

NOTICES

DEPARTMENT OF BANKING

Action on Applications

The Department of Banking under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 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 17, 2005.

BANKING INSTITUTIONS

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
5-13-05	Pocono Community Bank Stroudsburg Monroe County	Route 209 Brodheads ville Monroe County	Approved
5-13-05	Parkvale Savings Bank Monroeville Allegheny County	1420 Greengate Centre Circle Greensburg Westmoreland County	Approved
5-13-05	York Traditions Bank York York County	2450 Eastern Boulevard York Springettsbury Township York County	Filed
5-16-05	Jersey Shore State Bank Jersey Shore Lycoming County	2050 North Atherton Street State College Centre County	Opened

Branch Relocations/Consolidations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
5-16-05	Jersey Shore State Bank Jersey Shore Lycoming County	<i>Into:</i> 2050 North Atherton Street State College Centre County <i>From:</i> 1952 Waddle Road State College Centre County	Effective

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
5-11-05	Steel Seven Credit Union, Harrisburg, and Pennsylvania Central Federal Credit Union, Harrisburg Surviving Institution— Pennsylvania Central Federal Credit Union, Harrisburg	Harrisburg	Effective

A. WILLIAM SCHENCK, III,
Secretary

[Pa.B. Doc. No. 05-1082. Filed for public inspection June 3, 2005, 9:00 a.m.]

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 24, 2005.

BANKING INSTITUTIONS

Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
5-19-05	KNBT Bancorp, Inc., Bethlehem, to acquire 100% of the voting shares of Northeast Pennsylvania Financial Corp., Hazleton, and thereby indirectly acquire First Federal Bank, Hazleton, and Northeast Pennsylvania Trust Company, Hazleton	Bethlehem	Effective

KNBT Bancorp, Inc. is the parent company of Keystone Nazareth Bank and Trust Company, Bethlehem, and Northeast Pennsylvania Financial Corp. is the parent company of First Federal Bank, Hazleton, and Northeast Pennsylvania Trust Company, Hazleton.

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-24-04	First Financial Bank Downingtown Chester County	Downingtown	Effective
	Assumption of certain deposit liabilities of a branch of Firstrust Savings Bank, Conshohocken Located at: 125 East Swedesford Road* Exton Chester County		
	*Note—No real estate was involved in this transaction; the subject branch was subsequently closed by Firstrust Savings Bank.		
5-19-05	Keystone Nazareth Bank & Trust Company, Bethlehem, and First Federal Bank, Hazleton, and Northeast Pennsylvania Trust Company, Hazleton Surviving Institution— Keystone Nazareth Bank & Trust Company, Bethlehem	Bethlehem	Effective

All offices of the merging institutions became offices of Keystone Nazareth Bank & Trust Company, including the former main offices of both First Federal Bank and Northeast Pennsylvania Trust Company.

Branches Acquired by Means of Merger

31 West Broad Street Hazleton Luzerne County	611 Schuylkill Mall Frackville Schuylkill County
12 East Broad Street Hazleton Luzerne County	5 North Main Street Shenandoah Schuylkill County
240 Laurel Mall Route 93 Hazleton Luzerne County	333 Center Avenue Schuylkill Haven Schuylkill County
345 Laurel Mall Route 93 Hazleton Luzerne County	111 North First Street Lehighton Carbon County
669 State Route 93 Sugarloaf Luzerne County	140 Carbon Street Weatherly Carbon County
24 South Hunter Highway Route 309 Drums Luzerne County	17 East Main Street Bloomsburg Columbia County

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
	360 South Mountain Boulevard Mountain Top Luzerne County	2691 Columbia Boulevard Bloomsburg Columbia County	
	196 North Main Street Shavertown Luzerne County	Route 209 South and Weir Lake Road Brodheads ville Monroe County	
	111 East Norwegian Street Pottsville Schuylkill County	183 Market Street Kingston Luzerne County	
5-20-05	Northwest Savings Bank, Warren, Pennsylvania, and Jamestown Savings Bank, Jamestown, New York	Warren, PA	Effective

Branches Acquired by Means of Merger

2513 West State Street Olean Cattaraugus County, NY	295 Main Street Buffalo Erie County, NY
7 West Third Street Jamestown Chautauqua County, NY	2981 Delaware Avenue Buffalo Erie County, NY
210 West Main Street Falconer Chautauqua County, NY	4545 Transit Road Buffalo Erie County, NY
1 West Third Street Jamestown Chautauqua County, NY	3150 Sheridan Drive Buffalo Erie County, NY
768 Foote Avenue Jamestown Chautauqua County, NY	3517 Union Road Cheektowaga Erie County, NY (Approved; Unopened)
311 East Fairmount Avenue Lakewood Chautauqua County, NY	3670 South McKinley Parkway Hamburg Chautauqua County, NY (Approved; Unopened)
29 South Erie Street Mayville Chautauqua County, NY	

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
5-12-05	First Penn Bank Philadelphia Philadelphia County	1032 Arch Street Philadelphia Philadelphia County	Opened
5-13-05	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	Moorestown Acme 350 Young Avenue Moorestown Burlington County, NJ	Opened
5-18-05	Abington Savings Bank Jenkintown Montgomery County	Messenger service to service customers in Bucks, Montgomery and Philadelphia Counties	Filed

Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
5-2-05	Keystone Nazareth Bank & Trust Company Bethlehem Northampton County	<i>To:</i> 741 South 25th Street Palmer Township Northampton County	Effective
		<i>From:</i> 3091 William Penn Highway Palmer Township Northampton County	

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

No activity.

A. WILLIAM SCHENCK, III,
Secretary

[Pa.B. Doc. No. 05-1083. Filed for public inspection June 3, 2005, 9:00 a.m.]

**DEPARTMENT OF
COMMUNITY AND
ECONOMIC DEVELOPMENT****Community Services Block Grant State Plan Public Hearing**

The Department of Community and Economic Development (Department) will hold a public hearing to revise the Community Services Block Grant State Plan at 10:30 a.m. on Thursday, June 16, 2005, in PUC Hearing Room 3, Plaza Level, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA. The purpose of the hearing is to: (1) receive comments on the designation of the Center for Community Services (a not-for-profit agency) as the Community Action Agency for Bedford, Fulton and Huntingdon Counties; and (2) transfer the services for Mifflin and Juniata Counties to the Union/Snyder Community Action Agency. If approved, the Keystone Community Action Program would no longer serve Mifflin, Bedford, Fulton, Huntingdon and Juniata Counties. These changes would be effective July 1, 2005.

Written comments may be submitted until close of business on June 16, 2005, to JamesEtta Reed, Office of Community Services, 4th Floor, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120.

Persons with a disability who wish to attend this hearing and require auxiliary aid, services or other accommodations to participate in the proceedings should contact Susan Butler at (717) 787-1984 to discuss how the Department may accommodate their needs.

DENNIS YABLONSKY,
Secretary

[Pa.B. Doc. No. 05-1084. Filed for public inspection June 3, 2005, 9:00 a.m.]

Weatherization Assistance Program State Plan Public Hearing

The Department of Community and Economic Development (Department) will hold a public hearing at 10 a.m. on Wednesday, June 22, 2005, in Room H-West, 4th Floor, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA. The purpose of this hearing is to receive comments on the Weatherization Assistance Program's proposed State Plan to be submitted to the United States Department of Energy for the program year 2005-2006.

A copy of this plan may be obtained by contacting the Department of Community and Economic Development, Office of Community Services, 4th Floor, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120, (717) 787-1984.

Written comments may be submitted until 5 p.m. on June 22, 2005, to Dennis Darling, Director, Office of Community Services, 4th Floor, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120.

Persons with a disability who wish to attend this hearing and require auxiliary aid, services or other accommodations to participate in the proceedings should contact Dennis Darling at (717) 787-1984 to discuss how the Department may accommodate their needs.

DENNIS YABLONSKY,
Secretary

[Pa.B. Doc. No. 05-1085. Filed for public inspection June 3, 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

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>
PA0085600 (Industrial Waste)	Ono Industries, Inc. 10622 Allentown Boulevard P. O. Box 150 Ono, PA 17077	Dauphin County East Hanover Township	Reeds Creek 7D	Y
PA0053007 (Sewage— Transfer)	ARC III, LLC 1 Mark Lane Honey Brook, PA 19344	Berks County Richmond Township	Maiden Creek 3-B	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>
PA0027341	PPG Industries, Inc. No. 8 P. O. Box 800 Meadville, PA 16335	Greenwood Township Crawford County	UNT to Conneaut Outlet 16-D	Y
PA0223000	Kalyumet Campground R. R. 1, Box 672 Lucinda, PA 16235	Highland Township Clarion County	Calihan Run 17-B	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>
PA0101745 Amendment No. 1	Clarview Nursing and Rehabilitation Center 14663 Route 68 Sligo, PA 16255	Piney Township Clarion County	UNT to Licking Creek 17-B	Y

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

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

PA # 0061123, Sewage, **Moscow Sewer Authority**, P. O. Box 525, 309 Market Street, Moscow, PA 18444-0525. This proposed facility is located in Moscow Borough, **Lackawanna County**.

Description of Proposed Activity: Proposed increased discharge of treated sewage.

The receiving stream, Roaring Brook Creek, is in the State Water Plan watershed No. 5A and is classified for: HQ-CWF. The nearest downstream public water supply intake for American Water Company is located on Roaring Brook Creek, 3 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.300 mgd.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	15.6	23.4	31.2
Total Suspended Solids	17.5	26.3	35.0
NH ₃ -N			
(5-1 to 10-31)	1.5		3.0
(11-1 to 4-30)	4.5		9.0
Dissolved Oxygen	A minimum of 5.0 mg/l at all times.		
Fecal Coliform	200/100 ml as a geometric mean		
(5-1 to 9-30)	2,000/100 ml as a geometric mean		
(10-1 to 4-30)	6.0 to 9.0 standard units at all times.		
pH			
Total Residual Chlorine	0.4		1.0
Nitrates/Nitrites	8.2		16.4
Phosphorus (Total)	0.4		0.8

Chesapeake Bay monitoring for Outfall 001.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Ammonia—N	Report	Report	Report
Kjeldahl—N	Report	Report	Report
Nitrite—N	Report	Report	Report
Nitrate—N	Report	Report	Report
Total Nitrogen	Report	Report	Report
Total Phosphorus	Report	Report	Report

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

Application No. PA 0080845, Industrial Waste, SIC Code 4911, **Reliant Energy**, 121 Champion Way, Canonsburg, PA 15317. This facility is located in Catharine Township, **Blair County**.

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

The receiving stream, Frankstown Branch, is in Watershed 11-A and classified for trout stocking, water supply, recreation and fish consumption. The nearest downstream public water supply intake is Newport Borough Water Authority located on the Juniata River, approximately 108 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 based on a design flow of 0.009 mgd are:

<i>Parameter</i>	<i>Average Monthly</i>	<i>Concentration (mg/l) Maximum Daily</i>	<i>Instantaneous Maximum</i>
pH		from 6.0 to 9.0 inclusive	
Total Suspended Solids		50	

<i>Parameter</i>	<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Total Iron		3.5	

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.

Application No. PA 0023108, Sewage, Borough of Elizabethtown, 600 South Hanover Street, Elizabethtown, PA 17022. This facility is located in Conoy Township, **Lancaster County**.

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

The receiving stream, Susquehanna River, is in Watershed 7-G and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Columbia Water Company is located on the Susquehanna River, approximately 6 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 4.5 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	Monitor		
NO ₂ + NO ₃	Monitor		
TKN	Monitor		
Total Nitrogen	Monitor		
Total Phosphorus	2		4
Total Residual Chlorine	0.5		1.6
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)		88,000/100 ml as a geometric average	

The proposed effluent limits for Outfall 002 to Conoy Creek for a wet weather treated effluent overflow of 9.0 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	20	30	40
Total Suspended Solids	30	45	60
NH ₃ -N (5-1 to 10-31)	5.0		10
(11-1 to 4-30)	8.0		16
Total Phosphorus	2		4
Total Residual Chlorine	0.5		1.6
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)		6,900/100 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 not in effect.

Application No. PA 0027405, Sewage, **Ephrata Borough Authority**, 124 south State Street, Ephrata, PA 17522. This facility is located in Ephrata Borough, **Lancaster County**.

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

The receiving stream, Cocalico Creek, is in Watershed 7-J and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Lancaster Municipal Water Authority is located on the Conestoga River, approximately 16 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 3.8 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)	3		6
(11-1 to 4-30)	9		18
NO ₃ + NO ₂	Monitor		
TKN	Monitor		
Total Nitrogen	Monitor		
Total Phosphorus	2		4
Total Residual Chlorine	0.35		1.1
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)		4,600/100 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 not in effect.

