning Township Mercer County	Shenango River 20-A	Y
PA0033588	Country Estates, Inc., MHP P. O. Box 91 Brookfield, OH 44403-0091	Jefferson Township Mercer County	Unnamed tributary to Lackawannock Creek 20-A	Y
PA0100510	Greenville Metals, Inc. 99 Crestview Drive Extension Transfer, PA 16154	Pymatuning Township Mercer County	Shenango River 20-A	Y

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

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

PA0243931, Sewage, **James W. Williams**, 809 Township Line Road, Wycombe, PA 18980-0222. This proposed facility is in Wrightstown Township, **Bucks County**

Description of Proposed Activity: Application for a new NPDES permit to discharge treated sewage from a small flow sewage treatment plant for a duplex residence containing two private residences.

The receiving stream, tributary to Mill Creek (Stream Code 02608), is in the State Water Plan watershed 2F and classified for WWF, MF, aquatic life, water supply and recreation. The nearest downstream public water supply intake for Aqua PA, Inc. is on the Neshaminy Creek. The discharge is not expected to affect the downstream public water supply.

The proposed effluent limits for Outfall 001 are based on a design flow of 800 gpd.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		<i>Instantaneous Maximum (mg/l)</i>
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	
CBOD ₅			10		20
Total Suspended Solids			10		20
Total Residual Chlorine			Monitor and Report		
pH			within limits of 6.0 to 9.0 standard units at all times		
Fecal Coliform			200 colonies/L as a geometric mean		

In addition to the effluent limits, the permit contains the following major special conditions: abandon STP when public sewer available; remedial measures; no stormwater; obtain property rights; small stream discharge; change of ownership; sludge disposal; and AMMR to the Department and the BCHD.

PA0020532, Sewage, SIC 4952, **Upper Montgomery Joint Authority—WWTP**, P. O. Box 6, Pennsburg, PA 18073. This proposed facility is in Upper Hanover Township, **Montgomery County**.

Description of Proposed Activity: Renewal of an NPDES Permit to discharge 2.0 mgd of treated sewage into the Green Lane Reservoir.

The receiving stream, Green Lane Reservoir, is in the State Water Plan watershed 3E-Perkiomen and classified for TSF. The nearest downstream public water supply intake for the Philadelphia Suburban Water Company is on the Perkiomen Creek, 24.1 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 2.0 MGD.

<i>Parameters</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Suspended Solids	30	45	60
Ammonia (as N)	20		40
Phosphorus (as P)	0.5		1.0
Total Residual Chlorine	0.5		1.2

<i>Parameters</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Fecal Coliform	200 colonies/100 ml as a geometric average		
Dissolved Oxygen	minimum of 5.0 mg/l at all times		
pH	within limits of 6.0—9.0 standard unit at all times		
Copper	Monitor and Report		
Phenols	Monitor and Report		

The proposed effluent limits for stormwater Outfalls 002—006 are as follows:

<i>Parameters</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅			Monitor and Report
COD			Monitor and Report
Oil and Grease			Monitor and Report
pH			Monitor and Report
Total Suspended Solids			Monitor and Report
Total Kjeldahl Nitrogen			Monitor and Report
Total Phosphorus			Monitor and Report
Iron (Dissolved)			Monitor and Report

In addition to the effluent limits, the permit contains the following major special conditions: minimize I/I and bypasses at the plant.

PA0054712, Stormwater, **City of Philadelphia Water Department**, ARAMARK Tower, 1101 Market Street, Philadelphia, PA 19107-2994. This application is for renewal of an NPDES permit to discharge stormwater from the City of Philadelphia's MS4 to Wissahickon, Pennypack, Poquessing, Tacony/Frankford, Cobbs and Monoshone Creeks and Delaware and Schuylkill Rivers.

The receiving water bodies are classified for TSF (Wissahickon Creek), WWF, aquatic life, water supply and recreation.

The permit consists of the following main parts: effluent limitations (in the form of best management practices), total maximum daily load requirements for sediment, stormwater management program and standard permit conditions.

PA0026786, Sewage, SIC 4952, **Pottstown Borough Authority**, 100 East High Street, Pottstown, PA 19464. This facility is in Pottstown, **Montgomery County**.

Description of Activity: Renewal of an NPDES permit to discharge treated sewage from the Pottstown Borough Sewage Treatment Plant. The following permit limits have been changed since the initial notice published at 34 Pa.B. 864 (February 14, 2004) and the second notice published at 34 Pa.B. 4036 (July 31, 2004).

The receiving stream, Schuylkill River, is in the State Water Plan watershed 3E and classified for WWF, aquatic life, water supply and recreation. The nearest downstream public water supply intake for the Suburban Water Company is on the Schuylkill River, approximately 6 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 12.85 mgd.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>	<i>Maximum Daily</i>
CBOD ₅				
(5-1 to 10-31)	20	30	40	
(11-1 to 4-30)	25	40	50	
Total Suspended Solids	30	45	60	
Ammonia (as NH ₄)				
(5-1 to 10-31)	8	12	16	
(11-1 to 4-30)	20	30	40	
Total Residual Chlorine	0.5		1.0	
Fecal Coliform	200 colonies/100 ml as a geometric average			
Dissolved Oxygen	minimum of 5.0 mg/l at all times			
pH	within range of 6.0—9.0 standard units at all times			
Cadmium, Total	Monitor and Report			
Copper, Total	0.040			0.074
Lead, Total	Monitor and Report			
Silver, Total	Monitor and Report			
Zinc, Total	Monitor and Report			
Vinyl Chloride	Monitor and Report			
Chromium, Hexavalent	Monitor and Report			
Dieldrin	Monitor and Report			
Cyanide, Free	Monitor and Report			
Bis (2 Ethylhexyle) Phthalate	Monitor and Report			

In addition to the effluent limits, the permit contains the following special conditions:

1. The permittee shall operate an industrial pretreatment program in accordance with the Federal Clean Water Act, The Clean Stream Law and 40 CFR Part 403.

2. The permittee shall monitor background/ambient water quality upstream of the facility's outfall. This information may be used in future permitting and river modeling studies.

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

PA0034185, Sewage, **Dean Hurlbut, High Meadows MHP**, 4751 Kendor Drive, Lower Burrell, PA 15068. This application is for renewal of an NPDES permit to discharge treated sewage from the High Meadows MHP STP in Allegheny Township, **Westmoreland County**.

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

Outfall 001: existing discharge, design flow of 0.02 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25			50
Suspended Solids	30			60
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000 as a geometric mean			
Total Residual Chlorine	1.4			3.3
Dissolved Oxygen	not less than 1.4 mg/l			
pH	not less than 6.0 nor greater than 9.0			

Other Conditions: The following effluent limitations will apply if/when the treatment plant is expanded to a flow of 0.026 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25			50
Suspended Solids	30			60
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000 as a geometric mean			
Dissolved Oxygen	not less than 3.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0035670, Sewage, **Department of Transportation, Bureau of Design**, P. O. Box 3060, Harrisburg, PA 17105-3060. This application is for renewal of an NPDES permit to discharge treated sewage from the satellite maintenance facility sewage treatment plant in Kiskiminetas Township, **Armstrong County**.

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

Outfall 001: existing discharge, design flow of 0.0005 mgd.

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

The EPA waiver is in effect.

PA0096938, Sewage, **Paul M. Golobic**, R. D. 1, Box 640, Greensburg, PA 15601. This application is for renewal of an NPDES permit to discharge treated sewage from the Silver Dolphin Mobile Home Park STP in Hempfield Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as unnamed tributary of Little Sewickley Creek, which are classified as a TSF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Westmoreland County Municipal Authority—McKeesport.

Outfall 001: existing discharge, design flow of 0.01065 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)	2.4			4.8
(11-1 to 4-30)	5.0			10.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	0.25			0.58
Dissolved Oxygen	not less than 6.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0097705, Sewage, **Glendale Yearound Sewer Company**, P. O. Box 89, 110 Troxell Spring Road, Flinton, PA 16640. This application is for renewal of an NPDES permit to discharge treated sewage from the Glendale Yearound Sewage Treatment Plant in White Township, **Cambria County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Kibler 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 Pennsylvania American Water Company on the West Branch Susquehanna River near Milton.

Outfall 001: existing discharge, design flow of .0375 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)	3.5			7.0
(11-1 to 4-30)	10.5			21
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,500/100 ml as a geometric mean			
Total Residual Chlorine	0.3			0.7
Dissolved Oxygen	not less than 6 mg/l			
pH	not less than 6.0 nor greater than 9.0			

Other Conditions: The following effluent limitations will apply when the treatment plant is expanded to a flow of 0.1275 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	37.5		50
Suspended Solids	30	45		60
Ammonia Nitrogen				
(5-1 to 10-31)	2.5	3.8		5.0
(11-1 to 4-30)	5.5	8.3		11.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	0.12			0.38
Dissolved Oxygen	not less than 6.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0252719, Sewage, **Jenner Township**, 2058 Lincoln Highway, Boswell, PA 15531. This application is for issuance of an NPDES permit to discharge treated sewage from the Ligonier Highlands Sewage Treatment Plant in Jenner Township, **Somerset County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Beaverdam 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 Greater Johnstown Water Authority.

Outfall 001: existing discharge, design flow of 0.04 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	10			20
Suspended Solids	10			20
Ammonia Nitrogen				
(5-1 to 10-31)	2.0			4.0
(11-1 to 4-30)	3.0			6.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	0.02			0.05
Dissolved Oxygen	not less than 6.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0252735, Sewage, **Huston Farms, LLC**, 626 Cross Road, Rockwood, PA 15557. This application is for issuance of an NPDES permit to discharge treated sewage from the Huston's Hickory Hollow Campground STP in Milford Township, **Somerset County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as an unnamed tributary of South Glade Creek, which are classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Ohiopyle Municipal Waterworks on the Youghiogheny River.

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

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
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)	2,500/100 ml as a geometric mean			
Total Residual Chlorine	0.2			0.6
Dissolved Oxygen	not less than 4.0 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.

PA0023167, Sewage, **Borough of Kane—Pine Street WWTP**, 112 Bayard Street, Kane, PA 16735. This proposed facility is in Wetmore Township, **McKean County**.

Description of Proposed Activity: Renewal of an existing discharge of treated sewage.

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply, considered during the evaluation is the Emlenton Water Company on the Allegheny River, approximately 105 miles below point of discharge.

The receiving stream, the West Run, is in watershed 16-F and classified for HQ-CWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.5 MGD.

Parameters	Loadings		Concentrations		
	Average Monthly (lb/day)	Average Weekly (lb/day)	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
Flow	XX	XX			
CBOD ₅	125	190	10	15	20
Total Suspended Solids	375	560	25	40	50
NH ₃ -N					
(5-1 to 10-31)	18.8		1.5		3
(11-1 to 4-30)	56.3		4.5		9
Fecal Coliform					

Parameters	Loadings		Concentrations		Instantaneous Maximum (mg/l)
	Average Monthly (lb/day)	Average Weekly (lb/day)	Average Monthly (mg/l)	Average Weekly (mg/l)	
(5-1 to 9-30)		200/100 ml as a geometric average			
(10-1 to 4-30)		2,100/100 ml as a geometric average			
Total Residual Chlorine			0.16		0.54
Phosphorus as "P"			2		4
(4-1 to 10-31)			10		20
Nitrite-Nitrate					
Dissolved Oxygen				minimum of 7 mg/l at all times	
pH				6.0 to 9.0 standard units at all times	

XX—Monitor and Report

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)

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

WQM Permit No. 2182405 04-1, Sewerage, **Newburg-Hopewell Joint Authority**, P. O. Box 128, Newburg, PA 17240. This proposed facility is in Hopewell Township and Newburg Borough, **Cumberland County**.

Description of Proposed Action/Activity: Authorization for upgrades and renovations for the wastewater treatment facility.

WQM Permit No. 2104412, Sewerage, **Noah Lee Stoltzfus**, 307 Newville Road, Newburg, PA 17240. This proposed facility is in Upper Mifflin Township, **Cumberland County**.

Description of Proposed Action/Activity: Authorization for the construction of the small flow treatment facility.

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

WQM Permit No. 0204410, Sewerage, **Sonoma Ridge LP**, 772 Pine Valley Drive, Pittsburgh, PA 15239. This proposed facility is in Moon Township, **Allegheny County**.

Description of Proposed Action/Activity: Application for the construction and operation of a sewer extension to serve the Sonoma Ridge Development.

WQM Permit No. 0404405, Sewerage, **Pennko Properties LLC**, 2701 20th Street, Beaver Falls, PA 15010. This proposed facility is in Chippewa Township, **Beaver County**.

Description of Proposed Action/Activity: Application for the construction and operation of a sewer extension to serve the Chippewa Heights Plan of Lots.

WQM Permit No. 6304407, Sewerage, **Township of Union**, 3904 Finley-Elrama Road, Finleyville, PA 15332. This proposed facility is in Union Township, **Washington County**.

Description of Proposed Action/Activity: Application for the construction and operation of the Elrama Sanitary Sewer Project and Pump Stations.

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

V. Applications for NPDES Waiver Stormwater Discharges from MS4

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

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

NPDES Permit No.	Applicant Name and Address	County	Municipality	Receiving Water/Use
PAI010904013	Milford Acquisitions, Inc. Tollgate Crossing Subdivision 1590 Canary Road Quakertown, PA 18951	Bucks	Richland Township	Morgan Creek TSF Barrel Run HQ-CWF

NPDES Permit No.

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI011504062	Chesterpoint Development Oak Lane Subdivision 13 Quail Hill Lane Downingtown, PA 19335	Chester	West Caln Township	Birch Run HQ-TSF-MF

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

Elk County Conservation District, (814) 776-5373.

NPDES Permit No.

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI062404002	U. S. Army Corps of Engineers, Baltimore District 10 South Howard Street Baltimore, MD 21202 (Dents Run Acid Mine Drainage Remediation Site 3898 Wilmer, PA)	Elk	Benezette Township	Dents Run HQ-CWF
PAI062404003	U. S. Army Corps of Engineers, Baltimore District 10 South Howard Street Baltimore, MD 21202 (Dents Run Acid Mine Drainage Remediation Site 3898 Wilmer, PA)	Elk	Benezette Township	Dents Run HQ-CWF

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

PAG-12	CAFOs
PAG-13	Stormwater Discharges from MS4

**PUBLIC WATER SUPPLY (PWS)
PERMIT**

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

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

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

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

Persons with a disability who require an auxiliary aid, service or other accommodations to participate during the 30-day public comment period should contact the office

listed before the application. TDD users should contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

SAFE DRINKING WATER**Applications Received under the Pennsylvania Safe Drinking Water Act**

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

Permit No. 5404503, Public Water Supply.

Applicant	Borough of Schuylkill Haven
Township or Borough	North Manheim Township
County	Schuylkill
Responsible Official	Jack B. Travis, Administrator Borough of Schuylkill Haven 12 West Main Street Schuylkill Haven, PA 17972-1900 (570) 385-2841
Type of Facility	Community Water System
Consulting Engineer	Michael J. Dashbach, P. E. Entech Engineering, Inc. 4 South Fourth Street P. O. Box 32 Reading, PA 19603 (610) 373-6667
Application Received Date	September 1, 2004

Description of Action Application for reconstruction with design modification of the existing PWS water treatment plant at Tumbling Run, to be rated at a capacity of 2 mgd.

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

Permit No. 4104501, Public Water Supply.

Applicant **Williamsport Municipal Water Authority**
 Township or Borough City of Williamsport
 County **Lycoming**
 Responsible Official Uwe E. Weindel, P. E.
 Type of Facility PWS—Construction.
 Consulting Engineer LaRue S. VanZile
 Application Received Date August 30, 2004

Description of Action The demolition of the abandoned brick pumping station, modifications to the existing air stripper system, modifications to the yard piping, construction of a 35,000-gallon precast prestressed concrete storage tank with baffling system, vertical turbine pumping system, chlorination building, chemical feed systems and associated piping, valving, electrical, instrumentation and HVAC improvements at the Lycoming Wellfield and Third Street pump station/groundwater treatment facility.

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

Permit No. 0479501-A1, Public Water Supply.

Applicant **Borough of Ambridge Water Authority**
 600 11th Street
 Ambridge, PA 15003
 Township or Borough Ambridge Borough and Independence Township
 Responsible Official James Huwar, Chairperson,
 Board of Directors
 Borough of Ambridge Water Authority
 600 11th Street
 Ambridge, PA 15003
 Type of Facility Water Treatment Plant
 Consulting Engineer NIRA Consulting Engineers, Inc.
 950 Fifth Avenue
 Coraopolis, PA 15108
 Application Received Date August 17, 2004

Description of Action Replacement of the filter surface wash system at the water treatment plant and addition of calcium hypochlorite feed system at the Service Creek Raw Water Pumping Station.

Permit No. 1104503, Public Water Supply.

Applicant **Greater Johnstown Water Authority**
 P. O. Box 1287
 Johnstown, PA 15907
 Township or Borough Stoneycreek Township
 Responsible Official Louis Soulcheck, Administrative Assistant
 Greater Johnstown Water Authority
 P. O. Box 1287
 Johnstown, PA 15907
 Type of Facility Tank and Pump Station
 Consulting Engineer Gibson-Thomas Engineering Co., Inc.
 1004 Ligonier Street
 Latrobe, PA 15650
 Application Received Date September 1, 2004

Description of Action Replacement of the existing Belmont Heights Water Storage Tank and repairs to the existing Belmont Heights Pump Station.

MINOR AMENDMENT

Applications Received under the Pennsylvania Safe Drinking Water Act

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

Application No. 4604505, Minor Amendment.

Applicant **Collegeville Park Water Association**
 Borough Collegeville
 Responsible Official Randy S. Eddinger
 1697 Swamp Pike
 Gilbertsville, PA 19525
 Type of Facility PWS
 Consulting Engineer Ruby Engineering
 201 N. Chestnut Street, Apt. 305
 Palmyra, PA 17078
 Application Received Date August 26, 2004

Description of Action Replacement of storage tank and pump station.

Application No. 0904506, Minor Amendment.

Applicant **Pennsylvania American Water—Yardley**
 Lower Makefield Township and Yardley Borough
 Responsible Official William C. Kelvington
 4 Wellington Boulevard
 Wyomissing, PA 19610
 Type of Facility PWS

Consulting Engineer	Entech Engineering, Inc. 4 South Fourth Street Reading, PA 19603
Application Received Date	August 30, 2004
Description of Action	Installation of an ammonia feed equipment and appurtenances within the Mill Road Water Treatment Plant and installation of a new prefabricated chloramination stations at the West College Avenue and Highland Drive Well facilities.

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:

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

Norma R. Lewis Property, City of Philadelphia, **Philadelphia County**. Andrew C. Thomas, P. G., MACTEC Engineering and Consulting, Inc., 5205 Militia Hill Rd., Plymouth Meeting, PA 19462 on behalf of Norma R. Lewis, 1609 Chattin Rd., Glenside, PA 19038 has submitted a Notice of Intent to Remediate. Soils at the site have been impacted with inorganic compound lead. The future use of the property will be automobile refurbishing.

L. B. Smith Property, Plymouth Township, **Montgomery County**. Jamey A. Stynchula, P. G., Pennoni Associates, Inc., 3001 Market St., Philadelphia, PA 19104, on behalf of William Peter R. Cross, Blue Bell Associates, 650 Parkway, Suite 1, Plymouth, PA 19462 has submitted a Notice of Intent to Remediate. Soils at the site have been impacted with immobilization of asbestos-containing materials. The soils is contaminated with airborne asbestos fibers. Blue Bell Assoc. is considering changing the intended development of the site to include residential usage.

South Philadelphia High School Track and Field, City of Philadelphia, **Philadelphia County**. Eileen Lloyd, Powell-Harpstead, Inc., 800 E. Washington St., West Chester, PA 19380 on behalf of Marijane Hooven, School District of Philadelphia, 734 Schuylkill Ave., Philadelphia, PA 19146 has submitted a Notice of Intent to Remediate. Soils at the site have been impacted with lead, PAH and inorganics arsenic. The future use of the property is a high school track and field. A summary of the Notice of Intent to Remediate was reported to have been published in the *Philadelphia Weekly* on August 18, 2004.

Hodge-Highland Prop. II, Highland Township, **Chester County**. Jason Free, RT Environmental Svc., 510 Heron Dr., Bridgeport, NJ 08014 on behalf of John Panizza, GenTerra, 101 Marchwood Rd., Exton, PA 19341, has submitted a Notice of Intent to Remediate. Soils at the site have been impacted with inorganics arsenic.

