

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 October 5, 2004.

BANKING INSTITUTIONS

Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
9-28-04	ESB Financial Corporation, Ellwood City, to acquire 100% of PHSB Financial Corporation, Beaver Falls	Ellwood City	Filed
9-29-04	F. N. B. Corporation, Hermitage, to acquire 100% of the voting shares of Slippery Rock Financial Corporation, Slippery Rock	Hermitage	Approved
9-29-04	Sterling Financial Corporation, Lancaster, to acquire 100% of the voting shares of The Pennsylvania State Banking Company, Camp Hill	Lancaster	Approved
As a result of the holding company merger, Pennsylvania State Bank, Camp Hill, a wholly owned banking subsidiary of The Pennsylvania State Banking Company, will become a wholly owned subsidiary of Sterling Financial Corporation.			
10-1-04	Leesport Financial Corp., Wyomissing, acquired 100% of the voting shares of Madison Bancshares Group, Ltd., Blue Bell	Wyomissing	Effective
10-1-04	Omega Financial Corporation, State College, acquired 100% of Sun Bancorp, Inc., Lewisburg, and thereby indirectly acquired Sun Bank, Lewisburg, which was merged with and into Omega Bank, N. A., State College	State College	Effective
As a result of this transaction, Sentry Trust Company, Chambersburg, a nondepository trust subsidiary of Sun Bank, was acquired by Omega Financial Corporation and became a subsidiary of Omega Bank, N. A.			

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-28-04	ESB Savings Bank, Ellwood City, and Peoples Home Savings Bank, Beaver Falls Surviving Institution— ESB Savings Bank, Ellwood City	Ellwood City	Filed
9-30-04	First Financial Bank Downingtown Chester County Purchase of assets/assumption of liabilities of one branch of PNC Bank, N. A., Pittsburgh, Located at: Pennsylvania Avenue and First Street Avondale Chester County	Downingtown	Filed

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-1-04	Leesport Bank, Wyomissing, and The Madison Bank, Blue Bell Surviving Institution— Leesport Bank, Wyomissing	Wyomissing	Effective
	As a result of the merger, all branches of The Madison Bank, including the former main office, will become branches of Leesport Bank. 1767 Sentry Parkway West Blue Bell Montgomery County		

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-7-04	Stonebridge Bank Exton Chester County	600 West Germantown Pike Plymouth Meeting Montgomery County	Opened
9-22-04	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	Medford Acme 175 Route 70 Medford Burlington County, NJ	Opened
9-24-04	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	Broomall Acme Lawrence Park Shopping Center 1991 Sproul Road Broomall Delaware County	Opened
9-28-04	First Financial Bank Downingtown Chester County	321 North Third Street Oxford Chester County	Filed
9-28-04	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	Acme 720 Downingtown Pike West Chester Chester County	Opened
9-29-04	Royal Bank America Narbeth Montgomery County	7001 West Chester Pike Upper Darby Delaware County	Opened
9-30-04	First CornerStone Bank King of Prussia Montgomery County	Ridley Shopping Center 160 Morton Avenue Ridley Park Delaware County	Approved
10-1-04	Greenville Savings Bank Greenville Mercer County	3302 Wilmington Road New Castle Lawrence County	Filed
10-4-04	First Commonwealth Bank Indiana Indiana County	Pittsburgh Mills Circle Frazer Township Allegheny County	Filed

Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-30-04	Farmers First Bank Lititz Lancaster County	<i>To:</i> 1570 Manheim Pike Lancaster Lancaster County <i>From:</i> 2006 Miller Road East Petersburg Lancaster County	Filed
10-4-04	Fulton Bank Lancaster Lancaster County	<i>To:</i> 2057 South Queen Street York Township York County <i>From:</i> 2081 Springwood Road York Township York County	Filed

Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-30-04	The Madison Bank Blue Bell Montgomery County	Summit Square Shopping Center Route 413 and Doublewoods Road Langhorne Bucks County	Effective
9-30-04	The Madison Bank Blue Bell Montgomery County	One Abington Plaza 101 Old York Road Jenkintown Montgomery County	Effective

Articles of Amendment

<i>Date</i>	<i>Name of Bank</i>	<i>Purpose</i>	<i>Action</i>
9-30-04	Prudential Trust Company Scranton Lackawanna County	Amendment to Article III reflects the removal of references to "The Prudential Insurance Company of America" from the purpose clause.	Effective

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

No activity.

A. WILLIAM SCHENCK, III,
Secretary

[Pa.B. Doc. No. 04-1919. Filed for public inspection October 22, 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 & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0000736	Keystone Powdered Metal Company 251 State Street St. Marys, PA 15857	City of St. Marys Elk County	Iron Run and Elk Creek 17-A	Y
PA0000329	Pennsylvania American Water—Ellwood WTP 800 West Hersheypark Drive Hershey, PA 17033	Wayne Township Lawrence County	Slippery Rock Creek 20-C	Y
PA0104043	Grandview Acres Mobile Home Park 3104 Hadley Road Mercer, PA 16130	Perry Township Mercer County	Unnamed Tributary to Little Shenango 20-A	Y
PA0221601	Allegheny Valley Development P. O. Box 258 Tionesta, PA 16353-0258	Tionesta Township Forest County	Allegheny River 16-E	Y
PA0101851	Sitsters of the Humility of Mary Villa Maria Community Center 225 Villa Maria Road Villa Maria, PA 16155-0906	Pulaski Township Lawrence County	Unnamed Tributary to Coffee Run	Y
PA0101826	Woodland Meadows Mobile Home Park P. O. Box 29 Meridian Branch, PA 16001	Connoquenessing Township Butler County	Unnamed Tributary to Little Connoquenessing Creek	Y

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

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

PA0243981, Sewage, **Elizabeth Zimmer**, 1080 Old Sumneytown Pike, Harleysville, PA 19438. This proposed facility is located in Upper Salford Township, **Montgomery County**.

Description of Proposed Activity: This application is for issuance of a new NPDES permit to discharge treated sewage from a duplex residence (small flow sewage treatment plant) at the previous address to Vaughn Run, a tributary to Perkiomen Creek. The treatment plant will replace an existing malfunctioning on-lot sewage disposal system.

The receiving stream, Vaughn Run, is in the State Water Plan watershed 3E—Perkiomen and is classified for: trout stocking fishery, aquatic life, water supply and recreation. The nearest downstream public water supply intake for the Suburban Water Company is located on the Perkiomen Creek, approximately 15 miles below the point of discharge.

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

<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			15	30	
Total Suspended Solids (TSS)			10	20	
Total Residual Chlorine			Monitor and Report		
Fecal Coliform			200#/100ml		
pH	within limits of 6.0 and 9.0 standard units at all times				

The EPA waiver is in effect.

PA0056294, Sewage, **Bart Golf Club, Inc. T/A Hickory Valley Golf Club**, 1921 Ludwig Road, Gilbertsville, PA 19525. This application is for renewal of an NPDES permit to discharge treated sewage from the Bart Golf Club, Inc. T/A Hickory Valley Golf Club in New Hanover Township, **Montgomery County**. This is an existing discharge to Swamp Creek.

The receiving stream is classified for the following uses: trout stocking fishery, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001, based on an average flow of 1,500 gpd, are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅		
(5-1 to 10-31)	10	20
(11-1 to 4-30)	20	40
Suspended Solids	10	20
Ammonia (as N)		
(5-1 to 10-31)	3.0	6.0
(11-1 to 4-30)	9.0	18.0
Total Residual Chlorine	1.0	2.0
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 units at all times	

The EPA waiver is in effect.

PA0027421, Sewage, SIC 4952, **Norristown Municipal Waste Authority**, 235 East Airy Street 2nd Floor, Norristown, PA 19401. This proposed facility is located in Norristown Borough, **Montgomery County**.

Description of Proposed Activity: Application is for renewal of an NPDES permit to discharge treated sewage from the Norristown Borough WWTP in Norristown Borough, Montgomery County. This is an existing discharge to the Schuylkill River.

The receiving stream, Schuylkill River, is in the State Water Plan watershed 3F and is classified for: cold water fishery, aquatic life, water supply, and recreation. The nearest downstream public water supply intake for the Philadelphia Water Department—Queen Lane Intake is located on the Schuylkill River, 11.6 miles below the point of discharge.

The proposed effluent limits for Outfalls 001 and 002 are based on a design flow of 9.75 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	2,030	3,250	25	40	50
Total Suspended Solids	2,440	3,660	30	45	60
Ammonia as N	1,630		20		40
Fecal Coliform			200 #/100 ml		
Dissolved Oxygen			Monitor/Report		
pH			between 6—9 STD units at all times		
Total Residual Chlorine			0.5		1.6
Total Copper			Monitor/Report		
Total Lead			Monitor/Report		
Total Zinc			Monitor/Report		

The proposed effluent limitations for Outfalls 003 and 005 (combined sewer overflows) during wet weather conditions are as follows:

<i>Parameters</i>	<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	Monitor/Report	Monitor/Report	Monitor/Report
Total Suspended Solids	Monitor/Report	Monitor/Report	Monitor/Report
Ammonia as N	Monitor/Report	Monitor/Report	Monitor/Report
Fecal Coliform	Monitor/Report	Monitor/Report	Monitor/Report
pH	Monitor/Report	Monitor/Report	Monitor/Report

The proposed effluent limits for Outfall SW003 (stormwater) are as follows:

<i>Parameter</i>	<i>Concentration (mg/l) Maximum Daily</i>
CBOD ₅	Monitor/Report
COD	Monitor/Report
Oil and Grease	Monitor/Report
pH	Monitor/Report
Total Suspended Solids	Monitor/Report
Total Kjeldahl Nitrogen	Monitor/Report
Total Phosphorus	Monitor/Report
Fecal Coliform	Monitor/Report
Iron (Dissolved)	Monitor/Report

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

1. Average Weekly Definition
2. Remedial Measures if Unsatisfactory Effluent
3. No New Sources of Stormwater
4. Acquire Necessary Property Rights
5. Sludge Report Form and Monthly Operations Report Forms Submission
6. Test Specifications
7. Change in Ownership
8. IW Pretreatment
9. TRC Data
10. Sludge Handling
11. Discharge Specific Data
12. WET Testing
13. CSO/LTCP Requirements
14. Stormwater Only Outfall

The EPA waiver is not in effect.

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

PA0029017-A1, Sewage, **Schuylkill Haven Municipal Authority**, 12 West Main Street, Schuylkill Haven, PA 17972-1900. This proposed facility is located in Schuylkill Haven Borough, **Schuylkill County**.

Description of Proposed Activity: Amendment of existing NPDES permit.

The receiving stream, Schuylkill River, is in the State Water Plan watershed #3A and is classified for: cold water fishery. The nearest downstream public water supply intake for the Pottstown Water Authority is located on the Schuylkill River, over 40 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 2.8 MGD.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N (5-1 to 10-31)	16		
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		
pH	6.0 to 9.0 standard units at all times		
Total Residual Chlorine	0.5		1.76

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

1. WETT Monitoring
2. Operation/Implementation Pretreatment Program

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

PA0098132, Industrial Waste, SIC, 4941, **Garrett Borough**, P. O. Box 218, Garrett, PA 15542. This application is for renewal of an NPDES permit to discharge treated process water and stormwater from the Garrett Borough Water Facility in Summit Township, **Somerset County**.

The following effluent limitations are proposed for discharge to the receiving waters, Casselman River, classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply, and recreation. The first existing/proposed downstream potable water supply is the Ohiopyle Borough Municipal Water Works, P. O. Box 83, Ohiopyle, PA 15470, 33 miles below the discharge point.

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

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow	Monitor and Report				
Suspended solids			30		60
Total residual chlorine			0.5		1.0
Aluminum			4.0		8.0
Iron			2.0		4.0
Manganese			1.0		2.0
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is in effect.

Outfall 002: existing discharge.

This outfall is permitted to discharge uncontaminated stormwater runoff from areas in and around the facility.

PA0032263, Sewage, **Bureau of State Parks, Yellow Creek State Park**, 170 Route 259 Highway, Penn Run, PA 15765-5941. This application is for renewal of an NPDES permit to discharge treated sewage from the Yellow Creek State Park Sewage Treatment Plant in Cherryhill Township, **Indiana County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Yellow Creek Lake, which are classified as a cold water fishery 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 Central Indiana Water Authority.

Outfall 001: existing discharge, design flow of 0.313 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	38		50
Suspended Solids	30	45		60
Fecal Coliform (5-1 to 9-30) (10- 1 to 4-30)	200/100 ml as a geometric mean 2,000/100 ml as a geometric mean			
Total Residual Chlorine	1.4			3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0032263, Industrial Waste, SIC, 4941, **Bureau of State Parks, Yellow Creek State Park**, 170 Route 259 Highway, Penn Run, PA 15765. This application is for renewal of an NPDES permit to discharge treated process water from the Yellow Creek State Park Water Treatment Plant in Cherryhill Township, **Indiana County**.

The following effluent limitations are proposed for discharge to the receiving waters, Yellow Creek Lake, classified as a cold water fishery fishery with existing and/or potential uses for aquatic life, water supply, and recreation. The first existing/proposed downstream potable water supply is the Central Indiana Water Authority.

Outfall 002: existing discharge, design flow of .005 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Iron			2.0		4.0
Manganese			1.0		2.0
Aluminum			4.0		8.0
Suspended Solids			30		60
Total Residual Chlorine			1.4		3.3
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is in effect.

PA0216992, Sewage, **Shannock Valley General Services Authority**, P. O. Box 168, 111 South Center Street, NuMine, PA 16244-0168. This application is for renewal of an NPDES permit to discharge treated sewage from the Yatesboro STP in Cowanshannock Township, **Armstrong County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Cowanshannock Creek, which are classified as a warm water fishery 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 Kittanning Suburban Joint Water Authority on the Allegheny River.

Outfall 001: existing discharge, design flow of 0.22 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				
(5-1 to 10-31)	20	30		40
(11-1 to 4-30)	25	38		50
Suspended Solids	30	45		60
Ammonia Nitrogen				
(5-1 to 10-31)	6.0	9.0		12.0
(11-1 to 4-30)	18.0	27.0		36.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	5,000/100 ml as a geometric mean			
Dissolved Oxygen	not less than 5.0 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

PA0103446, Industrial Waste, **Onyx Greentree Landfill**, 635 Toby Road, Kersey, PA 15846. This proposed facility is located in Fox Township, **Elk County**.

Description of Proposed Activity: an existing discharge of treated industrial waste and stormwater.

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply (stream and public water supplier) considered during the evaluation is the Pennsylvania American Water Co. and the Clarion River located at Clarion, 73 miles below point of discharge.

The receiving stream, Little Toby Creek, is in watershed 17-A and classified for: cold water fishes, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 based on a design flow of 0.053 MGD.

These discharge limits apply in any month in which the daily flow never exceeds 0.053 MGD.

<i>Parameter</i>	<i>Loadings</i>		<i>Concentrations</i>		
	<i>Average Monthly (lb/day)</i>	<i>Maximum Daily (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (MGD)	XX	XX			
BOD ₅			53	163	163
TSS			31	60	77.5
Oil and Grease			50.2	205	205
Fecal Coliform					
(5-1 to 9-30)			200/100ml		
(10-1 to 4-30)			26,000/100ml		
Antimony			0.206	0.249	0.52
Arsenic			0.104	0.162	0.26
Cadmium			0.0962	0.474	0.474
Chromium			3.07	15.5	15.5
Cobalt			0.124	0.192	0.31
Copper			0.757	0.865	1.9
Lead			0.283	1.32	1.32
Mercury			0.000739	0.00234	0.00234
Nickel			1.45	3.95	3.95
Silver			0.0351	0.12	0.12
Tin			0.12	0.409	0.409
Titanium			0.0618	0.0947	0.15
Vanadium			0.0662	0.218	0.218
Zinc			0.42	0.497	1
Acetone			7.97	30.2	30.2
Acetophenone			0.0562	0.114	0.14
2-Butanone			1.85	4.81	4.81

<i>Parameter</i>	<i>Loadings</i>		<i>Concentrations</i>		
	<i>Average Monthly (lb/day)</i>	<i>Maximum Daily (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
o-Cresol			0.561	1.92	1.92
p-Cresol			0.205	0.698	0.698
Phenol			1.08	3.65	3.65
Pyridine			0.182	0.37	0.46
2,4,6-Trichlorophenol			0.106	0.155	0.27
(*) Pentachlorophenol				XX	
(*) Acrylonitrile				XX	
(*) Benzidine				XX	
(*) Benzo(a)anthracene				XX	
(*) Benzo(a)pyrene				XX	
(*) 3,4-benzofluoranthene				XX	
(*) Benzo(k)fluoranthene				XX	
(*) Bis(2-chloroethyl)ether				XX	
(*) Chrysene				XX	
(*) Dibenzo(a,h)anthracene				XX	
(*) 3,3-dichlorobenzidine				XX	
(*) 2,4-dinitrotoluene				XX	
(*) 2,6-dinitrotoluene				XX	
(*) 1,2-dephenylhydrazine				XX	
(*) Hexachlorobenzene				XX	
(*) Indeno(1,2,3-cd)pyrene				XX	
(*) N-nitrosodimethylamine				XX	
(*) Nitrosodi-n-propylamine				XX	
(*) Aldrin				XX	
(*) Chlordane				XX	
(*) 4,4-DDT				XX	
(*) 4,4-DDE				XX	
(*) 4,4-DDD				XX	
(*) Dieldrin				XX	
(*) alpha-BHC				XX	
(*) Heptachlor				XX	
Heptachlor epoxide				XX	
Toxaphene				XX	
pH					within limits of 6.0 to 9.0

The proposed effluent limits for Outfall 001 based on a design flow of 0.36 MGD. These discharge limits apply in any month in which the daily flows exceed 0.25 MGD on any given day.

<i>Parameter</i>	<i>Loadings</i>		<i>Concentrations</i>		
	<i>Average Monthly (lb/day)</i>	<i>Maximum Daily (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (MGD)	XX	XX			
CBOD ₅			36	72	90
TSS			31	60	77.5
Oil and Grease			50.2	205	205
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)			200/100ml 5,600/100ml		
Ammonia Nitrogen (5-1 to 10-31) (11-1 to 04-30)	40.5 121.5	81 243	13.5 40.5	27 81	33.8 101.3
TRC			1		3.4
Antimony	0.13	0.26	0.043	0.086	0.11
Arsenic			0.104	0.162	0.26
Cadmium	0.24	0.48	0.18	0.36	0.2
Chromium			3.07	15.5	15.5
Cobalt			0.124	0.192	0.31
Copper	1	2	0.337	0.674	0.84
Lead	0.54	1.08	0.18	0.36	0.45
(*) Mercury				XX	
Nickel	2.37	4.74	0.79	1.58	2
Silver			0.0351	0.12	0.12
Thallium	0.015	0.03	0.005	0.01	0.013
Tin			0.12	0.409	0.409
Titanium			0.0618	0.0947	0.15
Vanadium			0.0662	0.218	0.218

<i>Parameter</i>	<i>Loadings</i>		<i>Concentrations</i>		
	<i>Average Monthly (lb/day)</i>	<i>Maximum Daily (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Zinc			0.42	0.497	1.05
Acetone			7.97	30.23	0.2
Acetophenone			0.0562	0.114	0.14
2-Butanone			1.85	4.81	4.81
o-Cresol			0.561	1.92	1.92
p-Cresol			0.205	0.698	0.698
Phenol			1.08	3.65	3.65
Pyridine			0.182	0.37	0.46
2,4,6-Trichlorophenol	0.1	0.2	0.034	0.068	0.085
(*) pentachlorophenol				XX	
(*) Acrylonitrile				XX	
(*) Carbon Tetrachloride				XX	
(*) 1,1-dichloroethylene				XX	
(*) Benzidine				XX	
(*) Benzo(a)anthracene				XX	
(*) Benzo(a)pyrene				XX	
(*) 3,4-benzofluoranthene				XX	
(*) Benzo(k)fluoranthene				XX	
(*) Bis(2-chloroethyl)ether				XX	
(*) Chrysene				XX	
(*) Dibenzo(a,h)anthracene				XX	
(*) 3,3-dichlorobenzidine				XX	
(*) 2,4-dinitrotoluene				XX	
(*) 2,6-dinitrotoluene				XX	
(*) 1,2-dephenylhydrazine				XX	
(*) Hexachlorobenzene				XX	
(*) Hexachlorobutadiene				XX	
(*) Indeno(1,2,3-cd)pyrene				XX	
(*) N-nitrosodimethylamine				XX	
(*) Nitrosodi-n-propylamine				XX	
(*) Aldrin				XX	
(*) alpha-BHC				XX	
(*) beta-BHC				XX	
(*) gamma-BHC				XX	
(*) Chlordane				XX	
(*) 4,4-DDT				XX	
(*) 4,4-DDE				XX	
(*) 4,4-DDD				XX	
(*) Dieldrin				XX	
(*) alpha-endosulfan				XX	
(*) beta-endosulfan				XX	
(*) Endrin				XX	
(*) Heptachlor				XX	
(*) Heptachlor epoxide				XX	
(*) Toxaphene				XX	
pH					within limits of 6.0 to 9.0 standard units

The proposed effluent limits for Outfall 001 based on a design flow of 0.15 MGD. These discharge limits apply in any month in which the daily flow is above 0.053 MGD but does not exceed 0.15 MGD on any given day.

<i>Parameter</i>	<i>Loadings</i>		<i>Concentrations</i>		
	<i>Average Monthly (lb/day)</i>	<i>Maximum Daily (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	XX	XX			
CBOD ₅			53	163	163
TSS			31	607	7.5
Oil and Grease			50.2	205	205
Ammonia Nitrogen					
(5-1 to 10-31)	30	60	24	48	60
(11-1 to 4-30)	90	180	72	144	180
Fecal Coliform					
(5-1 to 9-30)			200/100ml		
(10-1 to 4-30)			10,000/100ml		
Total Residual Chlorine			2.2		7.4
Antimony	0.1	0.2	0.083	0.166	0.21
Arsenic			0.104	0.162	0.26

<i>Parameter</i>	<i>Loadings</i>		<i>Concentrations</i>		
	<i>Average Monthly (lb/day)</i>	<i>Maximum Daily (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Cadmium			0.0962	0.474	0.474
Chromium			3.07	15.5	15.5
Cobalt			0.124	0.192	0.31
Copper			0.757	0.865	1.9
Lead			0.283	1.32	1.32
Mercury	0.00038	0.00076	0.0003	0.0006	0.0075
Nickel			1.45	3.95	3.95
Thallium	0.03	0.06	0.01	0.02	0.025
Silver			0.0351	0.12	0.12
Tin			0.12	0.409	0.409
Titanium			0.0618	0.0947	0.15
Vanadium			0.0662	0.218	0.218
Zinc			0.42	0.497	1.05
Acetone			7.97	30.2	30.2
Acetophenone			0.0562	0.114	0.14
2-Butanone			1.85	4.81	4.81
o-Cresol			0.561	1.92	1.92
p-Cresol			0.205	0.698	0.698
Phenol			1.08	3.65	3.65
Pyridine			0.182	0.37	0.46
2,4,6-Trichlorophenol	0.1	0.2	0.078	0.16	0.2
Acrolein (*)				XX	
Pentachlorophenol (*)				XX	
Acrylonitrile (*)				XX	
Benzidine (*)				XX	
Benzo(a)anthracene (*)				XX	
Benzo(a)pyrene (*)				XX	
3,4-benzofluoranthene (*)				XX	
Benzo(k)fluoranthene (*)				XX	
Bis(2-chloroethyl)ether (*)				XX	
Chrysene (*)				XX	
Dibenzo(a,h)anthracene (*)				XX	
3,3-dichlorobenzidine (*)				XX	
2,4-dinitrotoluene (*)				XX	
2,6-dinitrotoluene (*)				XX	
1,2-dephenylhydrazine (*)				XX	
Hexachlorobenzene (*)				XX	
Indeno(1,2,3-cd)pyrene (*)				XX	
N-nitrosodimethylamine (*)				XX	
Nitrosodi-n-propylamine (*)				XX	
Aldrin (*)				XX	
alpha-BHC (*)				XX	
Chlordane (*)				XX	
4,4-DDT (*)				XX	
4,4-DDE (*)				XX	
4,4-DDD (*)				XX	
Dieldrin (*)				XX	
Heptachlor (*)				XX	
Heptachlor epoxide (*)				XX	
Toxaphene (*)				XX	
pH			6.0		9.0

The proposed effluent limits for Outfall 001 based on a design flow of 0.25 MGD. These discharge limits apply in any month in which the daily flow is above 0.15 MGD, but does not exceed 0.25 MGD on any given day.