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

PA0026255, Sewage, **Allegheny Valley Joint Sewer Authority**. This application is for renewal of an NPDES permit to discharge treated sewage from Allegheny Valley Joint Sewer Authority STP in Harmar Township, **Allegheny County**.

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

Outfall 001: existing discharge, design flow of 5.5 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			<i>Instantaneous Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	
CBOD ₅	25	38		50
Suspended Solids	30	45		60
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 as a geometric mean			
Total Residual Chlorine	0.5			1.6
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is not in effect.

PA0096873, Sewage, **Shirley A. Lenhart**, 104 Frosty Road, Latrobe, PA 15650. This application is for renewal of an NPDES permit to discharge treated sewage from Lenhart Mobile Home Park STP in Cook Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Keffer Run, which are classified as a TSF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Latrobe Municipal Authority on Loyalhanna Creek.

Outfall 001: existing discharge, design flow of 0.002 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			<i>Instantaneous Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	
CBOD ₅	25			50
Suspended Solids	30			60
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 as a geometric mean			

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
Total Residual Chlorine	1.4			3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0203734, Sewage, **Lance Catterall and Charles Simkovich**, 27 Grove Avenue, Pittsburgh, PA 15202. This application is for renewal of an NPDES permit to discharge treated sewage from Catterall and Simkovich Small Flow STP in Franklin Park Borough, **Allegheny County**.

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

Outfall 001: existing discharge, design flow of 0.0008 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	10			20
Suspended Solids	10			20
Ammonia Nitrogen (5-1 to 10-31)	3.0			6.0
(11-1 to 4-30)	9.0			18.0
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	1.4			3.3
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.

PA0204498, Sewage, **Marion Center Area School District, Rayne Township Elementary School**, Box 156, Route 403, Marion Center, PA 15799. This application is for renewal of an NPDES permit to discharge treated sewage from Rayne Township Elementary School Sewage Treatment Plant in Rayne Township, **Indiana County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Swale to UNT of Crooked Creek, which are classified as a CWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the: Armstrong Power Station on the Allegheny River.

Outfall 001: existing discharge, design flow of 0.00676 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen (5-1 to 10-31)	2.0			4.0
(11-1 to 4-30)	3.5			7.0
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	1.4			3.3
Dissolved Oxygen	not less than 6 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0218359, Sewage, **Green Township Municipal Authority**, Box 129, Commodore, PA 15729. This application is for renewal of an NPDES permit to discharge treated sewage from Green Township Municipal Authority Wastewater Treatment Plant in Green Township, **Indiana County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as North Branch of Two Lick Creek, which are classified as a CWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the: PA American Water Company on Two Lick Creek.

Outfall 001: existing discharge, design flow of 0.12 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅				
(5-1 to 10-31)	20	30		40
(11-1 to 4-30)	25	37.5		50
Suspended Solids	30	45		60
Ammonia Nitrogen				
(5-1 to 10-31)	5.0	7.5		10.0
(11-1 to 4-30)	15.0	22.5		30.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 as a geometric mean			
Total Residual Chlorine	0.2			0.7
Dissolved Oxygen	not less than 4 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

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

WQM Permit No. 5805401, Sewerage, **Village of Four Seasons Association, Inc.**, R. R. 2, Box 3350, Union Dale, PA 18470. This proposed facility is located in Herrick Township, **Susquehanna County**.

Description of Proposed Action/Activity: This project involves expansion of the Village of Four Seasons sewage treatment plant from .028 mgd to .06 mgd.

WQM Permit No. 4805402, Sewerage, **Borough of Portland**, P. O. Box 476, 1 Division Street, Portland, PA 18351. This proposed facility is located in Portland Borough, **Northampton County**.

Description of Proposed Action/Activity: This project involves construction of a sewage collection system and a pump station to serve Portland Borough.

WQM Permit No. 3905404, Sewerage, **North Whitehall Township**, 3256 Levans Road, Ironton, PA 18037. This proposed facility is located in Whitehall and North Whitehall Townships, **Lehigh County**.

Description of Proposed Action/Activity: This project involves the construction of a new sewer collection system and interceptor to serve the Ormrod section of North Whitehall Township. Sewage will ultimately be conveyed to the City of Allentown Wastewater Treatment Facility.

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

WQM Permit No. 0205407, Sewerage, **Bethel Park Municipal Authority**, 5100 West Library Avenue, Bethel Park, PA 15102-2754. This proposed facility is located in Bethel Park, **Allegheny County**.

Description of Proposed Action/Activity: Application to replace existing 21-inch VCP with 27-inch PVC pipe.

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>
PAI011505028	Leo Tigie Jordan Manor Subdivision 945 Tigie Road West Chester, PA 19382	Chester	East Nottingham Township	Little Elk Creek (HQ-TSF-MF) Jordan Run (EV)
PAI011505028	Wilmer Shumaker c/o Yorgy, Daylor, Alleback, Scheffey and Picardi 1129 High Street Pottstown, PA 19464	Chester	West Nantmeal Township	East Branch Brandywine Creek (HQ-TSF-MF)

NOTICES

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

Carbon County Conservation District: 5664 Interchange Road, Lehighton, PA 18235-5114, (610) 377-4894.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI021305006	Fox Funding LLC c/o Jim Harrison 1 Fox Chase Dr. Watchung, NJ 07069	Carbon	Penn Forest Township	Berry Run and Mill Run EV

Lehigh County Conservation District: Lehigh Ag. Ctr., Suite 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>
PAI023905015	Bob Johnson Jaindl-Johnson LP 1390 Ridgeview Dr. Suite 302 Allentown, PA 18104	Lehigh	Macungie Borough	Little Lehigh Creek HQ-CWF
PAI023905016	Richard Barger Diakon Lutheran Social Ministry 960 Centry Dr. P. O. Box 2001 Mechanicsburg, PA 17055	Lehigh	South Whitehall Township	Little Lehigh Creek HQ-CWF
PAS10Q180-R	KidsPeace Corporation 4085 Independence Dr. Schnecksville, PA 18078	Lehigh	North Whitehall Township	Jordan Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024805013	Stuart Schooley Recreational Concepts Development Corp. 4733 Hanoverville Rd. Bethlehem, PA 18020	Northampton	Lower Nazareth and Bethlehem Townships	Monocacy Creek HQ-CWF
PAI024805014	Signature Homes by J. T. Maloney The Farm at Doylestown 610 Farm Lane Doylestown, PA 18901	Northampton	Tatamy Borough	Bushkill Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024505012	Sringeri Vidya Bharati Foundation 5 Yates Drive E. Brunswick, NJ 08816	Monroe	Jackson Township	Appenzell Creek HQ-CWF

Schuylkill County Conservation District: 1206 Ag Center Drive, R. R. 5, Box 5810, Pottsville, PA 17901, (570) 622-3742

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI025405002	Locust Ridge Wind Farm LLC 90 Weston Place Shenandoah, PA 17976	Schuylkill	Mahanoy and East Union Townships	Davis Run and UNT Catawissa 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>
PAI036705002	PA-Max, Inc. 158 Industrial Road Glen Rock, PA 17327	York	Springfield Township	UNT Seaks Run/HQ-CWF

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI032105003	Department of General Services	Cumberland	Cooke Township	Mountain Creek/HQ-CWF
<i>Northwest Region: Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.</i>				
PAI64204002	Bradford Regional Airport 212 Airport Road Suite E Lewis Run, PA 16738	McKean	Lafayette Township	Tributary East Branch Tunungwant Creek and Tributaries to Threemile Run HQ-CWF
PAI064205001	Dominion Transmission, Inc.	McKean and Potter	Eldred Borough Ceres Township McKean County Oswayo and Sharon Townships Shinglehouse Borough Potter County	Butter Creek Plank Creek Honeoye Creek Seely Hollow Karr Hollow Oswayo Creek Horse Run Bell Run Champlin Hollow Kings Run Allegheny River Indian Creek North Branch Indian Creek Barden Brook HQ-CWF
<i>Elk County Conservation District: P. O. Box 448, 300 Center Street, Ridgway, PA 15853.</i>				
PAI062405001	MiCale Construction Services 416 Main Street Kersey, PA 15846	Elk	Fox Township	UNT to Byrnes Run EV
<i>Lawrence County Conservation District: 430 Court Street, New Castle, PA 16101, (724) 652-4512.</i>				
PAI063705002	Turnpike Commission 700 South Eisenhower Road Middletown PA 17057 Attn: Brad Heigel	Lawrence	Little Beaver and North Beaver Townships	North Fork Little Beaver 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)

MS4 Notices of Intent Received

<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>
PAG132278	Luzerne County Luzerne County Courthouse 200 N. River Street Wilkes-Barre, PA 18711	Luzerne	Wilkes-Barre	Toby Creek CWF Huntsville Creek CWF Abrahams Creek CWF Wapwallopen Creek CWF Little Nescopeck Creek CWF 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

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

Permit No.0905507 , Public Water Supply	
Applicant	Greenacres Health System
Township	Buckingham
County	Bucks
Responsible Official	Par Connolly
Type of Facility	PWS
Consulting Engineer	Boucher & James, Inc. 1456 Ferry Road, Bldg. 500 Doylestown, PA 18901
Application Received Date	May 16, 2005
Description of Action	Permitting of a new drilled Well (No. 2) to use as an additional source to serve the Buckingham Valley Nursing Home.

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

Permit No. 3805503 , Public Water Supply.	
Applicant	Timber Service Corporation
Municipality	South Londonderry Township
County	Lebanon
Responsible Official	William B. Care, Director of Public Works P. O. Box 391 Mt. Gretna, PA 17064
Type of Facility	Public Water Supply
Consulting Engineer	David J Gettle Kohl Bros., Inc. P. O. Box 350 Myerstown, PA 17067
Application Received Date	5/4/2005
Description of Action	Construction of a booster pump station and caustic soda addition for pH adjustment.

Permit No. 5005502 , Public Water Supply.	
Applicant	Borough of Blain
Municipality	Blain Borough
County	Perry
Responsible Official	Connie Zellers, Secretary P. O. Box 9, Municipal Bldg. Main Street Blain, PA 17006-0009
Type of Facility	Public Water Supply
Consulting Engineer	Angelo A Tesoriero, P. E. GeoSource Engineers 7 Winter Drive Dillsburg, PA 17019-9550
Application Received Date	5/10/2005
Description of Action	This permit application is for the construction of a finished water storage standpipe, booster pump station and treatment building.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 1

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

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use the Background Standard, Statewide Health Standard, the Site-Specific Standard or who intend to remediate a site as a special industrial area must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a

brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one, a combination of the cleanup standards or who receives approval of a special industrial area remediation identified under the act will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

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

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

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

Northeast Regional Field Office: Joseph A. Brogna, Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.

Dumitru and Viccaro Residences, Borough of Stroudsburg, **Monroe County**. Alana Kopicz, Environmental Scientist, Patriot Environmental Management, LLC, P. O. Box 629, Douglassville, PA 19518 has submitted a Notice of Intent to Remediate (on behalf of Adrian Dumitru and Anthony Viccaro, both of Lee Avenue, Stroudsburg, PA 18360) concerning the remediation of soils found or suspected to have been impacted by an accidental release of home heating oil. The applicant proposes to meet the Statewide health standard. A summary of the Notice of Intent to Remediate is expected to be published in a local newspaper in the near future. The future use of the site will remain the same, as residential homes.

Former Gehman's Dairy Farm/Mack Trucks Property, Macungie Borough, **Lehigh County**. Ralph Capone, Environmental Consultant, Brinkerhoff Environmental Consultants, Inc., 1913 Atlantic Avenue, Manasquan, NJ 08736 has submitted a Notice of Intent to Remediate (on behalf of his client, Mack Trucks, Inc., c/o Scott Morris, 2100 Mack Boulevard, Allentown, PA 18103) concerning the remediation of soils and/or ground-

water found or suspected to have been impacted by the release of gasoline constituents from a former 550-gallon underground storage tank on the property. The applicant proposes to meet the Site-Specific Standard. A summary of the Notice of Intent to Remediate is expected to be published in a local newspaper in the near future. The site is currently vacant, and the site owner has no immediate plans for development.

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

Stutzman Farm, South Heidelberg Township, **Berks County**. Aquaterra Technologies, Inc., 122 South Church Street, West Chester, PA 19381, on behalf of Sunoco, Inc. (R & M), Post Road and Blue Ball Avenue, P. O. Box 1135, Marcus Hook, PA 19061, submitted a Notice of Intent to Remediate site soils, groundwater and surface water contaminated with No. 2 fuel oil, leaded and unleaded gasoline from historic pipeline releases. The applicant proposes to remediate the site to a Statewide Health Standard. Future use of the property is residential.

Lime Springs Farm, East and West Hempfield Townships, **Lancaster County**. GCI Environmental Services, 1250 East King Street, Lancaster, PA 17602, on behalf of Ian Ruzow and Marilyn Berger, 22D East Roseville Road, Lancaster, PA 17601, submitted a Notice of Intent to Remediate site soils contaminated with No. 2 fuel oil encountered during removal of a fuel oil tank. The applicant proposes to remediate the site to a Statewide Health Standard. Future use of the property will remain residential.