Carl Seitz and Marion Crompton, Lower Southampton Township, **Bucks County**. Marlin Hunsberger, Mid-Atlantic Assoc., Inc., 2951 Advance Ln., Colmar, PA 18915 on behalf of Carl Seitz, Carl Seitz and Marion Crompton, 49 Townhomes at Dambridge, Egg Harbor, NJ 08234 has submitted a Notice of Intent to Remediate. Soils at the site have been impacted with diesel fuel, kerosene, unleaded gasoline and leaded gasoline. Groundwater at the site has been impacted with MTBE.

Sun-Icedale Terminal DINS No. 9000-0080, West Brandywine Township, **Chester County**. Jennifer L. Huha, P. G., GES Svc, Inc. has submitted a Notice of

Intent to Remediate. Soils and groundwater at the site has been impacted with no. 2 fuel oil. The future use of the property is nonresidential.

Capozzoli Residence/Villecco Residence, City of Philadelphia, **Philadelphia County**. Val F. Britton, P. G., V. G. Britton, P. G., 326 Conestoga Rd., Wayne, PA 19087 on behalf of Louis and Patricia Capozzoli/Pietro G. Villecco, 908/906 Winton St., Philadelphia, PA 19148 has submitted a Notice of Intent to Remediate. Soils at the site have been impacted with naphthalene the key fuel oil constituent of concern. The past, current and future use of the property is as a residential home. A summary of the Notice of Intent to Remediate was reported to have been published in the *Philadelphia Inquirer* on August 16, 2004.

Former Wyncote Manufactured Gas Plant (MGP) Site, Cheltenham Township, **Montgomery County**. David Kistner, URS Corp., 335 Commerce Dr., Suite 300, Ft. Washington, PA 19034-2623 on behalf of David Kraynick, Cheltenham Township Manager, 8230 Old York Rd., Elkins Park, PA 19027-1589 has submitted a Notice of Intent to Remediate. Soils and groundwater at the site has been impacted with aromatic PAHs. The soils and groundwater were contaminated with benzene, toluene, ethylbenzene and xylenes. The future uses of the property are for residential use, should the Township decide to sell this property in the future. A summary of the Notice of Intent to Remediate was reported to have been published in the *Time Chronicle* and *Glenside News* on November 19, 2003.

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

Bellefonte Former MPG Site, Spring Township, **Centre County**. RETEC Group, Inc., on behalf of PPL Gas Utilities Corp., Two North Ninth Street (GENTW-17), Allentown, PA 18101-1179 has submitted a Notice of Intent to Remediate soils contaminated with inorganics, organics, lead, PAHs and groundwater contaminated with inorganics, organics, PAHs. This site is being remediated to meet the Site-Specific Requirements.

HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

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

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

Permit ID No. PA0890090004. United States Department of Energy, Bettis Atomic Power Laboratory, 814 Pittsburgh-McKeesport Blvd., P. O. Box 109, West Mifflin, PA 15122. Operation of a hazardous waste container storage facility in West Mifflin Borough, **Allegheny County**. Application to renew a hazardous waste storage permit received in the regional office on August 20, 2004.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

Permit Application No. 101468. Republic Service of PA, 4145 E. Baltimore Pike, Media, PA 19063, Philadelphia City, **Philadelphia County**. This application was received for a 10-year permit renewal for the Girard Point Transfer Station. The application was received by the Southeast Regional Office on September 1, 2004.

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

Permit ID No. 100620. BFI Waste Systems of North America, Inc., 11 Boggs Road, P. O. Box 47, Imperial, PA 15126. **Imperial Landfill**, 11 Boggs Road, P. O. Box 47, Imperial, PA 15126. A major permit modification for operation plan revisions and temporary daily tonnage increase to a municipal waste landfill in Findlay Township, **Allegheny County** was received in the regional office on August 27, 2004.

Permit ID No. 100281. Greenridge Reclamation, LLC, R. D. 1, Box 717, East Huntingdon Landfill Road, Scottsdale, PA 15683. **Greenridge Reclamation**, R. D. 1, East Huntingdon Landfill Road, Scottsdale, PA 15683. A major permit modification for highwall removal at a municipal waste landfill in East Huntingdon Township, **Westmoreland County** was received in the regional office on September 2, 2004.

Permit ID No. 101532. Weavertown Transport Leasing, Inc., 201 South Johnson Road, Houston, PA 15342. **Weavertown Transport Leasing, Inc.**, SR 50, Box 411, Cecil, PA 15321. A major permit modification for processing residual waste at a municipal waste transfer facility in Cecil Township, **Washington County** was received in the regional office on September 3, 2004.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

NEW SOURCES AND MODIFICATIONS

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

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

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

Persons wishing to receive a copy of a proposed plan approval or operating permit must indicate their interest to the Department regional office within 30 days of the date of this notice and must file protests or comments on a proposed plan approval or operating permit within 30 days of the Department providing a copy of the proposed document to that person or within 30 days of its publication in the *Pennsylvania Bulletin*, whichever comes first. Interested persons may also request that a hearing be

held concerning the proposed plan approval and operating permit. Comments or protests filed with the Department regional offices must include a concise statement of the objections to the issuance of the Plan approval or operating permit and relevant facts which serve as the basis for the objections. If the Department schedules a hearing, a notice will be published in the *Pennsylvania Bulletin* at least 30 days prior the date of the hearing.

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

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

PLAN APPROVALS

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

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

54-399-036: GHM, Inc. (17 Pinedale Industrial Road, Orwigsburg, PA 17961) for construction of a styrene foam manufacturing operation at their facility in the Deer Lake Industrial Park, West Brunswick Township, **Schuylkill County**.

40-312-044: Scranton-Altoona Terminals Corp. (P. O. Box 2621, Harrisburg, PA 17105) for construction of a truck loading rack and associated air cleaning device at their Dupont East Terminal, 801 Suscon Road, Pittston Township, **Luzerne County**.

40-318-053: Certainteed Corp. (1220 Oak Hill Road, Mountaintop, PA 18707) for modification of two printing operations at their facility in the Crestwood Industrial Park, Wright Township, **Luzerne County**.

40-399-054: Fairchild Semiconductor Corp. (125 Crestwood Road, Mountaintop, PA 18707) for modification of the FAB 8 line and installation of an air cleaning device at their facility in the Crestwood Industrial Park, Wright Township, **Luzerne County**.

48-309-118B: Essroc Cement Corp. (3251 Bath Pike, Nazareth, PA 18064) for amendment of existing Plan Approval 48-309-118 to reflect a smaller expansion project and associated atmospheric emissions than were originally approved for their facility in Lower Nazareth Township, **Northampton County**.

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

36-05136: Granger Energy of Honey Brook, LLC (481 South Churchtown Road, Narvon, PA 17555) for construction of a landfill gas treatment plant at their Chester County Solid Waste Management Authority's Lanchester Landfill in Caernarvon Township, **Lancaster County**. This application is subject to 40 CFR Part 60,

Subpart WWW—Standards of Performance for Municipal Solid Waste Landfills and 40 CFR Part 63, Subpart AAAA—National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills.

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

17-309-024A: Mount Savage Specialty Refractories Co. (P. O. Box 60, Curwensville, PA 16833) for construction of a crusher and mixer and reactivation of various other pieces of equipment in a refractories plant in Pike Township, **Clearfield County**.

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

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

15-0078D: Centocor, Inc. (200 Great Valley Parkway, Malvern, PA 19355) for modification of a 2,000 kW electric generator at their Centocor Pharmaceutical Research and development/manufacturing/biotechnological facility at 90 Great Valley Parkway, East Whiteland Township, **Chester County**. The modification of the electric generator will result in the emissions of: 5.26 tons per year of NOx; 0.49 ton per year of CO; 0.2 ton per year of VOCs; 0.76 ton per year of SOx; 0.08 ton per year of PM; and 0.004 ton per year of HAPs. The Plan Approval and Operating Permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

48-328-006A: Conectiv Bethlehem LLC (P. O. Box 6066, Newark, DE 19714) for rewording of the diffusion mode of operation requirement and definitions related to start-up and shut-down for the six combustion turbines as described in Plan Approval 48-328-06 at their facility in the City of Bethlehem and Lower Saucon Township, **Northampton County**. There is no new equipment being constructed under this plan approval, nor is there any increase of any pollutants related to the amended language. The plan approval will include all appropriate monitoring, recordkeeping and reporting requirements designed to keep the source operating within all applicable air quality requirements. The facility has submitted an application to the Department to obtain a Title V Operating Permit. This plan approval will subsequently be incorporated into the Title V Operating Permit or the Title V Operating Permit will be administratively amended in accordance with 25 Pa. Code § 127.450.

39-318-112: Mack Trucks, Inc. (7000 Alburtis Road, Macungie, PA 18062) for an amendment of their facility's current Title V Operating Permit 39-00004 to increase the allowable emission limits for their facility in Lower Macungie Township, **Lehigh County**. The amendment of the Title V operating permit will: (1) increase the allowable VOC emissions by 199.5 pounds per day (24.9 tons per year) for the cab color spray booth; and (2) implement a facility-wide limit for HAPs (10 tons per year for a single HAP or 25 tons per year of combined HAPs). The

Plan Approval and Operating Permit will include emission restrictions and monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V Operating Permit through an administrative amendment at a later date.

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.

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

06-05099A: Rolling Hills Landfill Gas, LLC (1300 North 17th Street, Arlington, VA 22209) for construction of a landfill gas combustion turbine to generate electricity at their Rolling Hills Landfill in Earl Township, **Berks County**. The turbine will be subject to 40 CFR Part 60, Subparts GG—Standards of Performance for Stationary Gas Turbines and WWW—Standards of Performance for Municipal Solid Waste Landfills, Standards of Performance of New Stationary Sources. The turbine will have the potential to emit 50.4 tons per year of NO_x, 73.1 tons per year of CO and 10.3 tons per year of SO_x. The approval will limit the emissions of HAPs to less than 10/25 tons per year. The approval will include monitoring, recordkeeping, work practices and reporting requirements designed to keep the source operating within all applicable air quality requirements. The facility is a new facility that will be required to obtain a Title V Operating Permit.

ER-36-05033: Goodville Industrial Center—formerly Rutt Custom Cabinetry, LLC (1564 Main Street, Goodville, PA 17528) for an air quality Emission Reduction Credit approval of 84.9 tons of VOCs resulting from the shutdown of their wood custom kitchen cabinet manufacturing operation in East Earl Township, **Lancaster County**. The ERCs generated are based on the September 1, 2003, permanent shutdown of the Lancaster facility.

36-05018A: LASCO Bathware (8101 East Kaiser Boulevard, Anaheim, CA 92808) for installation of a new concentrator and a replacement thermal oxidizer at their existing facility in Elizabethtown, West Donegal Township, **Lancaster County**. The facility's particulate emissions will be controlled through the use of baghouses. This facility's actual emissions are projected to decrease by about 0.8 tpy of VOCs and HAPs as a result of this plan approval. This plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the sources operating within all applicable air quality requirements.

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

(State-only) facility. This construction will result in approximately 20 tons per year of PM and less than 1 ton each of VOC and HAP. Conditions for monitoring, recordkeeping and work practice standards are included to keep the facility operating within the applicable requirements.

38-05032: Lebanon Valley Aluminum, Inc. (33 Keystone Drive, Lebanon, PA 17042) for installation of their secondary aluminum smelting facility in South Lebanon Township, **Lebanon County**. This facility has a potential to emit more than 100 tons per year of SO_x. The plan approval will limit emissions to levels below the Title V permit thresholds. The plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the sources operating within all applicable air quality requirements.

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

41-00013B: Coastal Aluminum Rolling Mills, Inc. (2475 Trenton Avenue, Williamsport, PA 17701) for construction of a coil coating line in the City of Williamsport, **Lycoming County**. Coastal Aluminum Rolling Mills, Inc. is a major facility for which Title V Operating Permit 41-00013 has been issued.

The coil coating line will incorporate three coating stations, each with an associated curing oven, which will be used to surface coat foil gauge metal substrate, typically aluminum, with various VOC and volatile HAP (VHAP)-containing coatings. Each of the coating stations will be equipped with an enclosure to capture VOCs/VHAPs. The captured VOC/VHAP emissions from these enclosures will be controlled by a regenerative thermal oxidizer, at a destruction efficiency of 98%, as will the VOC/VHAP emissions emitted from the three curing ovens. The resultant VOC emissions will be no more than 3.0 tons per year, all of which could also be VHAPs. There could additionally be up to .05 ton per year of VOC emissions, all of which could also be VHAPs, from associated cleanup operations. In addition to the VOC and VHAP emissions resulting from the application of coatings and the use of solvents for cleanup purposes, the coil coating line is expected to emit up to 1.75 tons of NO_x, 1.18 tons of CO and .09 ton of VOCs per year from combustion occurring in the ovens and regenerative thermal oxidizer.

The Department's review of the information submitted by Coastal Aluminum Rolling Mills, Inc. indicates that the proposed coil coating line will comply with all applicable air quality requirements pertaining to air contamination sources and the emission of air contaminants, including the requirements of 25 Pa. Code § 129.52 and the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department intends to issue plan approval for the construction of the proposed coil coating line. Additionally, if the coil coating line is subsequently determined to be operating in compliance with all applicable plan approval conditions and regulatory requirements after it is constructed, the conditions of the plan approval will be incorporated into Title V Operating Permit 41-00013 through administrative amendment in accordance with 25 Pa. Code § 127.450.

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

1. Each coating station shall be equipped with a permanent total enclosure, as defined by the EPA. Each

permanent total enclosure shall extend up to the entry point of the oven associated with the respective coating station.

2. 100% of the VOCs and VHAPs emitted from the application and curing of coatings, as well as 100% of those emitted as a result of associated cleanup activities, shall be captured and sent to the regenerative thermal oxidizer.

3. The regenerative thermal oxidizer shall destroy the VOC emissions ducted to it at an efficiency of no less than 98% (by weight) unless the concentration of VOCs in the inlet of the regenerative thermal oxidizer is less than 300 parts per million, expressed as propane, in which case, the destruction efficiency may be less than 98% as long as the VOC concentration in the exhaust of the regenerative thermal oxidizer is no greater than 6 parts per million, expressed as propane. The destruction efficiency of VHAPs in the regenerative thermal oxidizer shall be assumed to be identical to the demonstrated destruction efficiency of VOCs.

4. The regenerative thermal oxidizer shall maintain a combustion chamber temperature of at least 1,500°F whenever the regenerative thermal oxidizer is in use.

5. The regenerative thermal oxidizer shall be equipped with instrumentation to monitor and record the combustion chamber temperature on a continuous basis as well as with an interlock which prevents the coil coating line from operating if the regenerative thermal oxidizer combustion chamber temperature is below 1,500°F.

6. The coil coating line shall not be operated if the regenerative thermal oxidizer is inoperable.

7. All cleanup operations involving the use of a VOC-containing material or a VHAP-containing material shall be performed inside of a permanent total enclosure with the regenerative thermal oxidizer in operation.

8. The coil coating line shall not be operated more than 7,000 hours in any 12 consecutive month period.

9. The VOC emissions resulting from the application and curing of coatings on the coil coating line shall not exceed 3.0 tons in any 12 consecutive month period (excluding any VOC emissions from cleanup operations). The VHAP emissions resulting from the application and curing of coatings on the coil coating line shall not exceed 3.0 tons in any 12 consecutive month period (excluding any VHAP emissions from cleanup operations).

10. The VOC emissions resulting from the use of VOC-containing solvents or materials for cleanup purposes on the coil coating line shall not exceed .05 ton in any 12 consecutive month period. The VHAP emissions resulting from the use of VHAP-containing solvents or materials for cleanup purposes on the coil coating line shall not exceed .05 ton in any 12 consecutive month period.

11. No coating, coating additive or cleanup solvent or materials containing a volatile chlorinated, fluorinated or sulfonated compound may be used on the coil coating line.

12. The total combined NO_x, total combined CO and total combined VOC emissions resulting from combustion in the three coil coating line ovens and the regenerative thermal oxidizer shall not exceed 1.75, 1.47 and .09 tons in any 12 consecutive month period, respectively.

13. The total combined emissions of any single HAP from the entire facility shall not equal or exceed 10 tons in any 12 consecutive month period following the construction of the coil coating line and the total combined

emissions of all HAPs from the entire facility shall not equal or exceed 25 tons in any 12 consecutive month period following the construction of the coil coating line.

14. Within 120 days of startup of the coil coating line, stack testing shall be performed to determine the VOC destruction efficiency occurring in the regenerative thermal oxidizer while operating at a temperature as close to 1,500°F as can reasonably be achieved (but not less than 1,500°F) as well as the VOC emission rate occurring from the regenerative thermal oxidizer at the same time. Additionally, a demonstration shall be made that each emission capture enclosure incorporated in the coil coating line qualifies as a permanent total enclosure, as that term is defined by the EPA.

15. Records shall be maintained of the following:

- The identity and amount used each month of each coating and coating additive used on the coil coating line as well as the VOC content of each coating and coating additive and the content of each individual VHAP in each coating and coating additive.

- The identity and amount used each month of each VOC-containing and VHAP-containing cleaning solvent or material used on the coil coating line within a permanent total enclosure ducted to an operating regenerative thermal oxidizer as well as the VOC content of each solvent or material and the content of each individual VHAP in each solvent or material.

- The identity and amount used each month, if any, of each VOC-containing and VHAP-containing cleaning solvent or material used on the coil coating line outside of a permanent total enclosure ducted to an operating regenerative thermal oxidizer or inside of a permanent total enclosure ducted to a non-operating regenerative thermal oxidizer as well as the VOC content of each solvent or material and the content of each individual VHAP in each solvent or material.

- Records as are necessary to demonstrate compliance with the facility-wide HAP emission limitations of less than 10 tons for any 12 consecutive month period for any single HAP and less than 25 tons for any 12 consecutive month period for all HAPs combined.

- The number of hours the coil coating line operates each month.

08-313-027E: OSRAM SYLVANIA Products, Inc. (Hawes Street, Towanda, PA 18848) for construction of a tungsten carbide jet mill at their facility in Towanda Borough and North Towanda Township, **Bradford County**.

The jet mill will be used to mill tungsten carbide. The PM emissions from the mill will be controlled by a new fabric collector and absolute filter operating in series. The PM emissions from loading and unloading the jet mill will be controlled by an existing cartridge collector. The resultant PM emissions to atmosphere should not exceed .074 ton per year.

The Department's review of the information submitted by OSRAM indicates that the proposed jet mill will comply with all applicable air quality requirements pertaining to air contamination sources and the emission of air contaminants, including the fugitive air contaminant emission requirement of 25 Pa. Code § 123.1, the PM emission requirement of 25 Pa. Code § 123.13 and the best available technology requirement of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue plan approval for the construction of the jet mill.

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

1. The jet mill shall not process anything other than tungsten carbide without prior Department approval.
2. The concentration of particulate matter in the exhaust of the absolute filter shall not exceed .01 grain per dry standard cubic foot of exhaust.
3. The fabric collector and absolute filter shall each be equipped with instrumentation to monitor the differential pressure across the respective control device on a continuous basis.
4. The air compressor supplying compressed air to the fabric collector shall be equipped with an air dryer and oil trap.
5. Spare bags and filters shall be kept on hand for the fabric collector and absolute filter.

59-301-021: Carleton Funeral Home, Inc. (11470 Route 6, Wellsboro, PA 16901) for construction of a human remains crematory incinerator in Charleston Township, **Tioga County**.

The crematory incinerator will be used to incinerate human remains and associated containers. The air contaminant emissions from the crematory incinerator will be controlled by an integral secondary combustion chamber. The incinerator is expected to emit no more than .35 ton of PM, .27 ton of SO_x, .03 ton of CO, .95 ton of NO_x and .007 ton of VOCs per year.

The Department's review of the information submitted by Carleton Funeral Home, Inc. indicates that the proposed crematory incinerator will comply with all air quality requirements pertaining to air contamination sources and the emission of air contaminants including the PM emission requirement of 25 Pa. Code § 123.12, the visible air contaminant emission requirements of 25 Pa. Code § 123.41 and the best available technology requirement of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue plan approval for the construction of the crematory incinerator.

