

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 April 12, 2005.

BANKING INSTITUTIONS

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
4-2-05	The Legacy Bank Harrisburg Dauphin County Purchase of assets/assumption of liabilities of one branch office of The Harleysville National Bank and Trust Co., Harleysville Located at: 25 North Kennedy Drive McAdoo Schuylkill County	Harrisburg	Effective

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
12-13-04	First CornerStone Bank King of Prussia Montgomery County	Ridley Shopping Center 160 Morton Avenue Ridley Park Delaware County	Opened
4-4-05	CSB Bank Curwensville Clearfield County	BILO Supermarket Route 255 (Million Dollar Highway) St. Marys Elk County	Opened
4-12-05	Woodlands Bank Williamsport Lycoming County	1146 Allegheny Street Jersey Shore Lycoming County	Approved

Branch Relocations/Consolidations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
3-28-05	Lebanon Valley Farmers Bank Lebanon Lebanon County	<i>To:</i> 901 East Main Street (Outparcel) Palmyra Lebanon County <i>From:</i> Palmyra Shopping Center 901 East Main Street Palmyra Lebanon County	Effective
3-31-05	Irwin Bank & Trust Company Irwin Westmoreland County	<i>Into:</i> 4580 Broadway Boulevard Monroeville Allegheny County <i>From:</i> 4548 Broadway Boulevard Monroeville Allegheny County	Effective
4-4-05	Premier Bank Doylestown Bucks County	<i>To:</i> 736 Street Road Southampton Upper Southampton Township Bucks County	Effective

NOTICES

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
		<i>From:</i> 516 Second Street Pike Southampton Upper Southampton Township Bucks County	

Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
3-31-05	Community Bank and Trust Company Clarks Summit Lackawanna County	97 College Avenue Factoryville Wyoming County	Effective

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

No activity.

A. WILLIAM SCHENCK, III,
Secretary

[Pa.B. Doc. No. 05-773. Filed for public inspection April 22, 2005, 9:00 a.m.]

Maximum Lawful Rate of Interest for Residential Mortgages for the Month of May 2005

The Department of Banking (Department), under the authority contained in section 301 of the act of January 30, 1974 (P. L. 13, No. 6) (41 P. S. § 301), hereby determines that the maximum lawful rate of interest for residential mortgages for the month of May 2005 is 7 1/4%.

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

Each month the Department is required by State law to compute and announce the ceiling rate on residential mortgages in this Commonwealth. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board and/or the United States Treasury. The latest yield rate on long-term government securities is 4.70 to which was added 2.50 percentage points for a total of 7.20 that by law is rounded off to the nearest quarter at 7 1/4%.

A. WILLIAM SCHENCK, III,
Secretary

[Pa.B. Doc. No. 05-774. Filed for public inspection April 22, 2005, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION**Applications, Actions and Special Notices****APPLICATIONS**

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

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

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

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

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

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

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

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

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

I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N ?</i>
PA0024066	West Grove Borough Authority P. O. Box 61 117 Rosehill Avenue West Grove, PA 19390-0061	Chester County London Grove Township	Middle Branch White Clay Creek	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0061697 Industrial Waste Renewal	Gilberton Power Company 50 Eleanor Avenue Frackville, PA 17931-2301	West Mahanoy Township, Schuylkill County	Mahanoy Creek 06B	Y
PA0030139 Sewage Minor Renewal	Department of Corrections P. O. Box 598 Camp Hill, PA 17001-0598	Jackson Township, Luzerne County	East Fork Harvey's 05B Creek	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N ?</i>
PA0088323 (IW)	Calpine Construction Finance Company LP	Berks County Ontelaunee Township	Schuylkill River/3-B	Y
PA0247723 (SEW-SFR)	LeRoy and Mary Musser 1901 Cider Press Road Manheim, PA 17545	Lancaster County Rapho Township	UNT Little Chickies Creek/7-G	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N ?</i>
PA0024627	McClure Municipal Authority	Snyder County, McClure Borough	Penns—Middle Creek (6A)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N ?</i>
PA0002038	OMG Americas P. O. Box 111 Franklin, PA 16323-0111	Sugarcreek Township Venango County	Race Run Allegheny River Two Mile Run 16-E	Y

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

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

PA0244007, Sewage, SIC 562, **Edward and Jane Bacon**, 1900 Fairview Road, Glenmoore, PA 19343. This proposed facility is located in East Nantmeal Township, **Chester County**.

Description of Proposed Activity: Issuance of an NPDES permit to discharge 400 gpd of treated sewage into a UNT of Beaver Run from small flow sewage treatment plant.

The receiving stream, a UNT of Beaver Run, is in the State Water Plan watershed 3D-Manatawny and is classified as a HQ stream.

The proposed effluent limits for Outfall 001 are based on a design flow of 400 gpd.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		<i>Instantaneous Maximum (mg/l)</i>
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	
CBOD ₅			10		20
Total Suspended Solids			10		20
Fecal Coliform			200#/100 ml		
Total Residual Chlorine			Monitor		
pH			6.0 STU		9.0 STU

PA0058556 Amendment No. 1, Industrial Waste, NAICS 221310, **Downingtown Municipal Water Authority**, 100 Water Plant Way, Downingtown, PA 19335. This proposed facility is located in Downingtown Borough, **Chester County**.

Description of Proposed Activity: Discharge of filter backwash, clarifier backwash and sludge drying beds filtrate from the sludge thickening/holding tank of the water filtration plant to a UNT to Beaver Creek.

The receiving stream, Beaver Creek, is in the State Water Plan watershed 3H and is classified for: TSF.

The proposed technology based effluent limits for Outfall 001 are based on an annual average flow of 50,000 gpd:

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		<i>Instantaneous Maximum (mg/l)</i>
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	
Flow			Monitor	Monitor	
Total Suspended Solids			30	60	75
Total Residual Chlorine			0.5	1.0	1.25
Iron, Total			2.0	4.0	5.0
Aluminum, Total			4.0	8.0	10
Manganese, Total			1.0	2.0	2.5
pH (STD)			6.0 min.		9.0

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

1. Remedial Measures.
2. BAT/ELG Reopener.
3. TMDL/WLA Analysis.
4. Laboratory Certification.
5. Sludge Disposal.
6. Change of Ownership.

PA0243990, Industrial Waste, **Hershey Foods Corporation, Pennsburg Plant**, 2452 Quakertown Road, Pennsburg, PA 18073. Mailing address for Hershey Foods is: 1025 Reese Avenue, P. O. Box 805, Hershey, PA 17033. This proposed facility is located in Upper Hanover, **Montgomery County**.

Description of Proposed Activity: This application is for renewal of an NPDES permit to discharge treated process and sanitary wastewater and stormwater runoff from the Pennsburg manufacturing plant to Macoby Creek Branch.

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.02 mgd.

Parameters	Mass (lb/day)		Concentration (mg/l)		Instantaneous Maximum (mg/l)
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	
CBOD ₅	4	8	25	50	62
Total Suspended Solids	3	7	20	40	50
Total Dissolved Solids	167	334	1,000	2,000	2,500
Ammonia as N	0.3	0.7	2	4	5
Phosphorus as P	0.3	0.7	2	4	5
Oil and Grease			15	50	30
Fecal Coliform			200#/100 ml		
Dissolved Oxygen			5 (Inst. Min)		
Color, True (Pt/Cobalt scale)					100
pH (STD Unit)			Within limits of 6.0 to 9.0 at all times		

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

1. Discharge must not cause nuisance or health hazard.
2. Stormwater outfall monitoring once per year.

PA0057380, Sewage, SIC 4952, **Steven and Heidi Whitney**, 3815 Chatham Place, Media, PA 19063. This proposed facility is located in Upper Providence Township, **Delaware County**.

Description of Proposed Activity: NPDES Permit renewal for a single residence sewage treatment plant in Upper Providence Township, Delaware County.

The receiving stream, UNT to Ridley Creek, is in the State Water Plan watershed 3G and is classified for: HQ, TSF. The nearest downstream public water supply intake for Media Borough Water Treatment Plant is located on Ridley Creek and is 3.3 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 500 gpd.

Parameter	Average Monthly (mg/l)	Instantaneous Maximum (mg/l)
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)	1.5	3.0
(11-1 to 4-30)	4.5	9.0
Total Residual Chlorine	Monitor and Report	Monitor and Report
Fecal Coliform	200 colonies/100 ml as a geometric average	
Dissolved Oxygen	minimum of 6.0 mg/l at all times	
pH	Within limits of 6.0 to 9.0 Standard Units at all times	

In addition to the effluent limits, the permit contains the following Other Requirements:

Other Requirements:

1. AMR to DEP.
2. Abandon STP when Municipal Sewers Available.
3. Remedial Measures if Unsatisfactory Effluent.
4. No Stormwater.
5. Acquire Necessary Property Rights.
6. Dry Swale Discharge.
7. Change in Ownership.
8. Sludge Disposal.
9. Laboratory Certification.

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

Application No. PA0247634, Sewage, **There's Room in the Inn WWTF**, 444 Plessinger Road, Warfordsburg, PA 17627. This facility is located in Brush Creek Township, **Fulton County**.

Description of activity: The application is for issuance of an NPDES permit for new discharge of treated sewage.

The receiving stream, UNT Little Tonoloway Creek, is in Watershed 13-B and classified for CWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for The R.C. Wilson Water Treatment Plant is located on the Potomac River, approximately 33 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.0045 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	30
Total Suspended Solids	30	60
Total Residual Chlorine	1.5	2.5
Dissolved Oxygen	Minimum of 5.0 at all times	
pH	From 6.0 to 9.0 inclusive	
Fecal Coliform	200/100 ml as a geometric average	
(5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)		

Persons may make an appointment to review the Department of Environmental Protection's files on this case by calling the file review coordinator at (717) 705-4732.

The EPA waiver is in effect.

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

PA0228893, Sewerage SIC, 4952, **Liberty Area Municipal Authority**, P. O. Box 73, Liberty, PA 16930. This proposed facility is located in Liberty Township, **Tioga County**.

Description of Proposed Activity: This proposed action is for issuance of an NPDES permit for a proposed discharge of treated sewage wastewater.

The receiving stream, Blockhouse Creek, is in the State Water Plan watershed 9A and classified for: CWF. The nearest downstream public water supply intake for PA American is located on West Branch Susquehanna River, 72 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.06 mgd.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Daily Maximum (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅				
(6-1 to 10-31)	20	30		40
(11-1 to 5-31)	25	40		50
TSS				
(6-1 to 10-31)	10	15		20
(11-1 to 5-31)	30	45		60
Ammonia-n				
(6-1 to 10-1)	6	9		12
(11-1 to 5-31)	18	27		36
Total Cl ₂ Residual Dechlorinate				0.05
Fecal Coliform:				
(5-1 to 9-30)	200 col/100 ml as a geometric mean			
(10-1 to 4-30)	200 col/100 ml as a geometric mean			
pH	6.0 to 9.0 at all times			

Southwest Regional Office: Regional Manager, Water Management, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4000.

PA0001937-A1, Industrial Waste, SIC, 3612, **Cooper Power Systems, Cooper US**, 600 Travis, Suite 5800, Houston, TX 77002 and **Pennsylvania Transformer Technology**, 201 Carolina Drive, Raeford, NC 28376. This application is for amendment of an NPDES permit to discharge treated process water, stormwater, untreated stormwater from Canonsburg Plant in Cecil Township, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, Chartiers Creek and UNT to Chartiers, classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is West View Municipal Authority, 210 Perry Highway, Pittsburgh, PA 15229, 33 miles below the discharge point.

Outfall 001: existing discharge, interim effluent limits.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
PCB-1260	Not Detectable using EPA Method 608				
Oil and Grease	Monitor and Report				
Tetrachloroethylene	Monitor and Report				
Trichloroethylene	Monitor and Report				
Vinyl Chloride	Monitor and Report				
Chlordane	Monitor and Report				
pH	not less than 6.0 nor greater than 9.0				

Other Conditions:

Outfall 001: existing discharge, final effluent limits

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
PCB-1260	Not Detectable Using EPA Method 608				
Oil and Grease	Monitor and Report				
Tetrachloroethylene	Monitor and Report				
Trichloroethylene	Monitor and Report				
Vinyl Chloride	Monitor and Report				
Chlordane	Not Detectable Using EPA Method 608				
pH	not less than 6.0 nor greater than 9.0				

Outfall 002: existing discharge, interim effluent limits.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
PCB-1260	Not Detectable Using EPA Method 608				
Oil and Grease	Monitor and Report				
Arsenic	Monitor and Report				
Copper	Monitor and Report				
Selenium	Monitor and Report				
Zinc	Monitor and Report				
Cyanide free	Monitor and Report				
total	Monitor and Report				
Tetrachloroethylene	Monitor and Report				
Trichloroethylene	Monitor and Report				

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Vinyl Chloride	Monitor and Report				
Fecal Coliforms	Monitor and Report				
Total Suspended Solids	Monitor and Report				
Chlordane	Monitor and Report				
trans-1, 2 Dichloroethylene	Monitor and Report				
cis-1, 2 Dichloroethylene	Monitor and Report				
Chloroform	Monitor and Report				
pH	not less than 6.0 nor greater than 9.0				

Outfall 102: new discharge.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
PCB-1260	Not Detectable Using EPA Method 608				
Oil and Grease	Monitor and Report				
Arsenic	Monitor and Report				
Copper	Monitor and Report				

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<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>
Selenium			Monitor and Report		
Zinc			Monitor and Report		
Cyanide free			Monitor and Report		
total			Monitor	and Report	
Tetrachloroethylene			Monitor and Report		

<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>
Trichloroethylene			Monitor and Report		
Vinyl Chloride			Monitor and Report		
Fecal Coliforms			Monitor and Report		
Total Suspended Solids			Monitor and Report		
Chlordane			Monitor and Report		
trans-1, 2 Dichloroethylene			Monitor and Report		
cis-1, 2 Dichloroethylene			Monitor and Report		
Chloroform			Monitor and Report		
pH	not less than 6.0 nor greater than 9.0				

Outfall 202: new discharge.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
PCB-1260			Not Detectable Using EPA Method 608		
Tetrachloroethylene			Monitor and Report		
Trichloroethylene			Monitor and Report		
Vinyl Chloride			Monitor and Report		
Chlordane			Monitor and Report		
trans-1, 2 Dichloroethylene			Monitor and Report		
cis-1, 2 Dichloroethylene			Monitor and Report		
Chloroform			Monitor and Report		
Fecal Coliforms			Monitor and Report		
Oil and Grease			Monitor and Report		
pH	Monitor and Report				

Outfall 002: existing discharge.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
PCBs			Not Detectable Using EPA Method 608		
Chlordane			Not Detectable Using EPA Method 608		
pH	not less than 6.0 nor greater than 9.0				

Outfall 003: existing discharge.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
PCB-1260			Not Detectable Using EPA Method 608		
Oil and Grease			Monitor and Report		
Tetrachloroethylene			Monitor and Report		
Trichloroethylene			Monitor and Report		
Vinyl Chloride			Monitor and Report		
Chlordane			Monitor and Report		
pH	not less than 6.0 nor greater than 9.0				

Outfall 104: new discharge.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
PCB-1260			Not Detectable Using EPA Method 608		
Oil and Grease			Monitor and Report		
Total Suspended Solids			Monitor and Report		
VOCs			Monitor and Report		
Chlordane			Monitor and Report		
pH	not less than 6.0 nor greater than 9.0				

Outfall 204: new discharge.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
PCB-1260			Not Detectable Using EPA Method 608		
Oil and Grease			Monitor and Report		
Chlordane			Monitor and Report		

Outfall 004: existing discharge.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
PCB-1260			Not Detectable Using EPA Method 608		
Chlordane			Not Detectable Using EPA Method 608		
pH	not less than 6.0 nor greater than 9.0				

Outfall 005: existing discharge, interim effluent limits.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
PCB-1260			Not Detectable Using EPA Method 608		
Chlordane			Monitor and Report		
Oil and Grease			Monitor and Report		
Fecal Coliform			Monitor and Report		
Arsenic			Monitor and Report		
Chromium, tot			Monitor and Report		
Sulfate			Monitor and Report		
Lead			Monitor and Report		
Nickel			Monitor and Report		

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Zinc			Monitor and Report		
Cyanide			Monitor and Report		
tot			Monitor and Report		
free			Monitor and Report		
Iron			Monitor and Report		
tot			Monitor and Report		
dis			Monitor and Report		
Manganese			Monitor and Report		
Aluminum			Monitor and Report		
Fluoride			Monitor and Report		
Mercury			Monitor and Report		
pH	not less than 6.0 nor greater than 9.0				

Outfall 005: existing discharge, final effluent limits.

<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>
PCB-1260					Monitor and Report
Total Suspended Solids					Monitor and Report
Oil and Grease					Monitor and Report
VOCs					Monitor and Report
Chlordane					Monitor and Report
pH	not less than 6.0 nor greater than 9.0				

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)

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

WQM Permit No. 4605405, Sewerage, **Limerick Township Municipal Authority**, 529 King Road, Royersford, PA 19468. This proposed facility is located in Limerick Township, **Montgomery County**.

Description of Action/Activity: Construction and operation of a 75 lot single family residential subdivision on a 53 acre parcel and a 10 foot gravity sanitary sewer extension.

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

WQM Permit No. 3605405, Sewerage, **LeRoy and Mary Musser**, 1901 Cider Press Road, Manheim, PA 17545. This proposed facility is located in Rapho Township, **Lancaster County**.

Description of Proposed Action/Activity: Construction/Operation of a small flow treatment facility to serve their single family residence at 1878 Cider Press Road, Manheim.

WQM Permit No. 3605202, CAFO, **David Martin Farm**, 420 Nottingham Road, Nottingham, PA 19362. This proposed facility is located in Little Britain Township, **Lancaster County**.

Description of Proposed Action/Activity: Existing crop farm, pullet house and heifer raising facility, proposing to construct one 4,400 head swine barn. This barn will utilize a concrete manure storage located below the animal living space.

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

WQM Permit No. WQG016109, Sewerage, **Robert Luthultz**, 277 Valley Road, Wexford, PA 15090. This proposed facility is located in Marshall Township, **Allegheny County**.

Description of Proposed Action/Activity: Application for the construction and operation of a small flow treatment facility to service a single-family dwelling.

WQM Permit No. WQG016110, Sewerage, **Walter Sadauskus**, 815 Ponderosa Drive, Imperial, PA 15126. This proposed facility is located in North Fayette Township, **Allegheny County**.

Description of Proposed Action/Activity: Application for the construction and operation of a small flow treatment facility to service a single-family dwelling.

WQM Permit No. 1169401-A2, Sewerage, **Johnstown Redevelopment Authority**, 4th Floor Public Safety Building, 401 Washington Street, Johnstown, PA 15901. This proposed facility is located in West Taylor Township, **Cambria County**.

Description of Proposed Action/Activity: Application for the replacement of two nonoperational channel monsters with a mechanically cleaned bar screen.

WQM Permit No. 0205406, Sewerage, **Woodville Associates, LTD.**, 5020 Thoms Run Road, Oakdale, PA 15071. This proposed facility is located in Collier Township, **Allegheny County**.

Description of Proposed Action/Activity: Application for the construction and operation of a sanitary sewer system to service a 569 lot single and multifamily home development.

WQM Permit No. 0273424-A4, Sewerage, **Plum Borough Municipal Authority**, 4555 New Texas Road, Pittsburgh, PA 15239-1197. This proposed facility is located in Plum Borough, **Allegheny County**.

Description of Proposed Action/Activity: Application for the replacement and modifications of existing facilities.

IV. NPDES Applications for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>DEP Protocol (Y/N)</i>
PAI132241	Vandling Borough 634 Hillside St. Vandling, PA 18421	Lackawanna	Vandling Borough	Lackawanna River, HQ-CWF	Y
PAI32242	Scott Township R. R. 1, Box 438 Olyphant, PA 18447	Lackawanna	Scott Township	Lackawanna River, HQ-CWF; Hull Creek, CWF	Y

V. Applications for NPDES Waiver Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI010905010	Jeff Markley Jeff Markley Subdivision 100 Haflers Road Sellersville, PA 18960	Bucks	West Rockhill Township	Ridge Valley Creek (HQ-TSF)
PAI011505014	Wallace Township Alice Park Development P. O. Box 96 Glenmoore, PA 19343	Chester	Wallace Township	East Branch Brandywine Creek (HQ)
PAI011505019	East Whiteland Township Valley Creek Park 209 Conestoga Road Frazer, PA 19355	Chester	East Whiteland Township	Valley Creek (EV)
PAI011505020	BFD Partnership Reagent Information Storage 704 Haywood Drive Exton, PA 19341	Chester	East Whiteland Township	Valley Creek (EV)
PAI011505021	D'Agostino Builders, Inc. Lillmars Tract 319 East Conestoga Road Wayne, PA 19087	Chester	West Pikeland Township	Pine Creek (HQ-TSF)

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI026405001	Wayne Economic Development Corporation 303 Commercial St. Suite 109 Honesdale, PA 18431	Wayne	Sterling Township	Wallenpaupack Creek, HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024505002	Fern Partners 257 Rimrock Rd. Stroudsburg, PA 18360	Monroe	Hamilton Township	Appenzell Creek, HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI030604007	East Penn Self Storage	York	Richmond Township	Moselem Creek/ HQ-CWF

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

Clearfield Conservation District: 650 Leonard St., Clearfield, PA 16830, (814) 765-2629.

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041705001	Muddy Run Regional Authority P. O. Box 474 Madera, PA 16661	Clearfield	Bigler, Beccaria and Gulich Townships Ramey Borough	Clearfield Creek, Main Stem-WWF UNT Clearfield Creek-CWF Muddy Run-CWF UNT Muddy Run-CWF Little Muddy Run, Dam of Janesville-HQ-CWF Little Muddy Run, Janesville to Mouth-CWF Little Muddy Run, E. Br.-CWF UNT Little Muddy Run-CWF Morgan Run-CWF UNT Morgan Run-CWF Japling Run-CWF Alexander Run-CWF UNT Alexander Run-CWF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI056505002	Valley School of Ligonier 153 Lupine Lane Rector, PA 15677	Westmoreland	Ligonier Township	Linn Run and Loyalhanna Creek (HQ-CWF)

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

PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (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 may 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

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

Permit No. 6705504, Public Water Supply.

Applicant	Delta Borough
Municipality	Peach Bottom Township
County	York
Responsible Official	Timothy A Haller, Borough Council President 101 College Avenue P. O. Box 278 Delta, PA 17314

Type of Facility	Public Water Supply
Consulting Engineer	Charles A Kehew II, P. E. James R. Holley & Assoc., Inc. 18 South George St. York, PA 17401
Application Received Date	3/10/2005
Description of Action	Construction of Well No. 9.
	Permit No. 2205504 , Public Water Supply.
Applicant	United Water Pennsylvania
Municipality	Hummelstown Borough
County	Dauphin
Responsible Official	Nancy J Trushell, Engineering Manager 4211 East Park Circle Harrisburg, PA 17111
Type of Facility	Public Water Supply
Consulting Engineer	Gary W. Snyder, P. E. Black & Veatch Curtis Center Philadelphia, PA 19106
Application Received Date	3/24/2005
Description of Action	Construction of a new microfiltration treatment plant.
	<i>Northcentral Region: Water Supply Management Program Manager, 208 West Third Street, Williamsport, PA 17701.</i>
	Permit No. 5905501—Construction , Public Water Supply.
Applicant	United States Army Corps of Engineers
Township or Borough	Middlebury Township
County	Tioga
Responsible Official	Marilyn K. Jones Operations Project Manager United Army Corps of Engineers R. R. 1, Box 65 Tioga, PA 16946
Type of Facility	Public Water Supply—Construction
Consulting Engineer	George A. Bielen United States Army Corps of Engineers 306 Railroad Street Danville, PA 17821
Application Received Date	April 6, 2005
Description of Action	Construct EPD pressure sand filter at the Ives Run Recreation Area Water Treatment Plant.

WATER ALLOCATIONS

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

Southcentral Region: Water Supply Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200.

WA 28-1022, Water Allocations. **Shippensburg Borough Authority, Franklin County**. Subsidiary water allocation permit application for the right to purchase an average of 650,000 gallons of raw water per day, based on 30 days, from Franklin County General Authority. Consulting Engineer: Peter Lusardi, CET Engineering Services Date Application Received: 3/10/2005.

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.

Pier 60 Prop., City of Philadelphia, **Philadelphia County**. Paul Martino, P.G. Pennoni Assoc., Inc., 3001 Market St., Philadelphia, PA 19102 has submitted a Notice of Intent to Remediate. Soil at the site was contaminated with lead and PAH. Groundwater at the site was impacted with inorganics and PAH.

440 Monastery Ave. Site, City of Philadelphia, **Philadelphia County**. Richard S. Werner, Environmental Consulting, Inc., 500 E. Washington St., Suite 375, Philadelphia, PA 19401 on behalf of Phillip J. Aiello, Phillip Aiello Builders & General Contractor, Inc., 467 Lyceum Ave., Philadelphia, PA 19128 has submitted a Notice of Intent to Remediate. Soil at the site was contaminated with unleaded gasoline. The anticipated future use of the subject property is as a commercial contractor's office, supplies warehouse and company vehicle garage.

Warminster General Hospital, Warminster Township, **Bucks County**. Joseph Farrell, Environmental Solutions Group, 302 Lea Blvd., Wilmington, DE 19802 on behalf of Charles Morrison, Allegheny Health, Education & Research Foundation, One Allegheny Center, Suite 230, Pittsburgh, PA 15212 and Chuck McClinton, Warminster General Hospital, 255 Newtown Rd., Warminster, PA 18974 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site were contaminated with PAH and No. 4 fuel oil. A summary of the Notice of Intent to Remediate was reported to have been published in the *Bucks County Intelligencer* on July 2, 2004.

Park Town West, City of Philadelphia, **Philadelphia County**. Jamey A. Stynchula, P.G., Pennoni Assoc., Inc., 3001 Market St., Philadelphia, PA 19104 on behalf of Colin Jones, The Goldenberg Group, Inc. & WPFPSI, 650 Pkwy, Suite 300, Blue Bell, PA 19422 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site were contaminated with chlorinated solvents, inorganics, other organics and PCB. A summary of the Notice of Intent to Remediate was reported to have been published in the *Philadelphia Daily News* on March 16, 2005.

Devon Self-Storage, City of Philadelphia, **Philadelphia County**. Charlene Drake, React Environmental Svc. Inc., 6901 Kingsessing Ave., Philadelphia, PA 19142 on behalf of Kim Johnson, Devon Self-Storage, 2000 Powell St., Suite 1240, Emeryville, CA 94608 has submitted a Notice of Intent to Remediate. Soil at the site was contaminated with No. 2 fuel oil and No. 4 fuel oil. A summary of the Notice of Intent to Remediate was reported to have been published in the *Philadelphia Daily News* on February 24, 2005.

Thyseen Krupp Budd Co, Die Storage Yard Site, City of Philadelphia, **Philadelphia County**. Justin Lauterbach, RT Environmental Svc, Inc., on behalf of Joe DePascale, Hunting Fox Assoc., LP, c/o PREI, 1001 E. Hector St., Suite 100, Conshohocken, PA 19428 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site were contaminated with VOCs, PCBs, PAH and inorganics. The proposed future use of the property will be nonresidential.

318 W. Lancaster Ave. Prop., Lower Merion Township, **Montgomery County**. Darryl Borrelli, Manko, Gold, Katcher & Fox, LLP 401 City Ave., Suite 500, Bala Cynwyd, PA 19004 on behalf of Andrew Talone, 318 W. Lancaster Ave. Corp., 202 Grouse Lane, Radnor, PA 19087 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site were contaminated with No. 2 fuel oil. The proposed future use of the property will be nonresidential for commercial purposes. A summary of the Notice of Intent to Remediate was reported to have been published in the *Philadelphia Daily News* on March 24, 2005.

7-Eleven, Inc., Store No. 21218, City of Philadelphia, **Philadelphia County**. Richard C. Firely, Jr., ENSR Intl, 2005 Cabot Blvd., West, Suite 100, Langhorne, PA 19047 has submitted a Notice of Intent to Remediate. Groundwater at the site was contaminated with leaded gasoline. The current and intended future use of the property is a commercially viable (nonresidential) industrial property. A summary of the Notice of Intent to Remediate was reported to have been published in the all editions of the *News Gleaner* on December 22, 2004.