<i>Parameter</i>	<i>Loadings</i>		<i>Concentrations</i>		
	<i>Average Monthly (lb/day)</i>	<i>Maximum Daily (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	XX	XX			
CBOD ₅			40	80	100
TSS			31	60	77.5
Oil and Grease			50.2	205	205
Ammonia Nitrogen					
(5-1 to 10-31)	34	68	16.5	33	41
(11-01 to 4-30)	103	204	49.5	99	123

<i>Parameter</i>	<i>Loadings</i>		<i>Concentrations</i>		
	<i>Average Monthly (lb/day)</i>	<i>Maximum Daily (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)			200/100ml 7,100/100ml		
Total Residual Chlorine			1.4		4.7
Antimony	0.11	0.22	0.055	0.11	0.14
Arsenic			0.104	0.162	0.26
Cadmium			0.0962	0.474	0.474
Chromium			3.07	15.5	15.5
Cobalt			0.124	0.192	0.31
Copper			0.757	0.865	1.9
Lead	0.5	1	0.25	0.5	0.63
Mercury	0.00042	0.00084	0.0002	0.0004	0.0005
Nickel	2.25	4.5	1.08	2.16	2.7
Thallium	0.014	0.028	0.0067	0.014	0.017
Silver			0.0351	0.12	0.12
Tin			0.12	0.409	0.409
Titanium			0.0618	0.0947	0.15
Vanadium			0.0662	0.218	0.218
Zinc			0.42	0.497	1.05
Acetone			7.97	30.2	30.2
Acetophenone			0.0562	0.114	0.14
2-Butanone			1.85	4.81	4.81
o-Cresol			0.561	1.92	1.92
p-Cresol			0.205	0.698	0.698
Phenol			1.08	3.65	3.65
Pyridine			0.182	0.37	0.46
2,4,6-Trichlorophenol	0.1	0.2	0.047	0.094	0.12
Acrolein (*)				XX	
Pentachlorophenol (*)				XX	
Acrylonitrile (*)				XX	
Benzidine(*)				XX	
Benzo(a)anthracene (*)				XX	
Benzo(a)pyrene (*)				XX	
3,4-benzofluoranthene (*)				XX	
Benzo(k)fluoranthene (*)				XX	
Bis(2-chloroethyl)ether (*)				XX	
Chrysene (*)				XX	
Dibenzo(a,h)anthracene (*)				XX	
3,3-dichlorobenzidine (*)				XX	
2,4-dinitrotoluene (*)				XX	
2,6-dinitrotoluene (*)				XX	
1,2-dephenylhydrazine (*)				XX	
Hexachlorobenzene (*)				XX	
Indeno(1,2,3-cd)pyrene (*)				XX	
N-nitrosodimethylamine (*)				XX	
Nitrosodi-n-propylamine (*)				XX	
Aldrin (*)				XX	
alpha-BHC (*)				XX	
Chlordane (*)				XX	
4,4-DDT (*)				XX	
4,4-DDE (*)				XX	
4,4-DDD (*)				XX	
Dieldrin (*)				XX	
Heptachlor (*)				XX	
Heptachlor epoxide (*)				XX	
Toxaphene (*)				XX	
pH	within limits of 6 to 9 standard units at all times				

The proposed effluent limits for Sedimentation Basins 001, 002, 003, 004, 006, 007, 008, 010, 011, A1, B1, B2, D and E, based on a design flow of n/a MGD.

<i>Parameter</i>	<i>Loadings</i>		<i>Concentrations</i>		
	<i>Average Monthly (lb/day)</i>	<i>Maximum Daily (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Chemical Oxygen Demand				XX	
Oil and Grease				XX	

Parameter	Loadings		Concentrations		
	Average Monthly (lb/day)	Maximum Daily (lb/day)	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
pH				XX	
Total Dissolved Solids				XX	
Total Organic Carbon				XX	
Barium				XX	
Cadmium				XX	
Chromium				XX	
Lead				XX	
Mercury				XX	
Magnesium				XX	
Selenium				XX	
Silver				XX	
Ammonia				XX	
Arsenic				XX	
Cyanide				XX	
Nitrate plus Nitrite Nitrogen				XX	
Total Iron				XX	

XX—Monitor and Report.

* See Special Condition 6 in Part C of the permit.

The EPA waiver is in effect.

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

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

WQM Permit No. 6304409, Sewerage, **Tim Zyra**, 150 Lanik Road, Bentleyville PA 15314. This proposed facility is located in Somerset Township, **Washington County**.

Description of Proposed Action/Activity: Application for the construction and operation of a small flow treatment facility to serve the Zyra residence.

WQM Permit No. WQG016104, Sewerage, **Jane Rittenhouse**, R. D. 5, Box 127, Mt. Pleasant, PA 15666. This proposed facility is located in Mount Pleasant Township, **Westmoreland County**.

Description of Proposed Action/Activity: Application for the construction and operation of a small flow treatment facility to serve the Rittenhouse residence.

IV. NPDES Applications for Stormwater Discharges from MS4

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use	DEP Protocol (Y/N)
PAI130544	West Brandywine Township 198 Lafayette Road Coatesville, PA 19320	Chester County	West Brandywine Township	3H Watershed	Y

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 & Address	County	Municipality	Receiving Water/Use
PAI011504071	Peter Kjellerup Dansko Development 8 Federal Road West Grove, PA 19390	Chester	Penn Township	Unnamed Tributary East Branch Big Elk Creek HQ-TSF-MF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024804037	Signature Homes Attn: Daniel Witzczak 610 Farm Lane Doylestown, PA 18901	Northampton	Forks Township	Bushkill Creek HQ-CWF

Monroe County Conservation District: 8050 Running Valley Road, Stroudsburg, PA 18360, (570) 629-3060.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024504027	Parker Realty Co. 320 N. Ninth St. Stroudsburg, PA 18360	Monroe	Stroud Township	Little Pocono Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI084204003	Otter Exploration, Inc. 104 College Street Hudson, OH 44236	McKean	Lafayette Township	Lewis Run and Miam 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 (35 P. S. §§ 721.1—721.17)

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

Permit No. 0904509 , Public Water Supply.	
Applicant	Pennland Bedminster, LP
Township	Bedminster
County	Bucks
Responsible Official	Bernard K. Ciliberto
Type of Facility	PWS
Consulting Engineer	Carroll Engineer Corporation
Application Received Date	October 6, 2004
Description of Action	Construction of a PWS system to serve the proposed Residential Development, approximately 225 single family dwelling units.

Permit No.4604506 , Public Water Supply.	
Applicant	Pottstown Borough Authority
Township	Lower Pottsgrove
County	Montgomery
Responsible Official	Jack Layne
Type of Facility	PWS
Consulting Engineer	BCM Engineers

Application Received Date October 6, 2004
 Description of Action Construction of a 1 million gallon storage tank.
Southwest Region: Water Supply Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Permit No. 0204502, Public Water Supply.

Applicant **Township of Shaler**
 300 Wetzel Road
 Glenshaw, PA 15116
 Township or Borough Glenshaw
 Responsible Official Timothy Rogers,
 Township Manager
 Township of Shaler
 300 Wetzel Road
 Glenshaw, PA 15116
 Type of Facility Water treatment plant
 Consulting Engineer KLH Engineers, Inc.
 5173 Campbells Run Road
 Pittsburgh, PA 15205
 Application Received Date September 2, 2004
 Description of Action Construction of two new aboveground water storage tanks to replace existing, replacement or modification of two existing aboveground storage tanks, construction of new pump station, installation of new waterlines.

Permit No. 2604501, Public Water Supply.

Applicant **Bruderhof Communities in PA, Inc.**
 101 New Meadow Run Drive
 Farmington, PA 15437
 Township or Borough Wharton Township
 Responsible Official Matthew Domer, President
 Bruderhof Communities in PA, Inc.
 101 New Meadow Run Drive
 Farmington, PA 15437
 Type of Facility Private community system
 Consulting Engineer McMillen Engineering
 115 Wayland Smith Drive
 Uniontown, PA 15401
 Application Received Date September 29, 2004
 Description of Action Permitting of new water supply well and existing public water supply facilities.

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

Application No. 1604501, Public Water Supply.

Applicant **East Brady Borough**
 Township or Borough East Brady Borough,
Clarion County
 Responsible Official Mary Lou Wyman, Borough
 Council President

Type of Facility PWS
 Application Received Date October 7, 2004
 Description of Action Update water treatment plant and wells along with a waterline extension to provide water to the Petroleum Valley Regional Water Authority.

MINOR AMENDMENT

Applications Received Under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17)

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

Application No.1504509, Minor Amendment.

Applicant **Pennsylvania American Water Company**
 City of Coatesville
 Responsible Official William C. Kelvington
 800 West Hersheypark Drive
 Hershey, PA 17033
 Type of Facility PWS
 Consulting Engineer Scott M. Thomas
 Pennsylvania American Water Company
 800 West Hersheypark Drive
 Hershey PA, 17033
 Application Received Date October 6, 2004
 Description of Action Blasting and painting the interior and exterior of a water storage tank.

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

Application No. Minor Amendment.

Applicant **Aqua Pennsylvania, Inc.**
 Township or Borough Kingston Township,
Luzerne County
 Responsible Official Richard T. Subasic
 Vice President, General Manager
 Type of Facility PWS
 Consulting Engineer Peter J. Lusardi, P. E.
 CET Engineering Services
 Application Received Date September 16, 2004
 Description of Action The construction of a water storage tank and system interconnections.

Application No. Minor Amendment.

Applicant **Pennsylvania American Water Company**
 Township or Borough Bangor Borough,
Northampton County
 Responsible Official William C. Kelvington
 Vice President of Operations
 Pennsylvania American Water Company
 800 West Hersheypark Drive
 Hershey, PA 17033

Type of Facility	PWS
Consulting Engineer	Scott M. Thomas, P. E. Pennsylvania American Water Company 800 West Hersheypark Drive Hershey, PA 17033
Application Received Date	October 5, 2004
Description of Action	The applicant requests approval to blast and repaint the interior and exterior of a 100,000 gallon elevated tank known as The Roosevelt Street Tank located in Bangor Borough, Northampton County.

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

Application No. 8328-A1-T1, Minor Amendment.

Applicant	Pennsylvania American Water Company 800 West Hersheypark Drive Hershey, PA 17033
Township or Borough	North Strabane Township
Responsible Official	William C. Kelvington, Vice President—Operations Pennsylvania American Water Company 800 West Hersheypark Drive Hershey, PA 17033
Type of Facility	Water tank
Application Received Date	October 5, 2004
Description of Action	Blasting and painting of the interior and exterior of the 5 million gallon ground tank known as the Mapleview Tank.

WATER ALLOCATIONS

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

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

WA-59-1009, Water Allocations, Nelson Township Authority, Nelson Township, Tioga County. The Authority has been granted the right to withdraw a maximum of 49,000 gallons of water per day from the Cowanesque River.

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.

Defense Supply Center Philadelphia and Passyunk Homes, City of Philadelphia, Philadelphia County. Hasan Dogrul, 8725 John J. Kingman Rd., Suite 2833, Fort Belvoir, VA 22060-6222 on behalf of Georgette Galbreth and Leigh Poltrock, Philadelphia Housing Authority, 12 South 23rd St., Philadelphia, PA 19103 and Dan Faust, Delaware River Port Authority, One Port Center, 2 Riverside Dr., P. O. Box 1949, Camden, NJ 08101-1949 has submitted a Notice of Intent to Remediate. The Defense Supply Center Philadelphia and

Passyunk Homes are contaminated with a refined petroleum product. The soil and groundwater were contaminated with petroleum related organic compounds and inorganics. The proposed future use of the now vacant Passyunk Homes property is unknown at this time. The future use of the Defense Supply Center could include commercial or retail office buildings.

Atlantic Metals Corporation, City of Philadelphia, **Philadelphia County**. Donald A. Coleman, P. G., Penn Environmental & Remediation, Inc., 2755 Bergey Rd., Hatfield, PA 19440 on behalf of James Thackray, Orthodox St. Prop., LLC, d/b/a Thackray Crane Rental, Inc., 2071 Byberry Blvd., Philadelphia, PA 19116 has submitted a Notice of Intent to Remediate. The 15-acre site had five underground storage tanks closed. The soil was contaminated with lead and selenium at concentrations that exceed their Act 2 nonresidential soil to groundwater medium-specific concentrations. In addition, several metals: antimony, cadmium, lead and selenium, also one semivolatile organic compound (pentachlorophenol) were detected in groundwater. The future use of the property is to remain nonresidential for commercial use.

Alco Industries Oaks Facility, Upper Providence Township, **Montgomery County**. Peter Beyer, P. G., ERM, Inc., 350 Eagleview Blvd, Suite 200, Exton, PA 19341 on behalf of John Neilson, Highland Oaks, LLC, 2620 Egypt Rd., Norristown, PA 19403 has submitted a Notice of Intent to Remediate. The site groundwater has been impacted by historical operations where plant debris/materials were disposed. Parameters detected in groundwater include tetrachloroethene (PCE), trichloroethene (TCE).

Cellini Prop., Springfield Township, **Montgomery County**. Matthew Grubb, Environmental Maintenance Co., Inc., 1420 E. Mermaid Ln., Glenside, PA 19038 on behalf of Edward Cellini, 218 92nd North Unit, Seal Isle City, NJ 08243 has submitted a Notice of Intent to Remediate. Two out of service storage tanks were removed from property. Soil at the site was impacted with unleaded/leaded gasoline and diesel fuel. The future use of the property is for residential and nonresidential purposes.

1500 S. Front St., City of Philadelphia, **Philadelphia County**. Natalie Hsueh, React Environmental Svc., Inc., 6901 Kingsessing Ave., Philadelphia, PA 19142 on behalf of Isaac Ohayon, Masada Custom Builders, 100 South St., Philadelphia, PA 19147 has submitted a Notice of Intent to Remediate. The area was a lumber storage yard. Soil at the site was impacted with lead and inorganics. A summary of the Notice of Intent to Remediate was reported to have been published in the *Philadelphia Daily News* on September 15, 2004.

201 South Caln Road, Caln Township, **Chester County**. Michael S. Welsh, P. E., Applied Environmental Management, Inc., 16 Chester County Commons, Malvern, PA 19355 on behalf of Tim Townes, Southdown Prop., Inc., 55 Country Club Dr., Downingtown, PA 19335 has submitted a Notice of Intent to Remediate. Contamination is associated with the site's historic use. Metals from coal/coal ash impacted the soil at the site. The only contaminant identified was arsenic. The intended future use of the property is multifamily residential.

Microsoft School, City of Philadelphia, **Philadelphia County**. Scott Smith, P. E., 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 has submitted a Notice

of Intent to Remediate. The soil at the site was impacted with lead, arsenic and benzo(a)pyrene. The intended future use of the property is Microsoft School. A summary of the Notice of Intent to Remediate was reported to have been published in the *Philadelphia Weekly* on October 6, 2004.

Oesterle Tract/Church Hill Estates, Limerick Township, **Montgomery County**. Richard Sacks, P. G., St. Environmental Professionals, Inc., 1514 Harmon Rd., Harleysville, PA 19438 on behalf of Carmen D'Arcangelo, D'Arcangelo Builders, 1900 General Alexander Dr., Malvern, PA 19255 has submitted a Notice of Intent to Remediate. The soil at the site was impacted with lead. A summary of the Notice of Intent to Remediate was reported to have been published in the *Pottstown Mercury* on September 17, 2004

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

GTE Sylvania (Osram) (WO-41), Wellsboro Borough, **Tioga County**, PPL Services Corp., 2 North 9th St, Allentown, PA 18101 has submitted a Notice of Intent to Remediate soils contaminated with mercury. This site located at Jackson Street, Wellsboro, PA is being remediated to meet the Statewide Health Standards.

Champion Bridge (WD-18), Westfield Township, **Tioga County**, PPL Services Corp., 2 North 9th St, Allentown, PA 18101 has submitted a Notice of Intent to Remediate soils contaminated with mercury. This site located at California Rd, Westfield, PA is being remediated to meet the Statewide Health Standards.

Dominion Transmission Inc., Harrison Township, **Potter County**, has submitted an amended Notice of Intent to Remediate soils contaminated with organics. This site is being remediated to meet the site-specific requirements.

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

Works Garage, North Union Township, **Fayette County**. Joe Miller, Chambers Environmental Group, Inc., 629 East Rolling Ridge Drive, Bellefonte, PA 16823 (on behalf of Paula Works, Works Garage, 305 Craig Lane, Hopwood, PA 15455, and Jessica Mangus, Intern, 629 East Rolling Ridge Drive, Bellefonte, PA 16823) has submitted a Notice of Intent to Remediate soil contaminated with leaded and unleaded gasoline, chlorinated solvents, PAHs and other organics. The applicant proposes to remediate the site soils to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Herald-Standard* on September 3, 2004.

DETERMINATION FOR APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Applications received for Determination of Applicability under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash

Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, telephone (412) 442-4000.

General Permit Application No. WMGR038SW010. Tire Visions, Inc., 938 Mine Road, Northern Cambria, PA 15716. Former Greenwich Collieries Facility, 938 Mine Road, Northern Cambria, PA 15716. An application for Determination of Applicability for the general permit for processing and beneficial use of waste tires, tire derived material and tire derived fuel, was received in the regional office on October 5, 2004.

Comments concerning the application should be directed to David Eberle, Facilities Supervisor, Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Persons interested in obtaining more information about the general permit application may contact the Southwest Regional Office at (412) 442-4000. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Applications Received Under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and Regulations to Operate Solid Waste Processing or Disposal Area or Site.

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

Permit Application No. 101247. Keystone Sanitary Landfill, Inc., P. O. Box 249, Dunmore, PA 18512. A major permit modification for an adjustment to Phase II subgrade and final grades of Pads 3—15 at this municipal waste landfill located in Dunmore and Throop Boroughs, **Lackawanna County**. There will be no increase to the landfill's disposal capacity. The application was received in the regional office on September 28, 2004. As of October 6, 2004, it was deemed administratively complete.

AIR QUALITY

NOTICE OF 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 these 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 the proposed Plan Approval or Operating Permit must indicate their interest

to the 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 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. Any comments or protests filed with regional offices must include a concise statement of the objections to the issuance of the plan approval or operating permit and relevant facts, which serve as the basis for the objections. If the Department schedules a hearing, a notice will be published in the *Pennsylvania Bulletin* at least 30 days prior to the date of the hearing. Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodation to participate should contact the regional office identified before the application. TDD users may 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.

48-328-007: Green Knight Economic Development Corp. (2147 Pen Argyl Road, Pen Argyl, PA 18072) for modification of the turbine operation to implement a maintenance program at their Green Knight Energy Center in Plainfield Township, **Northampton County**.

54-329-001: Commonwealth Environmental Systems (P. O. Box 322, Hegins, PA 17938) for construction of an emergency generator at their facility in Frailey and Foster Townships, **Schuylkill County**.

48-322-006: Grand Central Sanitary Landfill, Inc. (1963 Pen Argyl Road, Pen Argyl, PA 18072) for modification to expand the municipal waste landfill at their facility in Plainfield Township, **Northampton County**. This modification will not increase the maximum daily waste acceptance tonnage but will increase the current disposal area at the site by 25 acres.

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

28-05005A: York Refrigeration—Frick (100 CV Avenue, Waynesboro, PA 17268) for modification of their existing metal surface coating operation in the Borough of Waynesboro, **Franklin County**. The modifications include the installation of a replacement paint booth with a dry filter system.

36-05001B: Armstrong World Industries, Inc. (1507 River Road, Marietta, PA 17547) for modifications to the

dry saw operational area of their Marietta ceiling tile plant in East Donegal Township, **Lancaster County**.

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

17-00055A: River Hill Power Co., LLC (94 Spruce Street, Indiana, PA 15701-8424) for construction of a 290 megawatt electric generating facility in Karthaus Township, **Clearfield County**, including a 2,871 mmBtu/hr waste coal fired circulating fluidized bed (CFB) boiler, a steam turbine generator, a #2 fuel oil fired auxiliary boiler for CFB start-up, a mechanical draft wet cooling tower, a diesel fired generator, a diesel fired fire pump, a 50,000 gallon #2 fuel oil aboveground storage tank, as well as materials handling, preparation and storage systems for coal, limestone and ash. The air contaminant emissions from the CFB boiler will be controlled by a limestone injection system with humidified fly ash in-duct recirculation, low NOx burners, selective noncatalytic reduction (SNCR) and a fabric filter baghouse. The facility is subject to the Prevention of Significant Deterioration provisions of 40 CFR 52.21, New Source Review provisions of 25 Pa. Code §§ 127.201—127.217, Federal Acid Rain provisions of 40 CFR Parts 72—78, the case-by-case MACT provisions of 25 Pa. Code § 127.35 and the Best Available Technology requirements of 25 Pa. Code §§ 127.1—127.12.

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

65-00016G: Timken Latrobe Steel (2626 Ligonier Street, P. O. Box 31, Latrobe, PA 15650) for installation of billet grinder and baghouse at Latrobe Plant in Latrobe Borough, **Westmoreland County**. This is a Title V Facility.

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

42-196B: Catalyst Energy, Inc.—Swamp Angel Compressor Station (1/4 mile from Big Shany Road and FR 307, Lewis Run, PA 16738) for installation of a 3,000 cfm natural gas processing plant in Lafayette Township, **McKean County**. The source is subject to NSPS (40 CFR 60, Subpart KKK).

33-107A: Beverage Air (Progress Street, Brookville, PA 15825) for initiation of solvent wiping for preparation of sheet metal and metal parts that will generate approximately 8.17 TPY VOC emissions in the City of Brookville, **Jefferson County**.

Intent to Issue Plan Approvals and Intent to Issue or Amend Operating Permits under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B. These actions may include the administrative amendments of an associated operating permit.

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

36-03005A: Intelligencer Printing Co., Inc. (330 Eden Road, P. O. Box 1768, Lancaster, PA 17608) for installation of a replacement printing press controlled by a thermal oxidizer in Manheim Township, **Lancaster County**. Potential VOC emissions are not expected to increase beyond 7.7 tons per year. The plan approval shall contain additional recordkeeping and operating re-

strictions designed to keep the facility operating within all applicable air quality requirements in the ensuing facility-wide operating permit.

36-03076D: Martin Limestone, Inc. (P. O. Box 550, Blue Ball, PA 17506) for modification of the existing limestone crushing plant at their Weaverland Quarry in East Earl Township, **Lancaster County**. The proposed modifications will not appreciably change emissions from the facility. The crushing plant is subject to 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants. The plan approval and State-only operating permit will include emission limits, monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality standards.

36-03129A: Kalas Manufacturing, Inc.—Plant No. 3 (25 Main Street, Denver, PA 17517) for construction of additional soldering pots and a baghouse in East Cocalico Township, **Lancaster County**. Estimated facility-wide atmospheric lead emissions are less than 1 ton per year. This plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the sources operating within all applicable air quality requirements.

36-05017B: Conestoga Wood Specialties Corp. (245 Reading Road, East Earl, PA 17519) for construction of a new CEFLA Line with their Finishing Line Expansion in East Earl Township, **Lancaster County**. This expansion has a potential to increase the facility's VOC emissions by 15 tons per year. The facility's major sources of emissions include woodworking operations controlled by dust collectors and coating booths, which primarily emit VOCs. This Plan Approval will be incorporated into the facility's Title V operating permit number 36-05017 in accordance with 25 Pa. Code § 127.450 (Administrative Amendment). The Title V operating permit number 36-05017 will contain the emissions, monitoring, recordkeeping, reporting and work practice standards designed to keep the facility operating within the applicable air quality requirements.