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

1. The incinerator shall only be used to incinerate human remains and associated containers used to hold the remains.
2. The PM emissions from the incinerator shall not exceed .08 grain per dry standard cubic foot of exhaust and the visible air contaminant emissions shall not equal or exceed 10% opacity for a period or periods aggregating more than 3 minutes in any 1 hour or equal or exceed 30% at any time.
3. The secondary combustion chamber shall be maintained at a temperature of at least 1,800°F at any time cremation is occurring. Additionally, the incinerator shall be equipped with interlocks to prevent the primary chamber burner from firing unless the secondary chamber temperature is at least 1,800°F.
4. The incinerator shall be equipped with instrumentation to monitor and record the secondary combustion chamber temperature on a continuous basis. Records generated by this instrumentation shall be retained for at least 5 years and shall be made available to the Department upon request.

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 Jurdonez Brown, Facilities Permitting Chief, (484) 250-5920.

46-00045: PECO Energy-West Conshohocken Gas Plant (300 Front Street, Building 3, West Conshohocken, PA 19428) in West Conshohocken Borough, **Montgomery County**. The facility is primarily used for compression and storage of natural gas. The facility's major air emission points include: vaporizers, preheaters, emergency generators and a combustion turbine, which emit major levels of NO_x and PM (PM₁₀). The facility is not subject to Compliance Assurance Monitoring under 40 CFR Part 64.

23-00017: Exelon Generation Co. LLC—Eddystone Generating Station (No. 1 Industrial Highway, Eddystone, PA 19022) for installation of a Selective Catalytic Reduction System to two boilers at this facility which is a Title V facility in Eddystone Borough, **Delaware County**. The Title V Operating Permit has been revised to incorporate conditions from Plan Approval PA-23-0017A. Additional changes to this Title V Permit include updating the responsible official contact and the NO_x budget contact personnel, updating the facility-wide monitoring for odors, visible emissions and fugitive PM with a condition currently applied to facilities, changing a condition for the scrubbers on one boiler to reflect the operation at this facility and the removal of references to 25 Pa. Code Chapter 139 that do not apply to two boilers since the CEMS measure sulfur dioxide emissions only for the Acid Rain Program. All revisions to the Title V Operating Permit were made under 25 Pa. Code § 127.450. The changes made to the permit do not result in an increase of emissions.

46-00062: Jefferson Smurfit Corp.—US (500 Church Road, North Wales, PA 19454) for an administrative amendment to Title V Operating Permit TVOP-46-0004 in Upper Gwynedd, **Montgomery County**. The facility's major emission points include rotogravure printing presses, which emit major levels of VOCs. The Administrative Amendment incorporates requirements from Plan Approval PA-46-0062 for the replacement of the thermal afterburner with the new thermal oxidizer on Rotogravure Printing Press No. 502. Administrative Amendment of Title V Operating Permit issued under the Air Pollution Control Act and 25 Pa. Code § 127.450. The amended Title V operating permit contains additional monitoring, recordkeeping, reporting and work practice standards to keep the facility operating within all applicable air quality requirements.

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

21-05007: Department of the Navy (5450 Carlisle Pike, Mechanicsburg, PA 17055) for operation of a Naval Support Activity in Hampden Township, **Cumberland County**. The facility is a major source that primarily emits NO_x, SO₂, CO and PM. The Title V operating permit will contain appropriate monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

36-05013: Lancaster County Solid Waste Management Authority (1299 Harrisburg Pike, Lancaster, PA

17604) for operation of three municipal waste combustors in Conoy Township, **Lancaster County**. The facility is a major source that primarily emits NO_x and acidic fumes. The Title V operating permit will contain appropriate monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements. This is a renewal of their Title V operating permit.

67-05005: PPL Generation, LLC (Two North Ninth Street, Allentown, PA 18101) for operation of their Brunner Island Steam Electric Station in East Manchester Township, **York County**. The facility's major sources of emissions include three electric generating units which are primary emitters of NO_x, SO_x, PM and CO. The Title V operating permit will contain appropriate monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements. This is a renewal of their Title V operating permit.

67-05006: York County Solid Waste and Refuse Authority (2700 Blackbridge Road, York, PA 17402) for operation of three municipal waste combustors in Manchester Township, **York County**. The facility is a major source that primarily emits NO_x and acidic fumes. The Title V operating permit will contain appropriate monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements. This is a renewal of their Title V operating permit.

67-05033: Gichner Shelter Systems (490 East Locust Street, Dallastown, PA 17313) for operation of their portable metal building manufacturing facility in York Township, **York County**. The facility has the following annual potential emissions: 63 tons VOC, 17 tons trichloroethylene, 12 tons methyl ethyl ketone, 12 tons toluene, 7 tons xylene and 3 tons methyl isobutyl ketone. The Title V operating permit will include emission restrictions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements. The facility is subject to 40 CFR Part 63, Subpart T—National Emission Standards for Halogenated Solvent Cleaning.

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

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

46-00069: Highway Materials, Inc.—Plymouth Meeting Quarry (5000 Joshua Road, Plymouth Meeting, PA 19462) for operation of a rock crushing plant with two diesel generators at their Plymouth Meeting Quarry in Whitmarsh Township, **Montgomery County**. The permit is for a non-Title V (State-only) facility. The facility has elected to cap NO_x emissions to less than 25 tons per year; therefore the facility is a Synthetic Minor. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

07-05015: Altoona Hospital (620 Howard Avenue, Altoona, PA 16602) for operation of four natural gas/no. 2 oil fired boilers and four diesel operated emergency

generators in Altoona City, **Blair County**. The Synthetic Minor operating permit will include monitoring, recordkeeping, reporting requirements, emission and fuel restrictions and work practice standards designed to keep the facility operating within all applicable air quality requirements.

28-03023: Valley Quarry, Inc. (169 Quarry Road, Chambersburg, PA 17201) for operation of their Mt. Cydonia Sand Plant No. 2 in Greene Township, **Franklin County**. The facility has the potential to emit approximately 10 tons of PM₁₀ per year. Sources at the facility are subject to 40 CFR Part 60, Subpart OOO for Nonmetallic Mineral Processing Plants. Standard monitoring, recordkeeping and work practice standards are also included to keep the facility operating within all applicable requirements.

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

S04-003: Mercy Hospital of Philadelphia (501 South 54th Street, Philadelphia, PA 19143) for operation in the City of Philadelphia, **Philadelphia County**. The facilities air emission sources include one 20 mmBtu/hr boiler, two 15 mmBtu/hr boilers and two standby electric generators.

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

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

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

The following permit applications to conduct mining activities have been received by the Department of Environmental Protection (Department). A copy of an application is available for inspection at the district mining office indicated before an application. Where a 401 Water Quality Certification is needed for any aspect of a particu-

lar 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.

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

03990109 and NPDES Permit No. PA0202673. Mears Enterprises, Inc. (P. O. Box 157, Clymer, PA 15728). Renewal application to an existing bituminous surface mine for reclamation only in Wayne Township, **Armstrong County**, affecting 58 acres. Receiving streams: unnamed tributaries to the South Fork Pine Creek and South Fork Pine Creek (CWF). There is no potable water supply intake within 10 miles from the point of discharge. Renewal application received August 31, 2004.

03970110 and NPDES Permit No. PA0202134. GLR Mining, Inc. (P. O. Box 105, Clymer, PA 15728). Renewal application to an existing bituminous surface mine for reclamation only in Valley Township, **Armstrong County**, affecting 27.4 acres. Receiving stream: unnamed tributary to Cowanshannock Creek (TSF). There is no potable water supply intake within 10 miles from the point of discharge. Renewal application received August 31, 2004.

26950102 and NPDES Permit No. PA0201197. Bridgeview Coal Company (Route 40, Box 257,

Farmington, PA 15437). Renewal application to an existing bituminous surface mine for reclamation only in Wharton Township, **Fayette County**, affecting 221 acres. Receiving streams: unnamed tributaries to Stony Fork and unnamed tributary to Little Sandy Creek (CWF). There is no potable water supply intake within 10 miles from the point of discharge. Renewal application received August 31, 2004.

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

56960105 and NPDES Permit No. PA234168. L. K. Mining, Inc., 323 Coalyard Road, Rockwood, PA 15557, surface mining permit revision to add 0.9 coal acres in Milford Township, **Somerset County**, affecting 20.2 acres. Receiving streams: unnamed tributary to South Glade Creek (WWF). There are no potable water supply intakes within 10 miles downstream. Application received August 17, 2004.

56950111 and NPDES Permit No. PA0213225. Sherpa Mining Contractors, Inc., 337 Benny Road, Hooversville, PA 15936, surface mining permit revision to add coal acres that are currently approved for mining under adjacent Cooney Brothers SMP No. 56930102 to this Sherpa SMP No. 56950111 in Shade Township, **Somerset County**, affecting 248.5 acres. Receiving streams: unnamed tributary to Shade Creek and Shade Creek (CWF). The first downstream potable water supply intake from the point of discharge is the Cambria Somerset Authority Stoneycreek surface water intake. Application received August 18, 2004.

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

61990103 and NPDES Permit No. PA0241466. Ancient Sun, Inc. (P. O. Box 129, Shippenville, PA 16254). Renewal of an existing bituminous surface strip operation in Clinton Township, **Venango County** affecting 18.5 acres. Receiving streams: unnamed tributary to Bullion Run (CWF). There are no potable surface water supply intakes within 10 miles downstream. Application for reclamation only. Application received September 2, 2004.

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

40793009R4. Kaminski Brother, Inc. (c/o Great Valley Construction Services, LLC, 100 Baltimore Drive, East Mountain Corporate Center, 4th Floor, Wilkes-Barre, PA 18702), renewal of an existing anthracite surface mine and coal preparation plant operation in Jenkins Township, **Luzerne County** affecting 43.6 acres, receiving stream: none. Application received August 27, 2004.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E35-378. Stephen Takach, 218 Hand Street, Jessup, PA 18434 in Fell Township, **Lackawanna County**, U. S. Army Corps of Engineers, Baltimore District.

To remove the remains of the existing structure and to construct and maintain a bridge having a span of 14 feet across a tributary to Fall Brook (CWF). The project is on the south side of Sandy Bank Road (SR 1017) approximately 0.4 mile southwest of SR 0106 (Carbondale, PA Quadrangle N: 17.1 inches; W: 6.5 inches).

E54-317. Hegins-Hubley Authority, 915 West Maple Street, Valley View, PA 17983 in Hubley Township, **Schuylkill County**, U. S. Army Corps of Engineers, Baltimore District.

To place fill in approximately 0.31 acre of PEM wetlands for the purpose of constructing an approximately 900-foot road to provide access to a proposed well and wellhouse. The project is east of Kushwa Road, approximately 0.25 mile south of SR 0025 (Valley View, PA Quadrangle N: 0.1 inch; W: 16.6 inches).

E40-639. Andrew Stone, 1405 Meeting House Road, North Wales, PA 19454-3693 in Slocum Township, **Luzerne County**, U. S. Army Corps of Engineers, Baltimore District.

To construct and maintain a private floating dock, extending approximately 150 feet from the shoreline in Mud Pond. The total area of the dock is approximately 500 square feet. The project is along the southern shoreline of Mud Pond at 1372 Slocum Road (Nanticoke, PA Quadrangle N: 5.7 inches; W: 1.2 inches).

E48-354. Department of Transportation, Engineering District 5-0, 1713 Lehigh Street, Allentown, PA 18103 in Palmer Township and Stockertown Borough, **Northampton County**, U. S. Army Corps of Engineers, Philadelphia District.

To install approximately 375 LF of impervious lining under the stream bed of Bushkill Creek (HQ-CWF) in an effort to remedy severe sinkhole formations and reestablish a natural channel within the SR 0033 right-of-way. The project is approximately 0.5 mile south of SR 0191 (Nazareth, PA Quadrangle N: 22.5 inches; W: 2.1 inches).

E48-326A. Hercules Cement Co., L. P., P. O. Box 69, Stockertown, PA 18083-0069 in Stockertown Borough and Palmer Township, **Northampton County**, U. S. Army Corps of Engineers, Philadelphia District.

To amend Permit No. E48-326 to include the installation of an additional 400 LF of a geomembrane liner system and the reestablishment of a natural channel in Bushkill Creek (HQ-CWF). This work will take place at the downstream end of the previously authorized project and will extend to the SR 0033 right-of-way. The project is at the Hercules Cement property, southwest of the intersection of SR 0033 and SR 0191 (Wind Gap, PA Quadrangle N: 0.5 inch; W: 3.3 inches).

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

E32-460. P. C. Exploration, Inc., 502 Keystone Drive, Warrendale, PA 15086. Culvert in Salsgiver Run, Canoe Township, **Indiana County**, Pittsburgh ACOE District (Rochester Mills, PA Quadrangle N: 15.0 inches; W: 5.4 inches—Latitude: 40° 49' 50" and Longitude: 79° 55' 00"). The applicant proposes to construct and maintain seven 6-inch depressed, 24-inch pipe culverts having a length of 20.0 feet in Salsgiver Run (HQ-CWF) for the purpose of providing access to a gas well. The project is off of SR 1038 approximately 3.4 miles from its intersection with SR 1045.

E65-807. Department of Transportation, Engineering District 10-0, P. O. Box 429, Indiana, PA 15701. Bridge over Conemaugh River in West Wheatfield Township, **Indiana County**, Pittsburgh ACOE District (Bolivar, PA Quadrangle N: 4.25 inches; W: 2.2 inches—Latitude: 40° 23' 54" and Longitude: 79° 08' 27"). The applicant proposes to remove the existing structure and to construct and maintain a four-span bridge having four normal spans of 31.69 meters and a minimum underclearance of 9.83 meters across the Conemaugh River (WWF) on a new alignment 300 meters upstream from the existing bridge for the purpose of improving transportation safety. The proposed work includes the placement and maintenance of fill in 0.082 acre of palustrine emergent/forested wetland. To compensate for wetland loss, the applicant will make a monetary contribution to the Pennsylvania Wetland Replacement Project. The project is on SR 0259, Section 450.

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

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

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

E24-236, Francis X. Straub, 123 Terrace Road, St. Marys, PA 15857. Storage complex wetland fill in the City

of St. Marys, **Elk County**, ACOE Pittsburgh District (St. Marys, PA Quadrangle N: 8.6 inches; W: 13.2 inches).

To place and maintain fill within two palustrine emergent and palustrine scrub/shrub wetlands having a de minimis surface area of 0.042 acre for the purpose of constructing a storage facility approximately 2.1 miles west of the City of St. Marys along the north side of SR 120.

E42-304, Foster Township, 1185 East Main Street, Bradford, PA 16701. Tuna Crossroads Park Improvements in Foster Township, **McKean County**, ACOE Pittsburgh District (Derrick City, PA Quadrangle N: 21.7 inches; W: 16.7 inches).

To construct and maintain a baseball field, pavilion, associated parking area, access roadway and pedestrian walkways within the floodway of the Tunungwant Creek (WWF) at a point within the Tuna Crossroads Park approximately 1,400 feet west of the intersection of East Main Street (T-601) and Tuna Crossroads (T-369).

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

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

E61-267, William Wetzel, P. O. Box 53, Ridgway, PA 15853-0053. Porcupine Creek water obstructions in President Township, **Venango County**, ACOE Pittsburgh District (President, PA Quadrangle N: 10.2 inches; W: 6.4 inches).

The applicant proposes to replace an existing retaining wall with a streambank restoration and stabilization consisting of native stone rip-rap and pole and brush bundle plantings and to replace and maintain a bridge abutment on the right bank of Porcupine Creek (EV, perennial) and to maintain the streambank restoration and stabilization and to maintain a deck, fill and house within the floodway and to maintain an existing pedestrian bridge having a clear span of approximately 52 feet and an underclearance of 11.4 feet in President Township, Venango County approximately 1.2 miles southeast of the intersection of U. S. Route 62 and SR 2023. This project proposes to directly affect approximately 70 linear feet of stream.

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

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>
PA0028088 SEW	Chester Selfridge Brown Township Municipal Authority 7748 SR 655 Reedsville, PA 17084-9148	Mifflin County Brown Township	Kishacoquillas Creek 12-A	Y
PAR10I220R	Paxtonia Associates 7500 Derry Street Harrisburg, PA 17111	Dauphin County Lower Paxton Township	Beaver Creek 7-D	Y
PA0247405 SEW	David Stup 5394 Big Creek Road Clearville, PA 15535	Bedford County Monroe Township	UNT West Branch Sidling Hill Creek 13-B	Y
PA0021601 SEW	Keith Brobst Hamburg Municipal Authority 61 North Third Street Hamburg, PA 19526	Berks County Hamburg Borough	Schuylkill River 3-D	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>
PA0090948	ONYX Chestnut Valley Landfill, Inc. Box 266 McClellandtown, PA 15458	Fayette County German Township	Unnamed tributary of Dunlap Creek	Y

This notice reflects changes from the notice published at 34 Pa.B. 3027 (June 12, 2004).

Parameter	Average Monthly	Maximum Daily	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
NH ₃ -N						
(5-1 to 10-31)	1.1	2.1	3.5		7.0	8.8
(11-1 to 4-30)	1.5	3.0	4.9		10.0	12.3

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

NPDES Permit No. (Type)	Facility Name and Address	County and Municipality	Stream Name (Watershed No.)	EPA Waived Y/N ?
PA0102181	The Venango Park and Natural Resources Authority Two Mile Run Park 471 Beach Road Franklin, PA 16323	Sugarcreek Borough Venango County	Two Mile Run 16-E	Y
PA0222763	Charter Plastics, Inc. 221 South Perry Street P. O. Box 770 Titusville, PA 16354	City of Titusville Crawford County	Oil Creek 16-E	Y

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

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

NPDES Permit No. PA0056081, Sewage, **Victorian Wycombe Inn**, P. O. Box 104, Wycombe, PA 18980. This proposed facility is in Wrightstown Township, **Bucks County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge into an unnamed tributary to Mill Creek in Watershed 2F.

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

NPDES Permit No. PA0026549, Amendment No. 1, Sewage, **City of Reading, Deborah Hoag**, 815 Washington Street, Reading, PA 19601-3690. This proposed facility is in Reading City, **Berks County**.

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

NPDES Permit No. PA0247502, Sewage, **Mr. and Mrs. David Ketner**, 308 Steelstown Road, Newville, PA 17241. This proposed facility is in North Newton Township, **Cumberland County**.

Description of Proposed Action/Activity: Authorization to discharge to UNT Conodoguinet Creek in Watershed 7-B.

NPDES Permit No. PA0084611, Sewage, **John Huenke, CMV Sewage Company, Inc.**, 200 Bailey Drive, Suite 204, Stewartstown, PA 17363. This proposed facility is in North Codorus Township, **York County**.

Description of Proposed Action/Activity: Authorization to discharge to UNT of Codorus Creek in Watershed 7-H.

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

NPDES Permit No. PA0239453, Industrial Waste, **Intech P/M Stainless, Inc.**, P. O. Box 506, Ridgway, PA 15853. This proposed facility is in Ridgway Township, **Elk County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to Elk Creek in Watershed 17-A.

NPDES Permit No. PA0090182, Sewage Amendment No. 1, **Concordia Lutheran Ministries**, 134 Marwood Road, Cabot, PA 16023. This proposed facility is in Jefferson Township, **Butler County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to an unnamed tributary to Little Buffalo Creek in Watershed 18-F.

NPDES Permit No. PA0239488, Sewage, **Eldred Township**, R. D. 2, Box 123A, Pittsfield, PA 16340. This proposed facility is in Eldred Township, **Warren County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to Caldwell Creek in Watershed 16-E.

NPDES Permit No. PA0239518, Sewage, **Meadow Ridge Subdivision**, 533 Locust Place, Sewickley, PA 15143-1547. This proposed facility is in Forward Township, **Butler County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to an unnamed tributary to Connoquenessing Creek.

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

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

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

Description of Proposed Action/Activity: Construction of a small flow sewage treatment plant to serve their single family residence between 308 and 314 Steelstown Road.

WQM Permit No. 2104411, Sewerage, **Silver Spring Township Authority**, 6415-Rear Carlisle Pike, Mechanicsburg, PA 17050. This proposed facility is in Silver Spring Township, **Cumberland County**.

Description of Proposed Action/Activity: Construction/operation of sewerage facilities consisting of relocation of the Holly Lane pump station to the Foxwood Subdivision and construction of a 12-inch diameter gravity sewer from Holly Lane to new station and construction of a 10-inch diameter force main to the existing force main in Holly Lane.