Ashwood Dev., Plymouth Township, **Montgomery County**. Jan Peter Ilves, P.G., JPI Assoc., Inc., 1532 Haddonfield-Berlin Road, Cherry Hill, NJ 08003 on behalf of Carmen Salamone, Ashwood Land Development, Inc., 545 W. Germantown Pike, No. 200, Plymouth Meeting, PA 19462 has submitted a Notice of Intent to Remediate. Soil at the site was contaminated with arsenic (pesticide). The future use of the site is residential redevelopment. A summary of the Notice of Intent to Remediate was reported to have been published in the *Times Herald* on April 5, 2005.

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

Castle Brand Former, City of New Castle, **Lawrence County**. J. Scott Whipkey, RAR Eng Group, 1135 Butler Ave., New Castle, PA 16101, on behalf of Leonard L. Lastoria, New Castle Area Transit Authority, 311 Mahoning Ave., New Castle, PA 16102, has submitted a Notice of Intent to Remediate. Site is a former maintenance garage and warehouse for a meat packing company that has been contaminated with boron and lead which are present in soils at the site and dissolved Lead, Pentachlorophenol and Trichlorethene which are present in site groundwater. Future use of the property is nonresidential for commercial and industrial use.

MUNICIPAL WASTE GENERAL PERMITS

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 Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities and the Beneficial Use of Municipal Waste.

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

General Permit Application No. WMGM033. Bethlehem Renewable Energy, LLC, 1300 N. 17th Street, Suite 1600, Arlington, VA 22209.

The Department of Environmental Protection (Department), Bureau of Land Recycling and Waste Management has received an application for General Permit No.

WMGM033. The application is for the processing and beneficial use of landfill gas, generated at Bethlehem Landfill in Northampton County, as an alternate fuel for a potential five power generators to be installed at this landfill. The electric produced will be transmitted to the local electric utility grid for consumers use. The Department determined the application to be administratively complete on April 6, 2005.

Comments concerning the application should be directed to Ronald C. Hassinger, Chief, General Permits and Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Land Recycling and Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472. Persons interested in obtaining more information about the general permit application may contact the Division at (717) 787-7381. 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.

RESIDUAL WASTE GENERAL PERMITS

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 Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and the Beneficial Use of Residual Waste other than Coal Ash.

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

General Permit Application No. WMGR106. Lafarge North America, Inc., 5160 Main Street, Whitehall PA 18052-1827. The application proposed processing of Types 4—7 plastics from municipal recycling facilities and industrial sources prior to beneficial use as plastic-derived fuel. The processing is limited to separation of Type 3 plastic (PVC) using infrared/air or X-ray/air sorting technology and shredding. The application was found to be administratively complete by Central Office on April 8, 2005.

Comments concerning the application should be directed to 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. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

NEW SOURCES AND MODIFICATIONS

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

time, affords an opportunity for public input and provides for sequential issuance of the necessary permits.

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

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

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

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodation to participate should contact the regional office identified before the application. TDD users 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.

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

PA 23-00014: Sunoco, Inc.—R and M (P. O. Box 426, 100 Green Street, Marcus Hook, PA 19061-0426) for converting VOCs emission reduction credits (ERCs) into NOx ERCs and use for future project at Marcus Hook in Delaware County.

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

22-05050A: Dauphin Meadows Inc. (R. D. No. 1 Box 68, Route 209, Millersburg, PA 17061) for a phased landfill expansion (Western Expansion) and construction of a landfill gas fired engine-generator plant with one to six engines, capacity approximately 800 kilowatt each to convert the waste landfill gas into electrical energy at

their landfill site in Washington and Upper Paxton Townships, **Dauphin County**.

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

12-399-013A: GKN Sinter Metals (15420 Route 120, P. O. Box 493, Emporium, PA 15834) for construction of an induction hardener and draw furnace and installation of an electrostatic precipitator to control emissions at their Barton Street facility in Emporium Borough, **Cameron 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.

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

46-0198J: Blommer Chocolate Company (1101 Blommer Drive, Lansdale, PA) for installation of a baghouse on a high fat shell bin, which replaces two existing filters in Upper Hanover Township, **Montgomery County**. This modification will raise the particulate matter emissions limit from 0.71 tpy to 2.25 tpy from the source located in Upper Hanover Township, Montgomery County. This facility is a Major for VOC. The Plan approval will contain recordkeeping and operating restriction designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

15-0010: ISG Plate, LLC (139 Modena Road, Coatesville, PA 19320) for modification of a Vertical Grit Blast Machine (identified as Source ID 176 in the facility's Title V Operating Permit, 15-00010) and a Horizontal Grit Blast Machine (identified as Source ID 258 in the facility's Title V Operating Permit), to correct emissions of PM. This facility is a Title V facility in the City of Coatesville, **Chester County**. Each grit blast machine is controlled by a baghouse, with a removal efficiency of 99%. The new allowable emission rates for the Vertical Grit Blast Machine will be 1.09 lbs/hr and 4.09 tons per 12-month rolling period. The new allowable emission rates for the Horizontal Grit Blast Machine will be 1.15 lbs/hr and 4.31 tons per 12-month rolling period. The Plan Approval will contain monitoring and recordkeeping requirements designed to keep Sources 176 and 258 operating within the allowable emissions and all applicable air quality requirements.

PA 23-00014: Sunoco, Inc.—R and M (P. O. Box 426, 100 Green Street, Marcus Hook, PA 19061-0426) for converting 426.59 tons per year (tpy) of VOCs emission reduction credits (ERCs) into 328.15 tpy of NOx ERCs and use for emission offsets for future project under 25 Pa. Code § 127.208(2) at Marcus Hook in **Delaware County**. The 426.59 tpy of VOC ERCs are generated from the over control of VOC emissions at the Marcus Hook Refinery from the Middle Creek Abatement Project. These VOC ERCs were certified on April 19, 2002. The Environmental Protection Agency has approved a request from the Commonwealth for interpollutant trading of VOC ERCs for NOx ERCs using a substitution ratio in the Philadelphia ozone nonattainment area. Sunoco Inc. is a major facility subject to the emission offset requirements of 25 Pa. Code Chapter 127, Subchapter E (relating

to new source review). Plan Approval No. 23-00014 does not authorize the construction, modification, reactivation or installation of any source at this facility.

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

48-318-137: Victaulic Co. of America (4901 Kesslersville Road, Easton, PA 18040) for modification of a surface coating operation (replacement and modernization of Paint Dip System) at their facility in Forks Township, **Northampton County**. This facility is a Title V facility. The VOC emissions associated with this project will be less than 1.0 tpy (emissions will not change). The particulate emissions will be less than 0.02 grain per dry standard cubic foot. The company shall comply with 25 Pa. Code § 123.31 for malodorous emissions. The company shall comply with 25 Pa. Code § 123.41 for opacity. The company will operate the facility and maintain the system in accordance with the good engineering practices to assure proper operation of the system. The Plan Approval and amended Title V Operating Permit (No. 48-00009) will maintain the current recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

18-315-002: First Quality Products, Inc. (P. O. Box 331, McElhattan, PA 17748) for construction of 22 absorbent products manufacturing (converting) lines, 21 of which already exist, in Wayne Township, **Clinton County**.

The particulate matter emissions from Lines 2—6 and 8 are controlled by a drum filter (1 per line) and a fabric collector (1 per 3 lines) operating in series. The particulate matter emissions from Lines 9, 11-23, JP1 and JP2 either are, or will be, controlled by an "Osprey" unit (1 per line) which incorporates a drum filter, a cartridge filter and a HEPA filter operating in series. The resultant total combined particulate matter emissions from all 22 lines are not expected to exceed .085 ton per year. The VOC and volatile hazardous air pollutant emissions from the use of hot melt adhesives, inks and cleanup solvents are not expected to exceed 6.94 and 1.33 tons per year, respectively.

The Department of Environmental Protection's (Department) review of the information submitted by First Quality Products, Inc. indicates that the respective converting lines will comply with all Air Quality regulations pertaining to air contamination sources and the emission of air contaminants, including the best available technology requirement of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue plan approval for the construction of the converting lines.

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

1. The particulate matter emissions from Lines 2—4 shall be controlled by a drum filter (1 per line) and a fabric collector (common to all 3 lines) operating in series. The concentration of particulate matter in the exhaust of the fabric collector shall not exceed .000010 grain per dry standard cubic foot and there shall be no visible emissions from the collector exhaust (other than water vapor or steam).

2. The particulate matter emissions from Lines 5, 6 and 8 shall be controlled by a drum filter (1 per line) and a fabric collector (common to all 3 lines) operating in series. The concentration of particulate matter in the exhaust of the fabric collector shall not exceed .0000065 grain per dry standard cubic foot and there shall be no visible emissions from the collector exhaust (other than water vapor or steam).

3. The particulate matter emissions from Lines 9, 11—23, JP1 and JP2 shall be controlled by an Osprey unit (1 per line) consisting of a drum filter, a cartridge filter and a HEPA filter operating in series. The concentration of particulate matter in each of the Osprey units shall not exceed .0000044 grain per dry standard cubic foot and there shall be no visible emissions from the exhaust of any Osprey unit (other than water vapor or steam).

4. Each of the drum filters and fabric collectors associated with Lines 2—6 and 8 shall be equipped with instrumentation to monitor pressure differential across the drum filter or fabric collector on a continuous basis. Each of the Osprey units shall be equipped with instrumentation to monitor the pressure differential across each of its three component sections on a continuous basis.

5. Spare drum filters, filter bags, cartridge filters and HEPA filters shall be kept on hand.

6. The bags in the fabric collector associated with Lines 2—4 shall be cleaned at least once every 12 hours of operation. During those periods of time when the bags are being cleaned, the converting lines controlled by the collector shall not be operated.

7. Any air compressors supplying compressed air to any drum filter, fabric collector or Osprey unit shall be equipped with an air dryer and oil trap.

8. The total combined VOC emissions resulting from the adhesive, ink and cleanup solvent usage associated with the converting lines shall not exceed 6.94 tons in any 12 consecutive month period and the total volatile hazardous air pollutant emissions shall not exceed 1.33 tons in any 12 consecutive month period.

9. The adhesives used on, or in association with, the converting lines shall be restricted to hot melt adhesives which do not contain, as an intentionally-added ingredient, any VOC or volatile hazardous air pollutant. The hot melt adhesives may however result in the emission of VOC provided that the emissions do not exceed .003 pound per pound of adhesive used.

10. No ink used shall contain more than 5.92 pounds of VOCs and zero pounds of volatile hazardous air pollutants per gallon except that up to 15 gallons of ink with a VOC and volatile hazardous air pollutant content of up to 7.25 pounds per gallon may be used in any 12 consecutive month period.

11. No more than 1,800 gallons of cleanup solvent shall be used in any 12 consecutive month period. No more than 400 gallons of this 1,800 gallons may contain any volatile hazardous air pollutant and the maximum volatile hazardous air pollutant content shall be 6.69 pounds per gallon.

All containers of VOC-containing materials, volatile hazardous air pollutant-containing materials and acetone-containing materials shall be kept closed except when in actual use. All used cleaning rags shall be stored in closed containers and the rags shall never be treated in any manner which would unnecessarily promote the evapora-

tive loss of any contained VOC, volatile hazardous air pollutant or acetone to the atmosphere.

12. Records shall be maintained of the identity and amount of each adhesive, ink and cleaning solvent used each month. The records shall be retained for a minimum of 5 years and shall be made available to the Department upon request.

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

10-062C: Slippery Rock University (1 Marow Way, Slippery Rock, PA 16057) for retrofitting of a coal fired boiler to fire natural gas in the Borough of Slippery Rock, **Butler County**.

Under 25 Pa. Code §§ 127.44(a) and 127.424(b), the Department of Environmental Protection (Department) intends to issue a Plan Approval for their plant located in the Borough of Slippery Rock, Butler County. This plan approval will authorize the applicant to retrofit an existing coal fired boiler to fire natural gas. The 26.34 mmBtu/hr boiler will have the stoker removed and a new packaged low-NOx burner with induced flue gas recirculation installed. The Plan Approval will subsequently be incorporated into the company's State Only Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Based on the information provided by the applicant and Department's own analysis, the natural gas fired boiler will emit 1.22 tons of NOx per year and 3.21 tons of CO per year. Actual emissions will decrease for both pollutants with the retrofit. The boiler is limited to natural gas usage of 76.35 MMCF per 12-month rolling period and will only operate during low load or when maintenance is being done on other boilers.

Persons who wish to provide the Department with additional information they believe should be considered may submit the information to the noted address. Comments must be received by the Department, within 30 days of the last day of publication. Written comments should include the following:

1. Name, address and telephone number of the person submitting comments.

2. Identification of the proposed Plan Approval; No. PA-10-062C.

3. Concise statement regarding the relevancy of the information or any objections to issuance of the Plan Approval.

A public hearing may be held, if the Department, in its discretion, decides that the hearing is warranted on the comments received during the public comment period. Persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in a local newspaper of general circulation or the *Pennsylvania Bulletin* or by telephone, the Department determines notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to John F. Guth, Regional Air Quality Manager, Department of Environmental Protection, Northeast Regional Office, 230 Chestnut Street, Meadville, PA 16335, (814) 332-6940.

24-131I: SGL Carbon LLC (900 Theresia Street, St. Marys, PA 15857) for modifying conditions currently included in their Title V OP for Machining Operations (Source 110), for Purification Furnaces (Source 7000), for Graphite Purification Furnaces (Source 7100) and for

Vacuum Out Gas Furnace (Source 7101) at SGL in Saint Marys City, **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:

- Source 110: Maintain 10% of each style cartridge/bag that is required of the largest collector using that style of cartridge/bag for all nine collectors under this source.

- Source 7000, 7100 and 7101: Tower scrubber pH shall be recorded hourly when a furnace is in the chlorination phase or while Freon is flowing and the pH shall be maintained at 10 or greater.

- Sources 7000, 7100 and 7101: The water gauge pressure drop across the tower scrubber shall be greater than 0" and less than 4" when in operation.

- Sources 7000, 7100 and 7101: No more than 2 furnaces shall be in the chlorination phase at any time per scrubber.

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

AMS 05037: Naval Surface Warfare Center—Carderock Division—Ship Systems Engineering Station (5001 South Broad Street, Code 357, Philadelphia, PA 19112-1403) for a marine gas turbine test facility (DD(X)) in Philadelphia, **Philadelphia County**. Emissions from the test cell are limited to 203.4 tons of NO_x, 36.94 tons of SO₂, 8.89 tons of CO, 3.12 tons of VOC and 2.06 tons of PM/PM₁₀, all on a 12-month rolling basis. This source will be incorporated into a proposed plan approval for a plant-wide applicability limit (PAL) and a Federally enforceable emission cap (FEEC) through an administrative amendment at a later date. The amendment action will be published as a notice in the *Pennsylvania Bulletin*. The emissions from the project will remain below the PSD and NA NSR trigger levels because the facility will maintain the total facility emissions below the PAL and FEEC limits in the proposed PAL/FEEC permit. Copies of the application, AMS's analysis and other documents used in the evaluation of the application are available for public review. Persons who wish to review the documents, during normal business hours, should contact the AMS, 321 University Avenue, Philadelphia, PA 19104, (215) 685-7572.

Persons who wish to provide AMS with additional information they believe should be considered prior to the issuance of this permit, should submit the information to the previous address. Written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit (05037) and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if AMS, in its discretion, decides that a hearing is arranged based on the comments received. Persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in a newspaper or by telephone, when the Department determines notification by telephone is sufficient. Written comments or requests for a public hearing

should be directed within 30 days after the publication date to Edward Braun, Chief, Source Registration, AMS, 321 University Avenue, Philadelphia, PA 19104.

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.

09-00150: Rotoflex Technologies, Inc. (180 Penn Am Drive, Quakertown, PA 18951) for operation of a chromium, copper and nickel electroplating facility located in Richland Township, **Bucks County**. The permit is for a Title V facility. The chromium plating operation is an area source subjected to National Emission Standards for Hazardous Air Pollutants, 40 CFR 63 Subpart N. Administrative Amendment of Title V Operating Permit issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450. The amendment excludes the site level requirement to submit AIMS reports due to minimal emissions. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the plant operating within all applicable air quality requirements.

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

39-00005: Bouras Acquisition Inc.—Prior Coated Metals (2233 26th Street SW, Allentown, PA 18103) in the city of Allentown, **Lehigh County**. The facility consists of a coil coating operation. As a result of the levels of VOC emissions from the coil coating operations, the facility is considered a major stationary source subject to Title V Operating Permit requirements. This is a renewal of their Title V Operating Permit issued in January 2002.

13-00001: Horsehead Corp. (900 Delaware Avenue, Palmerton, PA 18071) for inorganic pigment manufacturing processes and associated air pollution control devices in Palmerton Borough, **Carbon County**. This action is a renewal of the Title V Operating Permit issued in 2000.

35-00010: MACTac (802 East Corey St., Scranton, PA 18505-3595) for coated and laminated paper manufacturing processes and associated air pollution control devices in Moosic Borough, **Lackawanna County**. This action is a renewal of the Title V Operating Permit issued in 2000.

35-00011: Alliance Sanitary Landfill, Inc. (398 S. Keyser Avenue, Taylor, PA 18517) for a municipal solid waste landfill gas recovery system and associated air pollution control devices in Taylor Borough, **Lackawanna County**. This action is a renewal of the Title V Operating Permit issued in 1998.

39-00003: Apollo Metals, Ltd. (1001 Fourteenth Ave., Bethlehem, PA 18018-2207) for manufactured metal plating and polishing processes and associated air pollution control devices in the City of Bethlehem, **Lehigh County**. This action is a renewal of the Title V Operating Permit issued in 2000.

39-00040: Carpenter Co. (P. O. Box 519, Fogelsville, PA 18051) for plastic foam and nonwoven fabrics manufacturing processes and boilers located in Upper Macungie Township, **Lehigh County**. This action is a renewal of the Title V Operating Permit issued in 2000.

40-00004: Silgan Closures, LLC (Valmont Industrial Park, 350 Jaycee Drive, West Hazleton, PA 18202) for coated metal cap manufacturing processes and associated air pollution control devices in Hazle Township, **Luzerne County**. This action is a renewal of the Title V Operating Permit issued in 2000.

40-00005: Hunlock Creek Energy Ventures (P. O. Box 224, Hunlock Creek, PA 18621) for an electric generating plant and associated air pollution control devices in Hunlock Township, **Luzerne County**. This action is a renewal of the Title V Operating Permit issued in 1998.

40-00007: Bemis Co. (Valmont Industrial Park, 20 Jaycee Drive, West Hazleton, PA 18202) for a commercial printing operation and associated air pollution control devices in Hazle Township, **Luzerne County**. This action is a renewal of the Title V Operating Permit issued in 1998.

40-00021: Williams Generating Co. (Humboldt Industrial Park, 10 Maplewood Drive, Hazleton, PA 18201) for a natural gas turbine, a boiler and various combustion processes in Hazle Township, **Luzerne County**. This action is a renewal of the Title V Operating Permit issued in 2000.

45-00005: Aventis Pasteur, Inc. (Discovery Drive, Swiftwater, PA 18370-0187) for pharmaceutical manufacturing processes, boilers and associated air pollution control devices in Pocono Township, **Monroe County**. This action is a renewal of the Title V Operating Permit issued in 2000.

48-00006: Reliant Energy Mid-Atlantic Power Holdings, LLC (121 Champion Way, Canonsburg, PA 15317) for an electric generating plant and associated air pollution control devices in Upper Mt. Bethel Township, **Northampton County**. This action is a renewal of the Title V Operating Permit issued in 2000.

48-00016: Lehigh University (461 Webster Street, Bethlehem, PA 18015) for steam heating boilers and miscellaneous small combustion sources in the City of Bethlehem, **Northampton County**. This action is a renewal of the Title V Operating Permit issued in 1999.

48-00037: Chrin Bros. Sanitary Landfill (635 Industrial Drive, Easton, PA 18042) for a municipal solid waste landfill gas recovery system and associated air pollution control devices located in Williams Township, **Northampton County**. This action is a renewal of the Title V Operating Permit issued in 1999.

48-00071: Green Knight Economic Development Group (2147 Pen Argyl Road, Pen Argyl, PA 18072) for an electric generating plant in Plainfield Township, **Northampton County**. The facility's main sources include three landfill gas-fired combustion turbines. These sources have the potential to emit major quantities of regulated pollutants above Title V emission thresholds. The proposed Title V Operating Permit contains all applicable requirements including Federal and State regulations. In addition, monitoring, recordkeeping and reporting conditions regarding compliance with all applicable requirements are included.

48-00076: Conectiv Bethlehem, LLC (P. O. Box 6066, Newark, DE 19714-6066) for an electric generating plant in Lower Saucon Township, **Northampton County**. The facility's main sources include six combustion turbines, two steam turbine generators and six heat recovery steam generators. These sources have the potential to emit major quantities of regulated pollutants above Title V

emission thresholds. The proposed Title V Operating Permit contains all applicable requirements including Federal and State regulations. In addition, monitoring, recordkeeping and reporting conditions regarding compliance with all applicable requirements are included.

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

08-00003: CraftMaster Manufacturing, Inc. (Shiner Road, P. O. Box 311, Towanda, PA 18848) for their facility in Wysox Township, **Bradford County**. The respective facility is a major facility for which a Title V operating permit (TVOP 08-00003) has been issued. Under 25 Pa. Code §§ 127.521 and 127.541, the Department of Environmental Protection intends to issue a revised Title V operating permit incorporating the requirements of the following plan approvals: 08-302-039, 08-00004A, 08-316-014, 08-318-024A and 08-316-013A. The revision also incorporates the following insignificant emissions sources exempted from the Department's plan approval requirements: two-side sander, trim surface coating brush machine and associated fabric collector, a die form coating wetting booth, an A-1 tool machine and associated brush machine. There is no increase in air contaminant emissions as a result of this significant operating permit modification.

Copies of the application are available for public review between 8 a.m. and 4 p.m. at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review may be made by calling Kathy Arndt at (570) 327-3693. Written comments or requests for a public hearing should be directed to Muhammad Q. Zaman, Chief, Facilities Permitting Section, Department of Environmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-0512.

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

03-00027: Reliant Energy Northeast Management Company (121 Champion Way, Suite 200, Canonsburg, PA 15317) for operation of Keystone Power Plant in Plumcreek Township, **Armstrong County**. This is a Title V Renewal.

32-00040: Reliant Energy Seward, LLC (121 Champion Way, Suite 200, Canonsburg, PA 15317) for operation of Seward Station in East Wheatfield Township, **Indiana County**. This is a Title V Renewal.

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

25-00541: Penn-Union Corp. (229 Waterford Street, Edinboro, PA 16412-2381) for reissuance of their Title V Operating Permit facility in Edinboro Borough, **Erie County**. The facility manufactures current-carrying wiring devices. The facility's major emission sources include boilers, a batch cold cleaning degreaser, shot blast, grinding machines, electric induction furnaces, rotary casting unit, manual casting line, push out furnace, sand return/mixing unit, deslagging ladles and miscellaneous natural gas usage. The facility is a major facility due to its potential to emit of perchloroethylene and VOCs. This facility is not subject to compliance assurance monitoring because individual source's precontrolled emission does not exceed the Title V emission threshold.

43-00310: Dufferco Farrell (15 Roemer Blvd, Farrell, PA 16121) for the renewal of their Title V Operating Permit in Farrell Township, **Mercer County**. The initial permit was originally issued on May 4, 2000. Dufferco owns 2 steam boilers, 3 slab reheat furnaces, 60 foot hot strip mill, 60 foot hot strip hand scarfing, No. 21 slitter, No. 2 shot blast (ES971), No. 7 pickle line, No. 4 tandem mill, 12 anneal furnaces, No. 28 tamper mill, No. 2 shear, No. 26 slitter, No. 1 tension leveler, slab cutting torch, emergency diesel engine, No. 35 temper mill and IT building standby generator. As a result of potential emissions of NOx and VOC, the facility is minor for NOx but is major for VOC and is therefore subject to Reasonable Available Control Technology. The facility is subject to Title V permitting requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. No sources at the facility are subject to Compliance Assurance Monitoring under 40 CFR Part 64. The proposed Title V operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

42-00011: Honeywell Specialty Wax and Additives (45 Route 446, Intersection of Routes 46 and 446, Smethport, PA 16749) for renewal of their Title V Operating Permit in Keating Township, **McKean County**. The initial permit was originally issued on December 22, 1999. Honeywell owns four boilers, rerun unit charger heater, crude unit vacuum heater, resin heater, No. 2 earth burner, diesel fire pump, seven different fuel storage tank, propane dresner wastewater treatment plant and flue gas holder. As a result of potential emissions of NOx, the facility is a major source and is therefore subject to Reasonable Available Control Technology. The facility is subject to Title V permitting requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. Boilers Nos. 1—3 are subject to Compliance Assurance Monitoring under 40 CFR Part 64. The proposed Title V operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

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

06-05020: Craft Maid Kitchens, Inc. (501 South Ninth Street, Reading, PA 19602) for operation of a wooden furniture manufacturing facility in the City of Reading, **Berks County**. The facility is a non-Title V (State only) facility. The facility will be required to limit the emissions to less than the Title V thresholds during any consecutive 12-month period. The surface coatings will be limited to the amount of VOC they contain. The permit will include restriction, monitoring, testing, work practices, recordkeeping and reporting designed to keep the facility operating within all applicable air quality requirements.

06-05098: Troutman Industries, Inc. (2201 Reading Avenue, West Lawn, PA 19609) for operation of a hard and decorative chrome plating operation in Spring Township, **Berks County**. The facility is a non-Title V (State only) facility. The facility will be required to limit the emissions from the facility to less than the Title V thresholds. The facility will have a production limit based on power consumption by the plating operation. The permit will include restrictions, monitoring, testing, work

practices, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

37-00008: Ellwood City Forge, (800 Commercial Avenue, Ellwood City, PA) for a Synthetic Minor Permit to operate a steel forging operation in Ellwood City Borough, **Lawrence County**. This plant was previously permitted as a major source Title V facility but is taking restrictions on NOx emissions to obtain a Synthetic Minor Permit.

25-00052: Ames True Temper Inc.—Union City Borough (55 Pleasant Street, Union City, PA 16438) for issuance of a Natural Minor Operating Permit to operate their Wood Mill Plant located in Union City, **Erie County**.

37-00271: Quality Aggregates Inc.—Slippery Rock Township (Mt. Hope Furnace Road, Slippery Rock, PA 16051) for issuance of Natural Minor Operating Permit to operate their Limestone Crushing Plant in Slippery Rock Township, **Lawrence County**.

24-00062: Metal Powder Products Co. (879 Washington Street, Saint Marys, PA 15857-3644) for a Natural Minor Permit to operate a fabricated metal products located in Saint Marys City, **Elk County**. The significant sources are natural gas fired boiler (3), sizing operation, vapor degreasing, sintering ovens (13), parts washer and rust inhibitors. The facility was previously a Title V facility and has reduced the potential to emit VOCs to a level that is below the Title V emission threshold by changing the solvents and through modifications.

27-00018: National Fuel Gas Supply Corporation (Queen Road, East Hickory, PA 16923) for re-issuance of a Natural Minor Permit to perform natural gas transmission at their Queen compressor station in Hickory Township, **Forest County**.

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

Written comments, objections or requests for informal conferences on applications may be submitted by any person or any officer or head of any Federal, State or local government agency or authority to the Department

at the district mining office indicated before an application within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement, as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34.

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

30-day period to review and submit comments on the requirements.

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

Coal Applications Received

Effluent Limits

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

<i>Parameter</i>	<i>30-day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
iron (total)	3.0 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 ¹		greater than 6.0; less than 9.0	

alkalinity greater than acidity¹
¹The 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.

32051601 and NPDES Permit No. NA, Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201), to operate the Crooked Creek Preparation Plant in Washington Township, **Indiana County**, a new coal preparation plant and related NPDES surface runoff discharge points. Surface Acres Proposed 50.0. Receiving stream: UNT to Crooked Creek, classified for the following use: CWF. Application received February 15, 2005.

