

NOTICES

DEPARTMENT OF AGRICULTURE

Dog Control Facilities; Increase in Payment

The Department of Agriculture gives notice of an increase in the amount it will pay for services rendered by a legally constituted law enforcement agency maintaining a compound for the humane disposition of stray, unlicensed dogs apprehended running at large. Currently, this reimbursement is \$10 per dog. Effective July 1, 2005, this payment will increase to \$20 per dog.

This increase shall be paid from the current surplus in the Dog Law Restricted Account, and is subject to the continued availability of these funds.

The increase is authorized under section 1001(b)(5) of the Dog Law (3 P. S. § 459-1001(b)(5)) and 7 Pa. Code § 25.1 (relating to general).

Further information is available by contacting the Bureau of Dog Law Enforcement, Department of Agriculture, 2301 North Cameron Street, Harrisburg, PA 17110-9408, Attn: Mary Bender, Director.

DENNIS C WOLFF,
Secretary

[Pa.B. Doc. No. 05-993. Filed for public inspection May 20, 2005, 9:00 a.m.]

Interstate/International Quarantine Order; Vesicular Stomatitis

A. Vesicular stomatitis is an infectious viral disease that primarily affects horses, cattle and swine.

B. Vesicular stomatitis is designated a "dangerous transmissible disease" of animals under 3 Pa.C.S. § 2321(a)(40) (relating to dangerous transmissible diseases).

C. The Department of Agriculture (Department) has broad authority under 3 Pa.C.S. §§ 2301—2389 (relating to the Domestic Animal Law) to regulate the keeping and handling of domestic animals to exclude, contain or eliminate dangerous transmissible diseases. This includes the authority in 3 Pa.C.S. § 2329 (relating to quarantine) to issue the interstate/international quarantine order as follows.

D. Vesicular stomatitis exists in other states and nations, and the transporting of infected animals from these states or nations could spread that disease among susceptible domestic animals in this Commonwealth.

E. There are reasonable and relatively unintrusive quarantine restrictions the Department can impose in order to prevent vesicular stomatitis from entering this Commonwealth.

Order

The Department enters an interstate/international quarantine order with respect to vesicular stomatitis, incorporating the foregoing recitals into this order. This order is entered under authority of 3 Pa.C.S. § 2329 and establishes the following restrictions and conditions:

1. No hoofed animals may enter this Commonwealth if vesicular stomatitis has been diagnosed within 10 miles of the premises of origin since January 1, 2005.

2. All hoofed animals entering this Commonwealth from a state in which vesicular stomatitis has been diagnosed since January 1, 2005, shall be examined by an accredited veterinarian to determine whether they are free from vesicular stomatitis, and shall be accompanied by a Certificate of Veterinary Inspection with the following written statement signed by that accredited veterinarian:

All animals identified on this Certificate of Veterinary Inspection have been examined and found to be free from vesicular stomatitis. During the past 30 days, these animals have neither been exposed to vesicular stomatitis nor located within 10 miles of a site where vesicular stomatitis has been diagnosed.

3. This order will be automatically rescinded on December 31, 2005, unless extended under the previous authority.

4. This order is effective as of May 4, 2005

DENNIS C WOLFF,
Secretary

[Pa.B. Doc. No. 05-994. Filed for public inspection May 20, 2005, 9:00 a.m.]

Pennsylvania Agricultural Product Promotion Matching Grant Program 2005-2006 Application Period

Under 7 Pa. Code Chapter 105 (relating to Pennsylvania agricultural product promotion matching grant program—statement of policy), the Department of Agriculture (Department) announces the application period for the Pennsylvania Agricultural Product Promotion Matching Grant Program (Program).

The Program provides matching funds to nonprofit agricultural product promotion and marketing organizations in this Commonwealth for projects intended to increase consumer awareness of Pennsylvania agricultural products and thereby increase sales of these products.

The Secretary of the Department will review and evaluate the application and supporting documentation and may consider the following factors, among others, in deciding whether to approve or reject the grant request:

1. The relevance of the project to the promotion or marketing of Pennsylvania agricultural products, such as through the PA Preferred Program.

2. The innovativeness of the project described in the application, for example, renewable energy programs.

3. The scope of the project and the number of people who will be exposed to or affected by the project described in the application.

4. The impact which the project will have upon the promotion and sales of the Pennsylvania agricultural products to which the project is targeted.

5. The availability of full funding for the project from the applicant or from any source other than the Program.

6. The apparent ability of the applicant to complete the project as described in the application or, in the case of a grant to fund a National or regional agricultural product promotion or marketing project, the apparent ability of the entity with primary responsibility for the project to complete it.

7. The overall performance of the project if the project had received funding from the Program in a previous fiscal year.

8. Projects that are joint efforts between two or more nonprofit agricultural product promotion and marketing organizations in this Commonwealth may be given preference over projects involving only one organization.

9. Projects when reference to the Department, as a source of funding, can practicably be made in promotional materials or broadcasts, and may be given preference over projects that would not make the reference.

The application, work plan and budget should reflect January 1, 2006, as the project start date. Grant funds will be disbursed as an advance payment upon receipt of a fully executed grant agreement by the grantee. The project completion date will be December 31, 2006.

Applications for the Program will be accepted by the Department on June 6, 2005, through 4 p.m. on July 8, 2005, in the Bureau of Market Development, Room 308, 2301 North Cameron Street, Harrisburg, PA 17110-9408. Information and a grant application may be obtained from Kyle D. Nagurny, Director, at the previous listed address or on the Department's website: www.pda.state.pa.us (Select: "Funding Opportunities" then "Agricultural Product Promotion Matching Grant")

DENNIS C WOLFF,
Secretary

[Pa.B. Doc. No. 05-995. Filed for public inspection May 20, 2005, 9:00 a.m.]

DEPARTMENT OF BANKING

Action on Applications

The Department of Banking, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 9, 2002 (P. L. 1572, No. 207), known as the Credit Union Code, has taken the following action on applications received for the week ending May 10, 2005.

BANKING INSTITUTIONS

Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
5-5-05	Willow Grove Bancorp, Inc., Maple Glen, to acquire 100% of the voting shares of Chester Valley Bancorp, Inc., Downingtown, and thereby indirectly acquire First Financial Bank, Downingtown	Maple Glen	Approved

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
4-21-05	Allegiance Bank of North America Bala Cynwyd Montgomery County	36 North 3rd Street Philadelphia Philadelphia County	Opened
5-9-05	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	Warwick Square Shopping Center 2395 Old York Road Jamison Bucks County	Opened
5-9-05	Wayne Bank Honesdale Wayne County	Fountain Springs East II Route 611 Pocono Township Monroe County	Filed

Articles of Amendment

<i>Date</i>	<i>Name of Bank</i>	<i>Purpose</i>	<i>Action</i>
5-9-05	Nova Savings Bank Philadelphia Philadelphia County	Articles of Amendment amend and restate the Bank's Articles of Incorporation in their entirety.	Approved and Effective

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

Branch Applications

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
5-9-05	Fairless Credit Union Morrisville Bucks County	521 Oxford Valley Road Fairless Hills Bristol Township Bucks County	Filed

A. WILLIAM SCHENCK, III,
Secretary

[Pa.B. Doc. No. 05-996. Filed for public inspection May 20, 2005, 9:00 a.m.]

Maximum Lawful Rate of Interest for Residential Mortgages for the Month of June 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 June 2005 is 7%.

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 4.54 to which was added 2.50 percentage points for a total of 7.04 that by law is rounded off to the nearest quarter at 7%.

A. WILLIAM SCHENCK, III,
Secretary

[Pa.B. Doc. No. 05-997. Filed for public inspection May 20, 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

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

<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>
PA0060003	Wyoming County Housing Authority P. O. Box 350 Nicholson, PA 18446	Nicholson Borough Wyoming County	Martin's Creek CWF 4F	Y
PAS802221 (Individual Stormwater)	United Parcel Service—Hometown 1821 South 19th Street Harrisburg, PA 17104	Rush Township Schuylkill County	UNT to the Little Schuylkill River (3A)	Y

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>
PA0083691 (Industrial Waste)	West Earl Water Authority/Water Department P. O. Box 202 157 West Metzler Road Brownstown, PA 17508	Lancaster County West Earl Township	UNT Conestoga River/7J	Y
PA0083143 (Industrial Waste)	Saxton Borough Municipal Authority 707 9th Street Saxton, PA 16678-1213	Bedford County Liberty Township	Raystown Branch Juniata River/11-D	Y

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

<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>
PA0102792	Bernie's Mobile Home Park 347 Edgewood Drive Cabot, PA 16023-9704	Winfield Township, Butler County	UNT to Little Buffalo Creek 18-F	Y
PA0102610	Kenniham Development Company, Inc. Villa Vista Estates 133 Terra Drive Valencia, PA 16059	Middlesex Township Butler County	UNT to Glade Run 20-C	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>
PA0103021	Bear Lake Inn and the Trading Place Greenly Street P. O. Box 132 Bear Lake, PA 16402	Bear Lake Borough Warren County	UNT to Pine Valley Creek 16-B	Y
PA0024511	Redbank Valley Municipal Authority 243 Broad Street New Bethlehem, PA 16242	Mahoning Township Armstrong County	Redbank Creek 17-C	Y

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

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

PA0054895, Industrial Waste, NAICS 325998, **Palmer International, Inc.**, 2036 Lucon Road, P. O. Box 315; Skippack, PA 19474. This proposed facility is located in Skippack Township, **Montgomery County**.

Description of Proposed Activity: Discharge of noncontact cooling water from cooling tower, boiler blowdown, water softener backwash and stormwater associated with industrial activities to an UNT to Skippack Creek.

The receiving stream, Skippack Creek, is in the State Water Plan watershed 3E, and is classified for: TSF. The nearest downstream public water supply intake for Philadelphia Water Suburban Company is located on Perkiomen Creek and is 11.06 miles below the point of discharge. The concentration limit for total, phosphorus is based on an approved TMDL for Skippack Creek.

The proposed effluent limits for Outfall 001 are based on an annual average flow of 5,800 gpd of noncontact cooling water from cooling tower, rocket cooling jacket, glycol cold trap, boiler blow-down, water softener backwash, wastewater from tank farm, hazardous waste sump and stormwater associated with industrial activities:

<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 Dissolved Solids			Monitor	Monitor	Monitor
Phosphorus as P			2.0		4.0
Total Residual Chlorine			0.5	1.0	1.25
Oil and Grease			15		30
Temperature					110°F
pH (STD)			6.0 min.		9.0

The proposed effluent limits for Outfall 002 are based on an annual average flow of 2,200 gpd of noncontact cooling water from turbo mixing cooling jacket, rubber grinder cooling jacket, nauta mixer cooling jacket, boiler blow-down from a boiler and stormwater associated with industrial activities:

<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
Phosphorus as P			2.0		4.0
Total Residual Chlorine			0.5	1.0	1.25
Temperature					110°F
pH (STD)			6.0 min.		9.0
Total Dissolved Solids			Monitor	Monitor	Monitor

The proposed effluent limits for Outfall 003 are based on stormwater discharge associated with industrial activities and draining from the roofs of the Building A, the Pot Room and the Rocket Room:

<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				Monitor	
COD				Monitor	
Oil and Grease				Monitor	

<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>	
pH (STD)					Monitor
Total Suspended Solids					Monitor
Total Kjeldahl Nitrogen					Monitor
Total Phosphorus					Monitor
Iron (Dissolved)					Monitor

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

1. Remedial Measures.
2. BAT/ELG Reopener.
3. Chemical Additives.
4. TMDL/WLA Analysis.
5. Stormwater Outfalls BMPs.
6. Laboratory Certification.
7. Outfall 004 from Administrative Building without Monitoring Requirements.

PA0053937, Sewage, **Ralph B. and Gayla J. Johnson**, 1021 Copeland School Road, West Chester, PA 19380-1829. This proposed facility is located in East Bradford Township, **Chester County**.

Description of Proposed Activity: This application is for renewal of an NPDES permit to discharge treated sewage from a single residence sewage treatment plant.

The receiving stream, Broad Run, is in the State Water Plan Watershed 3H and is classified for: HQ-CWF, aquatic life, water supply and recreation. The nearest downstream public water supply intake is for Aqua America, located on East Branch Brandywine Creek, 2.6 miles below the point of discharge.

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					
(5-1 to 10-31)			10		20
(11-1 to 4-30)			20		40
Suspended Solids			10		20
Ammonia (as N)					
(5-1 to 10-31)			3.0		6.0
(11-1 to 4-30)			9.0		18.0
Total Residual Chlorine			Monitor and Report		Monitor and Report
Fecal Coliform			200/100 ml Geom. mean		1,000/100 ml
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 major special conditions:

1. AMR Submission.
2. Phase Out When Sewers Available.
3. Adopt Remedial Measures.
4. No Stormwater.
5. Obtain Property Rights.
6. Change in Ownership.
7. Sludge Disposal.

PA0011096 Amendment 1, Industrial Waste, **Sunoco, Inc. (R & M)**, P. O. Box 426, Marcus Hook, PA 19061-0426.

This application is for amendment of an NPDES permit to discharge noncontact cooling water from compressors and stormwater runoff from the Marcus Hook oil refinery area in Borough of Marcus Hook, **Delaware County**. This is an existing discharge to Middle Creek and Delaware River Estuary Zone 4. The amendment will resolve all issues outlined in the notice of appeal dated November 10, 2004.

The receiving stream is classified for the following uses: WWF.

The proposed effluent limits for Outfall MP201, based on an average flow of 7.90 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Suspended Solids (Net)	100	Monitor and Report	

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Organic Carbon (Net)			5
Oil and Grease	15		30
Temperature*			110°F
pH	within limits of 6.0 to 9.0 Standard Units at all times		

The proposed effluent limits for Outfall MP301, based on an average flow of 4.7 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Organic Carbon (Net)			5
Total Suspended Solids (Net)	100	Monitor and Report	
Oil and Grease	15		30
Temperature*			110°F
pH	within limits of 6.0 to 9.0 Standard Units at all times		

*Not more than 5°F above the average daily temperature during the 1961-66 period, which is shown as follows, or a maximum of 86°F, whichever is less, which temperature shall be measured outside of designated heat dissipation areas as described in Section 4.30, 6F of the Delaware River Basin Commission Water Quality Regulations.

<i>Date</i>	<i>Average Daily Temperature (°F) (1961-1966)</i>
January 1-31	42
February 1-29	36
March 1-31	40
April 1-30	47
May 1-31	58
June 4-30	72
July 1-31	80
August 1-31	81
September 1-14	78
September 15-30	76
October 1-31	70
November 1-30	60
December 1-14	50
December 15-31	45

The proposed effluent limits for Outfall 401 are as follows. This outfall receives highly diluted process water with stormwater from Tank TK-101 only during a heavy storm event.

<i>Parameter</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	Monitor and Report
COD	Monitor and Report
Oil and Grease	Monitor and Report
pH	Monitor and Report
Total Suspended Solids	Monitor and Report
Total Kjeldahl Nitrogen	Monitor and Report
Phosphorus, Total	Monitor and Report
Zinc, Total	Monitor and Report
Iron (Dissolved)	Monitor and Report
Benzene	Monitor and Report
Xylene, Total	Monitor and Report
Toluene	Monitor and Report
Ethylbenzene	Monitor and Report
BETX, Total	Monitor and Report
Methyl Tert Butyl Ether	Monitor and Report
Acrolein	Monitor and Report

The proposed effluent limits for stormwater Outfalls 020, 021A—021F and 022 are as follows:

<i>Parameter</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	Monitor and Report
COD	Monitor and Report
Oil and Grease	Monitor and Report
pH (STD Units)	Monitor and Report
Total Suspended Solids	Monitor and Report

<i>Parameter</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Kjeldahl Nitrogen	Monitor and Report
Total Phosphorus	Monitor and Report
Iron (Dissolved)	Monitor and Report

*An annual inspection of area contributing stormwater to these outfalls is permitted in lieu of monitoring. However, the Department reserves the right to ask for monitoring of these outfalls for all listed parameters no more than once per year.

The EPA waiver is not in effect.

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

PAS#602204, Industrial Stormwater, **SR Used Parts**, 400 Daniels Road, Nazareth, PA 18064. This proposed facility located in Bushkill Township, **Northampton County**.

Description of Proposed Activity: Issuance of new Industrial Stormwater Permit.

The receiving stream, unnamed tributary to East Branch Monocacy Creek, is in the State Water Plan watershed No. 2C and is classified for: HQ-CWF. The nearest downstream public water supply intake for Keystone Water Co. is located on the Delaware River, over 50 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are as follows:

<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>
CBOD ₅				Report
Chemical Oxygen Demand				Report
Oil and Grease				Report
pH				Report
Total Suspended Solids (TSS)				Report
Total Kjeldahl Nitrogen (TKN)				Report
Total Phosphorus				Report
Iron (dissolved)				Report

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

Requirements applicable to stormwater outfalls along with identified best management practices.

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

Application No. PA 0087955, Sewage, **Cassville Water and Sewer Authority**, P. O. Box 48, Cassville, PA 16623. This facility is located in Cass Township, **Huntingdon County**.

Description of activity: The application is for renewal of an NPDES permit for existing discharge of treated sewage.

The receiving stream, UNT to Little Trough Creek, is in Watershed 11-D, and classified for trout stocking, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Newport Borough Water Authority is located on the Juniata River, approximately 121 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.030 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N			
(5-1 to 10-31)	4.0		8.0
(11-1 to 4-30)	12.0		24.0
Dissolved Oxygen		Minimum of 5.0 at all times	
pH		From 6.0 to 9.0 inclusive	
Fecal Coliform			
(5-1 to 9-30)		200/100 ml as a geometric average	
(10-1 to 4-30)		3,800/100 ml as a geometric average	

Individuals 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.

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

PA0096369, Sewage, **Patrick J. DiCesare**, 116 East Pittsburgh Street, Greensburg, PA 15601. This application is for renewal of an NPDES permit to discharge treated sewage from Valley Hi MHP STP in East Huntingdon Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as UNT of Buffalo Run, which are classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the: McKeesport Municipal Water Authority.

Outfall 001: existing discharge, design flow of 0.00625 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
May 1 to Oct 31	3.4			6.8
Nov 1 to Apr 30	10.2			20.4
Fecal Coliform				
May 1 to Sep 30	200/100 ml as a geometric mean			
Oct 1 to Apr 30	2,000/100 ml as a geometric mean			
Total Residual Chlorine	0.46			1.0
Dissolved Oxygen	not less than 3.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0096881, Sewage, **G & G Mobile Home Sales**, 23 Oakridge Heights Drive, Oakdale, PA 15071. This application is for renewal of an NPDES permit to discharge treated sewage from Oakridge Heights Mobile Home Park No. 1 STP in North Fayette Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Drainage Swale to Unnamed Tributary of North Branch Robinson Run, which are classified as a WWF with existing and/or potential uses for aquatic life, water supply, and recreation. The first downstream potable water supply intake from this facility is the: West View Borough Municipal Water Authority on the Ohio River.

Outfall 001: existing discharge, design flow of 0.00588 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅ Day	25			50
Suspended Solids	30			60
Fecal Coliform				
May 1 to Sep 30	200/100 ml as a geometric mean			
Oct 1 to Apr 30	2,000/100 ml as a geometric mean			
Total Residual Chlorine	1.4			3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0098396, Sewage, **Oak Estates, Inc.**, 600 Laurelview Drive, Mt. Pleasant, PA 15666. This application is for renewal of an NPDES permit to discharge treated sewage from Laurelview Manor MHP STP in Bullskin Township, **Fayette County**.

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

Outfall 001: existing discharge, design flow of 0.03 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
May 1 to Oct 31	2.0			4.0
Nov 1 to Apr 30	3.5			7.0

NOTICES

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Fecal Coliform				
May 1 to Sep 30	200/100 ml as a geometric mean			
Oct 1 to Apr 30	2,000 as a geometric mean			
Total Residual Chlorine	0.3			0.7
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0098531, Sewage, **Chesla Investment Group, LLC**. This application is for renewal of an NPDES permit to discharge treated sewage from Green Hills MHP STP in Hempfield Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Swale to an UNT of Little Sewickley Creek, which are classified as a trout stock fishery with existing and/or potential uses for aquatic life, water supply, and recreation. The first downstream potable water supply intake from this facility is the: McKeesport Municipal Water Authority.

Outfall 001: existing discharge, design flow of 0.03 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	10			20
Suspended Solids	25			50
Ammonia Nitrogen				
May 1 to Oct 31	2.5			5.0
Nov 1 to Apr 30	7.5			15.0
Fecal Coliform				
May 1 to Sep 30	200/100 ml as a geometric mean			
Oct 1 to Apr 30	2,000/100 as a geometric mean			
Total Residual Chlorine	0.2			0.45
Dissolved Oxygen	not less than 6.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0216852, Sewage, **TRC, Inc.**, 441 Route 31, Ruffsedale, PA 15679. This application is for renewal of an NPDES permit to discharge treated sewage from TRC Estates Sewage Treatment Plant in East Huntingdon Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Buffalo Run, which are classified as a WWF with existing and/or potential uses for aquatic life, water supply, and recreation. The first downstream potable water supply intake from this facility is the: Westmoreland County Municipal Authority.

Outfall 001: existing discharge, design flow of 0.025 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
May 1 to Oct 31	3.5			7.0
Nov 1 to Apr 30	10.5			21.0
Fecal Coliform				
May 1 to Sep 30	200/100 ml as a geometric mean			
Oct 1 to Apr 30	2000/100 ml as a geometric mean			
Dissolved Oxygen	not less than 3 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0216925, Sewage, **Consolidation Coal Company**, 1 Bridge Street, Monongah, WV 26554. This application is for renewal of an NPDES permit to discharge treated sewage from Kuhntown Portal Wastewater Treatment Plant in Wayne Township, **Greene County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as UNT of Hoovers Run, which are classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply, and recreation. The first downstream potable water supply intake from this facility is the: Dunkard Valley Joint Municipal Authority.

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

Parameter	Concentration (mg/l)			Instantaneous Maximum
	Average Monthly	Average Weekly	Maximum Daily	
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
May 1 to Oct 31	2.0			4.0
Nov 1 to Apr 30	3.5			7.0
Fecal Coliform				
May 1 to Sep 30	200/100 ml as a geometric mean			
Oct 1 to Apr 30	2,000/100 ml as a geometric mean			
Total Residual Chlorine	0.05			0.11
Dissolved Oxygen	not less than 5 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

PA238302, Industrial Waste. **Air Liquide Industrial U. S. L.P.**, 2700 Post Oak Blvd., Houston, TX 77056. This proposed facility is located in St. Marys, **Elk County**.

Description of Proposed Activity: discharge of stormwater.

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply (stream and public water supplier) considered during the evaluation is PA American Water Company and the West Branch Susquehanna River located at Milton Borough approximately 118 miles below point of discharge.

The receiving stream, West Creek, is in watershed 8-A and classified for: HQ-CWF, aquatic life, water supply and recreation.

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

Parameter	Concentrations		
	Average Monthly (mg/l)	Maximum Daily (mg/l)	Maximum Maximum (mg/l)
CBOD ₅	XX		
Chemical Oxygen Demand	XX		
Oil and Grease	XX		
SARA Title III, Section 313 Water Priority Chemicals**	XX		
Total Suspended Solids	XX		
Total Phosphorus	XX		
Total Kjeldahl Nitrogen	XX		
Total Iron	XX		
pH	6.0 to 9.0 standard units at all times		

XX—Monitor and report on monthly DMRs.

The EPA waiver is in effect.

PA0239577, Sewage. **United States Department of Agriculture, Allegheny National Forest**, 222 Liberty Street, P. O. Box 847, Warren, PA 16365. This proposed facility is located in Hamilton Township, **McKean County**.

Description of Proposed Activity: New discharge of treated sewage.

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, Fluoride, Phenolics, Sulfate and Chloride, existing downstream potable water supply, considered during the evaluation is the Emlenton Water Company located on the Allegheny River, approximately 105 miles below point of discharge.

The receiving stream, the Kinzua Creek, is in watershed 16 and classified for: CWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0075 mgd.

Parameter	Concentrations		
	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
Flow	XX		
CBOD ₅	25		50
Total Suspended Solids	30		60
Fecal Coliform			
*(5-1 to 9-30)	200/100ml		1,000/100ml
*(10-1 to 4-30)	2,000/100ml		10,000/100ml
Total Residual Chlorine	.5		1.2
Dissolved Oxygen		minimum of 6 mg/l at all times	
pH		6.0 to 9.0 standard units at all times	

*As geometric mean.

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)

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

WQM Permit No. 3905403, Sewerage, **Upper Saucon Township Municipal Authority**, 5500 Camp Meeting Road, Center Valley, PA 18034-9444. This proposed facility is located in Upper Saucon Township, **Lehigh County**.

Description of Proposed Action/Activity: This project will construct a new pumping station and force main north of the intersection of Spring Valley Road and Franklin Lane.

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

WQM Permit No. 2105401, Sewerage, **Big Spring Fish and Game, Spencer Miller**, P. O. Box 81, Newville, PA 17241. This proposed facility is located in North Newton Township, **Cumberland County**.

Description of Proposed Action/Activity: Construction/Installation of a small flow sewage treatment system to serve meeting facility on an existing lot.

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

WQM Permit No. 2604401, Sewerage, **Perry Township Municipal Authority**, P. O. Box 183, Star Junction, PA 15483 This proposed facility is located in Perry Township, **Fayette County**.

Description of Proposed Action/Activity: Application for construction and operation of sewage treatment plant and sewer and pumping system to serve the Wickhaven, Whitsett and Banning areas.

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

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

WQM Permit No. 4305401, Sewerage, **City of Farrell**, 500 Roemer Boulevard, Farrell, PA 16121. This proposed facility is located in City of Farrell, **Mercer County**.

Description of Proposed Action/Activity: This project is for the replacement of the Kiefer Pump Station along with pumps, motors and controls and the replacement of the existing 8 inch force main with a 12 inch force main.

WQM Permit No. 2005402, Sewerage, **Conneaut Lake Joint Municipal Authority**, 9888 Route 285 West, P. O. Box 277, Conneaut Lake, PA 16316-0277. This proposed facility is located in Sadsbury Township, **Crawford County**.

Description of Proposed Action/Activity: This project is for the replacement of an ejector station with a submersible grinder pump station.

WQM Permit No. 1605401, Sewerage, **Shipperville Borough Sewage**, P. O. Box 244, Shipperville, PA 16254-0244. This proposed facility is located in Elk Township, **Clarion County**.

Description of Proposed Action/Activity: This project is to replace existing chlorine tablet disinfection system with a liquid Chlorine chemical feed pump, day tank and appurtenances.

WQM Permit No. 6203418, Sewerage Amendment No. 1, **Sugar Grove Area Sewage Authority**, P. O. Box 321, Sugar Grove, PA 16350. This proposed facility is located in Sugar Grove Borough and Sugar Grove Township, **Warren County**.

Description of Proposed Action/Activity: This project is for sanitary sewer lines, force main sewer lines, low pressure sewer lines, two duplex pump stations, a premanufactured extended aeration wastewater treatment plant and an outfall sewer line.

WQM Permit No. 1605402, Sewerage, **Exit 60 Sewerage, Inc.**, P. O. Box 265, Clarion, PA 16214. This proposed facility is located in Paint Township, **Clarion County**.

Description of Proposed Action/Activity: This project is for the construction and operation of a new wastewater treatment facility to serve a residential and commercial development.