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

Loyalsock Home Depot, Loyalsock Township, **Lycoming County**. RT Environmental Services, 215 West Church Road, King of Prussia, PA 19406 has submitted a Notice of Intent to Remediate soil, contaminated with low levels of semi-VOCs, VOCs and metals. This site is being remediated to meet a Site-specific Standard.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

Permit Application No. 101076. Lower Merion Township, 75 E. Lancaster Ave., Ardmore, PA 19003-2323, Lower Merion Township, **Montgomery County**. Modification application received for the Lower Merion Transfer Station requesting a 6 month extension of their current permit pending full and complete review of the 10 year renewal application which was belatedly submitted. The application was received by the Southeast Regional Office on May 16, 2005.

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

Permit Application No. 101646. World Resources Recovery Systems Inc., 1631 East Avenue, Erie, PA 16503, City of Erie, **Erie County**. Permit renewal application for the operation of municipal waste transfer

facility known as World Resources Recovery Systems, Inc. The application was received by Northwest Regional Office on May 2, 2005

Comments concerning the application should be directed to Todd Carlson, Program Manager, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. Persons interested in obtaining more information about the general permit application may contact the Northwest Regional Office, (814) 332-6848. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

NEW SOURCES AND MODIFICATIONS

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

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

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

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

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

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

PLAN APPROVALS

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

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

54-322-003C: Commonwealth Environmental Systems, LP (P. O. Box 249, Dunmore, PA 18512) for Operating Permit modification for the landfill operations at their facility in Foster Township, **Schuylkill County**.

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

06-05065A: Glen Gery Corp. (Route 61, Box 340, Shoemakersville, PA 19555) for installation of two dry limestone adsorption control devices to control emissions of hydrogen fluoride from the two brick kilns at the Mid-Atlantic Plant in Perry Township, **Berks County**. The facility is subject to Title V and 40 CFR Part 63, Subpart JJJJJ, National Emission Standards for Hazardous Air Pollutants from Brick Manufacturing.

36-05137: B and S Woodcrafts (722 Truce Road, Quarryville, PA 17566) for installation of two spray paint booths in their Providence Township, **Lancaster County** facility.

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

57-310-001: Haines and Kibblehouse, Inc.—Dushore Construction Materials Division (2052 Lucon Road, Skippack, PA 19474) for construction of a stone crushing plant in Cherry Township, **Sullivan County**.

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

32-00385A: CQ Hardwood Finishers, LLC (160 Quality Center Road, Homer City, PA 15748) for installation of hardwood finishing operation on Lot No. 19 in Indiana Corporate Campus Business Park in Burrell Township, **Indiana County**.

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

10-349A: Recmix of PA, Inc. (359 North Pike Road, Sarver PA 16056) for installation of a drying process for processed pellets (Reclime) in the Township of Clinton, **Butler County**.

20-130B: Meadville Forging Co. (15309 Baldwin Street, Meadville, PA 16335) for modification of a plan approval to install new emission control devices on the shot blast machines and to remove emission control devices on six presses at their facility in West Mead Township, **Crawford 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.

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

40-301-081: Harman Funeral Home and Crematory, Inc. (P. O. Box 429, Drums, PA 18222) for installation of a new human remains crematory incinerator at their facility on 669 West Butler Avenue, Sugarloaf, Butler Township, **Luzerne County**. The unit will have a rated capacity of 150 lbs./hr. and fire on propane gas. The minimum operating temperature of 1,800°F shall be maintained with a minimum gas retention time of 1 second. Particulate emissions shall not exceed 0.08 grain/dscf, corrected to 7% O₂. Visible air contaminants shall not be emitted 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.

48-307-060: MFS, Inc. (Easton Road, R. R. 5, Box 5151, Bethlehem, PA 18015) for installation of air cleaning devices (fabric collector and thermal oxidizer) to control the atmospheric emissions from two mineral wool cupolas at their facility in the City of Bethlehem, **Northampton County**. Both cupolas are subject to 40 CFR Part 63, Subpart DDD, National Emission Standards for Hazardous Air Pollutants for Mineral Wool Production. The Plan Approval will contain emission restrictions, testing, monitoring, work practices, recordkeeping and reporting requirements designed to keep the sources operating within all applicable air quality requirements. The facility has a Title V Operating Permit Application No. 48-00020 currently under review. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V Operating Permit through an administrative amendment at a later date.

13-301-013: Mountain Crest Crematory, Inc. (11 North Cleveland Street, McAdoo, PA 18237) for installation of a new human remains crematory incinerator at their facility at 10 East Kline Street, McAdoo, Banks Township, **Carbon County**. The unit will have a rated capacity of 150 lbs./hr. and fire on propane gas. The minimum operating temperature of 1,800°F shall be maintained with a minimum gas retention time of 1 second. Particulate emissions shall not exceed 0.08 grain/dscf, corrected to 7% O₂. Visible air contaminants shall not be emitted in 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.

67-05001C: LWB Refractories Co. (232 East Market Street, P. O. Box 1189, York, PA 17404) for installation of

caustic spray systems on Rotary Kilns RK1 and RK2 in their West Manchester Township, **York County** facility. The caustic spray systems will reduce HCl emissions. The plan approval contains monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

10-281E: II-VI, Inc. (375 Saxonburg Boulevard, Saxonburg, PA 16056) for issuance of a plan approval for an isopropyl alcohol dryer (batch vapor cleaning machine) at their Saxonburg facility in Clinton Township, **Butler County**.

In accordance with 25 Pa. Code § 127.44(b), the Department of Environmental Protection intends to issue a plan approval for an isopropyl alcohol dryer (batch vapor cleaning machine) at the Saxonburg facility in Clinton Township, Butler County. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the State-only operating permit through an administrative amendment at a later date.

43-339A: Supreme Manufacturing, Inc. (327 Billy Boyd Road, Stoneboro, PA 16143) for authorization to enclose an existing open air shot blast operation and install a baghouse to control particulate matter in the municipality of Stoneboro, **Mercer County**.

Under 25 Pa. Code §§ 127.44(a) and 127.424(b), the Department of Environmental Protection (Department) intends to issue a Plan Approval for their plant in the municipality of Stoneboro, Mercer County. This plan approval will authorize the applicant to enclose an existing open air shot blast operation and install a baghouse to control particulate matter. There is also a separate coating operation included in this plan approval. The plan approval will subsequently be incorporated into a State-only operating permit at a later date.

Based on the information provided by the applicant and Department's own analysis, the particulate matter emissions from the blasting operation will decrease from a potential 64 TPY to an actual 0.064 TPY. The coating operation VOC emissions will be less than 4 TPY.

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

1. Name, address and telephone number of the person submitting comments.
2. Identification of proposed Plan Approval No. PA-43-339A.
3. Concise statement regarding the relevancy of the information or any objections to issuance of the Plan Approval.

A public hearing may be held, if the Department, in its discretion, decides that a hearing is warranted on the comments received during the public comment period. Persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in a local newspaper of general circulation or the *Pennsylvania Bulletin* or by telephone, when the Department determines notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to George Monasky, New Source

Review Chief, Department of Environmental Protection, Northeast Regional Office, 230 Chestnut Street, Meadville, PA, 16335, (814) 332-6940.

62-035C: IA Construction (240 River Road, Warren, PA 16365) for modification to burn alternative fuels including Nos. 2 and 4—6 and reprocessed/recycled fuel oil, biodiesel or any combination of Nos. 2 and 4—6, reprocessed/recycled fuel oil and biodiesel fuel oil at their Warren plant in Conewango Township, **Warren County**.

In accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department of Environmental Protection intends to issue a plan approval for modification to burn alternative fuels including Nos. 2 and 4—6 and reprocessed/recycled fuel oil, biodiesel or any combination of Nos. 2 and 4—6, reprocessed/recycled fuel oil and biodiesel fuel oil at their Warren plant in Conewango Township, Warren County. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into a State-only operating permit through an administrative amendment at a later date.

62-174A: Warren County Humane Society (212 Elm Street, Warren, PA 16365) for construction of a small animal crematory in the City of Warren, **Warren County**.

In accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department of Environmental Protection intends to issue a plan approval to construct a small animal crematory in the City of Warren, Warren County. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into a State-only operating permit through an administrative amendment at a later date.

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.

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

36-05027: RR Donnelley and Sons Co. (216 Greenfield Road, Lancaster, PA 17601) to operate printing presses controlled by regenerative thermal oxidizers and a solvent recovery system at their Lancaster East facility in Lancaster City, **Lancaster County**. This action is a renewal of the Title V Operating Permit issued in 2000. The major emissions at the printing facility are VOCs and HAPs from the solvents in the inks. The renewal permit includes the requirements contained in the original Title V Operating Permit.

67-05001: LWB Refractories Co. (232 East Market Street, P. O. Box 1189, York, PA 17404) for operation of their dolomitic lime production facility in West Manchester Township, **York County**. This action is a renewal of the Title V Operating Permit issued in 2000. The Title V operating permit contains monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

46-00247: Universal Concrete Products (400 Old Reading Pike, Stowe, PA 19464) in West Pottsgrove Township, **Montgomery County**. The permit is for a non-Title V State-only Natural Minor facility. The facility's sources include batch concrete plant and Fiberglass Application Process. The permittee does not have the potential to emit 24.9 tons/year for VOC and NO_x and is therefore characterized as a Natural Minor. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

22-05023: Pittsburgh Terminal Corp. (P. O. Box 2621, Harrisburg, PA 17105) for renewal of their synthetic minor operating permit for their Harrisburg Terminal at 5140 Paxton Street, Swatara Township, **Dauphin County**. The facility's major sources of emissions include petroleum product loading racks, which primarily emit VOCs. The facility emissions of VOC shall be limited at less than 50 tons per year. The Synthetic Minor operating permit will contain restrictions, work practice standards, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

43-00062: Wheatland Tube Co. (1 Council Avenue, Wheatland, PA 16161) for operation of their natural gas-fired combustion units in Wheatland Borough, **Mercer County**.

43-00304: Greenville Veterinary Clinic (409 East Jamestown Road, Greenville, PA 16125) for operation of an animal crematory in West Salem Township, **Mercer County**.

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 com-

ment, 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

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

E45-475. James and Nancy Hill, 2063 Crow Trail, Long Pond, PA 18334, in Tobyhanna Township, **Monroe County**, United States Army Corps of Engineers, Philadelphia District.

To maintain fill that was previously placed in a de minimis area of PSF wetlands less than or equal to 0.05 acre for the purpose of constructing a house and driveway on Lot 148 in the Estates at Emerald Lakes residential community. The project is located on the northern side of Minsi Trail East, approximately 0.5 mile north of SR 0080. (Pocono Pines, PA Quadrangle N: 15.4 inches; W: 9.5 inches).

E54-321. Richard J. and Patricia A. Withelder, 88 West Donaldson Street, Zerbe, PA 17981, in Branch Township, **Schuylkill County**, United States Army Corps of Engineers, Philadelphia District.

To place fill in 0.3 acre of PEM wetlands for the purpose of constructing storage units and a car wash on an 11.3 acre commercial property. The project is located on the south side of SR 0209, just east of Township Road P-570 (Brickey Road). (Minersville, PA Quadrangle N: 8.4 inches; W: 4.6 inches).

E39-450. Lower Macungie Township, 3400 Brookside Road, Macungie, PA 18062, in Lower Macungie

Township, **Lehigh County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain a multispan prefabricated wooden pedestrian bridge having a center span of 50 feet and an approximate underclearance of 15 feet across the Little Lehigh Creek (HQ-CWF). The project is located on the south side of Spring Creek Road approximately 1.2 miles east of its intersection with SR 0100. (Allentown West, PA Quadrangle N: 7.65 inches; W: 11.5 inches).

E39-449. Department of Transportation, Engineering District 5-0, 1713 Lehigh Street, Allentown, PA 18013-4727, in Slatington Borough, **Lehigh County**, United States Army Corps of Engineers, Philadelphia District.

To remove the existing structure and to construct and maintain a concrete spread box beam bridge having two 87-foot clear spans and an approximate underclearance of 19 feet across Trout Creek (CWF) and to construct and maintain a temporary pedestrian bridge having three 100-foot spans. The project is located on Main Street (SR 0873) approximately 0.4 mile west of the Lehigh-Northampton County Line. (Palmerton, PA Quadrangle N: 0.5 inch; W: 15.4 inches).

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

E01-255. Randy Reiner, 5330 West Quail Avenue, Las Vegas, NV 89118 in Mount Joy Township, **Adams County**, ACOE Baltimore District.

