

NOTICES

DEPARTMENT OF AGRICULTURE

Dog Control Facility Bill Reimbursement Grant Program

The Department of Agriculture (Department) gives notice that it intends to award up to \$500,000 in grants under its Year 2006 Dog Control Facility Bill Reimbursement Program (Program). The Program will award bill reimbursement grants of up to \$10,000 per recipient to humane societies or associations for the prevention of cruelty to animals that meet the guidelines and conditions of this Program. The Program will be funded from the Dog Law Restricted Account, from funds which are declared to be "surplus" funds for the limited purposes set forth in section 1002(b) of the Dog Law (3 P. S. § 459-1002(b)).

The proposed guidelines and conditions for the Program are set forth as follows.

In fulfillment in 7 Pa. Code § 23.4 (relating to conditions and guidelines), the Department invites public and legislative review of these proposed guidelines and conditions. Commentators should submit their comments, in writing, so they are received by the Department no later than 30 days from the date the proposed guidelines and conditions are published in the *Pennsylvania Bulletin*. Comments should be directed to Mary Bender, Director, Bureau of Dog Law Enforcement, Department of Agriculture, 2301 North Cameron Street, Harrisburg, PA 17110-9408.

The Department will review and consider written comments in preparing the final guidelines and conditions for the Program. The final guidelines and conditions for the Program will be published in the *Pennsylvania Bulletin* after the close of the comment period referenced. The Department will invite the submission of grant applications at that time.

Proposed Guidelines and Conditions for the Year 2006 Dog Control Facility Bill Reimbursement Grant Program

1. *Definitions.*

The following words and terms, when used in these guidelines and conditions, have the following meanings:

Department—The Department of Agriculture.

Dog control—The apprehending, holding and disposing of stray or unwanted dogs, or as otherwise defined in section 102 of the Dog Law (3 P. S. § 459-102).

Eligible Bill—A document seeking payment for materials, services or utilities from a grant recipient, setting forth the following:

- i. The date the document is issued.
- ii. The name and address of the humane society or association for the prevention of cruelty to animals to which the bill is issued.
- iii. If for materials, a description of the materials and the date of delivery. Invoices and/or receipts for materials must set forth or be accompanied by a written description of the intended use of the material and the date the material is used. Materials may not include computers,

computer equipment or software. Examples of eligible materials include the following:

- Cleaning supplies.
- Office supplies—typical supplies used to carry on daily office duties.
- Materials for building and repair projects.
- Purchases of medication, needles, and the like.

iv. If for services, a description of the nature of the services and the dates upon which the services were rendered. Examples of services include the following:

- Labor charges with respect to which the invoice details the exact service performed and the date of performance.
- Veterinarian services with respect to which the invoice identifies the dog treated and the reason for the treatment. Veterinarian services may not include spay/neuter services.

- Cremation services with respect to which the invoice either verifies that only dogs were cremated or—in the event that animals other than dogs were cremated—separates the dogs from those other animals and identifies a charge attributable to only the cremation of the dogs.

v. If for utilities (such as, electricity, water, sewer, waste disposal and similar purposes), a statement of the period for which the utility, for which payment is sought, was provided.

vi. The name, address and telephone number of the entity issuing the invoice or receipt.

Humane society or association for the prevention of cruelty to animals (SPCA)—A nonprofit society or association duly incorporated under 15 Pa.C.S. Chapter 53, Subchapter A (relating to incorporation generally) for the purpose of prevention of cruelty to animals, or as otherwise defined in section 102 of the Dog Law.

Program—The Year 2006 Dog Control Facility Bill Reimbursement Program.