WQM Permit No. 2405401, Sewerage, **Jay Township Authority**, 81 West Teaberry Street, P. O. Box 186, Weedville, PA 15686. This proposed facility is located in Jay Township, **Elk County**.

Description of Proposed Action/Activity: This project is for the construction of four pump stations and sewer extensions to serve the villages of Scattertown, Weedville and Caledonia.

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

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 & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01 1505026	Jennersville Professional Center, LLC 2215 Baltimore Pike Oxford, PA 19363	Chester	Penn Township	UNT East Branch Big Elk Creek (HQ-TSF-MF)

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

Lehigh County Conservation District: Lehigh Ag. Ctr., Ste. 102, 4184 Dorney Park Rd., Allentown, PA 18104, (610) 391-9583.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023905013	Peter Cooper 133 State St. Emmaus, PA 18049	Lehigh	South Whitehall Township	Little Lehigh Creek HQ-CWF
PAI023905014	Bethany United Methodist Church 1208 N. Brookside Rd. Allentown, PA 18106	Lehigh	Lower Macungie Township	Little Lehigh Creek HQ-CWF

Pike County Conservation District: HC 6, Box 6770, Hawley, PA 18428, (570) 226-8220.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI025205004	Lumberland, Inc. P. O. Box 162 Pond Eddy, NY 12770	Pike	Delaware Township	Adams Creek EV

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

Sullivan County Conservation District: R. R. 2, Box 2022B, Dushore, PA 18614, (570) 928-7057.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI045705001	Bruce R. Smay Muncy Creek Watershed Assoc. P. O. Box 47 Muncy, PA 17756	Sullivan	Laporte and Davidson Townships	Muncy Creek-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 & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI056505001	Unity Land Management, LLC R. D. 8, Box 532 Greensburg, PA 15601	Westmoreland	Unity Township	UNT to Sewickley 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)			
<i>Northeast Region: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.</i>				

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>DEP Protocol (Y/N)</i>
PAG132277	Hughestown Borough 42 Center Street Hughestown, PA 18640	Luzerne	Hughestown Borough	Susquehanna River WWF	Y

PUBLIC WATER SUPPLY (PWS) PERMIT

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

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

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

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

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

Applicant	Lexington Land Development Corporation
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Municipality	Reading Township
County	Adams
Responsible Official	William C Bashore, Senior Vice President 336 West King Street Lancaster, PA 17603
Type of Facility	Public Water Supply
Consulting Engineer	Christopher S Pecora, P. E. KPI Technology 143 Carlisle Street Gettysburg, PA 17325
Application Received Date	4/18/2005
Description of Action	Construction of a new community water system to be called Hampton Heights.
Permit No. 0105504	Public Water Supply.
Applicant	Battlegrounds at Plum Run
Municipality	Cumberland Township
County	Adams
Responsible Official	Wayne B Hill, Owner P. O. Box 3038 828 Biglerville Road Gettysburg, PA 17325-0038
Type of Facility	Public Water Supply
Consulting Engineer	Richard M Bodner, P. E. Martin and Martin, Inc. 37 S. Main St. Chambersburg, PA 17201
Application Received Date	4/19/2005
Description of Action	Construction of a new community water system

Central Office: Bureau Director, Water Supply and Wastewater Management, P. O. Box 8467, Harrisburg, PA 17105-8467

Permit No. 9996436	Public Water Supply.
Applicant	Monadnock Mountain Spring Water, Inc.
Township or Borough	Wilton, NH

Responsible Official	Vincent Gerbino, QC Manager and Compliance Officer
Type of Facility	Out-of-State Bottled Water System
Application Received Date	May 3, 2005
Description of Action	Applicant requesting Department approval to sell bottled water in Pennsylvania under the brand name Monadnock Mountain Spring Water

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, 303, 304 and 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 any 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, or 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 following sites, 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 under 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 listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department of Environmental Protection has received the following Notice(s) of Intent to Remediate:

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

ITT Engineered Processed Solutions Group, Borough of Columbia, **Lancaster County**. ENSR International, 2005 Cabot Boulevard West, Suite 100, Langhorne, PA 19047, on behalf of ITT Engineered Process Solutions Group, 10 Mountainview Road, Upper Saddle River, NJ 07458, submitted a revised Notice of Intent to Remediate site soils and groundwater contaminated with gasoline and No. 2 fuel oil. The applicant seeks to remediate the site to a combination of the Statewide Health and Site-specific standards.

Brethren Village, Manheim Township, **Lancaster County**. GCI Environmental, 1250 East King Street, Lancaster, PA 17602-3236 on behalf of Brethren Village, 3001 Lititz Pike, P. O. Box 5093, Lancaster, PA 17606-5093, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with heating oil. The applicant seeks to remediate the site to the site-specific standard. The property will continue to be a residential community.

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

Liberty Park Development Site, City of Pittsburgh, **Allegheny County**. Joseph M. Harrick, Penn Environmental and Remediation, Inc., 359 Northgate Drive, Warrendale, PA 15066 on behalf of John Coyne P. E., Director of Engineering and Construction, Urban Redevelopment Authority of Pittsburgh, 200 Ross Street, Pittsburgh, PA 15219 has submitted a Notice of Intent to Remediate soils contaminated with metals including antimony, arsenic, boron, lead, thallium, silver, and PAHs; and site groundwater contaminated with perchloroethylene. Planned remediation includes a combination of excavation and removal of site soils or managing them onsite with placement under appropriate buffers to meet a Site-Specific Standard, and addressing groundwater through pathway elimination to meet a Site-Specific Standard or showing it meets a nonuse aquifer Statewide Health Standard. Future planned use is for Residential development including single and multi-family units.

BWXT Parks Township Site, Parks Township, **Armstrong County**. Bruce E. Fishman, Ph.D., DABT, RBR Consulting, Inc., 650 Shady Drive, Beaver Falls, PA 15010 on behalf of James R. Barrett, BWX Technologies, Inc., Engineering and Technical Services, MC106, Mount Athos Road, Lynchburg, VA 24504-5447 has submitted a Notice of Intent to Remediate site groundwater contaminated with chlorinated solvents to meet a Site-Specific Standard. The site was previously remediated to demonstrate attainment of radiological standards, which resulted in a full-unrestricted release by the Nuclear Regulatory Commission. No future planned use for the site.

R & P Coal Company Property (Former) Indiana Township, **Indiana County**. Mary King, Civil & Environmental Consultants, Inc., 333 Baldwin Road, Pittsburgh, PA 15205 on behalf of C. Edward Receski, Indiana University of Pennsylvania, an Institute within the Pennsylvania State System of Higher Education, 235 Sutton Hall, Indiana, PA 15705-1085 and William Weir, R & P Coal Company, 1800 Washington Road, Pittsburgh, PA 15241-1421 has submitted a Notice of Intent to Remediate site soils and groundwater contaminated with chlorinated solvents to meet a Statewide Health Standard by excavation and removal of contaminated soils and monitoring of ground water to show it meets the standard at the property boundary. Future planned use of the site is for offices and/or classrooms for the University.

Johnstown Cambria Iron Works, City of Johnstown, **Cambria County**. Harry Trout, L. Robert Kimball & Associates, 415 Moon Clinton Road, Coraopolis, PA 15108 on behalf of Deborah M. Walter, Johnstown Redevelopment Authority, 401 Washington Street, Johnstown, PA 15901 has submitted a Baseline Environmental Report concerning the remediation of site soil contaminated with fuel oil and lead. The Baseline Environmental Report was approved by the Department on February 18, 2005.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

NEW SOURCES AND MODIFICATIONS

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

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

Copies of the applications, subsequently prepared draft permits, review summaries and other support materials are available for review in the regional office identified in this notice.

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

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodation

to participate should contact the regional office identified before the application. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

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

PLAN APPROVALS

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

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

45-313-013: Johnson-Diversey, Inc. (880 Crowe Road, East Stroudsburg, PA 18301) for construction of a packaging system and associated air cleaning device at their facility in Stroud Township, **Monroe County**.

48-309-125: Keystone Cement Co. (P. O. Box A, Bath, PA 18014) for construction of a finish mill and related material feed system and an indirect coal firing system at their facility in East Allen Township, **Northampton County**.

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

06-03063B: East Penn Mfg. Co., Inc. (P. O. Box 147, Deka Road, Lyon Station, PA 19536-0147) for construction of a small parts caster and lead pot controlled by a fabric collector and HEPA filter in the Borough of Kutztown, **Berks County**.

06-05007C: Carpenter Technology Corp. (P. O. Box 14662, Reading, PA 19612-4662) for construction of a replacement electric arc furnace controlled by an existing fabric collector in the City of Reading, **Berks County**. The facility is subject to Title V. The source is subject to 40 CFR Part 60, Subpart AA, Standards of Performance for New Stationary Sources.

67-03132A: Voith Siemens Hydro Power Generation (P. O. Box 712, York, PA 17405) for construction of an iron powder cutting and plasma cutting operation controlled by a cyclone and cartridge collector in series at its hydro turbines and parts manufacturing facility in West Manchester Township, **York County**.

67-05007B: Adhesives Research, Inc. (P. O. Box 100, Glen Rock, PA 17327) for modification of an existing coater and addition of a new coater, both to be controlled by a new Regenerative Thermal Oxidizer at its adhesive coating facility in Springfield Township, **York County**.

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

61-011C: Merisol Antioxidants LLC (292 State Route 8, Oil City PA 16301) for modification of distillation columns, addition of a new column, modifications to the flare and additional ancillary modifications for the Meta Expansion Project in Cornplanter Township, **Venango County**.

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

AMS 05056: Arway Linen and Rentals (1696 Foulkrod Street, Philadelphia, PA 19124) for installation of a 300 hp No. 4 oil fired boiler in Philadelphia, **Philadelphia County**.

AMS 05057: Calpine Philadelphia—Southwest Water Pollution Control Plant (8200 Enterprise Ave, Philadelphia, PA 19153) for modification of operating restrictions on the digester gas engines in Philadelphia, **Philadelphia County**.

AMS 05058: Calpine Philadelphia—Northeast Water Pollution Control Plant (3895-99 Richmond Street, Philadelphia, PA 19137) for modification of operating restrictions on digester gas engines in Philadelphia, **Philadelphia County**.

AMS 05066: Ashland Specialty Chemical Co. (2801 Christopher Columbus Boulevard, Philadelphia, PA 19148) for installation of a Fiber Reinforced Plastic resin plant in Philadelphia, **Philadelphia 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.

46-00201: Kirk and Nice Funeral Home and Crematorium (80 Stenton Avenue, Whitmarsh Township, PA) for operation of a human crematorium in Whitmarsh Township, **Montgomery County**. The permit is for a non-Title V (State only) facility. The major source of air emissions is one human crematorium rated at 0.716 MMBtu/hr primary combustion and 1.4 mmBtu/hr secondary combustion. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

46-00029: Glasgow, Inc.—Spring House Asphalt Plant and Quarry (PA Route 309 and Hartman Road, Montgomeryville, PA 18936) for a non-Title V, State Only, Synthetic Minor Permit in Montgomery Township, **Montgomery County**. Glasgow, Inc. owns and operates a stationary stone crushing plant, an electric powered portable stone crushing plant and a batch asphalt plant at this location. This permit also includes another portable stone crushing plant that operates at this facility and is shared with other asphalt plants and quarries under the control of Glasgow, Inc. This facility has the potential to emit 20.68 tons of particulate matter per year, 24.9 tons of nitrogen oxides per year, 6.8 tons of volatile organic compounds per year, 13.15 tons of sulfur dioxide per year, and 59.53 tons carbon monoxide per year. Monitoring, recordkeeping and reporting requirements have been added to the permit to address applicable limitations.

09-0156B: Jolly Gardener Products, Inc.—Frontier Division (500 East Pumping Station Road, Quakertown, PA 18951) for installation of the diesel engine and the wood processing equipment Richland Township, **Bucks County**. This installation of the diesel engine and the wood processing equipment may result in the emissions of

30.12 ton per year of nitrogen oxides, 1.17 tons per year of carbon monoxide, 0.22 ton per year of volatile organic compounds, 5.79 tons per year of sulfur oxides and 11.1 tons per year of particulate matter. The Plan Approval and Operating Permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

39-301-082: We Are Pets, Inc. (9923 Old Route 22, Breinigsville, PA 18031) for installation and operation of a Pet Crematory at their facility in Weisenburg Township, **Lehigh County**. The unit will have a rated capacity of 150 lbs/hr and fire on LP gas. The minimum operating temperature of 1800°F shall be maintained with a minimum gas retention time of 1 second in secondary combustion chamber. Expected particulate emissions will be 0.009 grain/dscf, corrected at 7% O₂. CO emission will be less than 4.5 PPM corrected to 7% O₂. Visible air contaminants shall not be emitted in a manner so that the opacity of the emissions is equal to or greater than 10% for a period or periods aggregating more than 3 minutes in any 1 hour; or equal to or greater than 30% at any time. The Plan Approval and Operating Permit will include testing, monitoring, recordkeeping and reporting requirements designed to keep the source operating within all applicable air quality requirements.

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

36-05090A: Hershey Foods Corp.—Y & S Candies, Inc. (400 Running Pump Road, Lancaster, PA 17603) for construction of a new fabric collector at their candy manufacturing facility in East Hempfield Township, **Lancaster County**. The new source has the potential to emit less than 1 ton of PM10 per year. The plan approval will include monitoring, recordkeeping, work practices and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

AMS 03046: TDPS Materials (2nd Street and Erie Avenue Philadelphia, PA 19120) for installation of a 110 tons per hour concrete crushing plant. The NO_x emissions will increase by 6.72 tons and the particulate emissions will increase by 11.85 tons per rolling 12-month period. The plan approval will contain operating and recordkeeping requirements to ensure operation within all applicable requirements.

AMS 05036: Southern Graphic Systems (2781 Roberts Ave., Philadelphia, PA 19129) for replacement of a flexographic printing plate processor. There is no increase in emissions from this installation. The plan approval will contain operating and recordkeeping requirements to ensure operation within all applicable requirements.

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.

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

54-00041: Silberline Manufacturing Co., Inc. (130 Lincon Drive, P. O. Box B, Tamaqua, PA 18252) for operation of two combustion boilers and milling and screening operation in Rush Township, **Schuylkill County**. This action is a renewal of the Title V Operating Permit issued in 2000.

13-00014: Silberline Manufacturing Co, Inc. (130 Lincon Drive, P. O. Box B, Tamaqua, PA 18252) for operation of two combustion boilers and milling and screening operation in Lansford Borough, **Carbon County**. This action is a renewal of the Title V Operating Permit issued in 2000.

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

01-05007: Schindler Elevator Corp. (1200 Biglerville Road, Gettysburg, PA 17325-4449) for a renewal of their Title V Operating Permit. The facility manufactures elevators and moving stairways (SIC Code No. 3534). The facility's major sources of emissions are the coating booths. The sources primarily emit volatile organic compounds in Cumberland Township, **Adams County**.

28-05002: Letterkenny Army Depot—United States Department of Defense (1 Ovecash Avenue, Building 365, Chambersburg, PA 17201) for renewal of their Title V Operating Permit. The Depot Systems Command installation primarily emits volatile organic compounds, nitrogen oxides, sulfur oxides and particulate matter in Greene/Letterkenny Townships, **Franklin County**.

67-05047: Modern Landfill (4400 Mt. Pisgah Road, York, PA 17402-8240) for operation of a municipal landfill in Windsor and Lower Windsor Townships, **York County**. This is a renewal of the Title V Operating Permit.

Intent to Issue Operating Permits 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.

39-00076: Coplay Aggregates, Inc. (5101 Beekmantown Road, Whitehall, PA 18052) for operation of a stone crushing plant and its accessories at their facility in Whitehall Township, **Lehigh County**.

39-00077: Puritan Products, Inc. (2290 Avenue A, Bethlehem, PA 18017) for operation of a wholesale distribution of industrial chemicals which includes warehouse, storage, blending and packaging and its associated operation at their facility in the City of Bethlehem, **Lehigh County**.

40-00074: Altec Industries, Inc. (250 Laird Street, Plains, PA 18705) for operation of four spray booths and their associated accessories at their facility in Plains Township, **Luzerne County**.

40-00085: Carpenter Certech, Inc. (550 Stewart Road, Wilkes Barre, PA 18706) for operation of four kilns, five ovens, two curing ovens and alumina spraybooth and their associated accessories at their facility in Hanover Township, **Luzerne County**.

40-00087: Pride Mobility Products Corp. (182 Susquehanna Avenue, Exeter, PA 18643) for operation of two 16.8 mmBtu/hr gas fired boilers and their associated accessories at their facility in Duryea Borough, **Luzerne County**.

40-00092: Rad Woodwork Co., Inc. (P. O. Box 531, Nescopeck, PA 18635) for operation of three woodwork processes and their associated control equipment at their facility in Nescopeck, **Luzerne County**.

48-00072: Lift All East, Inc. (2706 Broad head Road, Bethelhem, PA 18020) for operation of a spray booth and their accessories at their facility in Bethlehem Township, **Northampton County**.

48-00081: NAPA Development Corp., Inc. (P. O. Box 639, Wind Gap, PA 18091) for operation of a portable stone crushing plant and its associated accessories at their facility in Plainfield Township, **Northampton County**.

52-00005: Springbrook Enterprises, Inc. (HC 8, Box 8210, Hawley PA 18428) for operation of a stone crushing plant and its accessories at their facility in Blooming Grove Township, **Pikes County**.

54-00061: Kaytee Products Inc. (55 North Sillyman Street, Cressona, PA 17929-1196) for operation of a grain processor and manufacturing of bird food products at their facility in Cressona Borough, **Schuylkill County**.

54-00063: Greater Pottsville Area Sewer Authority (401 North Center Street, Pottsville, PA 17901-7163) for operation of their sewage facility in the City of Pottsville, **Schuylkill County**.

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

49-00046: Kurt Weiss Greenhouses of Pennsylvania, Inc. (10 Arcos Road, Mt. Carmel, PA 17851) for operation of a greenhouse facility at 10 Arcos Road in Mt. Carmel Township, **Northumberland County**.

The facility incorporates five natural gas/#2 fuel oil fired boilers, two of which are equipped with low nitrogen oxides burners. The applicant had previously proposed to restrict the operation of each of these five boilers to a maximum of 180 hours in any 12 consecutive month period to ensure that the facility is a synthetic minor with respect to its air contaminant emissions but, in place of this prior proposed restriction, has now proposed to restrict the facility-wide #2 fuel oil usage to 2,000,000 gallons in any 12 consecutive month period as well as the maximum #2 fuel oil sulfur content to .2% (by weight) for this purpose. Based on these new proposed restrictions, the facility is not expected to emit more than 28.95 tons of sulfur oxides, 37.87 tons of nitrogen oxides, 16.94 tons of carbon monoxide, 3.83 tons of particulate matter (including PM10) and 1.52 tons of volatile organic compounds in any 12 consecutive month period.

The Department proposes to incorporate into the operating permit to be issued conditions requiring compliance with all applicable regulatory requirements pertaining to the emission of air contaminants as well as the conditions previously established in Plan Approvals 49-302-051 and 49-302-051A and Operating Permit 49-302-051. These previously-established conditions include a condition limiting the fuel used in all five boilers to natural gas and #2 fuel oil to which no reclaimed or waste oil or other waste materials have been added, a condition requiring the use of low nitrogen oxides burners on two of the five boilers as well as a condition restricting the nitrogen oxides emissions from the same two boilers to 31 parts per million when burning natural gas and 76 parts per million when burning #2 fuel oil (parts per million on a dry volume basis, corrected to 3% oxygen).

The Department additionally proposes to incorporate into the operating permit to be issued a condition limiting the amount of #2 fuel oil used in the facility to no more than 2 million gallons in any 12 consecutive month period, a condition limiting the sulfur content of the #2 fuel oil to no more than .2% (by weight) and a condition requiring the maintenance of records of the amount of #2 fuel oil used in the facility each month as well as the sulfur content of each load of #2 fuel oil delivered to the facility.

17-00057: Petroleum Development Corp. (103 East Main Street, Bridgeport, WV 26330) for their Tate compressor station in Greenwood Township, **Clearfield County**. The facility's main sources include a 115 hp natural gas fired reciprocating internal combustion compressor engine and a glycol dehydration system. The facility has the potential to emit nitrogen oxides, sulfur oxides, carbon monoxide, particulate matter, volatile organic compounds, and hazardous air pollutants below the major emission thresholds. The proposed operating permit contains all applicable regulatory requirements including monitoring, recordkeeping, and reporting conditions.

17-00058: Petroleum Development Corp. (103 East Main Street, Bridgeport, WV 26330) for their Passmore compressor station in Bell Township, **Clearfield County**. The facility's main sources include a 180 hp natural gas fired reciprocating internal combustion compressor engine and a glycol dehydration system. The facility has the potential to emit nitrogen oxides (NOx), sulfur oxides (SOx), carbon monoxide (CO), particulate matter (PM10), volatile organic compounds (VOCs), and hazardous air pollutants (HAPs) below the major emission thresholds. The proposed operating permit contains all applicable regulatory requirements including monitoring, recordkeeping, and reporting conditions.

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

11-00508: Johnstown Crematory (146 Chandler Avenue, Johnstown, Pa 15906) for operation of human crematory in Lower Yoder Township, **Somerset County**.

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

43-00286: RW Sidley, Inc. (3401 New Castle Road, West Middlesex, PA 16159) for a Natural Minor Permit to operate a concrete products manufacturing facility in Shenango Township, **Mercer County**. The facility included portable concrete batch plant as a significant source.

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

S04-016: Sea Gull Lighting Products, Inc. (25th and Wharton Streets, Philadelphia, PA 19146) for issuance of a Minor State Only Operating Permit. The facility's air emission sources include two less than 3 mmBtu/hr boilers, symbol a drying oven, three paint booths, a paint stripping operation, and a polishing process with a dust collector in the City of Philadelphia, **Philadelphia County**.

The operating permit will be issued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University

Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426.

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

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

ber; 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.

17051601 and NPDES Permit No. NA, Junior Coal Contracting, Inc., (2330 Six Mile Road, Philipsburg, PA 16866), to operate the Leslie Tipple in Decatur Township, **Clearfield County** and for NPDES discharge permit. Surface Acres Proposed 38.0. Receiving Stream: Moshannon Creek, classified for the following use: TSF. Application received March 7, 2005.

30841312 and NPDES Permit No. PA0013490, Consolidation Coal Company, (1 Bridge Street, Monongah, WV 26554), to revise the permit for the Blacksville Mine No. 2 in Wayne Township, **Greene County** to install 37 degasification boreholes. Surface Acres Proposed 18.5. No additional discharges. Application received March 11, 2005.

30810703 and NPDES Permit No. PA0092894, Consol Pennsylvania Coal Company, (1525 Pleasant Grove Road, Claysville, PA 15323), to revise the permit for the Bailey Coal Refuse Disposal Areas No. 1 and No. 2 in Richhill Township, **Greene County** to modify the reclamation plan and add an NPDES discharge point at Disposal Area No. 1. Receiving Stream: UNT to Owens Run, classified for the following use: WWF. Application received April 21, 2005.

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

26040103 and NPDES Permit No. PA0250589, Amerikohl Mining, Inc., (202 Sunset Drive, Butler, PA 16001). Revision application to mine the Sewickley coal seam for sandstone to an existing bituminous surface mine, located in German Township, **Fayette County**, affecting 201.4 acres. Receiving streams: UNTs to Cat's Run, classified for the following use: WWF. The first potable water supply intake within 10 miles downstream from the point of discharge: Masontown Water Works. Revision application received: May 2, 2005.

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

16050106 and NPDES Permit No. PA0242675, Timothy A. Keck (93 Carrier Street, Summerville, PA 15864). Commencement, operation, and restoration of a bituminous surface strip and auger operation in Redbank Township, **Clarion County** affecting 224.0 acres. Receiving streams: UNTs to Pine Creek, classified for the following uses: CWF. The first downstream potable water supply intakes from the point of discharge are Hawthorn Area Municipal Authority and Redbank Valley Municipal Authority. Application to include a landuse change from non-commercial forestland to unmanaged natural habitat on lands of Timothy A. Keck. Application received: April 25, 2005.

16050106-E-1, Timothy A. Keck (93 Carrier Street, Summerville, PA 15864). Application for a stream encroachment to upgrade an existing or install a new stream crossing for a haul road crossing of Unnamed Tributary No. 4 to Pine Creek and for construction of the haul road within the 100-foot barrier of the stream in Redbank Township, **Clarion County** affecting 224.0 acres. Receiving streams: UNTs to Pine Creek, classified for the following uses: CWF. The first downstream potable water supply intakes from the point of discharge are Hawthorn Area Municipal Authority and Redbank Valley Municipal Authority. Application received: April 25, 2005.

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

17814000 and NPDES Permit No. PA0608769, TDK Coal Sales, Inc. (P. O. Box 259, Brockway, PA 15824), major permit revision to temporarily relocate Township Road 356 from a starting point approximately 3,484 feet south of the intersection of T-356 and SR-3011 to a point 2,870 feet south of the starting point. The permit is located in Penn Township, **Clearfield County** and affects 204.2 acres. Receiving streams: Irish Run and UNTs to Irish Run. Application received: March 24, 2005.

17910124 and NPDES Permit No. PA0206725, TDK Coal Sales, Inc. (P. O. Box 259, Brockway, PA 15824), major permit revision to temporarily relocate Township Road 356 from a starting point approximately 3,484 feet south of the intersection of T-356 and SR-3011 to a point 2,870 feet south of the starting point. The permit is located in Brady Township, **Clearfield County** and affects 393 acres. Receiving streams: Beech Run and UNT to Laurel Branch. Application received: March 24, 2005.

17900143 and NPDES Permit No. PA0206458. TDK Coal Sales, Inc. (P. O. Box 259, Brockway, PA 15824), major permit revisions to temporarily relocated Township Road 356 from a starting point approximately 3,484 feet south of the intersection of T-356 and SR-3011 to a point 2,870 feet south of the starting point. The application also includes a revision for a change in permit acreage from 342.5 to 344.7 acres. The permit is located in Penn Township, **Clearfield County**. Receiving streams: Irish Run and UNTs to Irish Run. Application received: March 24, 2005.

17030101 and NPDES Permit No. PA0243418. AMFIRE Mining Co., LLC (One Energy Place, Latrobe, PA 15650), major permit revision to an existing bituminous surface mine permit to add mining of the Middle Kittanning coal seam. The permit is located in Penn Township, **Clearfield County** and affects 220.8 acres. Receiving streams: UNTs to Bell Run and Bell Run.

Application received: April 4, 2005.

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

54050101. Park Mine Coal Company, (60 Weston Place, Shenandoah, PA 17976), commencement, operation and restoration of an anthracite surface mine and coal refuse reprocessing operation in Mahanoy Township, **Schuylkill County** affecting 602.0 acres, receiving stream: North Mahanoy Creek, classified for the following use: cold water fishes. Application received May 2, 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.

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

7775SM12C4 and NPDES Permit No. PA0223573. Highway Materials, Inc., (1750 Walton Road, Blue Bell, PA 19422), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Alsace Township, **Berks County**, receiving stream: unnamed tributary to Laurel Run, classified for the following use: warm water fishes. Application received April 28, 2005.

34900801. Robert L. Gibbons, (R. R. 1 Box 500, Honey Grove, PA 17035), Stages I and II bond release for a quarry operation in Tuscarora Township, **Juniata County** affecting 1.0 acre on property owned by Robert L. Gibbons. Application received May 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.