To construct and maintain a 53-inch by 194-inch by 24-foot corrugated galvanized steel open bottom arch culvert in a UNT to Rock Creek (WWF) at a point just east of the intersection of Taneytown Road and Schwartz Road (Taneytown, PA Quadrangle N: 22.5 inches; W: 13.0 inches) in Mount Joy Township, Adams County.

E67-759. Rick's Marina and Campground, 2600 Doehne Road, Harrisburg, PA 17110 in Newberry Township, **York County**, ACOE Baltimore District.

To dredge and maintain three boat basins along the Susquehanna River (WWF), for the purpose of removing sediment to allow watercraft passage from Rick's Marina and Campground to the River, located approximately 1/2 mile south of Goldsboro Borough, just west of Three Mile Island (Middletown, PA Quadrangle N: 3.4 inches; W: 16.95 inches) in Newberry Township, York County.

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

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
Section VII	NPDES	NOI for coverage under NPDES general permits

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

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

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

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

I. NPDES Renewal Permit Actions

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA-0063274 Minor Renewal	Brian Guinane R. R. 1, Box 1533 Hallstead, PA 18822	Liberty Township Susquehanna County	Rhiney Creek 04E	Y
PA-0063894 IW Renewal	Municipal Authority of the Borough of Minersville Two East Sunbury Street Minersville, PA 17954	Cass Township, Schuylkill County	Dyer Run Reservoir (3A)	Y
PA-0063975 (Renewal)	Thompson Borough Water Street P. O. Box 89 Thompson, PA 18465	Susquehanna County Thompson Borough	Starrucca Creek (4E)	Y

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

<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>
PA0001619 Industrial Waste	Orion Power MidWest LP P. O. Box 87 Pittsburgh, PA 15219-0087	Allegheny County Crescent Township	Ohio River	Y
PA0097462 Industrial Waste	Cherry Tree Borough Municipal Authority P. O. Box 155 Cherry Tree, PA 15724-0155	Cambria County Susquehanna Township	Peg Run	Y
PA0216895 Industrial Waste	Highridge Water Authority 17 Maple Avenue Blairsville, PA 15717	Westmoreland County Fairfield Township	Tubmill Creek UNT to Tubmill Creek	Y
PA0027651 Sewage	West Newton Borough 112 South Water Street West Newton, PA 15089	Westmoreland County West Newton Borough	Youghiogheny River	N

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

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

NPDES Permit No. PA0218227, Industrial Waste, **Municipal Authority of the Township of Washington (MATW)**. This proposed facility is located in Fayette City Borough, **Fayette County**.

Description of Proposed Action/Activity: Discharge of treated filter backwash water.

III. WQM Industrial Waste and Sewerage Actions 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. 3905402, 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: Issuance of Water Quality Management Permit. Construction of a new Country Club force main and modifications to the Country Club pump station.

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

WQM Permit No. 1004406, Sewerage, **William M. Hess**, 222 South Market Street, Suite 103, Elizabethtown, PA 17022. This proposed facility is located in Brady Township, **Butler County**.

Description of Proposed Action/Activity: This project is for the replacement of a malfunctioning on-lot sewage system with a trench dispersal system at the Maple Manor Mobile Home Park.

IV. NPDES Stormwater Discharges from MS4 Permit Actions

V. NPDES Waiver Stormwater Discharges from MS4 Actions

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI010905004	Wayne S. Moyer Moyer Subdivision 40 Lake Warren Road Upper Black Eddy, PA 18972	Bucks	Nockamixon Township	Beaver Creek (EV)
PAI010905008	Selvaggio Enterprises, Inc. GVC Capital Plaza 623 Selvaggio Drive Suite 200 Nazareth, PA 18064-8981	Bucks	Milford Township	Unami Creek (HQ-TSF)
PAI011505009	Richard Ide Richard E. Ide Subdivision 2308 Miller Road Chester Springs, PA 19425	Chester	West Vincent Township	UNT Pickering Creek (HQ-TSF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023904038	Ridgeview Limited Partners 1390 Ridgeview Dr. Suite 301 Allentown, PA 18104-9065	Lehigh	South Whitehall Township	Little Lehigh Creek HQ-CWF
PAI021304001	Big Boulder Corp. Big Boulder Resort P. O. Box B707 Blakeslee, PA 18610-0707	Carbon	Kidder Township	Tunkhannock Creek HQ-CWF
PAI025205002	Wallenpaupack Area School District HC 6, Box 6075 Hawley, PA 18428	Pike	Palmyra Township	Wallenpaupack 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>
PAI033104001	John Gilliland One War Path Road Warriors Mark, PA 16877	Huntingdon	Warriors Mark Township	UNT Warriors Mark Run HQ-CWF
PAI032104002	Walter Diehl 205 East Yellow Breeches Creek Carlisle, PA 17013	Cumberland	Dickinson	Yellow Breeches Creek HQ-CWF

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

Lawrence County Conservation District: 430 Court Street, New Castle, PA 16101, (724) 652-4512.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI063705001	Turnpike Commission 700 South Eisenhower Road Middletown, PA 17057 Attn: Brad Heigel	Lawrence	Little Beaver Township	North Fork Little Beaver 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>
Springfield Township Bucks County	PAG2000905020	Troy and Lisa Thornton 45 Old Bethlehem Road Perkasie, PA 18944	Tohickon Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
East Rockhill Township Bucks County	PAG2000905018	East Rockhill Township Municipal Golf Course 1622 Ridge Road Perkasie, PA 18944	UNT Three Mile Run (CWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900

<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>
City of Chester Delaware County	PAG2002305020	Chester Downs and Marira, LLC c/o Harrah's Entertainment, Inc. 777 Harrah's Boulevard Atlantic City, NJ 08401	Delaware River and Ridley Creek (WWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
North Whitehall Township Lehigh County	PAG2003905004	Ron Stahley North Whitehall Township 3256 Levans Rd. Coplay, PA 18037	Fells Creek CWF	Lehigh Co. Cons. Dist. (610) 391-9583
Lehighton Borough Carbon County	PAG2001305006	Hudson Holding Co., LP 2450 Shenango Valley Freeway Hermitage, PA 16148	Lehigh River TSF-CWF	Carbon Co. Cons. Dist. (610) 377-4894
Lehigh Township Northampton County	PAG2004805006	Tim Livengood Hampton Ridge Associates 4661 Lehigh Dr. Walnutport, PA 18088	Hokendauqua Creek CWF	Northampton Co. Cons. Dist. (610) 746-1971
Wilkes-Barre Township Luzerne County	PAG2004005003	Jerry A. Orloski 246 Woodlawn Ave. Mountain Top, PA 18707	Mill Creek CWF	Luzerne Co. Cons. Dist. (570) 674-7991
Hazle Township Luzerne County	PAG2004005014	CAN DO, INC 1 South Church St. Hazleton, PA 18201	Black Creek CWF	Luzerne Co. Cons. Dist. (570) 674-7991
Butler County Cranberry Township	PAG2001005006	Springfield Manor Bill Weaver Springfield Partners, L.P. P. O. Box 449 Mars PA 16046	Brush Creek WWF	Butler County Conservation District (724) 284-5270
Erie County Millcreek Township	PAG2002505011	John Maleno 2236 West 38th Street Erie, PA 16506	Cascade Creek WWF-MF	Erie County Conservation District (814) 825-6403
Mercer County City of Hermitage	PAG2004304014(1)	Joy Cone Company 3435 Lamor Road Hermitage, PA 16148	Pine Hollow Run WWF	Mercer County Conservation District (724) 662-2242
Manor Township Lancaster County	PAG2003605019	Randy Hess 2547 Lititz Pike Lancaster, PA 17601	West Branch Little Conestoga Creek TSF	Lancaster County Conservation District 1383 Arcadia Rd., Room 6 Lancaster, PA 17601 (717) 299-5361, Ext. 5
Manor Township Lancaster County	PAG2003605020	Randy Hess 2547 Lititz Pike Lancaster, PA 17601	West Branch Little Conestoga Creek TSF	Lancaster County Conservation District 1383 Arcadia Rd., Room 6 Lancaster, PA 17601 (717) 299-5361, Ext. 5
Strasburg Township Lancaster County	PAG2003605022	Glenn M. Eshleman P. O. Box 310 Strasburg, PA 17579	Pequea Creek WWF	Lancaster County Conservation District 1383 Arcadia Rd., Room 6 Lancaster, PA 17601 (717) 299-5361, Ext. 5

NOTICES

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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>
Lancaster Township Lancaster County	PAG2003605031	CMS East Inc P. O. Box 630 Greensburg, PA 15601	UNT Conestoga River WWF	Lancaster County Conservation District 1383 Arcadia Rd., Room 6 Lancaster, PA 17601 (717) 299-5361, Ext. 5
Mount Joy Borough Lancaster County	PAG2003605038	J. Michael Futer 410 N. Plum St. Mount Joy, PA 17552	UNT Donegal Creek CWF	Lancaster County Conservation District 1383 Arcadia Rd., Room 6 Lancaster, PA 17601 (717) 299-5361, Ext. 5
Manheim Township Lancaster County	PAG2003605044	PKK Limited Partnership 1270 Grofftown Rd. Lancaster, PA 17602	UNT Conestoga Creek WWF	Lancaster County Conservation District 1383 Arcadia Rd., Room 6 Lancaster, PA 17601 (717) 299-5361, Ext. 5
Mount Joy Township Lancaster County	PAG2003605049	Lancaster County Career and Technology Center 1730 Hans Herr Dr. Willow Street, PA 17584	Little Chickies Creek TSF	Lancaster County Conservation District 1383 Arcadia Rd., Room 6 Lancaster, PA 17601 (717) 299-5361, Ext. 5
Mountville Borough Lancaster County	PAG2003605053	Your Towne Builders 2137 Embassy Dr. Suite 210 Lancaster, PA 17603	Little Conestoga TSF	Lancaster County Conservation District 1383 Arcadia Rd., Room 6 Lancaster, PA 17601 (717) 299-5361, Ext. 5
Mount Joy Township Lancaster County	PAG2003605054	Mount Joy Township 159 Merts Drive Lancaster, PA	UNT Donegal Creek TSF	Lancaster County Conservation District 1383 Arcadia Rd., Room 6 Lancaster, PA 17601 (717) 299-5361, Ext. 5
Carroll Valley Adams County	PAG2000105003	Michael Keiser Department of Transportation Engineering District 8-0 2140 Herr St. Harrisburg, PA 17103-1699	Tom's Creek WWF	Adams County Conservation District 670 Old Harrisburg Rd. Ste. 201 Gettysburg, PA 17325 (717) 334-5171
West Manheim Township York County	PAG2006704052	Marburg Pointe Phase 2 Paul Burkentine Stone Ridge Development 330 Dubs Church Road Hanover, PA 17331	WB Codorus Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Franklintown Borough York County	PAG2006704106	Bon Ton Builders Franklintown Site Bon-Ton Builders, Inc. Sherrie Rosenau 1060 Baltimore Street Hanover, PA 17331	UNT Bermudian Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Penn Township York County	PAG2006705002	Woodland Development 130 Carlisle Street Hanover, PA 17331	Plum Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Springfield Township York County	PAG2006705008	Hojnowski Residential Driveway Adrienne and Marc Hojnowski 2503 Ruhl Road Freeland, MD 21053	SB Codorus Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Windsor Township York County	PAG2006704143	Windsor Meadows AVA Properties 120 Fairfax Drive York, PA 17403	Cabin Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Springettsbury Township York County	PAG2006705033	Meadowlands Business Park, Lot 3 Yorlan Assoc. 6259 Reynolds Mill Rd. Seven Valleys, PA 17360	Kreutz Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Conewago Township York County	PAG2006705016	Greenspring Industrial Park Richard D. Poole Inc. 150 Farm Lane Drive York, PA 17402	Billion Run TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Dover Township York County	PAG2006705027	Walgreens and Commerce Bank Jerry Tillman Newman-Tillman Properties LLC 850 Ridge Lake Blvd. Memphis, TN 38120	UNT to Little Conewago Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Carroll Township York County	PAG2006704127	Logan Meadows Gary Reihart 150 Orebank Road Dillsburg, PA 17019	Fisher Run Yellow Breeches CWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430

General Permit Type—PAG-3

<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>
Franklin County Greene Township	PAR113551	Ingersoll Rand Company 312 Ingersoll Drive Shippensburg, PA 17257	UNT to Conococheague Creek CWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Lancaster County Providence Township	PAR203526	Buck Company, Inc. 897 Lancaster Pike Quarryville, PA 17566	UNT to Fishing Creek CWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
York County North Hopewell Township	PAR603538	Red Lion Auto Salvage, Inc. 5433 Rippling Run Road Red Lion, PA 17356	UNT to North Branch of Muddy Creek CWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Blair County Logan Township	PAR803509	Ward Trucking Corporation P. O. Box 1553 Altoona, PA 16603-1553	Kettle Creek WWF Little Juniata River WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Adams County Mount Pleasant Township	PAR603571	Hartlaub & Sons Used Auto Parts, Inc. 270 Kuhn Road Littlestown, PA 17340	UNT to South Branch of Conewago Creek WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
York County Manchester Township	PAR143518	CP Converters, Inc. 15 Grumbacher Road York, PA 17402-9417	UNT to Codorus Creek WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