WQM Permit No. 6704408, Sewerage, **Windsor Township**, 1480 Windsor Road, P. O. Box 458, Red Lion, PA 17356. This proposed facility is in Windsor Township, **York County**.

Description of Proposed Action/Activity: Construction/operation of sewerage facilities consisting of one suction lift sewage pump station that will receive an estimated average flow of 29,750 gpd from approximately 4,400 LF of 8-inch gravity sewers serving the Taylor Estates Section IV (Stanczyk Tract) development.

WQM Permit No. 2104410, Sewerage, **Middlesex Township Municipal Authority**, 259 West Middlesex Drive, Carlisle, PA 17013. This proposed facility is in Carlisle Borough, **Cumberland County**.

Description of Proposed Action/Activity: Construction/operation of sewerage facilities consisting of collection system and pump station serving a portion of the Pennterra subdivision.

WQM Permit No. 6791415, Amendment 04-1, Sewerage, **John Huenke, CMV Sewage Company, Inc.**, 200 Bailey Drive, Suite 204, Stewartstown, PA 17363. This proposed facility is in North Codorus Township, **York County**.

Description of Proposed Action/Activity: Construction/modifications of sewerage facilities for the Colonial Crossings Sewage Treatment Facility and Sewage Collection System.

WQM Permit No. 2104409, Sewerage, **E. Lee Koch, North Middleton Township Authority**, 240 Clearwater Drive, Carlisle, PA 17013-1100. This proposed facility is in North Middleton Township, **Cumberland County**.

Description of Proposed Action/Activity: Construction/operation of a pump station and force main serving the Keystone Arms subdivision. The force main connects to MH-S18 and the Carlisle Borough interceptor.

WQM Permit No. 2804403, Sewerage, **Benjamin Statler, Greene Township Municipal Authority**, 4182 Sunset Pike, Chambersburg, PA 17201. This proposed facility is in Greene Township, **Franklin County**.

Description of Proposed Action/Activity: Construction/operation of sewage collection system, pump station no. 9 and force main to serve the Scotland Run residential subdivision.

WQM Permit No. 2104408, Sewerage, **Rory Morrison, Manager, Middlesex Township Municipal Authority**, 350 North Middlesex Road, Carlisle, PA 17013. This proposed facility is in Middlesex Township, **Cumberland County**.

Description of Proposed Action/Activity: Construction/operation of sewerage facilities consisting of a pump station serving the Keystone Arms subdivision in Middlesex Township. The force main connects to existing gravity sewer in Route 11.

WQM Permit No. 0103403, Amendment (04-1), Sewerage, **Bernard Shanebrook, Manager, Borough of Bonneauville**, 46 East Hanover Street, Gettysburg, PA 17325. This proposed facility is in Bonneauville Borough, **Adams County**.

Description of Proposed Action/Activity: Modifications to the construction/operation of suction lift pump station and 6-inch force main to serve the Cedarfield Condominiums. This amendment relocates the pump station, increases the size of the force main and increases the size of the wet well.

WQM Permit No. 2201402, Amendment 04-1, Sewerage, **Terri L. Hepschmidt**, 1055 Manada Gap Road, Grantville, PA 17028-9051. This proposed facility is in East Hanover Township, **Dauphin County**.

Description of Proposed Action/Activity: Transfer/name change of permit.

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

WQM Permit No. 6204404, Sewerage, **Eldred Township**, R. D. 2, Box 123A, Pittsfield, PA 16340. This proposed facility is in Eldred Township, **Warren County**.

Description of Proposed Action/Activity: This project is for the construction and operation of a new sewage treatment facility to serve the Village of Grand Valley.

WQM Permit No. 2504406, Sewerage, **Williams Road Sub-Division Homeowners Association**, 1718 Franklin Avenue, Erie, PA 16510. This proposed facility is in Harborcreek Township, **Erie County**.

Description of Proposed Action/Activity: This project is for the construction and operation of a small flow treatment facility to serve four four-bedroom homes.

WQM Permit No. WQG018303, Sewerage, **Girl Scouts of Beaver and Lawrence Counties, Camp Elliott**, 443 Third Street, Beaver, PA 15009. This proposed facility is in Wilmington Township, **Lawrence County**.

Description of Proposed Action/Activity: This project is for the construction and operation of a small flow treatment facility to serve a seasonal Girl Scout Camp.

IV. NPDES Stormwater Discharges from MS4 Permit Actions

V. NPDES Waiver Stormwater Discharges from MS4 Actions

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI011504028	Liberty Property Limited Partnership 45-67 Great Valley Parkway Dev. 65 Valley Stream Parkway Malvern, PA 19355	Chester	East Whiteland Township	Valley Creek EV

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>
PAI044104003	Thomas and Linda Dunlap 914 Pine Creek Ave. Jersey Shore, PA 17740	Lycoming	Porter Township	Nichols 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>
PAI066204001	Eldred Township Wastewater Treatment Plant Grand Valley and SR 0027 R. R. 2 Box 123A Pittsfield, PA 16340	Warren	Eldred Township	Caldwell and Dunderdale Creeks HQ-CWF

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

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

List of NPDES and/or Other General Permit Types

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

General Permit Type—PAG-2

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
West Rockhill Township Bucks County	PAG2010904129	Robert Fiorello 171 Nectar Run Telford, PA 18969	West Branch Perkiomen Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Sellersville Borough Bucks County	PAG2010904125	The Viking Group, LLC Viking Group Subdivision 65 Fern Drive Southampton, PA 18966	East Branch Perkiomen Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Nockamixon Township Bucks County	PAG2010904003	Judith L. Kauffman Harrington Subdivision 34 Meginnes Road Kintnersville, PA 18930	Haycock Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
West Rockhill Township Bucks County	PAR10D625-1	TEVA Pharmaceuticals, USA 650 Cathill Road Sellersville, PA 18960	East Branch Perkiomen Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Radnor Township Delaware County	PAG2002304003	Frank McPherson 754 Applegate Lane Rosemont, PA 19010	Darby Creek TSF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Aston Township Delaware County	PAG2002304012	J & V Developers 104 Spring Valley Way Aston, PA 19014	West Branch Chester Creek TSF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Marcus Hook Borough Lower Chichester Township Delaware County	PAG2002304019	Department of Transportation 7000 Geerdes Boulevard King of Prussia, PA 19406	Delaware Estuary WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Concord Township Delaware County	PAG2002304020	Chris Panacello 299 Brinton Lake Road Thornton, PA 19373	Webb Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Marple Township Delaware County	PAG2002304027	JDC Holdings, LLC 200 Cherry Hill Lane Broomall, PA 19008	Darby Creek TSF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Chester Heights Borough Delaware County	PAG2002304032	Charles King 260 Baltimore Pike Media, PA 19063	East Branch Chester Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Providence Township Delaware County	PAG2002304037	Media Little League P. O. Box 1752 Media, PA 19063	Crum Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Merion Township Montgomery County	PAG2004604113	Turnpike Commission Bridge Replacement Eisenhower Boulevard and Route 283 Highspire, PA 17034	Unnamed tributary Schuylkill River WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Limerick Township Montgomery County	PAG2004604141	Bus Land, LP 114 East Broad Street P. O. Box 580 Trumbauersville, PA 18084	Hartenstine Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Upper Merion Township Montgomery County	PAG2004604152	LMC Properties, Inc. Building D 100 South Charles Street Baltimore, MD 21201	Trout Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG2015104010	University of Sciences in Philadelphia Science and Technology Center 600 South 43rd Street Philadelphia, PA 19104	Schuylkill River CWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG2015104014	City of Philadelphia Schuylkill River Park Trail—III 1401 JFK Boulevard, Suite 1430 Philadelphia, PA 19102	Schuylkill River WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Plains Township Luzerne County	PAG2004004015	DMJ Properties 202 Main St. Laflin, PA 18702	Mill Creek CWF	Luzerne County Conservation District (570) 674-7991
Lower Nazareth Township Northampton County	PAG2004804015	Newman Development Group of Nazareth, LLC 3101 Shippers Rd. P. O. Box 678 Vestal, NY 13851-0678	Shoeneck Creek WWF	Northampton County Conservation District (610) 746-1971
East Union Township Schuylkill County	PAG2005404020	Michael Landes 821 Clemens Rd. Telford, PA 18969	Catawissa Creek CWF	Schuylkill County Conservation District (570) 622-3742
Greenwich Township Berks County	PAG2000604083	Fred Vertucci Land Development Plant 130 Rhoades Road Kutztown, PA 19530	Mill Creek into Saony Creek WWF	Berks County Conservation District 1238 County Welfare Road P. O. Box 520 Leesport, PA 19533 (610) 372-4657, Ext. 201
Berks County Muhlenberg Township	PAG2000604081	Rodolfo Folino Laurel Creek Run Subdivision 68 South Hampton Drive Wyomissing Hills, PA 19610	Laurel Run CWF	Berks County Conservation District 1238 County Welfare Road P. O. Box 520 Leesport, PA 19533 (610) 372-4657, Ext. 201
Dauphin County Lower Paxton Township	PAG202204006	Eastern Development & Planning 7300 Derry Street Harrisburg, PA 17111	Beaver Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
Cumberland County Hampden Township	PAG2002104034	RJB Mechanicsburg Shopping Center RJB Mechanicsburg, LLC 810 7th Avenue New York, NY 10019	UNT to Trindle Spring Run CWF	Cumberland County Conservation District 143 Brookwood Ave. Carlisle, PA 17013 (717) 240-7812
Centre County College Township	PAG2001404012	Keith Cooper CB Real Estate 44 East College Ave. State College, PA 16801	UNT Spring Creek CWF	Centre County Conservation District 414 Holmes Ave. Suite 4 Bellefonte, PA 16823 (814) 355-6817

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Lycoming County Muncy Creek Township	PAG2004104006	Leakas Quality Food Inc. Chris Evangelou 629 N. Derr Ave. Lewisburg, PA 17837	Glade Run WWF	Lycoming County Conservation District 542 County Farm Road Suite 202 Montoursville, PA 17754 (570) 433-3003
Montour County Valley Township	PAG004704003	Manny Patel JIBA Hospitality Inc. 234 Rt. 15 Hwy. Williamsport, PA 17701	UNT Amuses Creek CWF	Montour County Conservation District 112 Woodbine Lane Suite 2 Danville, PA 17821 (570) 271-1140
Fayette County Perryopolis Borough	PAG2002604026	Albert Palmer P. O. Box 622 Perryopolis, PA 15473	Unnamed tributary to the Youghiogheny River WWF	Fayette County Conservation District (724) 438-4497
Fayette County Bullskin Township	PAG2002604027	Shellenberger Development, LLC 2620-A Memorial Blvd. Connellsville, PA 15425	Whites Run WWF	Fayette County Conservation District (724) 438-4497
Washington County California Borough	PAG2006304027	Rose Plastics USA, LLP 525 Technology Drive California, PA 15419	Pike Run WWF	Washington County Conservation District (724) 228-6774
Clarion County Piney and Toby Townships Sligo Borough	PAG2061604001	Department of Transportation SR 0068 2550 Oakland Avenue Indiana, PA 15701-0429	Tributary Licking Creek CWF	Northwest Regional Office (814) 332-6942
Crawford County Union Township	PAG2002004003	Brian Lloyd 1355 S. Main Street Meadville, PA 16335 (Ameri Storage 9586 Kennedy Hill Road)	Tributary French Creek WWF	Crawford Conservation District (814) 724-1793
Lawrence County Shenango Township	PAR1037744R	Berner International Corp. Mark McNulty 111 Progress Avenue New Castle, PA 16101 (Berner Air Doors Shenango Industrial Park Progress Avenue)	Tributary Big Run WWF	Lawrence Conservation District (724) 652-4512
Lawrence County Neshannock Township	PAG2003704006	Department of Transportation Earl Neiderhiser 45 Thoms Run Road Bridgeville, PA 15017 (SR 1105 Section L03)	Neshannock Creek TSF	Lawrence Conservation District (724) 652-4512
Mercer County City of Hermitage	PAG2004304008	Mercer County Housing Authority 80 Jefferson Avenue Sharon, PA 16146 (Senior Housing Complex)	Tributary Pine Hollow Run WWF	Mercer Conservation District (724) 662-2242
Mercer County City of Hermitage	PAG2004304010	Orion Development 4125 Freedom Way Weirton, WV 26062 (Eckerd Store 8702R SR 0018/SR 3020)	Tributary Pine Hollow Run WWF	Mercer Conservation District (724) 662-2242
Mercer County City of Hermitage	PAG2004304012	Garden View Estates of Hermitage LLC P. O. Box 477 Beaver, PA 15009 (Garden View Estates Maple Drive)	Bobby Run WWF	Mercer Conservation District (724) 662-2242

NOTICES

5201

<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>
Mercer County Sandy Creek Township	PAG2004304015	Hickory Hollow, LP 315 Quailue Road Greenville, PA 16125 (Bucks Fabricating 3547 Perry Highway Hadley, PA 16130)	Sandy Creek WWF	Mercer Conservation District (724) 662-2242
<i>General Permit Type—PAG-3</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>
Hanover Township Lehigh County	PAR802246	Lehigh Valley International Airport 311 Airport Road Allentown, PA 18103-1046	Lehigh River TSF	NERO Water Management Program 2 Public Square Wilkes-Barre, PA 18711-0790 (570) 826-2511
Dorrance Township Luzerne County	PAR322206	Edward Lukashewski Lukashewski Peat Moss R. R. 2, Box 177 Wapwallopen, PA 18660	Wapwallopen Creek CWF	NERO Water Management Program 2 Public Square Wilkes-Barre, PA 18711-0790 (570) 826-2511
Lebanon County Lebanon City	PAR233520	PolyOne Engineered Films, Inc. 1507 Willow Street Lebanon, PA 17046-4578	Brandywine Creek TSF	SCR 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Blair County Altoona City	PAR803662	Rolling Frito-Lay Sales, LP 7781 Service Center Drive West Chester, OH 45069	Sandy Run Creek	SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Berks County Exeter Township	PAR803663	Rolling Frito-Lay Sales, LP 7781 Service Center Drive West Chester, OH 45069	Heister's Creek to Schuylkill River WWF	SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Adams County Cumberland Township	PAR803664	Rolling Frito-Lay Sales, LP 7781 Service Center Drive West Chester, OH 45069	Marsh Creek CWF	SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Franklin County Chambersburg Borough	PAR803665	Rolling Frito-Lay Sales, LP 7781 Service Center Drive West Chester, OH 45069	Conococheague Creek WWF	SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Dauphin County Harrisburg City	PAR803666	Rolling Frito-Lay Sales, LP 7781 Service Center Drive West Chester, OH 45069	Spring Creek WWF	SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Lancaster County Lancaster City	PAR803667	Rolling Frito-Lay Sales, LP 7781 Service Center Drive West Chester, OH 45069	Mill Creek CWF	SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Franklin County Greene Township	PAR803553	IESI PA Blue Ridge Landfill Corp. P. O. Box 399 Scotland, PA 17254	Tributary to Phillaman Run WWF	SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Dauphin County Lower Swatara Township	PAR803569	Mack Trucks, Inc. 2800 Commerce Drive Middletown, PA 17057-1338	Burd Run WWF	SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Bedford County Bedford Township	PAR203505	Kennametal, Inc. 442 Chalybeate Road Bedford, PA 15522-8637	Cove Creek CWF	SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Bedford County Bedford Township	PAR203504	Kennametal, Inc. 442 Chalybeate Road Bedford, PA 15522-8637	UNT to Dunning Creek WWF	SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Westmoreland County Youngwood Borough	PAR116118	DME Company 70 East Hillis Street Youngwood, PA 15697	Jacks Run	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Allegheny County City of Pittsburgh	PAR156103	The Valspar Corporation 2000 Westhall Street Pittsburgh, PA 15233	Ohio River	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Somerset County Somerset Borough	PAR236115	Gilmour Manufacturing Co. P. O. Box 838 492 Drum Avenue Somerset, PA 15501	UNT of East Branch of Coxes Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Somerset County Somerset Borough	PAR806106	Fleetwood Folding Trailers Inc. P. O. Box 111 Somerset, PA 15501	Coxes Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

General Permit Type—PAG-4

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Hayfield Township Crawford County	PAG049007	James A. Schultz SFTF 1850 South Alma School Road Mesa, AZ 85210d	Unnamed tributary to French Creek Watershed 16-A	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Wilmington Township Lawrence County	PAG048993	Camp Elliott—Girl Scouts of Beaver and Lawrence Counties 443 Third Street Beaver, PA 15000	Unnamed tributary to Neshannock Creek Watershed 20-A	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Harborcreek Township Erie County	PAG048953	Williams Road Sub-Division Homeowners Association 1718 Franklin Avenue Erie, PA 16510	Sevenmile Creek Watershed 15	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>
Bensalem Township Bucks County	PAG050057	Fred's Texaco 3585 Bristol Road Bensalem, PA 19020	Neshaminy Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401

PUBLIC WATER SUPPLY (PWS) PERMITS

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

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

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

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

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act.

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

Operations Permit issued to **Hillside Mobile Home Park**, 2044 Milford Road, East Stroudsburg, PA 18301, PWS ID 2450076, Hamilton Township, **Monroe County** on August 17, 2004, for the operation of facilities approved under Construction Permit No. 4595506

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

Permit No. 2804503 MA, Minor Amendment, Public Water Supply.

Applicant	Guilford Water Authority
Municipality	Greene Township
County	Franklin

Type of Facility	This permit approves the construction of a new 64,000-gallon water storage tank at Knob Hill.
Consulting Engineer	Diana Young, P. E. Buchart-Horn, Inc. P. O. Box 15040 York, PA 17405-7040
Permit to Construct Issued	August 10, 2004

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

Permit No. Minor Amendment, Public Water Supply.

Applicant	Wellsboro Municipal Authority
Township or Borough	Wellsboro Borough
County	Tioga
Responsible Official	Thomas Rudy, Chairperson Wellsboro Municipal Authority 28 Crafton Street Wellsboro, PA 16901
Type of Facility	PWS—Construction.
Consulting Engineer	William S. Bray, P. E. P. O. Box 535 Wellsboro, PA 16901
Permit Issued Date	August 31, 2004
Description of Action	Replacement of the support gravel and sand in slow sand filter no. 2.

Permit No. Minor Amendment, Public Water Supply.

Applicant	Community Banks
Township or Borough	Delaware Township
County	Northumberland
Responsible Official	Raymond Granger Vice President, Special Assets Community Banks 6700 Derry Street Harrisburg, PA 17111
Type of Facility	PWS—Construction.
Consulting Engineer	Charles Kehew, II, P. E. James R. Holley & Associates, Inc. 18 South George Street York, PA 17401
Permit Issued Date	September 1, 2004
Description of Action	Replacement of the finished water storage tank at Spring Lake Village.

Permit No. Minor Amendment, Public Water Supply.

Applicant **Pennsylvania American Water Company**

Township or Borough Milton Borough

County **Northumberland**

Responsible Official William C. Kelvington
Vice President, Operations
Pennsylvania American Water Company
800 Hersheypark Drive
Hershey, PA 17033

Type of Facility PWS—Construction.

Consulting Engineer Scott M. Thomas, P. E.
Pennsylvania American Water Company
800 Hersheypark Drive
Hershey, PA 17033

Permit Issued Date September 2, 2004

Description of Action Replacement of the media in Milton Filter No. 2.

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

Permit No. 1103502, Public Water Supply.

Applicant **Municipal Authority of the Borough of Ebensburg**
300 West High Street
Ebensburg, PA 15931

Borough or Township Ebensburg Borough

County **Cambria**

Type of Facility Interconnection with the Greater Johnstown Water Authority, pump stations, booster chlorination, water storage tank and modifications to existing piping.

Consulting Engineer Hegemann and Wray
429 Park Avenue
Cresson, PA 16630

Permit to Construct August 20, 2004
Issued

Operations Permit issued to Glendale Yearound Water Company, P. O. Box 89, Flinton, PA 16640, PWS ID 4110060, White Township, Cambria County on September 2, 2004, for the operation of facilities approved under Construction Permit No. 1191503-A2.

WATER ALLOCATIONS**Actions taken on 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.