67-03122: Key Plastics, LLC (3350-3390 Farmtrail Road, York, PA 17402) for installation of three automated paint lines controlled by dry filters and a regenerative thermal oxidizer in Manchester Township, **York County**. The facility is a non-Title V (State-only) facility. Operations at the facility will result in 5.1 tons per year of VOCs and 1.2 tons per year of combined HAPs. The plan approval will include emission limitations, monitoring, recordkeeping, reporting and work practice standards designed to keep the facility operating within all applicable air quality requirements.

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

24-131H: SGL Carbon LLC (900 Theresia Street, St. Marys, PA 15857) for use of Freon 134a as a process gas for their Vacuum Out Gas Furnace (Source 7101) and their Purification Furnaces (Source 7000) in City of St. Marys, **Elk County**. This is a Title V facility. The public notice is required for sources required to obtain a Plan Approval at Title V facilities in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V operating permit through an administrative amendment at a later date. The source shall comply with the following conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate Best Available Technology for the source:

- The source shall comply with all the conditions in their Title V permit.

- The Freon (HFC 134a) addition rate shall be less than 6 pounds per hour. Compliance with the Freon (HFC 134a) addition rate limit will be shown through recordkeeping.

- The HF emissions shall be less than 1ppmv. Compliance with the HF emission limitation will be shown through an initial Drager Tube test with subsequent quarterly Drager Tube testing. The Drager Tube test will consist of two tests done at 1-hour intervals at or near the maximum Freon (HFC 134a) addition rate.

20-175B: Cardinal Home Products (205 North Pymatuning Street, Linesville, PA 16424) for post construction of a secondary flow coat line and an increase in site VOC emissions at their facility in the Borough of Linesville, **Crawford County**.

In accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department intends to issue a plan approval to for post construction of a secondary flow coat line and an increase in site VOC emissions at their facility in the Borough of Linesville, Crawford County. This plan approval will be incorporated into a State Only operating permit at a later date. Issuance of the plan approval is recommended with the appropriate conditions in the plan approval:

1. This source is subject to 25 Pa. Code §§ 123.1, 123.13, 123.31 and 123.41 for fugitive, particulate matter, odor and visible emissions, respectively.

2. The source shall use coatings that are compliant with 25 Pa. Code § 129.52, Table I(10)(e) for the category air dried miscellaneous metal parts and products, only.

3. In accordance with 25 Pa. Code § 127.12(a)(5), best available technology, coatings used in the secondary red coating line shall be water based, or shall have VOC contents comparable to Plan Approval application defined coating (maximum 6.67 lbs VOC/gallon coating solids). Proposed changes in coatings and formulations shall be indicated to the Department for review at least 2 weeks prior to implementation.

4. The sources hours of operation shall not exceed 1,500 hours per year, defined as any 12 month rolling period.

5. A monthly log of hours of operation of the source shall be kept. The monthly total will be added to the previous 11 months to assure compliance with condition 4.

6. VOC emissions from the facility shall not exceed 35.0 TPY, to be defined as any 12 month rolling period.

7. A monthly log of VOC emissions from all sources shall be kept. The monthly total will be added to the previous 11 months to assure compliance with condition 6.

8. Records of coating usage shall be maintained in accordance with 25 Pa. Code § 129.52(c). Daily records shall be maintained of coating usage, gallons of diluents used and density of diluents used. The records shall be maintained for a period of 5 years, and shall be made available to the Department upon request.

9. The temperature of the drying oven shall be less than 200°F.

10. Excepting the increase in allowable VOC emissions, above, all other conditions in previous plan approvals shall remain in effect.

OPERATING PERMITS

Intent to Issue Title V Operating Permits under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter G.

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

15-00037: Oberthur Card Systems, Inc. (523 James Hance Court, Exton, PA 19341) for renewal of their Title V Operating Permit in West Whiteland Township, **Chester County**. The initial permit was issued on December 10, 1999. The facility is a manufacturing facility that operates both nonheatset lithography and screen-printing presses for the production of printed credit and electronic access cards. As a result of potential emissions of VOCs the facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments, and is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The proposed Title V Operating Renewal does not reflect any change in air emissions from the facility. The facility is not subject to Compliance Assurance Monitoring (CAM) under to 40 CFR Part 64.

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

19-00007: Transcontinental Gas Pipeline Corp. (2800 Post Oak Boulevard, P. O. Box 1396, Houston, TX 77251) for renewal of the Title V Operating Permit for their Jackson Township facility in Jackson Township, **Columbia County**. The facility's sources include four turbine compressor engines, four space heaters, four storage tanks, one parts washer, one auxiliary generators, one water heater, one glycol heater and associated pipeline flanges and valves, which have the potential to emit major quantities of NOx. The facility has the potential to emit VOCs, PM/PM10, CO, HAPs and SOx below the major emission thresholds. The four engines are subject to 40 CFR 60.330—60.335. The proposed Title V operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

63-00066: Wheeling Pittsburgh Steel Corp. (1 Wheeling Pittsburgh Steel Drive, Allenport, PA 15412) for cold finishing of steel at Allenport Plant in **Washington County**. This is a Title V renewal.

Intent to Issue Operating Permits under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.

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

09-00010: TEVA Pharmaceuticals USA, Inc. (650 Cathill Road, Sellersville, PA 18960) for a non-Title V, State Only, Synthetic Minor Operating Permit in West Rockhill Township, **Bucks County**. TEVA Pharmaceuticals USA Inc. manufactures granular pharmaceutical products that emit volatile organic compounds in the drying process. Volatile organic compounds are limited through this permit to 24 tons per year from these drying processes. There are two boilers that operate on no. 4 fuel

oil and one boiler that operate on no. 2 fuel oil at this facility. The facility also operates two fire pumps and an emergency generator. These fuel-fired sources have the potential to emit 18 tons of nitrogen oxides per year, 60 tons of sulfur oxides per year, and 3 tons of particulate matter emissions per year. Monitoring, recordkeeping and reporting requirements have been added to the permit to address applicable limitations.

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

41-00062: Wheeland Lumber Co., Inc. (R. R. 1, Box 220B, Liberty, PA 16930) for their lumber mill facility in Jackson Township, **Lycoming County**. The facility's main source includes two stoker wood-fired boilers for producing steam for lumber-drying kilns. Other sources at the facility include a two emergency generators, one parts cleaning station and one (1) oil-fired office furnace. These sources have the potential to emit PM (PM10), NOx, SOx, CO and VOCs below the major emission thresholds. The proposed operating permit contains all applicable regulatory requirements including monitoring, recordkeeping, and reporting conditions.

**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 Act (52 P. S. §§ 30.51—30.66); the Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). Mining activity permits issued in response to such 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 the application is available for inspection at the District Mining Office indicated before each application. Where a 401 Water Quality Certification is needed for any aspect of a

particular proposed mining activity, the submittal of the permit application will serve as the request for such 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 same address 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—123 and 86.31—34 (relating to public notices of filing of permit applications, opportunity for comment, and informal conferences).

Where any of the following mining activities 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 to the previous, 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 which have requested review of the 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 those requirements. Written comments or objections should contain the name, address and telephone number of persons submitting comments or objections; 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; application number; a brief summary of the issues to be raised by the requestor at the conference; and a statement whether the requestor desires 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.

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

11031301. NPDES Permit No. PA0235539, AMFIRE Mining Company, LLC (One Energy Place, Latrobe, PA 15650), to revise the permit for the Madison Mine in

Jackson Township, **Cambria County** to add surface activity site acres to install ventilation boreholes, Surface Acres Proposed 4.4. No additional discharges. Application received September 21, 2004.

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

32040201 and NPDES Permit No. PA0249645. Robindale Energy Services, Inc., 224 Grange Hollow Road, P. O. Box 228, Armagh, PA 15920, commencement, operation and restoration of a bituminous surface mine in Center and Blacklick Townships, **Indiana County**, affecting 79.1 acres. Receiving streams: unnamed tributary to Two Lick Creek classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received September 30, 2004.

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

33940102 and NPDES Permit No. PA0211923. Mahoning Mining, Inc. (P. O. Box 44, New Bethlehem, PA 16242-0044). Renewal of an existing bituminous surface strip and auger operation in Knox Township, **Jefferson County** affecting 101.0 acres. Receiving streams: two unnamed tributaries to Lick Run, classified for the following use: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: October 5, 2004.

Noncoal Permit Applications Received

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

64022802. Tompkins Bluestone Co., Inc., (P. O. Box 776, Hancock, NY 13783), Stage I & II bond release for a quarry operation in Scott Township, **Wayne County** affecting 4.0 acres on property owned by Thomas J. Toton, Jr. Application received October 4, 2004.

64022803. Tompkins Bluestone Co., Inc., (P. O. Box 776, Hancock, NY 13783), Stage I & II bond release for a quarry operation in Scott Township, **Wayne County** affecting 4.0 acres on property owned by Thomas and Joyce Toton. Application received October 4, 2004.

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

20870304 and NPDES Permit No. PA0242578. Heritage Excavating & Stone (P. O. Box 462, Wampum, PA 16157). Revision to an existing sandstone operation in South Shenango Township, **Crawford County** affecting 37.8 acres. Receiving streams: Unnamed tributary to Pymatuning Reservoir, classified for the following use: WWF. The first downstream potable water supply intakes from the point of discharge are the Borough of Jamestown and Greenville Water Authority. Revision to add an NPDES permit. Application received: October 7, 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. 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 ap-

proval of a request for certification under section 401 or to the issuance of a Dam Permit or Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment must submit any comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted previous 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. Each individual 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 office noted above the application.

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 the specified program. TDD users may 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 Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E15-727. DOT, 7000 Geerdes Boulevard, King of Prussia, PA 19046, Wallace Township, **Chester County**, ACOE Philadelphia District.

To remove the existing timber beam bridge and to construct and maintain, in its place, a reinforced concrete box culvert across the North Branch of Indian Run (HQ-CWF). The proposed culvert will have a clear span of 18.0 feet and a minimum underclearance of approximately 4.0 feet. The proposed culvert will be depressed an additional 1-foot below the streambed to provide for fish passage. This work also includes placement and maintenance of associated riprap protection at the existing outfall pipe and temporary sand bag cofferdam. The site is located just southwest of the intersection of Springton Road (S. R. 4021) and Indiantown Road (S. R. 4023) (Wagontown, PA USGS Quadrangle N: 14.0 inches; W: 4.4 inches).

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

E45-471. John McGowan & Sons, Inc., 2636 Aquetong Road, New Hope, PA 18938, in Middle Smithfield Township, **Monroe County**, U. S. Army Corps of Engineers, Philadelphia District.

To maintain fill that was placed in a de minimis area of wetlands equal to 0.003 acre during the construction of a deck attached to a single family dwelling. The project is located at Lot 132-A of Country Club of the Poconos

residential subdivision on the south side of Fairway Drive West (Bushkill, PA-NJ Quadrangle N: 11.8 inches; W: 14.5 inches).

E64-249. Roger Dirlam and Melvin Plucknett, R. R. 6, Box 6825, Honesdale, PA 18431-9655, in Texas Township, **Wayne County**, U. S. Army Corps of Engineers, Philadelphia District.

To maintain fill that was placed in approximately 0.22 acre of wetlands, within the drainage basin of the Lackawaxen River, for the purpose of rough grading a site for a future commercial development. The applicant is proposing to create 1.25 acres of wetlands on-site as mitigation. The project is located along the east side of S. R. 0191, approximately 0.5 mile south of the intersection of S. R. 0191 and T-478. (Honesdale, PA Quadrangle N: 8.2 inches; W: 0.1 inch).

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

E36-788. Mark Hoover, 1173 Reading Road, Narvon, PA 17555 in Brecknock Township, **Lancaster County**, ACOE Baltimore District

Mark Hoover proposes to construct and maintain one concrete and steel beam bridge and one suspension pedestrian bridge spanning Muddy Creek (WWF) located on the Terre Hille, PA Quadrangle (Latitude: 40° 11' 28"; W: 76° 01' 21") in Brecknock Township, Lancaster County.

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

E02-1480. Borough of West Mifflin, 3000 Lebanon Church Road, West Mifflin, PA 15122. West Mifflin Park culvert replacement in the Borough of West Mifflin, **Allegheny County**, Pittsburgh ACOE District (Glassport, PA Quadrangle N: 19.9 inches; W: 1.2 inches and Latitude: 40° 21' 35"—Longitude: 79° 53' 00"). The applicant proposes to remove the existing 78-inch diameter stream enclosure and to construct and maintain a new 78-inch diameter stream enclosure 135.0 feet in length in an unnamed tributary to Thompson Run (WWF) for the purpose of improving the entrance road to West Mifflin Park. The project is located on the north side of Bettis Road, approximately 1,500 feet southwest from the intersection of Union Road and Bettis Road and will impact, along with the temporary road crossing (20 feet long), 155.0 linear feet of stream channel.

E02-1481. McKeesport Housing Authority, 2901 Brownlee Avenue, McKeesport, PA 15132-1759. Renovate Harrison Village in the City of McKeesport, **Allegheny County**, Pittsburgh ACOE District (McKeesport, PA Quadrangle N: 16.7 inches; W: 16 inches and Latitude: 40° 20' 31"—Longitude: 79° 51' 53"). The applicant proposes to renovate the existing R. B. Harrison Village along the right bank of the Youghiogheny River (WWF). The project is located on the south side of 12th Street, just south from the intersection of 12th Street and Ross Street and will not impact the Youghiogheny River or wetlands. The project consists of building demolition and reconfiguration of existing buildings, roadways and parking areas.

E02-1482. Port Authority of Allegheny County, 345 Sixth Avenue, 3rd Floor, Pittsburgh, PA 15222-2527. Light Rail Transit twin tunnel subway in the City of Pittsburgh, **Allegheny County**, Pittsburgh ACOE District. Project begins at (Pittsburgh West, PA Quadrangle N: 12.0 inches; W: 0.6 inch and Latitude: 40° 26' 28"—Longitude: 80° 0' 16") and Project Ends at (Pittsburgh

West, PA Quadrangle N: 13.2 inches; W: 2.8 inches and Latitude: 40° 26' 52" and Longitude: 89° 1' 12"). The applicant proposes to construct and maintain a twin tunnel subway beneath the Allegheny River (WWF) consisting of two 850-foot long, 22-foot diameter boreholes, to construct and maintain two temporary 200-foot long by 20-foot wide coffer dams, one along the north shore and one along the south shore of the Allegheny River and to construct and maintain the Allegheny LRT station and five piers that support the aerial rail line in the 100 year flood plain fringe of the Allegheny River. The proposed work will extend the existing 25.0-mile LRT system an additional 1.2 miles from the existing Gateway Station in the Pittsburgh central business district to Spout Way on the North Shore. The project is located in the City of Pittsburgh. The proposed impacts are to temporarily affect 400 linear feet of the Allegheny Shore line to permanently affect 570 square feet of floodway fringe. There are no permanent impacts to the river and no vegetated wetlands to be impacted.

E32-465. Exotic Oil & Gas, LLC, 1 Indian Springs Road, Indiana, PA 15701. Pipe culvert in Cherryhill Township, **Indiana County**, Pittsburgh ACOE District. (Commodore, PA Quadrangle N: 5.0 inches; W: 12.15 inches and Latitude: 40° 39' 8"—Longitude: 78° 57' 45"). The applicant proposes to remove the existing structure and to construct and maintain a 30.0-foot long, 60-inch corrugated metal pipe culvert in Browns Run (CWF) for the purpose of accessing a gas well located off of Route 403, 6,000 feet north of its intersection with Route 580.

E32-466. Ruben D. Byler, 31 Windows Road, Smicksburg, PA 16256. Pipe Culvert in West Mahoning Township, **Indiana County**, Pittsburgh ACOE District (Plumville, PA Quadrangle N: 20.8 inches; W: 5.1 inches and Latitude: 40° 52' 00"—Longitude: 79° 09' 30"). The applicant proposes to operate and maintain an existing two 48-inch corrugated plastic pipe culvert having a length of 22.0 feet in an unnamed tributary to Little Mahoning Creek (HQ-CWF) for the purpose of providing access to a residence. The project is located east of S. R. 954, 500 feet from its intersection with T-396.

E63-565. Department of Transportation, Engineering District 12-0, P. O. Box 459, Uniontown, PA 15401. S. R. 2044 Bridge replacement project in Fallowfield Township, **Washington County**, Pittsburgh ACOE District (Monongahela, PA Quadrangle N: 1.7 inches; W: 16.5 inches and Latitude: 40° 8' 4"—Longitude: 79° 59' 35"). The applicant proposes to remove the existing structure and: (1) to construct and maintain a precast concrete spread box beam bridge having a normal span of 29.5 feet and an underclearance of 7.58 feet over Pigeon Creek (WWF); and (2) to construct and maintain four 18-inch diameter pipe outfalls in Pigeon Creek (WWF). The project proposes to directly impact 100 linear feet of perennial stream; no vegetated wetlands will be impacted.

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

E25-693. Harborcreek Township, 5601 Buffalo Road, Erie, PA 16421. Shades Beach Boat Launch, in Harborcreek Township, **Erie County**, ACOE Pittsburgh District (Harborcreek, PA Quadrangle N: 12.0 inches; W: 5.1 inches).

The applicant proposes to remove the existing boat launch facility and for the purposes of improving boater safety, providing an efficient boat launch and improving public access to Lake Erie. The applicant proposes to

construct and maintain a protected boat launch including maintenance dredging in Lake Erie at Shades Beach adjacent to the mouth of Eightmile Creek approximately 0.4 mile north of the intersection of S. R. 5 and Bartlett Road: (1) to construct an approximately 530-foot long, 50-foot wide L-shaped, rubble mound, west breakwall with concrete walkway extending approximately 270 feet into Lake Erie; (2) to construct an approximately 240 foot long, 50-foot wide rubble mound, east breakwall with concrete walkway extending approximately 170 feet into Lake Erie; (3) to construct a four launch lane, reinforced concrete boat launch and armored slope having dimensions of approximately 65 feet by 130 feet and having two 90-foot long steel docks; (4) to construct a 250 foot by 75 foot parking and boat launch entrance area; and (5) to install a fillet beach on the west side of the west breakwall. Project includes dredging of shale to 565.0 feet elevation for project construction, maintenance dredging of the facility, maintenance near-shore sand bar removal, and beach nourishment on Harborcreek Township property immediately east of the boat launch. The project proposes to directly affect a net total of approximately 2.0 acres of Lake Erie. Lake Erie is a perennial body of water classified as a cold water fishery.

E33-223, Department of Transportation, District 10-0, 2550 Oakland Avenue, P. O. Box 429, Indiana, PA 15701-0429. DuBois-Jefferson County Airport Access Road, in Washington Township, **Jefferson County**, ACOE Pittsburgh District (Hazen, PA Quadrangle N: 4.9 inches; W: 2.0 inches).

This project (Phase II) consists of construction of the DuBois-Jefferson County Airport Access Road, designated as S. R. 6830, Section 590. The project consists of a 4.5-mile two-lane full access arterial roadway to provide improved access between Interstate 80 and the DuBois-Jefferson County Airport. Phase 1 of the project consisted of the construction of the DuBois-Jefferson County Airport Access Road I-80 Interchange.

Phase 2 will impact 0.69 acre of wetland and 5,475 linear feet of stream impacts (ephemeral, intermittent and perennial), including the following activities:

1. Replace and existing 48 inch corrugated metal pipe culvert (on S. R. 6830) with an 85 foot long precast reinforced concrete box culvert with a 20 foot span and 9 foot rise over Horm Run (CWF).
2. Construct (on S. R. 6830) a 235 foot long precast reinforced concrete box culvert with a 12 foot span and 9 foot rise over Unnamed Tributary to Horm Run (CWF).
3. Construct (on S. R. 6830) a 141 foot precast reinforced concrete box culvert with a 14 foot span and 9 foot rise over Unnamed Tributary to Keys Run (CWF).
4. 600 linear feet of stream impacts due to the Relocation of 368 linear feet of an unnamed tributary to Keys Run (CWF).
5. 250 linear feet of stream impacts due to the Relocation of 174 linear feet of Horm Run (CWF).

The box culvert floors will be depressed 1 foot below the streambed and will be lined with baffles to encourage the formation of natural streambed and fish passage within the culvert.

0.84 acre of wetlands will be constructed as mitigation for the 0.69 acre of wetland impacts. Phase II wetland impacts will be mitigated at the wetland mitigation site authorized under DEP Permit E33-219 Phase 1 I-80 interchange project.

E37-167, City of New Castle, 230 N. Jefferson Street, New Castle, PA 16101. Grant Street Bridge across Shenango River, in City of New Castle, **Lawrence County**, ACOE Pittsburgh District (New Castle North, PA Quadrangle N: 0.55 inch; W: 14.65 inches).

To remove the existing structure and to construct and maintain a continuous steel multigirder bridge having two clear spans of 130 feet and an underclearance of 14 feet across the Shenango River on Grant Street approximately 1,500 feet west of S. R. 18. Project includes installation of a 15-inch diameter stormwater outfall downstream of the bridge on the west side of the Shenango River and an 18-inch diameter stormwater outfall approximately 100 feet downstream of the bridge along the east side of the Shenango River. The project also includes temporary stream diversion barriers and a construction access causeway consisting of clean rock fill impacting an area measuring approximately 250 feet long by 120 feet wide within the left (west) side of the channel of the Shenango River.

E43-318, Mercer County, 503 Mercer County Courthouse, Mercer, PA 16137. County Bridge 2323 T-423 Hogback Road Across Hogback Run, in City of Hermitage, **Mercer County**, ACOE Pittsburgh District (Sharon East, PA Quadrangle N: 12.55 inches; W: 8.2 inches).

To remove the existing bridge and to construct and maintain a 36-foot long precast concrete arch having a span of 32 feet and a rise of 12 feet across Hogback Run on T-423 Hogback Road approximately 0.8 mile east of Frampton Road.

E61-271, Cherrytree Township Supervisors, 1311 Cherrytree Road, Titusville, PA 16354. T-649 Bridge, in Cherrytree Township, **Venango County**, ACOE Pittsburgh District (Dempseytown, PA Quadrangle N: 16.1 inches; W: 0.1 inch).

The applicant proposes to remove the existing structure and to construct and maintain a single span, composite, steel I-beam having a normal clear span of 33.05 feet and an underclearance of 5.9 feet across an unnamed tributary to Prather Creek on T-649 (Fairview Road) approximately 0.7 mile west of the intersection of T-649 and S. R. 4011. Project includes wing walls, rock riprap protection and permanent PSS wetland impact of 0.02 acre (de minimis). The unnamed tributary to Prather Run is a perennial stream classified as a cold water fishery. Project proposes permanent PSS wetland impact of 0.02 acre (de minimis) and to directly affect a total of approximately 60 linear feet of stream channel.

STORAGE TANKS**SITE-SPECIFIC INSTALLATION PERMITS**

The following Storage Tank Site-Specific Installation Permit application has been received by the Department of Environmental Protection (Department) and is currently under review. Persons wishing to comment on the proposed permit are invited to submit a statement to the Bureau of Land Recycling and Waste Management, Division of Storage Tanks, P. O. Box 8763, Harrisburg, PA 17105-8763, within 30 days from the date of this publication. Comments received within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of the comment and the relevant facts upon which it based.

The following applications have been received for 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.

SSIP

<i>Application No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
04017	Jack Crombie Valspar Corporation 4406 Industrial Park Road Camp Hill PA 17011	Lebanon	North Lebanon Township	1 AST storing glycol ether	5,000 gallons total

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

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0000361	Municipal Authority of Westmoreland County P. O. Box 730 Greensburg, PA 15601	Westmoreland County Bell and Washington Townships	Beaver Run	Y
PA0013820	Allegheny Ludlum Corporation 100 River Road Brackenridge, PA 15014-1597	Allegheny County Brackenridge Borough	Allegheny River	N

This notice reflects changes from the notice published at 34 Pa.B. 3928 (July 24, 2004).