E15-734. Department of Transportation, 7000 Geerdes Boulevard, King of Prussia, PA 19406. Caln, East Whiteland and Tredyffrin Townships, **Chester County**, ACOE Philadelphia District.

PA Description E15-734

To widen, maintain and reconstruct an approximately 6.7-mile segment of existing highway, U. S. Route 202 Section 300, from four lanes to six lanes. Work will occur in and along the Valley Creek Watershed (EV) and will extend from the southern end at the U. S. Route 202 and Route 30 (Exton Bypass) Interchange (Malvern, PA Quad-angle N: 6.3 inches: W: 12.0 inches) in East Whiteland Township to the northern end at Howellville Road and the Swedesford Road Interchange (Valley Forge, PA Quad-angle N: 10.9 inches: W: 14.5 inches) in Tredyffrin Township, Chester County. The existing grass median will be replaced with a through lane and shoulder in each direction.

In addition, as part of the overall project the activities will also incorporate: two offsite intersection improvements, U. S. Route 202 and PA Route 29 interchange improvements, seven overhead/underpass bridge reconstructions, a Park-and-Ride lot construction and construction of a 2.4 mile two lane Collector-Distributor Road (C-D) along the northbound side of U. S. Route 202 in the PA Route 29 interchange area.

The project includes provisions for the construction of replacement wetlands and stream restoration along Valley Creek and Little Valley Creek at Ecology Park and 84 Lumber.

The project has been divided into four design/construction sections (310, 311, 320 and 330).

This permit is for Section 310 and is the first submission. The majority of the Section 310 work consists of:

- Reconstruction of the three overhead bridges as follows: Swedesford Road (S.R. 1002), Church Road (T-486) and Mill lane (T-488);
- A Park-and-Ride Lot at the intersection of Routes 322 and 30 in Caln Township
- Two offsite (OS) intersection improvements:
 - i. Phoenixville Pike and Planebrook Road and Swedesford Road Intersection (OS-1)
 - ii. The vicinity of the Phoenixville Pike and S.R. 0401 (OS-2).

Authorized work under this permit will include the following activities:

1. To place fill and impact 0.09 acres of wetland "T" (PFO-EV) and an associated drainage channel discharging to Valley Creek (EV) to facilitate the construction of a proposed stormwater management facility, the widening of S.R. 0401 (Conestoga Road) on eastbound side and intersection improvement from station 217+00 to the intersection of the S.R. 0401 and Moores Road. The work includes 0.019 acre of temporary wetland impacts.
2. To place fill and impact 0.002 acres of Wetland "3" (PEM-EV) to accommodate the widening of T-852 (Phoenixville Pike) east of Station 22+25.
3. To extend and maintain an existing 36-inch diameter corrugated metal pipe that carries an unnamed tributary to Valley Creek (EV) under T-852 remove at (Phoenixville Pike) east of Station 23+83. The culvert and appurtenant structures will be extended in-kind by approximately 7 feet at the downstream end to accommodate the widening of Phoenixville Pike.

4. To extend and maintain an existing 36-inch reinforced concrete pipe that carries an unnamed tributary to Valley Creek (EV) under T-852 remove at (Phoenixville Pike) at Station 21+50. The culvert and appurtenant structures will be extended in-kind by approximately 5 feet at downstream end to accommodate the widening of Phoenixville Pike.

5. To install and maintain temporary road crossings consisting of four, 18-inch diameter thermoplastic pipes in and along Valley Creek (EV) and Little Valley Creek (EV), associated with the stream restoration at East Whiteland Ecology Park and at the 84 Lumber Property.

6. Applicant proposes the following mitigation for the entire project that will be constructed during Section 310:

- A. To construct 0.60 acres of replacement wetlands on the 84 Lumber property situated along the Little Valley Creek.

- B. To construct and maintain approximately 440 linear feet of stream restoration/ stabilization in and along Little Valley Creek (EV) on the 84 Lumber property.

- C. To construct and maintain approximately 930 linear feet of stream restoration/stabilization in and along Valley Creek (EV) and associated tributaries at Ecology Park south of U. S. 202.

- D. To construct and maintain approximately 215 linear feet of stream restoration/ stabilization in and along tributaries to Valley Creek (EV) parallel to S.R. 0401 at station 218+25.

E23-449. Chester Downs & Marina LLC, c/o Harrah's Entertainment Inc, 777 Harrah's Boulevard, Atlantic City, NJ 08401, Chester City, Delaware County, ACOE Philadelphia District.

To redevelop the 65.06 acres of the former Sun Shipbuilding and Dry Dock Company facility into a new 5/8-mile harness racetrack and casino gaming and entertainment facility (a/k/a Harrah's Chester Casino & Race-track) situated along the Delaware River Waterfront.

Work will include:

1. To construct and maintain a 5/8-mile Oval Harness Racetrack within the 100-year floodway of the Delaware River.
2. Associated with Activity No. 1, to construct and maintain an approximately 37,508-square-foot, concrete pile-supported, high deck racetrack support platform to support the racetrack overtop a tidally flowed slip (Wet Dock No. 1) located between Piers No. 1 and 2 within the Delaware River (WWF, MF).
3. To construct and maintain the following stormwater outfalls:
 - a) Five 24-inch, and one 48-inch diameter HDPE storm water outfalls with rip-rap outlet protection along and discharging into Ridley Creek (WWF, MF).
 - b) Two 24-inch storm water HDPE outfall with riprap outlet protection along and discharging into the Delaware River.
 - c) One 18-inch, one 24-inch, and one 30-inch storm water HDPE outfalls discharging into the tidal Wet Dock (slip).
4. To place and maintain approximately 750 linear feet of riprap bank protection below the high tide line and along the perimeter of previously filled submerged lands. Work will also include minor grading and riparian corridor improvements.

5. To remove several old industrial structures within the Delaware River, including two crane rail supports, a sunken steel barge and pile-supported timber low deck structure (Pier No. 3). Also, to remove approximately 16,613 square feet of upland for conversion to an intertidal shallow water habitat. These activities are being performed as compensation for shading impacts for the new high deck racetrack support platform.

This authorization will replace all licenses previously granted by the Commissioners of Navigation to the Sun Shipbuilding Company and their predecessors.

The site is located at One Morton Avenue on the Delaware River Waterfront, just west of Ridley Creek, which forms the municipal boundary with Eddystone Borough (Bridgeport, PA-NJ Quadrangle N: 18.0 inches; W: 14.0 inches).

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

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

To construct and maintain approximately 375 L.F. of impervious lining under the stream bed of Bushkill Creek (HQ-CWF) in an effort to remedy severe sinkhole formations and re-establish a natural channel within the S.R. 0033 right-of-way located at a point 0.5 mile south of S.R. 0191 (Nazareth, PA Quadrangle N: 22.5 inches; W: 2.1 inches) and to authorize the following plan revisions: to remove the existing S.R. 2017 (Tatamy Road) bridge and to construct and maintain approximately 133 L. F. of stream bed lining in Bushkill Creek (HQ-CWF) in the vicinity of S.R. 2017 located approximately 590 feet downstream of S.R. 0033 (Nazareth, PA Quadrangle N: 22.4 inches; W: 1.8 inches).

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

E28-316: David Hahn, 9238 Gap Road, Waynesboro, PA 17268 in Quincy Township, **Franklin County**, ACOE Baltimore District.

To remove an existing timber bridge then to construct and maintain a 10-foot wide by 24-foot steel beam bridge with timber deck over Biesecker Run (CWF) (Waynesboro, PA Quadrangle N: 6.5 inches; W: 4.8 inches) in Quincy Township, Franklin County.

E07-395: Greenfield Township, R. D. 1, Box 948, Claysburg, PA 16625 in Greenfield Township, **Blair County**, ACOE Baltimore District.

To place fill in 0.04 acre of exceptional value PEM wetlands and less than 0.01 acre of other PEM wetlands for the purpose of: widening the intersection of SR 3013, realigning a segment of SR 3006, and reconstructing T-308 to accommodate the anticipated increase in truck

traffic to the proposed Walter Business Park (40° 16' 25", 78° 27' 48") in Greenfield Township, Blair County. The acreage of wetland impact is considered deminimus, and wetland replacement is not required.

E36-779: Soco Enterprises, Inc., 1330 Charlestown Road, Phoenixville, PA 19460 in Earl Township and East Earl Township, **Lancaster County**, ACOE Baltimore District.

To remove a 54" steel pipe road crossing, then to construct and maintain a concrete road crossing consisting of one 5.5' x 10' open bottom concrete box for normal stream flow and one 5' x 10' concrete box for flood flow located at a point just west of Ranck Road (New Holland PA Quadrangle N: 17.5 inches W: 8.5 inches) in Earl and East Earl Townships, Lancaster County.

E05-329: Keith D. Magill, 131 Ja-Ve Drive, Bedford, PA 15522 in Bedford Township, **Bedford County**, ACOE Baltimore District.

To construct and maintain a private bridge with wingwalls on Pleasant Valley Run (CWF) having a single span of approximately 12 feet, a width of 12 feet and an underclearance of approximately 5.06 feet, and to impact 0.01 acre of PEM wetlands located at a site (Everett West, PA Quadrangle N: 14.9 inches; W: 8.0 inches) approximately 3,400 feet upstream of the T-482 (Deibert Road) Bridge Crossing in Bedford Township, Bedford County for the purpose of constructing a private residence. The acreage of wetland impact is considered deminimus and wetland replacement is not required.

E01-254: James M. Landis, Jr., 23 North Miller Street, Fairfield, PA 17320 in Fairfield Township, **Adams County**, ACOE Baltimore District.

To construct and maintain a 30-foot by 3-foot by 30-foot open bottom concrete box culvert with wingwalls for a private access road over Spring Run (CWF) located west of Fairfield Borough off North Miller Street (Fairfield, PA Quadrangle N: 7.0 inches; W: 17.5 inches) in Fairfield Borough and Hamiltonban Township, Adams County.

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

E17-404. River Hill Power Company LLC, 94 Spruce Street, Indiana, PA 15701-8424. River Hill Power Waste Coal Electric Generating Facility and Appurtenances, Karthaus Township, **Clearfield County**, ACOE Baltimore District (Devils Elbow, PA Quadrangle N: 1.6 inches; W: 0.8 inch).

To construct, operate and maintain six water obstruction and encroachments in association with the construction and operation of a 290-megawatt waste coal electric generating power plant and its appurtenances. The following table lists the specific structure, structure dimensions, waterway impacted, Chapter 93 water quality designation, latitude and longitude.

<i>Structure</i>	<i>Structure Dimension</i>	<i>Waterway Impacted</i>	<i>Water Quality</i>	<i>Latitude</i>	<i>Longitude</i>
Water Make-up Intake	20-inch Diameter x 275-foot Length	West Branch Susquehanna River	WWF	41° 02' 06"	78° 06' 33"
Wastewater Outfall	12-inch x 220-foot Length	West Branch Susquehanna River	WWF	41° 02' 06"	78° 06' 33"

Structure	Structure Dimension	Waterway Impacted	Water Quality	Latitude	Longitude
Access Road Arch Culvert	20-foot Span × 6-foot Rise × 54-foot Length	Dutch Hollow Run	CWF-Wild Trout	41° 08' 00"	77° 07' 50"
Access Road Arch Culvert	57-inch Span × 38-inch Rise × 136-foot Length	UNT-Dutch Hollow Run	CWF-Wild Trout	41° 08' 02"	78° 07' 37"
Access Road Arch Culvert	57-inch Span × 38-inch Rise × 373-foot Length	UNT-Mosquito Creek	HQ-CWF	41° 08' 03"	78° 07' 05"
Access Road Arch Culvert	57-inch Span × 38-inch Rise × 221-foot Length	UNT-Mosquito Creek	HQ-CWF	41° 08' 06"	78° 07' 05"

Since Dutch Hollow Run is a wild trout stream, no construction or future repair work shall be done in or along the stream channel between October 1 and December 31 without the prior written approval of the Pennsylvania Fish and Boat Commission. The northern access road for the River Hill Power waste coal electric generating facility is located along the eastern right-of-way of SR 1001 approximately 2,300 feet north of SR 0879 and SR 1011 intersection. This permit also will authorize construction, operation, maintenance and removal of temporary construction crossings, causeways, stream diversions and cofferdams. All temporary structures shall be constructed of clean rock that is free of fines; and upon completion of construction activities, all temporary structures shall be removed with disturbed areas being restored to original contours and elevations. Construction of the above listed structures will permanently impact a total of 0.32-acre of wetland and 1,079 feet of waterway. For mitigation of the permanent wetland and waterway impacts, the permittee shall construct 0.60-acre of replacement wetland and 2,950 feet of stream mitigation by constructing operating and maintaining an alkaline addition system for Dutch Hollow Run.

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

E03-430. Cowanshannock Creek Watershed Association, P. O. Box 307, Rural Valley, PA 16249. To restore Cowanshannock Creek in Cowanshannock Township, **Armstrong County**, Pittsburgh ACOE District. (Rural Valley, PA Quadrangle N: 8.4 inches; W: 2.7 inches and Latitude: 40° 47' 58"—Longitude: 79° 16' 18"). The applicant proposes to restore and maintain approximately 2200 linear feet of Cowanshannock Creek (WWF). The project is located at the West Shamokin High School off of Route 85.

E11-310. McAneny Brothers, Inc., 470 Industrial Park Road, Ebensburg, PA 15931. To expand an existing warehouse and fill wetlands in Cambria Township, **Cambria County**, Pittsburgh ACOE District. (Nanty Glo, PA Quadrangle N: 15.3 inches; W: 0.9 inch and Latitude: 40° 27' 33"—Longitude: 78° 45' 23"). The applicant proposes to place and maintain fill in 0.38 acres of wetland (PFO) for the purpose of expanding an existing warehouse. The project is located along Industrial Park Road within the Cambria County Industrial Park.

E30-212. Emerald Coal Resources, L. P., 158 Portal Road, P. O. Box 1020, Waynesburg, PA 15370. To place fill in wetland as part of extension of a rail siding in Franklin Township, **Greene County**, Pittsburgh ACOE District. (Waynesburg, PA Quadrangle N: 3.0 inches; W: 13.9

inches and Latitude: 39° 53' 29"—Longitude: 80° 13' 27"). The applicant proposes to place and maintain fill in 0.25 acre of wetland as part of a proposed extension of a rail siding parallel to the existing Norfolk Southern track along South Fork Tenmile Creek (HQ-WWF).

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

E20-541. Mr. James W. Klinginsmith and Ms. Ellen S. Klinginsmith, 11728 South Lake Road, Conneaut Lake, PA 16316. Klinginsmith Dock and Concrete Seawall, in Sadsbury Township, **Crawford County**, ACOE Pittsburgh District (Conneaut Lake, PA Quadrangle N: 18.2 inches; W: 6.6 inches).

The applicant proposes to remove the existing 55-foot long dock and to construct and maintain a 65-foot long dock on posts having a 20-foot by 10-foot platform at the lakeward end of the dock and to construct and maintain a 0.5 foot wide concrete seawall having a length of approximately 70 feet, anchored into the ground landward of the seawall and constructed directly in front of the existing steel seawall approximately 0.5 mile southwest of the intersection of SR 322 and SR 18 on the south side of Conneaut Lake. Conneaut Lake is a perennial body of water classified as a high quality warm water fishery.

E42-314. Department of Transportation, District 2-0, 1924-30 Daisy Street, P. O. Box 342, Clearfield, PA. S.R. 0219, Section C09, Bradford Bypass Upgrade in Bradford and Foster Township, **McKean County**, ACOE Pittsburgh District (Bradford, PA Quadrangle N: 18 inches; W: 0.75 inch to N: 9.75 inches; W: 3.25 inches).

PennDOT is proposing pavement reconstruction and shoulders of 3.3 miles of mainline S.R. 0219 and to replace the existing two structures with the following:

- To construct and maintain a dual 4-span steel plate girder bridge having clear spans of 70.3 feet, 105.4 feet, 105.4 feet, 70.3 feet and an underclearance of 27 feet on a 70° skew across West Branch of Tunungwant Creek and Forman Street, on S.R. 0219, Segment 0550, Offset 0000.

- To construct and maintain a single span composite prestressed concrete spread box beam bridge having a clear span of 58 feet and an underclearance of 8.6 feet on a 82°30' skew across Bolivar Run on S.R. 0219, Segment 0570, Offset 1752.

This project will include no impacts to wetlands. According to 25 Pa. Code Chapter 93, The West Branch of Tunungwant Creek and Bolivar Run are classified as CWF.

ENVIRONMENTAL ASSESSMENTS

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

EA64-003. Rusty Palmer, Inc., 1103 Texas Palmyra Highway, Honesdale, PA 18431-7681, in Texas Township, **Wayne County**, U. S. Army Corps of Engineers, Philadelphia District.

To restore approximately 320 linear feet of the channel of Indian Orchard Brook (HQ-CWF, MF), pursuant to permit waiver provision 25 Pa. Code § 105.12(a)(16), Dam Safety and Waterway Management Regulations. The project will impact approximately 700 linear feet of the current channel alignment. The project is located just upstream of the confluence of Indian Orchard Brook and the Lackawaxen River (White Mills, PA Quadrangle N: 8.5 inches; W: 12.6 inches).

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

EA67-015CO. South Branch, L. P., 6259 Reynold's Mill Road, Seven Valley's, PA 17360-8844, York Township, **York County**, ACOE Baltimore District.

Project proposes to construct, operate, and maintain a nonjurisdictional dam across a tributary to East Branch Codorus Creek (CWF) for the purpose of providing water storage for livestock. A 30-foot wide stream crossing is also proposed. The project will not directly or indirectly impact wetlands, and will impact approximately 250 linear feet of stream channel. The proposed dam and stream crossing will be located approximately 1,050 feet west of the intersection of Reynolds Mill Road and Overlook Street (York, PA Quadrangle, N: 4.7", W: 15.2").

D46-001EA. Montgomery County Commissioners, Montgomery County Court House, P. O. Box 311, Norristown, PA 19404. Bridgeport Borough, **Montgomery County**, ACOE Philadelphia District.

Project proposes to construct, operate, and maintain a fish passage facility at the Norristown Dam for the purpose of facilitating passage and restoration of anadromous fish species within the Schuylkill River (WWF, MF) watershed. The fish passage facility will consist of a 140-foot long Denil fishway located along and adjacent to the south bank of the river (right abutment of dam) and an excavated channel located immediately downstream of the fishway to facilitate fish movement to the fishway entrance. The project will temporarily impact approximately 0.47 acre and permanently impact approximately 0.04 acre of riverine and open water habitat (Norristown, PA Quadrangle, N: 19.8", W: 13.6").

D46-027EA. Exelon Generation, 300 Exelon Way, KSB-3-S, Kennett Square, PA 19348. Phoenixville Borough, **Chester County**, ACOE Philadelphia District.

Project proposes to construct, operate, and maintain a fish passage facility at the Black Rock Dam for the purpose of facilitating passage and restoration of anadromous fish species within the Schuylkill River (WWF, MF) watershed. The fish passage facility will consist of a 130-foot long Denil fishway located along and adjacent to the west bank of the river (right abutment of dam) and an excavated channel located immediately downstream of the fishway to facilitate fish movement to the fishway entrance. The project will temporarily impact approximately 0.48 acre and permanently impact approximately 0.02 acre of riverine and open water habitat including impacts to the Phoenixville Branch Canal (Phoenixville, PA Quadrangle, N: 4.3", W: 1.0").

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.

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0083909 (Sewage)	Conestoga Wood Specialities Corporation 245 Reading Road P. O. Box 158 East Earl, PA 17519-0158	Lancaster County East Earl Township	Conestoga River 7-J	Y
PA0038288 (Industrial Waste)	RecOil, Inc. 280 East Street York, PA 17403	York County York City	UNT Mill Creek 7-H	Y
PA0088331 (Sewage)	David Martin (Lot #1) 914 South 13th Street Harrisburg, PA 17104	Dauphin County Londonderry Township	UNT Conewago Creek 7-G	Y
PA0088293 (Sewage)	Todd A. Librandi 93 Airport Drive Middletown, PA 17057	Dauphin County Londonderry Township	UNT Conewago Creek 7-G	Y
PA0081655 (Industrial Waste)	Philadelphia Mixers 121 East Main Street Palmyra, PA 17078	Lebanon County Palmyra Borough	Killinger Creek 7-D	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N
PA0024686 Industrial Waste	Mid Mon Valley Water Pollution Control Authority P. O. Box 197 Allenport, PA 15412-0197	Washington County Allenport Borough	Monongahela River	Y

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

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

NPDES Permit No. PA0058092, Industrial Waste, **Department of Environmental Protection**, 2 East Main Street, Norristown, PA 19401. This proposed facility is located in Whippen Township, **Montgomery County**.

Description of Proposed Action/Activity: Approval for a minor amendment to discharge up to 10,000 gpd of treated groundwater into Willow Run in Watershed 3F Lower Schuylkill.

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

NPDES Permit No. PA0088331, Sewage, **David Martin, Martin Lot No. 1**, 914 South 14th Street, Harrisburg, PA 17104. This proposed facility is located in Londonderry Township, **Dauphin County**.

Description of Proposed Action/Activity: Authorization to discharge to an UNT to the Conewago Creek in Watershed 7-G.

NPDES Permit No. PA0088293, Sewage, **Todd Librandi, Martin Lot. No. 2**, 93 Airport Drive, Middletown, PA 17057. This proposed facility is located in Londonderry Township, **Dauphin County**.

Description of Proposed Action/Activity: Authorization to discharge to an UNT to the Conewago Creek in Watershed 7-G.

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

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

WQM Permit No. 2893404, Amendment 05-1, Sewerage, Deerwood Homeowners Association, BJC Custom Homes, 11375 Lafayette Road, Mercersburg, PA 17236. This proposed facility is located in Montgomery Township, **Franklin County**.

Description of Proposed Action/Activity: Modifications to sewerage facilities consisting of: change of treatment plant manufacturer from Advanced Environmental Systems, Inc. to Dutchland, Inc. and the wastewater treatment facility will consist of flow equalization, aeration, clarifier, tertiary filter, chlorination, dechlorination and post aeration.

WQM Permit No. 0605403, Sewerage, Muhlenberg Township Authority, 2840 Kutztown Road, Reading, PA 19605. This proposed facility is located in Muhlenberg Township, **Berks County**.

Description of Proposed Action/Activity: Construction of a gravity collection system to serve 269 homes in Saylor Farm Estates. This system will connect into the existing Muhlenberg treatment collection system.

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

WQM Permit No. 6504407, Sewerage, Chapeldale, LLC, 6 Commerce Drive, Pittsburgh, PA 15239. This proposed facility is located in Upper Burrell Township, **Westmoreland County**.

Description of Proposed Action/Activity: Construction of a submersible pump station.

WQM Permit No. 6586407-A1, Sewerage, Hempfield Township Municipal Authority, R. D. 6, Box 501, Greensburg, PA 15601. This proposed facility is located in Hempfield Township, **Westmoreland County**.

Description of Proposed Action/Activity: Construction of a new sewage treatment plant, pump station and 500 LF of 12-inch DEP force main.

WQM Permit No. 0405401, Sewerage, Chippewa Township, 2811 Darlington Road, Beaver Falls, PA 15010. This proposed facility is located in Chippewa Township, **Beaver County**.

Description of Proposed Action/Activity: Construction of approximately 1,803 feet of 8-inch PVC sanitary sewer to serve the Shenango Woods Phase II Development.

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

WQM Permit No. WQG018377, Sewerage, Tania Centra, 558 Quaker Hill Road, Warren, PA 16365. This proposed facility is located in Glade Township, **Warren County**.

Description of Proposed Action/Activity: a single residence sewage treatment plant.