WA11-1002, Water Allocations, Municipal Authority of the Borough of Ebensburg, 300 West High Street, Ebensburg, PA 15931, Cambria County. The right to purchase 350,000 gpd, on a peak month 30-day average, from the Greater Johnstown Water Authority in Cambria County; the right to withdraw 1.1 mgd, on an average

day basis, with a 1-day maximum withdrawal not to exceed 1.5 mgd from the old impounding reservoir and the new impounding reservoir on Howells Run in Cambria Township, Cambria County. The permittee is authorized to withdraw water under the terms of this permit in accordance with the amended service area map included as part of the application filed with the Department on June 12, 2003.

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

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

Plan No. SWM 100:09, East Branch Perkiomen Creek Stormwater Management Plan, as submitted by **Montgomery County,** was approved on August 31, 2004

HAZARDOUS SITES CLEANUP UNDER THE ACT OF OCTOBER 18, 1988**Proposed Cost Recovery Settlement Newtown Mercury Site, Newtown Township, Bucks 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 entered into a proposed Consent Order and Agreement with Mr. and Mrs. James D. Stroupe (Settlors) regarding the property at 301 Sycamore Street, Newtown Township, Bucks County (Site).

In the fall and winter of 2003-2004, the Department conducted response actions at the Site regarding mercury contamination associated with a shed which had been used for a number of years by Mr. Stroupe to collect mercury from thermometers and other equipment for various purposes. The Department completed its response actions on or about February 17, 2004, and restored the Site to residential use.

Under the HSCA, the Department may recover the costs of response actions from certain potentially responsible persons. In an effort to resolve this matter, the Department and the Settlers have agreed to enter into the proposed cost recovery settlement under which the Department will be reimbursed \$19,000 towards the costs of its response actions at the Site.

This notice is provided under section 1113 of the HSCA (35 P. S. § 6020.1113). The proposed Consent Order and Agreement may be examined from 8 a.m. to 4 p.m. at the Department's regional offices at 2 East Main Street, Norristown, PA 19401 by contacting April Flipse at (484) 250-5721 or Anderson Lee Hartzell at (484) 250-5866. A public comment period on the proposed Consent Order and Agreement will extend for a period of 60 days from the date of publication of this notice. Interested persons may submit written comments regarding the proposed Consent Order and Agreement to the Department by submitting them April Flipse at the previous address.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION UNDER ACT 2, 1995 PREAMBLE 2

The following plans and reports were submitted under the Land Recycling and Environmental

Remediation Standards Act (35 P. S. §§ 6026.101—6026.908).

Provisions of Chapter 3 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, shall also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media; benefits of refuse of the property and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

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

The Department has received the following plans and reports:

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

Former Wyncote Manufactured Gas Plant (MGP) Site, Cheltenham Township, **Montgomery County**. David Kistner, URS Corp., 335 Commerce Dr., Suite 300, Ft. Washington, PA 19034-2623 on behalf of David Kraynick, Cheltenham Township Manager, 8230 Old York Rd., Elkins Park, PA 19027-1589 has submitted a Remedial Investigation Report concerning remediation of site soils and groundwater contaminated with aromatic PAHs. The report is intended to document remediation of the site to meet the Site-Specific Standards.

Capozzoli Residence/Villecco Residence, City of Philadelphia, **Philadelphia County**. Val F. Britton, P. G., V. G. Britton, P. G., 326 Conestoga Rd., Wayne, PA 19087 on behalf of Louis and Patricia Capozzoli/Pietro G. Villecco, 908/906 Winton St., Philadelphia, PA 19148 has submitted a Final Report concerning remediation of site soils contaminated with naphthalene. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Fairway Shopping Center, Upper Dublin Township, **Montgomery County**. Gilbert J. Marshall, P. G., Marshall Geoscience, Inc., 219 W. Main St., Trappe, PA 19426 on behalf of Don S. Ginsburg, Ginsburg Prop.

Group, P. O. Box 605, Plymouth Meeting, PA 19462 has submitted a Final Report concerning remediation of site soils contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Wright Prop., East Marlborough Township, **Chester County**. James H. Mulry, P. G. and Martin Liebhardt, Mulry and Cresswell Env., Inc., 1691 Horseshoe Pike, Manor Prof. Bldg., Suite 3, Glenmoore, PA 19343 has submitted a Final Report concerning remediation of site soils contaminated with no. 2 fuel oil. The report was submitted within 90 days of the release and is intended to document remediation of the site to meet the Statewide Health Standard.

Delaware County Emergency Svc. Training Center, Darby Township, **Delaware County**. Robert M. Byre, Jr., IT Corp., 1160 McDermott Dr., Suite 102, West Chester, PA 19380-4022 has submitted a Final Report concerning remediation of site soils, groundwater, surface water and sediment contaminated with undetermined contaminants. The report is intended to document remediation of the site to meet Site-Specific Standard.

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

Williams Quick Mart, Tioga Borough, **Tioga County**. Converse Consultants, on behalf of Williams Quick Mart, Main and Wellsboro Streets, Tioga, PA 16946 has submitted a Final Report concerning soil contaminated with lead. This Final Report is intended to demonstrate attainment of the Site-Specific Standard.

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

Farmers Valley Wax Plant Main, Keating Township, **MCKean County**. Dayne M. Crowley, MACTEC, Carnegie Office Park, Bldg. 4, 700 N. Bell Ave., Suite 200, Pittsburgh, PA 15106, on behalf of Farmers Valley Wax Plant Former Fly Ash Area, has submitted a Remedial Investigation/Risk Assessment Report/Cleanup Plant Reports concerning remediation of site soil and groundwater contaminated with lead, heavy metals, BTEX, PHCs, PAHs and solvents. The report is intended to document remediation of the site to meet the Statewide Health and Site Specific Standards.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

Provisions of 25 Pa. Code § 250.8, administration of the Land Recycling and Environmental Remediation Standards Act (act), require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of

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

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

The Department has received the following plans and reports:

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

GE Elmwood Avenue Facility, City of Philadelphia, **Philadelphia County**. Kristen Rolison, P. E., MWH Americas, Inc., 335 Phoenixville Pike, Malvern, PA 19355, on behalf of General Electric Co., Hal Heckman, 6901 Elmwood Ave., Philadelphia, PA 19142 has submitted a Remedial Investigation Plan concerning the remediation of site soils contaminated with no fuel oil, no. 6 fuel oil, inorganics, lead and PCB; and groundwater contaminated with chlorinated solvents diesel fuel, no. 2 fuel oil, no. 6 fuel oil, inorganics lead and unleaded gasoline. The Remedial Investigation Report was approved by the Department on August 18, 2004.

Pemberton Site, Malvern Borough, **Chester County**. Michael J. Edelman, P. G., URS Corp., 2325 Maryland Rd., 2nd Floor, Willow Grove, PA 19090 on behalf of Shirley Pemberton, C104 Westridge Ct., Phoenixville, PA 19460 has submitted a Final Report concerning the remediation of site soils contaminated with PCB. The Final Report demonstrated attainment of the Site-Specific Standard and was approved by the Department on August 19, 2004.

229 Alderfer Road, Lower Salford Township, **Montgomery County**. George Buchanan, P. G., George W. Buchanan, PC, P. O. Box 405, Telford, PA 18969 on behalf of Katherine Hoffman, 229 Alderfer Rd., Harleysville, PA 19438 has submitted a Low Risk Site Report concerning

the remediation of site soils and groundwater contaminated with no. 2 fuel oil and gasoline. The Low Risk Site Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on August 24, 2004.

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

Jackson MHP-Lot No. 65 Cleanup, Wysox Township, **Bradford County**. Teeter Environmental Services, Inc. on behalf of Jackson Realty & Mobile Homes, Inc., R. R. 2 (U. S. Route 6), Wysox, PA 18854, has submitted a Final Report concerning soil contaminated with heating oil. This Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on August 27, 2004.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Permit revoked 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.

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

Permit No. 603422. Philadelphia Water Department, Biosolids Recycling Center, 7800 Penrose Ferry Road, Philadelphia, PA 19153. The permit was revoked at the request of the permittee for the Detwiler (Tice and Cowden) Farm, Bethel Township, **Lebanon County**. The permit was revoked by the Southcentral Regional Office on September 3, 2004.

Permit No. 602636. Philadelphia Water Department, Biosolids Recycling Center, 7800 Penrose Ferry Road, Philadelphia, PA 19153. The permit was revoked at the request of the permittee for the Zimmerman Farm, Little Britain Township, **Lancaster County**. The permit was revoked by the Southcentral Regional Office on September 3, 2004.

Permit No. 602317. Philadelphia Water Department, Biosolids Recycling Center, 7800 Penrose Ferry Road, Philadelphia, PA 19153. The permit was revoked at the request of the permittee for the Wood I Farm, Little Britain Township, **Lancaster County**. The permit was revoked by the Southcentral Regional Office on September 3, 2004.

Permit No. 602886. Philadelphia Water Department, Biosolids Recycling Center, 7800 Penrose Ferry Road, Philadelphia, PA 19153. The permit was revoked at the request of the permittee for the Sweetaire Farm, Little Britain Township, **Lancaster County**. The permit was revoked by the Southcentral Regional Office on September 3, 2004.

Permit No. 603436. Philadelphia Water Department, Biosolids Recycling Center, 7800 Penrose Ferry Road, Philadelphia, PA 19153. The permit was revoked at the request of the permittee for the Stauffer and Gibson Farms, Drumore Township, **Lancaster County**. The permit was revoked by the Southcentral Regional Office on September 3, 2004.

Permit No. 603435. Philadelphia Water Department, Biosolids Recycling Center, 7800 Penrose Ferry Road, Philadelphia, PA 19153. The permit was revoked at the request of the permittee for the Sinclair Farm,

Drumore Township, **Lancaster County**. The permit was revoked by the Southcentral Regional Office on September 3, 2004.

Permit No. 603392. Philadelphia Water Department, Biosolids Recycling Center, 7800 Penrose Ferry Road, Philadelphia, PA 19153. The permit was revoked at the request of the permittee for the Rineer Farm, Drumore Township, **Lancaster County**. The permit was revoked by the Southcentral Regional Office on September 3, 2004.

Permit No. 603432. Philadelphia Water Department, Biosolids Recycling Center, 7800 Penrose Ferry Road, Philadelphia, PA 19153. The permit was revoked at the request of the permittee for the Jermyn Farm, Drumore Township, **Lancaster County**. The permit was revoked by the Southcentral Regional Office on September 3, 2004.

Permit No. 603353. Philadelphia Water Department, Biosolids Recycling Center, 7800 Penrose Ferry Road, Philadelphia, PA 19153. The permit was revoked at the request of the permittee for the Tindall Farm, Fulton Township, **Lancaster County**. The permit was revoked by the Southcentral Regional Office on September 3, 2004.

Permit No. 603007. Philadelphia Water Department, Biosolids Recycling Center, 7800 Penrose Ferry Road, Philadelphia, PA 19153. The permit was revoked at the request of the permittee for the Spangler Farm, Fulton Township, **Lancaster County**. The permit was revoked by the Southcentral Regional Office on September 3, 2004.

Permit No. 603006. Philadelphia Water Department, Biosolids Recycling Center, 7800 Penrose Ferry Road, Philadelphia, PA 19153. The permit was revoked at the request of the permittee for the Edgewater Farm, Fulton Township, **Lancaster County**. The permit was revoked by the Southcentral Regional Office on September 3, 2004.

Permit No. 603408. Philadelphia Water Department, Biosolids Recycling Center, 7800 Penrose Ferry Road, Philadelphia, PA 19153. The permit was revoked at the request of the permittee for the Dempsey and Eckman Farms, Fulton Township, **Lancaster County**. The permit was revoked by the Southcentral Regional Office on September 3, 2004.

Persons interested in reviewing a general permit should contact Cynthia Wolfe, File Review Coordinator, Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4732. TDD users should contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

Permit modification under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act and regulations to operate solid waste processing or disposal area or site.

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

Permit No. 100944, Lanchester Landfill, Caernarvon and Salisbury Townships, **Lancaster County** and Honeybrook Township, **Chester County**. The permit modification issued July 15, 2004, approves the Area D expansion. Compliance with the terms and conditions set forth in the permit is mandatory. Individuals have the right to file an appeal as to these terms and conditions.

Persons interested in reviewing the general permit should contact John Krueger, Program Manager, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4706. TDD users should contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

AIR QUALITY

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

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

GP3-57-02: Haines and Kibblehouse, Inc. (2052 Lucon Road, Skippack, PA 19474) on August 20, 2004, to operate a portable stone crushing plant under the General Plan Approval and General Operating Permit for Portable Non-Metallic Mineral Processing Plants at the Dushore Materials site in Cherry Township, **Sullivan County**.

GP5-17-18A: American Exploration Co. (100 Four Falls Corporate Center, West Conshohocken, PA 19428) on August 23, 2004, to construct and operate a 220 horsepower natural gas-fired reciprocating internal combustion compressor engine and associated catalytic converter under the General Plan Approval and General Operating Permit for Natural Gas Production Facilities at the Tyler Compressor Station in Huston Township, **Clearfield County**.

GP3-59-02A: Fred J. Robbins (R. R. 2, Box 25A, Tioga, PA 16946) on August 23, 2004, to construct and operate a portable stone crushing plant under the General Plan Approval and General Operating Permit for Portable Non-Metallic Mineral Processing Plants in Lawrence Township, **Tioga County**.

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

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

09-0027F: FresCo System—USA Inc. (3005 State Road, Telford, PA 18969) on September 3, 2004, to operate three printing stations and laminator press in West Rockhill Township, **Bucks County**.

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

54-399-029B: Silberline Manufacturing Co., Inc. (130 Lincoln Drive, Tamaqua, PA 18252) on August 26, 2004, to modify a vacuum metalize pigment process at the facility in Rush Township, **Schuylkill County**.

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

06-05078E: FR and S, Inc. (727 Red Lane Road, Birdsboro, PA 19508) on September 1, 2004, to install a

second enclosed ground flare at the Pioneer Landfill to control emissions of landfill gas from a municipal solid waste landfill in Exeter Township, **Berks County**.

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

03-00976B: AMFIRE Mining Co., LLC (One Energy Place, Latrobe, PA 15650) on August 30, 2004, to install a screen at their Ridge Deep Mine in South Bend Township, **Armstrong County**.

32-00375A: Britt Energies, Inc. (2450 Philadelphia Street, Indiana, PA 15701) on September 1, 2004, to allow the installation of a new coal crusher/screen (rated at 300 tons/hr) powered by a diesel engine (rated at 150 hp) and assorted supporting equipment at the mouth of the Lowry Deep Mine in White Township, **Indiana County**. Plant will be used to crush and screen run-of-mine coal, as well as to blend coal that will be trucked in from outside sources.

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.

09-0068A: Orchard Hill Memorial Park, Inc. (75 Sterling Road, Warren, PA 07059) on August 30, 2004, to operate an incinerator in Richland Township, **Bucks County**.

23-0001S: Sunoco, Inc.—R and M (100 Green Street, P. O. Box 426, Marcus Hook, PA 19061) on August 30, 2004, to operate a boiler and heater in Marcus Hook Borough, **Delaware County**.

46-0035B: SmithKline Beecham d/b/a GlaxoSmithKline (1250 South Collegeville Road, Collegeville, PA 19426) on September 2, 2004, to operate an emergency electric generator in Upper Merion Township, **Montgomery County**.

46-0069: Highway Materials, Inc. (1750 Walton Road, Blue Bell, PA 19422) on August 31, 2004, to operate a portable crushing plant and two engines in Whittemarsh Township, **Montgomery County**.

46-0155: Sermatech International, Inc. (155 South Limerick Road, Limerick, PA 19468) on August 31, 2004, to operate three paint spray booths in Limerick Township, **Montgomery County**.

46-0155A: Sermatech International, Inc. (155 South Limerick Road, Limerick, PA 19468) on August 31, 2004, to operate two ATR CEW spray booths in Limerick Township, **Montgomery County**.

46-0025B: Lonza, Inc. (900 River Road, Conshohocken, PA 19428) on August 31, 2004, to operate a hydrogenation reactor train in Upper Merion Township, **Montgomery County**.

46-0155B: Sermatech International, Inc. (155 South Limerick Road, Limerick, PA 19468) on August 31, 2004, to operate a thermal spray unit in Limerick Township, **Montgomery County**.

46-0155C: Sermatech International, Inc. (155 South Limerick Road, Limerick, PA 19468) on August 31, 2004, to operate a binder mix tank in Limerick Township, **Montgomery County**.

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

19-00006B: Del Monte Corp. (6670 Low Street, Bloomsburg, PA 17815) on August 31, 2004, to transfer plan approval to modify two 26.6 million Btu per hour natural gas/no. 6 fuel oil-fired boilers from DLM Foods, LLC to Del Monte Corporation in South Centre Township, **Columbia County**.

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

26-00547A: Mypodiamond, Inc. (1101 Mount View Drive, Smithville, PA 15478) on August 27, 2004, to construct an industrial diamond plant at Fayette Business Park in Georges Township, **Fayette County**. This plan approval was extended.

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

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

V95-006: Exelon Generation Co.—Schuylkill Generating Station (2800 Christian Street, Philadelphia, PA 19146) on August 27, 2004, to operate an electric utility in the City of Philadelphia, **Philadelphia County** and to modify testing requirements for their oil-fired 1,530 mmBtu/hr boiler and to modify contact information.

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

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

06-03012: Brenntag Northeast, Inc. (81 West Huller Lane, P. O. Box 13788, Reading, PA 19612-3788) on August 30, 2004, to operate their Leesport (Snyder Road) chemical distribution facility in Ontelaunee Township, **Berks County**.

67-03125: York Hospital (P. O. Box 15198, 1001 South George Street, York, PA 17405-7198) on September 2, 2004, to operate a hospital in York City, **York County**.

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

65-00802: Beckwith Machinery Co. (P. O. Box 140, Delmont, PA 15626) on August 19, 2004, at their Delmont Plant in Salem Township, **Westmoreland County**. The facility's source of emissions is a waste oil boiler.

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

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

36-05119: Signature Custom Cabinetry, Inc. (434 Springville Road, Ephrata, PA 17522) on August 26, 2004, to administratively amend their State-only Operating

Permit to incorporate Plan Approval 36-05119A for a coating booth in Ephrata Township, **Lancaster County**. This is Revision No. 1.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

Coal Permits Actions

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

26030103 and NPDES Permit No. PA0250503. Amerikohl Mining, Inc. (P. O. Box 427, Acme, PA 15610-0427). Permit issued for commencement, operation and reclamation of a bituminous surface mining site in Nicholson Township, **Fayette County**, affecting 88.5 acres. Receiving streams: unnamed tributary to Cats Run and unnamed tributary to Jacobs Creek. Application received November 14, 2003. Permit issued August 31, 2004.

65990107 and NPDES Permit No. PA0202657. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). Permit renewal issued for continued reclamation only of a bituminous surface mining site in Mt. Pleasant Township, **Westmoreland County**, affecting 55.6 acres. Receiving streams: unnamed tributaries to Jacobs Creek, Jacobs Creek to Youghiogheny River. Application received June 14, 2004. Reclamation only renewal issued September 1, 2004.

63020102 and NPDES Permit No. PA0250309. Muligan Mining, Inc. (5945 Pudding Stone Lane, Bethel Park, PA 15102). Permit revised to include a variance to mine within 100 feet of a township road and add mining acreage at an existing bituminous surface mining site in Smith Township, **Washington County**, affecting 107.6 acres. Receiving streams: unnamed tributaries to Little Raccoon Run to Little Raccoon Run to Raccoon Creek to the Ohio River; Raccoon Creek and unnamed tributaries to Raccoon Creek to Raccoon Creek to the Ohio River. Application received June 21, 2004. Revised permit issued September 2, 2004.

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

33040101 and NPDES Permit No. PA0242497. Original Fuels, Inc. (P. O. Box 343, Punxsutawney, PA 15767). Commencement, operation and restoration of a bituminous strip operation in Perry Township, **Jefferson County** affecting 114.5 acres. Application to include a

change from the post-mining land use from forestland to unmanaged natural habitat on the Benjamin Z. Means property. Receiving streams: Perryville Run, Nicely Run, unnamed tributary to Mahoning Run. Application received February 18, 2004. Permit issued August 31, 2004.

24890107 and NPDES Permit No. PA0207624. AMFIRE Mining Company, LLC (One Energy Plaza, Latrobe, PA 15650). Renewal of an existing bituminous strip and auger operation in Horton Township, **Elk County** affecting 38.0 acres. This renewal is issued for reclamation only. Receiving streams: Johnson Run. Application received July 12, 2004. Permit issued September 2, 2004.