<i>Parameter</i>	<i>(lbs/day)</i>		<i>(mg/l)</i>		<i>Instantaneous Max.</i>
	<i>Avg. Mon.</i>	<i>Max. Daily</i>	<i>Avg. Monthly</i>	<i>Max. Daily</i>	
Flow (MGD)	Monitor and Report				
Total Suspended Solids	1,678.98	448,415	40	50	
Oil and Grease		1,121.48		10	12.5
Total Residual Chlorine			0.5	1.0	1.25
pH			not less than 6.0 nor greater than 9.0 standard units		

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0039225	Blaine E. Rhodes Sewage Company— Reno Village STP P. O. Box 397 Reno, PA 16343-0397	Sugarcreek Borough Venango County	Allegheny River 16-E	Y
PA0220981	Darrell L. Kysor P. O. Box 34 Corry, PA 16407-034	Elgin Borough Erie County	Beaver Run	Y
PA0222976	Albert R. Shouey R.D. 2, Box 113B Worthington, PA 16262	Barnett Township Jefferson County	Unnamed tributary to Cather Run	Y
PA0221023	Christopher S. Arford 942 Hatch Run Road Warren, PA 16365	Glade Township Warren County	Unnamed tributary to Hatch Run	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. PA0011096, Industrial Waste, **Sunoco, Inc (R & M)**, P. O. Box 426, Marcus Hook, PA 19061-0426. This proposed facility is located in Marcus Hook Borough, **Delaware County**.

Description of Proposed Action/Activity: Applicant is granted approval for the renewal to discharge noncontact cooling water and stormwater from the Marcus Hook Refinery into Middle Creek in Watershed 3F.

NPDES Permit No. PA0012815 Amendment No. 1, Industrial Waste, **Sonoco Products Company**, 300 South Brandywine Avenue, Downingtown, PA 19335. This proposed facility is located in Downingtown Borough, **Chester County**.

Description of Proposed Action/Activity: Applicant is granted approval to amend it existing permit to allow compliance time to meet color limits.

NPDES Permit No. PA0031097, Sewage, **Radley Run Sewer Association, Inc.**, 1100 Country Club Road, West Chester, PA 19382. This proposed facility is located in Birmingham Township, **Chester County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge from a facility know as Radley Run Country Club STP into Radley Run in Watershed 3H Brandywine.

NPDES Permit No. PA0051756, Sewage, **State Farm Mutual Automobile Insurance Company**, One State Farm Drive, Concordville, PA 19331. This proposed facility is located in Concord Township, **Delaware County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge from the facility into an UNT to West Branch of Chester Creek in Watershed 3G.

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

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

WQM Permit No. 6293402, Sewerage, **Christopher S. Arford**, 942 Hatch Run Road, Warren, PA 16365. This proposed facility is located in Glade Township, **Warren County**.

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

IV. NPDES Stormwater Discharges from MS4 Permit Actions

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>DEP Protocol (Y/N)</i>
PAI136133	City of Pittsburgh 313 City-County Building 414 Grant Street Pittsburgh PA 15219	Allegheny	City of Pittsburgh	Monongahela River WWF Allegheny River WWF Ohio River WWF	Y

V. NPDES Waiver Stormwater Discharges from MS4 Actions

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>DEP Protocol (Y/N)</i>
PAG133701	North Annville Township 1929 Thompson Ave. Jonestown, PA 17038	Lebanon	North Annville Township	Swatara, Quittapahilla and Killinger Creeks	Y

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 & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI011504047	Jim Law Pond House II Subdivision 92 Millard Road Elverson, PA 19520	Chester	West Nantmeal Township	East Branch Brandywine Creek (HQ-TSF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023904016	Sleep Inn 327 Star Road Allentown, PA 18106	Lehigh	Upper Macungie Township	Little Lehigh Creek HQ-CWF
PAI023904017	Becker Subaru 4611 Hamilton Blvd. Allentown, PA 18103	Lehigh	Lower Macungie Township	Little Lehigh Creek HQ-CWF
PAI024504006	East Stroudsburg Area School District P. O. Box 298 East Stroudsburg, PA 18301	Monroe	Smithfield Township	Delaware River WWF, MF Marshalls Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI045904001	DCNR Bureau of Forestry 1 Nessmuk Lane Wellsboro, PA 16901	Tioga	Elk Township	Kramer Run EV

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 Plant
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 (CSO)
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 & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Franconia Township Montgomery County	PAG2004603205	Village at Salford Mill, LP Knight's Crest Subdivision 404 Sumneytown Pike Suite 200 North Wales, PA 19454	Unnamed Tributary Skippack Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG2015104017	School District of Philadelphia Germantown Athletic Supersite 734 Schuylkill Avenue Philadelphia, PA 19146	Tacony Creek and Delaware River WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Lycoming County Loyalsock Township	PAG2004104009	Victor Engel 1815 Ginny Lane Williamsport, PA 17701	Lycoming Creek WWF	Lycoming County Conservation District 542 County Farm Rd., Suite 202 Montoursville, PA 17754 (570) 433-3003
Union County Kelly Township	PAG2006004011	Kenneth W. Kline EV Hospital 1 Hospital Dr. Lewisburg, PA 17857	UNT Buffalo Creek CWF	Union County Conservation District 88 Bull Run Crossing Suite 5 Lewisburg, PA 17837 (570) 523-8782
Union County East Buffalo Township	PAG2006004012	Angela Vieceli Bucknell University Physical Plant Bldg Lewisburg, PA 17857	UNT Susquehanna River WWF	Union County Conservation District 88 Bull Run Crossing Suite 5 Lewisburg, PA 17837 (570) 523-8782
Armstrong County Manor Township	PAG2000304008	Manor Housing Limited Partnership IV 4415 Fifth Avenue Pittsburgh, PA 15213	Allegheny River WWF	Armstrong County CD (724) 548-3425

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Fayette County Bullskin Township	PAG002604030	Harold Davies 728 McKean Avenue Charleroi, PA 15022	Mounts Creek WWF	Fayette County CD (724) 438-4497
Fayette County Brownsville Borough Luzerne Township	PAG002604031	Brownsville Municipal Authority P. O. Box 330 Jackson Street Brownsville, PA 15425	Monongahela River and Dunlap Creek WWF	Fayette County CD (724) 438-4497
Fayette County Saltlick Township	PAG002604032	Mountain Watershed Association P. O. Box 408 Melcroft, PA 15462	Indian Creek CWF	Fayette County CD (724) 438-4497
Butler County Butler Township	PAG001003029	Safe and Sound Self-Storage Jerome Oliver 100 West Sunbury Road Butler PA 16001	Shearer Run WWF	Butler Conservation District (724) 284-5270
Mercer County City of Hermitage	PAG2004304009	First Assembly of God Church 1455 North Keel Ridge Road Hermitage, PA 16148	Pine Hollow Run WWF	Mercer Conservation District (724) 662-2242
Mercer County City of Hermitage	PAG2004304013	Mercer County Solid Waste Authority 2491 Highland Road Hermitage, PA 16148	Unnamed Tributary to Yellow Creek TSF	Mercer Conservation District (724) 662-2242
Venango County City of Franklin	PAG2006104008	The Reserve at Franklin Andrew Restauri 246 Evergreen Drive Franklin, PA 16323	Unnamed tributary to Allegheny River CWF	Venango Conservation District (814) 676-2832
Venango County Cornplanter Township	PAG2006104006	Holmden 1 Pipeline Belden and Blake Corp. 22811 Titusville Road Pleasantville, PA 16341	Pithole Creek, Allender Run and Unnamed tributary to Allender Run	Venango Conservation District (814) 676-2832

General Permit Type—PAG-3

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Pine Grove Township Schuylkill County	PAR602225	Klinger's Auto Parts & Recycling 107 Birds Hill Road Pine Grove, PA 17963	Tributary to Swatara Creek CWF	NERO Water Mgmt. Program 2 Public Square Wilkes-Barre, PA 18711-0790 (570) 826-2511
Beaver County Independence Township	PAR606173-A1	Zelenak's Auto Salvage New Bethlehem Church Road Box 402-A Aliquippa PA 15001	Unnamed feeder to Raredon Run	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 Phone No.</i>
Lower Merion Township Montgomery County	PAG040010	T. Franklin Gainor 224-226 River Road Gladwyne, PA 18901	Schuylkill River WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401
Perkiomen Township Montgomery County	PAG040013	Joseph M. Davis 130 Haldeman Road Schwenksville, PA 19473	UNT to East Branch Perkiomen Creek Watershed 3E-Perkiomen	Southeast Regional Office 2 East Main Street Norristown, PA 19401

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<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
West Brandywine Township Chester County	PAG040011	Andrew and Gail Woods 1261 North Manor Road Honey Brook, PA 19344-9500	Dry Swale to Indian Creek	Southeast Regional Office 2 East Main Street Norristown, PA 19401
Buckingham Township Bucks County	PAG040006	Michael G. Bird 2835 Mill Road Doylestown, PA 18901	Watson Creek Watershed 2F	Southeast Regional Office 2 East Main Street Norristown, PA 19401
Greene Township Erie County	PAG048645	Santo G. Fioretti 3985 Knoyle Road Erie, PA 16510-4926	Unnamed Tributary to Fourmile Creek	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Waterford Township Erie County	PAG048439	Jeffrey M. Durfee 4515 Loop Road Waterford, PA 16441	Unnamed Tributary of Lake Pleasant	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 & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Hilltown Township Bucks Count	PAG050060	H. L. Garges Oil Company 4802 Old Bethlehem Pike Telford, PA 18969	Unnamed Tributary to Mill Creek	Southeast Region 2 East Main Street Norristown, PA 19401 (484) 250-5970

General Permit Type—PAG-7

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
City of Philadelphia Philadelphia County	PAG070004	Philadelphia Water Department Aramark Tower 1101 Market St. Suite 5 Phila, PA 19107	Biosolids Recycling Ctr. 7800 Penrose Ferry Rd. Phila, PA 19153	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5970

General Permit Type—PAG-8

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
South Coatesville Borough Chester County	PAG080016	Pennsylvania American Water Co. 800 W. Hersheypark Dr. Hershey, PA 17033	Coatesville STP 100 Cheshire Court Coatesville, PA 19320	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5970

General Permit Type—PAG-10

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Columbia Gas Transmission Richland Township Pipeline Richland Township Bucks County	PAG100016	Columbia Gas Transmission Corp. 1700 MacCorkle Ave. Charlestown, WV 25305	UNT to Tohickon Creek	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5970

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Delaware River Crossing Replacement Project Tinicum Township Delaware County	PAG100017	Mobil Pipeline Co. P. O. Box 2220 Houston, TX 77252	Delaware River	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5970

*General Permit Type—PAG-13**Southeast Region: Water Management Program Manager, 2 East Main Street, Norristown, PA 19401*

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>DEP Protocol (Y/N)</i>
PAG130017	Phoenixville Borough 140 Church Street Phoenixville, PA 19320	Chester	Phoenixville	French Creek Schuylkill River	Y
PAG130176	Bethel Township 1082 Bethel Rd Boothwyn, PA 19061	Delaware	Bethel	3G Watershed	Y
PAG130169	West Chester University of Pennsylvania 201 Carter Drive West Chester, PA 19383	Chester	East Goshen Township	3G Watershed	Y

PUBLIC WATER SUPPLY (PWS) PERMITS

The Department of Environmental Protection has taken the following actions on applications received under the Safe Drinking Water Act for the construction, substantial modification or operation of a public water system.

Any person aggrieved by these actions may appeal, pursuant to 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 may contact the 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 decisional law.

If you want to challenge this action, your appeal must reach the board within 30 days. You do not need a lawyer to file an appeal with the Board.

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

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17).

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

Operations Permit issued to: **Schwenksville Borough Authority**, P. O. Box 458, Schwenksville, PA 19473, (PWS ID #1460042) Lower Frederick Township, **Montgomery County** on October 5, 2004, for the operation of facilities approved under construction permit #4603505.

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

Operations Permit issued to: **United Water of Pennsylvania, Inc.**, 4211 East Park Circle, Harrisburg, PA 17111, (PWS ID 2400103) Harveys Lake Borough, **Luzerne County** on September 28, 2004, for the operation of facilities approved under construction permit #4004503.

Operations Permit issued to: **Pulsar Petroleum of Reading, Inc.**, P. O. Box 159, Macungie, PA 18064, (PWS ID 3390436) Weisenberg Township, **Lehigh County** on September 30, 2004, for the operation of facilities approved under construction permit #3902503.

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

Permit No. 5904501—Construction, Public Water Supply.

Applicant Township	Nelson Township Authority Nelson Township
County	Tioga
Responsible Official	Loren Doan, President Nelson Township Authority Lakeview Drive P. O. Box 100 Nelson, PA 16940-0100
Type of Facility	PWS—Construction

Consulting Engineer James J. Rhoades, Jr., P. E.
Alfred Benesch & Company
400 One Norwegian Plaza
Pottsville, PA 17901

Permit Issued Date October 8, 2004

Description of Action Construction of a conventional
water filtration plant and
Cowanisque River raw water
intake.

Permit No. 1404501—Construction, Public Water Supply.

Applicant **Centre Hall Borough**

Township Potter Township

County **Centre**

Responsible Official Lynn Dutrow, Operator/Manager
Centre Hall Borough
253 West Fourth Street
P. O. Box 54
Centre Hall, PA 16828

Type of Facility PWS—Construction

Consulting Engineer Dana R. Boob, P. E.
Dana R. Boob Surveying &
Engineering
136 West Main Street
P. O. Box 699
Millheim, PA 16854-0699

Permit Issued Date October 5, 2004

Description of Action Construction of Well #11 as an
additional source of supply for
the existing system.

Permit No. Minor Amendment—Construction, Public Water Supply.

Applicant **Wellsboro Municipal Authority**

Township or Borough Delmar Township

County **Tioga**

Responsible Official Thomas Rudy, Chairperson
Wellsboro Municipal Authority
28 Crafton Street
Wellsboro, PA 16901

Type of Facility PWS—Construction

Consulting Engineer Edward Brown, P. E.
Larson Design Group
1000 Commerce Drive
Williamsport, PA 17703-0487

Permit Issued Date October 12, 2004

Description of Action Construction of a finished water
storage tank, distribution line
and an algae filter.

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

Permit No. 0479501-A1, Public Water Supply.

Applicant **Borough Ambridge Water Authority**
600 11th Street
Ambridge, PA 15003-2377

Borough or Township Ambridge Borough

County **Beaver**

Type of Facility Water treatment plant

Consulting Engineer NIRA Consulting Engineers, Inc.
950 Fifth Avenue
Coraopolis, PA 15108

Permit to Construct Issued October 5, 2004

Operations Permit issued to: United Mobile Homes, Inc., Somerset Estates Mobile Home Park, Husband Road, Somerset, PA 15501, (PWS ID #4560003) Somerset Township, Somerset County on October 5, 2004 for the operation of facilities approved under Construction Permit # 5688507.

Permit No. 0271501-A3, Minor Amendment. Public Water Supply.

Applicant **Fawn-Frazer Joint Water Authority**
326 Dunnellsville Road
Natrona Heights, PA 15065

Borough or Township Frazer Township

County **Allegheny**

Type of Facility Yutes Run Road water storage
tank #2

Consulting Engineer Bankson Engineers, Inc.
267 Blue Run Road
P. O. Box 200
Indianola, PA 15051

Permit to Construct Issued October 5, 2004

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

Operations Permit issued to: Pennsylvania American Water Co., 800 West Hersheypark Dr., P. O. Box 888, Hershey, PA 17033-0888, PWS ID #6160001, Paint Township, Clarion County, on October 12, 2004, for the operation of Paint Township Pump Station and 36,400' of 12-inch DIP, as approved under Construction Permit #1602501.

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Union Township	3111 SR 72 Jonestown, PA 17038	Lebanon

Plan Description: The approved plan provides for the extension of public gravity sewers to serve the Route 72 South Sewer Planning District and the Bordnersville Road Sewer Planning District as defined in the plan. The plan also provides for the expansion of the Lickdale Wastwater Treatment Facility (owned and operated by the Northern Lebanon County Authority) to a capacity of 0.3 MGD. The expanded facility will discharge to the Swatara Creek. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Delaware Township	R. D. 1 Box 410 Thompsontown, PA 17094	Juniata

Plan Description: The approved plan provides for the adoption and implementation of an onlot sewage disposal system management ordinance and the execution of a revised intermunicipal agreement with Thompsontown Borough. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES permits or WQM permits must be obtained in the name of the municipality or authority as appropriate.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Watts Township	201 Red Hill Road Newport, PA 17074	Perry

Plan Description: The approved plan provides for the submission of a township-wide Act 537 Plan within 5 years of the approval letter date (September 30, 2004). The plan will contain an adopted onlot sewage management ordinance meeting the requirements of 25 Pa. Code § 71.73. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES permits or WQM permits must be obtained in the name of the municipality or authority as appropriate.

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 non-residential 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, please contact the Environmental Cleanup Program Manager in the Department regional office under 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 listed. 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

Houghton Intl, Inc., Lower Providence Township, **Montgomery County**. Richard Werner, Environmental Consulting, Inc., 500 E. Washington St., Norristown, PA 19401 on behalf of Larry Steward, Houghton Intl, Inc., 945 Madison Ave., Norristown, PA 19403 has submitted a Final Report concerning remediation of site soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Bensalem Redevelopment, L. P./Elf Atochem, Bensalem Township, **Bucks County**. Jeffrey K. Walsh, P. G., Penn E & R, 2755 Bergey Rd., Hatfield, PA 19440 on behalf of Bensalem Redevelopment, LP, 855 Springdale Dr., Exton, PA 19341 has submitted a Final Report concerning remediation of site soil, groundwater and surface water contaminated with PCBs, lead heavy metals, pesticides, solvents, BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons. The report is intended to document remediation of the site to meet the Site-Specific Standard.

L. B. Smith Prop., Plymouth Township, **Montgomery County**. Jamey A. Stynchula, P. G., Pennoni Assoc., Inc., 3001 Market St., Philadelphia, PA 19104 on behalf of William Peter R. Cross, Blue Bell Assoc., 650 Parkway, Suite 1, Plymouth, PA 19462 has submitted a Final Report concerning remediation of site soils contaminated with airborne asbestos fibers. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Dreshertown Plaza, Upper Dublin Township, **Montgomery County**. Craig Herr, RT Environmental Svc., Inc., 215 W. Church Rd., King of Prussia, PA 19406 on behalf of Roger Bucchianeri, Brandolini Co., 1301 Lancaster Ave., Berwyn, PA 19312 has submitted a Final Report concerning remediation of site soils and groundwater contaminated with PCE and TCE. The report is intended to document remediation of the site to meet the Site-Specific Standard.

East Rockhill Township Spill Site, East Rockhill Township, **Bucks County**. Samuel Kucia, Environmental Consulting, Inc., 500 E. Washington St., Norristown, PA 19401 on behalf of Steve Funk, East Rockhill Township, 1622 Ridge Rd., Perkasio, PA 18944 has submitted a Final Report concerning remediation of site soil contaminated with petroleum. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

Sunoco Station #0003-6889, Hampden Township, **Cumberland County**. Aquaterra Technologies, 122 South Church Street, West Chester, PA 19381, on behalf of Sunoco, Inc. (R & M), Ten Penn Center, 1801 Market Street, Philadelphia, PA 19335, submitted a remedial investigation report and a cleanup plan concerning remediation of site soils and groundwater contaminated with unleaded gasoline. The report is intended to document remediation of the site to the Site-Specific Standard.

PPL Carlisle Manufactured Gas Plant, Borough of Carlisle, **Cumberland County**. Langan Engineering and Environmental Services, Inc., 40 South 17th Street, Suite 1500, Philadelphia, PA 19103, on behalf of PPL Corporation, Two North Ninth Street, Allentown, PA 18101, and UGI Utilities, 100 Kachel Boulevard, Reading, PA 19612 submitted a Remedial Investigation Report concerning remediation of site soils and groundwater contaminated with lead, heavy metals, solvents, BTEX and PAHs. The applicants propose to remediate the site to meet the requirements for a combination of the Statewide Health and Site-Specific Standards.

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

Works Garage, North Union Township, **Fayette County**. Joe Miller, Chambers Environmental Group, Inc., 629 East Rolling Ridge Drive, Bellefonte, PA 16823 (on behalf of Paula Works, Works Garage, 305 Craig Lane, Hopwood, PA 15455, and Jessica Mangus, Intern, 629 East Rolling Ridge Drive, Bellefonte, PA 16823) has submitted a Final Report concerning remediation of site soil contaminated with leaded and unleaded gasoline, chlorinated solvents, PAHs and other organics. The report is intended to document remediation of site soils to meet the Statewide Health Standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

Provisions of 25 Pa. Code § 250.8, administration of the Land Recycling and Environmental Remediation Standards Act (Act), requires the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of its 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, please contact the Environmental Cleanup Program Manager in the Department regional office under 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 listed. 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

Betzwood Industrial Park Area 8N, Norriton Township **Montgomery County**. Darryl D. Borrelli, Manko, Gold, Katcher & Fox, LLP, 401 City Ave., Suite 500, Bala Cynwyd, PA 19004 on behalf of Valley Forge Center Assoc., LP, Michael Trio, 700 S. Henderson Rd., Suite 225, King of Prussia, PA 19406 has submitted a Final Report concerning the remediation of site soils contaminated with other organics. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on October 5, 2004.

PECO Ardmore Svc. Bldg., Lower Merion Township, **Bucks County**. Bruce Middleman, Jacques Whitford Co., Inc., 450 S. Gravers Rd., Suite 105, Plymouth Meeting, PA 19462 has submitted a Final Report concerning the remediation of site soils contaminated with diesel fuel, leaded gasoline, MTBE, unleaded gasoline and groundwater contaminated with chlorinated solvents, diesel fuel, leaded gasoline, MTBE and unleaded gasoline. The Final Report demonstrated attainment of the Site-Specific, Statewide and Background Standards and was approved by the Department on October 5, 2004.

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

Hillwood Palmyra, LP, Hetrick Avenue Property, Fill Area Site, North Londonderry Township and Palmyra Borough, **Lebanon County**. ARM Group, Inc., 1129 West Governor Road, P. O. Box 797, Hershey, PA 17033-0797, on behalf of Hillwood Palmyra, LP, Three Lincoln Center, 5430 LBJ Freeway, Suite 800, Dallas, TX 75240, submitted a Final Report concerning remediation of soils contaminated with metals in non-native fill materials. The final report demonstrated attainment of the State-

wide Health Standard for soils only, and was approved by the Department on October 5, 2004.

Trussell Residence, Warwick Township, **Lancaster County**. Marshall Miller & Associates, Inc., 3913 Hartzdale Drive, Suite 1306, Camp Hill, PA 17011, on behalf of The Trussells, 854 Furnace Hills Pike, Lititz, PA 17543, submitted a Final Report concerning remediation of site soils contaminated with used motor oil and diesel fuel. The final report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on October 5, 2004.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Determination of Applicability for General Permit Issued Under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash.

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

General Permit No. WMGR023D002. Chem-Ecol Ltd., 640 Victoria Ave, P. O. Box 955, Cobourg, Ontario K9A 4W4. The general permit authorizes processing of waste oil (excluding used oil) and unused oil contaminated with water in mobile units for the purpose of reconditioning the oil that shall be reused by the generator of the waste oil or unused, contaminated oil. The approved processing is limited to filtration, centrifugation, ultrafiltration and vacuum distillation. The Department issued the determination of applicability on October 8, 2004.

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

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Application received Under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and Regulations to Operate Solid Waste Processing or Disposal Area or Site.

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

Permit No. 101125. Lycoming County, Lycoming County Courthouse, 48 W. 3rd St., Williamsport, PA 17701-6536, Williamsport City, **Lycoming County**. Application for permit renewal. The permit was deemed complete by Northcentral Regional Office on October 12, 2004.

Persons interested in reviewing the general permit should contact David Garg, P. E., Solid Waste Supervisor, (570) 327-3752. TDD users may 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.