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

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>
PAI026404005	Lake Moc-A-Tek, Inc. P. O. Box 481 Hamlin, PA 18427	Wayne	Paupack Township	Tributary to Wallenpaupack Creek HQ-CWF
PAI024804040	Easton Area School District 811 Northampton St. Easton, PA 18042-4298	Northampton	Forks Township	Bushkill Creek HQ-CWF
PAI025404003	Paul J. Goettner 239 East Main St. Suite 203 East Greenville, PA 18041	Schuylkill	Rush Township	Little Schuylkill River CWF Nesquehoning 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>
PAI030703002-1	Paul and DeAnne Yohn P. O. Box 951 Altoona, PA 16603	Blair	Frankstown Township	UNT Canoe Creek 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 Marlborough Township Chester County	PAG2001504080	Dewson Construction Com Dewson Property 7 South Lincoln Street Wilmington, DE 19805	UNT Pocopson Creek (TSF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
London Grove Township Chester County	PAG2001503054	Willow Creek, LLC Porter Estates Sbdv aka Foxchase 214A Willow Valley Lakes Drive Willow Street, PA 17584	UNT Middle Branch White Clay Creek (TSF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Kennett Township Chester County	PAG2001505032	Herron Hill Properties 10 Yorktown Dr. Kennett Square, PA 19348 and Yorktown Properties, LLC 816 W. Springfield Rd. Springfield, PA 19064	East Branch Red Clay Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Chadds Ford Township Delaware County	PAG2002305016	Calvin E. Powell P. O. Box 195 Chester Heights, PA 19017	West Branch Chester Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Marple Township Delaware County	PAG2002304068	The Nolen Group, Inc. 505 1/2 Germantown Pike Lafayette Hill, PA 19440	Darby Creek (CWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Lower Merion Township Montgomery County	PAG2004605021	Trategic Realty Investment, LLC 1008 Upper Gulph Road Suite 300 Wayne, PA 19087	Cobbs Creek/Delaware River Basin (WWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900

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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>
Upper Moreland Township Montgomery County	PAG2004604166	Anand P. Mittal Willow Crest Manor Development 1012 Stonebridge Road Lower Gwynedd, PA 19002	Tributary Pennypack Creek (TSF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
New Hanover Township Montgomery County	PAG2004603219	TH Properties, Inc. Kingston Hill Phase II 345 Main Street Harleysville, PA 19438	West Branch Swamp Creek (TSF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Moreland Township Montgomery County	PAG2004605006	Maple Village 2815 Byberry Road Hatboro, PA 19040	UNT Pennypack Creek (TSF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Norristown Borough Montgomery County	PAG2004604173	MacAllister Group Hera Business Center Development 6 East Germantown Pike Plymouth Meeting, PA 19462	Sawmill Run (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG2015105004	Plaza Properties Corporation Airport Business Plaza Development 504 South Heilbrun Drive Media, PA 19063	Schuylkill River (CWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG2015105011	School District of Philadelphia CCA Baldi Middle School 734 Schuylkill Avenue Philadelphia, PA 19146-2397	Delaware River (TSF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Borough of Minersville Cass Township Norwegian Township Schuylkill County	PAG2005405010	Municipal Authority Borough of Minersville 2 East Sunbury St. Minersville, PA 17954	West Branch of Schuylkill River CWF	Schuylkill County Cons. Dist. (570) 622-3742
North Whitehall Township Lehigh County	PAG2003904038	Bruce Laub 4984 Glenview St. Schnecksville, PA 18078	Fells Creek CWF	Lehigh County Cons. Dist. (610) 391-9583
Whitehall Township Lehigh County	PAG2003904039	RH Land, LP AVI Hornstein 1150 S. Cedar Cr. Blvd. Allentown, PA 18103	Coplay Creek CWF	Lehigh County Cons. Dist. (610) 391-9583
North Whitehall Township Lehigh County	PAG2003905010	North Whitehall Township Ron Stahley 3256 Levans Rd. Coplay, PA 18037	Coplay Creek CWF	Lehigh County Cons. Dist. (610) 391-9583
Whitehall Township Lehigh County	PAG2003905012	Frank Clark Whitehall Township 3219 Macarthur Rd. Whitehall, PA 18052	Jordan Creek TSF, MF	Lehigh County Cons. Dist. (610) 391-9583
Hazleton City Luzerne County	PAG2004005002	Hazleton Area School District 1515 West 23rd St. Hazleton, PA 18202-1647	Hazle Creek CWF	Luzerne County Cons. Dist. (570) 674-7991
Upper Mt. Bethel Township Northampton County	PAG2004805014	Bruce Cameron Village Properties, LLC 61 Seminole Terrace Mt. Bethel, PA 18343	Allegheny Creek CWF Oughoughton Creek CWF	Northampton County Cons. Dist. (610) 746-1971

<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>
Schuylkill Township Schuylkill County	PAG2005405014	Schuylkill Headwaters Association Inc. P. O. Box 138 Pottsville, PA 17901	UNT to Wabash Creek CWF	Schuylkill County Cons. Dist. (570) 622-3742
Upper Saucon Township Lehigh County	PAG2003905011	Tom Williams Cityline Fire & Water Restoration 822 West Hamilton St. Suite301 Allentown, PA 18101	Saucon Creek CWF	Lehigh County Cons. Dist. (610) 391-9583
Mt. Joy Township Adams County	PAG2000105008	Michael Wachs 718 Arch St. Philadelphia, PA 19016	White Run WWF	Stefani Pililis Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 (717) 334-5171
Hamilton Township Franklin County	PAG2002805030	Oscar and Renee Galvan 741 Dickey's Drive Chambersburg, PA 17201	Back Creek WWF	Franklin County Conservation District 100 Sunset Boulevard West Chambersburg, PA 17201 (717) 264-8074, Ext. 5
Washington Township Franklin County	PAG2002805023	WTMA 11102 Buchanan Trail East Waynesboro, PA 17268	East Branch Antietam Creek CWF	Franklin County Conservation District 100 Sunset Boulevard West Chambersburg, PA 17201 (717) 264-8074, Ext. 5
Guilford Township Franklin County	PAG2002805016	Grove Family Library 101 Ragged Edge Road South Chambersburg, PA 17201	Conococheague Creek CWF	Franklin County Conservation District 100 Sunset Boulevard West Chambersburg, PA 17201 (717) 264-8074, Ext. 5
Montgomery Township Franklin County	PAG2002805019	Apple Jack Estates 10658 Church Hill Road Mercersburg, PA 17236	Conococheague Creek MF-TSF	Franklin County Conservation District 100 Sunset Boulevard West Chambersburg, PA 17201 (717) 264-8074, Ext. 5
Washington Township Franklin County	PAG2002805026	East End Development c/o Ronnie Martin 1625 East Main Street Waynesboro, PA 17268	East Branch Antietam CWF	Franklin County Conservation District 100 Sunset Boulevard West Chambersburg, PA 17201 (717) 264-8074, Ext. 5
East Hanover Township Dauphin County	PAG2002205029	Glenn Kline 9827 Allentown Blvd. Grantville, PA 17028	Bow Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Rd. Dauphin, PA 17018 (717) 921-8100

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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>
Lower Swatara Township Middletown Borough Dauphin County	PAG2002205025	Penn State University 101P Physical Plant Bldg. University Park, PA 16802-1119	Susquehanna River and Swatara Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Rd. Dauphin, PA 17018 (717) 921-8100
West Hanover Township Dauphin County	PAG2002205018	Andrew S Williams 7841 Associates 3035 N Progress Ave. Harrisburg, PA 17110	Manada Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Rd. Dauphin, PA 17018 (717) 921-8100
Wernersville Borough Berks County	PAG2000605035	Peter Eisenhauer Eisenhauer Nissan/Saab, Inc. 6371 Penn Avenue Wernersville, PA 19565	Hospital Creek Tulpehocken Creek Watershed TSF	Berks County Conservation District 1238 County Welfare Road P. O. Box 520 Leesport, PA 19533-0520 (610) 372-4657, Ext. 201
Dover Township York County	PAG2006704040	Ashcombe Farms West, Phases 2 and 3 AFW Development, Inc. 1730 Columbia Ave. Lancaster, PA 17603	Fox Run TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
York Township York County	PAG2006704102	Kibler Properties LLC 2575 Eastern Blvd. York, PA 17402	MB of Codorus Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Springettsbury Township York County	PAG2006704131	Saturn of York—Sutilff Enterprises P. O. Box 1307 Harrisburg, PA 17105	UNT to Mill Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
West Manchester Township York County	PAG2006705032	Golden Tract West Kinsley Equities II 6259 Reynolds Mill Road Seven Valleys, PA 17360	Little Conewago Creek TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Penn Township York County	PAG2006705026	Baxter Investment-Wallen Tract Apartments Baxter Investment Group Chris Trone 1108 Baltimore Steet	Oil Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
West Manheim Township York County	PAG2006704043	Joshua Hill Farm Woodhaven Development 4175 Hanover Pike Manchester, MD 21102	WB Codorus Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Centre County Ferguson Township	PAR10F120R	S & A Custom Built Homes 2121 Old Gatesburg Rd. Suite 200 State College, PA 16803	Big Hollow Drainageway CWF	Centre County Conservation District 414 Holmes Ave. Suite 4 Bellefonte, PA 16823 (814) 355-6817

<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>
Lycoming County Loyalsock Township	PAG2004105005	The Faxon Co. Fred Holland 442 Williams St. Williamsport, PA 17701	Millers Run and West Br. and Susquehanna River WWF	Lycoming County Conservation District 542 County Farm Road Suite 202 Montoursville, PA 17754 (570) 433-3003
Lycoming County Old Lycoming Township	PAG2004105006	DMS Realty Inc. c/o David Shirn 1804 Lycoming Creek Road Williamsport, PA 17701	Bottle Run WWF	Lycoming County Conservation District 542 County Farm Road Suite 202 Montoursville, PA 17754 (570) 433-3003
Montour County Mahoning and Valley Townships	PAG2004704002	Todd Stein Calder Square, Box 11172 State College, PA 16805	Sechler Run CWF	Montour County Conservation District 112 Woodbine Lane Suite 2 Danville, PA 17821 (570) 271-1140
Montour County Liberty Township	PAG204704004	Michael McCarty 995 Bald Top Rd. Danville, PA 17821	UNT to Chillisquaque CWF	Montour County Conservation District 112 Woodbine Lane Suite 2 Danville, PA 17821 (570) 271-1140
Montour County Mahoning Township	PAG24705002	Brian Soyko Sheetz, Inc. 5700 6th Ave. Altoona, PA 16602-1111	Sechler Run CWF	Montour County Conservation District 112 Woodbine Lane Suite 2 Danville, PA 17821 (570) 271-1140
Armstrong County Freeport Borough Buffalo Township Butler County	PAG2000304003	Buffalo Township Municipal Authority 707 South Pike Road Sarver, PA 16055	Allegheny River (CWF)	Armstrong County CD (724) 548-3425
Beaver County Hopewell Township	PAG2000405007	Department of Transportation 45 Thoms Run Road Bridgeville, PA 15017	Raccoon Creek (WWF)	Beaver County CD (724) 378-1701
Cambria County Cresson Township	PAG2001105006	The Peoples Natural Gas Company dba Dominion Peoples 1201 Pitt Street Pittsburgh, PA 15221	UNT to Little Conemaugh River (CWF)	Cambria County CD (814) 472-2120
Washington County Centerville and West Brownsville Boroughs	PAG2006305004	Center-West Joint Sewer Authority P. O. Box 542 Brownsville, PA 15417	Monongahela River (WWF)	Washington County CD (724) 228-6774
Westmoreland County Unity Township	PAG2006505001	Charter Oak United Methodist Church R. R. 7, Box 353A Greensburg, PA 15601	Fourmile Run Basin (TSF)	Westmoreland County CD (724) 837-5271
Mercer County City of Hermitage	PAG2004305005	John Hudson Hudson Group, Inc 2540 Shenango Valley Freeway Hermitage, PA 16148	UNT to Pine Run-WWF	Mercer County Conservation District (724) 662-2242
Mercer County City of Hermitage	PAG2004305006	Michael Feldser CCL Container 1 Llodio Drive Hermitage, PA 16148	UNT to Shenango River-WWF	Mercer County Conservation District (724) 662-2242

*General Permit Type—PAG-3**Facility Location:
Municipality &
County*

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
PAR212235	Cheyenne Stone Inc. Box 137 Snake Hill Road Jackson, PA 18825	Tunkhannock Creek CWF	DEP—NERO Water Mgmt. Program 2 Public Square Wilkes-Barre, PA 18711-2511 (570) 826-2511
PAR808369	Joseph F. Bologna P. O. Box 89 Saint Marys, PA 15857-0089	UNT to Trout Run	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

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

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
PAG040030	Sandra Rabenold 1241 Roundhouse Road Quakertown, PA 18951	Dimple Creek Watershed 2D	Southeast Regional Office 2 East Main Street Norrstown, PA 19401
PAG040031	Sandra Rabenold 1241 Roundhouse Road Quakertown, PA 18951	Dimple Creek Watershed 2D	Southeast Regional Office 2 East Main Street Norrstown, PA 19401
PAG043633	Curvin J. Gochenour, Jr. P. O. Box 177 Roxbury, PA 17251	Conodoguinet Creek WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
PAG043638	Donald P. Story 17 Warwick Road Lititz, PA 17543	UNT Lititz Run WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
PAG043612	Frank Gussoni 2825 Soni Drive Trooper, PA 19403	No Discharge Unbuilt	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
PAG049169	Tania Centra 558 Quaker Hill Road Warren, PA 16365	UNT to Conewango Creek	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

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.

Permit No. 4605502, Public Water Supply.

Applicant **Pottstown Borough Authority**
100 East High Street
Pottstown, PA 19464

Township Lower Pottsgrove

County **Montgomery**

Type of Facility PWS

Consulting Engineer BCM Engineers, Inc.
920 Germantown Pike, Suite200
Plymouth Meeting, PA 19462

Permit to Construct Issued May 3, 2005

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

Permit No. 4004506, Public Water Supply.

Applicant **United Water Pennsylvania**
34 Route 22 West
Summersville, NJ 08876

Borough or Township Dallas Township

County **Luzerne**

Type of Facility PWS

Consulting Engineer Steven M. Metzler, P. E.
SAIC Engineering, Inc.
1129 Business Parkway South,
Suite10
Westminster, MD 21157

Permit to Construct Issued May 5, 2005

Permit No. 4005503, Public Water Supply.

Applicant **Bezdecki Family, LLC
d/b/a Sutton Springs**
1823 Sutton Road
Shavertown, PA 18708

Borough or Township Jackson Township

County **Luzerne**

Type of Facility Bottled Water System

Consulting Engineer Richard B. Kresge, P. E.
Quad Three Group, Inc.
37 North Washington Street
Wilkes-Barre, PA 18701

Permit to Construct Issued May 9, 2005

Permit No. Minor Amendment, Public Water Supply.

Applicant **Borough of Catasauqua**
118 Bridge Street
Catasauqua, PA 18032

Borough or Township Catasauqua Borough

County

Type of Facility

Consulting Engineer

Lehigh

PWS

Kirt L. Ervin, P. E.
U. S. Engineering, LLC
75 Jardin Circle
Highland, IL 62249

Permit to Construct Issued

May 3, 2005

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

Permit No. 3605503 MA, Minor Amendment, Public Water Supply.

Applicant

Municipality

County

Type of Facility

DS Waters of America, LP

West Earl Township

Lancaster

Addition of Bellefonte Big Spring as an additional source of supply.

Consulting Engineer

Gary J Toplak, P. E.
Crouse & Company
400 Penn Center Blvd.
Pittsburgh, PA 15235

Permit to Construct Issued:

3/1/2005

Permit No. 3605505 MA, Minor Amendment, Public Water Supply.

Applicant

Municipality

County

Type of Facility

DS Waters of America, LP

West Earl Township

Lancaster

Relocation of existing bottling lines, treatment equipment and silos from the Lancaster Plant to the Ephrata Plant.

Consulting Engineer

Gary J Toplak, P. E.
Crouse & Company
400 Penn Center Blvd.
Pittsburgh, PA 15235

Permit to Construct Issued:

4/15/2005

Permit No. 2205503 MA, Minor Amendment, Public Water Supply.

Applicant

Municipality

County

Type of Facility

Pillow Borough Authority

Pillow Borough

Dauphin

Construction of a new 107,000-gallon finished water storage tank to replace an existing tank.

Consulting Engineer

Harry E Bingaman, P. E.
Glace Assoc., Inc.
3705 Trindle Rd.
Camp Hill, PA 17011

Permit to Construct Issued:

4/26/2005

Permit No. 6704512, Public Water Supply.

Applicant

Municipality

Asbury Pointe LTD

East Manchester Township

County **York**
 Type of Facility Construction of Well No. 10 w/ Disinfection.
 Consulting Engineer Jerry T Stahlman, P. E.
 Stahlman & Stahlman, Inc.
 139 E Market Street
 York, PA 17401
 Permit to Construct Issued: 4/22/2005

Operations Permit issued to: DS Waters of America, LP, 7366003, West Earl Township, Lancaster County on 5/5/2005 for the operation of facilities approved under Construction Permit No. 590468.

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

Permit No. 1805501—Construction, Public Water Supply.

Applicant **Porter Township Municipal Authority**
 Township or Borough Porter Township
 County **Clinton**
 Responsible Official Nell Yearick, Business Manager
 Porter Township Municipal Authority
 26 Spring Run Road
 Mill Hall, PA 17751
 Type of Facility Public Water Supply—Construction
 Consulting Engineer Daniel B. Guss, P. E.
 Uni-Tech Consulting Engineers, Inc.
 2007 Cato Avenue
 State College, PA 16801
 Permit Issued Date 5/9/05
 Description of Action Addition of corrosion control to comply with the Lead and Copper Rule.

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Lehigh Township	1069 Municipal Road Walnutport, PA 18088	Northampton

Plan Description: The approved plan provides for the construction of a single family residential dwelling to replace a residence destroyed by a fire on a 0.3 acre site. On-lot sewage disposal systems cannot be utilized due to poor soil conditions and small lot size. A small flow treatment system consisting of a septic tank and EcoFlo peat filter with ultra-violet radiation disinfection of the sewage effluent will be utilized to treat the 400 gpd of sewage flows. The discharge of the effluent will be to the main stem of the Lehigh River via an easement obtained from the adjoining property owner. The proposed development is located on Three Mile Lane, Lehigh Township,

Northampton County. The approved project will require an NPDES permit for the proposed effluent discharge. The permit application must be submitted in the name of the Permittee, David Roth. The approved project will require a Clean Streams Law permit for the construction and operation of the proposed sewerage facilities.

Plan Location: 400 Blue Mountain Drive, Lehigh Township, Northampton County.

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Lehigh Township	1069 Municipal Road Walnutport, PA 18088	Northampton

Plan Description: The approved plan provides for a small flow treatment facility for an existing single-family residence on a 0.19-acre lot to replace an existing malfunctioning cesspool. On-lot sewage disposal systems utilizing soil-based treatment methods cannot be used due to unsuitable soils, steep slopes and small lot size. The proposed small flow treatment facility includes a Micro-Fast aerated treatment unit, alternate free access gravity sand filter and a chlorine disinfection unit prior to discharging the proposed 400 gpd of sewage flows to an UNT of the Lehigh River. Any required NPDES Permits or WQM Permits must be obtained in the name of the applicant, Albert R. George, III.

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Sergeant Township	126 Circle Drive Clermont Mt. Jewett, PA 16740	McKean

Plan Description: The approved plan provides for the construction of a sanitary sewerage collection system and a sewage treatment plant for the Village of Clermont in Sergeant Township, McKean County. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Guilford Township	115 Spring Valley Rd. Chambersburg PA 17201	Franklin

Plan Description: The approved plan entitled White Rock provides for an extension of Quincy Sewer authority facilities to serve 475 residential dwellings and 25 commercial lots with flows of 200,000 gallons per day, located on the both sides of Anthony Highway at Mont Alto Road. The extension will be constructed, owned and operated by the Guilford Township Authority and/or the Quincy Sewer Authority, in accordance with an intermunicipal agreement to be entered into. The Department's review of the sewage facilities planning module has not identified any significant environmental impacts resulting from this proposal. Required NPDES Permits or WQM Permits must be obtained in the name of the owners.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Antis Township	909 North Second Street Bellwood, PA 16617	Blair

Plan Description: The approved plan provides for the construction of a municipal wastewater pump station and related facilities to serve the existing Pineroft I-99 interchange area. As part of this project, 4,000 linear feet of gravity sewer line and 3,000 linear feet of sewer force main and related facilities will be constructed in order to connect the pump station to the Northern Blair Sewer Authority's existing manhole and gravity sanitary sewer system located behind the E. R. Carpenter Co., Inc. manufacturing facility. The sewage will be treated at the Tyrone Borough Sewage Treatment Plant, which is operated and maintained by the Tyrone Borough Sewer Authority. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Warriors Mark Township	P. O. Box 114 Warriors Mark, PA 16877	Huntingdon

Plan Description: The approved plan provides for a subdivision called Ridgeview II which consists of 28 single-family residential lots served by on-lot sewage systems and a public water supply. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

SEWAGE FACILITIES ACT PLAN DISAPPROVAL

Plan Disapprovals 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:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
North Codorus Township	1986 Stoverstown Road Spring Grove, PA 17362	York

Plan Description: Lynwood Phase II-C, A3-67946-264-2: The plan provide for a 25 lot single-family residential subdivision on 20.3 acres with total proposed sewage flows of 9,600 gpd to be treated by individual on-lot disposal systems. The proposed development is located on the south side of Pin Oak Drive and at the end of Lynwood Drive, just east of Oak Ridge Drive in North Codorus Township, York County. The plan was disapproved because a response has not been received to the Department's "incomplete" letter dated September 9, 2003, requesting additional project information and establishing a 60-day response time period prior to mandatory disapproval action.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Lower Windsor Township	2425 Craley Road Wrightsville, PA 17368	York

Plan Description: Southern Heights, A3-67937-222-2: The plan provided for a seven lot single-family residential subdivision on 13.5 acres with total proposed sewage flows of 2,800 gpd to be treated by individual on-lot disposal systems. The proposed development is located on the north side of Trinity North Road, approximately 500 feet east of Cool Creek Road in Lower Windsor Township, York County. The plan was disapproved because a response was not received to the Department's "incomplete" letter dated January 5, 2004, requesting additional project information and establishing a 60-day response time period prior to mandatory disapproval action.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Guilford Township	115 Spring Valley Rd. Chambersburg PA 17201	Franklin County

Plan Description: The William A. Honeycutt planning module, proposing one residential lot using an individual on-lot sewage disposal system and public water service, was disapproved because the preliminary hydrogeologic evaluation failed to adequately assess the background nitrate-nitrogen concentrations at the site.

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:

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

Molycorp York, Spring Garden Township, **York County**. Malcolm Pirnie, Inc., 1603 Carmody Court, Suite 403, Sewickley, PA 15143, on behalf of Molycorp, Inc., 350 North Sherman Street, York, PA 17403, submitted a combined Remedial Investigation, Risk Assessment and Final Report concerning remediation of site soils and groundwater contaminated with VOCs, SVOCs and metals. The report is intended to document remediation of the site to a combination of the Site-specific and State-wide Health standards.

Wyomissing Industrial Park (western portion of the former Goss Graphic Systems site), Borough of Wyomissing, **Berks County**. American Analytical & Environmental Inc., 738 Front Street, Catasauqua, PA 18032, on behalf of Chip & Gary Real Estate Holdings, LLC, 500 Walnut Street, Birdsboro, PA 19508; Zenith Properties, LP, P. O. Box 5828, Wyomissing, PA 19610; and Chima, Inc., 126 North Second Street, Reading, PA 19601, submitted a combined Remedial Investigation and Final Report concerning remediation of site groundwater contaminated with metals, chlorinated volatile organic compounds and semivolatile organic compounds. The report is intended to document remediation of the site to a combination of the Site-specific and Statewide Health standards.

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

Potter County Redevelopment Authority-Arch Street Property, Coudersport Borough, **Potter County**. Moody & Associates, Inc, 11548 Cotton Road, Meadville, PA 16335 has submitted a Baseline Environmental Report concerning soil and groundwater contamination resulting from historic use as a vegetable tanning facility. This area is served by a municipal water supply. The applicant proposes to use pathway elimination to attain a Special Industrial Area standard.

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

Nu-Brite Chemical Company, Haysville Borough, **Allegheny County**. Steve McGuire, Veolia Water/NA Water Systems, 250 Airside Drive, Moon Township, PA 15108 (on behalf of Andrzej Bernat, Nu-Brite Chemical Company, 2505 Rue de la Metropole, Longueuil, Quebec J4G 1E5) has submitted a Remedial Investigation Report, Risk Assessment Report, and a Final Report concerning remediation of site soil and groundwater contaminated

with organic solvents, lead and arsenic. The reports are intended to document remediation of the site to meet the Site Specific Standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

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

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

Armstrong World Industries—Building 800, City of Lancaster and Manhim Township, **Lancaster County**. Science Applications International Corporation, 6310 Allentown Boulevard, Harrisburg, PA 17112, on behalf of Armstrong World Industries, Inc., P. O. Box 3001, Lancaster, PA 17604-3001, submitted a Final Report concerning remediation of site soils contaminated with solvents. The final report demonstrated attainment of the Statewide Health standard, and was approved by the Department on May 3, 2005.

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

McCloskey Residence Cleanup, City of Lock Haven, **Clinton County**. Chambers Environmental Group Inc. 629 East Rolling Ridge Drive, Bellefonte, PA 16823 has submitted a Final Report concerning soil contaminated with fuel oil No. 1. This Final Report demonstrated attainment of the Statewide Health Standard for groundwater and was approved by the Department on April 27, 2005.

HAZARDOUS WASTE TRANSPORTER LICENSE

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

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

Hazardous Waste Transporter License Renewed

Marcor Remediation, Inc., 246 Cockeysville Road, P. O. Box 1043, Hunt Valley, MD 21030. License No. PA-AH0568. Effective April 14, 2005.

Horwith Trucks, Inc., P. O. Box 7, 1449 Nor-Bath Blvd, Northampton, PA 18067. License No. PA-AH0176. Effective April 14, 2005.

Environmental Waste Minimization, Inc., 14 Brick Kiln Ct., Northampton, PA 18067. License No. PA-AH0682. Effective May 2, 2005.

EQ Industrial Services, Inc., 2701 N. I-94 Service Drive, Ypsilanti, MI 48198. License No. PA-AH0615. Effective May 2, 2005.

Actions taken under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations to transport hazardous waste.

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

Hazardous Waste Transporter License Voluntarily Terminated

EDP, Inc., 1722 Bolling Avenue, Norfolk, VA 23508. License No. PA-AH0593. Effective March 1, 2005.

RESIDUAL WASTE GENERAL PERMITS

Permits Reissued 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 No. WMGR047. Excell Minerals, Inc., Two Gateway Center, 603 Stanwix Street—1825, Pittsburgh, PA 15222.

General Permit No. WMGR047 was originally issued to Recmix of Pennsylvania, Inc., 586 Plum Run Road, Canonsburg, PA 15317 for the beneficial use of waste slag generated from the extraction of stainless steel from stainless steel slag as an agricultural liming agent.

Based on a notification of a change of ownership and the inclusion of the use of the waste slag as an ingredient in specialty fertilizer production, the beneficial use of waste slag is now under the ownership and management of Excell Minerals, Inc. Notice is hereby given of the re-issuance of the General Permit No. WMGR047 granting Excell Minerals, Inc. the beneficial use of waste slag as specified in the general permit. Central Office approved the re-issuance of this general permit on May 9, 2005.

Persons interested in reviewing the general permit may contact 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, (717) 787-7381. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

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

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

General Permit No. WMGR098D003. Blackwood, Inc., 12 Tremont Road, Tremont, PA 17981-11907. General Permit Number WMGR098D003 is for the beneficial use of waste foundry sands and sand system dusts generated at ferrous metal foundries and steel industries for use as a construction material, a soil additive or soil amendment. Central Office approved the determination of applicability on May 6, 2005.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

Permit No. 101600. Waste Reduction & Recycling Center Inc., 2100 Sans Souci Parkway, Wilkes-Barre, PA 18702. A permit renewal for the continued operation of

this Municipal Waste Transfer Facility located in Hanover Township, **Luzerne County**. The permit was issued by the Regional Office on March 31, 2005. The permit expiration date is extended until March 31, 2015.

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-20-291: Taylor Ramsey Corp.—Carmen Spears Division (631 West Central Avenue, Titusville, PA 16354) on May 2, 2005, for operation of an industrial boiler in Titusville, **Crawford County**.

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

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

46-0158A: Colorcon Division—BPSI (415 Moyer Boulevard, West Point, PA 19486) May 4, 2005, to operate a wet and dry dispersions in Upper Gwynedd Township, **Montgomery County**.

46-0005Y: Merck and Co., Inc. (770 Sumneytown Pike, West Point, PA 19486) on May 4, 2005, to operate a building 69, AOS in Upper Gwynedd Township, **Montgomery County**.

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

28-03049A: Thomas L. Geisel Funeral Home, Inc. (333 Falling Spring Road, Chambersburg, PA 17201) on May 3, 2005, to construct a human crematory controlled by an afterburner at their funeral home in Guilford Township, **Franklin County**.

36-05087B: Morgan Corp. (35 Thousand Oaks Boulevard, P. O. Box 588, Morgantown, PA 19543) on May 5, 2005, to construct a drive-thru paint spray booth with High Volume Low Pressure spray guns at their existing facility in Ephrata Borough, **Lancaster County**.

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

14-00031A: Glenn O. Hawbaker, Inc. (711 East College Avenue, Bellefonte, PA 16823) on April 5, 2005, to install a replacement air cleaning device, a water spray dust suppression system, on various pieces of stone crushing, screening and conveying equipment at the Sandy Ridge Quarry Plant No. 9 in Rush Township, **Centre County**.

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

AMS 04145: Veteran's Health Affairs Medical Center (3900 Woodland Ave, Philadelphia, PA 19104) on April 21, 2005, to install a 17.32 mmBtu/hr boiler firing natural gas, No. 2 and No. 6 fuel oils in Philadelphia, **Philadelphia County**.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

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

46-322-007: Waste Management Disposal Services of PA, Inc. (1425 Sell Road, Pottstown, PA 19464) on May 4, 2005, to operate a municipal solid waste landfill in West Pottsgrove Township, **Montgomery County**.

23-0014C: Kimberly-Clark Corp. (Front Street and Avenue of the States, Chester, PA 19103) on May 9, 2005, to operate a wet scrubber dust control system in City of Chester, **Delaware County**.

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

36-05104A: Ephrata Manufacturing Co. (104 West Pine Street, Ephrata, PA 17522) on March 29, 2005, to construct a baghouse to control emissions from a sand muller and a sand conveying system in Ephrata Borough, **Lancaster County**. This plan approval was extended.

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

03-00229D: Rosebud Mining Co. (301 Market Street, Kittanning PA 16201) on May 3, 2005, to allow time for a Departmental compliance inspection at Coal Prep Plant in Bethel Township, **Armstrong County**. This is a Plan Approval Extension.

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

10-300C: Spang and Co.—Magnetics Division (796 East Butler Road, Butler, PA 16003) on March 31, 2005, for construction of kool mu insulation barrels and rotoclone in East Butler Borough, **Butler County**.