<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>
Bedford County West Providence Township	PAR223524	Blue Triangle Hardwoods LLC P. O. Box 249 Everett, PA 15537-0249	John's Branch WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Blair County Allegheny Township	PAR803678	Sunoco, Inc. R. R. 5, Box 2379 Sugar Run Road Altoona, PA 16601-9314	Sugar Run CWF Burgoon Run TSF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Blair County Allegheny Township	PAR803679	Eldorado Properties Corp. 900 Eisenhower Blvd. P. O. Box 2621 Harrisburg, PA 17105	UNT to Beaverdam Branch of the Juniata River WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Brockway Borough Jefferson County	PAR218321	Owens-Brockway Glass Container, Inc. One Seagate Toledo, OH 43666	Little Toby Creek	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

General Permit Type—PAG-4

<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>
Berks County Bethel Township	PAG043726	Barry L. Beiler 1125 Pine Grove Road Fredericksburg, PA 17026-9612	Crosskill Creek CWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Washington Township Jefferson County	PAG049158	Proshort Stamping Services SFTF P. O. Box 407 Falls Creek, PA 15840	UNT to Wolf Run 17-C	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

General Permit Type—PAG-5

<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>
Lancaster County West Lampeter Township	PAG053585	Ewing Oil Company 11949 Robinwood Drive Hagerstown, MD 21742-4483	Good's Run TSF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

General Permit Type—PAG-7

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
Frailey Township Schuylkill County	PAG072202	Natural Soil Products P. O. Box 283 Tremont, PA 17981	Natural Soil Products Frailey Township Schuylkill County	NERO 2 Public Square Wilkes-Barre, PA 18711-0790 (570) 826-2511

General Permit Type—PAG-8

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
Mahanoy Township Schuylkill County	PAG082211	Mahanoy City Sewer Auth. P. O. Box 215 130 East Centre St. Mahanoy City, PA 17948	Mahanoy City Treatment Plant Mahanoy Township Schuylkill County	NERO 2 Public Square Wilkes-Barre, PA 18711-0790 (570) 826-2511
Montrose Borough Susquehanna County	PAG082218	Montrose Municipal Auth. P. O. Box 306 Montrose, PA 18801	Montrose Municipal Authority WWTP Montrose Borough Susquehanna County	NERO 2 Public Square Wilkes-Barre, PA 18711-0790 (570) 826-2511

*Facility Location:
Municipality &
County*Frailey Township
Schuylkill County*Permit No.*

PAG082210

*Applicant Name &
Address*Natural Soil Products
P. O. Box 283
Tremont, PA 17981*Site Name &
Location*Natural Soil Products
Frailey Township
Schuylkill County*Contact Office &
Phone No.*NERO
2 Public Square
Wilkes-Barre, PA
18711-0790
(570) 826-2511*General Permit Type—PAG-8 (SSN)**Facility Location:
Municipality &
County*Lower Towamensing
Township
Carbon County*Permit No.*PAG08-2203
PAG07-0003
PAG08-0008
PAG08-0003
PAG08-3502
PAG08-3522
PAG08-3542
PAG08-3551
PAG08-0006
PAG08-3540
PAG08-9903
PAG08-9905
PAG08-2201
PAG07-0005
PAG08-3515
PAG08-3501
PAG08-3825
PAG08-0002
PAG08-3547
PAG08-3506
PAG08-3518
PAG08-3535
PAG08-9904
PAG08-3517*Applicant Name &
Address*Synagro Mid-Atlantic
1605 Dooley Road
P. O. Box B
Whiteford, MD 21160*Site Name &
Location*Guy Seifert
Lower Towamensing
Township
Carbon County*Contact Office &
Phone No.*NERO
2 Public Square
Wilkes-Barre, PA
18711-0790
(570) 836-2511**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**

Permit No. 0905501 , Public Water Supply.	
Applicant	Newtown Artesian Water Company P. O. Box 217 Newtown, PA 18940-0217
Borough	Newtown
County	Bucks
Type of Facility	PWS
Consulting Engineer	Gannett Fleming, Inc. P. O. Box 80794 Valley Forge, PA 19484
Permit to Construct Issued	5/19/2005

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

Permit No. 0104505, Public Water Supply.

Applicant	The Meadows Home Owners Association
Municipality	Cumberland Township
County	Adams
Type of Facility	The construction of Well No. 2 as a source of supply. Replacement of the existing wooden storage tank and iodine disinfection system with a new tank and chlorination. The existing booster pumps will be replaced to increase system pressure.
Consulting Engineer	Richard M Bodner, P. E. Martin and Martin, Inc. 37 S. Main St. Chambersburg, PA 17201
Permit to Construct Issued:	5/18/2005

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:

Northeast Regional Field Office, Joseph A. Brogna, Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.

Former Tamaqua MGP Plant, Borough of Tamaqua, **Schuylkill County**. John J. Mahfood, Principal, Corporate Environmental Solutions LLC, 260 Millers Run Road, Bridgeville, PA 15017 has submitted a Cleanup Plan (on behalf of PPL Electric Utilities, Two North Ninth Street, Allentown, PA 18101) concerning the remediation of PHCs and PAHs in site soils and groundwater. The plan was submitted in partial fulfillment of the site-specific standard.

Faulkner Collision Center, City of Bethlehem, **Lehigh County**. Michael Bingaman, Hafer Environmental Services, Inc., P. O. Box 4418, Reading, PA 19606 has submitted a Final Report (on behalf of the property owner, Dick Milham, Hecktown Road, Easton, PA 18045) concerning the remediation of soils found or suspected to have been impacted by heating oil. The report was submitted to document attainment of the residential Statewide health soil standard.

Kerr-McGee Chemical LLC—Avoca Property, Borough of Avoca, **Luzerne County**. David Kerschner, PG, KU Resources, Inc., 20 South Linden Street, Duquesne, PA 15110 submitted a Cleanup Plan (on behalf of Kerr-McGee Chemical LLC, P. O. Box 25861, Oklahoma City, OK 73125) concerning the remediation of PAHs and inorganics in site soils. The plan was submitted in partial fulfillment of the site-specific/pathway elimination standard.

Weisenberg Lutheran Church, Weisenberg Township, **Lehigh County**. Storb Environmental, Inc., 410 North Easton Road, Willow Grove, PA 19090 has submitted a Final Report (on behalf of the Weisenberg Lutheran Church Council, 7645 Weisenberg Road, New Tripoli, PA 18066 and Pipeline Petroleum, P. O. Box 159, Shippers Road, Macungie, PA 18062) concerning the remediation of soil found or suspected to have been contaminated by no. 2 fuel oil as the result of an accidental release. The report was submitted to document attainment of the residential Statewide health soil standard.

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

Former Samuel Miller & Son, Inc. Site, City of Lancaster, **Lancaster County**. Alternative Environmental Solutions, Inc., 930 Pointview Avenue, Suite B, Ephrata, PA 17522, on behalf of David Selfon, 220 Centerville Road, Lancaster, PA 17603-4009, submitted a Final Report concerning remediation of site soils and groundwater contaminated with chlorinated solvents and other organics. Site soils are also contaminated with metals. The report is intended to document remediation of the site to 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:

Northeast Region: Joseph A. Brogna, Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.

Stroudsburg Industrial Park—Northeast Corner, Borough of Stroudsburg, **Monroe County**. Joseph

McNally, GeoServices, Ltd., 1525 Cedar Cliff Drive, Camp Hill, PA 17011 submitted a combined Remedial Investigation Report and Final Report (on behalf of his client, Marc Taub, Stroudsburg Park Associates, LP, 14 Springhill Rd., Randolph, NJ 17869) concerning the remediation of soils found to have been impacted by chlorinated solvents as the result of historic operations. The reports document attainment of a site-specific soil standard and were both approved on April 18, 2005.

Tax Parcels 65-24-2 and 65-25-1.4 (SR 209), Borough of Tamaqua, **Schuylkill County**. Marguerite Murray, Project Environmental Scientist, Gilmore & Associates, Inc, 350 E. Butler Ave, New Britain, PA 18901 submitted a Work Plan for a baseline remedial investigation on a special industrial area property (on behalf of her client, Robert Craze, St. Luke's Miners Memorial Hospital, Coaldale, PA 18218) concerning the characterization of soil and groundwater on a former industrial property that manufactured lightweight concrete and more recently staged construction and waste materials. The Work Plan was approved on May 11, 2005.

Henny Penny Farm (Route 715), Chestnuthill Township, **Monroe County**. MEA, Inc., 1365 Ackermanville Road, Bangor, PA 18013 submitted a Final Report (on behalf of their client, Henny Penny Farms, Inc., R. R. 4, Box 4287, Saylorsburg, PA 18353) concerning the remediation of site soil and/or groundwater found or suspected to have been contaminated with no. 2 fuel oil constituents. The report documented attainment of the Statewide health standard and was approved on May 3, 2005.

AIR QUALITY

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

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

39-302-180GP1: HCSC—Laundry (2139 28th Street South West, Allentown, PA 18103) on May 17, 2005, to construct and operate a boiler at their facility in Allentown, **Lehigh County**.

54-310-032GP3: Pennsy Supply, Inc. (1001 Paxton Street, Harrisburg, PA 17104) on May 19, 2005, to construct and operate a portable stone crushing plant and associated air cleaning device at at 2225 Fair Road, Wayne Township, **Schuylkill County**.

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

GP4-67-03057: Galaxy Tire and Wheel (P. O. Box 110, 207 Redco Avenue, Red Lion, PA 17356) on May 16, 2005, to operate natural gas fired burn-off ovens under GP4 in Red Lion Borough, **York County**.

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

GP-43-340: North Coast Energy, Inc.—Cyphert Compressor Station (Brennaman Road, Mercer, PA 16142) on May 20, 2005, to operate a compressor engine in Wilmington Township, **Mercer County**.

GP-62-177: North Coast Energy, Inc.—Johnson Compressor Station (Yankee Bush Road, Warren, PA 16365) on May 20, 2005, to operate a compressor engine in Conewango Township, **Warren 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.

46-0198A: Blommer Chocolate Co. (1101 Blommer Drive, East Greenville, PA 18041) on May 20, 2005, to operate a cocoa bean deshelling operation in Upper Hanover Township, **Montgomery County**.

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

35-318-088: Gentex Corp. (P. O. Box 315, Carbondale, PA 18407) on May 16, 2005, to construct a surface coating line (No. 4) at their facility in Fell Township, **Lackawanna 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.

46-0155: Sermatech International, Inc. (155 South Limerick Road, Limerick, PA 19468) on May 9, 2005, to operate three paint spray booths in Limerick Township, **Montgomery County**.

46-0155B: Sermatech International, Inc. (155 South Limerick Road, Limerick, PA 19468) on May 9, 2005, to operate a thermal spray unit in Limerick Township, **Montgomery County**.

46-0155C: Sermatech International, Inc. (155 South Limerick Road, Limerick, PA 19468) on May 9, 2005, to operate a binder mix tank in Limerick Township, **Montgomery County**.

46-0155D: Sermatech International, Inc. (155 South Limerick Road, Limerick, PA 19468) on May 9, 2005, to operate a spray booth in Limerick Township, **Montgomery County**.

09-0048A: H and K Materials Division—Haines and Kibblehouse (P. O. Box 196, 2052 Lucon Road, Skippack, PA 19474) on May 17, 2005, to operate a batch asphalt plant in Hilltown Township, **Bucks County**.

09-0143: Naceville Materials (P. O. Box 196, 2052 Lucon Road, Skippack, PA 19474) on May 17, 2005, to operate a primary crusher and conveyors in West Rockhill Township, **Bucks County**.

15-0060B: SECCRA LDFL (P. O. Box 221, Kennett Square, PA 19348) on May 17, 2005, to operate a landfill gas open flare in London Grove Township, **Chester County**.

46-0108A: Highway Materials, Inc. (1750 Walton Road, Blue Bell, PA 19422) on May 17, 2005, to operate a cyclone and baghouse-asphalt in Marlborough Township, **Montgomery County**.

46-0112: Palmer International, Inc. (P. O. Box 315, Skippack, PA 19474) on May 18, 2005, to operate a thermal oxidizer in Skippack Township, **Montgomery County**.

09-0157: Barrett Asphalt Inc. (7503 Weymouth Road, Hammonton, NJ 08037) on May 20, 2005, to operate a bituminous concrete drum-mix plant in Falls Township, **Bucks County**.

46-0069: Highway Materials, Inc. (1750 Walton Road, Blue Bell, PA 19422) on May 19, 2005, to operate a portable crushing plant and two engines in Whitmarsh Township, **Montgomery County**.