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

15-310-046GP: F and R Materials (291 Sawmill Road, Duncannon, PA 17020) on October 7, 2004, to operate a portable nonmetallic processing plant in Warwick Township, **Chester County**.

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

33-107: Beverage-Air (Progress Street, Brookville, PA 15825) on October 6, 2004, to install a burn off oven in Brookville, **Jefferson County**.

Plan Approvals Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.

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

09-0048C: H and K Materials—Division of Haines and Kibblehouse, Inc. (300 Skunk Hollow Road, Chalfont, PA 18914) on October 6, 2004, to operate a hot mix asphalt in Hilltown Township, **Bucks County**.

46-0010E: Montenay Montgomery Ltd. Partnership (1155 Conshohocken Road, Conshohocken, PA 19428) on October 8, 2004, to operate a norit carbon injection system in Plymouth Township, **Montgomery County**.

46-0026C: Global Packaging, Inc. (Brower and Montgomery Avenues, Oaks, PA 19456) on October 7, 2004, to operate two flexographic printing presses in Upper Providence Township, **Montgomery County**.

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

54-313-083: Air Products and Chemicals, Inc. (R. R. 1, Box 351, Tamaqua, PA 18252) on September 29, 2004, to construct fluorine (F2) West II production and associated air cleaning devices at their facility in Rush Township, **Schuylkill County**.

54-313-085: Air Products & Chemicals, Inc. (R. R. 1, Box 351, Tamaqua, PA 18252) on September 29, 2004, to construct nitrogen tri-fluoride West II production and associated air cleaning devices at their facility in Rush Township, **Schuylkill County**.

45-310-031: Hanson Aggregates PA, Inc. (P. O. Box 231, Easton, PA 18044) on October 5, 2004, to install an air cleaning device to capture the emissions from the secondary crusher at their facility in Hamilton Township, **Monroe County**.

45-302-074: Aventis Pasteur, Inc. (Discovery Drive, Swiftwater, PA 18370) on October 4, 2004, to construct two natural gas/# 2 fuel oil boilers, the modification of

three existing boilers (1, 2 and 3), and the shutdown of two boilers (4 and 5) at the facility located in Pocono Township, **Monroe County**.

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

36-03141A: Kellogg USA, Inc. (2050 State Road, Caller Box 3006, Lancaster, PA 17604) on October 4, 2004, to modify an existing coating line in their facility in East Hempfield Township, **Lancaster County**.

36-05017A: Conestoga Wood Specialties Corp. (245 Reading Road, East Earl, PA 17519-0158) on October 5, 2004, to construct a Spray Booth in East Earl Township, **Lancaster County**.

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

18-00009B: Clinton County Solid Waste Authority (264 Landfill Lane, McElhattan, PA 17748) on September 7, 2004, to construct a wood tubgrinder and associated 1,000 horsepower diesel engine at their Wayne Township Landfill in Wayne Township, **Clinton County**.

17-305-051: Parkwood Resources, Inc. (P. O. Box 552, Somerset, PA 15501) on September 21, 2004, to construct a coal stockpiling and truck loading operation at their Cherry Tree Mine in Burnside Township, **Clearfield County**.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act (35 P. S. §§ 4001—4015) 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

09-0105B: Naceville Materials (P. O. Box 196, 2052 Lucon Road, Skippack, PA 19474) on October 6, 2004, to operate a 20,000 gallon storage tank in Springfield Township, **Bucks County**.

23-0009B: Boeing Aircraft and Military System Group (P. O. Box 16858, MC P25-75, Philadelphia, PA 19142) on October 8, 2004, to operate three stage dry filter paint booths in Ridley Township, **Delaware County**.

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

49-303-006: Collier Materials, Inc. (R. R. 1, Elysburg, PA 17824) on October 1, 2004, to perform particulate matter, nitrogen oxides, carbon monoxide, volatile organic compound and opacity testing on a batch asphalt concrete plant until July 31, 2005, in Ralpho Township, **Northumberland County**. The deadline has been extended.

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

30-00147A: Coal Gas Recovery, LP (P. O. Box 1020, Waynesburg, PA 15370) on October 5, 2004, to change the language regarding enclosure of engines at this coal mine methane project consisting of approximately six electric compressors, up to 2,000 bhp of gas-fired, engine-driven compressors, and a membrane processing plant for the

production of pipeline quality gas in Franklin, Wayne, and Whiteley Townships, **Greene County**.

32-040B: Reliant Energy Seward, LLC (121 Champion Way, Suite 200, Canonsburg, PA) on October 7, 2004, to install the circulating fluidized bed boiler at Seward Power Station in East Wheatfield Township, **Indiana County**. This plan approval was extended.

Title V Operating Permits Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter G.

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

15-00017: Transcontinental Gas Pipeline Corp. (P. O. Box 1396, Houston, PA 77251) on October 7, 2004, to operate a facility Title V Operating Permit in East Whiteland Township, **Chester County**.

09-00024: Waste Management Disposal Services of PA Inc. (1121 Bordentown Road, Morrisville, PA 19067) on October 7, 2004, to amend the operation of a facility Title V Operating Permit in Tullytown Borough, **Bucks County**.

09-00015: Rohm and Haas Co. (Routes 413 and 13, P. O. Box 219, Bristol, PA 19021) for a minor modification to the Title V Operating Permit at their facility in Bristol Township, **Bucks County**. The facility is a diverse chemical manufacturing plant with a variety of continuous and batch type processes. The modifications that have been addressed in the revised Title V Permit, as follows: Inclusion of an insignificant source (i.e., sludge-dewatering centrifuge for the wastewater treatment plant (WWTP)) into the list of exempted activities in Section G, Miscellaneous. The revised Title V operating permit will contain additional monitoring, recordkeeping, reporting and work practice standards to keep the facility operating within all applicable air quality requirements.

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

62-00136: Berenfield Containers, Inc. (31 Railroad Street, Clarendon, PA 16313) on October 6, 2004, to reissue a Title V Permit to operate a metal barrels, drums and pails manufacturing facility in Clarendon Borough, **Warren County**. The facility's major emission sources include space and water heaters, spray booths, paint roller coater, equipment clean up, ovens, weld-seam strip coater, silk screening and cold cleaning degreasers. The facility is major facility for Title V due to its potential to emit volatile organic compounds.

20-00145: PPG Industries Inc. (Kebert Industrial Park, Meadville, PA 16335) on October 6, 2004, to reissue a Title V Permit to operate a flat glass manufacturing facility in Greenwood Township, **Crawford County**. The facility's major emission sources include four boilers, two glass melting furnaces, two wareroom packers, two CD (Cullet Drop)-O line, two batch house mixer scale line, three diesel generators, two diesel pumps, diesel fire pump, emergency water pump, two passivation lines, soda ash silo, sand silo, cullet silo, lime stone silo, gypsum silo, dolomite silo, two W line system, two batch line mixers and a parts cleaner. PPG is a major facility due to NOx and SOx emissions being more than 100 tons per year.

Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.

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

23-00086: Engineered Arresting Systems Corp. (2550 Market Street, Aston, PA 19014) on October 8, 2004, to operate a natural minor operating permit in Upper Chichester Township, **Delaware County**.

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

07-03008: Nason Hospital (105 Nason Drive, Roaring Spring, PA 16673) on October 7, 2004, to operate their two natural gas/# 2 oil fired boilers in Roaring Spring Borough, **Blair County**.

36-03035: Stiegel Castings, Inc. (411 West Stiegel Street, Manheim, PA 17545) on October 1, 2004, to operate a foundry in Manheim Borough, **Lancaster County**.

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

17-00018: Harmony Area School District (5239 Ridge Road, Westover, PA 16692) on September 29, 2004, an operating permit for their K-12 school district facility in Burnside Township, **Clearfield County**. The facility's main sources include two bituminous coal/natural gas/#2 fuel oil fired boilers. The State Only operating permit contains all applicable requirements including monitoring, recordkeeping and reporting conditions.

18-00012: Lock Haven University of Pennsylvania (301 West Church Street, Lock Haven, PA 17745) on September 28, 2004, an operating permit for their university campus in Lock Haven, **Clinton County**. The facility's main sources include: 84 natural gas/# 2 fuel oil fired boilers and heaters, 25 natural gas and # 2 fuel oil fired emergency generators, a Safety-Kleen parts cleaning station and a 3,000 gallon fuel oil storage tank. The State Only (Synthetic Minor) operating permit contains all applicable requirements including monitoring, recordkeeping and reporting conditions.

55-00014: Bingaman and Son Lumber, Inc. (P. O. Box 247, Kreamer, PA 17833) on September 21, 2004, an operating permit on for their wholesale lumber manufacturing facility in Middlecreek Township, **Snyder County**. The facility's main sources include two wood fired boilers, wood sawing and planing and ten steam heated wood drying kilns. The State Only operating permit contains all applicable requirements including monitoring, recordkeeping and reporting conditions.

08-00022: Cummings Lumber Co., Inc. (P. O. Box 6 Troy, PA 16947) on September 22, 2004, an operating permit for their lumber mill facility in Troy Township, **Bradford County**. The facility's main source includes a stoker wood-fired boiler for producing steam for nine lumber-drying kilns. Other sources at the facility include a two parts cleaning stations and mill operations, which process green wood. The State Only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and report conditions.

17-00051: New Enterprise Stone and Lime Co., Inc. (P. O. Box 77, New Enterprise, PA 16664) on June 25,

2004, an operating permit for their Clearfield Asphalt Plant in Lawrence Township, **Clearfield County**. The facility's main sources include 1 rotary dryer, 1 mill mixer, 1 vibratory screen, 2 conveyors, 13 storage bins and silos, limestone aggregate piles and 1 cold cleaning solvent parts washer. The State Only (Synthetic Minor) operating permit contains all applicable requirements including monitoring, recordkeeping, and reporting conditions.

49-00015: International Paper Co. (P. O. Box 407, Mount Carmel, PA 17851) on August 12, 2004, an operating permit for their Mount Carmel Container Plant in Mount Carmel Township, **Northumberland County**. The facility's main sources include two natural gas fired boilers, six natural gas fired space heaters, four flexographic printing presses, four die cutters, folding and gluing operations, process water treatment operations, one starch storage silo and one corrugator. The State Only operating permit contains all applicable requirements including monitoring, recordkeeping and reporting conditions.

17-00009: Marathon Equipment Co. (901 Industrial Park Road, Clearfield, PA 16830) on September 27, 2004, an operating permit for their MECO-North Plant in Lawrence Township, **Clearfield County**. The facility's main sources include 2 paint spray booths, 2 cold cleaning solvent parts washers, welding operations, 5 storage tanks and 70 combustion units. The State Only (Synthetic Minor) operating permit contains all applicable requirements including monitoring, recordkeeping and reporting conditions.

Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act (35 P.S. §§ 4001—4015) 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

01-05023: Carmeuse Lime, Inc. (Highway 31 South, P. O. Box 137, Saginaw, AL 35137) on October 7, 2004, for their Hanover lime plant in Oxford Township, **Adams County**. This Title V Operating Permit was administratively amended to reflect a change of ownership from Pennsylvania Lime, Inc. This is Revision No. 1.

22-03009: Dauphin Precision Tool, LLC (200 Front Street, Millersburg, PA 17061) on October 7, 2004, for a Natural Minor Operating Permit at their Millersburg Plant in Millersburg Borough, **Dauphin County**. This State-only Operating Permit was administratively amended to reflect a change of ownership from Brubaker Tool Corp. This is Revision No. 1.

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

41-305-004F: Keystone Filler and Manufacturing Co. (214 Railroad Street, Muncy, PA 17756) on September 29, 2004, to incorporate, via administrative amendment, conditions established in Plan Approval 41-305-004G regarding the installation of fugitive dust capture hoods on two bulk carbon product railcar loading operations in Muncy Creek Township, **Lycoming County**.

49-00024: Sunbury Properties LLC (1400 Susquehanna Avenue, Sunbury, PA 17801) on September 20,

2004, a revised Title V Operating Permit to include an administrative amendment to incorporate terms and conditions from Plan Approval 49-00024B for the operation of a door core sanding operation with a cyclone separator and cartridge collector to control particulate matter emissions in the City of Sunbury, **Northumberland County**. This revised Title V Operating Permit contains all new and revised applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

41-00013: Coastal Aluminum Rolling Mills, Inc. (2475 Trenton Avenue, Williamsport, PA 17701) on September 23, 2004, a revised Title V Operating Permit to include a restriction taken by Coastal Aluminum Rolling Mills, Inc. to limit the amount of HAPs to not equal or exceed a total combined emission of 25 tons and an individual HAP emission of 10 ton in any 12 consecutive month period from all sources at their facility in the City of Williamsport, **Lycoming County**. This revised Title V operating permit contains all new and revised applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

N00-008: Roto-Die Co., Inc. (2850 Comly Road, Philadelphia, PA 19154) on October 7, 2004, administratively amended to change contact information. The Natural Minor Operating Permit was originally issued July 31, 2001.

Operating Permits Denied, Terminated, Suspended or Revoked under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code §§ 127.431 and 127.461.

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

41-0011: Brodart Co. (500 Arch Street, Williamsport, PA 17705) on October 1, 2004, to terminate a state only permit application, 41-00014 withdrawn due to a shutdown of their Montgomery Borough, **Lycoming County** facility and to make permanent and federally enforceable 24.91 tons of VOC emission reduction credits from the permanent shutdown of the finishing operation.

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); 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 such 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

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

56980106 and NPDES Permit No. PA0234842. Marquise Mining Corporation, 3889 Menoher Blvd., Johnstown, PA 15905, surface mining permit renewal for reclamation only in Quemahoning and Jenner Townships, **Somerset County**, affecting 139 acres. Receiving streams: unnamed tributary to/and Two Mile Run; unnamed tributaries to/and Higgins Run classified for the following uses: cold water fisheries. The first downstream potable water supply intake from the point of discharge is the Cambria Somerset Authority Quemahoning surface water intake. Application received July 29, 2004. Permit issued: October 7, 2004.

56990101 and NPDES Permit No. PA0235008. Hoffman Mining, Inc., P. O. Box 130, 118 Runway Road, Friedens, PA 15541, surface mining permit renewal for reclamation only in Paint Township, **Somerset County**, affecting 54.3 acres. Receiving streams: unnamed tributary to Kaufman Run and Kaufman Run classified for the following uses: cold water fishery. The first downstream potable water supply intake from the point of discharge is the Cambria Somerset Authority Stoneycreek Surface Water Withdrawal. Application received August 4, 2004. Permit issued October 7, 2004.

32990111 and NPDES Permit No. PA0235199. Mears Enterprises, Inc., P. O. Box 157, Clymer, PA 15728, permit renewal for reclamation only and for continued restoration of a bituminous surface mine in Cherryhill Township, **Indiana County**, affecting 71.5 acres. Receiving streams: Two Lick Creek classified for the following uses: trout stocked fishery. The first downstream potable water supply intake from the point of discharge is the Pennsylvania American Water Company Two Lick Creek Surface Water Withdrawal. Application received August 5, 2004. Permit issued October 7, 2004.

32820134 and NPDES Permit No. PA0606154. The Arcadia Company, Inc., 250 Airport Road, P. O. Box 1319, Indiana, PA 15701, permit renewal for reclamation only and for continued restoration of a bituminous surface mine in Grant, Montgomery, Banks and Canoe Townships, **Indiana County**, affecting 1,166.0 acres. Receiving streams: unnamed tributaries to Little Mahoning Creek, Little Mahoning Creek, unnamed tributary to Cush Creek classified for the following uses: high quality—cold water fishery; cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received August 5, 2004. Permit issued October 7, 2004.

11020202 and NPDES Permit No. PA0249254. Ebensburg Power Company, 2840 New Germany Road, P. O. Box 845, Ebensburg, PA 15931, commencement, operation and restoration of a coal refuse reprocessing permit in Jackson Township and Nanty Glo Borough, **Cambria County**, affecting 41.4 acres. Receiving streams: tributary (locally Pergrin Run) to South Branch Blacklick Creek to Blacklick Creek to Two Lick Creek to the Conemaugh River to the Kiskiminetas River to the Allegheny River. There are no potable water supply intakes within 10 miles downstream. Application received July 15, 2002. Permit issued October 7, 2004. This permit was issued under a Project XL agreement between the Department and the EPA. Project XL is the EPA's program to test innovative approaches to environmental protection using regulatory flexibility to achieve superior environmental performance. Under Project XL, a Consent

Order and Agreement between Ebensburg Power Company and the Department was executed on October 7, 2004. The purpose of this agreement is to improve water quality in (Pergrin Run) the unnamed tributary to South Branch Blacklick Creek (Cambria County) through encouraging remining and acid mine drainage abatement measures. The agreement will base compliance on in-stream water quality and the implementation of best management practices, instead of numeric effluent limitations measured at individual discharge points. The agreement applies only to this surface mining permit. Pergrin Run is one of up to eight acid mine drainage impacted watersheds where this approach under Project XL will be evaluated. The full text of the Consent Order and Agreement and the Project XL agreement can be obtained at www.dep.state.pa.us (Subjects/Mineral Resources Management/District Mining Operations/Project XL) or by contacting the Cambria District Office at (814) 472-1900.

56703107 and NPDES Permit No. PA0605956. Hoffman Mining, Inc., P. O. Box 130, 118 Runway Road, Friedens, PA 15541, permit renewal and/or continued operation of a bituminous surface and auger mine in Paint Township, **Somerset County**, affecting 863.0 acres. Receiving streams: unnamed tributary to Paint Creek; to Kaufman Run; to unnamed tributaries to Kaufman Run; to Stony Creek; and to Shade Creek classified for the following uses: cold water fishery and warm water fishery. The first downstream potable water supply intake from the point of discharge is the Cambria Somerset Authority Stoneycreek Surface Water Intake. Application received August 6, 2004. Permit issued October 7, 2004.

56940104 and NPDES Permit No. PA0212849. Mountaineer Mining Corporation, 1010 Garrett Shortcut Road, Berlin, PA 15530-8822, surface mining permit renewal in Brothersvalley Township, **Somerset County**, affecting 107.2 acres. Receiving streams: unnamed tributaries to Tubs Run and Laurel Run; and to Tubs Run and Laurel Run classified for the following uses: warm water fishery. There are no potable water supply intakes within 10 miles downstream. Application received July 29, 2004. Permit issued October 7, 2004.

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

03980106 and NPDES Permit No. PA0202291. Thomas J. Smith, Inc. (R. R. 1, Box 260D, Shelocta, PA 15774). Permit renewal issued for continued reclamation only of a bituminous surface/auger mining site located in South Bend Township, **Armstrong County**, affecting 94.1 acres. Receiving streams: unnamed tributary to Lindsay Run to Crooked Creek. Application received: June 7, 2004. Reclamation only renewal issued: October 8, 2004.

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

33890113 and NPDES Permit No. 33890113. Original Fuels, Inc. (P. O. Box 343, Punxsutawney, PA 15767). Renewal of an existing bituminous strip, auger and tippel refuse disposal operation in Perry Township, **Jefferson County** affecting 508.8 acres. Receiving streams: Unnamed tributaries to Pine Run. This renewal is issued for reclamation only. Application received: August 13, 2004. Permit issued: October 6, 2004.

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

17010101 and NPDES Permit No. PA0243035. Waroquier Coal Company (P. O. Box 128, Clearfield,

PA 16830). Commencement, operation and restoration of a bituminous surface mine permit in Pike and Lawrence Townships, **Clearfield County** affecting 70.2 acres. Receiving streams: Hogback Run to the West Branch of the Susquehanna River. Application received: December 28, 2000. Permit issued: September 21, 2004.

17030113 and NPDES Permit No. PA0243591. Kenneth K. Rishel & Sons, Inc. (1229 Turnpike Avenue, Clearfield, PA 16830). Commencement, operation and restoration of a bituminous surface mine permit in Lawrence Township, **Clearfield County** affecting 47.9 acres. Receiving streams: Montgomery Creek to the West Branch of the Susquehanna River. Application received: September 30, 2003. Permit issued: September 17, 2004.

17860122 and NPDES Permit No. PA0115410. AMFIRE Mining Company, LLC (One Energy Place, Latrobe, PA 15650), revision to an existing bituminous surface mine permit for a stream variance. The proposed variance entails the construction and maintenance of a haul road stream crossing on an unnamed tributary to Wallace Run, situated at a point 1,450 feet upstream from the unnamed tributary's confluence with Wallace Run. The permit is located in Lawrence Township, **Clearfield County**, and affects 490.5 acres. Application received: June 14, 2004. Permit issued: September 16, 2004.

17990105 and NPDES Permit No. PA0238261. Waroquier Coal Company (P. O. Box 128, Clearfield, PA 16830). Renewal of an existing bituminous surface mine-auger permit in Brady Township, **Clearfield County** affecting 75 acres. Receiving streams: unnamed tributary to Luthersburg Branch, Luthersburg Branch, unnamed tributary to LaBorde Branch and LaBorde Branch to the West Branch of the Susquehanna River. Application received: February 18, 2004. Permit issued: September 8, 2004.

17803150 and NPDES Permit No. PA0128295. Sky Haven Coal, Inc. (R. R. 1, Box 180, Penfield, PA 15849). Renewal of an existing bituminous surface mine-auger permit in Penn Township, **Clearfield County** affecting 434.5 acres. Receiving streams: unnamed tributary to Bell Run, unnamed tributary to Poplar Run, to Bell Run, to West Branch Susquehanna River, to Susquehanna River. Application received: June 10, 2004. Permit issued: October 6, 2004.

17813084 and NPDES Permit No. PA0609994. Sky Haven Coal, Inc. (R. R. 1, Box 180, Penfield, PA 15849). Renewal of an existing bituminous surface mine-auger permit in Lawrence Township, **Clearfield County** affecting 407.3 acres. Receiving streams: Wolf Run to and an unnamed tributary to the West Branch of the Susquehanna River to the Susquehanna River. Application received: June 10, 2004. Permit issued: October 3, 2004.

17880103 and NPDES Permit No. PA0116246. Sky Haven Coal, Inc. (R. R. 1, Box 180, Penfield, PA 15849). Renewal of an existing bituminous surface mine permit in Bradford Township, **Clearfield County** affecting 54.8 acres. Receiving streams: unnamed tributaries to Roaring Run to the West Branch of the Susquehanna River to the Susquehanna River. Application received: June 10, 2004. Permit issued: September 21, 2004.

Noncoal Permits Actions

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

11940301 and NPDES Permit No. PA0212873. Pheasant & Shearer, 1922 Ohio Street, Johnstown, PA

15904, renewal of NPDES Permit in East Taylor Township, **Cambria County**. Receiving streams: Hinckston Run classified for the following uses: warm water fishery. There are no potable water supply intakes within 10 miles downstream. Application received July 22, 2004. Permit issued October 7, 2004.

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

20870304. Heritage Excavating & Stone (P. O. Box 462, Wampum, PA 16157). Revision to add blasting to an existing sandstone operation in South Shenango Township, **Crawford County** affecting 37.8 acres. Receiving streams: unnamed tributary to Pymatuning Reservoir. Application received: June 8, 2004. Permit issued: October 7, 2004.

42040301. D & D Stone Company (P. O. Box 87, East Smethport, PA 16730). Commencement, operation and restoration of a sandstone and shale operation in Liberty Township, **McKean County** affecting 33.6 acres. Receiving streams: Allegheny River. Application received: January 7, 2004. Permit issued: October 6, 2004.

16040803. John H. Weaver, Jr. (73 Ninevah Rd., Knox, PA 16232). Commencement, operation and restoration of a small noncoal shale operation in Salem Township, **Clarion County** affecting 5.5 acres. Receiving streams: Mill Creek. Application received: August 30, 2004. Permit issued: October 5, 2004.

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

59042801. Michael R. Ackley (R. R. 3, Box 35, Westfield, PA 16950-9660). Commencement, operation and restoration of a small industrial minerals (topsoil, sand and gravel) permit in Nelson Township, **Tioga County** affecting 5 acres. Receiving streams: Cowanesque, tributary to North Branch Susquehanna River. Application received: June 3, 2004. Permit issued: September 22, 2004.