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

02733702. NPDES Permit No. PA0023370, Consolidation Coal Company (P. O. Box 355, 172 Route 519, Eighty Four, PA 15330), to renew the permit for the Renton Refuse Area in Plum Borough, **Allegheny County** and related NPDES permit. No additional discharges. Permit issued August 31, 2004.

32850701. NPDES Permit No. PA0213683, AMFIRE Mining Company, LLC (One Energy Place, Latrobe, PA 15650), to transfer the permit for the Clymer Refuse Disposal Site in Cherryhill Township, **Indiana County** and related NPDES permit from Mears Enterprises, Inc. No additional discharges. Permit issued August 31, 2004.

32961302. NPDES Permit No. PA0214949, AMFIRE Mining Company, LLC (One Energy Place, Latrobe, PA 15650), to revise the permit for the Ondo Mine in Brush Valley and Center Townships, **Indiana County** to add underground and subsidence control plan area permit boundary acres. Underground Acres Proposed 573.2, SCP Acres Proposed 530.5. No additional discharges. Permit issued August 31, 2004.

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

56020105 and NPDES Permit No. PA0249262. Alverda Enterprises, Inc., P. O. Box 87, Alverda, PA 15710, commencement, operation and restoration of a bituminous surface and auger mine and for discharge of treated mine drainage in Brothersvalley Township, **Somerset County**, affecting 87.7 acres. Receiving streams: unnamed tributaries of Millers Run (CWF) and Sandy Hollow (CWF). There are no potable water supply intakes within 10 miles downstream. Application received July 11, 2002. Permit issued September 1, 2004.

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

54830101R4. K & K Coal Company (133 Valley Furnace Avenue, Port Carbon, PA 17965), renewal of an existing anthracite surface mine operation in Blythe Township, **Schuylkill County** affecting 176.0 acres, receiving stream: unnamed tributary to Schuylkill River. Application received May 14, 2004. Renewal issued September 3, 2004.

Noncoal Permits Actions

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

56920301 and NPDES Permit No. PA0599417, New Enterprise Stone & Lime Company, Inc., P. O. Box 77, New Enterprise, PA 16664-0077, renewal of NPDES Permit, Ogle Township, **Somerset County**. Receiving stream: unnamed tributaries to Clear Shade Creek (EV). The first downstream potable water supply intake from

the point of discharge is the Cambria Somerset Authority Stonycreek withdrawal. NPDES renewal application received June 21, 2004. Permit issued September 1, 2004.

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

26980601 and NPDES Permit No. PA0202193. Better Materials Corporation (2200 Springfield Pike, Conellsville, PA 15425). Permit revised to add 113.9 acres to an existing noncoal surface mine/limestone quarry in Bullskin Township, **Fayette County**, now affecting 673 acres. Receiving streams: unnamed tributary to Breakneck Run to Whites Run to Mounts Creek. Application received November 18, 2003. Revision issued September 1, 2004.

26990301 and NPDES Permit No. PA0202584. Vanderbilt Aggregates, LLC (P. O. Box 125, Uniontown, PA 15401). Transfer of permit formerly issued to Carbon Fuel Resources, Inc. for continued operation and reclamation of a noncoal surface mine in Dunbar Township and Vanderbilt Borough, **Fayette County**, affecting 297 acres. Receiving streams: unnamed tributaries to Dickerson Run to Dickerson Run. Transfer application received January 16, 2004. Transfer permit issued September 3, 2004.

Noncoal Permit Final Bond Release

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

18900804. Nancy Dingman (Box 245, Cross Fork, PA 17729). Final bond release for a small noncoal mining operation in Leidy Township, **Clinton County**. Restoration of 1 acre completed. Application for final bond release received April 3, 2004. Final bond release approved August 30, 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.

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

14044002. Galen Dreibelbis (1535 N. Atherton Street, State College, PA 16840), for construction blasting in Ferguson Township, **Centre County**, with an expected duration of 30 days. Permit issued August 26, 2004.

18044001. Francis J. Palo, Inc. (P. O. Box 368, 309 S. 4th Avenue, Clarion, PA 16214), for construction blasting in Chapman Township, **Clinton County**, with an expected duration of 120 days. Permit issued August 31, 2004.

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

21044065. Brubacher Excavating, Inc. (P. O. Box 528, 825 Reading Road, Bowmansville, PA 17507), construction blasting in Silver Spring Township, **Cumberland County** with an expiration date of August 31, 2005. Permit issued August 30, 2004.

36044081. Abel Construction Co., Inc. (3925 Columbia Avenue, Mountville, PA 17554), construction blasting at Penn's Crossing, Phase 3 in Manheim Township,

Lancaster County with an expiration date of September 23, 2005. Permit issued August 30, 2004.

36044082. Abel Construction Co., Inc. (3925 Columbia Avenue, Mountville, PA 17554), construction blasting for a road extension in Rapho Triangle Industrial Park East, Phase 2, Rapho Township, **Lancaster County** with an expiration date of September 23, 2005. Permit issued August 30, 2004.

15044035. Horst Drilling & Blasting, Inc. (141 Ranck's Church Road, New Holland, PA 17557), construction blasting at Dupont Property Residential Community in West Bradford Township, **Chester County** with an expiration date of September 24, 2005. Permit issued August 30, 2004.

36044083. Liberty Excavators, Inc. (4410 Gettysburg Road, Camp Hill, PA 17011) and **Kesco, Inc.** (127 Oneida Valley Road, Butler, PA 16001), construction blasting at Presbyterian Church, Manheim Township, **Lancaster County** with an expiration date of March 24, 2005. Permit issued August 31, 2004.

23044006. Allan A. Myers, LP (P. O. Box 98, Worcester, PA 19490), construction blasting for Mill Ridge development in Aston Township, **Delaware County** with an expiration date of September 25, 2005. Permit issued August 31, 2004.

23044007. Allan A. Myers, LP (P. O. Box 98, Worcester, PA 19490), construction blasting for Northbrook development in Bethel Township, **Delaware County** with an expiration date of September 25, 2005. Permit issued August 31, 2004.

23044008. Allan A. Myers, LP (P. O. Box 98, Worcester, PA 19490), construction blasting for Pond View development in Bethel Township, **Delaware County** with an expiration date of September 25, 2005. Permit issued August 31, 2004.

46044032. Brubacher Excavating, Inc. (P. O. Box 528, 825 Reading Road, Bowmansville, PA 17507), construction blasting for Cross Winds in Limerick Township, **Montgomery County** with an expiration date of September 25, 2005. Permit issued August 31, 2004.

15044036. Horst Drilling & Blasting, Inc. (141 Ranck's Church Road, New Holland, PA 17557), construction blasting for Highlands of Charlestown residential community in Charlestown Township, **Chester County** with an expiration date of September 25, 2005. Permit issued August 31, 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

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

E15-717. Department of Transportation, District 6-0, 7000 Geerdes Road, King of Prussia, PA 19406-1525. West Bradford Township, **Chester County**, ACOE Philadelphia District. To remove an existing single span stone masonry arch bridge and to construct and maintain, in its place, a single span precast concrete arch bridge across Broad Run (EV) impacting 0.05 acre of wetlands (PEM). The proposed bridge will have a width of 28 feet, a clear span of 48.0 feet and a minimum underclearance of approximately 12.0 feet. This work also includes placement and maintenance of associated rip-rap protection at the abutments and temporary sand bag cofferdam. The site is just southwest of the intersection of Broad Run and Telegraph Roads (SR 0162) (Unionville, PA USGS Quadrangle N: 12.7 inches; W: 11.0 inches).

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

E39-433. South Whitehall Township, 4444 Walbert Avenue, Allentown, PA 18104-1699. South Whitehall Township, **Lehigh County**, Army Corps of Engineers Philadelphia District, Subbasin 2C.

To construct and maintain two 34-foot by 7-foot above-grade dugouts in the floodplain of Jordan Creek (TSF, MF). The project is within Covered Bridge Park approximately 0.25 mile east of the intersection of Wehr Mill Road and Herman Lane (Cementon, PA Quadrangle N: 0.5 inch; W: 8.4 inches).

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

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

Phase IV of the multiphase project includes: (1) restoration of 1,000 linear feet of Little Cedar Creek with work consisting of reshaping the channel and stabilizing the banks with a combination of soil reinforcement matting, rock armor and vegetation; (2) removing three existing structures known as Bridge No. 5, Bridge No. 7 and Bridge No. 9; (3) removing the existing structure known as Bridge No. 4 and constructing and maintaining a golf cart bridge having a 30-foot span and a 4.1-foot underclearance; (4) removing the existing structure known as Bridge No. 6 and constructing and maintaining a golf cart bridge having a 32-foot span and a 4.1-foot underclearance; (5) removing the existing structure known as Bridge No. 8 and constructing and maintaining a golf cart bridge having a 30-foot span and a 4.1-foot underclearance; and (6) modifying and maintaining a 30-inch diameter HDPE pipe outfall with work consisting of changing the alignment and adding a section of pipe and a flared end section.

Phase IV begins approximately 1,600 feet downstream of Little Cedar Creek's intersection with Springhouse Road (Allentown West, PA Quadrangle N: 18.4 inches; W: 5.8 inches) and extends 1,000 feet downstream (Allentown West, PA Quadrangle N: 17.9 inches; W: 5.5 inches) in the City of Allentown, Lehigh County (Subbasin: 2C).

E13-142. Kovatch Enterprises, Inc., One Industrial Complex, Nesquehoning, PA 18240-1499. Nesquehoning Borough, **Carbon County**, Army Corps of Engineers Philadelphia District.

To place fill in 3.76 acres of PEM Wetlands within Nesquehoning Creek Watershed (HQ-CWF) for the purpose of developing Lots 5, 6, 8 and 9 of the Green Acres Industrial Park. The permittee is required to provide 3.76 acres of replacement wetlands. The project is along Industrial Road approximately 1.0 mile north of SR 0054 (Nesquehoning, PA Quadrangle N: 19.0 inches; W: 15.0 inches) (Subbasin: 2B).

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

E01-046. Brethren Home Community, 2990 Carlisle Pike, P. O. Box 128, New Oxford, PA 17350 in Oxford Township, **Adams County**, ACOE Baltimore District.

To construct and maintain: (1) one 24-inch by 64-foot and four 12-inch by 64-foot pipes for a road crossing of palustrine forested (PFO) wetlands in the South Branch Conewago Creek Watershed; (2) two 12-inch by 81-foot pipes for a road crossing of an unnamed tributary to the South Branch Conewago Creek (WWF) and an associated PFO wetland; (3) one 15-inch by 83-foot pipe for a road crossing of an unnamed tributary to the South Branch Conewago Creek and an associated PFO wetland; (4) one 24-inch by 60-foot and two 12-inch by 60-foot pipes for a road crossing of an unnamed tributary to the South Branch Conewago Creek and an associated PFO wetland; (5) one 30-inch by 60-foot and two 12-inch by 60-foot pipes for a road crossing of an unnamed tributary to the South Branch Conewago Creek and an associated PFO wetland and one 36-inch storm sewer pipe; (6) one

30-inch by 60-foot and two 12-inch by 60-foot pipes for a road crossing of an unnamed tributary of the South Branch Conewago Creek and an associated PFO wetland; (7) one 6-foot wide by 80-foot long footbridge crossing and one 36-inch storm sewer pipe crossing of an unnamed tributary of the South Branch Conewago Creek and an associated PFO wetland; and (8) an 8-inch by 563-foot sanitary sewer line crossing of PFO wetlands. This permit also authorizes the installation of various utility crossings for the development including an 8-inch sewer line, a 6-inch waterline, a 2-inch gas line, a 4-inch electrical conduit, a 4-inch cable conduit and a 4-inch telephone conduit. The project is in Oxford Township, Adams County (McSherrystown, PA Quadrangle N: 20.1 inches; W: 4.3 inches). The project will impact 1.14 acres of forested wetlands, 0.85 acre permanent and 0.29 acre temporary. The permittee is required to provide a minimum of 2.30 acres of replacement wetlands.

E67-744: West Manchester Township, 2115 Log Cabin Road, York, PA 17404 in West Manchester Township, **York County**. ACOE Baltimore District.

To construct and maintain Well No. 9, a 22-foot by 29.5-foot pump house and all piping associated with connecting the pump house to the well, a 24-inch rock lined stormwater swale with a rip-rap apron within the floodplain of the Little Conewago Creek (TSF) (West York, PA Quadrangle N: 22.4 inches; W: 7.3 inches) in West Manchester Township, York County.

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

E14-462. Jerry L. Witherite, 532 Main Street, Box 57, Coburn, PA 16832. Witherite Garage in Penn Township, **Centre County**, ACOE Baltimore District (Coburn, PA Quadrangle N: 19.90 inches; W: 12.25 inches).

To build a 35-foot by 60-foot steel sided pole barn style garage with 43 inches of stone and concrete fill inside the building to elevate the floor 18 inches above the FEMA 100-year flood elevation of Penns Creek's right floodway in the right floodway 68 feet upstream of the Coburn bridge. This permit was issued under section 105.13(e) "Small Projects."

E55-197. Department of Transportation, Engineering District 3-0, P. O. Box 218, Montoursville, PA 17754-0218. Water Obstruction and Encroachment Permit application in Chapman Township, **Snyder County**, ACOE Susquehanna River Basin District (Dalmatia, PA Quadrangle N: 11.4 inches; W: 1.8 inches).

To remove an existing reinforced concrete slab bridge and construct and maintain a reinforced concrete box culvert measuring 20 feet wide by 7 feet high in Chapman Creek (WWF) along SR 2013, Segment 0020 at offset 0000. This project proposes to have a minimal impact on Chapman Creek. The project does not propose to impact any jurisdictional wetlands. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E59-460. Department of Conservation and Natural Resources, Bureau of Forestry, 262 Sizerville Road, Emporium, PA 15834. Pedestrian trail along Pine Creek in Delmar and Elk Townships, **Tioga County**, ACOE Baltimore District (Tiadaghton, PA Quadrangle N: 5 inches; W: 12.1 inches).

To construct, operate and maintain 300 linear feet of R-7 riprap along the stream bank. The second site

proposes to install 200 linear feet of R-7 riprap along with three rock deflectors constructed in accordance with the General Permit No. 3 guidelines not to extend 45 linear feet from the stream bank into the stream. The deflectors shall be constructed using R-7 riprap and shall have toe protection in-between each structure on the downstream side to prevent future erosion of the banks. Both projects are on Pine Creek (HQ-CWF). These projects are 7 miles north of Blackwell on the Pine Creek Trail. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

E11-296. Dennis A. Storm, 374 Hanlon Road, Gallitzin, PA 16641. Bridge, four culverts and wetland impacts in Clearfield Township, **Cambria County**, Pittsburgh ACOE District (Ashville, PA Quadrangle N: 17.4 inches; W: 4.8 inches—Latitude: 40° 35' 45" and Longitude: 78° 32' 04"). To operate and maintain an existing 34.0-foot long, 9.3-foot steel pipe culvert in Indian Run (CWF) which impacted 0.08 acre of wetlands for the purpose of providing access to the permittee's property. This permit also covers the operation and maintenance of a permanent sediment trap along an unnamed tributary to Indian Run (CWF) and the operation and maintenance of four culverts having a combined length of 96.0 feet in unnamed tributaries to Indian Run eligible for authorization under the Department's waiver 105.12(a)(2). To compensate for wetland impacts, the permittee shall construct 0.16 acre of replacement wetlands onsite. The project is off of SR 1012, approximately 1.4 miles west of its intersection with SR 36.

E63-553. City of Monongahela, 449 West Main Street, Monongahela, PA 15063. Sewer line across Pigeon Creek in the City of Monongahela, **Washington County**, Pittsburgh ACOE District (Monongahela, PA Quadrangle N: 12.5 inches; W: 7.5 inches—Latitude: 40° 11' 38" and Longitude: 79° 55' 43"). To construct and maintain a sanitary sewer line in, along and across the channels of Pigeon Creek (WWF), Dry Run (WWF) and unnamed tributaries to Pigeon Creek and the Monongahela River (WWF) and a de minimis area of PFO wetlands (0.02 acre) for the purpose of providing sewer service to residents. The project is between SR 136 (Dry Run Road) intersection of East Main Street and Alabama Street. The project will impact approximately 100 linear feet of stream channel and 0.02 acre of PFO wetland.

ENVIRONMENTAL ASSESSMENTS

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

EA26-002. James V. Weimer, 399 Boxwood Road, Smithfield, PA 15478. Nicholson Township, **Fayette County**, ACOE Pittsburgh District.

Project proposes to construct, operate and maintain a nonjurisdictional dam across an unnamed tributary to York Run (WWF) in Nicholson Township, Fayette County. The proposed dam will inundate 187.5 feet of stream channel and will have no direct or indirect impacts to wetlands. The proposed dam will be approximately 2,200 feet northwest of the intersection of New Geneva Rd. (SR 3006) and Boxwood Rd. (T 464) (Smithfield, PA Quadrangle N: 10.6 inches; W: 13.8 inches).

STORAGE TANKS**SITE-SPECIFIC INSTALLATION PERMITS**

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

<i>SSIP Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
04-02-023	Michael Dzurinko U. S. Steel Corp.—Irvin Plant P. O. Box 878 Dravosburg, PA 15304	Allegheny	West Mifflin Borough	Two ASTs storing ferrous chloride	50,000 gallons each

SPECIAL NOTICES**Certification to Perform Radon-Related Activities in this Commonwealth**

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

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Joseph Cocciardi	335 East Meadow Drive Mechanicsburg, PA 17055	Testing
Donald Dunmire	204 Main Street, Box 211 Worthington, PA 16262	Testing
Theresa Edwards	215 Kelso Circle Collegeville, PA 19426	Testing
Perry Ecksel	626 Jacksonville Road Suite 200 Warminster, PA 18974	Testing
Tariq Farooqi PRO-LAB	3300 Corporate Avenue No. 112 Weston, FL 33331	Laboratory
James Hughes	613 Yorkshire Drive Flemington, NJ 08822	Testing
Douglas Kaup	263 Sewickley Oakmont Road Pittsburgh, PA 15237	Testing
Deborah Mancini-Wilson Safe-Gard Consolidated Inspection Services, Inc.	P. O. Box 748 Ingomar, PA 15127	Testing
Robert Meyer	124 Partridge Way Landenberg, PA 19350	Testing
Eric Mills	1341 North Delaware Avenue Suite 205 Philadelphia, PA 19125	Testing
Jeffrey Nicholls	P. O. Box 400 Henryville, PA 18332	Testing
Radon Relief Contracting	454 Dana Street Wilkes-Barre, PA 18702	Testing
Troy Rudy Allied Home Inspections, Inc.	1604 Lititz Avenue Lancaster, PA 17601	Mitigation
Jeffrey Smith	P. O. Box 70 Bellwood, PA 16617	Testing
John Staz, III	1738 North Third Street Suite A Harrisburg, PA 17102	Testing

Availability of Final Total Maximum Daily Loads (TMDLs)

The Department has developed TMDLs for the following watersheds. A TMDL sets the pollutant loading amounts for impaired waters that are allocated among the sources in the watershed. These TMDLs have been approved by the EPA and satisfies the Department's obligations under section 303(d) of the Federal Clean Water Act.

<i>Stream Name</i>	<i>County</i>	<i>Pollutants</i>
Buffalo Creek	Centre and Union	pH
Unnamed Tributary to Bow Creek	Dauphin	Nutrients
Little Cedar Creek	Lehigh	Sediment
Stonycreek River	Somerset	Nutrients and Sediment
Lake Jean	Sullivan and Luzerne	pH
Canonsburg Lake	Washington	Nutrients

To request a copy of a TMDL, contact the Division of Water Quality Assessment and Standards, Department of Environmental Protection, P. O. Box 8467, Harrisburg, PA 17105-8467, (717) 787-9637, rnaugle@state.pa.us. TMDLs can be accessed through the Department's website: www.dep.state.pa.us/watermanagement_apps/tmdl/ (choose stream under "Select By TMDL Name:").

Request for Comment and Notice of Public Meeting for the Proposed Total Maximum Daily Load (TMDL) Developed for Lititz Run in Lancaster County

The Department will accept comments on the proposed TMDL developed for Lititz Run in Lancaster County. The TMDL was established in accordance with the requirements of section 303(d) of the Clean Water Act. The Commonwealth's 1996, 1998, 2002 and 2004 Section 303(d) lists included stream segments in the watershed. The listings of these segments were due to use impairments caused by suspended solids (sediment) and turbidity, as a result of urban runoff, storm sewers and other nonpoint source runoff.