63831302. Eighty Four Mining Company, (P. O. Box J, 1525 Pleasant Grove Road, Claysville, PA 15323), to revise the permit for the Mine No. 84 in South Strabane Township, **Washington County**, ACOE Pittsburgh District. (Washington East Quadrangle, from N: 5.3", W: 6.9" to N: 5.0", W: 7.0").

This is a Chapter 105 Water Obstruction and Encroachment permit application (Stream Module 15) and 401 Water Quality Certification request, if applicable, submitted as part of the mining permit revision application to authorize the stream restoration to UNT to Little Chartiers Creek.

Written comments or objections on the request for Section 401 Water Quality Certification or to the issuance of the Water Obstruction and Encroachment Permit,

(Stream Module 15) may be submitted to the Department of Environmental Protection within 30 days of the date of this notice to the listed district mining office. Comments should contain the name, address and telephone number of the person commenting, identification of the request for 401 Water Quality Certification and Chapter 105 permit application (Stream Module 15) to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including relevant facts upon which they are based.

The Water Obstruction and Encroachment permit application is available for review at the California District Mining Office by appointment. Application received February 22, 2005

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

Permit No.11950101 and NPDES No. PA0213080. L & J Energy Company Inc., P. O. Box J, Grampian, PA 16838, permit renewal for reclamation only of a bituminous surface and auger mine in Susquehanna Township, **Cambria County**, affecting 9.0 acres. Receiving streams: UNT to Moss Creek, classified for the following uses: CWF. There are no potable water supply intakes within 10 miles downstream. Application received April 5, 2005.

56000102 and NPDES No. PA0235237. Action Mining, Inc., 1117 Shaw Mines Road, Meyersdale, PA 15552, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Brothersvalley Township, **Somerset County**, affecting 197.6 acres. Receiving streams: Piney Run and its UNTs and UNTs to Buffalo Creek classified for the following

use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received March 30, 2005.

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

33950105 and NPDES Permit No. PA0227021. Swisher Contracting, Inc. (P. O. Box 1223, Clearfield, PA 16830). Renewal of an existing bituminous surface strip and auger operation in Snyder Township, **Jefferson County** affecting 105.0 acres. Receiving streams: Three UNTs to Walburn Run and Walburn Run, classified for the following use: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application for reclamation only. Application received: April 4, 2005.

10000103 and NPDES permit No. PA0241776. Seneca Landfill, Inc. (P. O. Box 1080, Mars, PA 16046). Renewal of an existing bituminous surface strip operation in Jackson and Lancaster Townships, **Butler County** affecting 281.1 acres. Receiving streams: UNT to Connoquenessing Creek, classified for the following use: WWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: April 4, 2005.

10990104 and NPDES Permit No. PA0241644. Ben Hal Mining Company (389 Irishtown Road, Grove City, PA 16127). Revision to an existing bituminous surface strip operation in Clay and Center Townships, **Butler County** affecting 68.8 acres. Receiving streams: UNTs to Muddy Creek, classified for the following use: HQ CWF.

There are no potable surface water supply intakes within 10 miles downstream. Revision to include a land use change from forestland and abandoned surface mine (previously forestland) to unmanaged natural habitat on the lands of Chad T. Hemphill and Robert D. Neal, Jr. Application received: April 5, 2005.

10813005 and NPDES Permit No. PA0615218. Lucas Coal Company, Inc. (c/o Beazer East, Inc., Suite 3000, One Oxford Centre, 310 Grant Street, Pittsburgh, PA 15219). Renewal of an existing bituminous surface strip and tiple refuse disposal operation in Washington Township, **Butler County** affecting 222.5 acres. Receiving streams: two UNTs to Slippery Rock Creek, classified for the following use: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application for reclamation only. Application received: April 8, 2005.

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

54813224R4. Richard E. Tallman, (31 Schwalm Road, Tower City, PA 17980), renewal of an existing coal refuse reprocessing operation in Butler Township, **Schuylkill County** affecting 9.6 acres, receiving stream: none. Application received March 25, 2005.

Noncoal Applications Received

Effluent Limits

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

<i>Parameter</i>	<i>30-day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
suspended solids	35 mg/l	70 mg/l	90 mg/l
Alkalinity exceeding acidity ¹			
pH ¹		greater than 6.0; less than 9.0	

¹The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/l applied to surface runoff resulting from a precipitation event of less than or equal to a 10-year 24-hour event. If coal will be extracted incidental to the extraction of noncoal minerals, at a minimum, the technology-based effluent limitations identified under coal applications will apply to discharges of wastewater to streams.

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

32000301. Penn Run Quarry, 456 Weston Road, Penn Run, PA 15765, revision of an existing large noncoal surface mine to add blasting in Cherryhill Township, **Indiana County**, affecting 34.2 acres. Receiving stream: UNT to Penn Run classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received April 1, 2005.

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

08980809. Peck Hill Farm (R. R. 3, Box 3188, Rome, PA 18837), transfer of an existing small industrial minerals (bluestone) permit from Jesse Finch, Sr. The permit is located in Windham Township, **Bradford County** and affects 3 acres. Receiving streams: UNT, tributary to Wysox Creek. Application received: February 3, 2005.

08050802. Steven C. Tewell (R. R. 1, Box 102D, Sugar Run, PA 18846). Commencement, operation and restoration of a small industrial minerals (flagstone) permit in Wilmot Township, **Bradford County** affecting 5 acres. Receiving streams: UNT, tributary to Panther Lick Creek. Application received: February 10, 2005.

17050801. Jody L. Thompson (R. R. 1, Box 11-2, West Decatur, PA 16878). Commencement, operation and restoration of a small industrial minerals (clay) permit in Decatur Township, **Clearfield County** affecting 5 acres. Receiving streams: UNT to Coal Run, tributary to Moshannon Creek. Application received: February 14, 2005.

08010818. Brian M. Edsall (R. R. 2, Box 94A, Towanda, PA 18848), transfer of an existing small industrial minerals (bluestone) permit from Kenneth Shedden. The permit is located in Asylum Township, **Bradford County** and affects 2 acres. Receiving streams: tributary to Durell Creek. Application received: February 24, 2005.

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

58990818. Larry A. Lee, (R. R. 2 Box 2642, Nicholson, PA 18445), Stage I and II bond release for a quarry operation in Brooklyn Township, **Susquehanna County** affecting 1.0 acre on property owned by Helen Kozlowski. Application received March 30, 2005.

58020815. Larry A. Lee, (R. R. 2 Box 2642, Nicholson, PA 18445), Stages I and II bond release for a quarry operation in Brooklyn Township, **Susquehanna County** affecting 1.0 acre on property owned by Helen Kozlowski. Application received March 30, 2005.

6277SM1A1C5 and NPDES Permit No. PA0595080. Compass Quarries, Inc. dba Independence Construction Materials, (47 McIlvaine Road, Paradise, PA 17562), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Paradise Township, **Lancaster County**, receiving stream: Londonland Run, classified for the following use: CWF. Application received March 31, 2005.

4873SM3C2 and NPDES Permit No. PA0595021. Kinsley Construction, Inc., (2700 Water Street, P. O. Box 2886, York, PA 17405), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Springettsbury Township, **York County**, receiving stream: Codorus Creek, classified for the following use: WWF. The first downstream potable water supply intake from the point of discharge is Red Lion Water System. Application received April 4, 2005.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

Persons with a disability who wish to attend a hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the specified program. TDD users 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 FWPCA (33 U.S.C.A. § 1341(a)).

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E46-971. MRA Inc, 500 West Lancaster Avenue, Stratford, PA 19087, East Norriton Township, **Montgomery County**, ACOE Philadelphia District.

To place fill and to construct and maintain a retaining wall along the 100-year floodway of an UNT to Stony Creek for the purpose of constructing a car wash and parking lot facility. The site is located at 18-22 West Germantown Pike, on the corner of Dekalb Pike (US RT 202) and Germantown Pike. (Lansdale, PA USGS Quadrangle, N: 3.18 inches; W: 8.25 inches).

E15-735. James DiGiuseppe, 7743 Woody Avenue, Van Nuys, CA 91406, East Coventry Township, **Chester County**, ACOE Philadelphia District.

To modify and maintain an existing nonjurisdictional dam and to construct and maintain an outfall structure within the 100-year floodplain of an UNT of Pigeon Creek (HQ-TSF). Work will include partial dewatering; raising the berm height by 2 feet to provide maximum depth of 9.22 feet; constructing a new 20-foot wide concrete rectangular weir at east side and lowering the height of an existing 8-inch diameter riser pipe at north side for stormwater outfall. The proposed modification will provide stormwater management for an eight-lot residential subdivision.

The application includes a request for an environmental assessment approval to modify a nonjurisdictional dam.

The site is located about 1,600 feet northwest of intersection of Ellis Woods Road and Kulp Road (Phoenixville, PA USGS Quadrangle N: 11.0 inches W: 16.5 inches).

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

E34-114: Department of Transportation, Engineering District 2-0, 1924 Daisy Street Extension, Clearfield, PA 16830 in Delaware Township, **Juniata County**, ACOA Baltimore District.

To remove the existing structure and then to construct and maintain a single span bridge of 70 feet with an under clearance of 9.5 feet across Cocolamus Creek (TSF) and associated improvements on SR 2010, Section A01 to improve the traffic safety condition of the road located about 1 mile south of the Village of Cocolamus (Beaver Springs, PA Quadrangle N: 1.4 inches; W: 11.2 inches) in Delaware Township, Juniata County.

E31-201: Department of Transportation, Engineering District 9-0, 1620 North Juniata Street, Hollidaysburg, PA 16648 in Miller Township, **Huntingdon County**, ACOE Baltimore District.

To construct and maintain a total of 835-foot long rock protection along the right bank of Standing Stone Creek (HQ-CWF) and related improvements for the purpose of improving the traffic safety condition of SR 0026, Section 016 located north of Jackson Corner Village (Allensville, PA Quadrangle N: 18.9 inches; W: 14.98 inches) in Miller Township, Huntingdon County.

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

E12-154. Bucktail Rod and Gun Club, 590 Old N. Creek Road, Emporium, PA 15834. Pedestrian Bridge, in Shippen Township, **Cameron County**, ACOE Baltimore District (Emporium, PA Quadrangle N: 14.1 inches; W: 11.4 inches).

The permit application proposes to remove the existing footbridge and replace it with a new 25-foot by 5-foot plank bottom footbridge. This proposed bridge is to be constructed on 32-foot long beams with wooden railings to secure the bridge. The total acreage involved is less than 0.5 acre of earthen disturbance and 200 square feet of stream impact. This project is proposed on Sizer Run, which carries a Water Quality designation of CWF.

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

E04-309. John P. Keppel, 3074 Legionville Road, Baden, PA 15005. To construct a bridge in Harmony Township, **Beaver County**, Pittsburgh ACOE District. (Ambridge, PA Quadrangle N: 22.3 inches; W: 12.7 inches and Latitude: 40° 37' 21"—Longitude: 80° 12' 55"). The applicant proposes to construct and maintain a bridge having a span of 38.0 feet with an under clearance of 7.5 feet across the channel of South Branch Legionville Run (WWF) for the purpose of providing access to applicant's property. The project is located approximately 800 feet southeast from the intersection of Legionville Road and North Legionville Road, on the south side of Legionville Road and will impact 17.0 linear feet of stream channel.

E65-872. DeMill Development, LLC. 281 Wolf Lake Road, New Alexandria, PA 15670. To construct an arch

culvert and fill wetlands in Unity Township, **Westmoreland County**, Pittsburgh ACOE District. (Latrobe, PA Quadrangle N: 4.5 inches; W: 9.2 inches and Latitude: 40° 16' 29"—Longitude: 79° 26' 28"). The applicant proposes to construct and maintain a 10' by 4.4' multiplate arch culvert approximately 85' long over Fourmile Run (WWF), to place and maintain fill in 0.17 acre of wetlands (PEM), to temporarily impact Fourmile Run and 0.018 acre of wetlands (PEM) for a utility line crossing and to construct and maintain 0.17 acre of replacement wetlands. The encroachments are part of a proposed residential subdivision to be known as Foxfield Knoll located along Omega Road approximately 0.5 mile south of its intersection with Sand Hill Road. The proposed project will impact 85' of Fourmile Run, permanently impact 0.17 acre of wetlands and temporarily impact 0.018 acre of wetlands.

ENVIRONMENTAL ASSESSMENTS

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

EA33-004CO. William Weaver, 129 Smith Hill Road, Punxsutawney, PA 15767. Bell Township, **Jefferson County**, ACOE Pittsburgh District.

Project proposes to breach and remove Weaver Dam located across a tributary to Mahoning Creek (CWF) for the purpose of restoring the stream to a free flowing condition and eliminating a threat to public safety. The dam is located adjacent to Smith Hill Road (T429) approximately 400 feet Northeast of the intersection of SR36 and Smith Hill Road (T429) (Punxsutawney, PA Quadrangle N: 11.55 inches; W: 6.55 inches).

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 and 6021.1101—6021.1102) and under 25 Pa Code Chapter 245, Subchapter C.

SSIP

<i>Application No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
05006	Scott W. Welsh Penn Mar Ethanol, LLC 140 Roosevelt Avenue York, PA 17404	Franklin	Greene and Letterkenny Townships	9 ASTs	1,946,000 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

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0088307	Snyder's, LLP Eagles Crossing Golf Course 501 Conodoguinet Avenue Carlisle, PA 1713	Cumberland County North Middleton Township	Conodoguinet Creek/7B	Y

Dauphin County Conservation District, 1451 Peters Mountain Road, Dauphin, PA 17108, (717) 921-8690.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PAR10I234R	Richard E. Wright 13 Para Avenue Hershey, PA 17033	Dauphin County Londonderry Township	Swatara Creek/WWF	Y

York County Conservation District, 118 Pleasant Acres Road, 118 Pleasant Acres Road, York, PA 17402, (717) 840-7430.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PAR10Y593	Gregory Condon Susquehanna Ridings, Inc. 60 Maplewood Drive Etters, PA 17319	York County Newberry Township	Susquehanna River/WWF	Y

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PAR10Y467R	Carriage Crossings Cornerstone Development Group 1 Marketway East York, PA 17401	York County York Township	UNT to Mill Creek/WWF	Y

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

PA0005061, Industrial Waste, **Orion Power Midwest L.P., New Castle Plant**, 121 Champion Way, Canonsburg, PA 15317-5817. This proposed facility is located in Taylor Township, **Lawrence County**.

Description of Proposed Activity: existing discharge of noncontact cooling water, treated industrial waste, miscellaneous wastewaters and stormwater runoff.

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 Beaver Falls Municipal Authority—Eastvale plant on the Beaver River located approximately 16 miles below point of discharge.

The receiving stream, Beaver River (Outfalls 001—006, 009, 010 and 101) and McKee Run (Outfalls 007, 008 and 011—013), is in watershed 20-A and classified for: WWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 based on a design flow of 139.3 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>
(MO) Flow (mgd)	XX	XX			
(BAT) Total Residual Chlorine					0.2
(WQ-93) Temperature			** (mBtu/day Allowable H)		
January 1-31				49,096	
February 1-29				46,516	
March 1-31				41,096	
April 1-15				46,465	
April 16-30				41,959	
May 1-15				20,610	
May 16-30				38,334	
June 1-15				48,413	
June 16-30				39,078	
July 1-31				43,303	
August 1-15				35,490	
August 16-31				39,749	
September 1-15				38,451	
September 16-30				40,548	
October 1-15				43,866	
October 16-31				41,778	
November 1-15				44,114	
November 16-30				44,114	
December 1-31				42,367	
(BPJ) Copper (Interim)	XX	XX	0.026	0.052	0.065
(CH-16) Copper (Final)	10.4	22.0	0.009	0.019	0.024
(BPJ) Lead (Interim)	XX	XX	0.008	0.016	0.020
(CH-16) Lead (Final)	6.9	13.9	0.006	0.012	0.015
(CH-95) pH			6.0 to 9.0 standard units at all times		

The proposed effluent limits for Outfall 101 based on a design flow of 0.006 mgd.

<i>Parameter</i>	<i>Concentrations</i>		
	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	XX	XX	
Total Suspended Solids	30	100	
Oil and Gas	15	20	30
pH	6.0 to 9.0 standard units at all times		

The proposed effluent limits for Outfall 002 based on a design flow of 0.42 mgd.

<i>Parameter</i>	<i>Concentrations</i>		
	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>

This discharge shall consist solely of intake screen backwash.

The proposed effluent limits for Outfall 003 based on a design flow of 0.26 mgd.

<i>Parameter</i>	<i>Concentrations</i>		
	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	XX	XX	
Total Suspended Solids	30	100	
Oil and Gas	15	20	30
pH	6.0 to 9.0 standard units at all times		

The proposed effluent limits for Outfall 004 based on a design flow of 1.0 mgd.

<i>Parameter</i>	<i>Concentrations</i>		
	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	XX	XX	
Total Suspended Solids	30	100	
Oil and Gas	15	20	30
Iron	3.0	7.0	8.75
pH	6.0 to 9.0 standard units at all times		

The proposed effluent limits for Outfall 005 based on a design flow of 1.0 mgd.

<i>Parameter</i>	<i>Concentrations</i>		
	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	XX	XX	
Total Suspended Solids	30	100	
Oil and Gas	15	20	30
Iron	3.0	7.0	8.75
pH	6.0 to 9.0 standard units at all times		

The proposed effluent limits for Outfall 006 based on a design flow of n/a mgd.

<i>Parameter</i>	<i>Concentrations</i>		
	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	XX	XX	
Total Suspended Solids	30	100	
Oil and Gas	15	20	30
Dissolved Iron	XX		7

Any untreated overflow from facilities designed, constructed and operated to treat the ash pile runoff which results from a 10-year/24-hour rainfall event shall not be subject to the above Total Suspended Solids limitations.
pH 6.0 to 9.0 standard units at all times

The proposed effluent limits for Outfall 007 based on a design flow of 0.71 mgd.

<i>Parameter</i>	<i>Concentrations</i>		
	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	XX	XX	
Total Suspended Solids	30	100	

NOTICES

<i>Parameter</i>	<i>Concentrations</i>		
	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Oil and Gas	15	20	30
pH	6.0 to 9.0 standard units at all times		

The proposed effluent limits for Outfall 008 based on a design flow of 0.08 mgd.

<i>Parameter</i>	<i>Concentrations</i>		
	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	XX	XX	
Total Suspended Solids	30	100	

Any untreated overflow from facilities designed, constructed and operated to treat the ash pile runoff which results from a 10-year/24-hour rainfall event shall not be subject to the above Total Suspended Solids limitations.
pH 6.0 to 9.0 standard units at all times

The proposed effluent limits for Outfall 009 based on a design flow of n/a mgd.

<i>Parameter</i>	<i>Concentrations</i>		
	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	XX	XX	
Total Suspended Solids	30	100	

Any untreated overflow from facilities designed, constructed and operated to treat the ash pile runoff which results from a 10-year/24-hour rainfall event shall not be subject to the above Total Suspended Solids limitations.
pH 6.0 to 9.0 standard units at all times

The proposed effluent limits for Outfall 010 based on a design flow of n/a mgd.

<i>Parameter</i>	<i>Concentrations</i>		
	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>

This discharge shall consist solely of stormwater runoff.
Area Contributing Stormwater Runoff: Outfall 010—#10 Building Drain

The proposed effluent limits for Outfall 011 based on a design flow of n/a mgd.

<i>Parameter</i>	<i>Concentrations</i>		
	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>

This discharge shall consist solely of stormwater runoff.
Area Contributing Stormwater Runoff: Outfall 011—Coal Truck Parking Area

The proposed effluent limits for Outfall 012 based on a design flow of n/a mgd.

<i>Parameter</i>	<i>Concentrations</i>		
	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>

This discharge shall consist solely of stormwater runoff.
Area Contributing Stormwater Runoff: Outfall 012—138 KV Substation Area

The proposed effluent limits for Outfall 013 based on a design flow of n/a mgd.

Parameter	Concentrations		
	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)

This discharge shall consist solely of stormwater runoff.
Area Contributing Stormwater Runoff: Outfall 013—69 KV Substation Area

XX—Monitor and Report.

The EPA waiver is not in effect.

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

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

NPDES Permit No. PA0247103, Sewage, **Northeastern York County Sewer Authority, Saginaw WWTP**, 175 Chestnut Street, P. O. Box 516, Mount Wolf, PA 17347. This proposed facility is located in East Manchester Township, **York County**.

Description of Proposed Action/Activity: Authorization to discharge from a facility to the Susquehanna River in Watershed 7-F.

NPDES Permit No. PA0032093, Sewage, **Department of Conservation and Natural Resources, Shawnee State Park**, 132 State Park Road, Schellsburg, PA 15559-7300. This proposed facility is located in Napier Township, **Bedford County**.

Description of Proposed Action/Activity: Authorization to discharge from a facility to the Shawnee Branch in Watershed 11-C.

NPDES Permit No. PA0081647, Sewage, **White Run Regional Municipal Authority**, 2001 Baltimore Pike, Gettysburg, PA 17325-7015. This proposed facility is located in Mount Joy Township, **Adams County**.

Description of Proposed Action/Activity: Authorization to discharge from a facility to White Run in Watershed 13-D.

NPDES Permit No. PA0083178, Sewage, **Robert Baker, Applied Water Management, Inc.**, 453 Boot Road, Downingtown, PA 17335. This proposed facility is located in West Pennsboro Township, **Cumberland County**.

Description of Proposed Action/Activity: Termination of Permit, connected to the West Pennsboro Township Sewage Treatment Plant.

NPDES Permit No. PA0010677, Industrial Waste, **Veeder-Root Company**, Sixth Avenue at Burns Crossing, P. O. Box 1673, Altoona, PA 16603-1673. This proposed facility is located in Allegheny Township, **Blair County**.

Description of Proposed Action/Activity: Authorization to discharge from a facility to an UNT to Spencer Run in Watershed 11-A.

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

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

WQM Permit No. 4604411, Sewerage, **Upper Moreland Hatboro Joint Sewer Authority**, P. O. Box 535, 2875 Terwood Road, Willow Grove, PA 19090. This proposed facility is located in Upper Moreland Township, **Montgomery County**.

Description of Action/Activity: Construction and operation of an effluent pump station, 48-inch sewer line and expansion of an existing ultraviolet disinfection unit.

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

WQM Permit No. 4004406, Sewerage, **Hanover Township**, Hanover Township Municipal Building, 1267 Sans Souci Parkway, Hanover Township, PA 18706. This proposed facility is located in Hanover Township, **Luzerne County**.

Description of Proposed Action/Activity: Issuance of Water Quality Management Permit.

WQM Permit No. 5405401, Sewerage, **West Mahanoy Township Supervisors**, 190 Pennsylvania Avenue, Shenandoah, PA 17976. This proposed facility is located in West Mahanoy Township, **Schuylkill County**.

Description of Proposed Action/Activity: Issuance of Water Quality Management Permit.

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

WQM Permit No. 6703408, Sewerage, **Northeastern York County Sewer Authority**, 175 Chestnut Street, P. O. Box 516, Mount Wolf, PA 17347. This proposed facility is located in East Manchester Township, **York County**.

Description of Proposed Action/Activity: Construction of a wastewater treatment facility, a pump station and approximately 10,500 LF of 8-inch PVC gravity sewers and approximately 2,685 LF of 8-inch PVC force main.

WQM Permit No. 2204411, Sewerage, **South Hanover Township Authority**, 111 West Third Street, Hershey, PA 17033. This proposed facility is located in South Hanover Township, **Dauphin County**.

Description of Proposed Action/Activity: Modification of sewage facilities consisting of the removal of three existing wastewater pumps and the installation of the three large capacity wastewater pumps with associated motors, variable frequency drive and appurtenances.

WQM Permit No. 2805401, Sewerage, **Greene Township Municipal Authority**, 4182 Sunset Pike, Chambersburg, PA 17201. This proposed facility is located in Greene Township, **Franklin County**.

Description of Proposed Action/Activity: Modification of sewerage facilities consisting of an upgrade of the existing Culbertson pump station. The upgraded pump station is designed to meet present and anticipated future growth.

WQM Permit No. 3177401, Amendment 05-1, Sewerage, **Donald Shaffer, Jesus Ministries, Inc.**, R. R. 1, Box 58B, Shirleysburg, PA 17260. This proposed facility is located in Cromwell Township, **Huntingdon County**.

Description of Proposed Action/Activity: Upgrade of the sewage facilities at the Agape Farms Campground Sewage Treatment Plant.

WQM Permit No. 2193407, Sewerage, **Applied Water Management, Inc.**, 453 Boot Road, Downingtown, PA 17335. This proposed facility is located in West Pennsboro Township, **Cumberland County**.

Description of Proposed Action/Activity: Termination of Permit, connected to West Pennsboro Township Sewage Treatment Plant.

WQM Permit No. 3804402, Sewerage, **Palmyra Borough**, 325 S. Railroad Street, Palmyra, PA 17078-2400. This proposed facility is located in Palmyra Borough, **Lebanon County**.

Description of Proposed Action/Activity: Construction/operation of Pumping Station #3.

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

WQM Permit No. WQG018358, Sewerage, **John Testi**, 8271 Slade Road, Harborcreek, PA 16421. This proposed facility is located in Harborcreek Township, **Erie County**.

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

WQM Permit No. WQG018330, Sewerage, **Terry Emery**, P. O. Box 10, Volant, PA 16156. This proposed facility is located in Wilmington Township, **Lawrence County**.

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

WQM Permit No. 3702406, Sewerage Amendment No. 1, Pulaski Township Municipal Authority, R. D. 1, Box 1043, Pulaski, PA 16143. This proposed facility is located in Pulaski Township, **Lawrence County**.

Description of Proposed Action/Activity: This project is for the relocation of a pump station to serve the New Bedford, Pine Glenn and Frizzleburg Village service areas.