2. *Eligibility.*

A humane society or association for the prevention of cruelty to animals is eligible to apply to receive a grant under the Program if that humane society or association for the prevention of cruelty to animals:

- a. Has been in operation for at least 1 year immediately preceding the application date.
- b. Has performed dog control functions for at least 1 year immediately preceding the application date.
- c. Has, in the performance of its dog control functions, accepted at least 100 stray or unwanted dogs into its facility within the year immediately preceding the application date.
- d. Is not a party to a contract with the Department under which the Department pays that humane society or association for the prevention of cruelty to animals for dog control activities performed in the year 2006.
- e. Agrees—as a condition of receiving any grant money under the Program—to continue to perform dog control activities, and to accept stray or unwanted dogs from the Department's State Dog Wardens performing dog control functions, through the year 2006.

f. Has a valid Pennsylvania 2006 "Non Profit" kennel license, and operates only a nonprofit kennel at the facility for which grant reimbursement is requested. Facilities which house kennel operations other than a nonprofit facility (such as, boarding kennel or commercial kennel, or both) at the same location are not eligible to participate in this program.

g. If the Humane Society/SPCA has a total operating budget of \$350,000 or less for the 2006 calendar year or, if its budget is on a basis other than calendar year, has a total operating budget of \$350,000 or less for each fiscal year comprising any portion of calendar year 2006, the maximum grant amount will not exceed \$10,000.

h. If the Humane Society/SPCA has a total operating budget exceeding \$350,000 for the 2006 calendar year or, if its budget is on a basis of other than calendar year, has a total operating budget over \$350,000 for each fiscal year comprising any portion of calendar year 2006, the maximum grant amount will not exceed \$5,000.

3. Use of Grant Funds.

The Department will allocate a specific maximum grant amount to a successful grant applicant through a written grant agreement. This maximum grant amount will be specified in the grant agreement, and will not exceed \$10,000 with respect to any application.

The maximum grant amount will be retained by the Department and used to reimburse the grant recipient for eligible bills the grant recipient has paid with respect to materials, services or utilities provided to the grant recipient from January 1, 2006 through December 31, 2006. The total reimbursement the Department will pay a grant recipient will not exceed the maximum grant amount. Any money remaining in a grant allocation beyond the termination date of the grant agreement will lapse into the Dog Law Restricted Account. If a bill covers materials, services or utilities provided, in whole or in part, before January 1, 2006, or after December 31, 2006, that bill is not an eligible bill and will not be reimbursed by the Department under the Program. The sole exception to the prohibition set forth in the preceding sentence is as follows: If a bill covers materials, services or utilities provided in part in 2005 and in part in 2006, and the grant recipient was also a grant recipient under the Year 2005 Dog Control Facility Bill Reimbursement Program, the Department may, at its discretion, consider the bill an eligible bill.

4. Application Process.

a. *Application required.* A humane society or association for the prevention of cruelty to animals seeking a grant under the Program must complete a written application form and deliver it to the Department no later than 30 days from the date this notice is published in the *Pennsylvania Bulletin*. Applications received by the Department beyond that date will not be considered.

b. *Obtaining an application form.* The Department will provide grant application forms upon request. Requests for application forms should be directed to Mary Bender, Director, Bureau of Dog Law Enforcement, Department of Agriculture, 2301 North Cameron Street, Harrisburg, PA 17110-9408, (717) 787-4833, fax (717) 772-4352.

c. *Contents of grant application form.* A grant application form shall require the following information:

- i. The name and address of the applicant.
- ii. Information to verify that the applicant is a humane society or association for the prevention of cruelty to animals and otherwise meets the eligibility requirements set forth in paragraph 2.

iii. The maximum grant amount sought by the applicant—not to exceed \$10,000.

iv. A description of the eligible bills for which the grant applicant intends to seek reimbursement, including a description (and copies, if available) of bills received by the applicant in 2005 for the same type of materials, services or utilities for which reimbursement will be sought under the grant agreement.

v. Verification that, in the event a grant is awarded, the applicant will continue to perform dog control activities, and to accept stray or unwanted dogs from State Dog Wardens performing dog control functions, through the year 2006.

vi. Other information as the Department might reasonably require.