Plan Approvals Denied, Terminated, Modified, Suspended or Revoked under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and the provisions of 25 Pa. Code §§ 127.13b and 127.13c.

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

17-305-042C: DTE River Hill, LLC—DTE Synfuel Operations, LLC (414 South Main Street, Suite 600, Ann Arbor, MI 48104) on April 29, 2005, to terminate plan approval to construct a coal railcar unloading operation, a synthetic fuel railcar loading operation and a diesel powered hydraulic excavator in an agglomerated coal fines (synfuel) facility in Karthaus Township, **Clearfield County**.

53-00003B: National Fuel Gas Supply Corp. (P. O. Box 2081, Erie, PA 16512) on April 21, 2005, plan approval to modify a 4,445 horsepower natural gas fired

reciprocating internal combustion compressor engine (Engine 1A) at their Ellisburg Station in Allegany Township, **Potter County** was denied because the applicant failed to demonstrate that the engine would comply with all applicable requirements of 25 Pa. Code Chapters 121-145 in that information submitted in support of the plan approval application demonstrated that the emission of formaldehyde, a hazardous air pollutant, from the engine, when aggregated with the formaldehyde emissions from the rest of the respective facility, will cause air pollution which is prohibited by 25 Pa. Code § 121.7. The applicant also failed to demonstrate that the formaldehyde emissions from Engine 1A will be controlled to the maximum extent, consistent with the best available technology.

49-00020A: Truck Accessories Group, Inc.—Leer East (200 Housels Run Road, Milton, PA 17847) on April 27, 2005, plan approval to construct a mold maintenance area, a wet-out reinforcement area, a secondary lamination area, a base rail lamination area, a truck cap and tonneau cover headliner adhesive process, fiberglass reinforced plastic truck cap and tonneau cover assembly and final finish operations, an aluminum welding operation and an aluminum truck cap assembly, final finish and installation operation in a fiberglass reinforced plastics and aluminum truck cap and tonneau cover manufacturing facility in Milton Borough, **Northumberland County** was denied because the applicant failed to provide a plan approval application which contained information that was request by the Department and was necessary to perform a thorough evaluation of the air contamination aspects of the respective sources.

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

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

21-05005: Department of Corrections—SCI Camp Hill (P. O. Box 598, Camp Hill, PA 17001) on May 6, 2005, for operations of two other boilers and two engines in Lower Allen Township, **Cumberland County**. This is a renewal of the Title V operating permit.

36-05017: Conestoga Wood Specialties Corp. (245 Reading Road, East Earl, PA 17519-0518) on May 6, 2005, for woodworking operations in East Earl Township, **Lancaster County**. This is a renewal of the Title V operating permit.

36-05029: High Steel Structures, Inc. (P. O. Box 10008, 1853 William Penn Way, Lancaster, PA 17605-0008) on May 5, 2005, a fabricated structural steel manufacturer in East Lampeter Township, **Lancaster County**. This is a renewal of the Title V operating permit.

38-05017: Greater Lebanon Refuse Authority (1610 Russell Road, Lebanon, PA 17046-1437) on May 4, 2005, for operation of refuse landfills in North Lebanon Township, **Lebanon County**. This is a renewal of the Title V operating permit.

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

24-00145: GE Thermometrics, Inc. (967 Windfall Road, St. Marys, PA 15857) on May 4, 2005, the Department reissued Title V Permit to operate an electronic resistor manufacturing facility located in the City of St. Marys, **Elk County**.

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

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

09-00148: Bucks County Community College (275 Swamp Road, Newtown, PA 18940) on May 5, 2005, to operate a Natural Minor Operating Permit in Newtown Township, **Bucks County**.

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

06-05068: Scranton Altoona Terminal Corp. (P. O. Box 2621, Harrisburg, PA 17105-2621) on May 9, 2005, to operate a bulk gasoline terminal controlled by three carbon adsorption/absorption units, various internal floating roofs and pressure/vacuum vents in the Sinking Spring Borough, **Berks County**.

21-05048: Lear Operations, Corp. (P. O. Box 40, Carlisle, PA 17013) on May 5, 2005, for a synthetic minor permit to operate automotive carpet and backing operations in Carlisle Borough, **Cumberland County**.

22-05050: Dauphin Meadows, Inc. (3035 Route 209, P. O. Box 68, Millersburg, PA 17061) on May 5, 2005, to operate the landfill's source in Washington Township, **Dauphin County**.

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

43-00273: Select Industries, Inc. (242 Reynolds Industrial Park Road, Greenville, PA 16125) on May 4, 2005, the Department re-issued Natural Minor Operating Permit to perform metal coating operations in Pymatuning Township, **Mercer County**. The facility's primary emission sources include coating and lithographic printing lines. The VOC and HAP emissions from this facility are below major source levels.

25-00337: Custom Engineering Corp. (2800 McClelland Ave., Erie, PA 16510) on May 3, 2005, for reissuance of a Natural Minor operating permit for a metal fabrication operation that includes surface coating in the City of Erie, **Erie County**.

10-00310: Air Products and Chemicals, Inc. (300 Schaffner Road, Butler, PA 16001) on May 3, 2005, for reissuance of a Natural Minor operating permit for the operation of a hydrogen production facility in Butler, **Butler County**.

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

N04-009: Household Metals, Inc. (645 East Erie Avenue, Philadelphia, PA 19134) on May 3, 2005, to operate a steel door manufacturing facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include six spray booths, one 1 million Btu/hr natural gas fired washer and one 0.5 million Btu/hr natural gas fired oven.

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.

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

09-00142: ML 35 LLC (35 Runway Road, Levittown, PA 19057) on May 6, 2005, to operate a facility to provide back-up electrical power facility in Bristol Township, **Bucks County**. This amendment is to address a Change of Ownership from Qwest Communications Corporation. Administrative Amendment of State-Only Operating Permit issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450.

15-00018: Wyeth Pharmaceuticas—Great Valley (P. O. Box 861, Paoli, PA 19301) on May 5, 2005, to amend the operation of a Synthetic Minor Operating Permit in East Whiteland Township, **Chester County**.

46-00018: Brown Printing Co. (668 Gravel Pike, East Greenville, PA 18041-2199) on May 6, 2005, for a Title V facility in Upper Hanover Township, **Montgomery County**. The Title V Permit for this facility has been amended to incorporate the requirements of plan approval PA-46-0018C, under the requirements of 25 Pa. Code § 127.450(a)(5). This action removes one offset lithographic press and replaces it with another offset lithographic press. The replacement will result in an increase of 11.23 tons of volatile organic compounds to be emitted per year. This action also adds a new regenerative thermal oxidizer to the facility. Monitoring and recordkeeping requirements have been added to demonstrate compliance with applicable limitations.

09-00007: Waste Management Disposal Services of PA Inc (1121 Bordentown Road, Morrisville, PA 19067) on May 5, 2005, to amend the operation to: (a) incorporate Plan Approval 09-0007A; (b) incorporate of 40 CFR Part 63, Subpart AAAA; and (c) resolve of the appeal issued June 24, 1997, for Facility Title V Operating Permit in Falls Township, **Bucks County**.

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

41-00028: Koppers Industries, Inc. (P. O. Box 189, Montgomery, PA 17752) on May 18, 2004, via administrative amendment, to incorporate the conditions established in Plan Approval 41-00028A which was issued on May 18, 2004, for the construction of a 33,475,000 Btu per hour No. 2 fuel oil-fired boiler in Clinton Township, **Lycoming County**.

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

62-00136: Berenfield Containers Inc. (31 Railroad Street, Clarendon, PA 16313) on May 3, 2005, the Department administratively amended the Title V Permit for the Berenfield Container facility located in Clarendon Borough, **Warren County**. This amendment corrected several typographical errors contained in the Silk Screening sources (Sources ID No. 117, No. 118 and No. 122).

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.

03-00027: Reliant Energy Northeast Management Co. (121 Champion Way, Canonsburg, PA 15317) to revise the SCR Limestone Addition System at the Keystone Power Plant in Plumcreek Township, **Armstrong County**. The revised system will increase PM10 emissions by 0.31 ton per year. This emission increase qualifies as de minimis increases under 25 Pa. Code § 127.449.

04-00108: Armstrong World Industries, Inc. (1018 Eleventh Street, Beaver Falls, PA 15101) for their ceiling tile manufacturing facility in Beaver Falls, **Beaver County**. To increase VOC emissions by 0.5 tons per year (tpy), formaldehyde emissions by 0.47 tpy, and to limit the special coating usage associated with this de minimis emission increase to 500 hours 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.

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

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

17-305-042: DTE River Hill, LLC—DTE, Synfuel Operations, LLC (414 South Main Street, Suite 600, Ann Arbor, MI 48104) on April 29, 2005, to terminate the operating permit for a coal fines agglomeration (synfuel) facility in Karthaus Township, **Clearfield County**.

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

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

11991301 and NPDES Permit No. PA0215210, Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201), to revise the permit for the Twin Rocks Mine in Blacklick Township, **Cambria County** to add and delete underground permit acres and add subsidence control plan acres. Underground Acres Proposed 2705, SCP Acres Proposed 2705. No additional discharges. Permit issued May 2, 2005.

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

56950104 and NPDES No. PA0213110. Marquise Mining Corporation, 3889 Menoher Boulevard, Johnstown, PA 15905, permit renewal for reclamation only of a bituminous surface-auger mine in Shade Township, **Somerset County**, affecting 113.3 acres. Receiving streams: UNT to Stonycreek; Stonycreek; Conemaugh River classified for the following uses: CWF; CWF; WWF. The first downstream potable water supply intake from the point of discharge is Hooversville Borough Municipal Authority. Application received April 20, 2005. Permit issued May 3, 2005.

11040102 and NPDES Permit No. PA0249688. E. P. Bender Coal Company, Inc., P. O. Box 594, Carrolltown, PA 15722, commencement, operation and restoration of a bituminous surface mine in Chest and White Townships; **Cambria County** and Beccaria and Chest Townships, **Clearfield County**, affecting 136.0 acres. Receiving streams: UNTs to/and South Witmer Run classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received November 23, 2004. Permit issued: May 4, 2005.

56030104 and NPDES Permit No. PA0249459. Elk Lick Energy, Inc., P. O. Box 240, Friedens, PA 15541, for commencement, operation and restoration of a bituminous surface mine in Jenner and Quemahoning Townships, **Somerset County**, affecting 171.9 acres. Receiving stream: Two Mile Run to Quemahoning Reservoir classified for the following uses: CWF; CWF. The first downstream potable water supply intake from the point of discharge is Cambria-Somerset Authority. Application received May 2, 2003. Permit issued May 3, 2005.

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

33950103 and NPDES Permit No. PA0226971. Hepburnia Coal Company (P. O. Box I, Grampian, PA 16838). Renewal of an existing bituminous strip operation in Snyder Township, **Jefferson County** affecting 82.0 acres. This renewal is issued for reclamation only. Receiving streams: UNTs to Little Toby Creek. Application received: March 11, 2005. Permit Issued: May 3, 2005.

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

22030201. Meadowbrook Coal Co., Inc. (6690 State Route 209, Lykens, PA 17048), commencement, operation and restoration of an anthracite coal refuse reprocessing operation in Wiconisco Township, **Dauphin County** affecting 84.0 acres, receiving stream: none. Application received December 10, 2003. Permit issued May 6, 2005.

40940101R2. Pioneer Aggregates, Inc. (202 Main Street, Laflin, PA 18702), renewal of an existing anthracite surface mine operation in Laflin Borough and Plains Township, **Luzerne County** affecting 117.0 acres, receiving stream: none. Application received October 25, 2004. Renewal issued May 9, 2005.

Noncoal Permits Actions

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

20032809. Andrew M. Kosturick (8565 State Highway 285, Conneaut Lake, PA 16316). Commencement, operation and restoration of a small noncoal sand and gravel operation in East Fallowfield Township, **Crawford**

County affecting 3.0 acres. Receiving streams: None. Application received: October 7, 2003. Permit Issued: April 12, 2005.

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

64052802. Kevin Schrader, (P. O. Box 262, Lake Como, PA 18437), commencement, operation and restoration of a quarry operation in Preston Township, **Wayne County** affecting 5.0 acres, receiving stream: none. Application received March 3, 2005. Permit issued May 3, 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.

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

32054001. Charles J. Merlo, Inc., 234 Merlo Road, Mineral Point, PA 15942. Construction Blasting—Norfolk Southern Railway Company. Keystone Bulldout Project, Conemaugh Township, **Indiana County**. Duration through April 30, 2006. Permit issued May 5, 2005.

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

30054001. Mashuda Corporation (21101 Route 19, Evans City, PA 16033). Permit issued for Phase 1 development of the Evergreene Technology Park located in Franklin Township, **Greene County**, with an expected duration of 8 months. Permit issued May 2, 2005.

65054003. Golden Triangle, Inc. (40 Patridge Lane, Imperial, PA 15126). Permit issued for construction of Department of Transportation SR 0022, Section B02, located in the Municipality of Murrysville and Salem Township, **Westmoreland County**, with an expected duration of 2 years. Permit issued May 2, 2005.

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

59044001. Trumbull Corporation (R. D. 2, Box 130A, Route 15 South, Tioga, PA 16946), for highway construction blasting, located in Lawrenceville and Tioga Townships, **Tioga County**, with an expected duration of 365 days. Permit issued: April 26, 2005.

14054012. Stone Valley Construction, Inc. (P. O. Box 369, Pine Grove Mills, PA 16868), for construction blasting, located in Spring Township, **Centre County**, with an expected duration of 365 days. Permit issued: May 3, 2005.

14054013. Roeshot Construction (2625 Carolean Drive, State College, PA 16801), for construction blasting, located in Ferguson Township, **Centre County**, with an expected duration of 5 days. Permit issued: May 3, 2005.

14054014. Galen Dreibelbis (266 W. Clinton Avenue, State College, PA 16804), for construction blasting, located in Ferguson Township, **Centre County**, with an expected duration of 2 days, beginning May 13, 2005. Permit issued: May 7, 2005.

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

15054001. Explo-Craft, Inc. (P. O. Box 1332, West Chester, PA 19380), construction blasting at McKenzie Brew House in East Whiteland Township, **Chester County** with an expiration date of May 25, 2006. Permit issued May 2, 2005.

36054008. Joao & Bradley Construction (P. O. Box 20345, Lehigh Valley, PA 18002) and **AJT Blasting, LLC** (P. O. Box 20412, Bethlehem, PA 18002), construction blasting for Improvements to the Southside Water System and Sanitary Sewer in Mount Joy Township, **Lancaster County** with an expiration date of December 30, 2005. Permit issued May 2, 2005.

36054009. J. Roy's, Inc. (Box 125, Bowmansville, PA 17507), construction blasting at Lausch Lane Subdivision in Manheim Township, **Lancaster County** with an expiration date of April 15, 2006. Permit issued May 2, 2005.

36054010. J. Roy's, Inc. (Box 125, Bowmansville, PA 17507), construction blasting for a foundation at 145 Queen Street in Ephrata Borough, **Lancaster County** with an expiration date of April 15, 2006. Permit issued May 2, 2005.

67054015. J. Roy's, Inc. (Box 125, Bowmansville, PA 17507), construction blasting at Iron Bridge Subdivision in West Manchester Township, **York County** with an expiration date of April 16, 2006. Permit issued May 2, 2005.

22054104. Hall Explosives, Inc. (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting for a home in Derry Township, **Dauphin County** with an expiration date of October 30, 2005. Permit issued May 2, 2005.

46054111. Allan A. Myers, Inc. (P. O. Box 98, 1805 Berks Road, Worcester, PA 19490), construction blasting for Applewood Development in Worcester Township, **Montgomery County** with an expiration date of April 25, 2006. Permit issued May 2, 2005.

09054005. J. Roy's, Inc. (Box 125, Bowmansville, PA 17507), construction blasting at Roaring Rocks Road in Tinticum Township, **Bucks County** with an expiration date of April 15, 2006. Permit issued May 3, 2005.

21054130. M & J Explosives, Inc. (P. O. Box 608, Carlisle, PA 17013), construction blasting for Reisman Home in Dickinson Township, **Cumberland County** with an expiration date of April 30, 2006. Permit issued May 3, 2005.

28054115. David H. Martin Excavating, Inc. (4961 Cumberland Highway, Chambersburg, PA 17201), construction blasting for Robert Martin Farm with an expiration date of May 31, 2006. Permit issued May 3, 2005.

28054116. R & M Excavating (403 Hilltop Road, Newburg, PA 17240), construction blasting for Thornwood Village in Guilford Township, **Franklin County** with an expiration date of April 30, 2006. Permit issued May 3, 2005.

48054005. AMROC (7531 Chestnut Street, Zionsville, PA 18092), construction blasting at Hanover Corporate Center II in Hanover Township, **Northampton County** with an expiration date of May 25, 2006. Permit issued May 3, 2005.

64054102. ER Linde Construction Corp. (9 Collan Park, Honesdale, PA 18431), construction blasting for Mansfield Development in Manchester Township, **Wayne County** with an expiration date of April 1, 2006. Permit issued May 3, 2005.

67054017. J. Roy's, Inc. (Box 125, Bowmansville, PA 17507), construction blasting for improvements at John Rudy Park in Manchester Township, **York County** with an expiration date of April 15, 2006. Permit issued May 3, 2005.

67054018. Wagman Construction, Inc. (3290 Susquehanna Trail North, York, PA 17405) and **Kesco, Inc.**, (P. O. Box 95, Adrian, PA 16210), construction blasting at Homewood at Plumcreek in Penn Township, **York County** with an expiration date of January 31, 2006. Permit issued May 3, 2005.

28054011. P & W Excavating, Inc. (P. O. Box 712, McConnellsburg, PA 17233) and **Winchester Building Supply**, (2001 Millwood Pike, Winchester, VA 22602), construction blasting at Hoffman Transport in Antrim Township, **Franklin County** with an expiration date of October 31, 2005. Permit issued May 4, 2005.

67054107. Newville Construction Services, Inc. (408 Mohawk Road, Newville, PA 17241), construction blasting for Sam Kreider Farm in Washington Township, **York County** with an expiration date of April 30, 2006. Permit issued May 4, 2005.

64054002. Holbert Explosives, Inc. (237 Masthope Plank Road, Suite A, Lackawaxen, PA 18435), construction blasting for Bob Schaefer Excavating/Shale Pit in South Canaan Township, **Wayne County** with an expiration date of June 30, 2005. Permit issued May 5, 2005.

09054006. Eastern Blasting Company, Inc. (1292 Street Road, New Hope, PA 18938), construction blasting at Valley Square Phase II in Warrington Township, **Bucks County** with an expiration date of May 15, 2006. Permit issued May 5, 2005.

09054007. Eastern Blasting Company, Inc. (1292 Street Road, New Hope, PA 18938), construction blasting at Lamplighter II Housing Project in Warrington Township, **Bucks County** with an expiration date of May 20, 2006. Permit issued May 5, 2005.

36054118. Keystone Blasting Service (381 Reifsnnyder Road, Lititz, PA 17543), construction blasting for James Zimmerman manure storage in West Earl Township, **Lancaster County** with an expiration date of December 30, 2005. Permit issued May 5, 2005.

39054104. Schlouch, Inc. (P. O. Box 69, Blandon, PA 19510), construction blasting for Whispering Farms in Upper Macungie Township, **Lehigh County** with an expiration date of May 1, 2006. Permit issued May 5, 2005.

45054114. Austin Powder Co. (25800 Science Park Drive, Cleveland, OH 44122), construction blasting for a home in Paradise Township, **Monroe County** with an expiration date of May 1, 2006. Permit issued May 5, 2005.

46054113. Austin Powder Co. (25800 Science Park Drive, Cleveland, OH 44122), construction blasting for Shelly Square Shopping Center in Upper Salford Township, **Montgomery County** with an expiration date of May 5, 2006. Permit issued May 5, 2005.

46054114. Austin Powder Co. (25800 Science Park Drive, Cleveland, OH 44122), construction blasting for Pimlico Farms Subdivision in East Norriton Township, **Montgomery County** with an expiration date of April 30, 2006. Permit issued May 5, 2005.

67054019. ABEL Construction Co., Inc. (3925 Columbia Avenue, Mountville, PA 17554) and **J Roy's, Inc.**, (935 Stone Hill Road, Denver, PA 17517), construction

blasting at Valley View Estates in Hellam Township, **York County** with an expiration date of September 30, 2005. Permit issued May 6, 2005.

01054107. Austin Powder Co. (25800 Science Park Drive, Cleveland, OH 44122), construction blasting for Oak Hills Development in Conewago Township, **Adams County** with an expiration date of May 30, 2006. Permit issued May 6, 2005.

01054108. Austin Powder Co. (25800 Science Park Drive, Cleveland, OH 44122), construction blasting for Hickory Ridge Subdivision in Mt. Pleasant Township and Bonneauville Borough, **Adams County** with an expiration date of May 30, 2006. Permit issued May 6, 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

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

E19-245. Columbia Montour Council Boy Scouts of America, 5 Audobon Court, Bloomsburg, PA 17815. Fishing Creek stream project at the Boy Scout Camp, in Sugarloaf Township, **Columbia County**, ACOE Baltimore District (Stillwater, PA Quadrangle N: 20 inches; W: 16 inches).

To construct, operate and maintain a stream stabilization project consisting of six cross vein structures, seven "J" hook structures, and three single leg vein structures along a 1.4 mile stretch of Fishing Creek with changes in the pattern, profile and cross-section. The permit also authorizes 0.25 mile of Coles Creek. This portion of stabilization effort will consist of four cross veins and two "J" hooks with changes in the pattern, profile and cross-section. The structures in Fishing Creek will be constructed out of stone measuring a minimum of 3.5 feet by 3 feet by 2 feet and in Coles Creek the stone shall have a minimum of 2.8 feet by 2.4 feet by 1.6 feet. This project is located at the Boy Scout Camp 1 mile from SR 487 on SR 4049.

E47-080 Denied. PPL Montour Preserve, 700 Preserve Road, Danville PA 17821. Chillisquaque Creek Restoration Project, in Anthony Township, **Montour County**, ACOE Baltimore District (Washingtonville, PA Quadrangle N: 17 inches; W: 5.5 inches).

The applicant is proposing to restore 2,300 linear feet of Chillisquaque Creek (WWF) by means of natural channel design techniques. The restoration project intends to reduce the slope of the existing embankments, incorporate instream rock and log structures to direct high velocities away from the stream banks, narrow the bankfull channel to improve sediment transport, and improve the pool-rifle sequence. The completed project is intended to improve stream stability, reduce near-bank velocities, reduce sediment supply and provide improved instream and riparian habitat.

E60-168. Lewisburg Recreation Authority, c/o Greg Wetzel, 629 Fairground Road, Lewisburg, PA 17837. Playground, in Lewisburg Borough, **Union County**, ACOE Baltimore District (Lewisburg, PA Quadrangle N: 16.1 inches; W: 3.3 inches).

To construct and maintain a youth playground, a tot lot, a skate park, a spray fountain, climbing boulders, a parking lot expansion, a life trail and picnic areas and an underground stormwater detention basin in the floodplain of Limestone Run off 15th Street about 1,200 feet from the intersection of 15th Street with Saint Mary Street in the Borough of Lewisburg.

The project will not impact waterways while impacting 0.8 acre of wetland and less than 5 acres of earth disturbance. Limestone Run is a WWF stream.

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

E02-891 A1. ELG Metals, Inc., 369 River Road, P. O. Box 369, McKeesport, PA 15132-0369. To transfer and amend Permit No. E02-891 in the City of McKeesport, **Allegheny County** (Glassport, PA Quadrangle N: 18.9 inches; W: 0.1 inch and Latitude: 40° 21' 15"—Longitude: 79° 52' 30"). To transfer and amend permit E02-891

which authorized the construction and maintenance of a barge docking facility consisting of an anchored barge and two concrete retaining walls along the right bank of the Monongahela River (WWF) near River Mile 15.8 near the mouth of the Youghioheny River.

E26-322. Mountain Watershed Association, Inc., P. O. Box 408, Melcroft, PA 15642. To reconstruct the channel of Mill Run in Springfield Township, **Fayette County** (Mill Run, PA Quadrangle N: 14.3 inches; W: 11.5 inches and Latitude: 39° 58' 24"—Longitude: 79° 27' 19"). To reconstruct, stabilize and maintain approximately 1,400 linear feet of the channel of Mill Run (HQ-CWF) located between SR 381 and Hampton Road. The project includes placement of fill in 0.014 acre of PEM de minimis wetlands.

E30-211. Rices Landing Borough, P. O. Box 185, 137 Main Street, Rices Landing, PA 15357. To construct and maintain boat docks in four phases in and along the left bank of the Monongahela River (WWF) at River Mile 68.5 in Rices Landing Borough, **Greene County** (Mather, PA Quadrangle N: 13.6 inches; W: 0.05 inch and Latitude: 39° 57' 00"—Longitude: 80° 0' 1"). Phase 1 consists of 60 linear feet of 6-foot wide docks; Phases 2, 3 and 4 consist of 1,350 linear feet of 12-foot wide docks; and 102 linear feet of 6-foot wide docks along Pumpkin Run (WWF).

E32-468. Department of Transportation, Engineering District 10-0, P. O. Box 429, Indiana, PA 15701. To relocate channel and storm water pond and place fill in Burrell and West Wheatfield Townships, **Indiana County** (Begin: Bolivar, PA Quadrangle N: 13.1 inches; W: 10.7 inches and Latitude: 40° 26' 50"—Longitude: 79° 12' 07" End: Bolivar, PA Quadrangle N: 14.3 inches; W: 1.4 inches and Latitude: 40° 27' 13"—Longitude: 79° 08' 06"). To temporarily relocate 320.0 linear feet of an UNT to Toms Run (CWF), to construct and maintain 110 linear foot relocated channel and a stormwater pond within the same UNT to Toms Run, to place and maintain fill in 0.44 acre of wetland (0.35 acres PEM, 0.09 acre PSS), and to extend and maintain an existing 155.0 foot long, 24-inch diameter pipe for a distance of 55.0 feet at its downstream end in the same UNT to Toms Run (CWF). The pipe extension qualifies for Department waiver 105.12(a)(2). The project is located on US 22, Section 491. The replacement wetlands have already been constructed at the AMD and Art Demonstration Project in Vintondale.

E65-853. Donald A. Paulone Custom Built Homes, Inc., Employee Profit Sharing Trust, One Corporate Circle, Suite 1000, Greensburg, PA 15601. To construct four culverts and fill wetlands in Unity Township, **Westmoreland County**, Pittsburgh ACOE District. (Latrobe, PA Quadrangle N: 8.0 inches; W: 14.0 inches and Latitude: 40° 17' 40"—Longitude: 79° 28' 30"). To construct and maintain three 4-foot diameter culverts approximately 57 feet long with inlet and outlet protection in an UNT to Slate Creek (WWF); to construct and maintain a 4-foot diameter culvert approximately 88 feet long, with wing walls at both ends with inlet and outlet protection in another UNT to Slate Creek (WWF); to place and maintain fill in six wetlands: 0.23 acre of wetland 1; 0.04 acre in wetland 3; 0.017 acre of wetland 4; 0.04 acre in wetland 6; 0.23 acre of wetland 7 and 0.02 acre in wetland 9, for a total amount of 0.54 acre of wetland impacts. The impacts are part of proposed residential

development known as the Villas at Grayhawk. The project is located along the south side of SR 30, approximately 200 feet east of the intersection between SR 30 and Johnson Road. To meet the wetland replacement requirements the applicant will construct 0.54 acre of replacement wetlands.