4773SM4 and NPDES Permit No. PA0115461. Hanson Aggregates PA, Inc. (1900 Sullivan Trail, P. O. Box 231, Easton, PA 18040-0231). Renewal of an existing large industrial minerals NPDES permit. The permit is located in Liberty Township, **Tioga County**. Receiving streams: Blacks Creek and Bellman Run. Application received: July 28, 2004. Permit issued: September 23, 2004.

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

58040841. B. Dale Kelley (R. R. 3, Box 3384, Laceyville, PA 18623), commencement, operation and restoration of a quarry operation in Choconut Township, **Susquehanna County** affecting 5.0 acres. Receiving stream: Tributary to Choconut Creek. Application received: July 1, 2004. Permit issued October 4, 2004.

54030301 and NPDES Permit No. PA0224286. Middleport Materials, Inc., (P. O. Box 189, Telford, PA 18969), commencement, operation and restoration of a quarry operation in Walker and Blythe Townships, **Schuylkill County** affecting 111.0 acres, receiving stream: unnamed tributary to Schuylkill River. Application received February 19, 2003. Permit issued October 6, 2004.

09890303T. Naceville Materials, (P. O. Box 161, Warminster, PA 18974), transfer of an existing quarry operation in Plumstead Township, **Bucks County** affecting 155.57 acres, receiving stream: intermittent tributary

to North Branch of Neshaminy Creek. Application received January 27, 2004. Transfer issued October 7, 2004.

58040852. John William Winans (R. R. 3, Box 130, Montrose, PA 18801), commencement, operation and restoration of a quarry operation in Franklin Township, **Susquehanna County** affecting 5.0 acres, receiving stream: tributary to Snake Creek. Application received August 16, 2004. Permit issued October 7, 2004.

66040804. J & K Vandemark Excavating (R. R. 2, Box 2876, Laceyville, PA 18623), commencement, operation and restoration of a quarry operation in Windham Township, **Wyoming County** affecting 5.0 acres, receiving stream: Roaring Run Creek. Application received April 8, 2004. Permit issued October 7, 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 (relating to blasting activity permits). 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.

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

27044001. Simpson Excavating (Box 204, Corsica, PA 15829). Blasting activity permit to construct roads for oil well exploration in Kingsley Township, **Forest County** for 365 days. Application received: October 7, 2004. Application issued: October 7, 2004.

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

14044003. C. D. G. Properties, LLC (P. O. Box 11172, State College, PA 16805), for construction blasting, located in Benner Township, **Centre County**, with an extended expected duration of 59 days. Permit issued: September 28, 2004.

14024015. H. R. I., Inc. (P. O. Box 155, State College, PA 16804), for construction blasting, located in Patton Township, **Centre County**, with an extended expected duration of 75 days. Permit issued: September 16, 2004.

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

36044086. ABEL Construction Co., Inc., (3925 Columbia Avenue, Mountville, PA 17554), construction blasting at Crossings at Rocky Springs Phase 3 in West Lampeter Township, **Lancaster County** with an expiration date of October 30, 2005. Permit issued: October 4, 2004.

15044041. Horst Drilling & Blasting, Inc., (141 Ranck's Church Road, New Holland, PA 17557), construction blasting at Applewood in Atglen Borough, **Chester County** with an expiration date of October 30, 2005. Permit issued: October 4, 2004.

06044041. Schlouch Inc., (Excelsior Industrial Park, P. O. Box 69, Blandon, PA 19510), construction blasting at Fisher Tract in Lower Heidelberg Township, **Berks County** with an expiration date of October 30, 2005. Permit issued: October 4, 2004.

36044087. Brubacher Excavating, Inc., (P. O. Box 528, 825 Reading Road, Bowmansville, PA 17507), construction blasting at Pennsy Terminal in East Lampeter

Township, **Lancaster County** with an expiration date of October 30, 2005. Permit issued: October 4, 2004.

15044042. Explo-Craft, Inc., (P. O. Box 1332, West Chester, PA 19380), construction blasting at Gourmet's Delight Mushroom Company in London Grove Township, **Chester County** with an expiration date of October 30, 2005. Permit issued: October 4, 2004.

67044104. M & J Explosives, Inc., (P. O. Box 608, Carlisle, PA 17013), construction blasting in Carroll Township, **York County** with an expiration date of September 30, 2005. Permit issued: October 5, 2004.

40044102. Hayduk Enterprises, (P. O. Box 554, Dalton, PA 18414), construction blasting for Beaver Dam in Foster Township, **Luzerne County** with an expiration date of December 30, 2004. Permit issued: October 6, 2004.

09044030. AMROC, Inc. (7531 Chestnut Street, Zionsville, PA 18092), construction blasting at Warrington Place in Warrington Township, **Bucks County** with an expiration date of November 3, 2005. Permit issued: October 7, 2004.

48044035. Labrador Construction, (P. O. Box 1379, Marshalls Creek, PA 18335) and **Austin Powder Company**, (559 Nor-Bath Boulevard, Northampton, PA 18067), construction blasting at Riverview Estates West in Forks Township, **Northampton County** with an expiration date of November 3, 2005. Permit issued: October 7, 2004.

52044012. Holbert Explosives, Inc., (237 Masthope Plank Road, Suite A, Lackawaxen, PA 18435), construction blasting at Tanglewood Lakes in Palmyra Township, **Pike County** with an expiration date of November 3, 2005. Permit issued: October 7, 2004.

52044013. Holbert Explosives, Inc., (237 Masthope Plank Road, Suite A, Lackawaxen, PA 18435), construction blasting at Pocono Woodlands in Dingmans Township, **Pike County** with an expiration date of November 3, 2005. Permit issued: October 7, 2004.

52044014. Holbert Explosives, Inc., (237 Masthope Plank Road, Suite A, Lackawaxen, PA 18435), construction blasting at Mast Hope Rapids in Lackawaxen Township, **Pike County** with an expiration date of November 3, 2005. Permit issued: October 7, 2004.

48044036. Labrador Construction, (P. O. Box 1379, Marshalls Creek, PA 18335) and **Austin Powder Company**, (557 Nor-Bath Boulevard, Northampton, PA 18067), construction blasting at Horizons of America in East Allen Township, **Northampton County** with an expiration date of December 2, 2005. Permit issued: October 7, 2004.

39044017. Labrador Construction, (P. O. Box 1379, Marshalls Creek, PA 18335) and **Austin Powder Company**, (557 Nor-Bath Boulevard, Northampton, PA 18067), construction blasting at Annondale in Lower Macungie Township, **Lehigh County** with an expiration date of December 1, 2005. Permit issued: October 7, 2004.

48044034. AMROC, Inc., (7531 Chestnut Street, Zionsville, PA 18092), construction blasting at Hanover Corp. Center Kajima Lot 1 in Hanover Township, **Northampton County** with an expiration date of November 3, 2005. Permit issued: October 7, 2004.

40044013. Poppo Construction, Inc., (202 Main Street, Laflin, PA 18702) and **D. C. Guelich Explosives Company**, (P. O. Box 29, Bloomsburg, PA 17815), construction blasting at Dairy Queen Rt. 315 in Plains

Township, **Luzerne County** with an expiration date of September 30, 2005. Permit issued: October 7, 2004.

48044038. Rock Work, Inc., (1257 DeKalb Pike, R. D. 2, Blue Bell, PA 19422), construction blasting at The Estates of Penn's Grant in Palmer Township, **Northampton County** with an expiration date of September 30, 2005. Permit issued: October 7, 2004.

09044031. Eastern Blasting Co., Inc., (1292 Street Road, New Hope, PA 18938), construction blasting at Bedminster Township Interceptor in Bedminster Township, **Bucks County** with an expiration date of November 11, 2005. Permit issued: October 7, 2004.

39044101. Austin Powder Company, (25800 Science Drive, Cleveland, OH 44122), construction blasting for Route 222 bypass in Lower Macungie Township, **Lehigh County** with an expiration date of October 1, 2005. Permit issued: October 7, 2004.

39044102. Austin Powder Company, (25800 Science Drive, Cleveland, OH 44122), construction blasting for Iron Run Beverage in Upper Macungie Township, **Lehigh County** with an expiration date of October 15, 2005. Permit issued: October 7, 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 Federal Water Pollution Control Act (33 U.S.C. § 1341).

Permits, Environmental Assessments and 401 Water Quality Certifications Issued

WATER OBSTRUCTION S AND ENCROACHMENTS

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

E09-870. Township of Middletown, 3 Municipal Way, Langhorne, PA 19047, Middletown Township, **Bucks County**, ACOE Philadelphia District.

To perform the following activities associated with the proposed Delaware Avenue Park Flood Abatement Project:

1. To construct approximately 1,300 linear feet of watercourse to facilitate the relocation and filling of approximately 1,200 linear feet of an unnamed tributary to Mill Creek (WWF).

2. To construct and maintain an approximately 1,033-foot long earthen flood levee and two floodwalls measuring approximately 417 feet and 750 feet long within the floodplain of the unnamed tributary to Mill Creek impacting 1,200 linear feet of stream and 0.01 acre of adjacent wetlands (PFO). The height of the flood levee berm and the floodwall will be an elevation of 87.90 and the top of the berm will be 10 feet wide. The total length of the flood control project will be 2,200 feet.

3. To construct and maintain an outfall structure, a stormwater basin and a collection system associated with the interior drainage of the flood control structure.

4. To construct and maintain a footbridge across the proposed relocated channel.

The project proposes to directly impact a total of 1,200 linear feet of watercourse and 0.01 acre of wetlands (PFO). The site is located just southwest of the intersection of Lincoln Highway (S. R. 0001) and New Rodgers Road (S. R. 0413) (Langhorne, PA USGS Quadrangle N: 6.5 inches; W: 4.2 inches).

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

E15-701. Cold Springs Run, Inc., 21 S. Church Street, West Chester, PA 19382, West Goshen Township, **Chester County**, ACOE Philadelphia District.

To construct and maintain the following water obstructions and encroachments associated with the construction of a 16-lot residential subdivision:

1. To construct and maintain a 50-foot long triple cell, open bottom arch bridge, with waterway openings consisting of a middle 32-foot span by 5-foot high arch and a 20-foot span by 5-foot high arch on each side. The structure will cross Westtown Road Run, a tributary to Chester Creek (TSF) and adjacent wetlands. Approximately 90 feet of stream and 0.18 acre of wetlands will be temporarily impacted during construction.

2. To place and maintain fill in 0.02 acre of wetland (PEM) for the approaches of the bridge.

3. To install an 8-inch water utility line across Westtown Road Run and adjacent wetlands east of the bridge.

4. To install two sanitary sewer utility line crossings under Westtown Road Run and adjacent wetlands. The northern crossing will be installed via trench, temporarily impacting 17 feet of stream and 0.03 acre of wetland. The southern crossing will be directionally bored under the stream.

5. To place and maintain fill in approximately 390 feet of an ephemeral stream channel. The channel is a tributary to Westtown Road Run.

The permittee shall construct 0.20 acre of replacement wetland to compensate for the proposed impacts.

The site is located on the south side of Old Westtown Road with its northeast edge located approximately 272 feet south of the intersection of Old Westtown Road and Westtown Road in West Goshen Township, Chester County (West Chester, PA Quadrangle N: 14.00 inches, W: 10.0 inches).

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

E15-714. Edwin J. Gold c/o Planco, 1500 Liberty Ridge Drive, Suite 100, Wayne, PA 19087, Schuylkill Township, **Chester County**, ACOE Philadelphia District.

To modify and maintain existing reservoirs with in the 100-year floodplain of an unnamed tributary of Pickering Creek (HQ-TSF). Reservoir "A" will be dewatered to facilitate shoreline alteration and deepening by approximately 3 feet to provide maximum depth of 8 feet. The outlet works of nonjurisdictional dam "A" will be modified by capping the existing 12-inch PVC outfall and constructing a spillway outlet structure that will direct flow to existing reservoir "B." Reservoir "B" will be dewatered for shoreline rehabilitation. The outlet works of nonjurisdictional dam "B" will be modified by capping the existing 12-inch PVC outfall and constructing a spillway outlet structure that will direct flow to proposed outlet basin "C." Outlet basin "C" is about 80 feet long and 60 feet wide includes a 10-inch RCP outfall structure and riprap apron to outfall structure along unnamed tributary of Pickering Creek. Work within Reservoirs A and B will temporarily impact 1.15 acres of open waters during construction.

This permit includes an environmental assessment approval to modify two nonjurisdictional dams as previously noted.

The site is located about 2,500 feet southwest of intersection of White Horse and Valley Park Roads (Malvern, PA USGS Quadrangle N: 18.0 inches, W: 1.2 inches).

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

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

E54-313. Jason C. Leininger and Heather L. Leininger, 93 North Tulpehocken Street, Pine Grove, PA 17963-1216. Pine Grove Borough, **Schuylkill County**, Army Corps of Engineers Baltimore District.

To remove the existing structure and to construct and maintain a 24-foot by 34-foot garage and a 20-foot round aboveground swimming pool in the floodway of Swatara Creek (CWF). The project is located at 93 North Tulpehocken Street approximately 0.25 mile northwest of

Pottsville Road (SR 0443) (Pine Grove, PA Quadrangle N: 9.9 inches; W: 2.1 inches) (Subbasin: 06D).

E40-634. Thomas and Patricia Castellano, R. R. 1, Box 74A, Harveys Lake, PA 18618. Harveys Lake Borough, **Luzerne County**, Army Corps of Engineers Baltimore District.

To modify and maintain an existing dock and boathouse in Harveys Lake (HQ-CWF), having a total area of approximately 1,220 square feet, with work including construction of a pile-supported addition, having an area of approximately 450 square feet. The structure extends approximately 48 feet from the shoreline and has an overall width of approximately 47 feet. The project is located along the northern shoreline of the lake, between Barnum Street and Newmarth Street (Harveys Lake, PA Quadrangle N: 22.1 inches; W: 6.8 inches) (Subbasin: 5B).

E40-632. CAN DO, Inc., One South Church Street, 200 Renaissance Center, Hazleton, PA 18201. Hazle Township, **Luzerne County**, Army Corps of Engineers Baltimore District.

To place fill or regrade within PSS wetlands, impacting 0.95 acre, for the purposes of extending Humboldt Drive and constructing a warehouse/distribution facility and associated stormwater management facilities on Lot 105 of the Humboldt Industrial Park East. The permittee is required to provide 0.95 acre of replacement wetlands. The project is located on the western side of S. R. 0081, approximately 4,000 feet south of S. R. 0924 (Conyngham, PA Quadrangle N: 10.5 inches; W: 3.5 inches) (Subbasin: 5D).

E35-370. Karf, LLC, 1000 Greenbriar Drive, Clarks Summit, PA 18411. Clarks Summit Borough, **Lackawanna County**, Army Corps of Engineers Baltimore District.

To construct and maintain various site amenities including parking facilities, access roads, storm drainage facilities, site lighting, gas service and electrical service in the floodway of a tributary to Leggetts Creek (CWF). The site amenities are associated with the construction of Parcel # 2 and Parcel # 3 of the Summit Galleria Commercial Development. The project is located on the northeast side of Routes 6 and 11 approximately 0.4 mile southeast of its intersection with SR 0407 (Grove Street) (Scranton, PA Quadrangle N: 20.4 inches; W: 9.8 inches) (Subbasin: 05A).

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

E06-592. Earl Township, 19 Schoolhouse Road, Boyerstown, PA 19512, Earl Township, Berks County, ACOE Baltimore District.

To remove an existing 57-inch CMP and to construct and maintain a single cell concrete box culvert having an 8-foot span and 3.5-foot rise carrying Woodchoppertown Road (T-579) over Furnace Run (CWF) (Boyertown, PA Quadrangle N: 18.6 inches; W: 14.3 inches) in Earl Township, Berks County. The issuance of this permit also constitutes approval of a Water Quality Certification under section 401 of the Federal Water Pollution Control Act.

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

E12-148. Cameron County Conservation District, 20 East Fifth Street, Room 105, Emporium, PA 15834. Schatz and Venture Stabilization Sites, in Shippen Town-

ship, **Cameron County**, ACOE Baltimore District (Rich Valley, PA Quadrangle N: 6.45 inches; W: 6.55 inches).

To construct, operate and maintain two stream restoration projects consisting of the Venture site, which proposes to relocate 780 linear feet of Clear Creek (HQ-CWF) to stabilize failing banks and to re-establish a floodplain capacity. The project also proposes three "J" Hook rock structures and four Cross Vane rock structures to assist in stabilizing the newly constructed stream. The Schatz site proposes to remove a gravel bar and stabilize the stream bank totaling 650 linear feet of the Driftwood Branch of the Sinnemahoning Creek (TSF). Two "J" Hook rock structures and two Cross Vane rock structures are proposed to add stability to the project. All structures shall be constructed in accordance with the plans and specifications. This project is located in Shippen Township, Cameron County.

E12-149. Cameron County Commissioners, East Fifth Street, Emporium, PA 15834. Bridge construction, in Shippen Township, **Cameron County**, ACOE Baltimore District (West Creek, PA Quadrangle N: 21.9 inches; W: 3.4 inches).

To: (1) remove the existing four span steel girder bridge which has an open steel deck, reinforced concrete piers and abutments, a clear normal span of 97.4 feet and to construct and maintain; (2) a single span prestressed concrete spread box beam bridge 108.48 foot long with a minimum underclearance of 11.09 feet, a waterway opening of 1083 square feet and to construct and maintain; (3) 4-J hook stream restoration structures of R-8 rectangular and subangular native rock, one is located about 225 feet north of the centerline of the proposed bridge and the other three are located on the downstream side to a distance of about 200 feet from the proposed bridge centerline; (4) native rock, abutment demolition rock and trees/root wad Natural Bank Revetment for distances of 75 feet beginning at the south west abutment proceeding downstream and 175 feet beginning at the south east abutment proceeding downstream; and (5) about 125 linear feet by 35 feet wide R-5 rock stabilized channel, five rock check dams and about 330 linear feet of natural material rock bank revetment (165 feet each side) from the mouth proceeding upstream of an unnamed tributary which discharges to wetlands at the south east side of the proposed bridge. The proposed bridge is located on T-345 about 200 feet from the intersection of T-345 with SR 0120. The project will create about 0.65 acre of earth disturbance. The project will impact about 0.294 acre of wetlands and 700 feet of waterway. West Creek is a High Quality—Cold Water Fisheries stream.

E14-463. Frost Family Limited Partnership, John D. Frost, 4100 Lake Otis Parkway, Anchorage, AK 99508. Bridge construction, in Snow Shoe Township, **Centre County**, ACOE Baltimore District (Snow Shoe SE, PA Quadrangle N: 7.25 inches; W: 16.50 inches).

To construct and maintain a prefabricated 12 foot by 44 foot steel bridge on top of two concrete abutments which will be set 3 feet into the stream bank and backfilled with about 50 tons of number 4 limestone. The proposed bridge will be located over the South Fork of Beech Creek in a private driveway about 1.5 miles downstream of SR 144 and 4,000 feet south of the North Fork Gaging Station.

The project will not impact wetlands while impacting about 20 feet of waterway and causing 1,000 square feet of earth disturbance.

The South Fork of Beech Creek is a cold-water fisheries stream. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

E10-395, Department of Transportation, Engineering District 10-0, P. O. Box 429 Indiana, PA 15701-0429, S. R. 3034 Culvert Replacement in Semiconon Run, in Franklin Township, **Butler County**, ACOE Pittsburgh District (Prospect, PA Quadrangle N: 3.0 inches; W: 3.1 inches).

To remove the existing twin 36-inch diameter 40-foot long corrugated metal pipes and to install and maintain twin 42-inch diameter reinforced concrete pipes located at a point along S. R. 3034 (Purvis Road) within Semiconon Run (CWF) approximately 1.2 miles east of the intersection of S. R. 3034 and S. R. 0528.

E24-218, Albert Prechtl, 1300 Brussels Street, St. Marys, PA 15857, North Branch Elk Creek Crossing Culvert Amendment, in City of St. Marys, **Elk County**, ACOE Pittsburgh District (Saint Marys, PA Quadrangle N: 11.9 inches; W: 7.4 inches).

To amend Permit E24-218 which authorizes Albert Prechtel to install and maintain twin 30-foot long, 60-inch diameter concrete culverts in North Branch Elk Creek on a private driveway extending east from Washington Road approximately 1 mile north of S. R. 1001.

The proposed amendment is to install and maintain two additional twin 30-foot long, 60-inch diameter concrete culverts in North Branch Elk Creek for a commercial driveway extending east from Washington Road approximately 1 mile north of S. R. 1001. The project includes installation of wing-walls and gabion basket/riprap protection upstream and downstream of the structure. North Branch of Elk Creek is a perennial stream classified as a cold water fishery. The project proposes to directly affect a total of approximately 70 linear feet of stream channel.

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

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

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

E43-315, D & L Energy, Inc., 2761 Salt Springs Road, Youngstown, OH 44509, Yesko Pipeline in Sugar Grove Township, **Mercer County**, ACOE Pittsburgh District (Greenville West, PA Quadrangle N: 13.8 inches; W: 0.5 inch).

To construct and maintain a 6 inch steel pipeline for transporting natural gas across two (PEM/PSS) wetland areas and an unnamed tributary to the Little Shenango River (TSF, perennial) by the open cut method. The first wetland crossing is approximately 50 feet long and the second approximately 490 feet long. The unnamed tributary is approximately 15 feet wide and 3 feet deep. Approximately 0.037 acre of the approximate 15 acres wetland complex is to be impacted. The project is located approximately 2,700 feet south of the intersection of an abandoned railroad grade and Goetsch Road (T-530).

ENVIRONMENTAL ASSESSMENTS

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

D44-011EA, Reedsville Milling Company, Inc., P. O. Box 477 Reedsville, PA 17084, Brown Township, **Mifflin County**, ACOE Baltimore District.

Project proposes to breach and remove an unnamed dam across Tea Creek (HQ-CWF) for the purpose of eliminating a threat to public safety and restoring the stream to a free flowing condition. The dam is located approximately 500 feet east of the intersection of Toll Gate Road (S. R. 1005) and S. R. 655 (Burnham, PA Quadrangle N: 7.7 inches; W: 14.0 inches).

D54-043EA, Schuylkill County Municipal Authority, 221 South Centre Street, P. O. Box 960, Pottsville, PA 17901, Tremont Township, **Schuylkill County**, ACOE Baltimore District.

Project proposes to breach and remove two unnamed dams across Poplar Creek (CWF) to eliminate a threat to public safety and to restore the stream to a free flowing condition. The dams are located on the property of the Schuylkill County Municipal Authority approximately 3/4 mile southwest of the intersection of U. S. Route 209 and S. R. 125. (Pine Grove, PA Quadrangle N: 22.3 inches; W: 3.9 inches).

EA22-013CO, Dauphin County Conservation District, 1451 Peters Mountain Road, Dauphin, PA 17018, Washington Township, **Dauphin County**, ACOE Baltimore District.

Project proposes to breach and remove Shiffer's Mill Dam across Wiconisco Creek (WWF) to eliminate a threat to public safety and to restore the stream to a free flowing condition. The dam is partially breached on the right side and is creating an erosion problem. The dam is located approximately 500 feet northeast of the intersection of Shiffer Mill Road (T400) and Lenker Road (T401) (Elizabethville, PA Quadrangle N: 8.05 inches; W: 16.00 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 & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
04-02-022	Stephen J. Carten Pittsburgh Terminal Corp. Coraopolis Terminal P. O. Box 2621 Harrisburg, PA 17105	Allegheny	Moon Township	3 ASTs storing gasoline/distillate	20,783,000 gallons total

SPECIAL NOTICES

Water Allocation Permit Application Public Hearing; Cambria Somerset Authority

The Department of Environmental Protection (Department) will be accepting testimony at a public hearing on the Water Allocation Permit Application submitted to the Department by the Cambria Somerset Authority (CSA). In the application, the CSA requested the right to withdraw water, for public water supply purposes, from the waters of the Commonwealth at the following locations:

Quemahoning Reservoir	71 million gallons per day (mgd)
Hinkston Reservoir	10 mgd
Wilmore Reservoir	10 mgd
South Fork Dam Intake	26 mgd
Border Dam Intake	27 mgd

Total withdrawal requested from all sources is 71 mgd.