5. Review and approval of grant application.

a. *Review and notification.* The Department will review each timely grant application and provide the applicant written notification of whether the Department awards the grant, denies the grant or awards a grant in some amount less than the applicant sought. This written notification will be mailed no later than 60 days from the date the Bureau of Dog Law Enforcement receives the grant application, to the address provided by the applicant on the grant application form. If an application is incomplete or the Department requires additional information or documentation in order to evaluate the grant request, it will so advise the applicant within 60 days from the date it receives the grant application.

b. *Review criteria.* The Department will consider the following, among other factors, in determining whether to award a grant application:

- i. The number of applications received and the availability of funds for the grants sought.
- ii. The relative contribution of the applicant to dog control activities in the area it serves.
- iii. The relative contribution of the applicant to dog control as compared to the relative contribution of other applicants.
- iv. The relative importance of the grant to the continued operation of the applicant's dog control facility.
- v. The expense or logistical difficulty the Department would encounter if the applicant's dog control facility was no longer in operation.
- vi. The relative contribution of the applicant in terms of the number of stay or unwanted dogs it accepts from the Department's State Dog Wardens performing dog control functions.

6. Grant agreement.

a. *Grant agreement required.* A successful grant applicant must execute a grant agreement with the Department, setting forth the terms and conditions under which the grant money will be used by the Department to reimburse the grant recipient for payment of eligible bills.

b. *Reimbursement requests.* The grant agreement will set forth the exact procedure by which a grant recipient shall seek reimbursement from the Department for payment of eligible bills. The basic reimbursement request procedure will be as follows:

By May 15, 2006, the grant recipient will: (1) deliver copies of the eligible bills it has paid between January 1 and April 30, 2006; (2) verify that these bills have been paid and are eligible for reimbursement; and (3) provide a

detailed report of the dog control activities performed by the successful applicant during the referenced 4-month period.

By September 15, 2006, the grant recipient will: (1) deliver copies of the eligible bills it has paid between May 1 and August 31, 2006; (2) verify that these bills have been paid and are eligible for reimbursement; and (3) provide a detailed report of the dog control activities performed by the successful applicant during the referenced 4-month period.

By January 15, 2007, the grant recipient will: (1) deliver copies of the eligible bills it has paid between September 1 and December 31, 2006; (2) verify that these bills have been paid and are eligible for reimbursement; and (3) provide a detailed report of the dog control

activities performed by the successful applicant during the referenced 4-month period.

c. *Payment by the Department.* The Department will reimburse a grant recipient for eligible bills within 90 days of receiving a complete and timely reimbursement request.

d. *Termination.* The Department may terminate a grant agreement at any time by providing the grant recipient written notice of termination at the address set forth on the grant application.

DENNIS C WOLFF,
Secretary

[Pa.B. Doc. No. 05-1177. Filed for public inspection June 17, 2005, 9:00 a.m.]

DEPARTMENT OF BANKING

Action on Applications

The Department of Banking, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 9, 2002 (P. L. 1572, No. 207), known as the Credit Union Code, has taken the following action on applications received for the week ending June 7, 2005.

BANKING INSTITUTIONS

Mutual Holding Company Reorganization

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
6-1-05	North Penn Bank Scranton Lackawanna County	Scranton	Effective
Represents reorganization into a mutual holding company to be known as North Penn Mutual Holding Company, Scranton, PA, a newly formed Pennsylvania mutual holding company and 100% owner of North Penn Bancorp, Inc., Scranton, PA, a newly formed Pennsylvania stock holding company. North Penn Bank will be a wholly owned subsidiary of North Penn Bancorp, Inc.			

Conversions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
6-1-05	North Penn Bank Scranton Lackawanna County	Scranton	Effective
Represents conversion from a State-chartered mutual savings bank to a State-chartered stock savings bank in conjunction with the reorganization into a mutual form of ownership listed previously.			
6-1-05	The First National Bank of Canton Canton Bradford County	Canton	Filed
<i>To:</i> Bank of Canton Canton Bradford County			
Application represents conversion from a National association to a Pennsylvania State-chartered commercial bank.			
6-3-05	Vartan National Bank Harrisburg Dauphin County	Harrisburg	Application Withdrawn
<i>To:</i> Vartan Bank Harrisburg Dauphin County			
Application was for the conversion of the previously mentioned bank from a National banking association to a Pennsylvania State-chartered bank.			