IV. NPDES Stormwater Discharges from MS4 Permit Actions

V. NPDES Waiver Stormwater Discharges from MS4 Actions

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI010904023	Commerce Bank, NA Commerce Bank Proposed Dev. 11000 Atrium Way Mount Laurel, NJ 08054	Bucks	Upper Southampton Township	Mill Creek (TSF)
PAI011504051	157 Pottstown Pike, LLP 157 Pottstown Pike Development P. O. Box 315 Sewell, NJ 08080	Chester	Upper Uwchlan Township	Pickering Creek (HQ-TSF)
PAI011504073	Francis and Kathryn Segner Segner Property 2094 Flowing Springs Road Birchrunville, PA 19421	Chester	West Vincent Township	Birch Run (EV)
PAI011504078	James Twaddle Twaddel Subdivision 1434 Hill Top Road Chester Springs, PA 19425	Chester	East Nantmeal Township	Beaver Run (HQ-TSF-MF)
PAI011504088	Landview Property Group, LLC Landview Property Development 256 Eagleview Boulevard Suite 302 Exton, PA 19341	Chester	Uwchlan Township	Shamona Creek (HQ-TSF-MF)

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI011505007	United Building & Dev. Corp Taylor Road Subdivision 911 South Concord Road West Chester, PA 19380	Chester	Shamona Creek (HQ-TSF-MF)	Shamona Creek (HQ-TSF-MF)

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>
PAI024803028	Dolores Grunstra P. O. Box 82 Hellertown, PA 18055-0082	Northampton	Lower Saucon Township	Tributaries to Cooks Creek, EV
PAI024804032	Nic Zawarski & Sons Developers, Inc. 1441 Linden St Bethlehem, PA 18018-2695	Northampton	Forks Township	Bushkill Creek, HQ-CWF

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>
PAI030604008	Donald Kuser	Berks	Cumru and Springs Townships	Wyomissing Creek HQ-WWF

Central Office: Bureau of Abandoned Mine Reclamation, 400 Market Street, Floor 5, P. O. Box 8476, Harrisburg, PA 17105-8476.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI106504001	BAMR P. O. Box 8476 Harrisburg, PA 17105-8476 (717) 783-1311	Westmoreland County	Mount Pleasant Township	Sewickley Creek to Youghiogheny River (HQ-CWF)

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

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

List of NPDES and/or Other General Permit Types

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

General Permit Type—PAG-2

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
East Brandywine Township Chester County	PAG2001504013	Southdown Homes Lyndell Pointe 55 Country Club Drive Suite 204 Downingtown, PA 19335	UNT Beaver Creek (TSF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
West Whiteland Township Chester County	PAG2001504111	United Stor-All-Centers 1787 Sentry Parkway West Building 16, Suite 400 Blue Bell, PA 19422	Valley Creek (CWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Springfield Township Delaware County	PAG2002305007	DB Enterprises, Developers and Builders, Inc. P. O. Box 81 Prospect Park, PA 19076	UNT Stony Creek (WWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Springfield Township Delaware County	PAG2002305011	DB Enterprises, Developers and Builders, Inc. P. O. Box 81 Prospect Park, PA 19076	UNT Crum Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Dublin Township Montgomery County	PAG2004604189	Sunrise Development, Inc. Sunrise at Dresher 771 East Lancaster Avenue Villanova, PA 19087	UNT Sandy Run (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Lower Salford Township Montgomery County	PAG2004604235	Alcom Printing Group, Inc. 140 Christopher Lane Harleysville, PA 19438	UNT Skippack Creek	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG2015104025	Philadelphia University Campus Revitalization Schoolhouse Lane and Henry Ave. Philadelphia, PA 19144-5497	Wissahickon Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG2015105009	University of Pennsylvania Health Systems Convention Hall and Museum Demolition 21 Penn Tower 399 South 34th Street Philadelphia, PA 19104	Schuylkill River (WWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Olyphant Borough Lackawanna County	PAG2003505008	Bill Letwinsky 100 Baltimore Drive Wilkes-Barre, PA 18702	Sterry Creek, CWF	Lackawanna Co. Cons. Dist. (570) 281-9495
Dallas Township Luzerne County	PAG2004005005	Jay Naparolo 423 N. Boundary St. Williamsburg, VA 23185	UNT to Huntsville Creek, CWF	Luzerne Co. Cons. Dist. (570) 674-7991
Southampton Township Franklin County	PAG2002805009	John and Pauline Diehl 1300 Roxbury Road Shippensburg, PA 17257	Middle Spring Creek CWF	Franklin County Conservation District 100 Sunset Boulevard West Chambersburg, PA 17201 (717) 264-8074, Ext. 5

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<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>
Borough of Waynesboro Franklin County	PAG2002805028	Wayne Gardens Park 57 East Main Street Waynesboro, PA 17268	East Branch Antietam Creek CWF	Franklin County Conservation District 100 Sunset Boulevard West Chambersburg, PA 17201 (717) 264-8074, Ext. 5
Antrim Township Franklin County	PAI032805004	KJS Properties 9156 Molly Pitcher Highway Greencastle, PA 17225	Muddy Run HQ-CWF	Franklin County Conservation District 100 Sunset Boulevard West Chambersburg, PA 17201 (717) 264-8074, Ext. 5
Guilford Township Franklin County	PAI032805005	Spring Valley Estates, LLC P. O. Box 701 Maugansville, MD 21767	Falling Spring- HQ-CWF	Franklin County Conservation District 100 Sunset Boulevard West Chambersburg, PA 17201 (717) 264-8074, Ext. 5
Greene Township	PAG2002804043	Village Green The Rachuba Group 946-A Marimich Ct. Eldersburg, MD 21784	Rowe Run-CWF	Franklin County Conservation District 100 Sunset Boulevard West Chambersburg, PA 17201 (717) 264-8074, Ext. 5
South Hanover Township, Dauphin County	PAG2002205011	Members' 1st Federal Credit Union 5000 Louise Drive Mechancisburg, PA 17055	Swatara Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
East Hanover Township, Dauphin County	PAG2002203037	Penn National Turf Club P. O. Box 32 Grantville, PA 17028	Swatara Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
West Hanover Township, Dauphin County	PAG2002205014	Edward W Martin 7943 Red Top Road Hummelstown, PA 17036	Swatara Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
Fairview Township York County	PAG2006704114	DDSP-OP Building 1-1 New Cumberland PA 17070	Marsh Run Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Paradise Township York County	PAG2006704125	Northridge Section 2 Carnie Fryfogle Jr. Inc. 1650 Kempton Road Oakland, MD 21550	UNT to Paradise Run WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430

<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>
Manchester Township York County	PAG2006704103	York County SPCA 66 Big Mount Road Thomasville, PA 17364	UNT to Codorus Creek/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Dover Township York County	PAG2006704142	Fred Barton Faire Wynd Assoc. 4400 Deer Path Road Harrisburg, PA 17110	Fox Run/TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
West Manheim Township York County	PAG2006704117	Oakwood Stoneridge Development Corp. 330 Dubs Church Road Hanover, PA 17331	UNT to WB Codorus Creek/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Newberry Township York County	PAG2006704140	Fox Farm Interceptor Newberry Township Municipal Auth. 400 Cly Road York Haven, PA 17370	Fishing Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
York Township York County	PAG2006705007	New Sheetz Store Sheetz Inc. 5700 Sixth Ave. Altoona, PA 16602	Codorus Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Springettsbury Township York County	PAG2006705012	Waverly Court Kenn Smith Waverly Court Apartment Assoc. 325 Church Street Lancaster, PA 17602	Kreutz Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Silver Spring Township, Cumberland County	PAG2002105007	Fry Communications, Inc. Raymond Bell 800 West Church Road Mechanicsburg, PA 17055	Hogestown Run/CWF	Cumberland County Conservation District 43 Brookwood Ave. Carlisle, PA 17013 (717) 240-7812
Centre County Ferguson Township	PAG2001403038-1	David Modricker Ferguson Township 3147 Research Dr. State College, PA 16801	Spring Creek CWF	Centre County Conservation District 414 Holmes Ave. Suite 4 Bellefonte, PA 16823 (814) 355-6817
Lycoming County City of Williamsport	PAG2004105004	Pa. College of Technology 1 College Ave. Williamsport, PA 17701	W. Branch Susquehanna River WWF	Lycoming County Conservation District 542 County Farm Road Suite 202 Montoursville, PA 17754 (570) 433-3003
Snyder County Monroe Township	PAG2005505001	Penn Valley Airport Authority 100 Airport Road Selinsgrove, PA 17870	Penns Creek WWF	Snyder County Conservation District 403 W. Market St. Middleburg, PA 17842 (570) 837-0007, Ext.112

<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>
Tioga County Richmond Township	PAG2005905001	Department of Transportation Engineer Dist. 3-0 P. O. Box 218 Montoursville, PA 17754	Corey Creek, Tioga County CWF	Tioga County Conservation District 50 Plaza Lane Wellsboro, PA 16901 (570) 724-1801, Ext.101
Fayette County Menallen Township	PAG2002605006	Dominic DeFrank 27 Salem Avenue New Salem, PA 15468	Dunlap Creek (WWF) Redstone Creek (WWF)	Fayette County CD (724) 438-4497
Indiana County West Wheatfield Township	PAG2003205003	George Sulkosky Highridge Water Auth. 17 Maple Avenue Blairsville, PA 15717	Richards Run, UNT to Richards Run, UNT to Conemaugh River (CWF)	Indiana County CD (724) 463-8547
Lawrence County Neshannock Township	PAR103729(2)	Staph-DeCarbo & Associates LLC Bil DeCarbo Castle Realty 2911 Wilmington Road Hearthstone Acres Furiside Dr. New Castle PA 16105	UNT to Shenango River-WWF	Lawrence County Conservation District (724) 652-4512
Mercer County Springfield Township	PAG2004305001	Borough of Grove City 123 West Main St. P. O. Box 110 Grove City, PA 16127	Black Run Tributary-CWF	Mercer County Conservation District (724) 662-2242

General Permit Type—PAG-3

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Weisenberg Township Lehigh County	PAR802208	Waste Management of PA, Inc. 2710 Golden Key Road Kutztown, PA 19530	UNT of Mill Creek	DEP—NERO Water Mgmt. Program 2 Public Square Wilkes-Barre, PA 18711-0790 (570) 826-2511
Northampton Borough Northampton County	PAR702213	Northampton Generating Co. 1 Horwith Drive Northampton, PA 18067-9728	Hokendaqua Creek CWF	DEP—NERO Water Mgmt. Program 2 Public Square Wilkes-Barre, PA 18711-0790 (570) 826-2511
Susquehanna County Harford Township	PAR212233	B & D Stone Co. R. R. 1, Box 157B Kingsley, PA 18826	Nine Partners Creek CWF	DEP—NERO Water Mgmt. Program 2 Public Square Wilkes-Barre, PA 18711-0790 (570) 826-2511
Susquehanna County Harford Township	PAR212231	Harford Stone Co. R. R. 1, Box 157A Kingsley, PA 18826	Nine Partners Creek CWF	DEP—NERO Water Mgmt. Program 2 Public Square Wilkes-Barre, PA 18711-0790 (570) 826-2511
Mifflin County Lewistown Borough	PAR213520	Juniata Concrete Company R. R. 3, Box 325 Mifflintown, PA 17059	Juniata River WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Juniata County Walker Township	PAR213541	Juniata Concrete Company R. R. 3, Box 325 Mifflintown, PA 17059	UNT to Cedar Run to Doe Run TSF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

*Facility Location:
Municipality &
County*

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Perry County Oliver Township	PAR213537	Juniata Concrete Company R. R. 3, Box 325 Mifflintown, PA 17059	Little Buffalo Creek CWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Old Lycoming Township	PAR124812	Pepsi Bottling Group, LLC 1450 Dewey Avenue Williamsport, PA 17701	Lycoming Creek (WWF)	NorthCentral Regional Office 208 West Third Street Williamsport, PA 17701-6448 (570) 327-3664

*General Permit Type—PAG-4**Facility Location:
Municipality &
County*

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Harborcreek Township, Erie County	PAG049150	John Testi 8271 Slade Road Harborcreek, PA 16421	Eightmile Creek	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Jefferson Township, Mercer County	PAG048372	James L. and Margaret V. Starkey 59 Reno Road Hermitage, PA 16148-5105	UNT to Magargee Run	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Wilmington Township, Lawrence County	PAG049123	Terry Emery P. O. Box 10 Volant, PA 16156	UNT to Neshannock Creek	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

*General Permit Type—PAG-8**Facility Location:
Municipality &
County*

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
Meadville City Crawford County	PAG088306	Meadville Area Sewer Authority 1320 Park Avenue Meadville, PA 16335-3114	Meadville Area Sewer Treatment Plant Meadville City	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

*General Permit Type—PAG-8 (SSN)**Facility Location:
Municipality &
County*

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
Cumberland County South Middleton Township	PAG083570	Borough of Carlisle 53 West South Street Carlisle, PA 17013	Harold Swarner Farm S. Middleton Township, Cumberland County	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707
Cumberland County Dickinson Township	PAG083570	Borough of Carlisle 53 West South Street Carlisle, PA 17013	Lewis Fink Farm Dickinson Township, Cumberland County	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707

Facility Location:

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
Cumberland County Dickinson Township	PAG083570	Borough of Carlisle 53 West South Street Carlisle, PA 17013	John Mckeehon Alexander Spring Farm Dickinson Township, Cumberland County	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707

General Permit Type—PAG-13

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>DEP Protocol (Y/N)</i>
PAG136359	Fayette City Borough 2nd and Cook Street R. D. 1, Box 544 Fayette City, PA 15438	Fayette	Fayette City Borough	Y

PUBLIC WATER SUPPLY (PWS) PERMITS

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

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

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

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

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act (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: **The Carlyle Group Inc.**, 10006 Hammock Bend, Chapel Hill, NC (PWSID #1150069) East Coventry Township, **Chester County** on April 11, 2005, for the operation of facilities approved under Construction Permit No. 1503505.

Operations Permit issued to: **Philadelphia Water Department**, 1101 Market Street, 2nd Floor, Philadelphia, PA 19107 (PWSID #1510001) City of Philadelphia Township, **Philadelphia County** on April 11, 2005, for the operation of facilities approved under Construction Permit No. 5104501.

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

Permit No. 2205501 MA, Minor Amendment, Public Water Supply.

Applicant	United Water Pennsylvania
Municipality	Susquahanna Township
County	Dauphin
Type of Facility	This permit approves construction of a washwater storage tank at the Sixth Street Water Treatment Plant.
Consulting Engineer	Arthur Saunders, P. E. United Water Pennsylvania 4211 East Park Circle Harrisburg, PA 17111
Permit to Construct Issued:	3/31/2005

Permit No. 2204509, Public Water Supply.

Applicant	United Water Pennsylvania
Municipality	Susquahanna Township
County	Dauphin
Type of Facility	Construction of three Infilco Degremont DensaDeg high-rate clarifier/thickener units to replace the existing Trident upflow clarifiers.
Consulting Engineer	Gary W. Snyder, P. E. Black & Veatch Curtis Center Philadelphia, PA 19106
Permit to Construct Issued:	4/8/2005

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

Permit No. 6504501, Public Water Supply.
 Applicant **Municipal Authority of the City of New Kensington**
 P. O. Box 577
 New Kensington, PA 15068

Borough or Township New Kensington
 County **Westmoreland**

Type of Facility Pump station and tanks

Consulting Engineer Gibson-Thomas Engineering Co. Inc.
 1004 Ligonier Street
 P. O. Box 853
 Latrobe, PA 15650

Permit to Construct Issued March 29, 2005

Permit No. 5604504, Public Water Supply.
 Applicant **Municipal Water Authority of the Township of Jenner**
 124 West Street
 Jenners, PA 15546

Borough or Township Jenner Township
 County **Somerset**

Type of Facility North Star Industrial/Business Park Water Storage Tank

Consulting Engineer EADS Group
 450 Aberdeen Drive
 P. O. Box 837
 Somerset, PA 15501

Permit to Construct Issued March 29, 2005

Permit No. 2604501, Public Water Supply.
 Applicant **Bruderhof Communities in Pa., Inc.**
 101 New Meadow Run Drive
 Farmington, PA 15437

Borough or Township Wharton Township
 County **Fayette**

Type of Facility New Meadow Run Bruderhof Water System and Well No. 1

Consulting Engineer McMillen Engineering
 115 Wayland Smith Drive
 Uniontown, PA 15401

Permit to Construct Issued April 7, 2005

Operations Permit issued to: **Hastings Municipal Authority**, P. O. Box 559, Hastings, PA 16646 (PWSID #4110013) Hastings Borough, **Cambria County** on April 5, 2005, for the operation of facilities approved under Construction Permit No. 1196502.

Operations Permit issued to: **Beaver Falls Municipal Authority**, 1425 8th Avenue, P. O. Box 400, Beaver Falls, PA 15010, (PWSID #5040012) Eastvale Borough, **Beaver County** on April 7, 2005, for the operation of facilities approved under Construction Permit No. 0403502.

Operations Permit issued to: **Indian Creek Valley Water Authority**, P. O. Box 486, Indian Head, PA 15446, (PWSID #5260011) Saltlick Township, **Fayette County** on April 7, 2005, for the operation of facilities approved under Construction Permit No. 6849-T1-A3.

Operations Permit issued to: **Municipal Authority of the City of New Kensington**, P. O. Box 577, 920 Barnes Street, New Kensington, PA 15068, (PWSID #5650070) City of New Kensington, **Westmoreland County** on April 7, 2005, for the operation of facilities approved under Construction Permit No. 6591505-A1.

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, (717) 705-4707.

Plan Location:

Borough or Township	Borough or Township Address	County
Carroll Township	555 Chestnut Grove Road Dillsburg, PA 17019	York

Plan Description: The approved plan provides for the replacement of the Ore Band Road Pump Station to a new location with increased capacity to serve an estimated 359,200 gpd (898 EDUs). The proposal also includes the construction of a new force main from the pump station to the Dillsburg Area Authority Wastewater Treatment Plant, where final disposal of the sewage flows will occur. The new pump station will be located on the west side of Ore Bank Road across from Spend-A-Buck Lane in Carroll Township, York County. Any required NPDES Permits or WQM Permits must be obtained in the name of the 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 nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, shall also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media; benefits of refuse of the property and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated

substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

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

The Department has received the following plans and reports:

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

Ashwood Dev., Plymouth Township, **Montgomery County**. Jan Peter Ilves, P. G., JPI Assoc., Inc., 1532 Haddonfield-Berlin Road, Cherry Hill, NJ 08003 on behalf of Carmen Salamone, Ashwood Land Dev., Inc., 545 W. Germantown Pike, No. 200, Plymouth Meeting, PA 19462 has submitted a Final Report concerning remediation of site soil contaminated with pesticide. The report is intended to document remediation of the site to meet the Statewide Health Standard.

7-Eleven, Inc., Store No. 21218, City of Philadelphia, **Philadelphia County**. Richard C. Firely, Jr., ENSR Intl, 2005 Cabot Blvd., West, Suite 100, Langhorne, PA 19047 has submitted a Final Report concerning remediation of site groundwater contaminated with leaded gasoline. The report is intended to document remediation of the site to meet the Statewide Health Standard.

148 East State St. Site, Doylestown Borough, **Bucks County**. John Walker, INTEX Env. Group, Inc., 6205 Easton Rd., Pipersville, PA 18947 on behalf of Naomi Plakins, Esq., Plakins Rieffel & Ray PC, 140 E. State St., P. O. Box 1287, Doylestown, PA 18901 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.

1201 West Chester Pike Site, West Goshen Township, **Chester County**. Jason Free, RT Env. Svc., Inc., Pureland Ind. Complex, 510 Heron Dr., Suite 306, P. O. Box 521, Bridgeport, NJ 08014 on behalf of Wayne DiFrancesco, White Horse Farms, 184 W. London Grove, Rd., West Grove, PA 19390 has submitted a Final Report concerning remediation of site soil contaminated with BTEX. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

Dillon Floral, Fifth St. Hollow Rd. Property, Scott Township, **Columbia County**, EarthRes Group, Inc., P. O. Box 468, Pipersville, PA 18947 has submitted a Final Report concerning soil contaminated with (pesticides) dieldrin. This Final Report is intended to demonstrate attainment of the Site-Specific Standard for soils.

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

Michael Mancuso Heating Oil Spill, Pulaski Township, **Lawrence County**. Duane L. Statzer, The GeoEnvironmental Consortium, 701 Freeport Rd., South Bldg., Pittsburgh PA 15238 on behalf of Michael Mancuso, 494 Deer Creek Rd., West Middlesex, PA 16159 has

submitted a Final Report concerning remediation of site soil contaminated with Heating Oil. The report is intended to document remediation of the site to meet the Statewide Health Standards.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

Provisions of 25 Pa. Code § 250.8, administration of the Land Recycling and Environmental Remediation Standards Act (act), require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by provisions of the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media, benefits of refuse of the property and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by provisions of the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

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

The Department has received the following plans and reports:

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

ACME Store No. 7721 Site, Phoenixville Borough, **Chester County**. David Volz, Sovereign Consulting, Inc., 111-A North Gold Dr., Robbinsville, NJ 08691 on behalf of Doug Kasefang, Albertsons, Inc., 250 Parkcenter Blvd., Boise, ID 83726 has submitted a Final Report concerning the remediation of site soil contaminated with chlorinated solvents. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on April 1, 2005.

Richter Residence, Plumstead Township, **Bucks County**. Richard D. Trimpi, CHMM, P. G., Trimpi Assoc., Inc., 1635 Old Plains Rd., Pennsburg, PA 18073 on behalf of Stephen Richter, 5404 Nicholas Ct, Pipersville, PA 19847 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on April 7, 2005.

Dial North Prop. B, Bristol Borough, **Bucks County**. Jeffrey Goudsward, Penn Env. & Remediation, 2755 Bergey Rd., Hatfield, PA 19440 on behalf of Larry Wygant, Island View Crossing II, LP, 1001 E. Hector St., Suite 100, Conshohocken, PA 19428 has submitted a Remedial Investigation and Cleanup Plan Report concerning the remediation of site soil and groundwater contaminated with chlorinated solvents and no. 2 fuel oil. The Remedial Investigation and Cleanup Plan Report was approved by the Department on April 6, 2005.

Mill Creek, City of Philadelphia, **Philadelphia County**. Michael Edelman, P.G., Roux Assoc., Inc., 1222 Forest Pkwy, Suite 190, West Deptford, NJ 08066 on behalf of Thomas Kuhar, Mill Creek Phase I, LP, 12 S. 23rd St., 6th Floor, Philadelphia, PA 19103 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on March 30, 2005.

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

Former Rockwell Plant No. 2, City of Dubois, **Clearfield County**. Blasland, Bouck & Lee, Inc., 500 North Gulph Road, Suite 401, King of Prussia, PA 19406 has submitted a Final Report concerning soil contaminated with chlorinated solvents and metals. This Final Report demonstrated attainment of the Site-specific Standard and was approved by the Department on April 1, 2005.

Charles Cole Memorial Hospital, Eulalia Township, **Potter County**. Converse Consultants, 2738 West College Avenue, State College, PA 16801 has submitted a Final Report concerning soil & groundwater contaminated with lead, heavy metals and solvents. This Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on April 7, 2005.

Pennsylvania American Water-White Deer Cleanup, White Deer Township, **Union County**. Black Rock Environmental, LOLC on behalf of Pennsylvania American Water, has submitted a final Report concerning soil contaminated with diesel fuel. This Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on August 31, 2004. (This is being resubmitted at this time because when checking the archives it was discovered this was never submitted.)

Dominion Transmission (Leidy Compressor Station), Leidy Township, **Clinton County**, SE Technolo-

gies, 98 Vanadium Road, Bldg. D, 2nd Floor, Bridgeville, PA 15017 has submitted a Final Report concerning soil contaminated with BTEX and groundwater contaminated with PCBs and BTEX. This Final Report demonstrated attainment of the Site-specific Standard for soils and the Statewide Health Standard for groundwater and was approved by the Department on March 18, 2005.

HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

Proposed action on an application for a permit under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations to operate a hazardous waste treatment, storage, or disposal facility.

Intent to Issue a Hazardous and Residual Waste Storage Permit

Regional Office: Regional Manager, Waste Management, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

PAD980707087, Envirotrol, Inc., Beaver Falls Facility. Operation of a hazardous and residual waste storage and treatment facility (carbon regeneration) located in Beaver Falls, **Beaver County**. The application for a permit for storage and treatment at the Beaver Falls facility was considered for intent to issue by the Regional Office on April 15, 2005.

Persons wishing to comment on the proposed action are invited to submit a statement to the regional office indicated as the office responsible, within 45 days from the date of this public notice. Comments received within this 45-day period will be considered in the formulation of the final determination regarding this application. Responses should include the regional office of the exact basis of any comment and the relevant facts upon which it is based. A public hearing may be held if the regional office considers the public response significant.

A public meeting has been scheduled for May 19, 2005, at the City of Beaver Falls Municipal Building, located at 715 15th Street in Beaver Falls, PA. The meeting will start at 7 p.m. The purpose of this meeting is to discuss this intended permit action.

Following the 45-day comment period and/or public hearing, the Department will make a final determination regarding the proposed permit action. Notice of this determination will be published in the *Pennsylvania Bulletin*, at which time this determination may be appealed to the Environmental Hearing Board.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

Permit No. 400667. Wyeth Pharmaceuticals, P. O. Box 8299, Philadelphia, PA, Upper Providence Township, **Montgomery County**. The waste incineration facility has been closed and the permit has expired. At the permittee's request, the waste permit is being revoked and the bond will be released. The permit was revoked by the Southeast Regional Office on April 6, 2005.

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.

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

GP-61-209: Belden and Blake Corp.—Cherrytree Compressor (Pioneer Road, Titusville, PA 16354) on March 10, 2005, to operate a natural gas fired compressor engine in Cherrytree Township, **Venango 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.

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

48-399-049B: Alcan Packaging Pharmaceutical and Personal Care, Inc. (2400 Baglyos Circle, Bethlehem, PA 18020) on April 4, 2005, to construct five blister packaging lines at their facility in Bethlehem Township, **Northampton County**.

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

06-05100D: Calpine Construction Finance Co., LP (5115 Pottsville Pike, Reading, PA 19605) on April 5, 2005, for modification of their electric generating plant controlled by SCR in Ontelaunee Township, **Berks County**.

22-05034C: Pennsy Supply, Inc. (1001 Paxton Street, Harrisburg, PA 17105) on April 5, 2005, for replacement of an existing fabric collector with a new fabric collector for their pulverized mineral processing operation, Hummelstown Quarry, South Hanover Township, **Dauphin County**.

36-05026B: RR Donnelley and Sons Company (1375 Harrisburg Pike, Lancaster, PA 17601) on April 5, 2005, for installation of a new heatset web offset printing press and regenerative thermal oxidizer at their Lancaster West facility in Lancaster City, **Lancaster County**.

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

19-00026A: Haddon Craftsmen, Inc. (4411 Old Berwick Road, Bloomsburg, PA 17815) on March 11, 2005, to construct two book binding lines, two heatset web offset lithographic printing presses, and air cleaning device (regenerative thermal oxidizer) associated with the printing presses in South Centre Township, **Columbia County**.

14-00002F: Graymont (PA) Inc. (965 East College Avenue, Pleasant Gap, PA 16823) on April 6, 2005, to construct a pulverized limestone system and associated air cleaning devices (two fabric collectors) at their Pleasant Gap Plant in Spring Township, **Centre County**.

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

25-025G: General Electric Transportation Systems—Erie Plant (2901 East Lake Road, Room 9-201, Erie, PA 16531) on April 4, 2005, to modify monitoring conditions in their Title V permit for several sources/control devices, to add a new source called the Commutator Lathes (Source 620), and to add two shot blast booths under Miscellaneous Machining and Grinding (Source 942) in Lawrence Park Township, **Erie County**. This is a Title V facility.

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.

23-0012: Epsilon Product Co., LLC (Post Road and Blueball Avenue, P. O. Box 432, Marcus Hook, PA 19061) on April 1, 2005, to operate a plant 2 and thermal oxidizer in Marcus Hook Borough, **Delaware County**.

46-0234: Conshohocken Steel Products, Inc. (301 Randolph Avenue, Ambler, PA 19002) on April 1, 2005, to operate a Spray Booth in Upper Dublin 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.

48-328-003A: PPL Generation LLC (Two North Ninth Street, Allentown, PA 18101) on March 31, 2005, to modify four combustion turbines at Martins Creek SES, Lower Mt. Bethel Township, **Northampton County**. The Plan Approval has been extended.

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

55-399-006: APEX Homes, Inc. (247 US Highway 522 North, Middleburg, PA 17842) on April 7, 2005, to authorize the use of three spray booths instead of two in a modular home wood parts surface coating operation and to authorize the use of an alternate coating in Middlecreek Township, **Snyder County**.

49-00010A: Fleetwood Motor Homes of Pennsylvania, Inc. (Route 487, P. O. Drawer No. 5, Paxinos, PA 17860) on March 16, 2005, to extend the authorization to construct a recreational vehicle surface coating operation identified in the respective plan approval on a temporary basis, until May 4, 2005, at their Paxinos facility in Ralpho Township, **Northumberland County**.

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

25-006A: Russell Standard Corp.—Wheelertown Road (Wheelertown Road, Union City, PA 16438) on April 30, 2005, to replace their existing asphalt plant in Leboeuf Township, **Erie County**.

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

Northeast Region: Air Quality Program, 2 Public Square, Wilkes Barre, PA 18711-0790; Michael Safko, Facilities Permitting Chief, (570) 826-2531.

54-00004: Gilberton Power Co. (50 Eleanor Avenue, Frackville, PA 17931) on April 12, 2005, to operate a power generation plant in West Mahanoy Township, **Schuylkill County**.

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110; Yasmin Neidlinger, Facilities Permitting Chief, (717) 705-4702.

06-05078: FR and S, Inc. (727 Red Lane Road, Birdsboro, PA 19508) on April 11, 2005, to operate Pioneer Landfill in Exeter Township, **Berks County**. This is a renewal of the Title V operating permit. Plan approvals 06-05078D and 06-05078E were incorporated into the permit.

67-05016: R. H. Sheppard Company, Inc. (101 Philadelphia Street, P. O. Box 877, Hanover, PA 17331-0877) on April 4, 2005, to operate their ductile and gray iron foundry in Hanover Borough, **York County**. This is a renewal of the Title V operating permit.

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.

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

40-00090: Bridon American Corp. (P. O. Box 6000, Wilkes-Barre, PA 18706) on April 12, 2005, to install a fabric collector to collect soap dist at their facility in Hanover Township, **Luzerne County**.

40-00072: Genova Products, Inc. (502 Forest Road, Hazleton, PA 18202) on April 12, 2005, to manufacture plastic and PVC products in Hazle Township, **Luzerne County**.