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

The following table shows the estimated current sediment loading for the watershed. Overall load reductions necessary to meet the TMDLs are also identified.

Summary of TMDL Based Load Reductions for Lititz Run

<i>Pollutant</i>	<i>Existing Load (lbs/yr)</i>	<i>TMDL (lbs/yr)</i>	<i>% Reduction</i>
Sediment	10,571,598.80	6,066,464.43	43

The data and all supporting documentation used to develop the proposed TMDL are available from the Department. The proposed TMDL and information on the TMDL program can be accessed on the Department's website: www.dep.state.pa.us/watermanagement_apps/tmdl/. To request a copy of this TMDL contact Lee McDonnell, Department of Environmental Protection, Water Quality Assessment and Standards, 400 Market Street, P. O. Box 8467, Harrisburg, PA 17105, (717) 783-2938, lmcconnell@state.pa.us.

The Department will consider all comments in developing the final TMDL, which will be submitted to the EPA for approval. Written comments will be accepted at the previous address and must be postmarked by November 9, 2004. A public meeting to discuss the technical merits of the TMDL will be held on September 28, 2004, at 4 p.m. at the Warwick Township Building, 315 Clay Road, Lititz, PA.

Request for Comment and Notice of Public Meeting for the Proposed Total Maximum Daily Load (TMDL) Developed for an Unnamed Tributary to Mill Creek in Lancaster County

The Department will accept comments on the proposed TMDL developed for an unnamed tributary to Mill Creek (UNT Mill Creek) in Lancaster County. The TMDL was established in accordance with the requirements of section 303(d) of the Clean Water Act. The Commonwealth's 1996, 1998, 2002 and 2004 Section 303(d) lists included stream segments in the watershed. The listings of these segments were due to use impairments caused by sediment and nutrients, as a result of agricultural runoff.

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

The following table shows the estimated current sediment and phosphorus loadings for the watershed. Overall load reductions necessary to meet the TMDLs are also identified.

Summary of TMDL Based Load Reductions for UNT Mill Creek

<i>Pollutant</i>	<i>Existing Load (lbs/yr)</i>	<i>TMDL (lbs/yr)</i>	<i>% Reduction</i>
Sediment	1,243,807.40	597,865.70	52
Phosphorus	1,776.65	1,289.94	27

The data and all supporting documentation used to develop the proposed TMDL are available from the Department. The proposed TMDL and information on the TMDL program can be accessed on the Department's website: www.dep.state.pa.us/watermanagement_apps/tmdl/. To request a copy of this TMDL contact Lee McDonnell, Department of Environmental Protection, Water Quality Assessment and Standards, 400 Market Street, P. O. Box 8467, Harrisburg, PA 17105, (717) 783-2938, lmcdonnell@state.pa.us.

The Department will consider all comments in developing the final TMDL, which will be submitted to the EPA for approval. Written comments will be accepted at the previous address and must be postmarked by November 9, 2004. A public meeting to discuss the technical merits of the TMDL will be held on October 5, 2004, at 7 p.m. at the Old Leola Elementary School Building, 36 Hillcrest Avenue, Leola, PA.

[Pa.B. Doc. No. 04-1726. Filed for public inspection September 17, 2004, 9:00 a.m.]

DEPARTMENT OF HEALTH

Application of Kindred Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Kindred Hospital has requested an exception to the requirements of 28 Pa. Code § 107.2 (relating to medical staff membership).

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

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, for speech and/or hearing impaired persons, V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

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

[Pa.B. Doc. No. 04-1727. Filed for public inspection September 17, 2004, 9:00 a.m.]

Application of Lehigh Valley Hospital and Lehigh Valley Hospital—Muhlenberg for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Lehigh Valley Hospital and Lehigh Valley Hospital—Muhlenberg has requested an exception to the requirements of 28 Pa. Code § 101.4 (relating to definitions).

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

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, for speech and/or hearing impaired persons, V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

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

[Pa.B. Doc. No. 04-1728. Filed for public inspection September 17, 2004, 9:00 a.m.]

Application of Mount Nittany Medical Center for Exception

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

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

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

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

Persons with a disability who wish to obtain a copy of the request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care, (717) 783-8980, V/TT: (717) 783-6154 for speech and/or hearing impaired

persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 04-1729. Filed for public inspection September 17, 2004, 9:00 a.m.]

Application of Sharon Regional Health System for Exception

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

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

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, for speech and/or hearing impaired persons, V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

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

[Pa.B. Doc. No. 04-1730. Filed for public inspection September 17, 2004, 9:00 a.m.]

Application of Suburban General Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Suburban General Hospital has requested an exception to the requirements of 28 Pa. Code § 107.2 (relating to medical staff membership).

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

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, for speech and/or hearing impaired persons, V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

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

[Pa.B. Doc. No. 04-1731. Filed for public inspection September 17, 2004, 9:00 a.m.]

Application of Sunbury Community Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Sunbury Community Hospital has requested an exception to the requirements of 28 Pa. Code § 107.2 (relating to medical staff membership).

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

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, for speech and/or hearing impaired persons, V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

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

[Pa.B. Doc. No. 04-1732. Filed for public inspection September 17, 2004, 9:00 a.m.]

Application of Tyrone Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Tyrone Hospital has requested an exception to the requirements of 28 Pa. Code § 137.21(b)(5) (relating to policies and procedures).

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

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, for speech and/or hearing impaired persons, V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

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

[Pa.B. Doc. No. 04-1733. Filed for public inspection September 17, 2004, 9:00 a.m.]

Application of UPMC Horizon for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that UPMC Horizon has requested an exception to the requirements of 28 Pa. Code § 107.2 (relating to medical staff membership).

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

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, for speech and/or hearing impaired persons, V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

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

[Pa.B. Doc. No. 04-1734. Filed for public inspection September 17, 2004, 9:00 a.m.]

Application of UPMC Passavant for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that UPMC Passavant has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exemption from the following standard contained in this publication: 9.5.F2c (relating to minimum dimension of OR).

The request is on file with the Department. Persons may receive a copy of a request for exception by request-

ing a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax: (717) 772-2163, ddtlow@state.pa.us.

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

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

Persons with a disability who wish to obtain a copy of the request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care, (717) 783-8980, V/TT: (717) 783-6154 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 04-1735. Filed for public inspection September 17, 2004, 9:00 a.m.]

Application of UPMC Southside for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that UPMC Southside has requested an exception to the requirements of 28 Pa. Code § 107.2 (relating to medical staff membership).

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

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, for speech and/or hearing impaired persons, V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

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

[Pa.B. Doc. No. 04-1736. Filed for public inspection September 17, 2004, 9:00 a.m.]

Application of The Western Pennsylvania Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that The Western Pennsylvania Hospital has re-

quested an exception to the requirements of 28 Pa. Code § 107.2 (relating to medical staff membership).

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

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, for speech and/or hearing impaired persons, V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

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

[Pa.B. Doc. No. 04-1737. Filed for public inspection September 17, 2004, 9:00 a.m.]

Immunization Practices for Children in Child Care Group Settings

In accordance with 28 Pa. Code § 27.77(c) (relating to immunization requirements for children in child care group settings), the Department of Health (Department, Bureau of Communicable Diseases, Division of Immunization, is updating the list of Morbidity and Mortality Weekly Report (MMWR) publications that contain the Advisory Committee on Immunization Practices (ACIP) recommendations that meet the standards in 28 Pa. Code § 27.77(c). Children in child care group settings as defined by 28 Pa. Code § 27.77(c) are required to be immunized in accordance with the recommendations included in the following publications. The Department is providing a summary of the publications for the ease of reference of the public:

“Notice to Readers: Limited Supply of Pneumococcal Conjugate Vaccine: Suspension of Recommendation for Fourth Dose,” MMWR, February 13, 2004/Vol. 53/No. 5.

Summary: In December 2003, the Federal Centers for Disease Control and Prevention (CDC) reported that Wyeth Vaccines, the only supplier in the United States of 7-valent pneumococcal conjugate vaccine (PCV7, marketed as Prevnar®), was experiencing production constraints that could cause delays in shipments and was implementing an allocation plan to ensure the equitable distribution of available vaccine (1). In February 2004, Wyeth Vaccines advised the CDC that production constraints had not been resolved and that supplies will remain limited at least through July 2004. Until full production capacity is resumed, local shortages might occur. Effective immediately, the CDC recommends that health-care providers temporarily suspend routine use of the fourth dose of PCV7 to conserve vaccine and minimize the likelihood of shortages.

“Notice to Readers: Updated Recommendations on the Use of Pneumococcal Conjugate Vaccine: Suspension of Recommendation for Third and Fourth Dose,” MMWR, March 5, 2004/Vol. 53/No. 8.

Summary: On February 13, 2004, the CDC recommended that health care providers temporarily suspend routine use of the fourth dose of PCV7 when vaccinating healthy children (1). This action was taken to conserve vaccine and minimize the likelihood of shortages until Wyeth Vaccines, the only supplier in the United States of PCV7, restores sufficient production capacity to meet the National need. Since that recommendation, PCV7 production has been much less than expected because of continuing problems with the PCV7 vial-filling production line. Shipments have been delayed, resulting in spot shortages that might continue beyond summer 2004 and become widespread. Effective immediately, to further conserve vaccine, the CDC recommends that all health care providers temporarily suspend routine administration of both the third and fourth doses to healthy children.

“Notice to Readers: Availability of Diphtheria Antitoxin Through an Investigational New Drug Protocol,” MMWR, May 21, 2004/Vol. 53/No. 19.

Summary: Effective treatment of respiratory diphtheria includes early administration of an equine diphtheria antitoxin (DAT). Delay in DAT administration can lead to life-threatening respiratory obstruction, myocarditis and other complications. To ensure quick access to DAT, the CDC maintains a stock of DAT for release to physicians in the United States.

“Prevention and Control of Influenza: Recommendations of the Advisory Committee on Immunization Practices (ACIP),” MMWR, May 28, 2004/Vol. 53/No. RR-6.

Summary: The 2004 recommendations include four principal changes or updates:

1. The ACIP recommends that healthy children 6 to 23 months of age, and close contacts of children aged 0 to 23 months of age, be vaccinated against influenza (see Target Groups for Vaccination).

2. Inactivated vaccine is preferred over live, attenuated influenza vaccine (LAIV) for vaccinating household members, health care workers and others who have close contact with severely immuno-suppressed persons during periods when these persons require care in a protected environment. If a health care worker receives the LAIV, the health care worker should refrain from contact with severely immuno-suppressed patients for 7 days after vaccine receipt. No preference exists for inactivated vaccine use by health care workers or other persons who have close contact with persons with lesser degrees of immuno-suppression (see Live Attenuated Influenza Vaccine Recommendations/Close Contacts of Persons at High Risk for Complications from Influenza).

3. Severely immuno-suppressed persons should not administer the LAIV. However, other persons at high risk for influenza complications may administer LAIV (see Personnel Who May Administer LAIV).

4. The 2004-2005 trivalent vaccine virus strains are A/Fujian/411/2002 (H3N2)-like, A/New Caledonia/20/99 (H1N1)-like and B/Shanghai/361/2002-like antigens. For the A/Fujian/411/2002 (H3N2)-like antigen, manufacturers may use the antigenically equivalent A/Wyoming/3/2003 [H3N2] virus and for the B/Shanghai/361/2002-like antigen, manufacturers may use the antigenically equivalent

lent B/Jilin/20/2003 virus or B/Jiangsu/10/2003 virus (see Influenza Vaccine Composition).

Additional information regarding vaccinations can be obtained from the Department's website: www.dsf.health.state.pa.us/health/cwp/view.asp?a=178&Q=199020. Additional information regarding vaccinations can also be obtained from the National Immunization Program of the CDC's website: www.cdc.gov/nip/default.htm.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape or Braille) should contact Alice Gray, Director, Division of Immunization, Department of Health, P. O. Box 90, Harrisburg, PA 17108-0090, (717) 787-5681, for speech and/or hearing impaired persons V/TT: (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 04-1738. Filed for public inspection September 17, 2004, 9:00 a.m.]

Requests for Exception; Long-Term Care Nursing Facilities

The following long-term care nursing facilities are seeking an exception to 28 Pa. Code § 201.18(e) (relating to management):

Latrobe Area Hospital Transitional Care Center
121 West 2nd Avenue
Latrobe, PA 15650

Frick Hospital Skilled Nursing Unit
508 South Church Street
Mount Pleasant, PA 15666

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

The Health Center at The Hill at Whitemarsh
660 Thomas Road
Lafayette Hill, PA 19444

Friendship Ridge
246 Friendship Circle
Beaver, PA 15009

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

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

Comments received by the Department within 15 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who require an alternative format of this document or who wish to comment in an alternative format (for example, large print, audiotape or Braille) should contact the Division of Nursing Care Facilities at the previous address or phone number, for speech and/or hearing impaired persons, V/TT (717) 783-

6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984.

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

[Pa.B. Doc. No. 04-1739. Filed for public inspection September 17, 2004, 9:00 a.m.]

Special Supplemental Nutrition Program for Women, Infants and Children (WIC Program); Maximum Allowable Prices

Under 28 Pa. Code § 1103.4(5) (relating to selection criteria for authorization and reauthorization), the WIC Program publishes notice of the maximum allowable prices. Effective October 1, 2004, through December 31, 2004, the maximum allowable prices the Department of Health will pay for a WIC allowable food are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
1/2 gal. of Milk: Whole, Reduced Fat, Low Fat or Skim	\$2.12
12 oz. Evaporated Milk	\$1.13
16 oz. Dry Milk	\$5.22
1 qt. Lactose Reduced Milk	\$1.95
1/2 gal. Kosher Milk	\$2.76
4 oz. Kosher Infant Juice	\$0.69
8 oz. Kosher Infant Cereal	\$1.92
1 doz. Grade A Eggs	\$1.39
1 lb. Fresh Carrots	\$1.10
14 to 16 oz. Canned Carrots	\$1.10
1 lb. Cheese	\$6.12
1 lb. Kosher Cheese	\$8.32
1 lb. Dry Beans or Peas	\$1.42
1 oz. Adult WIC Cereal	\$0.39
8 oz. Gerber Infant Cereal	\$1.92
15 to 18 oz. Peanut Butter	\$2.43
46 oz. Single Strength Juice or 11.5 or 12 oz. Juice Concentrate	\$2.41
6 oz. Cans Juice	\$1.56
6 to 6.5 oz. Chunk Light Tuna Packed in Water	\$0.95
4 oz. Gerber Infant Juice	\$0.69
32 oz. Alimentum Advance Ready-to-Feed	\$9.32
16 oz. Alimentum Advance Powder	\$26.82
13 oz. Isomil Advance Concentrate	\$4.70
32 oz. Isomil Advance Ready-to-Feed	\$5.80
12.9 oz. Isomil Advance Powder	\$14.42
12.9 oz. Isomil 2 Advance Powder	\$14.42
13 oz. Isomil with Iron Concentrate	\$4.36
12.9 oz. Isomil with Iron Powder	\$13.29
32 oz. Isomil DF Ready-to-Feed	\$6.07
13 oz. Nutramigen Lipil Concentrate	\$7.04
32 oz. Nutramigen Lipil Ready-to-Feed	\$8.87
16 oz. Nutramigen Lipil Powder	\$24.42
8 oz. Pediasure Ready-to-Feed	\$2.24
8 oz. Pediasure with Fiber Ready-to-Feed	\$2.34
13 oz. Similac Advance Concentrate	\$4.38
32 oz. Similac Advance Ready-to-Feed	\$6.20
12.9 oz. Similac Advance Powder	\$13.66
12.9 oz. Similac 2 Advance Powder	\$13.66
13 oz. Similac with Iron Concentrate	\$4.07
32 oz. Similac with Iron Ready-to-Feed	\$5.39
12.9 oz. Similac with Iron Powder	\$12.95
13 oz. Similac Lactose Free Advance Concentrate	\$4.81
32 oz. Similac Lactose Free Advance Ready-to-Feed	\$5.92

<i>Description</i>	<i>Maximum Allowable Price</i>
12.9 oz. Similac Lactose Free Advance Powder	\$14.74
12.8 oz. Similac Neosure Advance Powder	\$15.65

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check. However, the amounts that exceed the maximum allowable price of WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2 (relating to price adjustment).

Persons with a disability who require an alternative format of this listing of maximum allowable prices, (for example, large print, audiotape or Braille) should contact Chris Harr, Department of Health, Division of WIC, Room 604, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-1289, for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

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

[Pa.B. Doc. No. 04-1740. Filed for public inspection September 17, 2004, 9:00 a.m.]

Traumatic Brain Injury Advisory Board Meeting

The Traumatic Brain Injury Advisory Board, established under the Federal Traumatic Brain Injury Act of 1996 (Pub. L. No. 104-66), will hold a public meeting on Thursday, September 23, 2004, from 10 a.m. to 3 p.m. in Hearing Room 2, Atrium Level, Keystone Building, Commonwealth Avenue at Forster Street, Harrisburg, PA.

For additional information or persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so, contact Annette D. Jacek, Program Manager, Special Conditions Section, Division of Child and Adult Health Services, (717) 772-4959, for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

This meeting is subject to cancellation without notice.

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

[Pa.B. Doc. No. 04-1741. Filed for public inspection September 17, 2004, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Application for Lease of Right-of-Way

The Department of Transportation (Department), under section 2002(e) of The Administrative Code of 1929 (71 P. S. § 512(c)) and 67 Pa. Code § 495.4 (relating to application procedure), gives notice that an application to lease highway right-of-way has been submitted to the Department by Paul Lavriello, 926 W. Dekalb Pike, King of Prussia, PA seeking to lease highway right-of-way located at Kirk Avenue and North Gulph Road, Philadelphia, PA, Montgomery County, 0.2751 acre + adjacent to SR 422, Section 404, for the purpose of parking.

Interested persons are invited to submit, within 30 days from the publication of this notice in the *Pennsylvania Bulletin*, written comments, suggestions and/or objections regarding the approval of this application to Andrew Warren, P. E., District Executive, Engineering District 6-0, Department of Transportation, 7000 Geerdes Boulevard, King of Prussia, PA 19406-1525, Attention: Ray DeMasi, R/W.

Questions regarding this application or the proposed use should be directed to Ray DeMasi, R/W, Real Estate Specialist, 7000 Geerdes Boulevard, King of Prussia, PA 19406-1525, (610) 205-6507

ALLEN D. BIEHLER, P. E.,
Secretary

[Pa.B. Doc. No. 04-1742. Filed for public inspection September 17, 2004, 9:00 a.m.]

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:

James A. Cressman v. Associated Rubber, Inc.; Doc. No. 200027235 (Human Relations Commission, August 31, 2004).

- Termination because of age (73) discrimination relating to employment.

Ruling for Complainant, 8-1 decision
39 pages

Johnnie V. Lassiter, Jr. v. Wordsworth Academy; Doc. No. 200207153 (Human Relations Commission, August 31, 2004)

- Damage case relating to termination because of sex (male) and race (Black) discrimination.

Ruling for Complainant, 10-0 decision
18 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. 04-1743. Filed for public inspection September 17, 2004, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Comments Issued

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

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

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
54-59	Pennsylvania Liquor Control Board Revisions to Codify Practices and Procedures Resulting from Legislative Amendments (34 Pa.B. 3411 (July 3, 2004))	8/2/04	9/1/04

Pennsylvania Liquor Control Board Regulation # 54-59 (IRRC # 2411)

Revisions to Codify Practices and Procedures Resulting from Legislative Amendments

September 1, 2004

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

1. Section 3.1. Definitions.—Need; Clarity.

The following eight definitions are being added to this section: “bar/counter,” “bench,” “booth,” “chair,” “eating space,” “seating,” “stool” and “table.” These definitions are not used in the body of either the existing or proposed regulations. The definitions of “bench,” “chair” and “eating space” are only used in other proposed definitions. What is the need for adding these eight definitions?

2. Section 3.92. Brewery pubs.—Consistency with statute; Clarity.

This section establishes the provisions for the issuance and operation of a brewery pub license. Subsection (d) allows a brewery pub to sell wine produced by the holder of a Pennsylvania limited winery license. However, 47 P. S. § 4-446(2) states that the wine must be purchased from either the holder of a Pennsylvania limited winery license or from the Board. The statute also requires the wine purchases to be consumed on the premises of the brewery pub. These provisions are not reflected in the proposed regulation. The Board should include these provisions in the final-form regulation.