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-24-03	Earthstar Bank Southampton Bucks County	48 West Skippack Pike Broad Axe Whitpain Township Montgomery County	Opened
6-6-05	Bucks County Bank Doylestown Bucks County	2084 Street Road Bensalem Bucks County	Filed
6-6-05	Northwest Savings Bank Warren Warren County	Route 228 Commercial Center Cranberry Township Butler County	Filed

Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
6-1-05	Northwest Savings Bank Warren Warren County	<i>To:</i> 200 West Beaver Avenue State College Centre County <i>From:</i> 201 West Beaver Avenue State College Centre County	Filed

Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
5-27-05	The Legacy Bank Harrisburg Dauphin County	140 Can-Do Expressway Hazleton Luzerne County	Effective
6-1-05	First Commonwealth Bank Indiana Indiana County	511 Pine Grove Road State College Centre County	Filed

Articles of Amendment

<i>Date</i>	<i>Name of Bank</i>	<i>Purpose</i>	<i>Action</i>
6-1-05	CNB Community Bank Clarion Clarion County	Amendment to Article 1 of the Articles of Incorporation provides for a change in corporate title from CNB Community Bank to Clarion County Community Bank.	Approved and Effective

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

No activity.

A. WILLIAM SCHENCK, III,
Secretary

[Pa.B. Doc. No. 05-1178. Filed for public inspection June 17, 2005, 9:00 a.m.]

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

Community Development Block Grant Disaster Recovery Funds Program Guidelines; Proposed Amendments

The Department of Community and Economic Development (Department) proposes two minor amendments to the Commonwealth's Action Plan for Federal Fiscal Year (FFY) 2005 and the Program Year that starts on January 1, 2005. The 2005 Action Plan is an update of the

Commonwealth's Consolidated Plan for FFY 2004-2008. These amendments: 1) revise how the Commonwealth will utilize HOME funds in the 2005 Action Plan and updates documents previously submitted to the United States Department of Housing and Urban Development (HUD); and 2) summarize the method of distribution for special disaster recovery funds the Department proposes to administer through the Community Development Block Grant (CDBG) program.

HOME Program

The Department, under a subrecipient agreement, will reserve a greater portion of the 2005 HOME allocation for distribution by PHFA for homebuyer projects (12.4%) and existing owner occupied rehabilitation housing activities (40%) in addition to the portion previously allocated for

rental housing development (35%). Additionally, the allocation of 2005 American Dream Downpayment Initiative funds and any unallocated prior year funds will be provided for distribution by PHFA. During the first 6 months of this change, PHFA will not alter the priorities, goal statements or method of distribution of HOME funds. PHFA will operate in collaboration with the Department to award funds consistent with the process as the Department has been or would have awarded those funds.

CDBG Disaster Recovery Grant

The Department has applied to HUD for \$2,528,243 in CDBG Disaster Recovery Grant funds to assist communities in recovering from a series of severe storms, flooding, Tropical Storms and Tropical Depressions that affected this Commonwealth between September 15, 2003, and October 1, 2004. This funding is administered under a special Congressional appropriation of CDBG program funds and subsequent regulations that were published at 69 FR 72100 (December 10, 2004).

Notice of availability of this funding was announced at 35 Pa.B. 1589 (March 5, 2005), through the Department's website and e-mail to a large number of potential applicants. The Department developed guidelines to evaluate applications, established priority activities and established a scoring system. This process identified activities to repair and rehabilitate housing as priority activities. Twenty applications for funding consideration were received. If the Department is awarded this funding from HUD, the Department will contract with ten municipalities which have submitted applications which were determined to have identified the greatest disaster recovery need.

These minor amendments are anticipated to become effective as of July 1, 2005.