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

28-03044: Tarco Roofing Materials, Inc. (8650 Molly Pitcher Highway North, Greencastle, PA 17225) on April 5, 2005, for their asphalt saturated felt operations in Antrim Township, **Franklin County**.

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

17-00019: Waroquier Coal Co. (P. O. Box 128, Clearfield, PA 16830) on March 21, 2005, to issue a State Only operating permit for their coal processing facility in Lawrence Township, **Clearfield County**. The facility's main sources include a coal processing operation and coal rail car load-out operation. The State Only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

19-00018: Catawissa Lumber and Specialty Co. (P. O. Box 176, Catawissa, PA 17820) on March 22, 2005, to issue a State Only operating permit, for their woodworking facility in the Borough of Catawissa, **Columbia County**. The facility's main sources include one woodwaste No. 2 fuel oil fired boiler, one No. 2 fuel oil fired boiler and various woodworking equipment. The

State Only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

41-00062: Wheeland Lumber Co., Inc. (R. R. No.1, Box 220B, Liberty, PA 16930) on March 9, 2005, to issue a State Only operating permit 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 oil-fired office furnace. The State Only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and report conditions.

53-00016: Tennessee Gas Pipeline Co. (P. O. Box 2511, Houston, TX 77252-2511) on March 11, 2005, to issue a State Only operating permit for their Ellisburg Booster Station in Genesee Township, **Potter County**. The facility's sources include two reciprocating internal combustion engines, one auxiliary generator, and associated pipeline flanges and valves. The State Only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping, and report conditions.

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

61-00034: The Franklin Investment Corp.—d/b/a Franklin Industries Co. (600 Atlantic Avenue, Franklin, PA 16323) on March 30, 2005, a Natural Minor operating permit to manufacture and surface coat steel posts in the City of Franklin, **Venango County**.

25-00999: Riley Power, Inc. (1420 Cascade Street, Erie, PA 16502) on April 6, 2005, a Natural Minor Permit to operate surface coating operations in the City of Erie, **Erie County**.

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.

36-03141: Kellogg USA Inc. (2050 State Road, Caller Box 3006, Lancaster, PA 17604) on April 7, 2005, to operate a breakfast cereal manufacturing facility in East Hempfield Township, **Lancaster County**. This Operating Permit was administratively amended to include plan approval 36-03141A. This is revision No. 1.

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

41-00064: Glenn O. Hawbaker, Inc. (711 East College Avenue, Bellefonte, PA 16823) on April 1, 2005, via administrative amendment, to incorporate conditions established in Plan Approval 41-00064A for a sandstone processing plant feeder, jaw crusher and two conveyors at Hagerman's Run Plant No. 12 in Armstrong Township, **Lycoming County**.

18-00024: Excel Homes LLC (P. O. Box 420, Avis, PA 17721) on April 4, 2004, via administrative amendment, to reflect a change in ownership for a modular home

manufacturing facility from XL Acquisition Corporation to Excel Homes LLC in Pine Creek Township, **Clinton County**.

49-00054: Meckley's Limestone Products (R. R. No. 1 Box 1682, Herndon, PA 17830) on March 8, 2005, to issue a revised State Only (Synthetic Minor) operating permit through an administrative amendment to incorporate terms and conditions from Plan Approval 49-00054A for the addition of a bin vent filter and modification of an existing dust bunker storage building (Source ID P106) to control the particulate matter (PM/PM10) emissions from the operation. This facility is in Lower Mahoney Township, **Northumberland County**. This revised State Only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

24-00016: Keystone Powdered Metal Co. (1935 State Street, St Marys, PA, 15857) on April 5, 2005, was administratively amended to incorporate a change of Responsible Official and to delete process equipment that has been removed in St. Marys Borough, **Elk County**.

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

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

TV-04-00471: Marathon Ashland Petroleum, LLC (P. O. Box 308, Midland, PA 15059-0308) for their Midland Terminal in Industry Borough, **Beaver County** shall increase VOC emissions by 0.001 tons per year (tpy), at this facility. This increase in emissions has been approved by the Department as a de minimis emission increase in accordance with 25 Pa. Code § 127.449.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

Coal Permits Actions

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

56010104 and NPDES Permit No. PA0249041. Godin Brothers, Inc., 128 Colton Drive, Stoystown, PA 15563, surface mining permit revision for a stream

variance and deletion of acreage in Lincoln and Jenner Townships, **Somerset County**, affecting 136.4 acres. Receiving streams: UNTs to/and Quemahoning Creek classified for the following use: cold water fishery. The first downstream potable water supply intake from the point of discharge is Cambria-Somerset Authority Quemahoning Surface Water Withdrawal. Application received August 30, 2004. Permit issued: March 29, 2005.

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

26030102 and NPDES Permit No. PA0250457. Steve Patterson Excavating (170 Yasenosky Road, Smithfield, PA 15478). Permit revised to allow removal of the Benwood Limestone at a bituminous surface mining site located in Dunbar Township, **Fayette County**, affecting 75.5 acres. Receiving streams: UNT to Gist Run, Dunbar Creek, Youghioghney River. Application received: January 28, 2005. Revision issued: April 6, 2005.

03030107. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). Permit issued for commencement, operation and reclamation of a bituminous surface mining site located in Boggs Township, **Armstrong County**, affecting 138 acres. Receiving streams: North Fork of Pine Creek. Application received: November 26, 2003. Permit issued: April 8, 2005.

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

24980106 and NPDES Permit No. PA0227919. Fairview Coal Company (P. O. Box R, Ridgway, PA 15853). Revision to an existing bituminous surface strip, auger and coal ash placement operation to add 5.7 acres to the permit in Horton Township, **Elk County**, affecting 228.8 acres. Receiving streams: UNTs to Johnson Run; UNTs to Brandy Camp Creek; all to Little Toby Creek. Applications received: December 23, 2004. Permit Issued: April 5, 2005.

1316-24980106-E-1. Fairview Coal Company (P. O. Box R, Ridgway, PA 15853). Application for a stream encroachment to conduct mining activities within 100 feet of Johnson Run in Horton Township, **Elk County**, affecting 228.8 acres. Receiving streams: UNTs to Johnson Run; UNTs to Brandy Camp Creek; all to Little Toby Creek. Applications received: December 23, 2004. Permit Issued: April 5, 2005.

43850105 and NPDES Permit No. PA0208758. Grove City Materials, L.P. (R. D. 6, Box 344, New Castle, PA 16101). Transfer of an existing bituminous surface strip operation from C & K Coal Company in Pine and Mercer Townships, **Mercer and Butler Counties** affecting 96.0 acres. Receiving streams: two UNTs to Swamp Run. Application received: December 11, 2003. Permit Issued: April 6, 2005.

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

17820129 and NPDES Permit No. PA0610623. Kasubick Brothers Coal Company (501 David Street, Houtzdale, PA 16651). Renewal of an existing bituminous surface mine-auger permit in Woodward Township, **Clearfield County** affecting 161.8 acres. Receiving streams: UNT to Upper Morgan Run and North Branch to Morgan Run to Clearfield Creek to West Branch Susquehanna River. Application received: October 14, 2004. Permit issued: April 4, 2005.

17990110 and NPDES Permit No. PA0238333. AMFIRE Mining Company, LLC (One Energy Place, Latrobe, PA 15650). Transfer of an existing bituminous

surface mine permit from M. B. Energy, Inc. The permit is located in Chest Township, **Clearfield County** and affects 350 acres. Receiving streams: Chest Creek to West Branch of the Susquehanna River. Application received: September 13, 2004. Permit issued: March 2, 2005.

17040105 and NPDES Permit No. PA0243795. W. Ruskin Dressler (P. O. Box 39, Rockton, PA 15856). Commencement, operation and restoration of a bituminous surface mine permit in Brady Township, **Clearfield County** affecting 63.9 acres. Receiving stream: East Branch Mahoning Creek. Application received: July 24, 2004. Permit issued: April 6, 2005.

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

54773017R4 and NPDES Permit No. PA0118770. K & K Coal Company (133 Valley Furnace Avenue, Port Carbon, PA 17965), renewal of an existing anthracite surface mine operation in East Norwegian and Blythe Townships, **Schuylkill County** affecting 243.1 acres, receiving stream: East Branch Schuylkill River. Application received October 18, 2004. Renewal issued April 8, 2005.

49860102T2 and NPDES Permit No. PA0224413. Farragut Anthracite Company (100 Lehigh Avenue, Mt. Carmel, PA 17851), transfer of an existing anthracite surface mine and refuse reprocessing operation in Coal Township, **Northumberland County** affecting 814.6 acres, receiving stream: Shamokin Creek. Application received June 24, 2004. Transfer issued April 8, 2005.

Noncoal Permits Actions

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

08042801. Frank Bach, IV (R. R. 1, Box 1450, Laceyville, PA 18623). Commencement, operation and restoration of a small industrial minerals (bluestone) permit in Tuscarora Township, **Bradford County** affecting 3 acres. Receiving stream: Tuscarora Creek, tributary to Susquehanna River. Application received: June 16, 2004. Application returned: March 10, 2005.

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

58040862. Randall J. Chapel (R. R. 2, Box 190-D, Montrose, PA 18801), commencement, operation and restoration of a bluestone quarry operation in Jessup Township, **Susquehanna County** affecting 5.0 acres. Receiving Stream: Tributary to South Branch Wyalusing Creek. Application received: September 22, 2004. Permit issued April 4, 2005.

58040850. Jeremy Choplosky (R. R. 2 Box 2015, Nicholson, PA 18466), commencement, operation and restoration of a bluestone quarry operation in Lenox Township, **Susquehanna County** affecting 5.0 acres. Receiving Stream: Tributaries to Martin Creek and Tunkhannock Creek. Application received: August 9, 2004. Permit issued April 5, 2005.

58050804. Catherine and Stanley Rezykowski (P. O. Box 4, Route 29, Dimock PA 18816), commencement, operation and restoration of a bluestone quarry operation in Dimock Township, **Susquehanna County** affecting 5.0 acres. Receiving Stream: Meshoppen Creek. Application received: January 31, 2005. Permit issued April 5, 2005.

ABANDONED MINE RECLAMATION

Cambria Office: 286 Industrial Park Road, Ebensburg, PA 15931-4119, (814) 472-1800.

Bond Forfeiture Contract Awarded	BF 504-101.1
Location	Mt. Pleasant Township, Westmoreland County
Description	Abandoned Mine Land Reclamation Project, Royal Reclamation, Inc., Mining Permit No. 65920202
Contractor	12th Congressional Region Equipment Co., Inc. Blairsville, PA 15717
Amount	\$48,719.13
Date of Award	April 6, 2005

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Actions on applications under the Explosives Acts of 1937 and 1957 (43 P.S. §§ 151—161) and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.

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

14054006. Tom K. Associates (Box 726, Lamont, PA 16851), for construction blasting, located in Benner Township, **Centre County**, with an expected duration of 120 days. Permit issued: April 5, 2005.

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

23054004. Eastern Blasting Co., Inc., (1292 Street Road, New Hope, PA 18938), construction blasting at Greystone Housing Development in Bethel Township, **Delaware County** with an expiration date of August 1, 2005. Permit issued April 4, 2005.

67054009. Warren's Excavating & Drilling, Inc., (P. O. Box 189, Bowmansville, PA 17507-0189), construction blasting at Pleasant View Subdivision in Fairview Township, **York County** with an expiration date of March 31, 2006. Permit issued April 4, 2005.

21054118. Brubacher Excavating, Inc., (P. O. Box 528, Bowmansville, PA 17507), blasting for Longs Dorf Cemetery in Silver Spring Township, **Cumberland County** with an expiration date of April 5, 2006. Permit issued April 4, 2005.

40054103. Hayduk Enterprises, (P. O. Box 554, Dalton, PA 18414), construction blasting for Chris Urbanski Project in Pittston Township, **Luzerne County** with an expiration date of December 31, 2005. Permit issued April 4, 2005.

40054104. Austin Powder Company, (25800 Science Park Drive, Cleveland, OH 44122), construction blasting for Crestwood Industrial Park in Wright Township, **Luzerne County** with an expiration date of April 1, 2006. Permit issued April 4, 2005.

21054119. Brubacher Excavating, Inc., (P. O. Box 528, Bowmansville, PA 17507), construction blasting for Annendale Development in Dickinson Township, **Cumberland County** with an expiration date of April 6, 2006. Permit issued April 6, 2005.

28054104. R & M Excavating, (403 Hilltop Road, Newburg, PA 17240), construction blasting for Rine Home

in Guilford Township, **Franklin County** with an expiration date of April 1, 2006. Permit issued April 6, 2005.

48054004. Schlouch Inc., (Excelsior Industrial Park, P. O. Box 69, Blandon, PA 19510), construction blasting at Eagles Landing in Upper Nazareth Township, **Northampton County** with an expiration date of April 29, 2006. Permit issued April 7, 2005.

01054105. Hall Explosives, Inc., (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting for Adams Commerce Center in Straban Township, **Adams County** with an expiration date of April 30, 2006. Permit issued April 8, 2005.

46054107. Horst Drilling & Blasting, Inc., (141 Rancks Church Road, New Holland, PA 17557), construction blasting for Regency at Providence in Upper Providence Township, **Montgomery County** with an expiration date of April 11, 2006. Permit issued April 8, 2005.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

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

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

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

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

Permits, Environmental Assessments and 401 Water Quality Certifications Issued

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E50-227: Department of Transportation District 8-0, 2140 Herr Street, Harrisburg, PA 17103-1699 in Carroll Township, **Perry County**, ACOE Baltimore District.

To remove the existing structure and then to construct and maintain a two span bridge with each span of 86 feet with an average underclearance of 13 feet across Sherman Creek (WWF) and associated improvements on SR 2003, Section 004, Segment 0060, Offset 0185 to improve the traffic safety condition located about 0.90 mile northeast of Shermans Dale Village (Shermans Dale, PA Quadrangle N: 17.2 inches; W: 4.0 inches) in Carroll Township, Perry County.

E44-125: Department of Transportation District 2-0, 1924 Daisy Street Extension, Clearfield, PA 16830 in Decatur Township, **Mifflin County**, ACOE Baltimore District.

To remove the existing structure and then to construct and maintain a 11-foot by 5-foot concrete box culvert at the channel of Wagner Run (CWF) and associated improvements on SR 0522, Section A02 to improve the alignment and safety of the road located in Wagner Village (Alfarata, PA Quadrangle N: 10.4 inches; W: 1.65 inches) in Decatur Township, Mifflin County.

E36-785: Caernarvon Township, 2147 Main Street, Narvon, PA 17555 in Caernarvon Township, **Lancaster County**, ACOE Baltimore District

To construct and maintain a twin box culvert with dimensions of 6 feet by 15 feet and 6.5 feet by 15 feet on Red School Road over the Conestogo River (WWF) located on the Morgantown, PA Quadrangle (N: 2.5 inches, W: 5.5 inches) in Caernarvon Township, Lancaster County.

E01-252: Jeffrey W. Cooke, 290 Schwartz Road, Gettysburg, PA 17325 in Mount Joy Township, **Adams County**, ACOE Baltimore District.

To construct and maintain: 1) a 36-inch by 20-foot culvert pipe to access Lot 2; 2) a 3.5-foot by 20-foot open bottom concrete box culvert to access Lot 6; and 3) a 3.5-foot by 22-foot by 20-foot open bottom concrete box culvert all in an UNT to Rock Creek (WWF) (Taneytown, PA Quadrangle N: 10.5 inches; W: 12.5 inches) in Mount Joy Township, Adams County.

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

E59-464. Ben and JoAnn Eshleman, 70 Conrad Road, Auburtis, PA 18011-2010, private driveway bridge in Chatham Township, **Tioga County**, ACOE Baltimore District (ASAPH, PA Quadrangle N: 22.35 inches; W: 7.84 inches).

To construct and maintain a steel I-beam bridge with wood decking 30 feet long by 13 feet wide on concrete abutments over Hornby Hollow off SR 4012 about 1/2 mile southwest of the intersection of SR 4012 with Route 249. The project will not impact wetlands while impacting about 25 feet of waterway and disturbing about 0.02 acre of earth. Hornby Hollow is a warm water fisheries trout stocked fishery.

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

E02-584 Hanson Aggregates PMA, Inc., 2200 Springfield Pike, Connellsville, PA 15425. To amend permit for sand and gravel dredging in Conway, Economy, Midland and Shippingport Boroughs and Greene Township, **Beaver County**, Pittsburgh ACOE District (Baden, PA Quadrangle N: 5.1 inches; W: 16.0 inches and Latitude: 40° 39' 11"—Longitude: 80° 14' 25") and (Hookstown, PA Quadrangle N: 22.5 inches; W: 10.8 inches and Latitude: 40° 37' 26" and Longitude: 80° 27' 10"). To amend Permit E02-584, which authorizes commercial sand and gravel dredging in select areas of the Allegheny River (WWF) and Ohio River (WWF), subject to review of mussel surveys and prescribed setbacks in Allegheny, Armstrong, Beaver and Westmoreland Counties, to include Ohio River Mile Points 20.6 to 21.6 right descending bank in Conway and Economy Boroughs, Beaver County, and Ohio River Mile Points 35.5 to 36.0.

E02-919 TriState River Products, Inc., Box 218, Beaver PA 15009-0218. To amend permit for sand and gravel dredging in Conway, Economy, Midland and Shippingport Boroughs, and Greene Township, **Beaver County**, Pittsburgh ACOE District (Baden, PA Quadrangle N: 5.1 inches; W: 16.0 inches and Latitude: 40° 39' 11"—Longitude: 80° 14' 25") and (Hookstown, PA Quadrangle N: 22.5 inches; W: 10.8 inches and Latitude: 40° 37' 26"—Longitude: 80° 27' 10"). To amend Permit E02-919, which authorizes commercial sand and gravel dredging in select areas of the Allegheny River (WWF) and Ohio River (WWF), subject to review of mussel surveys and prescribed setbacks in Allegheny, Armstrong, Beaver and Westmoreland Counties, to include Ohio River Mile Points 20.6 to 21.6 right descending bank in Conway and Economy Boroughs, Beaver County, and Ohio River Mile Points 35.5 to 36.0 in Midland and Shippingport Boroughs and Greene Township, Beaver County.

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

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 UNT to Prather Creek on T-649 (Fairview Road) approximately 0.7 miles West of the intersection of T-649 and S.R. 4011. Project includes wing walls, rock riprap protection, drainage ditch energy dissipator and permanent PSS wetland impact of 0.02 acre (de minimis). The UNT to Prather Run is a perennial stream classified as a cold water fishery. Project proposes permanent PSS wetland impact of 0.02 acres (de minimis) and to directly affect a total of approximately 60 linear feet of stream channel.

SPECIAL NOTICES

Plan Revision Approvals under the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, Act 101

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

The Department of Environmental Protection (Department) approved the Municipal Waste Plan Revisions on February 24, 2005, for Armstrong and Beaver Counties.

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.

The plan revision is a public document and may be viewed at the Department regional office previously noted.

Questions concerning this approval should be directed to Sally Lohman, Chief, Waste Planning Section, Department of Environmental Protection, Bureau of Land Recycling and Waste Management, Division of Waste Minimization and Planning, P. O. Box 8472, Harrisburg, PA 17105-8472; or to Mark Vottero, Regional Planning and Recycling Coordinator, Bureau of Land Recycling and Waste Management at the previously noted regional office.

Planning Grant Awards under section 901 of the Municipal Waste Planning Recycling and Waste Reduction Act of 1988, Act 101

The Department of Environmental Protection (Department) announces the following grants to counties under the Pennsylvania Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, Act 101, section 901 and section 208 of the Waste Tire Recycling Act/Small Business and Household Pollution Prevention Act (Act 190).

Planning grants are awarded to counties for 80% of approved costs for preparing municipal waste management plans as required by Act 101 for carrying out related studies, surveys, investigations, inquiries, research and analysis, including those related to siting,

environmental mediation, education programs on pollution prevention and household hazardous waste and providing technical assistance to small businesses for pollution prevention. Grants may be awarded for feasibility studies and project development for municipal waste processing or disposal facilities, except for facilities for the combustion of municipal waste that are not proposed to be operated for the recovery of energy. All grant awards are predicated on the receipt of recycling fees required by

sections 701 and 702 of Act 101 and the availability of moneys in the Recycling Fund.

Inquiries regarding the grant offerings should be directed to Sally Lohman, Chief, Waste Planning Section, Department of Environmental Protection, Bureau of Land Recycling and Waste Management, Division of Waste Minimization and Planning, P. O. Box 8472, Harrisburg, PA 17105-8472.

Act 101, Section 901 Planning Grant

<i>Region</i>	<i>County</i>	<i>Applicant</i>	<i>Project Description</i>	<i>Grant Award</i>
Southwest	Beaver	Beaver County	Plan Revision	\$53,844

[Pa.B. Doc. No. 05-775. Filed for public inspection April 22, 2005, 9:00 a.m.]

Coastal Zone Advisory Committee Meeting

The Coastal Zone Advisory Committee will hold a meeting on June 15, 2005, from 9:30 a.m. to 12 p.m. in the 10th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning this meeting should be directed to Andy Zemba, Water Planning Office, (717) 772-4785 or azemba@state.pa.us. The agenda and meeting materials for this meeting will be available by June 1, 2005, on the Department of Environmental Protection's (Department) website at www.dep.state.pa.us (DEP Keyword: Participate).

Persons with a disability who require accommodations to attend this meeting should contact the Department at (717) 772-4785 or through the Pennsylvania AT&T Relay Services at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 05-776. Filed for public inspection April 22, 2005, 9:00 a.m.]

DEPARTMENT OF HEALTH

Application of Allegheny General Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Allegheny General Hospital has requested an exception to the requirements of 28 Pa. Code §§ 101.4 and 107.23 (relating to definitions; and clinical department chairperson).

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

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

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

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

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

[Pa.B. Doc. No. 05-777. Filed for public inspection April 22, 2005, 9:00 a.m.]

Application of Evangelical Ambulatory Surgical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Evangelical Ambulatory Surgical Center has requested an exception to the requirements of 28 Pa. Code § 551.21 (relating to criteria for ambulatory surgery).

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

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation

to do so should contact the Division at the previously listed address or phone number, for speech and/or hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

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

[Pa.B. Doc. No. 05-778. Filed for public inspection April 22, 2005, 9:00 a.m.]

Decisions on Requests for Exceptions to Health Care Facility Regulations

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), effective June 6, 1998, the Department of Health (Department) has published in the *Pennsylvania Bulletin* all requests by entities licensed under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b) for exceptions to regulations in 28 Pa. Code Part IV Health Facilities, Subparts B—G.

Section 51.33(d) of 28 Pa. Code provides that the Department will publish notice of all approved exceptions on a periodic basis. The Department has determined that it will publish notice of all exceptions, both approved and denied. The following list contains the decisions made on exception requests published in the *Pennsylvania Bulletin* from October 1, 2004, through March 30, 2005. Future publications of decisions on exception requests will appear on a quarterly basis.

Requests for additional information on the exception requests and the Department's decision should be made to the relevant division of the Department. Inquiries regarding hospitals and ambulatory surgical facilities shall be addressed to the Division of Acute and Ambulatory Care, Sandra Knoble, Director, P. O. Box 90, Harrisburg, PA 17108. Inquiries regarding long-term care facilities shall be addressed to the Division of Nursing Care Facilities, William Bordner, Director, P. O. Box 90, Harrisburg, PA 17108. Persons requiring special assistance for speech and/or hearing impairment should call V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984 (TT).

Exception Requests—Hospitals

<i>Facility Name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
Elk Regional Health	28 Pa. Code § 51.6	identification of personnel	11/20/04	granted
Milton S. Hershey Medical Center	28 Pa. Code § 51.6	identification of personnel	02/05/05	granted
Brookville Hospital	28 Pa. Code § 51.6(b)	staff identification	08/21/04	granted
Community Medical	28 Pa. Code § 51.22	cardiac catheterization	07/31/04	granted w/conditions
UPMC Northwest—Seneca	28 Pa. Code § 51.23	PET scanning services	12/11/04	granted
Altoona Regional Health System	28 Pa. Code § 107.2	medical staff membership podiatrists	01/22/05	granted
Healthsouth Nittany Valley Rehabilitation	28 Pa. Code § 107.2	medical staff membership podiatrists	01/22/05	granted
Evangelical Community Hospital	28 Pa. Code § 107.2	medical staff membership podiatrists	02/05/05	granted
Children's Hospital of Pittsburgh	28 Pa. Code § 107.2	medical staff membership psychologists	10/30/04	not necessary
Roxborough Memorial Hospital	28 Pa. Code § 107.2	medical staff membership podiatrists	12/11/04	granted
Hahneman University Hospital	28 Pa. Code § 107.2	medical staff membership podiatrists	12/11/04	granted
Brandywine Hospital	28 Pa. Code § 107.2	medical staff membership podiatrists	03/19/05	granted
Altoona Regional Health System	28 Pa. Code § 107.26(b)(2)	tissue committee meetings	01/22/05	granted
Indiana Regional Medical Center	28 Pa. Code § 107.26(b)(2)	tissue committee meetings	01/22/05	granted
Highlands Hospital	28 Pa. Code § 107.26(b)(2)	tissue committee meetings	02/26/05	granted
Altoona Regional Health System	28 Pa. Code § 107.32	medical staff meetings	01/22/05	denied
Roxborough Memorial Hospital	28 Pa. Code § 107.32	medical staff meetings	01/22/05	granted

<i>Facility Name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
Hamot Medical Center	28 Pa. Code § 107.62(a)	oral orders—dietitians	02/05/05	granted
Indiana Regional Medical Center	28 Pa. Code § 107.62(a)	oral orders—laboratory medical techs	10/26/04	not necessary
WVHCS Hospital	28 Pa. Code § 107.62(a)	oral orders	12/18/04	denied
Clarion Hospital	28 Pa. Code § 107.64	administration of drugs	07/31/04	granted
Hospital of the Univeristy of Pennsylvania	28 Pa. Code § 107.64	administration of drugs paramedics	12/18/04	granted in part
Clarion Hospital	28 Pa. Code § 117.30	emergency paramedic services	07/31/04	granted
Alle-Kiski Medical Center	28 Pa. Code § 117.30	function of paramedics in hospitals	10/30/04	granted
Butler Memorial Hospital	28 Pa. Code § 127.32	written orders	02/12/05	denied
WVHCS	28 Pa. Code § 137.21(b)(9)	clean gynecology patients	01/22/05	granted in part
Hospital of the University of Pennsylvania	28 Pa. Code § 138.1	cardiac cath	10/16/04	not necessary
Mercy Hospital of Philadelphia	28 Pa. Code § 138.2	high-risk cardiac catheterization	02/26/05	denied
Mercy Hospital of Philadelphia	28 Pa. Code § 138.15	high-risk cardiac cath	02/26/05	denied
Mercy Hospital of Philadelphia	28 Pa. Code § 138.18(b)	high-risk cardiac cath	02/26/05	denied
Chester County Hospital	28 Pa. Code § 139.12(c)	neonatal care units	03/19/05	granted
Moses Taylor Hospital	28 Pa. Code § 139.17	neonatal intensive care	01/22/05	granted
Lewistown Hospital	28 Pa. Code § 143.5	medical supervision of podiatric patients	03/19/05	denied
UPMC Presbyterian Shadyside	28 Pa. Code § 153.1 (7.7.A1)	general operating rooms	01/22/05	granted
Good Samaritan Hospital Lebanon	28 Pa. Code § 153.1 (7.2.B10)	exam/treatment rooms	01/22/05	granted
Doylestown Hospital	28 Pa. Code § 153.1 (10.15.A2)	rehab patient room	01/22/05	granted
UPMC Northwest	28 Pa. Code § 153.1	9.2A.2(c) waiting space 9.2.A2(d) public toilets 9.2.B7 clean storage 9.2.B8 soiled holding	02/05/05	granted
St. Clair Hospital	28 Pa. Code § 153.1	7.7B1 preoperative holding 7.7B2 postanesthesia care units 7.7.B2 handwashing stations 7.5 medical gases related to postanesthesia care unit	11/06/04	granted in part
Crozer Chester Medical Center—Upland	28 Pa. Code § 153.1	7.2A1 patient rooms	11/20/04	granted
Elk Regional Health	28 Pa. Code § 153.1	7.10H1 cardiac cath lab	11/20/04	denied
Sunbury Community Hospital	28 Pa. Code § 153.1	7.6B12 and 7.6B13	12/11/04	granted
Alle-Kiski Medical Center	28 Pa. Code § 153.1	7.9.D7 table 7.5 medical air in ER examination	12/18/04	granted
Good Samaritan Hospital	28 Pa. Code § 153.1	7.9.D8 trauma/cardiac room	12/18/04	granted
St. Luke's Hospital—Bethlehem	28 Pa. Code § 153.1	7.2.A4 handwashing stations	02/26/05	granted