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

E16-127. Porter Township, 9485 Currllsville Road, New Bethlehem, PA 16242. Leatherwood Creek Low Flow Stream Crossing, in Porter Township, **Clarion County**, ACOE Pittsburgh District (Sligo, PA Quadrangle N: 6.3 inches; W: 1.8 inches).

To construct and maintain a low flow crossing within Leatherwood Creek (CWF) consisting of a minimum of seven 30-inch diameter pipes with concrete roadway surface at a point approximately 1600 feet southeast of the intersection of SR 854 and T-472.

E25-688. BTDD, Ltd., 101 Lakemont Park Blvd., Altoona, PA 16602. Tract 310 Development in Millcreek Township, **Crawford County**, ACOE Pittsburgh District (Swanville, PA Quadrangle N: 13.0 inches; W: 7.5 inches).

The applicant proposes to prepare a property for development approximately 400 feet northeast of the intersection of S.R. 20 and Asbury Road (Swanville, PA Quadrangle N: 13.0 inches; W: 7.5 inches) in Millcreek Township, Erie County involving: 1) to place fill in the floodway of Spring Run having a length of approximately 200 feet, a width of approximately 15 feet and a depth of approximately 12 feet; and 2) to construct and maintain an approximately 50-foot long, 14.5-foot wide by 9-foot high CMP pipe arch culvert in Spring Run. Spring Run is a perennial stream classified as a cold water fishery and a migratory fishery.

E33-214. Hart Resource Technologies, Inc., P. O. Box 232, 5035 Route 110, Creekside, PA 15732. Punxsutawney Brine Treatment Facility Outfall to Mahoning Creek, in Punxsutawney Borough, **Jefferson County**, ACOE Pittsburgh District (Punxsutawney, PA Quadrangle N: 11.7 inches; W: 13.4 inches).

To construct and maintain two 4-inch diameter PVC pipes through the existing flood control dike within a 13-inch diameter steel casing and ending with perforated diffusers at approximately the midpoint of Mahoning Creek from the south (left) bank for an outfall from the proposed Punxsutawney Brine Treatment Plant at 400 Gilpin Street approximately 0.1 mile northeast of Indiana Street.

E61-270. Randall A. Sherman, 2206 Route 38, Emlenton, PA 16373. Randall Sherman Bridge, in Richland Township, **Venango County**, ACOE Pittsburgh District (Emlenton, PA Quadrangle N: 11.7 inches; W: 6.2 inches).

The applicant proposes to construct and maintain a single span steel grate bridge with concrete abutments having a clear span of approximately 35 feet and an underclearance of 7.5 feet across Richey Run in Richland Township, Venango County (Emlenton, PA Quadrangle N: 11.7 inches; W: 6.2 inches) approximately 250 feet

east of the intersection of State Route 38 and T 550. A portion of the project has already been completed. Project includes construction of an overtopping area on the left approach. Richey Run is a perennial stream classified as a cold water fishery. The project proposes to directly impact approximately 50 feet of stream.

SPECIAL NOTICES

Drinking Water State Revolving Fund

Special Notice Under the Federal Safe Drinking Water Act

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

Project Location:

<i>Applicant</i>	<i>Applicant Address</i>	<i>County</i>
Aqua Pennsylvania, Inc.—White Haven Division	204 East Sunbury Street Shamokin, PA 17872	Luzerne

Project Description: The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. The Applicant, Aqua Pennsylvania, Inc., Shickshinny Lake Water System, Union Township, Luzerne County, proposes two wells, treatment, system interconnection, alternate power and distribution system replacement and improvements. The Department's review of the project and the information received in the Environmental Report for the project has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby approves the Environmental Assessment.

Public Hearing for NPDES Permit No. PAI024805005

The Department of Environmental Protection (Department) will hold a public hearing to accept comment on NPDES Permit Application No. PAI024805005 for the discharge of stormwater from construction activities at the proposed Estates at Green Pond, Phases I and II in Bethlehem Township, Northampton County.

The public hearing will be held on June 30, 2005, at 7 p.m. in the Bethlehem Township Municipal Building, 4225 Easton Avenue, Bethlehem, PA 18020, by the Department of Environmental Protection, Water Management Program, Soils and Waterways Section, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511. The hearing is in response to an application submitted by Toll Brothers, Inc., 4178 Rexford Drive, Bethlehem, PA 18020. The NPDES permit application proposes the discharge of stormwater from construction activities to Nancy Run in the Bushkill Creek Watershed.

The Department requests that individuals wishing to testify at the hearing submit a written notice of intent to Estates at Green Pond Public Hearing, Department of Environmental Protection, Water Management Program, 2 Public Square, Wilkes-Barre, PA 18711. The Department will accept notices up to the day of the hearing. The Department requests that individuals limit their testimony to 10 minutes so that all individuals have the opportunity to testify. The Department can only review comments made with regard to NPDES Permit Application No. PAI024805005. Written copies of oral testimony

are requested. Relinquishing time to others will not be allowed. All individuals attending the hearing will have the opportunity to testify if they want to do so; however, individuals who preregister to testify will be given priority on the agenda.

Persons with a disability who wish to testify and require an auxiliary aid, service or other accommodation should contact Christine Domashinski at (570) 826-2511 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department can meet their needs.

The NPDES permit application is available for review at the Northampton County Conservation District office at the Gracedale Complex in Nazareth, PA 18064, (610) 746-1971.

For further information, contact Mark Carmon, Northeast Regional Office, (570) 826-2511.

Environmental Assessment; Borough of Akron, Lancaster County

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

Location: Borough of Akron, 117 South Seventh Street, P. O. Box 130, Akron, PA 17501-0130

Public Water Supply Permit No. 3604509. Borough of Akron, **Lancaster County**

Description: The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. The Borough of Akron proposes the installation of a nitrate treatment system and support building to treat the elevated nitrate levels in the source waters. The Department's review of the project and the information received in the Environmental Report for the project has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby approves the Environmental Assessment.

Environmental Assessment; Windsor Borough, York County

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

Location: Windsor Borough Water Authority, 2 East Main Street, Windsor, PA 17366

Public Water Supply Permit No. 6703510. Windsor Borough, **York County**

Description: The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. The Windsor Borough Water Authority proposes the installation of approximately 8,800 LF of 8-inch distribution mains and associated valves to augment pressure and fire flows. The Department's review of the project and the information received in the Environmental Report for the project has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby approves the Environmental Assessment.

[Pa.B. Doc. No. 05-998. Filed for public inspection May 20, 2005, 9:00 a.m.]

Acceptance of Applications for New or Innovative Water/Wastewater Technology Grants Through the Growing Greener Program

As part of the Department of Environmental Protection's (Department) Growing Greener Program (Program), applications are now being accepted for new or innovative water/wastewater technology grants. The Environmental Stewardship and Watershed Protection Act authorizes the Department to make these grants available to municipalities, municipal authorities, counties and school districts for improvements to existing drinking water or sewage treatment facilities using new or innovative technology. Grants for individual projects will be available up to \$500,000 under this Program.

Preference will be given to the following new or innovative projects:

- Treatment of groundwater under the direct influence of surface water.
- Holistic approaches to treatment of drinking water for arsenic, nitrates and other mobile contaminants to ensure safety with respect to potential, current and future risks.
- Elimination of combined sewer overflows.
- Biosolids processing, especially technologies intended for odor abatement.
- Advanced wastewater treatment for nutrient removal in watersheds where nutrient removal has been identified by the Department as a priority.

The deadline for submitting grant applications to the Department's Growing Greener Grants Center is July 29, 2005. The grant application form is available on the Department's website at www.dep.state.pa.us/elibrary (Select "Forms," "Water Supply and Wastewater Management" and "3800-FM-WSWM071"). The form name and number are: Application for Growing Greener Grant Assistance New or Innovative Water/Wastewater Technology, 3800-FM-WSWM0271.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 05-999. Filed for public inspection May 20, 2005, 9:00 a.m.]

Availability of Technical Guidance

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

The Department will continue to revise its nonregulatory documents, as necessary, throughout 2005.

Ordering Paper Copies of Department Technical Guidance

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

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

Changes to Technical Guidance Documents

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

Final Technical Guidance—Substantive Revision

DEP ID: 012-0700-002. Title: Agricultural Land Preservation Policy. Description: The purpose of this guidance is to provide policy guidance to Department staff to: 1) consider ways to prevent the irreversible loss of prime agricultural land; and 2) administer the Department's programs so that Department funds and Department-administered Federal funds are not used to encourage the conversion of prime agricultural land to other uses when feasible alternatives are available. This policy implements Executive Order 2003-2. The order directs the Department to list agency actions that directly or indirectly impact prime agricultural lands, provide a statement of agency guidelines and procedures that eliminate or minimize impacts detrimental to the continued use of prime agricultural lands and describe any statutory or regulatory changes necessary to implement the intent of the executive order. Comments: A notice of availability of the draft version of this document was published at 34 Pa.B. 6105 (November 6, 2004). Provision for a 30-day public comment period was provided for the draft document, which concluded on December 6, 2004. The document was revised in response to comments received from the public. Effective Date: May 21, 2005. Contact: Lou Guerra, Department of Environmental Protection Policy Office, (717) 783-8727.

Draft Technical Guidance—New Guidance

DEP ID: 580-2200-009. Title: Safety Requirements for Construction of Shafts for Underground Mines. Description: This document provides guidance to identify the safety requirements applicable to the development of shaft and slope entries to underground mines. Written Comments: Interested persons may submit written comments on this draft technical guidance document by June 20, 2005. Comments submitted by facsimile will not be accepted. The Department will accept comments submitted by e-mail. A return name and address must be included in each e-mail transmission. Written comments should be submitted to Joseph A. Scaffoni, Department of Environmental Protection, Bureau of Deep Mine Safety, Fayette County Health Center, 100 New Salem Road,

Room 167, Uniontown, PA 15401, jsbaffoni@state.pa.us. Questions regarding the draft technical guidance document should be directed to Joseph A. Sbaffoni, (724) 439-7469, jsbaffoni@state.pa.us. Effective Date: Upon publication as final in the *Pennsylvania Bulletin*.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 05-1000. Filed for public inspection May 20, 2005, 9:00 a.m.]

Oil and Gas Technical Advisory Board Meeting

The Department of Environmental Protection's (Department) Oil and Gas Technical Advisory Board will hold a meeting on June 2, 2005, at 10 a.m. in the 14th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Agenda items for this meeting will include consideration of the Bonding Workgroup's recommendations, a review of a draft document entitled Process for Evaluating Discharge from Abandoned Oil and Gas Wells, as well as program updates from the Well Plugging program and the Adoption Incentives program.

Questions concerning this meeting should be directed to David Hogeman, Director, Bureau of Oil and Gas Management, (717) 772-2199, dhogeman@state.pa.us.

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

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 05-1001. Filed for public inspection May 20, 2005, 9:00 a.m.]

Small Systems Technical Assistance Center Advisory Board Meeting Change

The Small Systems Technical Assistance Center Advisory Board's regular quarterly board meeting scheduled for May 19, 2005, has been rescheduled for June 9, 2005, from 10 a.m. to 3 p.m. in Susquehanna Room B, Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA.

Questions concerning the meeting should be directed to Ray Braun, (717) 772-2186, rbraun@state.pa.us.

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

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 05-1002. Filed for public inspection May 20, 2005, 9:00 a.m.]

DEPARTMENT OF HEALTH

Application of Canonsburg General Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Canonsburg General Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards) which requires compliance with minimum standards contained in *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exemption from the following standards contained in this publication: 7.7.C11 (relating to staff clothing change areas).

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

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

[Pa.B. Doc. No. 05-1003. Filed for public inspection May 20, 2005, 9:00 a.m.]

Application of Gettysburg Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Gettysburg Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards) which requires compliance with minimum standards contained in *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exemption from the following standards contained in this publication: 9.1.C (relating to facility access).

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

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

[Pa.B. Doc. No. 05-1004. Filed for public inspection May 20, 2005, 9:00 a.m.]

Application of UPMC Presbyterian Shadyside for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that UPMC Presbyterian Shadyside has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards) which requires compliance with minimum standards contained in *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exemption from the following standards contained in this publication: 10.15.A2 and 10.6.A (relating to room size; and dining, recreation and day space).

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

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

[Pa.B. Doc. No. 05-1005. Filed for public inspection May 20, 2005, 9:00 a.m.]

Emergency Medical Services Operating Fund Funding Priorities

Under 28 Pa. Code §§ 1001.22 and 1001.23 (relating to criteria for funding; and allocation of funds), the Department of Health (Department) hereby gives notice of priorities for the distribution by the regional emergency medical services (EMS) councils of funding from the Emergency Medical Services Operating Fund (EMSOF) for the fiscal year beginning July 1, 2005, and ending June 30, 2006.

EMSOF moneys are to be used to provide funding to maintain, improve and develop the quality of the EMS system within this Commonwealth. The Department finds that the EMSOF is not sufficient to fully fund the EMS system. Therefore, it gives notice, under 28 Pa. Code § 1001.22(d), that recipients of EMSOF funding from regional EMS councils may be required to contribute funds toward all purchases, acquisitions and projects for which the Department permits the use of EMSOF moneys.

Each regional EMS council shall prioritize the distribution of its EMSOF allocation based upon the Statewide EMS Development Plan and its regional EMS development plan, subject to the funding priorities set forth in this notice. By September 30, 2005, the regional EMS councils shall notify the providers and other appropriate entities of the established funding priorities, the application process, acquisition documentation requirements and processing deadlines. Each regional EMS council must complete all documents required for the distribution of EMSOF funding by June 30, 2006.

The Department may increase the amount of the initial payment or reimbursement from the EMSOF based upon the EMS development plans (State and regional) or documented financial hardship of a provider of EMS. A provider of EMS that seeks additional funds due to financial hardship shall be required to submit a financial disclosure statement and other documentation deemed necessary by the Department.

A provider of EMS applying for EMSOF funding must be in compliance, or aggressively pursuing full compliance, with all regulations, policies and priorities of the State and regional EMS systems.

Funds for purchases, acquisitions and projects for the fiscal year beginning July 1, 2005, and ending June 30, 2006, must be expended by the regional EMS council by June 30, 2006, unless a written request for an extension of time, not to exceed 90 calendar days, is submitted by the regional EMS council and approved by the Department prior to June 30, 2006.

Funding Priorities

These priorities are not ranked. The priorities must be considered before there is any regional distribution of EMSOF moneys for initiatives that are not listed. Funding must be distributed consistent with the regional and Statewide EMS development plans. Consequently, if the priorities in this notice have been funded and additional funding is available, the request to use EMSOF money towards nonpriority items must still be supported by the Statewide and regional EMS development plans.

- Development or improvement of an organizational risk management program (safety measures, hazard recognition/mitigation and the necessary organizational structure and support processes) proposed by an ambulance service. Proposals for funding must be comprehensive and include safe vehicle operations. Approval by the Department is required prior to funding.

- Recruitment and retention programs, including scholarships/tuition reimbursement for emergency medical technician and paramedic training in areas with high prehospital personnel vacancy rates as determined by the regional EMS council and approved by the Department.

- Automatic external defibrillators (AED) for Department recognized quick response services and basic life support (BLS) ambulance services.

- Equipment required to meet BLS and advanced life support (ALS) ambulance service licensure.

- Capnography equipment (especially wave-form end-tidal CO₂ monitors).

- Ambulance for ambulance services that operate a single ambulance more than 10 years of age or for more than 200,000 miles.

- Software/computer equipment to enable services to collect and transmit EMS patient care reports electronically.

- Communication equipment and capabilities for EMS response in areas with poor to no communication capability between ambulances and medical command facilities or between ambulances and receiving facilities.

- Quality assurance/improvement initiatives.

- Continuous positive airway pressure devices approved by the Department.

- Identification vests for mass casualty response and incident command roles.

- EMS personnel protective respiratory equipment approved by the Department to protect the EMS practitioner from communicable diseases transmitted from person to person through airborne mechanisms.

When two or more ambulance companies have consolidated, the entity may be deemed eligible to receive a one-time grant not to exceed the amount of the combined total for which the individual companies would have been eligible had they not consolidated.

Emergency Preparedness and Response Funding Requests

Emergency preparedness and response funding requests must be based on local and response roles of services, regional needs and needs identified by threat

vulnerability analysis. Purchases must be coordinated with county emergency, fire service, HAZMAT and hospital organizations in the applicant's service area to assure interoperability and to prevent duplication. Funding requests related to response to terrorism and emergency preparedness must have a clear connection to the regional EMS catastrophic plan and the regional EMS development plan. Priority will be given to fund the ambulance services in each region that have committed to participating in the EMS surge capability project and respond to requests for EMS, both interstate and intrastate, as identified in the State and regional catastrophic casualty care plans.

Provider Equipment

Purchases by providers of EMS are not limited to equipment. If an EMS provider requests EMSOF moneys to purchase equipment, the Eligible Provider Equipment List identifies equipment for which EMSOF funds will be made available to purchase. This chart identifies the types of providers of EMS eligible for equipment purchases supported by EMSOF funding and the maximum allowable cost upon which the EMSOF contribution will be calculated.

EMSOF funds will fund 60% of the maximum allowable cost of an equipment item for rural providers and will fund 50% of the maximum allowable cost of an equipment item for nonrural providers. An eligible provider is responsible for the balance of the purchase price. The provider may purchase an item for an amount that exceeds the maximum allowable cost, but the provider will be responsible for any amount exceeding that figure. The last two columns of the chart identify the percentage of EMSOF contribution towards the purchase price, up to the maximum allowable cost of the item, based upon whether the provider operates in a rural or nonrural area.

AED capability must be funded for a QRS or a BLS ambulance service prior to the service being approved to receive EMSOF funds towards the purchase of any other equipment.

Questions regarding the Eligible Provider Equipment List or other matters addressed in this notice should be directed to Joseph W. Schmider, Director, Emergency Medical Services Office, Department of Health, P. O. Box 90, Harrisburg, PA 17108-0090, (717) 787-8740. Speech or hearing impaired persons should use VTT: (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984. Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) should contact Joseph W. Schmider at the previously listed address or telephone numbers.

Eligible Provider Equipment List

Equipment Description	Life Expectancy	Eligible Purchase for:				Allowable Costs ¹	Nonrural (50%)	Rural (60%)
		ALS	ALS/SQ	BLS	QRS			
EKG Monitor/Defibrillator with Pacer	5 years	Y	Y	N	N	12,000	6,000	7,200
12 Lead EKG ²	5 years	Y	Y	N	N	20,000	10,000	12,000
Automated External Defibrillator (AED)	5 years	N	N	Y ³	Y ³	3,500	1,750	2,100

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<i>Equipment Description</i>	<i>Life Expectancy</i>	<i>Eligible Purchase for:</i>				<i>Allowable Costs¹</i>	<i>Nonrural (50%)</i>	<i>Rural (60%)</i>
		<i>ALS</i>	<i>ALS/SQ</i>	<i>BLS</i>	<i>QRS</i>			
Oxygen Equipment (any combination) Cylinder Demand Valve w/Hose & Mask Regulator (combination or constant flow) Case	5 years	Y	Y	Y	Y	500	250	300
Capnography Equipment	3 years	Y	Y	N	N	3,000	1,500	1,800
CPAP Ventilation Portable Equipment	5 years	Y	Y	N	N	900	450	540
Pulse Oximeter	5 years	Y	Y	N	N	700	350	420
Nitrous Oxide Delivery System	5 years	Y	Y	N	N	2,000	1,000	1,200
Intravenous Infusion Pumps	5 years	Y	Y	N	N	2,000	1,000	1,000
Adult/Pediatric Intubation Kits	5 years	Y ⁸	Y ⁸	N	N	600	300	360
Transtracheal Jet Insufflators (TTJ)	5 years	Y	Y	N	N	200	100	120
Splinting/Immobilization Devices (any combination) Backboard Cervical Immobilization Device Splints (rigid, traction, and the like)	3 years	Y	Y	Y	Y	500	250	300
Stairchair	5 years	Y	N	Y	N	2,000	1,000	1,200
Stretcher—Primary	5 years	Y	N	Y	N	4,000	2,000	2,400
Stretcher/Chair Combination	5 years	Y	N	Y	N	700	350	420
Suction (portable, battery operated)	3 years	Y	Y	Y	Y	900	450	540
Ventilator, Automatic (per Department guidelines)	5 years	Y ⁴	Y ⁴	Y ⁵	Y ⁵	3,000	1,500	1,800
Ambulance	-	Y	N	Y	N	-	15,000	20,000
Squad/Response Vehicle	-	N	Y	N	Y	-	7,500	9,000
Data Collection Software ⁶	-	Y	Y	Y	Y	1,700	1,700	1,700
Data Collection Hardware ⁷	3 years	Y	Y	Y	Y	1,500	750	900
Radio, Mobile (two per vehicle)	5 years	Y ⁹	Y ⁹	Y ⁹	Y ⁹	3,000	1,500	1,800
Radio, Portable (one per vehicle)	5 years	Y ⁹	Y ⁹	Y ⁹	Y ⁰	3,000	1,500	1,800
Triage Vest Set	5 years	Y	Y	Y	Y	150	75	90
Triage System	5 years	Y	Y	Y	Y	500	250	300
Alerting Equipment (5 per service @ \$400 each)	5 years	Y ⁹	Y ⁹	Y ⁹	Y ⁹	2,000	1,000	1,200
Vehicle Safety Monitoring Systems	5 years	Y	Y	Y	Y	3,500	1,750	2,100
Personal Protective Equipment/Turnout Gear: Helmet, Coat, Pants, Boots (one set)	5 years	Y	Y	Y	Y	1,200	600	720
Protective Ballistic Vest (over garment style)	5 years	Y	Y	Y	Y	1,000	500	600
Traffic Safety Equipment	5 years	Y	Y	Y	Y	500	250	300

Equipment Description	Life Expectancy	Eligible Purchase for:				Allowable Costs ¹	Nonrural (50%)	Rural (60%)
		ALS	ALS/SQ	BLS	QRS			
Large Patient Moving/Carrying Device	10 years	Y	Y	Y	Y	300	150	180
Self Contained Breathing Apparatus (2 per licensed vehicle)	10 years	Y	Y	Y	Y	3,000	1,500	1,800

¹All figures are dollar amounts for each item of equipment.

²Amount includes \$1,000 for communications package. Receiving facility must have appropriate communications capabilities.

³Must be an approved AED service or part of regional planning, and AED medical director required.

⁴Completion of approved training program required.

⁵Completion of approved training program required and BLS service medical director approval required.

⁶Must be a Department-approved software program, version and vendor.

⁷Data collection hardware may include computer, modem, printer, backup device and battery system.

⁸Must be durable equipment, not disposable equipment.

⁹Must be compatible with regional and State EMS communications plan.

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

[Pa.B. Doc. No. 05-1006. Filed for public inspection May 20, 2005, 9:00 a.m.]

Health Policy Board Meeting

The Health Policy Board is scheduled to hold a meeting on Wednesday, June 15, 2005, at 10 a.m. in Room 812, Health and Welfare Building, Seventh and Forster Streets, Harrisburg, PA 17108.

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 Cynthia Trafton, Bureau of Health Planning at (717) 772-5298 or ctrafton@state.pa.us, for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984 (TT).

This meeting is subject to cancellation without notice.

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

[Pa.B. Doc. No. 05-1007. Filed for public inspection May 20, 2005, 9:00 a.m.]

Pennsylvania Cancer Control, Prevention and Research Advisory Board Meeting

The Pennsylvania Cancer Control, Prevention and Research Advisory Board, established under section 3 of the Pennsylvania Cancer Control, Prevention, and Research Act (35 P. S. § 5633), will hold a meeting on Wednesday, June 22, 2005, from 8 a.m. to 12 p.m. in Room 812, Health and Welfare Building, 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 Kathleen A. Zitka, Chief, Department of Health, Cancer Prevention and Control Section, Room 1011, Health and Welfare Building, Harrisburg, PA, (717) 787-5251, 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. 05-1008. Filed for public inspection May 20, 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 § 201.18(e) (relating to management):

Sacred Heart Hospital Transitional Care Facility
421 Chew Street
Allentown, PA 18102-3490

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.18(e) and 28 Pa. Code §§ 205.33(a) and 211.12(b) (relating to utility room; and nursing services):

UPMC Magee-Womens Transitional Care Unit
300 Halket 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 previously, 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. 05-1009. Filed for public inspection May 20, 2005, 9:00 a.m.]

Requests for Exception to 28 Pa. Code § 551.21(d)(2) to Perform Ambulatory Surgical Procedures Included on the List of Medicare Approved ASC Procedures

The following ambulatory surgical facilities are seeking an exception to 28 Pa. Code § 551.21(d)(2) (relating to criteria for ambulatory surgery) to perform ambulatory surgical procedures included on the List of Medicare Approved ASC Procedures:

Altoona Hospital Surgery Center
Doylestown Surgery Center

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 Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@state.pa.us.

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) 783-6514 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. 05-1010. Filed for public inspection May 20, 2005, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania 9s in a Line '05 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 9s in a Line '05.

2. *Price:* The price of a Pennsylvania 9s in a Line '05 instant lottery game ticket is \$1.

3. *Play Symbols:* Each Pennsylvania 9s in a Line '05 instant lottery game ticket will contain one play area and a "BONUS" area. The play symbols and their captions located in the play area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT) and 9 (NINE). The play symbols and their captions located in the "BONUS" area are "NO BONUS" (TRY AGAIN) or 9X Symbol (MULT X9).

4. *Prizes:* The prizes that can be won in this game are: Free Ticket, \$1, \$3, \$9, \$19, \$39, \$90 and \$9,000.

5. *Approximate Number of Tickets Printed for the Game:* Approximately 10,800,000 tickets will be printed for the Pennsylvania 9s in a Line '05 instant lottery game.

6. *Determination of Prize Winners:*

(a) Holders of tickets with three matching play symbols of 9 (NINE) in a left to right diagonal in the play area, and a prize amount of \$9,000 in the prize arrow pointing to that win, on a single ticket, shall be entitled to a prize of \$9,000.

(b) Holders of tickets with three matching play symbols of 9 (NINE) in a right to left diagonal in the play area, and a prize amount of \$90 in the prize arrow pointing to that win, on a single ticket, shall be entitled to a prize of \$90.

(c) Holders of tickets with three matching play symbols of 9 (NINE) in the right column in the play area, and a prize amount of \$9 in the prize arrow pointing to that win, and with a 9X symbol (MULT X9) in the "BONUS" area, on a single ticket, shall be entitled to a prize of \$81.

(d) Holders of tickets with three matching play symbols of 9 (NINE) in the bottom row in the play area, and a prize amount of \$39 in the prize arrow pointing to that win, on a single ticket, shall be entitled to a prize of \$39.

(e) Holders of tickets with three matching play symbols of 9 (NINE) in the left column in the play area, and a prize amount of \$3 in the prize arrow pointing to that win, and with a 9X symbol (MULT X9) in the "BONUS" area, on a single ticket, shall be entitled to a prize of \$27.

(f) Holders of tickets with three matching play symbols of 9 (NINE) in the top row in the play area, and a prize amount of \$19 in the prize arrow pointing to that win, on a single ticket, shall be entitled to a prize of \$19.

(g) Holders of tickets with three matching play symbols of 9 (NINE) in the right column in the play area, and a prize amount of \$9 in the prize arrow pointing to that win, on a single ticket, shall be entitled to a prize of \$9.