This hearing will be held at Heritage Hall A, The University of Pittsburgh at Johnstown, Johnstown, PA, on November 1, 2004, at 6 p.m. Written testimony may be submitted until December 1, 2004, to Department of Environmental Protection, Water Supply Management, 400 Waterfront Drive, Pittsburgh, PA 15222.

Further information may be obtained by contacting the Department at the previous address or by calling (412) 442-4000 or by e-mailing chcolbert@state.pa.us

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

Water Allocation Permit Application Public Hearing; Somerset County General Authority

The Department will be accepting testimony at a public hearing on the Water Allocation Permit Application submitted to the Department by the Somerset County General Authority (SGA). In the application, the SGA requested the right to purchase up to 4 million gallons per day from the Cambria Somerset Authority. Testimony will also be accepted on the Public Water Supply Permit Application submitted by the SGA at that time. In that application, the SGA proposes to construct a water treatment plant, a finished water storage tank, a water distribution system, two finished water pump stations and related appurtenances.

This hearing will be held in the Courtroom A, Somerset County Courthouse, 300 North Center Avenue, Somerset, PA on November 9, 2004, at 6:30 p.m.

Written testimony may be submitted until December 10, 2004, to Department of Environmental Protection, Water Supply Management, 400 Waterfront Drive, Pittsburgh, PA 15222.

Further information may be obtained by contacting the Department at the previous address or by calling (412) 442-4000 or by e-mailing chcolbert@state.pa.us

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

Abandoned Mine Reclamation; Jenner Township, Somerset County

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

<i>Project</i>	<i>Municipality</i>	<i>County</i>	<i>Acres</i>
BF 00-05-101.1	Jenner Township	Somerset	15

Pelesmitco, Inc. Coal Company, DMP 56901302, on the GM&W Coal Company property requires backfilling and revegetation.

Letters of interest must be received by Don Barnes, District Mining Manager, Department of Environmental Protection, 286 Industrial Park Road, Ebensburg, PA 15931 by 4 p.m. on November 12, 2004, to be considered.

Telephone inquiries shall be directed to Don Barnes at (814) 472-1900.

Abandoned Mine Reclamation; Quemahoning Township, Somerset County

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

<i>Project</i>	<i>Municipality</i>	<i>County</i>	<i>Acres</i>
BF 01-05-101.1	Quemahoning Township	Somerset	58

Big J Mining, Inc., SMP 56960111, on the Sorber property requires backfilling and revegetation.

Letters of interest must be received by Don Barnes, District Mining Manager, Department of Environmental Protection, 286 Industrial Park Road, Ebensburg, PA 15931 by 4 p.m. on November 12, 2004, to be considered.

Telephone inquiries shall be directed to Mr. Barnes at (814) 472-1900.

BUREAU OF DEEP MINE SAFETY

Approval of Request for Variance

The Department, Bureau of Deep Mine Safety (Bureau) has approved Parkwood Resources, Inc's request for a variance from the requirements of Section 242(c) of the Pennsylvania Bituminous Coal Mine Act (act) at the Cherry Tree Mine. This notification contains a summary of this request and the basis for the Department's

approval. A complete copy of the variance request may be obtained from Allison Gaida by calling (724) 439-7469 or from the Bureau's website: www.dep.state.pa.us/dep/deputate/minres/dms/dms.htm.

Summary of the Request: Parkwood Resources, Inc. requested a variance from section 242(c) of the act to allow for the common ventilation of belt conveyor entry with other entries at the Cherry Tree Mine. The proposal accords protections to persons and property substantially equal to or greater than the requirements set forth in the act.

The basis for the Bureau's approval is summarized as follows:

1. The Pyott-Boone 9500 CO Monitoring System will provide advance warning of a developing mine fire originating in the conveyor belt entry. When maintained and operating correctly, this system provides warnings much earlier than the point type heat sensors.
2. Common entries would permit the larger section mantrip and scoops access to belt entry for transportation of personnel and supplies.
3. The operator will maintain a separate isolated intake escapeway that is at a higher air pressure than the belt and common entries.
4. The plan provides for the common entries to serve as an alternate intake escapeway. There will be a total of three separate, isolated escape routes.

This approval is limited to a variance from the requirements in section 242(c) of the act requiring that the belt entry is isolated from other entries. All other terms and requirements of section 242(c) of the act shall remain in effect. Continued authorization for operation under the approval is contingent upon compliance with the measures described in the plan and the following conditions:

1. All mine employees shall be task trained in the Pyott Boone Model 9500 CO monitoring system alert and alarm response procedures. These procedures shall also be included in the 8-hour annual retraining.
2. As part of the requirements of section 228 of the act, all belt entries, common entries and unfenced roadways shall be preshifted in their entirety.
3. A preshift date board should be placed at each CO sensor location.
4. Designated areas shall be established (with approval from the District Inspector) at strategic locations along the belt entry and common entries to determine whether the air is traveling in the proper course and normal volume. This air reading shall be taken by a scientific means (anemometer, chemical smoke tube, velometer) and recorded in the preshift examination record book.
5. The investigative committee shall conduct an underground ventilation survey when the belt and common entries are established to verify pressure differential between the intake escapeway and the common entries.
6. The investigative committee shall evaluate the visual and audible alarms during the installation process.
7. A list of designated surface personnel shall be forwarded to the District Inspector upon activation of the CO Monitoring System. Copies of the task training records shall also be forwarded to the District Inspector.

8. The investigators shall interview supervisory and nonsupervisory personnel upon commencement of mining operations.

9. The operator must ascertain whether or not the belt compounds used in the mine produce CO when burnt. Should the operator use a non-CO producing compound in the mine, additional sensors must be used in conjunction with the CO detectors to provide the early warning benefits of the monitoring system.

Request for Comment and Notice of Public Meeting for the Proposed Total Maximum Daily Load (TMDL) for Wyomissing Creek in Berks County

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

The Department will accept comments on the proposed sediment TMDL developed for a Wyomissing Creek watershed in southcentral Berks County. The TMDL was established in accordance with the requirements of section 303(d) of the Clean Water Act. The Commonwealth's 1996-303(d) list included stream segments in the watershed. Current use impairments are due to siltation from urban and residential runoff and storm sewers.

The proposed TMDL sets allowable sediment loadings in the watershed. There currently are no State or Federal in-stream numerical water quality criteria for sediment. Therefore, the Department utilized a reference watershed approach to implement the applicable narrative criteria. The sediment loading was allocated among MS4 areas and all land use categories present in the remaining portions of the watershed. Data used in establishing this TMDL were generated using a water quality analysis model (AVGWLF) designed by the Pennsylvania State University.

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

Summary of TMDL-Based Load Reductions in the Wyomissing Creek Watershed

<i>Watershed</i>	<i>Pollutant</i>	<i>Existing Load (lbs/yr)</i>	<i>TMDL (lbs/yr)</i>	<i>Reduction</i>
Wyomissing Creek	Sediment	10,553,976	6,329,495	40%

The data and all supporting documentation used to develop the proposed TMDL are available from the Department. The proposed TMDL and information on the TMDL program can be viewed on the Department's website: www.dep.state.pa.us (DEP Keyword: TMDL). To request a copy of this TMDL, contact Joseph Hepp, Water Management Program, SCRO, 909 Elmerton Avenue, Harrisburg, PA 17110, jhepp@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 23, 2004. A public meeting to discuss the technical merits of the TMDL will be held on October 25, 2004, at 7 p.m. in the Shillington Municipal Building, located in the Shillington Memorial Park, off of E. Broad Street, Shillington, PA.

[Pa.B. Doc. No. 04-1920. Filed for public inspection October 22, 2004, 9:00 a.m.]

Availability of Technical Guidance

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

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

Ordering Paper Copies of Department Technical Guidance

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

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

Changes to Technical Guidance Documents

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

Draft Technical Guidance—Substantive Revision

DEP ID: 291-4100-001. Title: Bureau of Radiation Protection Compliance and Enforcement Policy. Description: This guidance, which became effective on March 15, 1994, establishes standard procedures for encouraging compliance with, and enforcing the regulations, which the Bureau of Radiation Protection (Bureau) has the authority to administer. The Bureau's regulatory responsibilities are authorized by the Radiation Protection Act (35 P. S. §§ 7110.101—7110.703), the Radon Certification Act (63 P. S. §§ 2001—2014) and the Low-Level Radioactive Waste Disposal Act (35 P. S. §§ 7130.101—7130.905). On April 6, 2004, the Secretary of the Department announced the Department's new policy on "Standards and Guidelines for Identifying, Tracking and Resolving Violations." This draft guidance incorporates the guidelines under that policy as substantive revisions to provide program staff with direction on how to implement the recently issued guidelines. Written Comments: Interested persons may submit written comments on technical guidance document no. 291-4100-001 by November 22, 2004. Comments submitted by facsimile will not be accepted; however, the Department will accept comments submitted by e-mail. A return name and address must be included in each e-mail transmission. Written comments may be submitted to Ben Seiber, Bureau of Radiation Protection, P. O. Box 8469, Harrisburg, PA 17105-8469, bseiber@state.pa.us. Questions regarding this technical guidance

document should be directed to Ben Seiber at (717) 783-7702 or by e-mail.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 04-1921. Filed for public inspection October 22, 2004, 9:00 a.m.]

Mining and Reclamation Advisory Board and the Board's Reclamation Committee Meetings

The quarterly meeting of the Mining and Reclamation Advisory Board (Board) is scheduled for October 27, 2004, at 11 a.m. in the Delaware Room, 16th Floor, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The Board will review and discuss the replacement of water supplies impacted by mining, orphan mine discharges and bond rate guidelines. The Board's Reclamation Committee will meet at 9 a.m. on October 27, 2004, at the same location and will discuss orphan mine discharges and beneficial use of residual waste at mine sites.

Questions concerning these meetings should be directed to G. Nevin Strock, (717) 787-6842, gstrock@state.pa.us. The agenda and meeting materials will be available through the Public Participation Center on the Department of Environmental Protection's (Department) website: www.dep.state.pa.us (DEP Keyword: Participate).

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact G. Nevin Strock at the previous telephone number or e-mail address or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 04-1922. Filed for public inspection October 22, 2004, 9:00 a.m.]

DEPARTMENT OF HEALTH

Chronic Renal Disease Advisory Board Meeting Change

The Renal Advisory Committee, established by 35 P. S. § 6204, will hold a public meeting on Friday, October 29, 2004, from 10 a.m. to 3 p.m. in Conference Room 327, Health and Welfare Building, Commonwealth Avenue and 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 Elaine E. Gible, Program Administrator, Chronic Renal Disease Program, Division of Child and Adult Health Services, (717) 772-5138, 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. 04-1923. Filed for public inspection October 22, 2004, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Santa's List Instant Lottery Game; Change to Game Rules

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of changes to the Pennsylvania Santa's List instant lottery game rules that were published at 34 Pa.B. 5658 (October 9, 2004).

This amendment changes a description of a \$12 prize level. The correct version of this document is as follows, with ellipses referring to the existing text as it appeared at 34 Pa.B. 5658 and 5659:

* * * * *

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

<i>Win With Prize(s) of:</i>	<i>Win:</i>	<i>Approximate Odds of 1 In:</i>	<i>Approximate No. of Winners Per 4,320,000 Tickets</i>
	* * * * *		
\$9	\$9	100	43,200
\$3 × 2 + \$6	\$12	200	21,600
	* * * * *		

GREGORY C. FAJT,
Secretary

[Pa.B. Doc. No. 04-1924. Filed for public inspection October 22, 2004, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Finding Allegheny County

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

The Department of Transportation (Department) plans to rehabilitate the bridge carrying Corrigan Drive over Catfish Run in South Park, Allegheny County. The bridge rehabilitation requires the taking of approximately 93 square meters (1,000 square feet) from South Park, which qualifies as a Section 2002 resource.

Mitigation measures to minimize harm to the resource include the following:

1. The minimum amount of permanent right-of-way will be acquired from South Park to incorporate the existing wing walls into the roadway right-of-way. The land required is currently undeveloped.
2. During construction, one lane of traffic in each direction and one sidewalk will be maintained at all times to avoid a detour. Therefore, this will not result in any temporary or permanent adverse change to the activities or features, which are important to the purposes and functions of South Park that qualify South Park for protection under Section 2002.
3. Protective fencing will be placed along the walking path adjacent to the bridge during construction.
4. All disturbed areas will be revegetated and any landscaped areas will be restored upon completion of the proposed project.

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

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

[Pa.B. Doc. No. 04-1925. Filed for public inspection October 22, 2004, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Actions Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10:30 a.m., Thursday, October 7, 2004, and announced the following:

Regulations Approved

Department of Agriculture # 2-146: Amendments to Lifetime Licensure (amends 7 Pa. Code Chapter 21)

Pennsylvania State Police # 17-64: Administration of the Bureau of Liquor Control Enforcement; Age Compliance Check Program (adds 37 Pa. Code Chapter 23)

Environmental Quality Board # 7-380: Stream Redesignations (Brushy Meadow Creek, et al.) (amends 25 Pa. Code Chapter 93)

Approval Order

Public Meeting held
October 7, 2004

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

Department of Agriculture—Amendments to Lifetime Licensure; Regulation No. 2-146

On September 1, 2004, the Independent Regulatory Review Commission (Commission) received this regulation from the Department of Agriculture (Department). This rulemaking amends 7 Pa. Code Chapter 21. Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*. On September 17, 2004, the Department tolled and resubmitted the final-omitted regulation to the Commission with revisions.

This rulemaking amends the Department's existing regulations to bring them into compliance with revisions to the Veterinary Medicine Practice Act (act) (63 P. S. §§ 485.1—485.35). The amendments to the regulation remove the requirement that only a licensed veterinarian can apply a tattoo and specify that a microchip must be implanted by a licensed veterinarian or a person authorized to implant microchips under the act or the State Board of Veterinary Medicine's regulations.

We have determined this regulation is consistent with the statutory authority of the Department (3 P. S. § 459-201(b)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting held
October 7, 2004

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

Pennsylvania State Police—Administration of the Bureau of Liquor Control Enforcement; Age Compliance Check Program; Regulation No. 17-64

On December 8, 2003, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania State Police. This rulemaking adds 37 Pa. Code Chapter 23. The proposed regulation was published in the December 20, 2003, *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on August 30, 2004.

This regulation implements an age compliance check program as mandated by Act 141 of 2002. The regulation includes training and examination requirements for individuals who are 18 to 20 years of age who work in the program. It also establishes standards and procedures for age compliance checks.

We have determined this regulation is consistent with the statutory authority of the Pennsylvania State Police (18 Pa.C.S. §§ 6308(e)(3) and 6310(c)(3)) and the intention of the General Assembly. Having considered all of the

other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting held
October 7, 2004

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

Environmental Quality Board—Stream Redesignations (Brushy Meadow Creek, et al.); Regulation No. 7-380

On August 13, 2003, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (Board). This rulemaking amends 25 Pa. Code Chapter 93. The proposed regulation was published in the August 23, 2003, *Pennsylvania Bulletin* with a 45-day public comment period. The final-form regulation was submitted to the Commission on September 2, 2004.

This regulation updates, corrects and clarifies the listings for 36 stream segments. These redesignations are based on evaluations conducted by the Department of Environmental Protection and Fish and Boat Commission. Four stream segments are redesignated as Exceptional Value.

We have determined this regulation is consistent with the statutory authority of the Board (35 P. S. §§ 691.5 and 691.402) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 04-1926. Filed for public inspection October 22, 2004, 9:00 a.m.]

Notice of Comments Issued

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

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

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
14-483	Department of Public Welfare Metropolitan Statistical Area 34 Pa.B. 4465 (August 14, 2004)	9/13/04	10/13/04
14-486	Department of Public Welfare MA Day of Care Definition 34 Pa.B. 4462 (August 14, 2004)	9/13/04	10/13/04
14-488	Department of Public Welfare Medical Assistance Provider Appeal Procedure 34 Pa.B. 4447 (August 14, 2004)	9/13/04	10/13/04

**Department of Public Welfare Regulation # 14-483
(IRRC # 2414)**

Metropolitan Statistical Area

October 13, 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 Department of Public Welfare (Department) must respond to these comments when it submits the final-form regulation. The public comment period for this regulation closed on September 13, 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 1187.94. Peer grouping for price setting.—Fiscal impact; Reasonableness.

This proposed rulemaking amends the method the Department uses to establish peer groups used to set net operating per diem rates under the case-mix payment system. Currently, peer groups are based on the most recent Metropolitan Statistical Areas (MSA) group classifications established by the Federal Office of Management and Budget (OMB) and a nursing facility's bed complement. In June 2003, the OMB changed their method for categorizing MSAs. The Department contends that this change makes it impossible to classify nursing facilities into peer groups under the current case-mix payment system regulations. Therefore, the Department has decided to adopt the MSA group classifications published in OMB Bulletin No. 99-04. This change will retain the MSA group classifications currently used by the Department to establish per diem rates.

In the preamble, the Department noted that it considered adopting the new MSA group classifications. However, its analysis indicated that "a majority of nursing facility providers would be adversely affected (that is, the case-mix payment system would compute lower rates for the majority)."

Several commentators have expressed concern with the approach taken by the Department. They believe that maintaining the historical MSA group classifications does not accurately reflect the true cost of operating a nursing facility in their specific geographic location.

We agree. Incorporating the new MSA group classifications would allow the Department to establish per diem rates that reflect more current costs associated with operating a nursing facility. Why has the Department decided to retain the historical MSA group classifications instead of using the most recent MSA data available?

2. Effective date of the regulation.—Conflict with existing regulations; Reasonableness; Implementation procedures.

This rulemaking is proposed to take effect for the July 1, 2004, rate-setting. Existing § 1187.95(a), regarding general principles for rate and price setting, state the following: "Prices will be set *prospectively* on an annual basis during the second quarter of each calendar year and be in effect for the subsequent July 1 through June 30 period." (Emphasis added.)

This rulemaking process was initiated August 14, 2004, well after the effective date of the proposed regulation. Establishing a retroactive effective date conflicts with the existing regulation previously noted. This regulation is binding on the Department as it is on the regulated parties. Given this conflict, can the Department implement this rule change retroactively?

**Department of Public Welfare Regulation # 14-486
(IRRC # 2415)**

MA Day of Care Definition

October 13, 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 Department of Public Welfare (Department) must respond to these comments when it submits the final-form regulation. The public comment period for this regulation closed on September 13, 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.

Effective date of the regulation.—Conflict with existing regulations; reasonableness; implementation procedures.

The Department states that the effective date for the change to the definition of an "MA day of care" will be January 1, 2004, and "apply to disproportionate share incentive payments for fiscal year ending on and after December 31, 2003, and the MA CMI for picture dates beginning February 1, 2004."

However, existing § 1187.95(a) states "Prices will be set *prospectively* on an annual basis during the second quarter of each calendar year and be in effect for the subsequent July 1 through June 30 period." (Emphasis added.)

This rulemaking process was initiated after the effective date of the proposed regulation. Therefore, the Department should explain how it can retroactively make these changes.

**Department of Public Welfare Regulation # 14-488
(IRRC # 2416)**

Medical Assistance Provider Appeal Procedure

October 13, 2004

We submit for your 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 Department of Public Welfare (Department) must respond to these comments when it submits the final-form regulation. The public comment period for this regulation closed on September 13, 2004. If the final-form regulation is not delivered within two years of the close of the public comment period, the regulation will be deemed withdrawn.

1. Section 41.1. Scope.—Reasonableness; Clarity.

Subsection (b)—Other regulations

This subsection states “In addition to this chapter, GRAPP [General Rules of Administrative Practice and Procedure] and other applicable departmental regulations apply to the practice and procedures in MA provider appeals. . . .” (Emphasis added.) To give adequate notice to those subject to compliance, the Department should include specific citations to other Department regulations that will apply.

Subsections (d) and (e)—Effective date

These subsections provide that the requirements of this regulation apply to provider appeals commenced on or after December 3, 2002, but before July 1, 2003, with two exceptions. The earlier date precedes publication of the Department’s Final Practice Standing Order (Order). The Order was published at 33 Pa.B. 3053 (June 28, 2003). The Department should explain how these requirements can apply to appeals filed before the publication of the Order.

2. Section 41.3. Definitions.—Consistency with statute; Reasonableness; Clarity.

The definition of “senior department official” includes “. . . an individual who works in the office of the Secretary or who reports directly to the Secretary” Under this definition, an administrative assistant or a receptionist who reports directly to the Secretary would meet the criteria to be a “senior department official.” Therefore, the Department should delete this phrase and limit this definition to the Comptroller, the Chief Counsel of the Department, deputy secretaries, bureau directors or someone designated by the Secretary as a person with authority over a specific program.

3. Section 41.4. Amendments to regulation.—Consistency with existing regulations; Necessity; Clarity.

This section purports to supersede 1 Pa. Code § 31.6 of the GRAPP. Section 31.6 of 1 Pa. Code provides that the Joint Committee on Documents (Joint Committee) retains continuing jurisdiction under 45 Pa.C.S. § 723(b) to amend the GRAPP. The Department has no authority to supersede the Joint Committee’s authority in this regard. However, the Department does retain statutory authority to revise its own regulations. Because both grants of authority can and do coexist without conflict, this section is not necessary and should be deleted.

4. Section 41.5. Jurisdiction of the bureau.—Clarity.

Subsection (b) provides that the Bureau of Hearings and Appeals (Bureau) does not have jurisdiction to issue a

final determination on a waiver request included in a request for hearing.

According to the Department, the basis for this limitation is found in 67 Pa.C.S. § 1105(b)(3), which provides in part: “The secretary . . . may waive compliance with program requirements to promote fairness and the proper administration of the program.” However, nothing in that sentence precludes the Bureau from issuing a final decision. In fact, 67 Pa.C.S. § 1105(a) states: “The bureau shall issue a determination adjudicating contested issues of fact and law and any appropriate order, decree or decision.” That provision grants the Bureau authority to make a determination on any question raised in the context of a provider appeal. Therefore, the Department should clarify its rationale for this subsection in the final-form regulation.

5. Section 41.12. Form.—Reasonableness.

This section allows filing of legal documents by hard copy through personal delivery or first-class mail. Delivery is also authorized through filing by facsimile under certain circumstances. However, a legal document may not be filed through electronic communication. The Department should explain why filing through electronic communication is not permitted.

6. Section 41.22. Service of pleadings and legal documents.—Clarity

The references to “General Counsel” in paragraphs (1)(ii) and (2)(ii) should be changed to “Chief Counsel” to avoid confusion and for consistency with § 41.112(b).

7. Section 41.31. Request for hearing.—Clarity.

Subsection (d)(4)(iii) states that a provider may only request a declaratory order or an order that the Department be required to promulgate, amend or repeal a regulation in accordance with 1 Pa. Code § 35.18. This paragraph should also include a reference to 1 Pa. Code § 35.19, regarding petitions for declaratory orders.

8. Section 41.32. Timeliness and perfection of requests for hearing.—Consistency with statute; Clarity.

Subsection (a)—Methods for delivery of notice

Paragraph (2) allows the Department to give written notice of an agency action “other than by mailing the notice to the provider.” We have two questions. First, in what other manner would the Department give notice to the provider? The Department should include examples of other methods of notice in the final-form regulation.

Second, when would the Department not contact a provider by mailing the notice? The Department should explain.

Subsections (e) and (f)—Dismissal of hearing requests

In these two subsections, the Bureau is required to dismiss requests for hearings if a number of conditions are not met. Why is the Bureau restricting its discretion in these two subsections? The Bureau should be able to make decisions on a case-by-case basis if the conditions included in these two subsections are met. Therefore, to give the Bureau more flexibility, the Department should replace the verb “will” with the verb “may.”

9. Section 41.41. Waiver request.—Clarity.

Subsection (c) contains one sentence that reads:

To the extent that the waiver sought by a provider in a petition for relief has been or *could have been* included in a request for hearing, the Bureau will dismiss the petition for relief. (Emphasis added.)