<i>Facility Name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
Crozer Chester Medical Center	28 Pa. Code § 153.1	7.2.A1 maximum room capacity	02/12/05	granted
Magee-Womens Hospital	28 Pa. Code § 153.1	7.7.A1 general operating room size	02/26/05	granted

Exception Requests—Ambulatory Surgical Facilities

Ephrata Community Hospital	28 Pa. Code § 551.3	definition of ASF	01/22/05	denied
Four Seasons Endoscopy Center	28 Pa. Code § 551.3	definitions, classification levels (ii) Class B	03/19/05	denied
Center for Reproductive Surgery	28 Pa. Code § 551.21(d)(2)	criteria for ambulatory surgery	01/22/05	granted
Geisinger Medical Center ASF	28 Pa. Code §§ 553.1—553.4	ownership, governance management—governing body	01/08/05	granted
Geisinger Medical Staff Center ASF	28 Pa. Code § 553.31(b)	administrative policies and procedures	01/08/05	granted
Geisinger Medical Center	28 Pa. Code §§ 555.1—555.4	medical staff	01/08/05	granted
Geisinger Medical Center ASF	28 Pa. Code §§ 557.2—557.4	quality assurance and improvement—Plan, program, committee	01/08/05	granted
Geisinger Medical Center ASF	28 Pa. Code § 567.2(1)	quality assurance committee responsibilities	01/08/05	granted
Pennsylvania Eye Surgery Center	28 Pa. Code § 571.1	9.2.B3, 9.5.F2j and 9.5.F3	12/18/04	granted
The Surgery Center at Briton Lake, LLC	28 Pa. Code § 571.1	9.5F3(c) recovery bays	01/08/05	granted
Blake Gastroenterology Associates	28 Pa. Code § 571.1	9.5.C parking	08/14/04	granted
Mainline Surgery Center	28 Pa. Code § 571.1	9.5.F4 step down area	03/19/05	not necessary

Exception Requests—Nursing Care Facilities

The Lutheran Home at Topton	28 Pa. Code § 201.3	definitions	10/30/04	granted
Luther Crest Nursing Facility	28 Pa. Code § 201.3	definitions	10/30/04	granted
Penn Lutheran Village	28 Pa. Code § 201.3	definitions	10/30/04	granted
Pennknoll Village	28 Pa. Code § 201.3	definitions (nurse aides)	11/06/04	granted
Homewood at Plum Creek	28 Pa. Code § 201.3	definitions	11/20/04	granted
Church of the Brethren Home	28 Pa. Code § 201.3	definitions	12/11/04	granted
Lutheran Home at Kane	28 Pa. Code § 201.3	definitions	12/18/04	granted
The Mennonite Home	28 Pa. Code § 201.3	definitions	01/22/05	granted
Saunders House	28 Pa. Code § 201.3	definitions	01/22/05	granted
Manatawny Manor	28 Pa. Code § 201.3	definitions	02/05/05	granted
Saint Mary Manor	28 Pa. Code § 201.3	definitions	02/05/05	granted
The Patriot, A Choice	28 Pa. Code § 201.3	definitions	02/12/05	granted
Oil City Presbyterian Home	28 Pa. Code § 201.3	definitions	02/26/05	granted
Manchester Presbyterian Lodge	28 Pa. Code § 201.3	definitions	02/26/05	granted
Presbyterian Lodge	28 Pa. Code § 201.3	definitions	02/26/05	granted
Birchwood Nursing and Rehab Center	28 Pa. Code § 201.3	definitions	02/26/05	granted

<i>Facility Name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
UPMC Northwest Transitional Care Unit	28 Pa. Code § 201.18(e)	management	11/06/04	temp granted
St. Joseph's Manor	28 Pa. Code § 201.18(e)	management	11/06/04	temp granted
HRH Transitional Care Unit	28 Pa. Code § 201.18(e)	management	11/06/04	temp granted
Scranton Health Care Center	28 Pa. Code § 205.6(a)	function of building	10/30/04	granted
Huntingdon Nursing & Rehab Center	28 Pa. Code § 205.6(a)	function of building	12/11/04	granted
Cumberland Crossings Retirement Community	28 Pa. Code § 205.6(a)	function of building	12/11/04	granted
Tandem Health Care of North Strabane	28 Pa. Code § 205.6(a)	function of building	12/18/04	granted
Bradford County Manor	28 Pa. Code § 205.6(a)	function of building	12/18/04	granted
West Shore Health and Rehab Center	28 Pa. Code § 205.6(a)	function of building	01/22/05	denied
Heartland Health Care Center	28 Pa. Code § 205.6(a)	function of building	01/22/05	denied
Sky Vue Terrace	28 Pa. Code § 205.6(a)	function of building	01/22/05	denied
The Shadyside Nursing and Rehab Center	28 Pa. Code § 205.6(a)	function of building	01/22/05	granted
Pine Run Health Care Center	28 Pa. Code § 205.6(a)	function of building	02/05/05	granted
Elm Terrace Gardens	28 Pa. Code § 205.17	stairways	11/06/04	granted
Pennswood Village	28 Pa. Code § 205.20(a)(c)	resident bedrooms	01/22/05	temp granted
Beverly Healthcare—Shipperville	28 Pa. Code § 205.27	lounge and recreation rooms	02/26/05	granted
Beverly Healthcare—Shipperville	28 Pa. Code § 205.33(a)	utility room	10/30/04	denied
Beverly Healthcare—Waynesburg	28 Pa. Code § 205.33(a)	utility room	10/30/04	denied
Sycamore Manor Health Center	28 Pa. Code § 205.33(a)	utility room	12/11/04	denied
The Jewish Home of Eastern Pennsylvania	28 Pa. Code § 205.36(h)	bathing facilities	02/05/05	granted
Mercy Jeannette Hospital	28 Pa. Code § 211.12(b)	nursing services	12/11/04	temp granted

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

[Pa.B. Doc. No. 05-779. Filed for public inspection April 22, 2005, 9:00 a.m.]

Integrated Human Immunodeficiency Virus (HIV) Planning Council Public Meeting

The Statewide Integrated HIV Planning Council, established by the Department of Health (Department) under sections 301(a) and 317(b) of the Public Health Service Act (42 U.S.C.A. §§ 241(a) and 247(b)), will hold a public meeting on Tuesday, May 3, 2005, from 10 a.m. to 3 p.m. at the Best Western Inn and Suites, 815 South Eisenhower Boulevard, Middletown, PA 17057.

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

For additional information or persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so, contact Joseph Pease, Department of Health, Bureau of Communicable Diseases, P. O. Box 90, Room 1010, Health and Welfare Building, Harrisburg, PA 17108, (717) 783-0572,

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

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

[Pa.B. Doc. No. 05-780. Filed for public inspection April 22, 2005, 9:00 a.m.]

Metabolic Screening Technical Advisory Committee Meeting

The Newborn Screening and Follow-Up Program (Program), established under the Newborn Child Testing Act (35 P.S. §§ 621—625), will hold a public meeting on Tuesday, May 10, 2005, from 9 a.m. to 3 p.m. at the Richards Hall Conference Room, Dixon Center, 2986

North Second Street, Harrisburg, PA. Please R.S.V.P. by May 3, 2005, to Louise Banks at (717) 783-8143.

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 Karen Espenshade, Director, Division of Newborn Disease Prevention and Identification, (717) 783-8143, for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

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

[Pa.B. Doc. No. 05-781. Filed for public inspection April 22, 2005, 9:00 a.m.]

Requests for Exception; Long-Term Care Nursing Facilities

The following long-term care nursing facility is seeking an exception to 28 Pa. Code §§ 201.17, 201.18(e), 205.24, 205.25(a) and (b), 205.26(c) and (d), 205.27, 205.28(a), 205.33(a) and (b) and 205.36(h).

HealthSouth Transitional Rehabilitation Unit
1850 Normandie Drive
York Pa, 17404

The following long-term care nursing facility is seeking an exception to 28 Pa. Code §§ 205.6(a), 205.24 and 205.27 (relating to function of building; dining room; and lounge and recreation rooms):

Jameson Memorial Hospital Transitional Care Unit
1211 Wilmington Avenue
New Castle, PA 16105

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.27 (relating to lounge and recreation rooms):

UPMC, Transitional Care Unit
200 Lothrop Street
Pittsburgh, PA 15213

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

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

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

Persons with a disability who require an alternative format of this document or who wish to comment in an alternative format (for example, large print, audiotape or Braille) should contact the Division of Nursing Care Facilities at the address or phone number listed previ-

ously, for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 05-782. Filed for public inspection April 22, 2005, 9:00 a.m.]

Traumatic Brain Injury Advisory Board Meeting

The Traumatic Brain Injury Advisory Board, established under the Federal Traumatic Brain Injury Act of 1996 (42 U.S.C.A. § 300d-52), will hold a public meeting on Thursday, May 19, 2005, from 10 a.m. to 3 p.m. in the Richards Recital Hall, Dixon Center, 2986 North Second 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 Carolyn S. Cass, Director, Division of Child and Adult Health Services, (717) 783-5436. For speech and/or hearing impaired persons, contact 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. 05-783. Filed for public inspection April 22, 2005, 9:00 a.m.]

DEPARTMENT OF PUBLIC WELFARE

Fee Increase for Emergency Room, Clinic and Medical School Clinic Visits

The Department of Public Welfare (Department) announces that the fees for emergency room, clinic and medical school clinic visits provided under 55 Pa. Code Chapter 1221 (relating to clinic and emergency room services) are increased effective with dates of service on and after January 1, 2005.

<i>Procedure Code</i>	<i>Description</i>	<i>Current Fee</i>	<i>Increased Fee Effective January 1, 2005</i>
W9046	Emergency room support services, basic, nonemergency services	\$21	\$30
W9048	Emergency room support services, basic, emergency services	\$65	\$100
W9045	Emergency room support services, special, nonemergency services	\$24	\$35

<i>Procedure Code</i>	<i>Description</i>	<i>Current Fee</i>	<i>Increased Fee Effective January 1, 2005</i>
W9047	Emergency room support services, special, emergency services	\$70	\$105
W9051	Basic hospital outpatient clinic visit	\$35	\$53
W9049	Hospital outpatient clinic visit	\$40	\$60
W9064	Medical school clinic visit	\$40	\$60

Fiscal Impact

The cost of these increases is estimated at \$2.824 million (\$1.303 million in State funds) in Fiscal Year (FY) 2004-2005. The FY 2005-2006 cost is estimated at \$8.471 million (\$3.833 million in State funds).

Public Comment

Interested persons are invited to submit written comments to this notice within 30 days of this publication to the Department of Public Welfare, Office of Medical Assistance Programs, c/o Deputy Secretary's Office, Attention: Regulations Coordinator, Room 515 Health and Welfare Building, Harrisburg, PA 17120. Comments received within 30 days will be reviewed and considered for any subsequent revision of this notice.

Persons with a disability who require an auxiliary aid or service may submit comments using the AT&T Relay Service at (800) 654-5984 (TDD Users) or (800) 654-5988 (voice users).

ESTELLE B. RICHMAN,
Secretary

Fiscal Note: 14-NOT-413. (1) General Fund; (2) Implementing Year 2004-05 is \$1,303,000; (3) 1st Succeeding Year 2005-06 is \$3,833,000; 2nd Succeeding Year 2006-07 is \$3,843,000; 3rd Succeeding Year 2007-08 is \$3,843,000; 4th Succeeding Year 2008-09 is \$3,843,000; 5th Succeeding Year 2009-10 is \$3,843,000; (4) 2003-04 Program—\$727,979,000; 2002-03 Program—\$666,832,000; 2001-02 Program—\$705,750,000; (7) Medical Assistance—Outpatient; (8) recommends adoption. The costs outlined for FY 2004-05 have been included in the General Appropriation Act of 2004 (Act 7A). Fiscal Year 2005-06 costs are reflected in the proposed budget for the Department.

[Pa.B. Doc. No. 05-784. Filed for public inspection April 22, 2005, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Fast \$50 Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Fast \$50.

2. *Price:* The price of a Pennsylvania Fast \$50 instant lottery game ticket is \$1.

3. *Play Symbols:* Each Pennsylvania Fast \$50 instant lottery game ticket will contain one play area containing six prize play symbols and a "BONUS BOX." The prize play symbols and their captions located in the play area are: FREE (TICKET), \$2⁰⁰ (TWO DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20\$ (TWENTY), \$50\$ (FIFTY), \$100 (ONE HUN) and \$5,000 (FIV THO). The Play symbols located in the "BONUS BOX" are: FREE (TICKET) Symbol, Star Symbol (STAR), Coin Symbol (COIN), Moneybag Symbol (MNYBAG), Diamond Symbol (DMND), Gold Bar Symbol (GOLD) and BILL Symbol (WIN \$50).

4. *Prizes:* The prizes that can be won in this game are: Free Ticket, \$2, \$4, \$5, \$10, \$20, \$50, \$100 and \$5,000.

5. *Approximate Number of Tickets Printed for the Game:* Approximately 9,600,000 tickets will be printed for the Pennsylvania Fast \$50 instant lottery game.

6. *Determination of Prize Winners:*

(a) Holders of tickets with three matching play symbols of \$5,000 (FIV THO) in the play area on a single ticket, shall be entitled to a prize of \$5,000.

(b) Holders of tickets with three matching play symbols of \$100 (ONE HUN) in the play area on a single ticket, shall be entitled to a prize of \$100.

(c) Holders of tickets with three matching play symbols of \$50\$ (FIFTY) in the play area on a single ticket, shall be entitled to a prize of \$50.

(d) Holders of tickets with a BILL Symbol (WIN \$50) in the "BONUS BOX", on a single ticket, shall be entitled to a prize of \$50.

(e) Holders of tickets with three matching play symbols of \$20\$ (TWENTY) in the play area on a single ticket, shall be entitled to a prize of \$20.

(f) Holders of tickets with three matching play symbols of \$10⁰⁰ (TEN DOL) in the play area on a single ticket, shall be entitled to a prize of \$10.

(g) Holders of tickets with three matching play symbols of \$5⁰⁰ (FIV DOL) in the play area on a single ticket, shall be entitled to a prize of \$5.

(h) Holders of tickets with three matching play symbols of \$4⁰⁰ (FOR DOL) in the play area on a single ticket, shall be entitled to a prize of \$4.

(i) Holders of tickets with three matching play symbols of \$2⁰⁰ (TWO DOL) in the play area on a single ticket, shall be entitled to a prize of \$2.

(j) Holders of tickets with three matching play symbols of FREE (TICKET) in the play area on a single ticket, shall be entitled to a prize of one Pennsylvania Fast \$50 instant game ticket or one Pennsylvania Lottery instant game ticket of equivalent sale price which is currently on sale.

(k) Holders of tickets with a FREE (TICKET) Symbol in the "BONUS BOX," on a single ticket, shall be entitled to a prize of one Pennsylvania Fast \$50 instant game ticket or one Pennsylvania Lottery instant game ticket of equivalent sale price which is currently on sale.

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>Get</i>	<i>Win</i>	<i>Approximate Odds of 1 In:</i>	<i>Approximate No. of Winners Per 9,600,000 Tickets</i>
3—FREE's	TICKET	20	480,000
FREE (BONUS BOX)	TICKET	20	480,000
3—\$2's	\$2	16.67	576,000
3—\$4's	\$4	37.50	256,000
3—\$5's	\$5	75	128,000
3—\$10's	\$10	300	32,000
3—\$20's	\$20	300	32,000
3—\$50's	\$50	792.08	12,120
BILL (BONUS BOX)	\$50	800	12,000
3—\$100's	\$100	240,000	40
3—\$5,000's	\$5,000	1,920,000	5

BILL=In BONUS BOX win \$50 automatically.
Prizes, including top prizes, are subject to availability at the time of purchase.

8. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Fast \$50 instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

9. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Fast \$50, prize money from winning Pennsylvania Fast \$50 instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Fast \$50 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

10. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law, 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

11. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Fast \$50 or through normal communications methods.

GREGORY C. FAJT,
Secretary

[Pa.B. Doc. No. 05-785. Filed for public inspection April 22, 2005, 9:00 a.m.]

Pennsylvania Roulette Riches Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Roulette Riches.

2. *Price:* The price of a Pennsylvania Roulette Riches instant lottery game ticket is \$5.

3. *Play Symbols:* Each Pennsylvania Roulette Riches instant lottery game ticket will contain one play area featuring a "ROULETTE NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions located in the "ROULETTE NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENTY), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR) and 24 (TWYFOR). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENTY), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24(TWYFOR) and a Moneybag Symbol (MNY-BAG).

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$2.⁰⁰ (TWO DOL), \$5.⁰⁰ (FIV DOL), \$10.⁰⁰ (TEN DOL), \$15\$ (FIFTN), \$20\$ (TWENTY), \$50\$ (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$50,000 (FTY THO) and \$100,000 (ONEHUNTHO).

5. *Prizes:* The prizes that can be won in this game are \$2, \$5, \$10, \$15, \$20, \$50, \$100, \$500, \$1,000, \$50,000 and \$100,000. A player can win up to ten times on a ticket.

6. *Approximate Number of Tickets Printed for the Game:* Approximately 4,800,000 tickets will be printed for the Pennsylvania Roulette Riches instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "ROULETTE NUMBERS" play symbols and a prize symbol of \$100,000 (ONEHUNTHO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100,000.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the

“ROULETTE NUMBERS” play symbols and a prize symbol of \$50,000 (FTY THO) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50,000.

(c) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “ROULETTE NUMBERS” play symbols and a prize symbol of \$1,000 (ONE THO) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Moneybag Symbol (MNY-BAG), and a prize symbol of \$1,000 (ONE THO) appears under the Moneybag Symbol (MNY-BAG) on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “ROULETTE NUMBERS” play symbols and a prize symbol of \$500 (FIV HUN) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$500.

(f) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Moneybag Symbol (MNY-BAG), and a prize symbol of \$500 (FIV HUN) appears under the Moneybag Symbol (MNY-BAG) on a single ticket, shall be entitled to a prize of \$500.

(g) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “ROULETTE NUMBERS” play symbols and a prize symbol of \$100 (ONE HUN) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100.

(h) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Moneybag Symbol (MNY-BAG), and a prize symbol of \$100 (ONE HUN) appears under the Moneybag Symbol (MNY-BAG) on a single ticket, shall be entitled to a prize of \$100.

(i) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “ROULETTE NUMBERS” play symbols and a prize symbol of \$50 (FIFTY) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(j) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Moneybag Symbol (MNY-BAG), and a prize symbol of \$50 (FIFTY) appears under the Moneybag Symbol (MNY-BAG) on a single ticket, shall be entitled to a prize of \$50.

(k) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “ROULETTE NUMBERS” play symbols and a prize sym-

bol of \$20 (TWENTY) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(l) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Moneybag Symbol (MNY-BAG), and a prize symbol of \$20 (TWENTY) appears under the Moneybag Symbol (MNY-BAG) on a single ticket, shall be entitled to a prize of \$20.

(m) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “ROULETTE NUMBERS” play symbols and a prize symbol of \$15 (FIFTN) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$15.

(n) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Moneybag Symbol (MNY-BAG), and a prize symbol of \$15 (FIFTN) appears under the Moneybag Symbol (MNY-BAG) on a single ticket, shall be entitled to a prize of \$15.

(o) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “ROULETTE NUMBERS” play symbols and a prize symbol of \$10 (TEN DOL) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(p) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Moneybag Symbol (MNY-BAG), and a prize symbol of \$10 (TEN DOL) appears under the Moneybag Symbol (MNY-BAG) on a single ticket, shall be entitled to a prize of \$10.

(q) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “ROULETTE NUMBERS” play symbols and a prize symbol of \$5 (FIV DOL) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

(r) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Moneybag Symbol (MNY-BAG), and a prize symbol of \$5 (FIV DOL) appears under the Moneybag Symbol (MNY-BAG) on a single ticket, shall be entitled to a prize of \$5.

(s) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “ROULETTE NUMBERS” play symbols and a prize symbol of \$2 (TWO DOL) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$2.

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

When Any of Your Numbers Match Any of the Roulette Numbers, Win With Prize(s) of:

\$5
 \$5 w/Moneybag
 \$2 x 5
 \$5 x 2
 \$10
 \$10 w/Moneybag
 \$5 x 3
 \$10 + \$5

Win:
 \$5
 \$5
 \$10
 \$10
 \$10
 \$10
 \$15
 \$15

Approximate Odds 1 In:
 15
 15
 75
 150
 150
 150
 300
 300

Approximate No. of Winners Per 4,800,000 Tickets

320,000
 320,000
 64,000
 32,000
 32,000
 32,000
 16,000
 16,000

When Any of Your Numbers
Match Any of the Roulette
Numbers, Win With Prize(s)
of:

	Win:	Approximate Odds 1 In:	Approximate No. of Winners Per 4,800,000 Tickets
\$15	\$15	200	24,000
\$15 w/Moneybag	\$15	200	24,000
\$5 × 4	\$20	300	16,000
\$10 × 2	\$20	600	8,000
\$20	\$20	200	24,000
\$20 w/Moneybag	\$20	150	32,000
\$5 × 10	\$50	200	24,000
\$10 × 5	\$50	300	16,000
\$50	\$50	200	24,000
\$50 w/Moneybag	\$50	300	16,000
\$10 × 10	\$100	480	10,000
\$20 × 5	\$100	480	10,000
\$100	\$100	480	10,000
\$100 w/Moneybag	\$100	480	10,000
\$50 × 10	\$500	20,000	240
\$100 × 5	\$500	24,000	200
\$500	\$500	24,000	200
\$500 w/Moneybag	\$500	24,000	200
\$100 × 10	\$1,000	480,000	10
\$1,000	\$1,000	480,000	10
\$1,000 w/Moneybag	\$1,000	480,000	10
\$50,000	\$50,000	960,000	5
\$100,000	\$100,000	960,000	5

Moneybag—Win prize automatically

Prizes, including the top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Roulette Riches instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Roulette Riches, prize money from winning Pennsylvania Roulette Riches instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Roulette Riches instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will

be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law, 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Roulette Riches or through normal communications methods.

GREGORY C. FAJT,
Secretary

[Pa.B. Doc. No. 05-786. Filed for public inspection April 22, 2005, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Comments Issued

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

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

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
16A-4919	State Board of Medicine Registration and Practice of Acupuncturists 35 Pa.B. 1210 (February 12, 2005)	3/14/05	4/13/05
16A-698	State Board of Social Workers, Marriage and Family Therapists and Professional Counselors Supervised Clinical Experience 35 Pa.B. 1221 (February 12, 2005)	3/14/05	4/13/05
16A-5120	State Board of Nursing Dietitian-Nutritionists 35 Pa.B. 1213 (February 12, 2005)	3/14/05	4/13/05
#16A-4814	State Board of Funeral Directors Unprofessional Conduct 35 Pa.B. 1208 (February 12, 2005)	3/14/05	4/13/05

**State Board of Medicine #16A-4919 (IRRC #2455)
Registration and Practice of Acupuncturists
April 13, 2005**

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 State Board of Medicine (Board) must respond to these comments when it submits the final-form regulation. The public comment period for this regulation closed on March 14, 2005. 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 18.11. Definitions.—Clarity; Protection of the public health.

Acupuncture examination

This definition states, in part, the following: “The Board recognizes the combination of the NCCAOM examinations in acupuncture and sterilization procedures as an acupuncture examination.” This proposal expands the definition of “acupuncture” to include “supplemental techniques.” It is our understanding that the NCCAOM offers five examinations that cover various aspects of the field of acupuncture, including “supplemental techniques.” Did the Board consider adding any of these additional examinations, such as the examination in Chinese Herbology, to the acupuncture examination requirements?

NCCAOM

This definition is an acronym for the National Certification Commission for Acupuncture and Oriental Medicine. The final-form regulation should be amended to reflect the correct acronym, NCCAOM.

2. Section 18.13. Requirements for registration as an acupuncturist.—Protection of the public health.

Subsection (a)(2) states that if an acupuncture examination was not taken in English, the Board will accept a passing score if the applicant has also secured a score of 550 on the test of English as a Foreign Language (TOEFL). The Association for Professional Acupuncture in Pennsylvania (Association) has suggested that applicants be required to take the Test for Spoken English (TSE) in addition to the TOEFL. The Association’s comments noted the following: “The TSE is an inexpensive and reasonable test and we feel the issue of being able to verbally

communicate with the patient is important in regards to public safety.” Has the Board considered requiring the TSE for applicants who took the acupuncture examination in a language other than English?

**State Board of Social Workers, Marriage and Family Therapists and Professional Counselors Regulation #16A-698 (IRRC #2458)
Supervised Clinical Experience
April 13, 2005**

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 State Board of Social Workers, Marriage and Family Therapists and Professional Counselors (Board) must respond to these comments when it submits the final-form regulation. The public comment period for this regulation closed on March 14, 2005. 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.

Section 47.12c. Licensed clinical social worker.

Section 48.13. Licensed MFT [marriage and family therapist].

Section 49.13. Licensed professional counselor.—Clarity.

Subsection (b) Supervised clinical experience.

This subsection sets forth the requirements and procedures for supervised experience for applicants for licensure. The proposed regulation adds identical language to Subsection (b)(6) in Sections 47.12c, 48.13 and 49.13. Currently, Subsection (b)(6) limits a licensee, qualified to act as a supervisor, to supervising no more than six supervisees at the same time. The proposed regulation states that this limitation “does not apply to supervised experience obtained in group sessions within an educational, institutional or agency setting.” We have two concerns.

First, the terminology is used inconsistently. The proposed regulation uses the term “group sessions” while existing regulations use the term “group setting” for what appears to be the same purpose. Under existing language in Subsection (b)(5), a supervisor must meet for two hours with a supervisee during each 40-hour period of supervised experience. The supervisor must meet individually

with a supervisee for at least one of the two hours. Subsection (b)(5) also states that the supervisor "may" meet with supervisees in a "group setting" for one of the required two hours. Are the terms "group setting" and "group sessions" synonymous? If so, the Board should use one term consistently. Further, the exception to the limit of six supervisees should be specifically linked to the option of meeting with a group of supervisees for one hour during every 40-hour period.

Second, the term "educational, institutional or agency setting" is not defined. It is our understanding that this term includes schools, universities, hospitals and nursing homes. If this term means an accredited school or university, or licensed health care facility, this should be clearly indicated in a definition for this term in the final-form regulation.

**State Board of Funeral Directors Regulation
#16A-4814 (IRRC #2459)**

Unprofessional Conduct

April 13, 2005

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 State Board of Funeral Directors (Board) must respond to these comments when it submits the final-form regulation. The public comment period for this regulation closed on March 14, 2005. 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.

Section 13.202. Unprofessional conduct.—Consistency with existing federal regulations; Reasonableness; Clarity.

Subparagraph (11)(i)

We have two concerns with this subparagraph.

First, it contains language that is not found in the Federal Trade Commission's (FTC) Funeral Rule (16 CFR 453.5(a)). The language in this subparagraph expands the scope of this provision beyond the Funeral Rule by including "other services." The Board should use language that is consistent with the Funeral Rule, add a citation to the appropriate section of the Funeral Rule or explain why it has included "other services."

If the final-form regulation retains this phrase, it should clearly state what "other services" a funeral director may provide without permission if there is a "legitimate need" to provide those services.

Also, the Board needs to clarify what it considers to be a "legitimate need" to provide services without obtaining prior permission.

Second, it does not appear that the Board sought an exemption from the FTC, as required by the provisions of 16 CFR 453.9 (relating to State exemptions). This federal regulation provides a procedure for states to apply to the FTC for an exemption when the state's requirements, relating to the Funeral Rule, would be more stringent than the FTC regulations. The House Professional Licensure Committee (House Committee) questioned whether the Board should seek an exemption from the FTC on these provisions. We share this concern. Has the Board applied for an exemption or considered doing so?