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

13-308-104: Horsehead Corp. (900 Delaware Avenue, Palmerton, PA 18071) on May 19, 2005, to modify Waelzing/Calcine Kiln No. 1, two storage silos and an emergency generator and the associated air cleaning devices in Palmerton Borough, **Carbon County**. The Plan Approval has been extended.

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

36-05071A: Valley Proteins, Inc. (P. O. Box 3588, Winchester, VA 22604) on May 1, 2005, to replace their existing scrubbers and add one new scrubber at their facility in East Earl Township, **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.

03-00218C: AMFIRE Mining Co., LLC (P. O. Box 368, Elderton, PA 15736) on May 18, 2005, to increase tonnage at Triple K No. 1 Deep Mine in Burrell Township, **Armstrong County**. This Plan Approval was extended.

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.

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

11-00508: Johnstown Crematory (1225 St. Clair Road, Johnstown, PA 15905) on May 17, 2005, for a state only operating permit for a crematory in Lower Yoder Township, **Cambria County**.

GP5-30-00151: CNX Gas Co., LLC (1800 Washington Road, Pittsburgh, PA 15241) on May 18, 2005, to operate one gas-fired Caterpillar model G3508TALE that will also include a Tri-Ethylene Glycol Dehydrator and an Amine Plant to remove CO₂ from the gas stream at their at the company's Pine Bank gas processing plant in Gilmore Township in **Westmoreland County**.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

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

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

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

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

Permits, Environmental Assessments and 401 Water Quality Certifications Issued

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E46-968. The Moser Group, 210 Holly Drive, Chalfont, PA 18914, Montgomery Township, **Montgomery County**, ACOE Philadelphia District.

To perform the following activities associated with the proposed Indian Lake Farms Residential Subdivision:

1. To enlarge the off-stream reservoir of an existing nonjurisdictional dam located adjacent to the UNT to West Branch of Neshaminy Creek.
2. To modify and maintain the existing non-jurisdictional dam by placing fill in 0.03 acre of wetlands (PEM) which exist within the reservoir area. The height of the berm will be raised and the pond will be converted into a stormwater management facility. The permittee has requested an Environmental Assessment approval for this activity.

The site is located approximately 2,000 feet northeast of the intersection of Richardson Road and Bethlehem

Pike (SR 0309), (Doylestown, PA USGS Quadrangle N: 2.7 inches; W: 16.6 inches).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

E51-211. Portside Residences—Pier 28 LP, 1750 Walton Road, P. O. Box 1650, Blue Bell, PA 19422-0465, City and **County of Philadelphia**.

To construct and maintain Pier 28 South, and to construct and maintain a 16-story apartment complex within the Delaware River (WWF-MF). The bottom three stories of the apartment complex will be a parking garage. The proposed pier will partially sit on the footprint of the pile remnants of the existing pier. Work will involve the placement of approximately 728 steel piles in the river to provide structural support. Leasehold of the property within Commonwealth Submerged lands was authorized by an act of General Assembly. This site is located just north of the Dockside Residences at Pier 30 South along Columbus Boulevard (a/k/a Delaware Avenue) and approximately 5,000 feet south of the Ben Franklin Bridge (Philadelphia, PA-NJ Quadrangle N: 11.75 inches; W: 2.3 inches).

The issuance of this permit also constitutes approval of a Water Quality Certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

Northwest Region: Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-348.

EA25-05-601 Emil J. Chernicki, 3370 Flower Road, Summit Township, **Erie County**, PA 16509, ACOE Pittsburgh District (Erie South, PA Quadrangle N: 4.20 inches; W: 13.90 inches).

Restoration plan provided under § 105.12(a)(16) for the removal of an abandoned dam/fire pond along Flower Road in Erie County. The body of water is approximately 40 feet by 84 feet. The average depth is approximately 2.5 feet and the dam height is approximately 5.75 feet. The structure that the fire pond was constructed for has been demolished.

E37-167, Donald Dickinson, 705 Harlansburg-Eastbrook Road, New Castle, PA 16105. Dickinson Bridge Over Hottenbaugh Run, in Scott Township, **Lawrence County**, ACOE Pittsburgh District (Harlansburg, PA Quadrangle N: 7.4 inches; W: 15.9 inches).

To construct and maintain a 12 foot long concrete bridge having a clear span of 16 feet and underclearance of 6 feet across Hottenbaugh Run (TSF) on a private driveway extending south from SR 1010 at 705 Harlansburg-Eastbrook Road approximately 1,500 feet downstream of Grange Hall Road.

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

E21-363: East Pennsboro Township, 98 South Enola Drive, Enola, PA 17025 in East Pennsboro Township, **Cumberland County**, ACOE Baltimore District.

To fill and maintain 0.1 acre of palustrine emergent wetlands tributary to the Conodoguinet Creek (WWF), for the purpose of relocating the wetland outside of the existing Acri Meadow Park ball field, located approximately 6,000 feet south of Route 944 on the west bank of

the creek (Harrisburg West, PA Quadrangle N: 18.8 inches; W: 15.25 inches) in East Pennsboro Township, Cumberland County.

E67-778: City of York, P. O. Box 509, York, PA 17405 in City of York, **York County**, ACOE Baltimore District.

To maintain a reinforced concrete retaining wall along the north side of the channel that will vary in height from 10 feet 6 inches to 14 feet, perform concrete underpinning repairs along the south wall and install 62 feet of rip-rap rock toe protection along both walls in Willis Run (WWF) just downstream of Kiwanis Lake (York, PA Quadrangle N: 17.0 inches; W: 16.2 inches) in the City of York, York County. The replacement of the walls, repairs and rip-rap placement was authorized by EP-67-04-138.

E28-321: Ronald N. Fleagle, 4180 Conestoga Rd., Elverson, PA 19520 in Metal Township, **Franklin County**, ACOE Baltimore District.

To construct and maintain a 3-inch conduit for an electrical line which will be directionally drilled under the West Branch of the Conococheague Creek (CWF) and associated wetland (Fannettsburg, PA Quadrangle N: 13.3 inches; W: 10.1 inches) in Metal Township, Franklin County. The total crossing length will be 600 feet and the project will not permanently or temporarily impact any wetlands.

E21-369: Department of Transportation, Engineering District 8-0, 2140 Herr Street, Harrisburg, PA 17103-1699 in Silver Spring Township, **Cumberland County**, ACOE Baltimore District.

To remove the existing structure and then to construct and maintain a 13 foot by 6 foot concrete box culvert at the channel of an unnamed tributary to Simmons Creek (WWF) and associated improvements on SR 0944, Section 015 to improve the traffic safety condition of the road located about 0.15 mile west from its intersection with SR 0114 (Wertsville, PA Quadrangle N: 6.0 inches; W: 7.4 inches) in Silver Spring Township, Cumberland County.

SPECIAL NOTICES

Application Period for Municipal Recycling Program Performance Grant Applications Under Act 101, Section 904 of the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988

Calendar Year 2004 Recycling

The Department of Environmental Protection (Department) announces a request for applications from municipalities for recycling performance grant assistance for recycling programs under the Pennsylvania Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, Act 101, P.L. 556, Section 904. Municipalities include counties, cities, boroughs, incorporated towns, townships, home rule municipalities, their authorities, councils of governments, consortiums or similar entities established by two or more municipalities under 53 Pa.C.S. Chapter 23, Subchapter A (relating to intergovernmental cooperation). This application period is for eligible materials recycled and marketed in calendar year 2004.

Municipal Recycling Program Performance Grant funds will be awarded to municipalities based upon the weight of source separated recyclable materials identified in Section 1501(c)(1)(i) of Act 101 recovered by municipal

recycling programs and the population of the municipality as determined by the most recent decennial census. Municipalities will be eligible to receive an award based on a formula of \$5 for each Department approved ton of eligible recyclable materials recycled or marketed and \$1 per approved ton for each percentage of municipal waste calculated by the Department to be diverted from disposal. The weight of eligible materials allowable from nonresidential (commercial, institutional and municipal) sources under the preceding formula will be limited to no more than the weight of approved eligible materials from residential sources. Department approved materials from nonresidential sources not factored into the preceding formula will be awarded a bonus of \$10 per ton. The Department will not award grants calculated to be less than \$10.

Applicants that have failed to comply with the conditions set forth in previously awarded grants, the grant requirements of Act 101 or the regulations of the Act may not be awarded funds under this grant program. Applicants must ensure that they are in compliance with 25 Pa. Code § 272.314(b)(2) relating to the submittal of the annual recycling report.

Eligible materials include post-consumer: clear glass, colored glass, aluminum cans, steel and bimetallic cans, high-grade office paper, newsprint, corrugated paper, other marketable grades of paper and plastics. Grants will be awarded only for properly documented, eligible materials that were actually marketed on or after January 1, 2004, to and including, December 31, 2004. Grant funds will not be awarded for residues, materials not listed as eligible including leaf and yard wastes or any materials which cannot be documented as being recycled into a new product or use. In particular, recovered glass that is being stockpiled or used as daily cover at a landfill will not be considered as recycled. Unless otherwise documented, the Department will deduct 15% from each application's documented tonnage to account for residue.

Documentation to support all claims that eligible recyclable materials were generated within the municipality and marketed must be made available for auditing by the Department, the Office of the Auditor General, the Office of the Treasurer or agents of those offices for 4 years. The Department will not require applicants to retain hauler customer lists; however, the lists may be required to be examined in the event of an audit. It will be the applicant's responsibility to arrange for hauler customer lists to be provided or for haulers to be present with their customer lists during a grant audit. Supporting documentation is not required to be submitted with the application.

Acceptable Supporting Documentation: Weight slips or receipts verifying that the materials were recycled or marketed are required as supporting documentation for the grant application. The documentation must include: 1) the date the materials were recycled/marketed; 2) the type of material recycled/marketed; 3) the name of the municipality where the material was generated; and 4) weight, stated in pounds or tons, of the material recycled/marketed. Documentation supporting materials source separated from municipal waste by commercial/institutional establishments and recycled/marketed must bear the name of the establishment and the municipality where the establishment is located.

Acceptable documentation must be provided in one of the following formats: 1) a dated weight/market receipt identifying the generator of the recyclable materials and the market; 2) a dated report submitted by the hauler or market on company letterhead clearly indicating the name of the company generating the recyclable materials; or 3) a dated report submitted by the generator which is signed by the hauler or market vendor that received the materials. Reports may be submitted on annual, monthly, weekly or other time period format. All information must be legible.

Estimates of weight will not be accepted except in cases when: 1) the material is packaged in uniform bales and the average weight of a bale can be demonstrated and supported by weight receipts, and a record of the number of bales was provided by the market vendors; or 2) multiple generators contribute to a known quantity of marketed material, and the hauler or market estimates the quantities attributable to any individual establishment or municipality and verifies the estimate with a signature.

Although the supporting documentation is not required to be submitted with the grant application, any documentation provided must conform to the previous requirements or the materials claimed will not be credited toward the grant award.

Grant applications must be on forms provided by the Department for calendar year 2004. Grant applications must be delivered by 3 p.m. on September 30, 2005, or postmarked on or before that day. Applications received by the Department after the deadline will be returned to the applicant. Grant awards are predicated on the receipt of recycling fees required by sections 701 and 702 of Act 101 and the availability of moneys in the Recycling Fund.

Municipalities wishing to file an application should contact their County Recycling Coordinator or the Department at the address that follows. Applicants who filed a Performance Grant application for calendar year 2003 will be mailed a current application by the Department as soon as they are available. Applications may also be obtained from the Department's website at www.dep.state.pa.us (DEP Keyword Recycle). Inquiries concerning this notice should be directed to Todd Pejack, Bureau of Land Recycling and Waste Management, Department of Environmental Protection, Rachel Carson State Office Building, P. O. Box 8472, Harrisburg, PA 17105-8472, tpejack@state.pa.us.

[Pa.B. Doc. No. 05-1086. Filed for public inspection June 3, 2005, 9:00 a.m.]

Air Quality Technical Advisory Committee Meeting Change

The Air Quality Technical Advisory Committee (AQTAC) meeting scheduled for June 17, 2005, has been changed to a 2-day session to be held in two different locations. The first session will be held on June 16, 2005, at 12:30 p.m. in the Susquehanna A and B Conference Rooms, Southcentral Regional Office, Elmerston Avenue, Harrisburg, PA. The second session will be held on June 17, 2005, at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

An agenda and meeting materials will be available prior to the meeting on the Department of Environmental

Protection's (Department) website: www.dep.state.pa.us. For further information, contact Terry Black at (717) 787-2030.

Individuals in need of an accommodation as provided for in the Americans With Disabilities Act should contact Wick Havens at (717) 787-9495 or through the Pennsylvania AT&T Relay Service, (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 05-1087. Filed for public inspection June 3, 2005, 9:00 a.m.]