The phrase “could have been” seems to preclude a provider from seeking a waiver in the future if that waiver is not included in an earlier petition in a different case. If this is not the intent, the Department should clarify the provision to clearly indicate that the dismissal for failure to include the waiver petition will only occur in a given case.

10. Section 41.43. Request for issuance, amendment or deletion of regulations.—Clarity.

This section states “[t]he sole means by which a provider may formally petition the Department for the issuance, amendment or deletion of a regulation or statement of policy is by filing a petition for relief.” This section should include citations to the GRAPP or other regulations that outline the contents of and procedures for filing a petition for relief with the Bureau.

11. Section 41.51. General.—Clarity.

In subsection (f), the Department should list examples of what appropriate sanctions, other than costs, would be imposed on a party who files a petition for supersedeas in bad faith or on frivolous grounds.

12. Section 41.53. Circumstances affecting grant or denial.—Reasonableness; Clarity.

Subsection (a)—Factors considered in granting supersedeas

This subsection includes factors that will be considered in granting or denying a supersedeas. It is unclear whether the three factors listed will always be considered, or if any combination of the three will suffice. For clarity, the Department should either revise this section to state “[t]he following factors may be considered” to make the entire list optional, or insert an “and” after the second factor to make the entire list mandatory.

Subsection (b)—Factors for denying supersedeas

Subsection (b) states, in part, “If State law or Federal law or regulation require that an action take effect prior to the final determination of an appeal, injury to the public health, safety or welfare shall be deemed to exist.”

In the final-form regulation, the Department should include examples of or specific citations to State and Federal law that would be used as ground for denying supersedeas.

13. Section 41.83. Withdrawal of provider appeals.—Reasonableness.

Subsection (b) states “When a provider appeal is withdrawn prior to adjudication, the withdrawal shall be with prejudice.” Why are withdrawals of provider appeals with prejudice in this instance? The Department should explain.

14. Section 41.92. Expedited disposition procedure for certain appeals.—Reasonableness; Clarity.

“Opt-in” versus “Opt-out”

This section allows parties to “opt-out” of the expedited appeals process. Commentators believe parties should be allowed to “opt-in” rather than “opt-out” with respect to

expedited disposition. We agree. The Department should explain why it used the “opt-out” mechanism in this section.

15. Section 41.111. Disclosures.—Reasonableness; Clarity.

Subsection (f) states “[a] provider whose initial mandatory disclosure identifies documents in the possession of the Department or program office, but fails to provide copies of the provider’s own records or documents in support of one or more of the issues raised in the provider’s request for hearing, will not be in compliance with this subsection.” There is no standard for compliance with this subsection imposed on the Department. The Department should make the standards for providers and the program office equivalent in the final-form regulation.

In addition, a cross-reference to § 41.117 should be added so that parties will have an understanding of the penalties for noncompliance.

16. Section 41.112. Filing of position papers.—Reasonableness.

Subsection (a) states “[i]f the provider fails to meet the position paper due date or fails to supply the Bureau with the required documentation, the Bureau will dismiss the provider’s appeal.” Subsection (b) states “[i]f the program office fails to meet the position paper due date, the Bureau will schedule the case for hearing and will notify the Chief Counsel of the Department.”

Why are there different standards for providers and the program office? The Department should make the standards for providers and the program office equivalent in the final-form regulation.

17. Section 41.115. Statement regarding expert opinions.—Clarity.

Subsection (c) lists the requirements for expert opinion statements. This section should also include the expert’s qualifications.

18. Section 41.117. Penalties for noncompliance.—Clarity.

Good cause exception

Subsection (a) allows a party to offer testimony of a witness at a hearing if the party establishes “good cause to permit the testimony of the witness.” Subsection (b) does not have a good cause exception for documents introduced into evidence. The Department should either include a good cause exception to documents in subsection (b) or explain why such an exception does not apply to documents.

Impeachment

This section should be clarified to state that testimony and documents that fall under subsections (a) and (b) apply only to witnesses and documents that are used for the case-in-chief. These standards should not apply to witnesses and documents that are used exclusively for impeachment purposes.

19. Section 41.119. General scope of discovery.—Clarity.

Subsection (b) states “[e]xcept to the extent inconsistent with or as otherwise provided in this chapter,

discovery shall be governed by the relevant Pa.R.C.P. [Pennsylvania Rules of Civil Procedure] applicable to the form of discovery authorized by this chapter." The Department should include specific citations to the relevant Pa.R.C.P. in the final-form regulation.

20. Section 41.122. Supplementing disclosures and responses.—Clarity.

In subsection (a), the word "or" should be inserted between the phrases "ordered by the Bureau" and "if the party learns."

21. Section 41.153. Burden of proof and production.—Consistency; Reasonableness.

Subsection (a) states "[t]he provider has the burden of proof to establish its case by a preponderance of the evidence and is required to make a prima facie case by the close of its case-in-chief." This section does not shift the burden of proof to the Department in any case. If the Department issues a rule to show cause in a provider termination action, does the burden of proof shift to the Department? If so, the Department should describe if and when this shift occurs. A good example of how to specify the shift in the burden of proof can be found in the existing rules of the Environmental Hearing Board in 25 Pa. Code § 1021.122.

22. Section 41.162. Subpoenas.—Consistency with statute.

Subsection (a) outlines the controlling rules for subpoenas and requests for subpoenas. Section 1104(a) of 67 Pa.C.S. permits the Bureau to enforce its subpoenas in Commonwealth Court. For consistency with the statute, the Department should include this enforcement power in the final-form regulation.

23. Section 41.171. Independence.—Clarity.

This section provides for the independence of presiding officers and restrictions on their conduct. Subsection (b) does not permit presiding officers to conduct ex parte communications with a party to the hearing. The Department should explain what consequences would result from noncompliance with this provision.

24. Section 41.191. Determinations and recommendations by the Bureau.—Consistency with statute; clarity; necessity; feasibility.

Under § 41.191(b), the review of the Bureau is severely limited on waiver requests included in a request for hearing. For the reasons discussed in Issue No. 4 above, we object to the limitation on the Bureau's jurisdiction to enter a final decision. The Department should delete language which restricts the Bureau's authority to adjudicate waiver requests presented in a request for hearing, or explain its rationale for this restriction in the final-form regulation.

25. Section 41.201. Reopening of record prior to adjudication.—Clarity.

Subsection (b) allows reopening of records "upon the basis of recently discovered evidence" when a number of circumstances are present. If the record is reopened

under this subsection, can parties then file amended pleadings and position papers? The Department should explain.

[Pa.B. Doc. No. 04-1927. Filed for public inspection October 22, 2004, 9:00 a.m.]

Notice of Filing of Final Rulemakings

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

<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
10-155	Department of Health Recreational Swimming Establishment Lifeguard Requirements	10/7/04

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 04-1928. Filed for public inspection October 22, 2004, 9:00 a.m.]

INSURANCE DEPARTMENT

**Pennsylvania Compensation Rating Bureau
F-Classification and USL & HW Rating Value Filing;
Rate Filing**

On October 6, 2004, the Insurance Department (Department) received from the Pennsylvania Compensation Rating Bureau (PCRB) proposed revisions to rates and rating values pertaining to F-Classification and United States Longshore and Harbor Workers (USL&HW) Compensation Act coverages to be effective February 1, 2005. The filing proposes the following:

* An overall average decrease in collectible F-classification rates of 8.88%.

* An overall average decrease in manual rates for F-classifications of 9.02% consistent with the proposed overall average change in collectible rates. The proposed changes in manual rates for individual F-Classifications range from decreases of 7.0% to 12.3%.

* A change in the USL&HW Compensation Coverage Percentage from 79.3% to 79.1%.

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."

The filing is also available for review on the PCRB's website: www.pcrb.com (click "Filings").

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

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-1929. Filed for public inspection October 22, 2004, 9:00 a.m.]

State Farm Mutual Automobile Insurance Company and State Farm Fire and Casualty Company; Private Passenger Auto Rate Filing

On October 4, 2004, the Insurance Department (Department) received from State Farm Mutual Automobile Insurance Company and State Farm Fire and Casualty Company a filing which introduces Liability Rating Groups, a new make and model rating program for BI and PD, to be effective January 1, 2005. The Liability Rating Group program, which applies to 1998 and newer models, is expected to be revenue neutral.

Unless formal administrative action is taken prior to December 3, 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."

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-1930. Filed for public inspection October 22, 2004, 9:00 a.m.]

LIQUOR CONTROL BOARD

Expiration of Leases

The following Liquor Control Board lease will expire:

Washington County, Wine & Spirits Shoppe # 6302, 43 E. Pike Street, Canonsburg, PA 15317-1311.

Lease Expiration Date: February 28, 2006

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 3,500 net useable square feet of new or existing retail commercial space serving Canonsburg. The site must have convenient off-street customer parking and access for separate tractor-trailer deliveries.

Proposals due: November 12, 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. 04-1931. Filed for public inspection October 22, 2004, 9:00 a.m.]

PENNSYLVANIA COUNCIL ON AGING

Meeting Dates for 2005

Under 65 Pa.C.S. §§ 701—716 (relating to Sunshine Act), the Pennsylvania Council on Aging (Council) has established the following dates for the calendar year 2005:

Tuesday, February 1, 2005

Tuesday, April 5, 2005

Tuesday, June 7, 2005

Tuesday, August 23, 2005

Tuesday, September 27, 2005

Tuesday, December 6, 2005

All meetings of the Council will be held from 1 p.m. to 5 p.m. at the Department of Aging, Fifth Floor Conference Room, 555 Walnut Street, Harrisburg, PA.

Persons with a disability who wish to attend a meeting and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Ellen Kramer Adler, Executive Director, (717) 783-1924 to discuss how the Council may best accommodate their needs.

ELLEN KRAMER ADLER,
Executive Director

[Pa.B. Doc. No. 04-1932. Filed for public inspection October 22, 2004, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Applications for Approval of Restructuring Plans

Application of PECO Energy Company for Approval of its Restructuring Plan Under Section 2806 of the Public Utility Code, et al.; Doc. No. R-000973953

Application of Pennsylvania Power & Light Company for Approval of its Restructuring Plan Under Section 2806 of the Public Utility Code, et al.; Doc. No. R-000973954

Application of West Penn Power Company for Approval of its Restructuring Plan Under Section 2806 of the Public Utility Code, et al.; Doc. No. R-000973981

Application of Metropolitan Edison Company for Approval of its Restructuring Plan Under Section 2806 of the Public Utility Code, et al.; Doc. No. R-000974008

Application of Pennsylvania Electric Company for Approval of its Restructuring Plan Under Section 2806 of the Public Utility Code, et al.; Doc. No. R-000974009

The settlements of the restructuring proceedings at the previously referenced docket numbers resulted in the establishment of sustainable energy funds. It has been the practice to use the docket numbers from the restructuring proceedings for any filings or issuances pertaining to these funds. For reasons of administrative efficiency and the convenience of the parties, the Pennsylvania Public Utility Commission (Commission) has assigned each of these sustainable energy funds a unique Commission docket number.

The purpose of this notice is to advise interested parties of changes to the service list. The parties should respond to the Secretary's Bureau at the new docket number if they wish to join a fund's new service list. Changes to their contact information should be identified. Parties who do not respond to this notice will not be included on the new service lists.

The sustainable energy funds have been assigned a folder subordinate to the Pennsylvania Sustainable Energy Board docket number of M-00031715. The new numbers are as follows:

1. PECO Energy Company Sustainable Development Fund: M-00031715 F0002.
2. Sustainable Energy Fund of Central Eastern PA (formerly known as the PP&L Sustainable Energy Fund): M-00031715 F0003.
3. Metropolitan Edison Company and Pennsylvania Electric Company Sustainable Energy Funds: M-00031715 F0004.
4. West Penn Power Sustainable Energy Fund: M-00031715 F0005.

These docket numbers are effective immediately and should be used in future filings with or correspondence to the Commission that pertain to these funds. Questions regarding this matter should be directed to Shane Rooney, Law Bureau, (717) 787-2871.

By the Commission

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 04-1933. Filed for public inspection October 22, 2004, 9:00 a.m.]

Natural Gas Service

A-121850F2037. National Fuel Gas Distribution Corporation. Application of National Fuel Gas Distribution Corporation for approval of the abandonment of natural gas service to nine natural gas service customers located in Canal Township, Venango 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 November 8, 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: National Fuel Gas Distribution Corporation
Through and By Counsel: Christopher M. Trejchel,
1100 State Street, Erie, PA 16501.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 04-1934. Filed for public inspection October 22, 2004, 9:00 a.m.]

Natural Gas Service

A-121850F2038. National Fuel Gas Distribution Corporation. Application of National Fuel Gas Distribution Corporation for approval of the abandonment of natural gas service to three natural gas service customers located in Madison Township and Toby Township, Clarion 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 November 8, 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: National Fuel Gas Distribution Corporation
Through and By Counsel: Christopher M. Trejchel,
1100 State Street, Erie, PA 16501.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 04-1935. Filed for public inspection October 22, 2004, 9:00 a.m.]

Natural Gas Service

A-123100F2001. UGI Utilities, Inc.—Gas Division. Application of UGI Utilities, Inc.—Gas Division for approval of the abandonment of natural gas service to 1428 Lehigh Street, Allentown.

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 November 8, 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: UGI Utilities, Inc.—Gas Division
Through and By Counsel: Mark C. Morrow, Esquire,
460 North Gulph Road, King of Prussia, PA 19406.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 04-1936. Filed for public inspection October 22, 2004, 9:00 a.m.]

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by November 1, 2004. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

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

A-00121139. Walter R. Long (629 Glenwood Drive, Ephrata, Lancaster County, PA 17522), persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, between points in the Borough of Ephrata, Lancaster County, and within an airline distance of 25 statute miles of the limits of said borough, and from points in said territory, to points in Pennsylvania, and return.

A-00121116. L & L Transportation Company, Inc. (134 Mooreland Avenue, Mt. Holly Springs, Cumberland County, PA 17065), contract carrier, inmates for Cumberland County between points in Pennsylvania.

[Pa.B. Doc. No. 04-1937. Filed for public inspection October 22, 2004, 9:00 a.m.]

Tentative Order

Public Meeting held
September 30, 2004

Commissioners Present: Terrance J. Fitzpatrick, Chairperson; Robert K. Bloom, Vice Chairperson; Glen R. Thomas; Kim Pizzingrilli; Wendell F. Holland

Global Crest Communications, Inc. d/b/a Dimensions (2004.0106.01); A-311104

Tentative Order

By the Commission:

Global Crest Communications, Inc. d/b/a Dimensions ("Dimensions"), an interexchange reseller, was granted a certificate of public convenience by the Commission on August 9, 2001, at A-311104. Dimensions has failed to file its Assessment Report of operating revenues for the calendar year 2003 for use in calculating the General Assessment pursuant to section 510(b) of the Public Utility Code, 66 Pa.C.S. § 510(b). An Assessment Report form was sent by first class mail on February 23, 2004, to Dimensions at its last known business address, and was returned as undeliverable. Telephone calls to the last known telephone number for Dimensions confirmed that the number has been disconnected and no information is available for any new telephone number. A telephone call

was also made to its attorney of record who advised that he had not been contacted by the company in several years. At this point, there is no reasonable means to reach the company, and it has failed in its responsibility to notify the Commission of any address or telephone number changes. Finally, we are not aware that Dimensions has any current customers in Pennsylvania, and Dimensions was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the imposition of any such remedies as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based upon the findings of Commission staff, we believe that it is appropriate to revoke Dimensions' certificate of public convenience without the necessity of first filing a formal complaint. For these reasons, we tentatively conclude that revocation of Dimensions' certificate of public convenience pursuant to 66 Pa.C.S. § 1102(a)(2) will not be detrimental to the public interest. Furthermore, we may take other appropriate action, including the imposition of penalties under section 3301, in lieu of cancellation, if Dimensions seeks relief from this Tentative Order; *Therefore,*

It Is Ordered That:

1. Revocation of Global Crest Communications, Inc. d/b/a Dimensions' certificate of public convenience is hereby tentatively approved as being in the public interest.

2. The Secretary serve a copy of this Tentative Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, and the Office of Trial Staff, and also cause a copy of this Tentative Order to be published in the *Pennsylvania Bulletin* with a thirty (30) day comment period.

3. Absent the filing of adverse public comment within thirty (30) days after publication in the *Pennsylvania Bulletin*, this Tentative Order shall become final without further action by the Commission.

4. Upon this Order becoming final and without further action by the Commission, the certificate of public convenience held by Global Crest Communications, Inc. d/b/a Dimensions at A-311104 shall be cancelled, and the company's name stricken from all active utility lists maintained by the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 04-1938. Filed for public inspection October 22, 2004, 9:00 a.m.]

Tentative Order

Public Meeting held
September 30, 2004

Commissioners Present: Terrance J. Fitzpatrick, Chairperson; Robert K. Bloom, Vice Chairperson; Glen R. Thomas; Kim Pizzingrilli; Wendell F. Holland

Maxcess, Inc. (2004.0106.01); A-310918

Tentative Order

By the Commission:

Maxcess, Inc. ("Maxcess"), an interexchange reseller, was granted a certificate of public convenience by the Commission on July 13, 2000, at A-310918. Maxcess has failed to file its Assessment Report of operating revenues for the calendar year 2003 for use in calculating the General Assessment pursuant to section 510(b) of the Public Utility Code, 66 Pa.C.S. § 510(b). An Assessment Report form was sent by first class mail on February 23, 2004, to Maxcess at its last known business address, and was returned as undeliverable. Telephone calls to the last known telephone number for Maxcess confirmed that the number has been disconnected and no information is available for any new telephone number. At this point, there is no reasonable means to reach the company, and it has failed in its responsibility to notify the Commission of any address or telephone number changes. Finally, we are not aware that Maxcess has any current customers in Pennsylvania, and Maxcess was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the imposition of any such remedies as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based upon the findings of Commission staff, we believe that it is appropriate to revoke Maxcess' certificate of public convenience without the necessity of first filing a formal complaint. For these reasons, we tentatively conclude that revocation of Maxcess' certificate of public convenience pursuant to 66 Pa.C.S. § 1102(a)(2) will not be detrimental to the public interest. Furthermore, we may take other appropriate action, including the imposition of penalties under section 3301, in lieu of cancellation, if Maxcess seeks relief from this Tentative Order; *Therefore*,

It Is Ordered That:

1. Revocation of Maxcess, Inc.'s certificate of public convenience is hereby tentatively approved as being in the public interest.

2. The Secretary serve a copy of this Tentative Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, and the Office of Trial Staff, and also cause a copy of this Tentative Order to be published in the *Pennsylvania Bulletin* with a thirty (30) day comment period.

3. Absent the filing of adverse public comment within thirty (30) days after publication in the *Pennsylvania Bulletin*, this Tentative Order shall become final without further action by the Commission.

4. Upon this Order becoming final and without further action by the Commission, the certificate of public convenience held by Maxcess, Inc. at A-310918 shall be cancelled, and the company's name stricken from all active utility lists maintained by the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 04-1939. Filed for public inspection October 22, 2004, 9:00 a.m.]

Tentative Order

Public Meeting held
September 30, 2004

Commissioners Present: Terrance J. Fitzpatrick, Chairperson; Robert K. Bloom, Vice Chairperson; Glen R. Thomas; Kim Pizzingrilli; Wendell F. Holland

Norstar Communications, Inc. (2004.0106.01); A-310931

Tentative Order

By the Commission:

Norstar Communications, Inc. ("Norstar"), an interexchange reseller, was granted a certificate of public convenience by the Commission on June 22, 2000, at A-310931. Norstar has failed to file its Assessment Report of operating revenues for the calendar year 2003 for use in calculating the General Assessment pursuant to section 510(b) of the Public Utility Code, 66 Pa.C.S. § 510(b). An Assessment Report form was sent by first class mail on February 23, 2004, to Norstar at its last known business address, and was returned as undeliverable. Telephone calls to the last known telephone number for Norstar were received by its legal counsel who advised that the company has gone out of business. At this point, there is no reasonable means to reach the company, and it has failed in its responsibility to notify the Commission of any address or telephone number changes. Finally, we are not aware that Norstar has any current customers in Pennsylvania, and Norstar was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the imposition of any such remedies as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based upon the findings of Commission staff, we believe that it is appropriate to revoke Norstar's certificate of public convenience without the necessity of first filing a formal complaint. For these reasons, we tentatively conclude that revocation of Norstar's certificate of public convenience pursuant to 66 Pa.C.S. § 1102(a)(2) will not be detrimental to the public interest. Furthermore, we may take other appropriate action, including the imposition of penalties under section 3301, in lieu of cancellation, if Norstar seeks relief from this Tentative Order; *Therefore*,

It Is Ordered That:

1. Revocation of Norstar Communications Inc.'s certificate of public convenience is hereby tentatively approved as being in the public interest.

2. The Secretary serve a copy of this Tentative Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, and the Office of Trial Staff, and also cause a copy of this Tentative Order to be published in the *Pennsylvania Bulletin* with a thirty (30) day comment period.

3. Absent the filing of adverse public comment within thirty (30) days after publication in the *Pennsylvania Bulletin*, this Tentative Order shall become final without further action by the Commission.

4. Upon this Order becoming final and without further action by the Commission, the certificate of public convenience held by Norstar Communications, Inc. at A-310931

shall be cancelled, and the company's name stricken from all active utility lists maintained by the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 04-1940. Filed for public inspection October 22, 2004, 9:00 a.m.]

Water Service

A-210104F0053 and A-212875F2000. Aqua Pennsylvania, Inc. and Stanton Water Company, Inc. Joint application of Aqua Pennsylvania, Inc. and Stanton Water Company, Inc. for approval of: (1) the acquisition by Aqua Pennsylvania of the water system assets of Stanton Water Company, Inc.; (2) the right of Aqua Pennsylvania to begin to offer, render, furnish and supply water service to the public in a portion of South Abington Township, Lackawanna County; and (3) the abandonment by Stanton Water Company, Inc. of public water service within South Abington Township, Lackawanna 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 November 8, 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. and Stanton Water Company, 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. 04-1941. Filed for public inspection October 22, 2004, 9:00 a.m.]

Water Service

A-212955F0014. 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 an additional portion of Upper 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 November 8, 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. 04-1942. Filed for public inspection October 22, 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:

December 14, 2004	Lorraine Payonk (Waiver of Repayment)	1 p.m.
	Gail Griesemer (Purchase of Service)	2:30 p.m.

Persons with a disability who wish to attend the listed hearings and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Marilyn Fuller-Smith, Assistant to the Executive Director (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. 04-1943. Filed for public inspection October 22, 2004, 9:00 a.m.]

STATE BOARD OF NURSING

**Bureau of Professional and Occupational Affairs v.
Kathleen M. Bales; Doc. No. 0959-51-04**

On July 1, 2004, Kathleen M. Bales, Lake Ronkonkoma, NY, was suspended for at least 3 years, retroactive to May 27, 2004, based on her violation of the terms of her Voluntary Recovery Program Consent Agreement and Board Order.

Individuals may obtain a copy of the adjudication by writing to Martha H. Brown, Board Counsel, State Board of Nursing, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represents the final State Board of Nursing (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of the petition for review. The Board contact for receiving service of appeals is the Martha H. Brown, Board Counsel.

JANET HUNTER SHIELDS, MSN, CRNP, CS,
Chairperson

[Pa.B. Doc. No. 04-1944. Filed for public inspection October 22, 2004, 9:00 a.m.]

**Bureau of Professional and Occupational Affairs v.
Holly Jean Miller, L.P.N.; Doc. No. 0703-51-04**

On September 13, 2004, Holly Jean Miller, license no. PN-259251-L, New Castle, Lawrence County, had her

practical nursing license revoked based on findings she left a nursing assignment prior to the proper reporting and notification to the appropriate department head of personnel of the action, failed to document and maintain accurate records and knowingly abandoned patients in need of nursing care by intentionally deserting patients for whom she was responsible.

Individuals 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 Teresa Lazo-Miller, Board Counsel.

JANET HUNTER SHIELDS, MSN, CRNP, CS,
Chairperson

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