Paragraph (13)

Commentators have indicated that this paragraph, if applied to pre-need contracts, is contrary to contract law

and would negate a substantial portion of their business. Also, the House Committee questioned if this provision will be applied to pre-need contracts. The Board's counsel has indicated that the Board did not intend to apply this provision to pre-need contracts. For reasonableness and clarity, the Board should insert language into this section that excludes pre-need contracts and clearly delineates the circumstances under which this provision will be applied.

Paragraph (14)

This paragraph contains the phrase "funeral entity." The Board's counsel has indicated that this is not the same as the presently defined term "funeral establishment." For clarity, the Board should add a definition for "funeral entity" to the appropriate section.

Paragraph (16)

We have two concerns with this paragraph.

First, it would require a funeral director to permit an immediate family member of a decedent to have the opportunity to pay last respects when the wishes of the decedent, or the person with the right of final disposition of the remains, state otherwise.

The House Committee asked the Board to "consider the circumstances in which a decedent's will conflicts with the provision of this paragraph" and suggests that an exception be included. We agree. We also note that 20 Pa.C.S. § 305 (relating to right to dispose of a decedent's remains) provides for the legal right to control the final disposition of a deceased person's remains.

The Board should insert language that will give clear guidance to funeral directors in the situation where a legally executed will, or the request of the person with the right of final disposition, conflicts with the proposed language in this paragraph.

Second, this paragraph contains a vague reference to "funeral services or merchandise." Other portions of this regulation use the phrase "funeral goods and services." Neither of these phrases is defined. Therefore, for clarity, one phrase should be used consistently throughout the regulation and it should be defined in Section 13.1 (relating to definitions).

Paragraph (17)

The provisions in this paragraph are similar to an existing requirement in Section 13.202(1) (relating to unprofessional conduct). Therefore, this paragraph is duplicative and should be deleted from the final-form regulation.

**State Board of Nursing Regulation #16A-5120
(IRRC #2457)**

Dietitian-Nutritionists

April 13, 2005

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 State Board of Nursing (Board) must respond to these comments when it submits the final-form regulation. The public comment period for this regulation closed on March 14, 2005. 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 21.701. Definitions.—Protection of the public safety and welfare; Clarity.

Sexual impropriety, sexual violation

The Board's proposed provisions on sexual misconduct for licensed dietitian-nutritionists (LDNs) differ from the parallel provisions in existing regulation for Registered Nurses (RNs) and Licensed Practical Nurses (LPNs). (See 49 Pa. Code §§ 21.1, 21.18, 21.141 and 21.148.) While we recognize that the scope of practice of nurses differs from that of LDNs, we note the following:

- The definition of "sexual impropriety" for LDNs differs from the definition of this term for RNs and LPNs in 49 Pa. Code §§ 21.1 and 21.141. Paragraph (iv) lists the offense of discussing or commenting on a "patient's potential sexual history." It is not clear what this offense entails. Another difference is that Paragraph (iv) does not include the phrase "potential sexual performance" as used in the RN and LPN regulations.

- The definition of "sexual impropriety" lists in Paragraph (iii) the offense of "examining or touching genitals or breasts of a patient." This differs from the RN and LPN definitions in three ways. First, this offense is listed in the definition of "sexual violation" in both 49 Pa. Code §§ 21.1 and 21.141. Second, the proposed definition omits the phrase "or other body part" as used in the definition of "sexual violation" in 49 Pa. Code §§ 21.1 and 21.141. Third, the RN and LPN definitions also contain qualifiers including "for any purpose other than appropriate examination or treatment. . . ."

The Board should amend these LDN definitions to parallel the definitions used for RNs and LPNs. The Board should also ensure that the level of detail in the regulation is sufficient to enforce the regulation and prosecute actions that constitute sexual misconduct by LDNs.

Finally, the definition of "sexual impropriety" includes a substantive provision in the last sentence of Paragraph (iv). Substantive provisions in definitions are not enforceable. We recommend deleting this sentence from this definition because its content is in the last sentence of Section 21.704(c).

Patient

The term "patient" is defined in this section. However, the term "client" is also used in the regulation. If these terms have the same meaning, the Board should use the term "patient" consistently in the regulation and delete use of the term "client." If there is a distinction between the two terms, the Board should add a definition of "client."

Professional relationship

This term is used to set limitations on interaction between a licensee and a patient, particularly relating to the definition of "sexual violation." A definition of "professional relationship" is needed to establish when the provisions of the regulation that use this term apply. It should clearly state when the professional relationship is established and when it is terminated.

2. Section 21.721. Education and examination of applicants.—Reasonableness; Clarity.

Initial licensure

The proposed regulation addresses Board-approved educational programs and examinations, license renewal and continuing education. However, the regulation is silent on initial licensure requirements. Act 99 of 2002 (Act) (63 P. S. § 216(b)) establishes initial licensure requirements which include:

- A baccalaureate or higher degree with a major course of study in human nutrition, food and nutrition, dietetics or food systems management;
- At least 900 hours of preprofessional experience under the supervision of a registered dietitian, a licensed dietitian-nutritionist or an individual with a doctoral degree in this discipline; and
- Completion of a Board-approved examination.

We recommend that the Board add a section to the final-form regulation which sets forth these initial licensure requirements and the application process.

Equivalent education programs and licensure without examination.

The Act (63 P. S. §§ 215(b) and (c)) authorizes the Board to admit to examination a person who has completed an education program in another state, territory or country which is equivalent to that required in Pennsylvania. The Act (63 P. S. § 217) also authorizes the Board to issue a license without examination to a person who has graduated from a dietetics-nutrition program with a course of study equivalent to that required in Pennsylvania and who is registered or licensed by examination in another state or territory of the United States or Canada. The final-form regulation should include or cross-reference these statutory provisions. The regulation should also include the procedures an individual must follow to apply for consideration under these provisions.

Denial of licensure

The Act (63 P. S. § 216(c)) precludes the Board from issuing a license to "an applicant who has been convicted of a felonious act prohibited by . . . 'The Controlled Substance, Drug, Device and Cosmetic Act' . . . or convicted of a felony relating to a controlled substance" unless certain conditions are met. The final-form regulation should include or cross-reference these statutory provisions.

3. Section 21.722. License renewal.—Statutory Authority; Need; Reasonableness; Clarity.

Subsection (b) states that a license will be renewed if the licensee performs certain actions, including disclosure of disciplinary action or criminal convictions. In its comments, the House Professional Licensure Committee (Committee) notes that as written, the regulation appears to guarantee license renewal regardless of criminal convictions or other behavior that subjects the licensee to disciplinary action simply upon disclosure. Since the Board has discretion in granting license renewals, the Committee suggests that Subsection (b) be rewritten to state, "When applying for a renewal of a license, the licensee shall: . . ." followed by the listing of actions and disclosures the licensee must make. We agree and suggest that the Board make this change.

Subsection (b)(4) requires a licensee applying for renewal to disclose "criminal charges pending." We question the Board's statutory authority for this provision. If the Board does justify its statutory authority, it should explain why this information is needed and how it intends to act on this information.

4. Section 21.723. Continuing education.—Statutory Authority; Reasonableness; Clarity.

Subsection (b)

This subsection lists the entities which the Board will recognize as accepted continuing professional education (CPE) providers. The Pennsylvania Dietetic Association commented that there are other reputable groups which provide CPE but are not listed in the regulation. These groups include medical centers, Amerinet, Nutrition Dimension, Renfrew Center for Eating Disorders and certain private practitioners.

We agree that further clarification on CPE providers is needed. Subsection (b) refers to continuing education "sponsored by . . . approved college or dietetic programs." The final-form regulation should specify what is an "approved college or dietetic program."

Additionally, we recommend that the final-form regulation establish a process by which an organization or individual can apply to become a Board-approved CPE provider. The application process and the substantive requirements for obtaining CPE provider status should be included in the final-form regulation.

Subsections (b)(1)(i) through (iv) list non-lecture-based activities for which "the Board will accept documentation" of attendance. Based on discussions with Board staff, we understand that an LDN who engages in one of these activities will not automatically be awarded CPE credit. Rather, the LDN will have to apply to the Board to request CPE credit. The Board will review requests on a case by case basis and, at its discretion, may award CPE credit.

Subsection (b)(1) should be amended in the final-form regulation to clearly state that an LDN may apply to the Board for CPE credit for attending a program listed in Paragraphs (i) through (iv) and that the Board will review the request and determine if CPE credit will be given. The final-form regulation should also list the criteria the Board will use in deciding whether or not to give CPE credit.

Subsection (d)

This subsection provides that an LDN who can demonstrate a verified hardship may request that the Board grant a waiver of CPE requirements. Did the Board consider allowing LDNs to apply for additional time to meet the CPE requirements, instead of a waiver?

The Act (63 P. S. § 221(c)) states:

A dietetics-nutrition license issued under this act shall not be renewed unless the licensee applying for renewal submits proof to the Board that during the two (2) calendar years immediately preceding the application for renewal the licensee has satisfactorily completed a minimum of thirty (30) hours of continuing dietetic-nutrition education approved by the Board by regulation.

In light of this statutory mandate, what is the Board's authority to waive the CPE requirements?

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 05-787. Filed for public inspection April 22, 2005, 9:00 a.m.]

Notice of Filing of Final Rulemakings

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

Final-Form

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
14-489	Department of Public Welfare Subsidized Child Care Eligibility	4/7/05
18-395	Department of Transportation Ignition Interlock	4/12/05

Final-Omit

54-62	Pennsylvania Liquor Control Board Numerous Revisions	4/13/05
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JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 05-788. Filed for public inspection April 22, 2005, 9:00 a.m.]

INSURANCE DEPARTMENT

Children's Health Insurance Program; Children's Health Advisory Council Meeting

The Insurance Department (Department) has scheduled a meeting of the Children's Health Advisory Council (Council) on Monday, May 9, 2005, at 1 p.m. in Room 327, Health and Welfare Building, Seventh and Forster Streets, Harrisburg, PA. The Children's Health Care Act (40 P. S. §§ 991.2301—991.2361) charges the Council with the responsibilities of overseeing outreach activities and evaluating access and quality of service provided to children enrolled in the Children's Health Insurance Program.

The public is invited to attend. Persons who need accommodations due to a disability who wish to attend the meeting should contact Jeffrey Wallace, Insurance Department, 1300 Strawberry Square, Harrisburg, PA 17120, (717) 787-4298 at least 24 hours in advance so that arrangements can be made.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 05-789. Filed for public inspection April 22, 2005, 9:00 a.m.]

HealthAmerica; Employer Group Size Two+ Demographic Methodology; Rate Filing

On April 4, 2005, the Insurance Department (Department) received a filing from HealthAmerica to demographically rate all new employer groups with two or more eligible employees and all renewing groups with two or more enrolled subscribers, with the exception of those groups eligible for Group Specific Community Rating or Experience Rating. The proposed rating factors include industry factors, age/gender member factors and area factors (zip code). The proposed effective date is July 1, 2005, for groups of size 51+. Groups of size 2 to 50 will be subject to the rating methodology at a later date.

Unless formal administrative action is taken prior to July 6, 2005, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Department's website at www.ins.state.pa.us. Under the Quick Links section, click on the link "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 office in Harrisburg.

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 05-790. Filed for public inspection April 22, 2005, 9:00 a.m.]

Highmark Blue Cross Blue Shield; ClassicBlue Medical Surgical Plan (Western Region); Rate Filing

By Filing No. 1A-DPMS-05-HBCBS, Highmark, Inc. d/b/a Highmark Blue Cross Blue Shield requests approval to increase the premium rates for its Direct Pay ClassicBlue Medical Surgical plan (Western Region). The filing requests an average increase of 0.0% for Plan C and 9.9% for UCR 100 or \$0.00 and \$13.85 per contract per month, respectively. This will affect about 1,100 Plan C and 2,900 UCR 100 contract holders and will produce additional annual premium income of about \$0 and \$492,000, respectively. For HIPAA and HCTC eligibles, the filing requests an average increase of 8.2% for UCR 100, or \$13.46 per contract per month. This will affect about 900 UCR 100 contract holders and produce additional annual premium income of about \$144,000. The filing also adjusts the relativities between contract types to be consistent with Highmark's other programs; thus some contract holders may receive rate adjustments that are less than or greater than the average. The requested effective date of these changes is September 1, 2005.

A copy of the filing is available on the Insurance Department's (Department) website at www.ins.state.pa.us. Under the Quick Links section, click on the link "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 office in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to Rashmi Mathur, Actuary, Bureau of Accident and Health Insurance, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120 within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 05-791. Filed for public inspection April 22, 2005, 9:00 a.m.]

Highmark Blue Cross Blue Shield; Direct Pay ClassicBlue Hospital Plan (Western Region); Rate Filing

By Filing No. 1A-CPE-05-HBCBS, Highmark Inc. d/b/a Highmark Blue Cross Blue Shield requests approval to increase its premium rates for its Direct Pay ClassicBlue Hospital Plan (Western Region). The filing requests an average increase of about 9.9% or \$32.12 per contract per month. This will affect about 4,100 contract holders and produce additional annual premium income of about \$1.572 million. For HIPAA and HCTC eligibles, the filing requests an average increase of about 1.5% or \$6.60 per contract per month. This will affect an estimated 900 contract holders and produce additional annual premium income of about \$72,000. The filing also adjusts the relativities between contract types to be consistent with Highmark's other programs; thus some contract holders may receive rate adjustments that are less than or greater than the average. The requested effective date of the change is September 1, 2005.

A copy of the filing is available on the Insurance Department's (Department) website at www.ins.state.pa.us. Under the Quick Links section, click on the link "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 office in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to Rashmi Mathur, Actuary, Bureau of Accident and Health Insurance, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120 within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 05-792. Filed for public inspection April 22, 2005, 9:00 a.m.]

Highmark Blue Cross Blue Shield; Direct Pay Special Care Hospital Plan (Western Region); Rate Filing

By Filing No. 1A-SSC-05-HBCBS, Highmark Inc. d/b/a Highmark Blue Cross Blue Shield requests approval to increase its premium rates for its Direct Pay Special Care Hospital Plan (Western Region). The filing requests an

average increase of 9.9% or \$8.09 per contract per month. This will affect about 14,700 contract holders and produce additional premium income about \$1.420 million per year. The filing also adjusts the relativities between contract types to be consistent with Highmark's other programs; thus some contract holders may receive rate adjustments that are less than or greater than the average. The requested effective date of the change is September 1, 2005.

A copy of the filing is available on the Insurance Department's (Department) website at www.ins.state.pa.us. Under the Quick Links section, click on the link "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 office in Harrisburg.

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 05-793. Filed for public inspection April 22, 2005, 9:00 a.m.]

Highmark Blue Cross Blue Shield—Western Pennsylvania; 65 Plus-I Prescription Drug; Rate Filing

On April 8, 2005, the Insurance Department (Department) received a filing from Highmark Blue Cross Blue Shield to increase the premium rate for its Western Pennsylvania 65 Plus-I prescription drug plan by 9.9%. The proposed effective date is September 1, 2005. This filing will impact approximately 12,000 members and generate additional revenue of \$2 million.

Unless formal administrative action is taken prior to July 6, 2005, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Department's website at www.ins.state.pa.us. Under the Quick Links section, click on the link "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 office in Harrisburg.

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 05-794. Filed for public inspection April 22, 2005, 9:00 a.m.]

Highmark Blue Shield; Direct Pay Special Care Hospital Plan (Central Region); Rate Filing

By Filing No. 1A-SSC-05-HBS, Highmark Inc. d/b/a Highmark Blue Shield requests approval to increase its premium rates for its Direct Pay Special Care Hospital Plan (Central Region). The filing requests an increase of 9.9% or \$8.20 per contract per month. This will affect about 2,800 contract holders and produce additional premium income of about \$276,000 per year. The filing also adjusts the relativities between contract types to be consistent with Highmark's other programs; thus some contract holders may receive rate adjustments that are less than or greater than the average. The requested effective date of the change is September 1, 2005.

A copy of the filing is available on the Insurance Department's (Department) website at www.ins.state.pa.us. Under the Quick Links section, click on the link "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 office in Harrisburg.

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 05-795. Filed for public inspection April 22, 2005, 9:00 a.m.]

Highmark Inc. d/b/a Highmark Blue Cross Blue Shield; Attained Age Nongroup MedigapBlue Plans for the Western Pennsylvania Region Providing Standardized Benefit Packages E and I; Rate Filing

By Filing No. 1-MGP(AA)-05-HBCBS, Highmark Inc. has filed for approval revised rates for its nongroup MedigapBlue program. The aggregate rate increase requested is 9.9%. The requested effective date of the revised rates is September 1, 2005. The current rates for Plan E took effect on September 1, 2004; the current rates for Plan I were effective July 26, 2001. The current and requested rates for 65-69 years of age issues and the requested rate adjustments are as follows:

<i>Standardized Benefit Plan</i>	<i>Policy Number</i>	<i>Current Rate</i>	<i>Proposed Rate</i>	<i>Rate Adjustment</i>
Plan E—Region 1	S65/E	\$119.60	\$131.45	9.9%
Plan E—Region 2	S65/E	\$106.95	\$117.55	9.9%

<i>Standardized Benefit Plan</i>	<i>Policy Number</i>	<i>Current Rate</i>	<i>Proposed Rate</i>	<i>Rate Adjustment</i>
Plan I—Region 1	S65/I	\$182.03	\$200.05	9.9%
Plan I—Region 2	S65/I	\$162.81	\$178.95	9.9%

Region 1 consists of the following counties: Allegheny, Armstrong, Beaver, Butler, Cambria, Fayette, Greene, Indiana, Lawrence, Washington and Westmoreland. All other counties in the Western Pennsylvania Region are in Region 2.

These rate adjustments would affect approximately 8,368 members and would produce approximately \$1.55 million in additional premium annually.

Effective January 1, 2006, Plan I participants will have the option of eliminating the Rx benefit from their coverage. Those choosing to do so would receive the following reduction in rates (65-69 years of age rate shown):

<i>Standardized Benefit Plan</i>	<i>Proposed Plan I Rate With Rx Benefit Effective September 1, 2005</i>	<i>Proposed Plan I Rate Without Rx Benefit Effective January 1, 2006</i>	<i>Rate Adjustment Due to Elimination of Rx Benefit</i>
Plan I without Rx—Region 1	\$200.05	\$143.65	-28.2%
Plan I without Rx—Region 2	\$178.95	\$128.50	-28.2%

Unless formal administrative action is taken prior to July 7, 2005, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) website at www.ins.state.pa.us. Under the Quick Links section, click on the link "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 and Pittsburgh.

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 05-796. Filed for public inspection April 22, 2005, 9:00 a.m.]

Highmark Inc. d/b/a Highmark Blue Cross Blue Shield; Issue Age Nongroup MedigapBlue Plans for the Western Pennsylvania Region Providing Standardized Benefit Packages A, B, C and H; Rate Filing

By Filing No. 1-MGP(IA)-05-HBCBS, Highmark Inc. has filed for approval revised rates for its nongroup MedigapBlue program. The aggregate rate increase requested is about 7.7%. The requested effective date of the revised rates is September 1, 2005. The most recent prior rate adjustment for this program took effect on January 1, 2002, for the hospital component of the filing and January 1, 2004, for the medical/surgical component. The current and requested rates for First Eligible issues and the requested rate adjustments are as follows:

<i>Standardized Benefit Plan</i>	<i>Policy Number</i>	<i>Current Rate</i>	<i>Proposed Rate</i>	<i>Rate Adjustment</i>
Plan A	S65/A	\$106.60	\$106.60	0%
Plan B	S65/B	\$125.40	\$133.70	6.6%
Plan C	S65/C	\$150.70	\$165.60	9.9%
Plan H with Rx	S65/H	\$199.35	\$208.30	4.5%

These rate adjustments would affect approximately 63,460 members and would produce approximately \$8.58 million in additional premium annually.

Effective January 1, 2006, Plan H participants will have the option of eliminating the Rx benefit from their coverage. Those choosing to do so would receive the following reduction in rates (First Eligible rate shown):

<i>Standardized Benefit Plan</i>	<i>Proposed Plan H Rate With Rx Benefit Effective September 1, 2005</i>	<i>Proposed Plan H Rate Without Rx Benefit Effective January 1, 2006</i>	<i>Rate Adjustment Due to Elimination of Rx Benefit</i>
Plan H without Rx	\$208.30	\$147.20	-29.3%

Unless formal administrative action is taken prior to July 7, 2005, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) website at www.ins.state.pa.us. Under the Quick Links section, click on the link "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 and Pittsburgh.

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 05-797. Filed for public inspection April 22, 2005, 9:00 a.m.]

Highmark Inc. d/b/a Highmark Blue Shield; Attained Age Nongroup MedigapBlue Plans for the Central Pennsylvania Region Providing Standardized Benefit Packages E and I; Rate Filing

By Filing No. 1-MGP(AA)-05-HBS Highmark Inc. has filed for approval revised rates for its non-group MedigapBlue program. The aggregate rate increase requested is about 1.3%. The requested effective date of the revised rates is September 1, 2005. The most recent prior rate adjustment for this program took effect on September 1, 2004. The current and requested rates for 65-69 years of age issues and the requested rate adjustments are as follows:

<i>Standardized Benefit Plan</i>	<i>Policy Number</i>	<i>Current Rate</i>	<i>Proposed Rate</i>	<i>Rate Adjustment</i>
Plan E	MB/E	\$92.65	\$92.65	0%
Plan I	MB/I	\$149.00	\$154.10	3.4%

These rate adjustments would affect approximately 14,209 members and would produce approximately \$0.27 million in additional premium annually.

Effective January 1, 2006, Plan I participants will have the option of eliminating the Rx benefit from their coverage. Those choosing to do so would receive the following reduction in rates (65-69 years of age rate shown):

<i>Standardized Benefit Plan</i>	<i>Proposed Plan I Rate With Rx Benefit Effective September 1, 2005</i>	<i>Proposed Plan I Rate Without Rx Benefit Effective January 1, 2006</i>	<i>Rate Adjustment Due to Elimination of Rx Benefit</i>
Plan I without Rx	\$154.10	\$99.90	-35.2%

Unless formal administrative action is taken prior to July 7, 2005, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) website at www.ins.state.pa.us. Under the Quick Links section, click on the link "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 office in Harrisburg.

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 05-798. Filed for public inspection April 22, 2005, 9:00 a.m.]

Highmark Inc. d/b/a Highmark Blue Shield; Classic Blue Comprehensive Major Medical Plan (Central Region); Rate Filing

By Filing No. 1A-CMM-05-HBS, Highmark Inc. d/b/a Highmark Blue Shield requests approval to increase the premium rates for its ClassicBlue Comprehensive Major Medical Plan (Central Region). The filing requests an average increase of about 9.9% or \$31.91 per contract per month. This will affect about 3,650 contract holders and produce additional annual premium income of about \$1.392 million. For HIPAA and HCTC eligibles, the filing requests an average increase of about 8.4% or \$47.42 per contract per month. This will affect an estimated 400

contract holders and produce additional annual premium income of about \$240,000. The filing also adjusts the relativities between contract types to be consistent with Highmark's other programs; thus some contract holders may receive rate adjustments that are less than or greater than the average. The requested effective date of the change is January 1, 2005.

A copy of the filing is available on the Insurance Department's (Department) website at www.ins.state.pa.us. Under the Quick Links section, click on the link "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 office in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to Rashmi Mathur, Actuary, Bureau of Accident and Health Insurance, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120 within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 05-799. Filed for public inspection April 22, 2005, 9:00 a.m.]

Highmark Inc. d/b/a Highmark Blue Shield; Classic Blue Hospital, Medical Surgical and Major Medical Plans (Central Region); Rate Filing

By Filing No. 1A-TRAD-05-HBS, Highmark Inc. d/b/a Highmark Blue Shield requests approval to increase the premium rates for its ClassicBlue Hospital, ClassicBlue Medical/Surgical and ClassicBlue Major Medical Plans (Central Region). The filing requests an average increase of 9.9% or \$64.15 per contract per month for all three plans combined. This will affect about 500 contract holders and produce additional annual premium income of about \$360,000. The filing also adjusts the relativities between contract types to be consistent with Highmark's other programs; thus some contract holders may receive rate adjustments that are less than or greater than the average. The requested effective date of the change is September 1, 2005.

A copy of the filing is available on the Insurance Department's (Department) website at www.ins.state.pa.us. Under the Quick Links section, click on the link "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 office in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to Rashmi Mathur, Actuary, Bureau of Accident and Health Insurance, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120 within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 05-800. Filed for public inspection April 22, 2005, 9:00 a.m.]

Highmark Inc. d/b/a Highmark Blue Shield; Direct Pay Medical/Surgical Products (Blue Cross of Northeastern PA and Independence Blue Cross Areas); Rate Filing

On April 7, 2005, the Insurance Department (Department) received from Highmark Blue Shield Filing No. 1-DPMS(MIDA)-05-HBS for a rate increase for Direct Pay Medical/Surgical Products (Blue Cross of Northeastern PA and Independence Blue Cross Areas).

The company requests an overall 9.9% increase amounting to \$1,889,664 annually, to be effective September 1, 2005.

Effective January 1, 2006, Highmark Inc. is also implementing changes to the benefit design including the addition of a deductible of \$250 individual/\$750 family nonaggregate per contract year as well as a lifetime maximum, calendar year maximum and coverage for routine neonatal circumcision.

Unless formal administrative action is taken prior to July 6, 2005, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Department's (Department) website at www.ins.state.pa.us. Under the Quick Links section, click on the link "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 office in Harrisburg.

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 05-801. Filed for public inspection April 22, 2005, 9:00 a.m.]

Highmark Inc. d/b/a Highmark Blue Shield; Direct Pay Medicare Supplement (Security65) Programs for the Blue Cross of Northeastern Pennsylvania and Independence Blue Cross Plan Areas Providing Medical/Surgical Coverage under Standardized Benefit Packages A, B, C and H; Rate Filing

By Filing No. 1-DPMG(MIDA)-05-HBS, Highmark Inc. has filed for approval revised rates for its Direct Pay Medicare Supplement Medical/Surgical program. The aggregate rate increase requested is 9.9%. The requested effective date of the revised rates is September 1, 2005. The most recent prior rate adjustment for this program took effect on September 1, 2004. The current and requested rates for First Eligible issues and the requested rate adjustments are as follows:

<i>Standardized Benefit Plan</i>	<i>Policy Number</i>	<i>Current Rate</i>	<i>Proposed Rate</i>	<i>Rate Adjustment</i>
Plan A—IBC	5450	\$94.75	\$104.15	9.9%
Plan B—IBC	5451	\$94.75	\$104.15	9.9%
Plan C—IBC	5452	\$102.75	\$112.95	9.9%
Plan H with Rx—IBC	5453	\$94.75	\$104.15	9.9%
Plan A—BCNP	MDGAP-A	\$63.80	\$63.80	0%
Plan B—BCNP	MDGAP-B	\$63.80	\$70.15	9.9%
Plan C—BCNP	MDGAP-C	\$71.60	\$78.70	9.9%
Plan H with Rx—BCNP	MDGAP-H	\$63.80	\$70.15	9.9%

These rate adjustments would affect approximately 91,350 members and would produce approximately \$9.36 million in additional premium annually.

Unless formal administrative action is taken prior to July 7, 2005, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) website at www.ins.state.pa.us. Under the Quick Links section, click on the link "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 and Philadelphia.

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 05-802. Filed for public inspection April 22, 2005, 9:00 a.m.]

Highmark Inc. d/b/a Highmark Blue Shield; Issue Age Nongroup MedigapBlue Plans for the Central Pennsylvania Region Providing Standardized Benefit Packages A, B, C and H; Rate Filing

By Filing No. 1-MGP(IA)-05-HBS Highmark Inc. has filed for approval revised rates for its nongroup MedigapBlue program. The aggregate rate increase requested is about 8.1%. The requested effective date of the revised rates is September 1, 2005. The most recent prior rate adjustment for this program took effect on September 1, 2004. The current and requested rates for First Eligible issues and the requested rate adjustments are as follows:

<i>Standardized Benefit Plan</i>	<i>Policy Number</i>	<i>Current Rate</i>	<i>Proposed Rate</i>	<i>Rate Adjustment</i>
Plan A	22241	\$72.95	\$80.15	9.9%
Plan B	22242	\$100.75	\$110.70	9.9%
Plan C	22243	\$124.50	\$136.85	9.9%
Plan H with Rx	22244	\$192.85	\$200.30	3.9%

These rate adjustments would affect approximately 34,745 members and would produce approximately \$4.36 million in additional premium annually.