(h) Holders of tickets with three matching play symbols of 9 (NINE) in the middle row in the play area, and a prize amount of \$1 in the prize arrow pointing to that win, and with a 9X symbol (MULT X9) in the "BONUS" area, on a single ticket, shall be entitled to a prize of \$9.

(i) Holders of tickets with three matching play symbols of 9 (NINE) in the left column in the play area, and a prize amount of \$3 in the prize arrow pointing to that win, on a single ticket, shall be entitled to a prize of \$3.

(j) Holders of tickets with three matching play symbols of 9 (NINE) in the middle row in the play area, and a prize amount of \$1 in the prize arrow pointing to that win, on a single ticket, shall be entitled to a prize of \$1.

(k) Holders of tickets with three matching play symbols of 9 (NINE) in the middle column in the play area, and a prize amount of "Free" in the prize arrow pointing to that win, on a single ticket, shall be entitled to a prize of one

Pennsylvania 9s in a Line '05 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*

<i>Get</i>	<i>Win:</i>	<i>Approximate Odds 1 In:</i>	<i>Approximate No. of Winners Per 10,800,000 Tickets</i>
FREE	TICKET	17.65	612,000
\$1	\$1	15.79	684,000
\$3	\$3	16.67	648,000
\$1 (9X)	\$9	75	144,000
\$9	\$9	150	72,000
\$19	\$19	300	36,000
\$3 (9X)	\$27	898.88	12,015
\$39	\$39	2,034	5,310
\$9 (9X)	\$81	24,000	450
\$90	\$90	24,000	450
\$9,000	\$9,000	2,160,000	5

9X in bonus box = Win 9 times that prize

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 9s in a Line '05 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 9s in a Line '05, prize money from winning Pennsylvania 9s in a Line '05 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 9s in a Line '05 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 9s in a Line '05 or through normal communications methods.

GREGORY C. FAJT,
Secretary

[Pa.B. Doc. No. 05-1011. Filed for public inspection May 20, 2005, 9:00 a.m.]

Pennsylvania Struck By Luck Bingo 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

Odds: The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

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 Struck By Luck Bingo.

2. *Price:* The price of a Pennsylvania Struck By Luck Bingo instant lottery game ticket is \$2.

3. *Play Symbols:*

(a) Each Pennsylvania Struck By Luck Bingo instant lottery game ticket will contain four play areas designated as "Card 1," "Card 2," "Card 3" and "Card 4." The 77 play symbols located in the four play areas are: The numbers 01 through 75, "FREE" symbol and a Lightning "BOLT" symbol. The "FREE" symbol is a free space. The Lightning "BOLT" symbol is a free space, and when it appears in a winning pattern, the prize doubles.

(b) Each ticket will also contain a "Caller's Card" area. The "Caller's Card" area will consist of 30 spaces on a 3 by 10 grid. The play symbols that may be located in each space on the grid are: The letter B with a number 01 through 15; the letter I with a number 16 through 30; the letter N with a number 31 through 45; the letter G with a number 46 through 60; and the letter O with a number 61 through 75.

4. *Prizes:* The prizes that can be won in this game are \$2, \$5, \$10, \$20, \$100, \$250, \$500, and \$20,000.

5. *Approximate Number of Tickets Printed for the Game:* Approximately 14,400,000 tickets will be printed for the Pennsylvania Struck By Luck Bingo instant lottery game.

6. *Determination of Prize Winners:*

(a) Holders of tickets matching the "Caller's Card" play symbols in an "X" pattern, extending through the "FREE" space and through to each of the four corner spaces, on "Card 4," shall be entitled to a prize of \$20,000.

(b) Holders of tickets matching the "Caller's Card" play symbols in an "X" pattern, extending through the "FREE" space and through to each of the four corner spaces, on "Card 3," shall be entitled to a prize of \$500.

(c) Holders of tickets matching the "Caller's Card" play symbols in an "X" pattern, extending through the "FREE" space and through to each of the four corner spaces, on "Card 2," shall be entitled to a prize of \$250.

(d) Holders of tickets matching the "Caller's Card" play symbols in a diamond pattern, matching one square in the midpoint in each of the four outside rows and columns, on "Card 4," shall be entitled to a prize of \$250.

(e) Holders of tickets matching the "Caller's Card" play symbols in an "X" pattern, extending through the "FREE" space and through to each of the four corner spaces, on "Card 1," shall be entitled to a prize of \$100.

(f) Holders of tickets matching the "Caller's Card" play symbols in a diamond pattern, matching one square in the midpoint in each of the four outside rows and columns, on "Card 2" or "Card 3," shall be entitled to a prize of \$100.

(g) Holders of tickets matching the "Caller's Card" play symbols in a diamond pattern, matching one square in the midpoint in each of the four outside rows and columns, on "Card 1," shall be entitled to a prize of \$20.

(h) Holders of tickets matching the "Caller's Card" play symbols in the four corners on "Card 2" or "Card 3" or "Card 4," shall be entitled to a prize of \$20.

(i) Holders of tickets matching the "Caller's Card" play symbols in the four corners on "Card 1," shall be entitled to a prize of \$10.

(j) Holders of tickets matching the "Caller's Card" play symbols in four of the five spaces in a horizontal, vertical or diagonal line, and a Lightning "BOLT" symbol in the remaining space of that same horizontal, vertical or diagonal line on "Card 4," shall be entitled to a prize of \$10.

(k) Holders of tickets matching the "Caller's Card" play symbols in a five-space horizontal, vertical or diagonal line on "Card 4," shall be entitled to a prize of \$5.

(l) Holders of tickets matching the "Caller's Card" play symbols in four of the five spaces in a horizontal, vertical or diagonal line, and a Lightning "BOLT" symbol in the remaining space of that same horizontal, vertical or diagonal line on "Card 1" or "Card 2" or "Card 3," shall be entitled to a prize of \$4.

(m) Holders of tickets matching the "Caller's Card" play symbols in a five-space horizontal, vertical or diagonal line on "Card 1" or "Card 2" or "Card 3," shall be entitled to a prize of \$2.

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 Bingo With:</i>	<i>Win:</i>	<i>Approximate Odds of 1 In:</i>	<i>Approximate No. of Winners Per 14,400,000 Tickets</i>
LINE CARD 1	\$2	23.08	624,000
LINE CARD 2	\$2	23.08	624,000
LINE CARD 3	\$2	25	576,000
LINE CARD 1 + LINE CARD 2	\$4	75	192,000
LINE CARD 2 + LINE CARD 3	\$4	75	192,000
LINE CARD 1 w/BOLT	\$4	60	240,000
LINE CARD 2 w/BOLT	\$4	60	240,000
LINE CARD 3 w/BOLT	\$4	60	240,000
LINE CARD 4	\$5	50	288,000
LINE CARD 1 + LINE CARD 2 + LINE CARD 3	\$6	150	96,000
4 CORNERS CARD 1	\$10	375	38,400
LINE CARD 4 w/BOLT	\$10	250	57,600
LINE CARDS 1, 2, 3 & 4	\$11	150	96,000
LINE CARD 4 w/BOLT + 4 CORNERS CARD 1	\$20	750	19,200
DIAMOND CARD 1	\$20	750	19,200
4 CORNERS CARD 2	\$20	750	19,200
4 CORNERS CARD 3	\$20	750	19,200
4 CORNERS CARD 4	\$20	750	19,200
LINE CARD 4 w/BOLT + DIAMOND CARD 1	\$30	888.89	16,200
LINE CARD 4 w/BOLT + 4 CORNERS CARD 2	\$30	888.89	16,200
LINE CARD 4 w/BOLT + 4 CORNERS CARD 3	\$30	888.89	16,200
4 CORNERS CARDS 1 & 2	\$30	1,846	7,800
4 CORNERS CARDS 1 & 3	\$30	1,846	7,800
4 CORNERS CARDS 1 & 4	\$30	1,905	7,560
4 CORNERS CARDS 3 & 4	\$40	800	18,000
DIAMOND CARD 1 + 4 CORNERS CARD 4	\$40	800	18,000
4 CORNERS CARDS 1, 2 & 3	\$50	2,400	6,000
DIAMOND CARD 2	\$100	24,000	600

<i>Get Bingo With:</i>	<i>Win:</i>	<i>Approximate Odds of 1 In:</i>	<i>Approximate No. of Winners Per 14,400,000 Tickets</i>
DIAMOND CARD 3	\$100	24,000	600
"X" CARD 1	\$100	24,000	600
"X" CARD 2	\$250	60,000	240
DIAMOND CARD 4	\$250	60,000	240
"X" CARD 2 + DIAMOND CARD 4	\$500	120,000	120
"X" CARD 3	\$500	120,000	120
"X" CARD 4	\$20,000	2,400,000	6

BOLT = Win double the prize shown.
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 Struck By Luck Bingo 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 Struck By Luck Bingo, prize money from winning Pennsylvania Struck By Luck Bingo 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 Struck By Luck Bingo 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 Struck By Luck Bingo or through normal communications methods.

GREGORY C. FAJT,
Secretary

[Pa.B. Doc. No. 05-1012. Filed for public inspection May 20, 2005, 9:00 a.m.]

HISTORICAL AND MUSEUM COMMISSION

National Register Nominations to be Reviewed by the Historic Preservation Board

The Historic Preservation Board (Board) will hold a meeting on June 7, 2005, at 9:45 a.m. in Room 515, Historical and Museum Commission, Third and North Streets, Harrisburg, PA. Persons with a disability who

wish to attend the meeting and require an auxiliary aid, service or other accommodation to participate should contact Helena Johnson at (717) 783-2698 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Board can accommodate their needs. Persons with questions or comments should contact the Bureau for Historic Preservation at (717) 783-8946.

Great Valley and Piedmont Region

1. *Roberts & Mander Stove Company Buildings*, Jacksonville Road, Tanner and Lincoln Avenues, Hatboro, Montgomery County
2. *Smaltz Building*, 315 N. 12th Street, Philadelphia
3. *Wynnestay*, 5125 Woodbine Avenue, Philadelphia
4. *Fetter's Mill Village Historic District*, Fetter's Mill Road and Pennypack Lane, Bryn Athyn Borough and Lower Moreland Township, Montgomery County
5. *Sunnybrook*, 50 Sunnybrook Road, Lower Pottsgrove Township, Montgomery County

Allegheny Plateau

6. *Noxen School House*, School Street, Noxen Township, Wyoming County

Anthracite Region and Poconos, Ridge and Valley, Southwestern Pennsylvania

No nominations

BARBARA FRANCO,
Executive Director

[Pa.B. Doc. No. 05-1013. Filed for public inspection May 20, 2005, 9:00 a.m.]

HUMAN RELATIONS COMMISSION

Public Hearing Opinions

The Human Relations Commission (Commission), under section 7(o) of the Pennsylvania Human Relations Act

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

Shawn Brooks v. Viacom, Inc., Infinity Broadcasting Corp., Joseph Zurzolo, Peter Kleiner and Ken Stevens c/o Viacom, Inc. d/b/a Infinity Broadcasting Corporation, Doc. No. E99572D, PHRC Case No. 200027223 (Pennsylvania Human Relations Commission, February 28, 2005)

Employer-circulated racially offensive statements and stereotypes to employees, hostile work environment, constructive discharge.

Ruling for complainant, 9-0 decision and 1 abstention
43 pages

Kimberly Byrd v. Eileen Sacco, PHRC Case No. 200205077 and Kimberly Bryd v. Eileen and Edward Sacco, PHRC Case No. 200302350 (Pennsylvania Human Relations Commission, March 1, 2005)

Race-based harassment at home, retaliation.

Ruling for respondent, 9-0 decision and 1 abstention
35 pages

Charles E. Dean, II v. Larry McCrae, Inc., PHRC Case No. 200209681 (Pennsylvania Human Relations Commission, April 19, 2005)

Monetary damages following Rule to Show Cause Finding in retaliation complaint.

Ruling for complainant, 9-0 decision
11 pages

Tanika Vallati v. Lamar Yoder, PHRC Case No. 200302403 and Marilyn Noto v. Lamar Yoder, PHRC Case No. 200302412 (Pennsylvania Human Relations Commission, March 22, 2005)

Monetary damages following Rule to Show Cause Finding in consolidated sexual harassment complaints.

Ruling for complainant, 8-0 decision
14 pages

Debra L. Wurst v. Weisser Mobile Homes, Inc., PHRC Case No. 2003000049 (Pennsylvania Human Relations Commission, April 19, 2005)

Pregnancy-based employment termination.

Ruling for complainant, 8-1 decision
32 pages

The final orders in the previously listed cases are subject to appeal to Commonwealth Court, and if appealed are subject to being affirmed, reversed or modified, in whole or part.

A copy of an opinion listed in this notice may be obtained by mailing a request indicating the opinion desired, accompanied by a check or money order in the amount of 15¢ per page to Laura J. Treaster, Communications Director, Human Relations Commission, 301 Chestnut Street, Suite 300, Pennsylvania Place, Harrisburg, PA 17101.

The check or money order should be made payable to the "Commonwealth of Pennsylvania." Copies are also available under the Legal section of the Commission's website at www.phrc.state.pa.us.

HOMER C. FLOYD,
Executive Director

[Pa.B. Doc. No. 05-1014. Filed for public inspection May 20, 2005, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

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.

<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
18-397	Department of Transportation Occupational Limited License	5/9/05

<i>Emergency Certified Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
18-400	Department of Transportation School Buses and School Vehicles	5/10/05

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 05-1015. Filed for public inspection May 20, 2005, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Increase in Underwriting Authority of a Domestic Stock Casualty Insurance Com- pany

AIG Indemnity Insurance Company (AIG Indemnity), a domestic stock casualty insurance company, has filed an application to increase its classes of underwriting authorities. The class of insurance that AIG Indemnity has applied to add is as mentioned in 40 P. S. § 382(c)(14), Workers' Compensation. Persons wishing to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Written statements must include name, address and telephone number of the interested party, identification of the application to which the statement is ad-

dressed and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Robert A. Kotal, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, rkotal@state.pa.us.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 05-1016. Filed for public inspection May 20, 2005, 9:00 a.m.]

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

AIG Preferred Insurance Company (AIG Preferred), a domestic stock casualty insurance company, has filed an application to increase its classes of underwriting authorities. The class of insurance that AIG Preferred has applied to add is as mentioned in 40 P. S. § 382(c)(14), Workers' Compensation. Persons wishing to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Written statements must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Robert A. Kotal, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, rkotal@state.pa.us.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 05-1017. Filed for public inspection May 20, 2005, 9:00 a.m.]

Pennsylvania Professional Liability Joint Underwriting; Rate Filing

On May 2, 2005, the Insurance Department (Department) received from the Pennsylvania Professional Liability Joint Underwriting Association (JUA) a filing to decrease occurrence and mature claims made rates overall by 1.9% for noninstitutional health care providers. The changes in the filing include revisions to:

- Nine class relativities.
- Movement of eight counties from one territory to another.
- Changing two territorial relativities.
- Adjusting for coverage due to statutory changes taking effect January 1, 2006, as outlined in section 715 of the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. § 1303.715).

The JUA is also seeking approval to decrease occurrence and mature claims made rates overall by 1.9% for institutional health care providers.

Unless formal administrative action is taken prior to July 1, 2005, the rates within the subject filing may be deemed into use upon the effective date, January 1, 2006, 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." A pdf copy of this filing is located at the link "View Filing" underneath the name of the filing.

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 Mike McKenney, Insurance Department, Insurance Product Regulation and Market Enforcement, 1311 Strawberry Square, Harrisburg, PA 17120, mmckenney@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 05-1018. Filed for public inspection May 20, 2005, 9:00 a.m.]

Per Diem Charges for Financial Examinations; Notice 2005-05

Under the authority in section 907 of The Insurance Department Act of 1921 (40 P. S. § 323.7) and 31 Pa. Code § 12.4 (relating to per diem charges), an updated schedule of per diem charges for financial examinations conducted by the Insurance Department (Department) is adopted.

The new schedule of charges is as follows:

Examiner Trainee	\$250 per day
Actuarial Associate 1	\$250 per day
Actuary 1	\$496 per day
Examiner 1	\$317 per day
Examiner 2	\$405 per day
Examiner 3	\$440 per day
Examination Manager	\$573 per day

As prescribed in 31 Pa. Code § 12.4(c), the Department will calculate and bill per diem charges for financial examination costs in 1/2-hour units.

This schedule is effective July 1, 2005.

This document supersedes the notice published at 34 Pa.B. 3211 (June 19, 2004) and shall remain in effect until a subsequent notice is published in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 05-1019. Filed for public inspection May 20, 2005, 9:00 a.m.]

Per Diem Charges for Market Conduct Examinations; Notice 2005-06

Under the authority in section 907 of The Insurance Department Act of 1921 (40 P. S. § 323.7) and 31 Pa. Code § 12.4 (relating to per diem charges), an up-

dated schedule of per diem changes for market conduct examinations conducted by the Insurance Department (Department) is adopted.

The new schedule of charges is as follows:

Examiner Trainee	\$225 per day
Examiner 1	\$294 per day
Examiner 2	\$404 per day
Examiner Manager	\$483 per day

As prescribed in 31 Pa. Code § 12.4(c), the Department will calculate and bill per diem charges for examination costs in 1/2-hour units.

This schedule is effective July 1, 2005.

This document supersedes the notice published at 34 Pa.B. 3211 (June 19, 2004) and shall remain in effect until a subsequent notice is published in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 05-1020. Filed for public inspection May 20, 2005, 9:00 a.m.]

LEGISLATIVE REFERENCE BUREAU

Documents Filed But Not Published

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

Governor's Office

Management Directive No. 205.9—Implementation of Financial Disclosure Provisions of the Governor's Code of Conduct, Amended April 15, 2005.

Management Directive No. 205.10—Financial Disclosures Required by the Public Official and Employee Ethics Act, Act 93 of 1998, 65 Pa.C.S. §§ 1101—1113, Amended April 15, 2005.

Management Directive No. 205.12—Financial Disclosures Required of Former Employees by the Public Official and Employee Ethics Act, Act 93 of 1998, 65 Pa.C.S. §§ 1101—1113, Amended April 15, 2005.

Management Directive No. 570.14—Deferred Compensation Program, Amended March 25, 2005.

MARY JANE PHELPS,
Director
Pennsylvania Bulletin

[Pa.B. Doc. No. 05-1021. Filed for public inspection May 20, 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, June 6, 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. 05-1022. Filed for public inspection May 20, 2005, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by June 13, 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-00121718. Bonnie and Melvin Hackart (311 Popular Lane, New Providence, Lancaster County, PA 17560)—persons, in paratransit service, between points in the County of Lancaster, and from points in said county, to points in Pennsylvania, and return.

A-00121676. Sirawan Transportation, Inc. (8312 State Road, Unit 13, City and County of Philadelphia, PA 19136), a corporation of the Commonwealth—persons in group and party service in vehicles seating 11 to 15 passengers, including the driver, between points in the County of Delaware, and the City and County of Philadelphia, and from point in said city and counties, to points in Pennsylvania located within an airline distance of 100 statute miles of the limits of the City and County of Philadelphia, and vice versa; subject to the following conditions: (a) that no right, power or privilege is granted to provide service to or from points in the County of

Chester; and (b) that service to or from points in the Counties of Lehigh and Northampton shall be limited to transportation for Core Care Services, Inc. and US Air Express; which is to be a transfer of all the right authorized under the certificate issued at A-00117931, F. 3 to Qonnections, Inc., subject to the same limitations and conditions. *Attorney:* William A. Gray, 2310 Grant Building, Pittsburgh, PA 15219-2383.

A-00121716. FJG Transportation, Inc. (1500 Farr Street, Scranton, Lackawanna County, PA 18504), a corporation of the Commonwealth—persons in limousine service, between points in the Counties of Lackawanna, Luzerne, Monroe, Pike and Wayne, and from points in said counties to points in Pennsylvania, and return. *Attorney:* Donald P. Dolan, 1561 Sanderson Avenue, Scranton, PA 18509, (570) 961-2811.

A-00121719. Woodlyn Volunteer Fire Co. No. 1 (P. O. Box 217, Woodlyn, Delaware County, PA 19094), a corporation of the Commonwealth—persons in paratransit service, between points in the Counties of Philadelphia, Delaware, Montgomery, Bucks and Chester, and from points in said counties, to points in Pennsylvania, and return.

A-00121720. Leonard R. Lewandowski (106 Morningside Drive, Red Lion, York County, PA 17356)—persons, upon call or demand, in the Boroughs of Red Lion, Dallastown, Jacobus, Windsor, Loganville, Wintertown, Glen Rock, Shrewsbury, Stewartstown, Felton, Cross Roads and Yoe and the Townships of York, Springfield, Shrewsbury, Windsor, North Hopewell, East Hopewell and Hopewell, all located in York County.

Application of the following for approval of the additional right and privilege of operating motor vehicles as common carriers for transportation of persons as described under the application.

A-00108299, Folder 3. J.E.T. Enterprises, Inc. t/d/b/a Londonderry Limousines, Ltd. (320 Plaza Drive, Palmyra, Lebanon County, PA 17078), a corporation of the Commonwealth—persons, in group and party service, in vehicles seating 11 to 15 passengers, including the driver, between points in the Counties of Dauphin, Lancaster, Cumberland and Lebanon, and from points in said counties, to points in Pennsylvania, and return.

Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of persons by transfer of rights as described under the application.

A-00120953, Folder 3. Marco Tralongo t/d/b/a Quality Limousine (4806 Gardenville Road, Pittsburgh, Allegheny County, PA 15236)—persons in limousine service, between points in Pennsylvania; which is to be a transfer of all the right authorized under the certificate issued at A-00105306, to Barry J. Testa (deceased) t/d/b/a Hollywood Limousine Service, subject to the same limitations and conditions.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 05-1023. Filed for public inspection May 20, 2005, 9:00 a.m.]

Telecommunications

A-310547F7002. The United Telephone Company of Pennsylvania d/b/a Sprint and Susquehanna Telcove. Joint petition of The United Telephone Company of Pennsylvania d/b/a Sprint and Susquehanna Telcove for approval of adoption of an interim interconnection and resale agreement under section 252(e) of the Telecommunications Act of 1996.

The United Telephone Company of Pennsylvania d/b/a Sprint and Susquehanna Telcove, by its counsel, filed on April 29, 2005, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of adoption of an interim interconnection and resale agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the The United Telephone Company of Pennsylvania d/b/a Sprint and Susquehanna Telcove 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. 05-1024. Filed for public inspection May 20, 2005, 9:00 a.m.]

Telecommunications

A-311103F7002. The United Telephone Company of Pennsylvania d/b/a Sprint and TelCove Investment, LLC. Joint petition of The United Telephone Company of Pennsylvania d/b/a Sprint and TelCove Investment, LLC for approval of adoption of an interim interconnection and resale agreement under section 252(i) of the Telecommunications Act of 1996.

The United Telephone Company of Pennsylvania d/b/a Sprint and TelCove Investment, LLC, by its counsel, filed on April 29, 2005, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of adoption of an interim interconnection and resale agreement under sections 251 and 252 of the Telecommunications Act of 1996.

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

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

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 05-1025. Filed for public inspection May 20, 2005, 9:00 a.m.]

Telecommunications

A-310378F7002. The United Telephone Company of Pennsylvania d/b/a Sprint and TelCove of Eastern Pennsylvania, Inc. Joint petition of The United Telephone Company of Pennsylvania d/b/a Sprint and TelCove of Eastern Pennsylvania, Inc. for approval of adoption of an interim interconnection and resale agreement under section 252(i) of the Telecommunications Act of 1996.

The United Telephone Company of Pennsylvania d/b/a Sprint and TelCove of Eastern Pennsylvania, Inc., by its counsel, filed on April 29, 2005, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of adoption of an interim interconnection and resale agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the The United Telephone Company of Pennsylvania d/b/a Sprint and TelCove of Eastern Pennsylvania, 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. 05-1026. Filed for public inspection May 20, 2005, 9:00 a.m.]

Telecommunications

A-310470F7002. The United Telephone Company of Pennsylvania d/b/a Sprint and TelCove of Pennsylvania, Inc. Joint petition of The United Telephone Company of Pennsylvania d/b/a Sprint and TelCove of Pennsylvania, Inc. for approval of adoption of an interim interconnection and resale agreement under section 252(i) of the Telecommunications Act of 1996.

The United Telephone Company of Pennsylvania d/b/a Sprint and TelCove of Pennsylvania, Inc., by its counsel, filed on April 29, 2005, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of adoption of an interim interconnection and resale agreement under sections 251 and 252 of the Telecommunications Act of 1996.

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

Sprint and TelCove of Pennsylvania, 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. 05-1027. Filed for public inspection May 20, 2005, 9:00 a.m.]

Telecommunications

A-310923F7002. The United Telephone Company of Pennsylvania d/b/a Sprint and TelCove Operations, Inc. Joint petition of The United Telephone Company of Pennsylvania d/b/a Sprint and TelCove Operations, Inc. for approval of adoption of an interim interconnection and resale agreement under section 252(i) of the Telecommunications Act of 1996.

The United Telephone Company of Pennsylvania d/b/a Sprint and TelCove Operations, Inc., by its counsel, filed on April 29, 2005, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of adoption of an interim interconnection and resale agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the The United Telephone Company of Pennsylvania d/b/a Sprint and TelCove Operations, 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. 05-1028. Filed for public inspection May 20, 2005, 9:00 a.m.]

Telecommunications Services

A-310183F0002AMA, A-310183F0002AMB and A-310183F0002AMC. Sprint Communications Company, L. P. Application of Sprint Communications Company, L. P. for approval of the right to offer, render, furnish or supply telecommunications services as a competitive local exchange carrier to the public in the service territories of Alltel Pennsylvania, Inc., Commonwealth Telephone Company and Palmerton Telephone Company.

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 June 6, 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: Sprint Communications Company, L. P.

Through and By Counsel: Zsuzsanna E. Benedek, Esquire, 240 North Third Street, Suite 201, Harrisburg, PA 17101

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 05-1029. Filed for public inspection May 20, 2005, 9:00 a.m.]

Water and Wastewater Service

A-210061F2000 and A-230048F2000. James P. Dorwart and Donna D. Dorwart t/a Dorwart Enterprises. Application of James P. Dorwart and Donna D. Dorwart t/a Dorwart Enterprises for approval of the abandonment of their Certificate of Public Convenience as a water and wastewater supplier in this Commonwealth.

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 June 6, 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: James P. and Donna D. Dorwart t/a Dorwart Enterprises

Through and By Counsel: Dan Altland, Esquire, Caldwell and Kearn, 3631 North Front Street, Harrisburg, PA 17110

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 05-1030. Filed for public inspection May 20, 2005, 9:00 a.m.]

Water Service

A-210104F0060. Aqua Pennsylvania, Inc. Application of Aqua Pennsylvania, Inc. for approval to begin to offer, render, furnish and supply water service to the public in an additional portion of Centre Township, Berks 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 June 6, 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: Aqua Pennsylvania, Inc.

Through and By Counsel: Frances P. Orth, Esquire, 762 West Lancaster Avenue, Bryn Mawr, PA 19010

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 05-1031. Filed for public inspection May 20, 2005, 9:00 a.m.]

Water Service

A-210119. Sun Valley Water Company. Application of Sun Valley Water Company for approval of the right to begin to offer, render, furnish or supply water service to the public in this Commonwealth.