3. Section 3.101. Economic development licenses.—Clarity.

This section establishes areas where economic development licenses may be issued. Subsection (a)(1) provides a citation to the applicable Keystone Opportunity Zone (KOZ) statute. Under subsection (a)(2), a statutory citation is not provided for an Enterprise Zone (EZ). For

clarity and consistency, a citation to applicable EZ statutes or regulations should be inserted into the final-form regulation.

4. Section 3.102. Approval for economic development license.—Clarity.

This section describes the application process for economic development licenses. The phrase “KOZ or EZ authorities” is used in subsection (a). Who qualifies as the “KOZ or EZ authorities?”

5. Section 3.104. Municipal standing before the Board.—Clarity.

This section permits a municipality receiving an economic development license to file a protest with the Board. Can the decision of the Board be appealed? If so, where would the appeal be filed?

6. Section 3.105. Quarterly filing of applications and application hearings.—Clarity.

This section establishes filing requirements for counties and appeal procedures for applicants. We have two concerns.

First, subsection (b) should include a cross-reference to the Board’s hearing provisions.

Second, subsection (e) should include the same language that is in the corresponding statutory provisions. It states that an applicant will receive a provisional license for 120 days. The same provision is included in 47 P. S. § 4-461(b.2), which also includes the phrase “exclusive of periods of safekeeping.” The final-form regulation should be amended to mirror the corresponding statutory provision.

7. Section 5.30. Definitions.—Clarity.

This section adds a definition of “sweepstakes” which includes conditions for permissible sweepstakes. The conditions are substantive. Substantive provisions in a definition are not enforceable. Therefore, the conditions should be moved to § 5.32(h), regarding sweepstakes promotions.

8. Section 5.36. Municipal noise ordinances.—Clarity.

Subsection (d) contains the phrase “any other condition the Board deems appropriate.” What “other conditions” would the Board deem appropriate?

9. Section 5.86. Permitted exchange of club and catering club licenses.—Consistency with statute; Clarity.

Subsections (a)—(e) list five different types of exchanges that may occur. The exchanges are:

- Club liquor license for a club malt beverage retail dispenser license.
- Club liquor license for a catering club liquor license.
- Catering club license for a club liquor license.
- Club malt beverage retail dispenser license for a catering club malt beverage retail dispenser license.
- Catering club malt beverage retail dispenser license for a club malt beverage retail dispenser license.

In the Regulatory Analysis Form, the Board notes that 47 P. S. §§ 4-401 and 4-472.3 provide the statutory basis for adding these provisions. Section 4-472.3(a) of 47 P. S. appears to be the only language that addresses exchanges of licenses. It permits a club to exchange a club liquor license for a club retail dispenser license. This type of exchange is not listed in subsections (a)—(e). Do the different types of licenses noted in subsection (a)—(e) fall under the type of license exchange noted in 47 P. S. § 4-472.3(a)?

Also, subsection (f) states that the Bureau of Licensing will set the fee for filing an application for the exchange of club licenses. The final-form regulation should establish the fee and the preamble should explain how the fee was set.

10. Section 7.10. Conversion of suspension to fine.—Clarity.

Subsection (c) states “the transferee’s request to the Office of Chief Counsel shall include the following:” However, subsection (c)(5) states “Other financial documents as requested by the Office of Chief Counsel.” Because the transferee is making the initial request to the Office of Chief Counsel, how will the transferee know what, if any, additional information is required to be contained in the request?

11. Section 7.33. Sheriff’s sale of a liquor license.—Clarity.

This section establishes procedures to be followed when a license is subject to a writ of execution. Paragraphs (2) and (3)(ii) state that certain actions “should” be performed. The word “should” indicates that the action is optional. The final-form regulation should replace the word “should” with “shall.”

12. Section 7.63. Municipal standing before the Board.—Clarity.

This section allows a municipality to file a protest against the approval of an intermunicipal transfer of a liquor license. Subsection (c) states that a protest must be timely filed. Provisions for filing a protest are found in § 17.13, regarding protests/intervention procedure. The final-form regulation should include a cross-reference to this section.

13. Section 9.141. Requirements for licensure as a direct shipper.—Clarity.

Subsection (a) is worded as a definition for “direct shipper.” However, “direct shipper” is already defined in § 9.132. It is not needed in both places. If necessary, the language contained in this subsection should be added to the definition in § 9.132 and deleted from this section.

14. Section 9.142. Records to be maintained.—Reasonableness; Clarity.

Subsection (a) establishes audit procedures to be followed when the Commonwealth audits a direct shipper. Does the term “Commonwealth” mean the Board? If it doesn’t, what department would be conducting the audits?

15. Section 9.143. Sales of wines.—Clarity.

Subsection (g) establishes a \$4.50 handling fee. Is this fee to be applied to each bottle ordered or the entire order? The Board should clarify this provision in the final-form version.

16. Section 9.144. Products shipped.—Clarity.

Subsection (i) requires a direct shipper to provide a “call tag” with each order. It is not clear what this term means. The final-form regulation should either define the term “call tag” or include the information that should appear on the tag.

17. Section 9.145. Direct shipper’s website.—Reasonableness; Clarity.

Information that must be present on a direct shipper’s website is included in this section. Subsection (c) pertains to age and residency requirements. It also states that sales will not be made to “anyone who is under the influence of alcohol or other drugs.” The Board has indicated that the intent of this provision is to prohibit a buyer under the influence of drugs or alcohol from picking up an order at a Pennsylvania Wine and Spirits Store. The final-form regulation should be amended to clearly express this intent.

18. Section 13.52. Advertising novelties.—Clarity.

Subsection (e) contains the phrase, “the point of sale advertising cost limit as set forth by the Board.” The Board should include a cross-reference to this cost limit.

19. Miscellaneous edits.—Clarity.

- Section 3.91, titled “alternate brewer’s license,” should read “alternating brewer’s license,” as defined in 47 P. S. § 1-102.

- The second sentence of § 3.105(a) and the information that follows it should be separated out and placed into its own subsection.

- Section 7.3(c), written as one sentence with several provisions, should be broken into smaller sentences. A similar concern also exists in § 9.142(a).

- In § 7.65, the phrase “period of” should be included in front of the phrase “5 years” or the “a” before “5 years” should be deleted.

- In § 11.7(b), “another party” should be inserted in front of “or other parties.”

- The phrase “without Board approval” in §§ 13.42 and 13.43 are not needed and could be deleted to add clarity.

JOHN R. MCGINLEY, Jr.,

Chairperson

[Pa.B. Doc. No. 04-1744. Filed for public inspection September 17, 2004. 9:00 a.m.]

Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulations on the dates indicated. To obtain the date and time of the meeting at

which the Commission will consider these regulations, contact the Commission at (717) 783-5417 or visit its website: www.irrc.state.pa.us. To obtain a copy of a regulation, contact the promulgating agency.

Final-Form

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
7-380	Environmental Quality Board Stream Redesignations (Brushy Meadow Creek, et al.)	9/2/04

Final-Omit

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
2-146	Department of Agriculture Amendments to Lifetime Licensure	9/1/04

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 04-1745. Filed for public inspection September 17, 2004, 9:00 a.m.]

INSURANCE DEPARTMENT

Alleged Violation of Insurance Laws; Michael Francis Napadow and Nations Hazard Insurance Agency d/b/a Nation's Hazard Insurance Company and "Hartford Casualty Insurance," 129 Centerfield Parkway, West Dundee, IL 60118-9182; Doc. No. SC04-08-041

Notice is hereby given of the Order to Show Cause issued on September 7, 2004, by the Deputy Insurance Commissioner in the previously referenced matter. Violation of the following is alleged: 40 P. S. §§ 47, 1171.4 and 1171.5.

The respondent shall file a written answer to the Order to Show Cause within 20 days of the date of issue. If the respondent files a timely answer, a formal administrative hearing shall be held in accordance with 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), 31 Pa. Code Chapter 56 (relating to special rules of administrative practice and procedure) and other relevant procedural provisions of law.

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

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-1746. Filed for public inspection September 17, 2004, 9:00 a.m.]

American Independent Insurance Company; Private Passenger Auto Rate Filing

On September 2, 2004, the Insurance Department (Department) received from American Independent Insurance Company a filing for a rate level change for private passenger automobile insurance.

The company requests an overall 0.3% increase amounting to \$247,000 annually, to be effective November 1, 2004, for new business and December 1, 2004, for renewal business.

Unless formal administrative action is taken prior to November 1, 2004, the subject filing may be deemed approved by operation of law.

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

A copy of the filing is also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-1747. Filed for public inspection September 17, 2004, 9:00 a.m.]

Application for Approval to Acquire Control

Protective Underwriting Services, Inc. has filed an application to acquire control of American Independent Insurance Company, a Pennsylvania domiciled casualty insurance company. The filing was made under the Insurance Holding Companies Act (40 P. S. §§ 991.1401—991.1413). Persons wishing to comment on the acquisition are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Written statements must include the name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Stephanie Ohnmacht, Insurance Company Licensing Specialist, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, sohnmacht@state.pa.us.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-1748. Filed for public inspection September 17, 2004, 9:00 a.m.]

Application for Increase in Underwriting Authority of a Domestic Stock Casualty Insurance Company

Colonial Surety Company (Colonial Surety), a domestic stock casualty insurance company, has filed an application to increase its approved classes of underwriting authorities. The class of insurance that Colonial Surety has applied to add is as mentioned in 40 P. S. § 382(c)(4). Persons wishing to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 14 days from the date of this issue of the *Pennsylvania Bulletin*. Written statements must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Robert Brackbill, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, rbrackbill@state.pa.us.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-1749. Filed for public inspection September 17, 2004, 9:00 a.m.]

Application for Increase in Underwriting Authority of a Domestic Stock Casualty Insurance Company

United Security Assurance Company of Pennsylvania (United Security), a domestic stock casualty insurance company, has filed an application to increase its approved classes of underwriting authorities. The class of insurance that United Security has applied to add is as mentioned in 40 P. S. § 382(a)(1). Persons wishing to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 14 days from the date of this issue of the *Pennsylvania Bulletin*. Written statements must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Robert Brackbill, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, rbrackbill@state.pa.us.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-1750. Filed for public inspection September 17, 2004, 9:00 a.m.]

Application and Request for Approval to Redomesticate

Valley Forge Life Insurance Company, a domestic stock life insurance company, has filed an application for approval of a plan of redomestication whereby the state of domicile would change from Pennsylvania to Indiana. The initial filing was made under 15 Pa.C.S. §§ 1101—4162

(relating to the Business Corporation Law of 1988). Persons wishing to comment on the grounds of public or private interest to the issuance of the Insurance Department's (Department) order approving the redomestication are invited to submit a written statement to the Department within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Written statements must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Robert Brackbill, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, rbrackbill@state.pa.us.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-1751. Filed for public inspection September 17, 2004, 9:00 a.m.]

Progressive Halcyon Insurance Company; Private Passenger Auto Program; Rate Filing

On August 18, 2004, the Insurance Department (Department) received from Progressive Halcyon Insurance Company a filing for a rate level change for private passenger automobile insurance.

The company requests an overall 3.01% decrease amounting to -\$2.584 million annually, to be effective November 30, 2004.

Unless formal administrative action is taken prior to October 17, 2004, the subject filing may be deemed approved by operation of law.

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

A copy of the filing is also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to Michael W. Burkett, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, mburkett@state.pa.us within 15 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-1752. Filed for public inspection September 17, 2004, 9:00 a.m.]

United Services Automobile Association and USAA Casualty Insurance Company; Personal Auto Program Rate Revision; Rate Filing

On August 26, 2004, the Insurance Department (Department) received from United Services Automobile As-

sociation and USAA Casualty Insurance Company a filing for a rate level change for private passenger automobile insurance.

The companies request an overall 8.1% decrease amounting to -\$12.883 million annually, to be effective November 29, 2004.

Unless formal administrative action is taken prior to October 25, 2004, the subject filing may be deemed approved by operation of law.

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

A copy of the filing is also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to Michael W. Burkett, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, mburkett@state.pa.us within 15 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-1753. Filed for public inspection September 17, 2004, 9:00 a.m.]

LEGISLATIVE REFERENCE BUREAU

Documents Filed But Not Published

The Legislative Reference Bureau (Bureau) accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of Bulletin). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no documents have been received. For questions concerning or copies of documents filed, but not published, call (717) 783-1530.

Governor's Office

Manual M530.4—Highlights of State Employee Benefits—Amended August, 2004.

Manual M110.1—2005-06 Budget Instructions—Amended August, 2004.

Management Directive No. 505.26—HIV/AIDS and Other Bloodborne Infections/Diseases in the Workplace—Amended August 31, 2004.

Administrative Circular No. 04-19—2005-06 Budget Instructions—Dated August 16, 2004.

MARY JANE PHELPS,
Director
Pennsylvania Bulletin

[Pa.B. Doc. No. 04-1754. Filed for public inspection September 17, 2004, 9:00 a.m.]

LIQUOR CONTROL BOARD

Expiration of Leases

The Liquor Control Board seeks the following new site:

Allegheny County, Wine & Spirits Shoppe # 9208, Pittsburgh.

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 2,000 net useable square feet of new or existing retail commercial space with a temporary 2-month lease in the 2004 holiday period in a major mall interior in the greater Pittsburgh area. Space shall be a kiosk or in-line store for use as a holiday Wine & Spirits gift store.

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: Bruce VanDyke, (412) 565-5130

JONATHAN H. NEWMAN,
Chairperson

[Pa.B. Doc. No. 04-1755. Filed for public inspection September 17, 2004, 9:00 a.m.]

PATIENT SAFETY AUTHORITY

Public Meeting

The Patient Safety Authority (Authority), established by section 303 of the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. § 1303.303), will hold a meeting of the Authority's 11 member board on Monday, October 4, 2004, at 10 a.m. in Hearing Room 2, Commonwealth Keystone Building, Commonwealth Avenue and North Street, Harrisburg, PA.

Individuals with questions regarding this meeting, which is open to the public, should contact the Authority at (717) 346-0469.

ALAN B.K. RABINOWITZ,
Administrator

[Pa.B. Doc. No. 04-1756. Filed for public inspection September 17, 2004, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications

A-311315F7001. Verizon North Inc. and Endless Mountains Wireless, LLC. Joint petition of Verizon North Inc. and Endless Mountains Wireless, LLC for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon North Inc. and Endless Mountains Wireless, LLC, by its counsel, filed on September 1, 2004, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

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

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

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 04-1757. Filed for public inspection September 17, 2004, 9:00 a.m.]

Telecommunications

A-311315F7000. Verizon Pennsylvania Inc. and Endless Mountains Wireless, LLC. Joint petition of Verizon Pennsylvania Inc. and Endless Mountains Wireless, LLC for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and Endless Mountains Wireless, LLC, by its counsel, filed on September 1, 2004, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

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

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

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 04-1758. Filed for public inspection September 17, 2004, 9:00 a.m.]

Transfer of Assets

A-210034F2000 and A-230014F2000. Sand Spring Water and Sewer Company, Inc. Application of Sand Spring Water and Sewer Company, Inc. for approval of the transfer of its water and sewer assets to Lehigh County Authority and for Sand Spring Water and Sewer Company, Inc. to abandon its certificates of public convenience.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary, Pennsylv-

vania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before October 4, 2004. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

Applicant: Sand Spring Water and Sewer Company, Inc.

Through and By Counsel: Scott J. Rubin, Esquire, 3 Lost Creek Drive, Selinsgrove, PA 17870-9357.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 04-1759. Filed for public inspection September 17, 2004, 9:00 a.m.]

2005 Schedule of Filing Dates for Recovery of Purchased Gas Costs; Doc. No. L-840102

Under 52 Pa. Code § 53.64(a) (relating to filing requirements for natural gas distributors with gross intrastate annual operating revenues in excess of \$40 million), the Pennsylvania Public Utility Commission annually publishes a schedule of filing dates for jurisdictional gas utilities subject to 66 Pa.C.S. § 1307(f) (relating to sliding scale of rates; adjustments) for the recovery of purchased gas costs.

The 2005 schedule of filing dates is as follows:

February 1, 2005: National Fuel Gas Distribution Corporation—PA Division; T. W. Phillips Gas and Oil Company

March 1, 2005: Philadelphia Gas Works

April 1, 2005: Columbia Gas of Pennsylvania, Inc.; Peoples Natural Gas Company; Equitable Gas Company

June 1, 2005: P. G. Energy, Inc.; PECO—Gas Division; UGI Corporation; PFG Gas, Inc.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 04-1760. Filed for public inspection September 17, 2004, 9:00 a.m.]

Water Service

A-210104F0052. Aqua Pennsylvania, Inc. Application of Aqua Pennsylvania, Inc. for approval to begin to offer, render, furnish and supply water service to the public in an additional portion of Caln Township, Chester County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before October 4, 2004. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

Applicant: Aqua Pennsylvania, Inc.

Through and By Counsel: Frances P. Orth, Esquire, 762 West Lancaster Avenue, Bryn Mawr, PA 19010.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 04-1761. Filed for public inspection September 17, 2004, 9:00 a.m.]

Water Service

A-212955F0013. Superior Water Company, Inc. Application of Superior Water Company, Inc. for approval to begin to offer, render, furnish or supply water service to the public in portions of Lower Pottsgrove Township, Montgomery County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before October 4, 2004. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

Applicant: Superior Water Company, Inc.

Through and By Counsel: Louise A. Knight, Esquire, Edward G. Lanza, Esquire, Saul Ewing, LLP, 2 North Second Street, 7th Floor, Harrisburg, PA 17101.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 04-1762. Filed for public inspection September 17, 2004, 9:00 a.m.]

PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

Hearings Scheduled

Hearings have been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's (System) denial of claimants' requests concerning the indicated accounts.

The hearings will be held before a hearing examiner at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

November 3, 2004	Thomas F. Doyle	10 a.m.
	William G. Gormley	
	Theodore Kirsch	
	Jacob B. Steinberg	
	(Final Average Salary)	

Persons with a disability who wish to attend the listed hearings and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Marilyn Fuller-Smith, Assistant to the Executive Director, at (717) 720-4921 to discuss how the System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

JEFFREY B. CLAY,
Executive Director

[Pa.B. Doc. No. 04-1763. Filed for public inspection September 17, 2004, 9:00 a.m.]

Hearing Scheduled

A hearing has been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's (System) denial of claimant's request concerning the indicated account.

The hearing will be held before a hearing examiner at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

December 1, 2004	James R. Salsbury (D)	1 p.m.
	(Death Benefit)	

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Marilyn Fuller-Smith, Assistant to the Executive Director, at (717) 720-4921 to discuss how the System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

JEFFREY B. CLAY,
Executive Director

[Pa.B. Doc. No. 04-1764. Filed for public inspection September 17, 2004, 9:00 a.m.]

STATE BOARD OF NURSING

Bureau of Professional and Occupational Affairs v. Phillip N. Rowland, L.P.N.; Doc. No. 0757-51-03

On January 7, 2004, Phillip N. Rowland, L.P.N., of Pittsburgh, Allegheny County had license no. PN-257089-L revoked based on findings that he had a temporary practice permit revoked by the proper licensing authority of another state.

Persons may obtain a copy of the adjudication by writing to Teresa Lazo-Miller, Board Counsel, State Board of Nursing, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represents the final State Board of Nursing (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of the petition for review. The Board contact for receiving service of appeals is the previously named Board counsel.

JANET HUNTER SHIELDS, MSN, CRNP, CS,
Chairperson

[Pa.B. Doc. No. 04-1765. Filed for public inspection September 17, 2004, 9:00 a.m.]

STATE HARNESS RACING COMMISSION

Evidentiary Hearing Regarding Valley View Downs, LP (Centaur) 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 December 27, 2002, by Valley View Downs, LP (Centaur), in which the limited partnership seeks approval to conduct live harness racing and pari-mutuel wagering at a proposed facility to be built in South Beaver Township, Beaver County. An evidentiary hearing

concerning this matter will be held on November 9, 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 hearings) 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 by 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, on or before September 30, 2004, by 4:30 p.m. 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 30, 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. 04-1766. Filed for public inspection September 17, 2004, 9:00 a.m.]