Effective January 1, 2006, Plan H participants will have the option of eliminating the Rx benefit from their coverage. Those choosing to do so would receive the following reduction in rates (First Eligible rate shown):

<i>Standardized Benefit Plan</i>	<i>Proposed Plan H Rate With Rx Benefit Effective September 1, 2005</i>	<i>Proposed Plan H Rate Without Rx Benefit Effective January 1, 2006</i>	<i>Rate Adjustment Due to Elimination of Rx Benefit</i>
Plan H without Rx	\$200.30	\$139.55	-30.3%

Unless formal administrative action is taken prior to July 7, 2005, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) website at www.ins.state.pa.us. Under the Quick Links section, click on the link "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 office in Harrisburg.

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 05-803. Filed for public inspection April 22, 2005, 9:00 a.m.]

Highmark Inc.; Special Care Medical Surgical Plans; Rate Filing

By Filing No. 1A-SCMS-05-HI, Highmark Inc. d/b/a Highmark Blue Cross Blue Shield and Highmark Blue Shield requests approval to revise premium rates for its Special Care Medical/Surgical programs in the Central Region, Independence Blue Cross Region, Western Pennsylvania Region and Blue Cross of Northeastern Pennsylvania Region.

<i>Region</i>	<i>Percentage Increase</i>	<i>Additional Premium per Month</i>	<i>Number of Contracts</i>
Central Region	0.0%	\$0	2,800
Independence Blue Cross	9.9%	\$720,000	10,300
Western Region	9.9%	\$864,000	14,700
Blue Cross of Northeastern PA	9.9%	\$216,000	4,200
All Regions Combined	9.0%	\$1,800,000	32,100

The filing requests an average increase of 9.0% or \$4.66 per contract per month. This will affect about 32,100 contract holders and produce additional premium income of about \$1.8 million per year. For the Central and Highmark Blue Cross Blue Shield Regions only, the filing also adjusts the relativities between contract types to be consistent with Highmark's other programs; thus some contract holders may receive rate adjustments that are less than or greater than the average. The requested effective date of the change is September 1, 2005.

A copy of the filing is available on the Insurance Department's (Department) website at www.ins.state.pa.us. Under the Quick Links section, click on the link "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 office in Harrisburg.

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 05-804. Filed for public inspection April 22, 2005, 9:00 a.m.]

Highmark Inc.—Western Pennsylvania; ClassicBlue Major Medical Plan No. 1A-PMM-05-HBCBS; Rate Filing

On April 8, 2005, the Insurance Department (Department) received a filing from Highmark Inc. to increase the premium rate for its Direct Pay ClassicBlue Major Medical Plan (Western Pennsylvania) by an average of 9.9% for non-HIPAA and non-HCTC eligibles and 8.9% for HIPAA and HCTC eligibles. The proposed effective date is September 1, 2005. This filing will impact approximately 2,600 non-HIPAA and non-HCTC contract holders and 800 HIPAA and HCTC contract holders. The increase will generate additional annual revenue of \$300,000 and \$132,000, respectively.

Effective January 1, 2006, the Plan will implement the following drug exclusions: weight control drugs; smoking cessation products; hair growth stimulants; fertility drugs; pharmacological or hormonal treatment used in conjunction with assisted fertilization; impotency treat-

ment drugs; any drugs used to abort a pregnancy when purchased from a pharmacy provider; and any drugs prescribed for cosmetic purposes only.

Highmark Inc. has also requested to move the contract type relativities to a six-tier structure.

Unless formal administrative action is taken prior to July 6, 2005, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Department's website at www.ins.state.pa.us. Under the Quick Links section, click on the link "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 office in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to Cherri Sanders-Jones, Insurance Department, Insurance Product Regulation and

Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, csandersjo@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 05-805. Filed for public inspection April 22, 2005, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insureds have requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68) (Act 68) in connection with the termination of the insureds' automobile policies. The hearings will be held in accordance with the requirements of Act 68, 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure) and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearings will be held in the Insurance Department's regional offices in Harrisburg and Philadelphia, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 N. Seventh Street, Harrisburg, PA 17102.

Appeal of Elaine Francen; The Motorists Insurance Group; doc. no. P05-03-041; May 17, 2005, 2 p.m.

The following hearings will be held in the Philadelphia Regional Office, Room 1701, State Office Building, 1400 Spring Garden Street, Philadelphia, PA 19130.

Appeal of Stephen Cipolla and Jake Aryeh Marcus; Liberty Mutual Fire Insurance Company; doc. no. PH05-03-043; June 21, 2005, 9 a.m.

Appeal of Helen Bulman; Geico Insurance Company; doc. no. PH05-03-033; June 21, 2005, 10 a.m.

Parties may appear with or without counsel and offer relevant testimony or evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons

participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 05-806. Filed for public inspection April 22, 2005, 9:00 a.m.]

Review Procedure Hearings under the Unfair Insurance Practices Act

The following insureds have requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (40 P. S. § 1171.8) in connection with their companies' termination of the insureds' policies. The administrative hearings will be held in the Insurance Department's regional offices in Harrisburg, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearings will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 N. Seventh Street, Harrisburg, PA 17102.

Appeal of James S. and Hollie A. Hairston; file no. 05-188-01110; Shelby Insurance Company; doc. no. P05-03-031; May 12, 2005, 9:30 a.m.

Appeal of A. Ronald Stiscia; United Services Automobile Association; doc. no. P05-03-030; May 24, 2005, 10 a.m.

Appeal of Mary Kemps; file no. 05-182-02071; Erie Insurance Exchange; doc. no. P05-03-042; May 25, 2005, 2 p.m.

Each party may appear with or without counsel and offer relevant testimony and/or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 05-807. Filed for public inspection April 22, 2005, 9:00 a.m.]

Review Procedure Hearings under the Unfair Insurance Practices Act

The following insurer has requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (40 P. S. § 1171.8) in connection with the company's termination of the insured's policy. The administrative hearing will be held in the Insurance Department's regional offices in Harrisburg, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 N. Seventh Street, Harrisburg, PA 17102.

Appeal of Farmers Fire Insurance Company; file no. 05-188-01570; Brian Labar; doc. no. P05-03-029; May 19, 2005, 10 a.m.

Each party may appear with or without counsel and offer relevant testimony and/or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend an administrative hearing and require an auxiliary aid, service or other accommodation to participate in the

hearing should contact Jeffrey Wallace, Agency Coordinator, (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 05-808. Filed for public inspection April 22, 2005, 9:00 a.m.]

Top Star, Inc.; Hearing

Appeal of Top Star, Inc. under the Storage Tank and Spill Prevention Act; Underground Storage Tank Indemnification Fund; USTIF File No. 04-186(F); Doc. No. UT05-03-022

The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and any other relevant procedure provisions of law.

A prehearing telephone conference shall be held on April 25, 2005. A hearing shall occur on May 17, 2005, at 10 a.m. in the Administrative Hearings Office, Room 200, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA 17102. Motions preliminary to those at hearing, protests, petitions to intervene, notices of appearance or notices of intervention, if any, must be filed with the Hearings Administrator at the previously listed address on or before April 13, 2005. Answers to petitions to intervene, if any, shall be filed on or before April 21, 2005.

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 05-809. Filed for public inspection April 22, 2005, 9:00 a.m.]

MILK MARKETING BOARD

Sunshine Meeting Dates for 2005-2006

In accordance with 65 Pa.C.S. §§ 701—716 (relating to Sunshine Act), the Milk Marketing Board has established the following meeting dates for Fiscal Year 2005-2006:

<i>Date</i>	<i>Room</i>	<i>Time</i>
July 6, 2005	Room 202, Agriculture Building Harrisburg, PA 17110-9408	8 a.m. to 4 p.m.
August 3, 2005	Room 202, Agriculture Building Harrisburg, PA 17110-9408	8 a.m. to 4 p.m.
September 7, 2005	Room 202, Agriculture Building Harrisburg, PA 17110-9408	8 a.m. to 4 p.m.
October 5, 2005	Room 202, Agriculture Building Harrisburg, PA 17110-9408	8 a.m. to 4 p.m.
November 2, 2005	Room 202, Agriculture Building Harrisburg, PA 17110-9408	8 a.m. to 4 p.m.
December 7, 2005	Room 202, Agriculture Building Harrisburg, PA 17110-9408	8 a.m. to 4 p.m.
January 4, 2006	Room 202, Agriculture Building Harrisburg, PA 17110-9408	8 a.m. to 4 p.m.

<i>Date</i>	<i>Room</i>	<i>Time</i>
February 1, 2006	Room 202, Agriculture Building Harrisburg, PA 17710-9408	8 a.m. to 4 p.m.
March 1, 2006	Room 202, Agriculture Building Harrisburg, PA 17110-9408	8 a.m. to 4 p.m.
April 5, 2006	Room 202, Agriculture Building Harrisburg, PA 17110-9408	8 a.m. to 4 p.m.
May 3, 2006	Room 202, Agriculture Building Harrisburg, PA 17110-9408	8 a.m. to 4 p.m.
June 7, 2006	Room 202, Agriculture Building Harrisburg, PA 17110-9408	8 a.m. to 4 p.m.

BOYD E. WOLFF,
Chairperson

[Pa.B. Doc. No. 05-810. Filed for public inspection April 22, 2005, 9:00 a.m.]

PATIENT SAFETY AUTHORITY

Public Meeting

The Patient Safety Authority (Authority), established by section 303 of the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. § 1303.303), enacted on March 20, 2002, will hold a meeting of the Authority's Board of Directors at 10:30 a.m. on Monday, May 2, 2005, at the Wildwood Conference Center, Harrisburg Area Community College, One HACC Drive, Harrisburg, PA.

Individuals having questions regarding this meeting, which is open to the public, should contact the Authority at (717) 346-0469.

ALAN B.K. RABINOWITZ,
Administrator

[Pa.B. Doc. No. 05-811. Filed for public inspection April 22, 2005, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Continuation of Fuel Cost Recovery Surcharge

Public Meeting held
April 7, 2005

Commissioners Present: Wendell F. Holland, Chairperson;
Robert K. Bloom, Vice Chairperson; Kim Pizzingrilli

Continuation of Fuel Cost Recovery Surcharge; S.P. 28208

Order

By the Commission:

The Pennsylvania Public Utility Commission (Commission) by its Fuel Cost Recovery Surcharge Order at Special Permission Number 28208, ratified June 10, 2004, authorized call or demand, paratransit and airport transfer carriers under the jurisdiction of this Commission to adjust rates and fares to offset significant increases in the cost of fuel. The Order was amended by this Commission at the Public Meeting of November 18, 2004 in response

to a petition presented by The Brotherhood of Unified Taxi Drivers/Owners, in which this Commission was requested to increase the amount of the surcharge in consideration of higher prices in the vicinity of Philadelphia.

Initially, all call or demand carriers were authorized a fuel surcharge of thirty cents (\$.30) per trip for each paying passenger, and all paratransit and airport transfer carriers were authorized a fuel surcharge of seventy cents (\$.70) per trip for each paying customer. Medallion taxicabs were authorized to charge fifty cents (\$.50) per trip (including trips to and from Philadelphia International Airport) for each paying customer as a result of the amendment of the Public Meeting of November 18, 2004. The fuel surcharge is to be in addition to officially filed tariff rates. The fuel surcharge became effective on June 14, 2004, and is scheduled to terminate on June 12, 2005.

The order required the Bureau of Transportation and Safety to investigate the merits of the fuel surcharge on a quarterly basis, beginning September 30, 2004. As a result of the previous quarterly evaluations, this Commission ordered the continuation of the fuel surcharge. Furthermore, data gathered by the Bureau of Transportation and Safety in the course of evaluating the petition of The Brotherhood of Unified Taxi Drivers/Owners indicated that it was reasonable to consider amending the order for an increased surcharge for Medallion Taxicabs serving the Philadelphia area.

In the process of conducting the final quarterly investigation, the Bureau analyzed current information available from the Energy Information Administration of the Department of Energy, the American Automobile Association, and OPIS Energy Group.

At the time of approval of the fuel surcharge the average retail cost of regular gasoline was \$2 per gallon. In the interval of January through March of 2005, the average retail price of regular gasoline on the East Coast of the United States was \$1.95 per gallon. Although this figure indicates lower prices than those at the time of initiation of this surcharge, it is not an accurate representation of what has been happening with fuel prices.

This winter's extremely cold temperatures in the northern portion of the United States have resulted in greater demand for fuel oil. In response to this increased demand for fuel oil, the nation's refineries have concentrated on heating oil production, thereby reducing the supply of gasoline. As supplies have started to decrease, the prices at the pumps have increased significantly starting in

February of 2005. Although spring approaches and demand for heating oil will decrease, projections for the ensuing months are not optimistic.

Reports from the Energy Information Administration of the Department of Energy, as well as the Oil Price Information service indicate continued increases. The price of crude is still unstable as prices rise above \$55 per barrel, with no evidence of relief. Additionally, U.S. refineries are still expected to produce lower amounts of gasoline as the plants are temporarily closed for system modifications required for compliance with new government clean air requirements going into effect in 2006.

After due consideration, we have determined that fuel costs have not substantially decreased. Based upon the evidence available, we are of the opinion that the passenger motor carrier industry continues to have a need for the fuel surcharge to permit the recovery of unanticipated fuel expenditures; *Therefore*,

It Is Ordered That:

1. The fuel surcharge established at Special Permission No. 28208 be continued.

2. The Secretary of this Commission shall duly certify this order and deposit same with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 05-812. Filed for public inspection April 22, 2005, 9:00 a.m.]

Default Order

Public Meeting held
April 7, 2005

Commissioners Present: Wendell F. Holland, Chairperson;
Robert K. Bloom, Vice Chairperson; Kim Pizzingrilli

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. North American Telephone Network,
Inc. (2004.0268); Doc. No. C-20054242; A-310682*

Default Order

By the Commission:

On January 20, 2005, Law Bureau Prosecutory Staff instituted a complaint against North American Telephone Network, Inc. (NATN), a telecommunications interexchange reseller certificated at A-310682. In the complaint, Prosecutory Staff alleged that the Commission sent by certified mail a notice to NATN that its 2004-2005 General Assessment of \$167 was overdue. The complaint charged that NATN's failure to pay the General Assessment violates 66 Pa.C.S. § 510(c).

The complaint sought an order from the Commission canceling NATN's certificate of public convenience for failure to pay these assessments. The complaint was mailed by the Secretary's Bureau on February 17, 2005, to NATN's last known business address and service was perfected on February 22, 2005. To date, more than 20 days since service was perfected, no answer has been filed to the complaint and the assessment has still not been paid.

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 regula-

tions and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504—506 and 3301. Based on the previous and because of NATN's failure to pay its General Assessment for 2004-2005, we believe it is appropriate to revoke NATN's certificate of public convenience as being in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under section 3301, in lieu of cancellation, if NATN seeks relief from this Default Order; *Therefore, It Is Ordered That:*

1. The allegations in the Law Bureau Prosecutory Staff's complaint are deemed admitted and the complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 30-day comment period.

3. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate held by North American Telephone Network, Inc. at Docket No. A-310682 shall be canceled, and the company's name stricken from all active utility lists maintained by the Tariff and Annual Report Section of 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. 05-813. Filed for public inspection April 22, 2005, 9:00 a.m.]

Extension of the Fuel Cost Recovery Surcharge Special Permission 28207

Public Meeting held
April 7, 2005

Commissioners Present: Wendell F. Holland, Chairperson;
Robert K. Bloom, Vice Chairperson; Kim Pizzingrilli

*Extension of the Fuel Cost Recovery Surcharge Special
Permission 28207*

Order

By the Commission:

Tristate Household Goods Conference, Inc., (Tristate) a tariff publishing agency, represents approximately 275 PUC household good carriers. Substantially large increases in the cost of diesel fuel, which were unanticipated, motivated Tristate to request the implementation of the Fuel Cost Recovery Surcharge. The Fuel Cost Recovery Surcharge Special Permission 28207 was approved in Public Meeting held April 17, 2003 and was extended in Public Meeting held April 15, 2004. The extension was approved for a duration of one year unless changed, cancelled or extended. The current surcharge grants approval to temporarily increase the Tristate tariff to recover temporarily increased fuel costs when transporting household goods for moves more than forty (40) miles (weight and distance) and moves that are forty (40) miles or less (hourly) by the use of a Fuel Cost Recovery Surcharge.

The surcharge is determined by a formula which attempts to approximate the amount of fuel used on a particular trip and multiplies that amount by the increased cost of fuel, allowing the carrier to recover only the additional fuel charges incurred. The formula includes the following constant factors: (1) base price per gallon of fuel¹; (2) average vehicle fuel consumption of 5 miles per gallon; and (3) a terminal factor which allows the carrier to recover the additional cost of fuel used in traveling to and from the carrier's terminal to the origin point of the move. The formula also includes one variable factor, the current month's diesel fuel price.²

Moves of 40 miles or less will be divided into 4 categories according to average mileage: 5 mile average for trips ranging from 1 to 10 miles, 15 mile average for trips ranging from 10 to 20 miles, 25 mile average for trips ranging from 20 to 30 miles, and 35 mile average for trips ranging from 30 to 40 miles. An example calculation for an 8 mile move is as follows³:

Origin of move to destination	8 miles	= 5 miles average
Terminal factor		= 40 miles
Total miles		= 45 miles
Average miles per gallon		= 5
Fuel used		= 9 gallons
DOE current Fuel Price as of 3/17/03		= \$1.949
Base fuel Price		= \$1.267
Fuel price difference		= \$.682
Gallons × Fuel price difference		= 9 × .682 =
		\$6.14

Moves of more than 40 miles will be calculated using actual mileage from the move's origin to destination and return. An example calculation for a 100 mile move is as follows:

Origin of move to destination		= 100 miles
Empty Return (dest. to origin)		= 100 miles
Terminal factor		= 40 miles
Total miles		= 240 miles
Average miles per gallon		= 5
Fuel used		= 48 gallons
DOE current Fuel Price as of 3/17/03		= \$1.949
Base fuel Price		= \$1.267
Fuel price difference		= \$.682
Gallons × Fuel price difference		= 48 × .682 =
		\$32.75

On February 14, 2005 Tristate filed a request to extend the Fuel Cost Recovery Surcharge. The request was filed in response to the volatile nature of the petroleum market, which continues to produce unanticipated increases in diesel fuel prices.

In support of the request for extension, Tristate has submitted data from the Department of Energy for the Central Atlantic Region. The March 2005 diesel prices are \$2.28, which is 68% higher than the price of \$1.355 charged in March 2002, and 31% higher than the price of \$1.736 charged in March 2004.

Additional support for an extension can be found in the March 2, 2005 edition of *This Week in Petroleum*, in

¹ The proposed base price is \$1.267, which was the price of a gallon of diesel fuel according to the Department of Energy report of Retail On-Highway Diesel Prices for the Central Atlantic Region as of February 15, 2002. Tristate proposes this as a base price since fuel prices have steadily increased from that date.

² This figure is determined by the Department of Energy's report of Retail On-Highway Diesel Prices for the Central Atlantic Region. The current month's diesel fuel price will be effective beginning the 15th day of each month through the 14th day of the subsequent month.

³ All fuel surcharges shall be calculated and provided to the customer as part of the Estimate of Charges.

which the Department of Energy reported that seasonal demand for heating oil resulted in higher diesel prices, due to both being derived from the same type of distillate. The Department of Energy also projected destabilizing effects on prices in the immediate future as a result of increased global diesel demand.

The Federal Department of Transportation has responded to the escalating fuel costs for interstate transportation by approving a fuel surcharge on a similar sliding scale. The Federal Fuel Surcharge became effective May 15, 2000 and continues in effect.

Pursuant to 66 Pa.C.S. § 1301, the Commission is required to ensure that all rates charged by a public utility are just and reasonable. Additionally, the Commission is obligated to address industry-wide problems "without creating a chaotic rate structure impossible to manage or police." *Emergency Fuel Surcharge*, 47 Pa. P.U.C. 389,391 (1974). The current surcharge addresses the problem of rising fuel costs, while being just and reasonable in that carriers are compensated only for the additional cost of the fuel used.

Based on the foregoing, it appears that the extension of the Fuel Cost Recovery Surcharge for transportation of household goods is just and reasonable. In order to prevent financial hardship it is imperative that Pennsylvania household goods carriers be afforded an opportunity to temporarily adjust rates to offset escalating fuel costs using the proposed extended Fuel Cost Recovery Surcharge and, accordingly, we shall allow the proposed extended surcharge to become effective for a period of one (1) year unless changes, cancelled or further extended. *Therefore,*

It Is Ordered That:

1. Tristate members rendering service under authority of this Commission shall charge a Fuel Cost Recovery Surcharge on transportation provided for over 40 mile charges and for 40 miles or less hourly charge in accordance with all other tariff rules of this Commission. The Fuel Recovery Surcharge is to be extended effective April 18, 2005.

2. The Extended Fuel Recovery Surcharge shall be in effect for 1 year to April 18, 2006 unless changed, cancelled or further extended by the Commission.

3. Copies of this order shall be served by the Secretary to the Office of Consumer Advocate and Office of Small Business Advocate. The Secretary shall forward this Order to the *Pennsylvania Bulletin* for publication.

4. Each carrier shall post a copy of this Extended Fuel Cost Recovery Surcharge along with the original Fuel Cost Recovery Surcharge dated April 17, 2003, in a conspicuous place. In addition, each carrier shall include the surcharge as a separate line item of the Estimate of Charges provided to prospective shippers.

5. The rates collected to the Extended Fuel Cost Recovery Surcharge are subject to refund in the event that any formal complaints are filed, within thirty (30) days of the date of publication of this order, and are successful in challenging the surcharge.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 05-814. Filed for public inspection April 22, 2005, 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 May 16, 2005. 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-00121649. Michael G. Heckman (4 Sycamore Drive, Malvern, Chester County, PA 19355)—persons in paratransit service, between points in the Townships of West Whiteland, East Whiteland, Tredyffrin, Willistown and Charlestown and the Borough of Malvern, Chester County, and from points in said territory, to points in Chester County and the Borough of King of Prussia, Montgomery County, and return.

A-00121669. Ruth T. and Clarence N. Kauffman, Tenants by Entirety (R. R. 2, Box 110, McAlisterville, Juniata County, PA 17049)—persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, between points in the Counties of Juniata and Mifflin, and from points in said counties, to points in Pennsylvania, and return.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 05-815. Filed for public inspection April 22, 2005, 9:00 a.m.]

Telecommunications

A-310189F7000. Verizon Pennsylvania Inc. (f/k/a Bell Atlantic-Pennsylvania, Inc.) and Qwest Communications Corporation. Joint petition of Verizon Pennsylvania Inc. (f/k/a Bell Atlantic-Pennsylvania, Inc.) and Qwest Communications Corporation for approval of amendment no. 1 to an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. (f/k/a Bell Atlantic-Pennsylvania, Inc.) and Qwest Communications Corporation, by its counsel, filed on April 11, 2005, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of amendment no. 1 to an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon Pennsylvania Inc. (f/k/a Bell Atlantic-Pennsylvania, Inc.) and Qwest Communications Corpora-

tion joint petition are on file with the Commission and are available for public inspection.

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

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 05-816. Filed for public inspection April 22, 2005, 9:00 a.m.]

Telecommunications

A-310437F7000. Verizon Pennsylvania Inc. (f/k/a Bell Atlantic-Pennsylvania, Inc.) and Qwest Interprise America, Inc. (f/k/a US West Interprise America, Inc.). Joint petition of Verizon Pennsylvania Inc. (f/k/a Bell Atlantic-Pennsylvania, Inc.) and Qwest Interprise America, Inc. (f/k/a US West Interprise America, Inc.) for approval of amendment no. 4 to an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. (f/k/a Bell Atlantic-Pennsylvania, Inc.) and Qwest Interprise America, Inc. (f/k/a US West Interprise America, Inc.), by its counsel, filed on April 11, 2005, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of amendment no. 4 to an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon Pennsylvania Inc. (f/k/a Bell Atlantic-Pennsylvania, Inc.) and Qwest Interprise America, Inc. (f/k/a US West Interprise America, Inc.) joint petition are on file with the Commission and are available for public inspection.

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

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 05-817. Filed for public inspection April 22, 2005, 9:00 a.m.]

Wastewater Service

A-230040F2000 and A-230102. Cecil Wastewater Treatment Company, Inc. and L & S Wastewater, Inc. Joint application of Cecil Wastewater Treatment Company, Inc. and L & S Wastewater, Inc. for approval of: 1) the right of Cecil Wastewater Treatment Company, Inc. to transfer all of its assets to L & S Wastewater, Inc.; 2) the right of Cecil Wastewater Treatment Company, Inc. to abandon its certificate of public convenience as a wastewater treatment company in this Commonwealth; and 3) the right of L & S Wastewater, Inc. to begin to offer, render, furnish or supply wastewater service to the public in Cecil Township, Washington 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, Pennsylv-

vania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before May 9, 2005. 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.

Applicants: Cecil Wastewater Treatment Company, Inc. and L & S Wastewater, Inc.

Through and By Counsel: Donald J. Balsley, Jr., 535 Smithfield Street, Suite 619, Pittsburgh, PA 15222-2302, and Jesse White, 2301 Millers Run Road, P. O. Box 384, Cecil, PA 15321

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 05-818. Filed for public inspection April 22, 2005, 9:00 a.m.]

Wastewater Service

A-230073F0010. Pennsylvania-American Water Company. Application of Pennsylvania-American Water Company for approval of: 1) the transfer, by sale, of the assets, properties and rights of Blue Mountain Lakes Associates, L. P. related to its wastewater system to Pennsylvania-American Water Company; and 2) the beginning by Pennsylvania-American Water Company of wastewater service to the public in the service territory, of Blue Mountain Lakes Associates, L. P. located in portions of Stroud and Smithfield Townships, Monroe 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 May 9, 2005. 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: Pennsylvania-American Water Company—Wastewater Division

Through and By Counsel: Velma A. Redmond, Esquire, Susan Simms Marsh, Esquire, 800 West Hersheypark Drive, Hershey, PA 17033

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 05-819. Filed for public inspection April 22, 2005, 9:00 a.m.]

Water Service

A-212285F0123. Pennsylvania-American Water Company. Application of Pennsylvania-American Water Company for approval of: 1) the transfer, by sale, of the assets, properties and rights of the Blue Mountain Lakes

Associates, L. P. related to its water system to Pennsylvania-American Water Company; and 2) the beginning by Pennsylvania-American Water Company, of water service to the public in the service territory of Blue Mountain Lakes Associates, L. P. located in portions of Stroud and Smithfield Townships, Monroe County, PA.

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 May 9, 2005. 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: Pennsylvania-American Water Company

Through and By Counsel: Velma A. Redmond, Esquire, Susan Simms Marsh, Esquire, 800 West Hersheypark Drive, Hershey, PA 17033

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 05-820. Filed for public inspection April 22, 2005, 9:00 a.m.]

STATE BOARD OF VEHICLE MANUFACTURERS, DEALERS AND SALESPERSONS

Bureau of Professional and Occupational Affairs v. Ron T. Moreno; Doc. No. 0886-60-00; File No. 99-60-03677

On February 14, 2005, the State Board of Vehicle Manufacturers, Dealers and Salespersons (Board) issued an adjudication and order in which it revoked the vehicle salesperson license of Ron T. Moreno, license No. MV-130267-L and levied a \$2,000 civil penalty.

Individuals may obtain a copy of the adjudication by writing to Thomas A. Blackburn, Board Counsel, State Board of Vehicle Manufacturers, Dealers and Salespersons, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represent the final Board decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of the petition for review. The Board contact for receiving service of appeals is the previously named Board counsel.

EDWIN K. GALBREATH, Jr.,
Chairperson

[Pa.B. Doc. No. 05-821. Filed for public inspection April 22, 2005, 9:00 a.m.]