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 June 6, 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: Sun Valley Water Company

Through: Robert R. Cameron, Secretary and Treasurer, P. O. Box 1090, Brodheadsville, PA 18322

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 05-1032. Filed for public inspection May 20, 2005, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project #05-047.1, Paving Repairs/Spray Patch Paving, All PRPA Piers, until 2 p.m. on Thursday, June 16, 2005. The bid documents can be obtained from the Director of Procurement, PRPA, 3460 N. Delaware Ave., 2nd Floor, Philadelphia, PA 19134, (215) 426-2600 and will be available May 31, 2005. Additional information and project listings can be found at www.philaport.com. The cost of the bid document is \$35 (includes 7% Pennsylvania Sales Tax). The cost is nonrefundable. PRPA is an equal opportunity employer. Contractors must comply with all applicable equal opportunity laws and regulations. Bidders must provide to the Procurement Department, in writing, the names of individuals that will be attending prebid meetings. This information is needed 24 hours prior to the meeting. Fax to (215) 426-6800, Attn: Procurement Department.

A prebid job site meeting will be held on June 9, 2005, at 10 a.m. at PRPA, 3460 N. Delaware Ave., 2nd Floor, Philadelphia, PA 19134.

JAMES T. MCDERMOTT, Jr.,
Executive Director

[Pa.B. Doc. No. 05-1033. Filed for public inspection May 20, 2005, 9:00 a.m.]

PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

Hearings Scheduled

Hearings have been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's (System) denial of claimants' requests concerning the indicated accounts.

The hearings will be held before a hearing examiner at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

July 6, 2005	Valentino L. Bell (D) (Death Benefit)	1 p.m.
July 27, 2005	Joel J. Wentling (Purchase of Service)	2:30 p.m.
August 10, 2005	John P. Wabby William J. Toomey Jr. (Retirement Covered Compensation)	1 p.m.
August 24, 2005	James A. McLaughlin (D)	1 p.m.

Persons with a disability who wish to attend the listed hearings and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Marilyn Fuller-Smith, Assistant to the Executive Director at (717) 720-4921 to discuss how the System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

JEFFREY B. CLAY,
Executive Director

[Pa.B. Doc. No. 05-1034. Filed for public inspection May 20, 2005, 9:00 a.m.]

Hearing Scheduled

A hearing has been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's (System) denial of claimant's request concerning the indicated account.

The hearing will be held before a hearing examiner at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

July 27, 2005 Dennis Clark 2:30 p.m.
(Multiple Service)

Persons with a disability who wish to attend the listed hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Marilyn Fuller-Smith, Assistant to the Executive Director at (717) 720-4921 to discuss how the System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

JEFFREY B. CLAY,
Executive Director

[Pa.B. Doc. No. 05-1035. Filed for public inspection May 20, 2005, 9:00 a.m.]

STATE BOARD OF COSMETOLOGY

Bureau of Professional and Occupational Affairs v. Brian K. Bender; Doc. No. 1344-45-02

On April 7, 2005, Brian K. Bender, license no. CO-215028L, of State College, Centre County, was assessed a civil penalty in the amount of \$1,000 for practicing cosmetology on a lapsed license.

Individuals may obtain a copy of the adjudication by writing to Ruth D. Dunnewold, Senior Deputy Chief Counsel, State Board of Cosmetology, P. O. Box 2649, Harrisburg, PA 17105-2649.

This final order represents the final State Board of Cosmetology (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.

SUSAN E. RINEER,
Chairperson

[Pa.B. Doc. No. 05-1036. Filed for public inspection May 20, 2005, 9:00 a.m.]

Bureau of Professional and Occupational Affairs v. Brenda J. Hamed; Doc. No. 32944-45-01

On April 7, 2005, Brenda J. Hamed, unlicensed, of Philadelphia, Philadelphia County, was assessed a civil penalty in the amount of \$500 for maintaining an unlicensed shop.

Individuals may obtain a copy of the adjudication by writing to Ruth D. Dunnewold, Senior Deputy Chief Counsel, State Board of Cosmetology, P. O. Box 2649, Harrisburg, PA 17105-2649.

This final order represents the final State Board of Cosmetology (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.

SUSAN E. RINEER,
Chairperson

[Pa.B. Doc. No. 05-1037. Filed for public inspection May 20, 2005, 9:00 a.m.]

Bureau of Professional and Occupational Affairs v. Fatoumata Sidibeh d/b/a Fatima African Hair Braiding; Doc. No. 1766-45-04

On April 7, 2005, Fatoumata Sidibeh d/b/a Fatima African Hair Braiding, unlicensed, of Philadelphia, Philadelphia County, was assessed a civil penalty in the amount of \$1,500 for maintaining an unlicensed shop.

Individuals may obtain a copy of the adjudication by writing to Ruth D. Dunnewold, Senior Deputy Chief Counsel, State Board of Cosmetology, P. O. Box 2649, Harrisburg, PA 17105-2649.

This final order represents the final State Board of Cosmetology (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.

SUSAN E. RINEER,
Chairperson

[Pa.B. Doc. No. 05-1038. Filed for public inspection May 20, 2005, 9:00 a.m.]

STATE EMPLOYEES' RETIREMENT BOARD

Right-to-Know Law Policy

I. GENERAL POLICY

The Commonwealth of Pennsylvania State Employees' Retirement System (SERS) shall provide the public with access to public records to the fullest extent required by law consistent with its duties to protect the interests and rights of SERS and its members. This policy relates to the release of information pertaining to SERS business in compliance with the Pennsylvania Right-To-Know Law (RTKL), 65 P.S. §§ 66.1—66.9, Management Directive 205.36 Amended, and Management Directive 505.18 Amended. The Chief Counsel of SERS' Legal Office

should be consulted in cases in which this policy does not provide sufficient guidance to reach a determination.

In promulgating this policy, the State Employees' Retirement Board (Board) is cognizant of the statutory and decisional law on the subject and the fiduciary and administrative duties it owes to the members of SERS and its obligations to the citizens of the Commonwealth of Pennsylvania (Commonwealth) to operate in an open manner. In situations where the right of the Commonwealth's citizens competes with the foregoing duties of the Board, the standards listed below shall, when appropriate, be applied.

- The release of medical records to the public shall be in compliance with state and federal laws, which protect the privacy of health care information by restricting the disclosure of records.

- As a general rule, the disclosure of information that will be detrimental to SERS' investments shall be protected if disclosure would breach the fiduciary responsibility set forth in 71 Pa.C.S. § 5931.

- Disclosure of nonpublic information in response to court orders and subpoenas shall not result in disciplinary action.

- The names and home addresses of any active members, vestees or annuitants who are law enforcement officers, enforcement officers or psychiatric security aides (as defined by 71 Pa.C.S. § 5102), members of the judiciary (as defined by 71 Pa.C.S. § 5102), prison personnel employed by the Pennsylvania Department of Corrections, officers employed by the Pennsylvania Board of Probation and Parole and similarly-situated members shall not be released to the public because disclosure may impair such members' personal security.

Consistent with this policy, SERS may, from time to time, make available on its web site (www.sers.state.pa.us) certain financial and investment information to facilitate access to such information and reduce time delays and processing efforts associated with formal written RTKL Requests.

II. DEFINITIONS

Business Day—Any Monday, Tuesday, Wednesday, Thursday or Friday, except those days when SERS Central Office in Harrisburg, Pennsylvania is closed for all or part of a day due to a state holiday; pursuant to Management Directive 530.17, Partial and Full Day Closings of State Offices, or Management Directive 505.7, Personnel Rules, Section 8.7, due to severe weather (such as blizzard or ice storm); due to natural or other disaster; or due to the request or direction of local, state or federal law enforcement agencies or officials.

Deemed Denied—A RTKL Request is Deemed Denied if one of the following conditions occurs, subject to extension agreed to by the Requester: (i) SERS fails to respond within the initial 10 Business Day period after receiving a RTKL Request; (ii) SERS extends the 10 Business Day period by up to 30 calendar days, but then fails to respond by the end of that extended period; or (iii) SERS notifies the Requester that it requires additional time to issue or respond in excess of the permitted 30 calendar day period.

Exceptions—A written document filed with the RTKL Exceptions Official by a Requester challenging the RTKL Official's denial or a deemed denial of the Requester's RTKL Request.

Mailing Date—The date (1) affixed to a Response from the RTKL Official to a RTKL Request, which is to be the

date the Response is deposited in the United States Mail, (2) affixed to a final determination from the RTKL Exceptions Official, which is to be the date the final determination is deposited in the United States Mail, (3) stamped by the United States Post Office on the envelope transmitting the Exceptions filed by a Requester, or (4) Exceptions are received by the Exceptions Official if they are hand delivered or sent via facsimile.

Public Record—Any document that satisfies the general definition of Public Record set forth in the RTKL and does not fall within any of the exceptions set forth therein. The general definition consists of two parts: (i) “[a]ny account, voucher, or contract dealing with the receipt or disbursement of funds by [SERS], or its acquisition, use or disposal of services or of supplies, materials, equipment or other property,” and (ii) “any minute, order or decision by [SERS] fixing the personal or property rights, privileges, immunities, duties or obligations of any person or group of persons.” 65 P.S. § 66.1(2). The exceptions to this definition are (i) any report, communication or other paper, the publication of which would disclose the institution, progress or result of an investigation undertaken by SERS in the performance of its official duties or (ii) any record, document, material, exhibit, pleading, report, memorandum or other paper, access to or the publication of which is prohibited, restricted or forbidden by statutory law or order or decree of court, or which would operate to the prejudice or impairment of a person’s reputation or personal security, or which would result in the loss by the Commonwealth or any of its political subdivisions or commissions or state or municipal authorities of federal funds, excepting therefrom, however, the record of any conviction for any criminal act.

Records Custodian—Any person having custody, possession or control of a record.

Redaction—The eradication of a portion of a record by any means while retaining the remainder.

Requester—A person who is a resident of the Commonwealth and submits a RTKL Request.

Response—SERS’ reply to a RTKL Request made pursuant to the RTKL. A Response may be (i) the act of providing the Requester with access to a record, (ii) SERS’ written notice granting, denying or partially granting and partially denying access to a record, or (iii) an interim Response which extends the time for SERS’ final Response as discussed later herein. A Response denying a RTKL Request in whole or in part must list all of the specific reasons relied on for denying such RTKL Request and must include one or more citations of supporting authority. Inaction by SERS is not a Response, even when it results in a RTKL Request being Deemed Denied.

RTKL Counsel—Any attorney designated by the Chief Counsel of SERS’ Legal Office to advise the RTKL Official and to represent the RTKL Official in Exceptions proceedings.

RTKL Exceptions Counsel—Any attorney designated by the Chief Counsel of SERS’ Legal Office to advise the RTKL Exceptions Official.

RTKL Exceptions Official—Any official or employee designated by the Board or, if authorized by the Board, the Executive Director to consider Exceptions, conduct hearings, as appropriate, and issue final determinations (which shall constitute SERS’ final determinations) resolving those Exceptions. The Board or, if authorized by the Board, the Executive Director may designate a chief

RTKL Exceptions Official and one or more individuals as associate RTKL Exceptions Officials.

RTKL Official—Any official or employee designated by the Board or, if authorized by the Board, the Executive Director to receive and respond to RTKL Requests. The Board or, if authorized by the Board, the Executive Director may designate a chief RTKL Official and one or more individuals as assistant RTKL Officials.

RTKL Request—A written request invoking the RTKL submitted to the RTKL Official asking for access to a record.

III. FORM OF RTKL REQUEST

All RTKL Requests must:

- Be submitted in writing;
 - State the name and address of the Requester;
 - Set forth the address to which the Response should be addressed; and
 - Identify or describe the records sought with sufficient specificity to enable SERS to ascertain which records are being requested.
- **NOTE:** SERS will not accept RTKL Requests submitted via e-mail.

All RTKL Requests must be submitted in writing via United States mail, facsimile or hand delivery to the RTKL Official and be properly addressed as follows:

Mail: SERS Right-to-Know Law Official
P. O. Box 1147
Harrisburg, PA 17108-1147

Facsimile: SERS Right-to-Know Law Official
(717) 783-7300

Hand delivery: SERS Right-to-Know Law Official
30 North Third Street,
1st Floor Receptionist
Harrisburg, PA

For purposes of this policy, SERS’ business hours are from 8:30 a.m. to 4:00 p.m. on any Business Day.

IV. WHO HAS THE RIGHT TO KNOW

The RTKL provides that, unless otherwise provided by law, a Public Record shall be accessible for inspection and duplication by a Requester in accordance with the RTKL. SERS may, at its discretion, require a requesting party to produce proper identification to establish that the party is a resident of the Commonwealth.

Not uncommonly, SERS receives requests for records from parties that are not residents of the Commonwealth, especially from businesses that may use the requested records for commercial purposes. In such cases, SERS may exercise discretion in either declining to comply with the request or providing the records as a courtesy to the requesting party. Among the factors that may be considered by SERS are the administrative burdens of compliance, the benefits to be derived by SERS (e.g., cooperating in a survey that would be of interest to SERS), the risk that the information could be used to SERS’ or a member’s detriment, and other considerations that may be relevant to the particular request at hand. Voluntary disclosure by SERS shall not require SERS to provide the same records to others or to provide future records of the same type to anyone.

V. PROCEDURE FOR RESPONDING TO RTKL REQUESTS

SERS shall respond only to written RTKL Requests delivered via United States mail, facsimile or hand

delivery. All RTKL Requests must be directed to the RTKL Official. The time limitations set forth herein do not take effect until the RTKL Official receives the RTKL Request. (Any RTKL Request received by SERS after the close of SERS' business hours, as set forth above, shall be deemed received on the following Business Day.) Upon receipt of a RTKL Request, the RTKL Official will take the following actions:

- Date stamp the RTKL Request;
- Assign a tracking number to the RTKL Request;
- Record the RTKL Request in the system used by SERS for tracking RTKL Requests;
- Compute the day on which the 10 Business Day period will expire and make a notation of that date on the first page of the RTKL Request (the day that a RTKL Request is received or deemed received is not counted for this purpose);
- Make an electronic or paper copy of the RTKL Request, including all documents submitted with it and the envelope, if any, in which it came;
- Create a file for the retention of the original RTKL Request, a copy of the Response, a record of verbal or written communications with the Requester and a copy of other communications.

The RTKL Official shall be responsible for the issuance of interim and final Responses to all RTKL requests. Upon receipt of a RTKL Request, the RTKL Official shall render a final Response within 10 Business Days from the date the RTKL Request is received, unless an interim Response is warranted and issued within that time.

An interim Response may be sent on or before the last day of the 10 Business Day period to extend the period for a final Response. Such interim Response must notify the Requester that the RTKL Request is being reviewed, must state a reasonable date that a final Response is expected to be provided, and must set forth one of the following reasons justifying the need for additional time:

- The RTKL Request requires Redaction of a Public Record;
- The RTKL Request requires the retrieval of a record stored in a remote location;
- A final Response within the 10 Business Day period cannot be accomplished due to bona fide and specified staffing limitations;
- A legal review is necessary to determine if a record is a Public Record subject to access under the RTKL;
- The Requester has not complied with SERS' policies regarding access to Public Records; or
- The anticipated cost of complying with the RTKL Request exceeds one hundred dollars (\$100) and the Requester has not prepaid such amount. If SERS requires prepayment, the time for issuance of a final Response shall be tolled from the time the demand for prepayment is made until such time as payment is actually received.

If an interim Response is issued, then a final Response should be sent within 30 calendar days from the end of the 10 Business Day period. Failure to comply with either the 10 Business Day or the 30 calendar day time limit will result in the RTKL Request being Deemed Denied.

• **NOTE:** If the anticipated cost of complying with the RTKL Request exceeds \$100 and the Requester does not pay such amount within 30 calendar days after he/she is

informed to do so by an interim Response, the RTKL Request will be considered withdrawn.

The RTKL Official shall conduct an initial review of each RTKL Request according to the following intake procedure:

- Review the RTKL Request to determine whether a basis exists for rejecting the RTKL Request, in whole or in part, without further consideration, including but not limited to the following:
 - A. The requesting party is not a resident of the Commonwealth;
 - B. Lack of specificity;
 - C. The requested records are not within the RTKL's definition of Public Record; or
 - D. The RTKL Official has personal knowledge that the requested records are not in the possession or control of SERS.
- Determine whether the RTKL Request must be granted, in whole or in part, without further consideration;
- Draft any Response denying or granting access to the identified records as necessary;
- Review any questions with RTKL Counsel as necessary;
- Draft written instructions to Records Custodians regarding compliance with the RTKL Request as necessary; and
- Determine if the anticipated cost of complying with the RTKL Request will exceed \$100 and if prepayment will be required and, if so, present the Requester with a demand for prepayment.

If the RTKL Official does not identify a basis for denying the RTKL Request in its entirety without further consideration, the RTKL Official shall forward the RTKL Request or relevant portions thereof to potential Records Custodians. Once the RTKL Official forwards the RTKL Request or relevant portions thereof, it shall be the responsibility of each such potential Records Custodian to conduct a good faith investigation to determine if he/she has custody of any of the requested records. It shall be the responsibility of each such potential Records Custodian to promptly inform the RTKL Official whether he/she has possession of any of the requested records and, if so, the estimated cost of providing such records.

If any such potential Records Custodian knows or believes that another official, employee or agent of SERS has possession of the requested records, he/she shall forward the RTKL Request to that person and shall inform the RTKL Official of this immediately.

The RTKL Official shall issue a final Response within the aforementioned time periods, which Response shall specify that the RTKL Request is (1) granted, (2) denied, or (3) granted in part and denied in part. If a RTKL Request is denied, in whole or in part, the RTKL Official must specify the following in the Response:

- A description of the records requested;
- The specific reasons for the denial, including a citation of supporting legal authority (if based on a determination that a record is not a Public Record, the specific reasons for such determination shall be included);
- The typed or printed name, title, business address, business telephone number, and signature of the RTKL Official on whose authority the denial is issued;

- The Mailing Date of the Response;
- The procedure to appeal the denial of access under the RTKL.

• **NOTE:** SERS is not required to create a Public Record that does not already exist, nor is SERS required to compile, maintain, format or organize a Public Record in a manner that the agency does not currently do so.

VI. PHYSICAL ACCESS TO PUBLIC RECORDS

The Public Records of SERS shall be accessible for inspection and duplication by any Requester during the hours of 8:30 a.m. to 4:00 p.m. on any Business Day. A Requester wishing to inspect SERS' Public Records on site shall provide a written request to the RTKL Official who shall determine on an ad hoc basis the time and place where such Public Records shall be made available to a Requester and the manner of duplication that shall be available.

SERS may maintain certain Public Records in electronic form. For those who wish to inspect a paper copy of portions of such Public Records, SERS shall print the portions of such Public Records that the Requester wishes to see. If the Requester wants to keep the pages from such printed portions or to receive the record in electronic form, SERS will charge a fee.

VII. EXCEPTIONS PROCEDURE

All Exceptions shall be directed to the RTKL Exceptions Official at the address and in the same manner for delivering RTKL Requests specified in Article III of this policy. A Requester shall have 15 Business Days from the Mailing Date of the written denial or 15 calendar days from the date a RTKL Request is Deemed Denied to file Exceptions with the RTKL Exceptions Official. Exceptions are deemed to be filed the date they are postmarked if properly addressed and submitted by United States mail or the date they are received by the RTKL Exceptions Official if submitted through any other means. The applicable aforementioned date shall also constitute the Mailing Date of Exceptions. Any reasons for Exceptions not stated in writing within the 15 Business Day or 15 calendar day period, as applicable, are deemed to be waived and shall be disregarded by SERS.

• **NOTE:** SERS will not accept RTKL Exceptions by e-mail.

All RTKL Exceptions filed with SERS must:

- Be postmarked if sent by mail or received by the RTKL Exceptions Official within the aforementioned time period;
- State the reasons upon which the Requester asserts that the record is a Public Record;
- Address the reasons stated by the RTKL Official for denying the RTKL Request (unless the RTKL Request was Deemed Denied); and
- Be correctly addressed or delivered to the RTKL Exceptions Official.

All RTKL Exceptions must be submitted in writing via United States mail, facsimile or hand delivery to the RTKL Exceptions Official and addressed as follows:

Mail: SERS Right-to-Know Law Exceptions Official
P. O. Box 1147
Harrisburg, PA 17108-1147

Facsimile: SERS Right-to-Know Law Exceptions Official
(717) 783-7300

Hand delivery: SERS Right-to-Know Law Exceptions Official
30 North Third Street,
1st Floor Receptionist
Harrisburg, PA

Any Exceptions that do not meet the above-described requirements shall be deemed defective and will not extend the time limit to file Exceptions.

• **NOTE:** A Requester shall not be permitted to file Exceptions to the decision of the RTKL Official to send an interim Response within the 10 Business Day time period.

Upon receipt of Exceptions, the RTKL Exceptions Official shall take the following actions:

- Date stamp the exceptions letter;
- Retain the envelope and any documents that accompany the exceptions letter;
- Send a copy of the exceptions letter and accompanying documents to the RTKL Official, the RTKL Counsel and the RTKL Exceptions Counsel;
- Schedule and conduct a hearing, if a hearing is ordered by the RTKL Exceptions Official (the RTKL Exceptions Official may request that the Requester and the RTKL Official make written submissions, whether in connection with a hearing or otherwise);
- Obtain the services of a court reporter or other method of recording testimony, if a hearing is scheduled;
- Docket the receipt of evidence and other submittals;
- Maintain a record of the final determination by the RTKL Exceptions Official; and
- Prepare an official record if an appeal is filed in the Commonwealth Court.

If Exceptions are to be resolved without a hearing, the General Rules of Administrative Practice and Procedure, set forth at 1 Pa. Code, Chapters 31, 33, and 35, shall not apply.

The RTKL Official shall have 15 calendar days from the Mailing Date of the Exceptions to file "Reply Exceptions" with the RTKL Exceptions Official. The Reply Exceptions must:

- Be in writing;
- Be mailed or delivered to the RTKL Exceptions Official within the aforementioned time period;
- Be mailed to the Requester;
- Fully advise the Requester and the RTKL Exceptions Official as to the reasons for the RTKL Official's decision;
- Admit or deny specifically and in detail each material allegation of the Exceptions; and
- State clearly and concisely the facts and matters of law relied upon.

The RTKL Exceptions Official shall not accept any pleadings, responses or briefs from the RTKL Official or the Requester other than the original Exceptions of the Requester and the Reply Exceptions of the RTKL Official, unless a hearing is held or unless the RTKL Exceptions Official requests that the Requester and the RTKL Official make written submissions. Upon receipt of the Reply Exceptions, the RTKL Exceptions Official shall rule on any pending requests for a hearing.

The RTKL Exceptions Official shall issue the final determination of the agency within 30 calendar days of the Mailing Date of the Exceptions unless the Requester agrees otherwise.

VIII. RTKL HEARINGS

Prior to the issuance of the final determination, the Requester or the RTKL Official may request a hearing. The decision of whether to grant a hearing is solely within the discretion of the RTKL Exceptions Official and may be conditioned on a waiver of the 30 calendar day time limit. The decision of whether to grant a hearing is not appealable. The RTKL Exceptions Official may order a hearing if considered desirable, notwithstanding that neither the Requester nor the RTKL Official has requested a hearing.

If a hearing is held, the identified records shall not be made part of the hearing record. Rather, the RTKL Official shall provide a description of the document either in writing or by means of oral testimony. Unless otherwise specified by the RTKL Exceptions Official, Exceptions hearings shall be held at SERS' Central Office in Harrisburg located at 30 North Third Street, Harrisburg, Pennsylvania before the RTKL Exceptions Official or a hearing official designated by the RTKL Exceptions Official. Hearings shall be conducted pursuant to the General Rules of Administrative Practice and Procedure to the extent directed by the designated hearing official or the RTKL Exceptions Official.

IX. RIGHT TO APPEAL TO COMMONWEALTH COURT

If the RTKL Exceptions Official agrees with the RTKL Official in denying the Requester access to records, the Requester shall be entitled to appeal the final determination of SERS to Commonwealth Court within thirty (30) calendar days from the Mailing Date of SERS' final determination. Both SERS and the Requester may be subject to fines and court costs as prescribed by the RTKL.

X. NOTICE TO MEMBER

At the time SERS issues a Response to a RTKL Request for records regarding a member account, SERS may provide written notice to that member that identifies (a) the name of the Requester and (b) the information provided by SERS. For those RTKL Requests that seek records regarding the accounts of multiple members, notice may be provided by publication via the website, newsletter or any other reasonable method.

Neither members nor employers have the right to approve or disapprove a request for SERS' records. Records regarding a member may be furnished to current agency employers and former employers upon request without written notice to the member.

XI. MEMBER AUTHORIZATION FOR RELEASE OF INFORMATION

In addition to any release of records in response to a RTKL Request, any information available to a member from his/her own member file shall be released upon written authorization from such member and confirmation by SERS. Upon receiving a written authorization from a member, SERS will contact the member to confirm that the authorization is genuine prior to providing the information as directed in the member's authorization.

XII. REDACTION

SERS shall redact those portions of a record that are prohibited from disclosure and may redact those portions

that otherwise are not public records. The Public Record portions of a record that may remain after such redaction shall be subject to release.

XIII. FEES

The following fees shall be applicable to all RTKL Requests:

- Photocopies—A "photocopy" is a single-sided copy or one side of a double-sided copy. The charge for one side of a standard 8.5" × 11" page shall be \$0.15.

- Charges for other services and materials will be determined on a case-by-case basis based upon the applicable cost to SERS. These include, but are not limited to, charges for the following:

- A) PC Diskette copies
- B) Microfilm/microfiche and other forms of copies
- C) Postage
- D) Redaction (based on hourly wage and benefits)
- E) User fee for printing or copying records from SERS' computers
- F) Certification of copies
- G) Employee time for compiling and printing requested records (based on hourly wage and benefits)
- H) Employee time for compiling electronic disk of requested records (based on wage and benefits)
- I) Computer time for compiling requested records

The RTKL Official, after consultation with the Executive Director, may waive fees on the basis of hardship or de minimus charges.

- **NOTE:** The RTKL Official may require a Requester to prepay if the fees required to fulfill the request are expected to exceed \$100. If SERS requires prepayment, the time for providing the records as to which SERS has indicated it will grant access shall be tolled from the time the demand for prepayment is made until such time as payment is actually received.

A Requester who is informed that his/her RTKL Request has been granted but that prepayment is necessary due to the anticipated costs exceeding \$100 shall have 30 calendar days to make payment to SERS. If SERS does not receive payment by the end of this period, SERS will consider the RTKL Request to have been withdrawn and will purge the file accordingly. Any future attempt to procure the identified records after this time must be done by initiating a new RTKL Request.

ERIC HENRY,
Secretary

[Pa.B. Doc. No. 05-1039. Filed for public inspection May 20, 2005, 9:00 a.m.]

STATE ETHICS COMMISSION

Public Meeting

Under 65 Pa.C.S. §§ 1101—1113 (relating to the Public Official and Employee Ethics Act) (act), the State Ethics Commission (Commission) is required to hold at least two public hearings each year to seek input from persons and

organizations who represent any individual subject to the provisions of the act and from other interested parties.

The Commission will conduct a public meeting on June 7, 2005, at 9 a.m. in Room 307, Finance Building, Harrisburg, PA for purposes of receiving said input and for the conduct of other agency business. Public officials, public employees, organizations and members of the general public may attend.

Persons seeking to testify or present any statement, information or other comments in relation to the act, the regulations of the Commission or agency operations should contact Claire J. Hershberger at (717) 783-1610 or (800) 932-0936. Written copies of any statement should be provided at the time of the meeting.

JOHN J. CONTINO,
Executive Director

[Pa.B. Doc. No. 05-1040. Filed for public inspection May 20, 2005, 9:00 a.m.]