Federal Performance Evaluation of Pennsylvania Coastal Zone Management Program; Public Meeting

Under the Federal Coastal Zone Management Act of 1972, as amended, a public meeting will be held as part of the Federal performance evaluation of the Pennsylvania Coastal Zone Management Program (Program). The meeting will be held on Wednesday, July 13, 2005, at 7 p.m. at the Fairmount Water Works, 640 Water Works Drive (directly behind the Art Museum), Philadelphia, PA 17107.

The purpose of the meeting is to receive public comments regarding the operation and implementation of the Program. Written comments are encouraged and participation at the public meeting is not required for submission. Written comments should be sent by Friday, July 29, 2005, to L. Christine McCay, NOAA/NOS/OCRM, 1305 East-West Highway, N/ORM7, Silver Spring, MD 20910.

Questions concerning this meeting can be directed to Karen Price, Water Planning Office, (717) 783-9499, kprice@state.pa.us. Persons with a disability who require accommodations to attend this meeting should contact the Department of Environmental Protection (Department) at (717) 772-4785 or through the Pennsylvania AT&T Relay Services at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 05-1088. Filed for public inspection June 3, 2005, 9:00 a.m.]

Pennsylvania's Energy Development Authority Board Meeting

A meeting of the Pennsylvania Energy Development Authority Board (Board) is scheduled to be held on Thursday, June 23, 2005, at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

The agenda will be available prior to the meeting on the Board's website: www.dep.state.pa.us (DEP Keyword: PEDA). Questions concerning the agenda can be directed to Jeanne Dworetzky, (717) 783-8911, jdworetzky@state.pa.us.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Amanda Richards at (717) 772-8911, or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 05-1089. Filed for public inspection June 3, 2005, 9:00 a.m.]

State Water Plan; Statewide Water Resources Committee; Critical Water Planning Area Subcommittee Meeting

The Critical Water Planning Area Subcommittee of the Statewide Water Resources Committee has scheduled a meeting to discuss the development of criteria/guidelines for designation of Critical Water Planning Areas. The meeting will be held on June 14, 2005, at 10 a.m. at the Department of Conservation and Natural Resources, Bureau of Topographic and Geologic Survey Office, 3240 Schoolhouse Road, Middletown, PA 17057.

Questions concerning this meeting should be directed to Susan K. Weaver, Water Planning Office, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 783-8055, suweaver@state.pa.us.

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

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 05-1090. Filed for public inspection June 3, 2005, 9:00 a.m.]

State Water Plan; Statewide Water Resources Committee; Policy and Integration Subcommittee Meeting

The Policy and Integration Subcommittee of the Statewide Water Resources Committee has scheduled a meeting to discuss the various policy issues associated with the development of the State Water Plan. The meeting will be held on June 22, 2005, at 10 a.m. at the Rachel Carson State Office Building, 16th Floor, Delaware Room, 400 Market Street, Harrisburg, PA 17105.

Questions concerning this meeting should be directed to Susan K. Weaver, Water Planning Office, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 783-8055, suweaver@state.pa.us.

Persons with a disability who require accommodations to attend the meeting should contact the Department of Environmental Protection (Department) at (717) 772-4785 or through the Pennsylvania AT&T Relay Services at

(800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 05-1091. Filed for public inspection June 3, 2005, 9:00 a.m.]

DEPARTMENT OF HEALTH

Chronic Renal Disease Advisory Committee Meeting

The Chronic Renal Disease Advisory Committee, established by section 4 of the act of June 23, 1970 (P.L. 419, No. 140) (35 P. S. § 6204), will hold a public meeting on Thursday, July 28, 2005, from 10 a.m. to 3 p.m. in Hearing Room 2, Atrium Level, Keystone Building, Commonwealth Avenue and Forster Street, Harrisburg, PA.

Persons who wish to attend this meeting or persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should contact Robert Staver at (717) 772-5138, for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

For additional information, contact Robert Staver, Acting Program Administrator, Chronic Renal Disease Program, Division of Child and Adult Health Services, (717) 772-5138.

This meeting is subject to cancellation without notice.

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

[Pa.B. Doc. No. 05-1092. Filed for public inspection June 3, 2005, 9:00 a.m.]

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

Under 28 Pa. Code § 51.33 (relating to requests for exception), the Department of Health (Department) hereby gives notice that the following ambulatory surgical facility is seeking an exception to 28 Pa. Code § 551.21(d) (relating to criteria for ambulatory surgery) to perform ambulatory surgical procedures included on the List of Medicare Approved ASC Procedures:

Indiana Ambulatory Surgical Associates LLC

This request is on file with the 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. 05-1093. Filed for public inspection June 3, 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 § 205.38(a) (relating to toilet facilities):

Hamilton Arms Center
336 South West End Avenue
Lancaster, PA 17603-5098
FAC ID # 080202

This request is 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, 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 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 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. 05-1094. Filed for public inspection June 3, 2005, 9:00 a.m.]

DEPARTMENT OF LABOR AND INDUSTRY

Current Prevailing Wage Act Debarments

The following contractors have been determined to have intentionally violated the Pennsylvania Prevailing Wage Act (act) (43 P. S. §§ 165-1—165-17). This notice is published for the information and convenience of public bodies subject to the act. Under section 11(e) of the act (43 P. S. § 165-11(e)), these contractors, or either one of them or their firm, or any firms, corporations or partnerships in which these contractors, or either one of them or their firm, have an interest, shall be awarded no contract for 3 years after the date listed.

<i>Contractor</i>	<i>Address</i>	<i>Date of Debarment</i>
Michael J. Gedman, individually and A to Z Concrete	2000 Cressman Drive Aliquippa, PA 15001	5/10/05

STEPHEN M. SCHMERIN,
Secretary

[Pa.B. Doc. No. 05-1095. Filed for public inspection June 3, 2005, 9:00 a.m.]

DEPARTMENT OF PUBLIC WELFARE

Inpatient Hospital Services

This notice provides advance public notice of the Department of Public Welfare's (Department) intent to revise its payment method for select supplemental payments (Outpatient Disproportionate Share, Medical Education, Community Access Fund and Hospital Uncompensated Care or Hospital Extraordinary Expense payments) effective on or after July 1, 2005. These revisions will affect acute care general hospitals, private psychiatric hospitals, medical rehabilitation hospitals and drug and alcohol rehabilitation hospitals.

The Department proposes to change its payment methodology for supplemental payments as follows.

Affected Payments

Affected supplemental payments are limited to Outpatient Disproportionate Share, Medical Education, Community Access Fund and Hospital Uncompensated Care or Hospital Extraordinary Expense payments.

Payment Limitation

Effective July 1, 2005, the Department will limit supplemental payments to hospitals with an operating margin less than 1% so that one payment or the combination of one or more of the payments does not contribute to the hospital's operating margin exceeding the 1% level. Hospitals with an operating margin of 1% or greater will only receive supplemental payments to the extent that those payments do not result in the hospital exceeding the 1% operating margin level.

Methodology

The Department will use the most recently published Pennsylvania Health Care Cost Containment Council hospital financial report to determine the hospitals with operating margins over 1%. The Department will calculate the value of a 1% operating margin for each hospital. The Department will calculate the effect on the operating margin of eliminating the affected supplemental payments. If the elimination of one payment or the combination of one or more of the payments would result in the hospital's operating margin still exceeding 1% then those payments will not be made. If the elimination of one payment or the combination of one or more of the payments would result in an operating margin of less than 1%, then the hospital will be entitled to its supplemental payments to the extent that the payments will not result in the hospital's operating margin exceeding 1%.

Fiscal Impact

Total savings resulting from this change are estimated at \$113.904 million (\$51.200 million in State funds) in Fiscal Year (FY) 2005-2006 and \$134.956 million (\$61.300 million in State funds) in FY 2006-2007.

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department of Public Welfare, Office of Medical Assistance Programs, c/o Deputy Secretary's Office, Attention: Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Comments received by June 24, 2005, will be reviewed and considered in determining final payment amounts and payment methodologies for these select supplemental payments.

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

ESTELLE B. RICHMAN,
Secretary

Fiscal Note: 14-NOT-422. No fiscal impact; (8) recommends adoption. As a result of this change, the General Fund will realize a savings of approximately \$51.2 million in 2005-2006.

[Pa.B. Doc. No. 05-1096. Filed for public inspection June 3, 2005, 9:00 a.m.]

Payment for Nursing Facility Services; Change in Methods and Standards of Setting Payment Rates

The Department of Public Welfare (Department) intends to make changes in its methods and standards for payment of Medical Assistance (MA) nursing facility services for Fiscal Year (FY) 2005-2006.

Background

Under the Department's current case-mix payment methodology,¹ the Department establishes a new case-mix payment rate for each MA nursing facility provider once for each year. The rates take effect July 1, the start of the State fiscal year, and remain in effect until the close of the fiscal year on the following June 30. To set the annual case-mix payment rates, the Department extracts and inflates cost data from the three most recent audited cost reports on file for each MA nursing facility as of the March 31 immediately preceding the July 1 start of the rate-setting period. The Department adjusts each MA nursing facility's annual rate every quarter during the fiscal year based upon the particular case-mix index of the nursing facility's MA residents. The Department pays the MA nursing facility for nursing facility services provided to MA nursing facility residents during that quarter using the facility's adjusted quarterly case-mix payment rate.

Justification for the Proposed Change in Methodology

Since 2000, MA nursing facility case-mix payment rates have increased by approximately 5.6% each year, and by 29.4% overall. The Department expects that, if unchanged, case-mix payment rates will increase in FY

¹ The case-mix rate-setting methodology in 55 Pa. Code Chapter 1187, Subchapter G (relating to rate setting). These regulations are available online at www.pacode.com/secure/data/055/chapter1187/chap1187toc.html.

2005-2006 by an additional 5.6%. The Department has determined that it cannot sustain this pace of inflation in MA nursing facility case-mix payment rates. Consequently, the Department is proposing to place a cap on MA nursing facility case-mix payment rate increases beginning in FY 2005-2006. Unless rate increases are capped, the Department estimates that there will be insufficient funds available to continue to make case-mix payments to MA nursing facilities in accordance with the existing case-mix payment methodology in 55 Pa. Code Chapter 1187, Subchapter G for FY 2005-2006.

Proposed Change in Case-Mix Payment Methodology

Effective with July 1, 2005, rate setting, the Department is proposing to limit each MA nursing facility's adjusted quarterly case-mix per diem rate to the lower of one of the following:

- The nursing facility's quarterly case-mix per diem rate calculated in accordance with the rate setting methodology in 55 Pa. Code Chapter 1187, Subchapter G.
- 102% of the average of the nursing facility's final case-mix per diem rates for the 4 quarters of the immediately preceding fiscal year.

An MA nursing facility that changes ownership will be subject to the rate limit previously described. The Department will use the MA nursing facility's final case-mix per diem rates for the 4 quarters of the immediately preceding fiscal year to calculate the facility's average rate regardless of whether the facility had different owners during the fiscal year.

A new MA nursing facility will also be subject to the rate limit previously described. If the MA nursing facility was enrolled as a new MA nursing facility provider in FY 2004-2005, the Department will use only the final adjusted quarterly case-mix per diem rates for the quarters in which the facility was participating in the MA Program to determine the facility's average FY 2004-2005 case-mix per diem rate. If the nursing facility is enrolled as a new MA nursing facility provider on or after July 1, 2005, the Department will determine the final case-mix rates that would have been calculated for the facility under 55 Pa. Code § 1187.97(1) (relating to rates for new nursing facilities, nursing facilities with a change of ownership, reorganized nursing facilities, and former prospective payment nursing facilities) if the facility had participated in the MA Program during the 4 quarters of the immediately preceding fiscal year and will use those rates to calculate the facility's average rate.

The Department will use the final quarterly case-mix rates announced by notice in the *Pennsylvania Bulletin* to compute each MA nursing facility's average rate for a fiscal year. Payments made to an MA nursing facility, in addition to those payments made under the final quarterly case-mix rates, will be excluded from the calculation of the facility's average rate for the fiscal year.

Fiscal Impact

The change will result in a savings of \$78.064 million in total funds (\$42.738 million in Federal Funds, \$35.326 million in State Funds) for FY 2005-2006.

Public Comment

A copy of this notice is available at the local county assistance office. Interested persons are invited to submit written comments regarding this notice to the Department of Public Welfare, Division of Long Term Care Client Services, Attention: Gail Weidman, P. O. Box 2675,

Harrisburg, PA 17105. Comments received by June 24, 2005, will be reviewed and considered in the development of any State Plan amendments or regulatory changes which may be necessary to implement this cost containment measure.

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

ESTELLE B. RICHMAN,
Secretary

Fiscal Note: 14-NOT-428. No fiscal impact; (8) recommends adoption. As a result of this change, the General Fund will realize a savings of approximately \$35.3 million in 2005-2006.

[Pa.B. Doc. No. 05-1097. Filed for public inspection June 3, 2005, 9:00 a.m.]

Pharmacy Services

This notice provides advance public notice of the Department of Public Welfare's (Department) intent to revise its payment method for brand name and generic drugs dispensed on or after July 1, 2005. These revisions will affect pharmacies enrolled in the Medical Assistance (MA) Program and dispensing drugs in the fee-for-service delivery system.

The Department proposes to change its payment methodology for pharmaceuticals as follows.

Payment

Effective July 1, 2005, the Department will pay for pharmaceuticals dispensed in the MA fee-for-service delivery system as follows:

(1) *For brand name drugs.* The lowest wholesale acquisition cost as established by the Department using available Nationally recognized pricing services plus 6%. If the wholesale acquisition cost information is not available from the National pricing services, the Department will pay the average wholesale price minus 15%.

(2) *For generic drugs.* The lowest of one of the following:

(i) The upper payment limit as established by the Centers for Medicare and Medicaid Services.

(ii) The lowest wholesale acquisition cost as established by the Department using available Nationally recognized pricing services plus 66%. If the wholesale acquisition cost information is not available from the National pricing services, then the Department will pay the average wholesale price minus 25%.

(iii) The State maximum allowable cost as determined by the Department: provided, however, that the generic product must be available at the price established by the Department from at least two wholesalers.

For both brand name and generic drugs the current \$4 dispensing fee will not change.

The Nationally recognized pricing services previously described include First Data Bank, Medi-Span and Micromedex. These services provide drug specific information such as actual wholesale price (AWP) and actual wholesale acquisition costs (WAC) to the Department.

The change in payment methodology to revise the AWP pricing will align the Department's payment methodology with other third-party payors, including the Department's contracted managed care organizations. The WAC is based on the cost at which a wholesaler purchases drugs from the manufacturer as opposed to the AWP, which is the price assigned to a drug by its manufacturer. By replacing the AWP payment rate with the corresponding WAC payment rate the Department's drug pricing will reflect a more accurate gauge of actual costs since the WAC is based on the cost at which a wholesaler purchases drugs from the manufacturer as opposed to the AWP, which is the price assigned to a drug by its manufacturer.

Fiscal Impact

These changes are estimated to result in savings totaling \$77.348 million (\$35.569 million in State funds) in the MA Outpatient Program in Fiscal Year (FY) 2005-2006. Savings are estimated at \$61.418 million (\$28.315 million in State funds) in FY 2006-2007.

Public Comment

A copy of this notice is available at the local county assistance office. Interested persons are invited to submit written comments regarding this notice to the Department of Public Welfare, Office of Medical Assistance Programs, c/o Deputy Secretary's Office, Attention: Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Comments received by June 24, 2005, will be reviewed and considered before establishing the final payment methodologies for brand name drugs and generic drugs.

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

ESTELLE B. RICHMAN,
Secretary

Fiscal Note: 14-NOT-427. No fiscal impact; (8) recommends adoption. As a result of this change, the General Fund will realize a savings of approximately \$35.5 million in 2005-2006.

[Pa.B. Doc. No. 05-1098. Filed for public inspection June 3, 2005, 9:00 a.m.]

2004 Group Two Exception Requests; Deletion Medical Assistance Long-Term Care Participation Review

This notice removes Brandywine Hall, 800 West Miner Street, West Chester, PA 19382, Chester County, from the 2004 Group Two Exception Requests list published at 35 Pa.B. 1481 (February 26, 2005). In April 2005, the Department was notified of this error in the 2004 Group Two Exception Requests notice.

Public Comment

Interested persons are invited to submit written comments regarding this notice to Gail Weidman, Chief, Program Analysis and Review Section, P. O. Box 2675, Harrisburg, PA 17105. Comments received within 30 days will be reviewed and considered for any subsequent revision of the notice.

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

ESTELLE B. RICHMAN,
Secretary

[Pa.B. Doc. No. 05-1099. Filed for public inspection June 3, 2005, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Transportation Funding and Reform Commission Organizational Business Meeting

The Transportation Funding and Reform Commission will hold its first organizational business meeting on Monday, June 6, 2005, at 10 a.m. in PUC Hearing Room 1, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA. The meeting is open to the public. Chairperson Allen D. Biehler will be presiding.

The meeting location is accessible to persons with disabilities. Persons with special needs or requiring special aids should contact Jeanie Schneider at (717) 787-3921 prior to the meeting.

ALLEN D. BIEHLER,
Secretary

[Pa.B. Doc. No. 05-1100. Filed for public inspection June 3, 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-Omit Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
15-428	Department of Revenue Raffle Lottery Games	5/19/05

<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
57-230	Pennsylvania Public Utility Commission Changing Local Service Providers	5/23/05

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 05-1101. Filed for public inspection June 3, 2005, 9:00 a.m.]

INSURANCE DEPARTMENT

Alleged Violation of Insurance Laws; Personal Surplus Lines, Inc.; Doc. No. SC05-05-016

Notice is hereby given of the Order to Show Cause issued on May 19, 2005, by the Deputy Insurance Commissioner of the Commonwealth in the previously referenced matter. Violation of the following is alleged: 40 P. S. §§ 310.11 and 3311; 31 Pa. Code §§ 37.46 and 37.47 (relating to standards for denial of certificate/license; and revocation, suspension, nonrenewal of certificates and licenses).

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

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

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 05-1102. Filed for public inspection June 3, 2005, 9:00 a.m.]

Jeffrey A. Banks; Hearing

Appeal of Jeffrey A. Banks under 40 P. S. §§ 991.2101—991.2193; Health America; Doc. No. HC05-04-040

Under 40 P. S. §§ 991.2101—991.2193, notice is hereby given that the appellant in this action has requested a hearing in connection with the appellant's managed health care plan. The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and any other relevant procedure provisions of law.

A prehearing telephone conference initiated by the Administrative Hearings Office shall be conducted on June 7, 2005. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before June 1, 2005. The hearing shall occur on June 22, 2005, in Room 200, Administrative Hearings Office, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA 17102.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any,

must be filed on or before May 24, 2005, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene shall be filed on or before May 31, 2005.

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 05-1103. Filed for public inspection June 3, 2005, 9:00 a.m.]

Amitabha Gupta, M.D.; Prehearing

Appeal of Amitabha Gupta, M.D. under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM05-04-031

On or before May 18, 2005, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's March 31, 2005, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for June 8, 2005. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before June 3, 2005. A hearing date shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before May 24, 2005, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any, shall be filed on or before June 1, 2005.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 05-1104. Filed for public inspection June 3, 2005, 9:00 a.m.]

Insurance Coverages or Risks Eligible for Export by Insurance Commissioner

Under section 1604(2)(ii) of The Insurance Company Law of 1921 (40 P. S. § 991.1604(2)(ii)), the Insurance Commissioner declares the following insurance coverages to be generally unavailable in the authorized market at the present, and thus exportable, and adopts the following export list. Accordingly, for those insurance coverages which are included on the export list, a diligent search among insurers admitted to do business in this Commonwealth is not required before placement of the coverages in the surplus lines market.

Export List

Amusements
Amusement parks and their devices
Recreational and sporting events
Special short term events
Theatrical presentations
Aviation
Fixed base operations
Chemical spray and/or drift
Day care centers liability, including sexual abuse coverage
Demolition contractors liability
Employment related practices liability
Flood insurance not provided under Federal flood insurance
Kidnapping, ransom and extortion insurance
Liquor liability—monoline
Medical malpractice liability with or without related general liability coverages
Nursing home liability with or without other affiliated elder care services
Railroad
Security/detective/patrol agencies
Taxicab liability
Vacant properties

This list becomes effective on the date of its publication in the *Pennsylvania Bulletin* and supersedes the list published at 34 Pa.B. 2763 (May 22, 2004) and shall remain in effect until superseded by a subsequent list as published in the *Pennsylvania Bulletin*.

Questions regarding the Export List should be directed to Cressinda E. Bybee, Office of Corporate and Financial Regulation, 1345 Strawberry Square, Harrisburg, PA 17120, (717) 783-2144, fax (717) 787-8557, cbybee@state.pa.us.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 05-1105. Filed for public inspection June 3, 2005, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insureds have requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68) (Act 68) in connection with the termination of the insureds' automobile policies. The hearings will be held in accordance with the requirements of Act 68, 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure) and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearings will be held in the Insurance Department's regional offices in Harrisburg and Philadelphia, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 N. Seventh Street, Harrisburg, PA 17102.

Appeal of Micah McCubbin; file no. 05-188-01482; Nationwide Insurance Company; doc. no. P05-04-038; June 8, 2005, 10 a.m.

The following hearing will be held in the Philadelphia Regional Office, Room 1701, State Office Building, 1400 Spring Garden Street, Philadelphia, PA 19130.

Appeal of Boris M. Pevzner and Natalya V. Kirillova; file no. 05-266-00939; Geico Insurance; doc. no. PH05-04-033; June 21, 2005, 1 p.m.

Parties may appear with or without counsel and offer relevant testimony or evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 05-1106. Filed for public inspection June 3, 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 27, 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-00121759. Alan Scott Moore (388 Martina Drive, Chambersburg, Franklin County, PA 17201)—persons, in limousine service, between points in the Counties of Franklin, Fulton, Adams and points in Cumberland County lying on and south of Highway Route Interstate I-76, and from points in said territories, to points in Pennsylvania, and return.

A-00121757. Nathaniel Taylor (11 Croke Avenue, Apartment 3A, Brooklyn, NY 11226)—persons in paratransit service, between points in the County of Lancaster, and from points in said county, to points in Counties of Montgomery and Philadelphia, and return.

A-00121758. Satellite Limousine, Inc. (739 Norfolk Lane, Langhorne, Bucks County, PA 19053), a corporation of the Commonwealth—persons, in limousine service, between points in the Counties of Philadelphia, Bucks, Montgomery, Delaware and Chester, and from points in said counties, to points in Pennsylvania, and return. *Attorney:* Joshua E. Scarpello, Esquire, Miller, Alfano & Raspanti, P. C., 1818 Market Street, Suite 3402, Philadelphia, PA 19103.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 05-1107. Filed for public inspection June 3, 2005, 9:00 a.m.]

Telecommunications

A-310752F7004. ALLTEL Pennsylvania, Inc. and MCImetro Access Transmission Services, LLC. Joint petition of ALLTEL Pennsylvania, Inc. and MCImetro Access Transmission Services, LLC for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

ALLTEL Pennsylvania, Inc. and MCImetro Access Transmission Services, LLC, by its counsel, filed on May 17, 2005, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the ALLTEL Pennsylvania, Inc. and MCImetro Access Transmission Services, 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. 05-1108. Filed for public inspection June 3, 2005, 9:00 a.m.]

Telecommunications

A-310213F7005. North Pittsburgh Telephone Company and Teleport Communications Group—Pittsburgh. Joint petition of North Pittsburgh Telephone Company and Teleport Communications Group—Pittsburgh for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

North Pittsburgh Telephone Company and Teleport Communications Group—Pittsburgh, by its counsel, filed on May 17, 2005, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the North Pittsburgh Telephone Company and Teleport Communications Group—Pittsburgh 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. 05-1109. Filed for public inspection June 3, 2005, 9:00 a.m.]

Telecommunications

A-311204F7002. The United Telephone Company of Pennsylvania d/b/a Sprint and Granite Telecommunications, LLC. Joint petition of The United Telephone Company of Pennsylvania d/b/a Sprint and Granite Telecommunications, LLC for approval of a master interconnection, collocation and resale agreement under section 252(e) of the Telecommunications Act of 1996.

The United Telephone Company of Pennsylvania d/b/a Sprint and Granite Telecommunications, LLC, by its counsel, filed on May 16, 2005, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of a master interconnection, collocation 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 Granite Telecommunications, 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. 05-1110. Filed for public inspection June 3, 2005, 9:00 a.m.]

Transfer of Stock and Merger

A-310250F0005 and A-310480F0002. Bentleyville Communications Corporation t/a Bentleyville Telephone Company and BE Mobile Communications, Inc. Joint application of Bentleyville Communications Corporation t/a Bentleyville Telephone Company and BE Mobile Communications, Inc. for approval of the transfer of stock to MJD Ventures, Inc. and its merger with and into Bentleyville Communications Corporation.

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 14, 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: Bentleyville Communications Corporation t/a Bentleyville Telephone Company and BE Mobile Communications, Inc.

Through and By Counsel: Normal James Kennard, Esquire; William T. Hawke, Esquire; Rikardo J. Hull, Esquire; Hawke, McKeon, Sniscak & Kennard, LLP; Harrisburg Energy Center, 100 North Tenth Street, P. O. Box 1778, Harrisburg, PA 17105

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 05-1111. Filed for public inspection June 3, 2005, 9:00 a.m.]