Individuals who wish to comment on these amendments may send those comments to Karen Smith, Department of

Community and Economic Development, 4th Floor, Commonwealth Keystone Building, Harrisburg, PA, 17120.

DENNIS YABLONSKY,
Secretary

[Pa.B. Doc. No. 05-1179. Filed for public inspection June 17, 2005, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Conservation and Natural Resources Advisory Council Meeting

The Conservation and Natural Resources Advisory Council to the Department of Conservation and Natural Resources (Department) will hold a meeting on Wednesday, June 29, 2005, at 9 a.m. in the Harmony Room, Split Rock Resort, One Lake Drive, Lake Harmony, PA.

Questions concerning this meeting or agenda items should be directed to Kurt Leitholf at (717) 705-0031.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Joan Dupes directly at (717) 705-0031 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

MICHAEL F. DIBERARDINIS,
Secretary

[Pa.B. Doc. No. 05-1180. Filed for public inspection June 17, 2005, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

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

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

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

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

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

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

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

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

I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0012149	Dixon Ticonderoga Company Route 61 Deer Lake, PA 17961	West Brunswick Township Schuylkill County	Pine Creek Watershed 3A CWF	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N ?</i>
PA0086461 (Sewage)	Pinch Pond Campground 3075 Pinch Pond Road Manheim, PA 17545	Lancaster County Rapho Township	Chickies Creek/7-G	Y
PA0083526 (Industrial Waste)	RH Sheppard Co., Inc. 101 Philadelphia Street Hanover, PA 17331	York County Hanover Township	UNT Oil Creek/7-H	Y
PA0083160 (Sewage)	Anchor Mobile Estates Peifer & Gross, Inc P. O. Box 506 Elizabethtown, PA 17022	Adams County Butler Township	Willoughby Run/13-D	Y

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

<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>
PA0020800	White Deer Township Sewer Authority	White Deer Township Union County	UNT West Branch Susquehanna River (SWP 10C)	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>
PA0033839	Blair's Green Acres Mobile Court 6350 U.S. Route 322 Franklin, PA 16323	Cranberry Township Venango County	UNT to East Sandy Creek 16-G	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>
PA0025356	Mercer Borough 147 North Pitt Street Mercer, PA 16137	Mercer Borough Mercer County	Neshannock Creek 20-A	Y

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

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

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

WQM Permit No. 6705403, Sewerage, **Northeastern York County Sewer Authority**, P. O. Box 516, 175 Chestnut Street Extended, Mount Wolf, PA 17347. This proposed facility is located in East Manchester Township, **York County**.

Description of Proposed Action/Activity: Construction/operation of the Rentzel Pumping Station for a proposed 227 single-family residential subdivision.

WQM Permit No. 3105402, Sewerage, **Smithfield Township**, 202 South 13th Street, Huntingdon, PA 16652. This proposed facility is located in Smithfield Township, **Huntingdon County**.

Description of Proposed Action/Activity: Construction/operation of the Smithfield Commercial Park development which includes sewer extensions and a pump station.

WQM Permit No. 0105402, Sewerage, **Lake Meade Municipal Authority**, 59 Curtis Drive, East Berlin, PA 17316. This proposed facility is located in Reading Township, **Adams County**.

Description of Proposed Action/Activity: Construction/operation for an upgrade to the Lake Meade Wastewater Facility.

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

WQM Permit No. 0478210-A1, Industrial Waste, **Koppel Steel Corp.**, P. O. Box 750, Beaver Falls, PA 15010. This proposed facility is located in Koppel Borough, **Beaver County**.

Description of Proposed Action/Activity: Application for installation and operation of a pH adjustment system at Outfall 002.

WQM Permit No. 6305402, Sewerage, **Blaine Township.**, P. O. Box 128, 40 Main St., Taylorstown, PA 15365. This proposed facility is located in Blaine Township, **Washington County**.

Description of Proposed Action/Activity: Application for the construction and operation of sewage treatment plant to serve 112 single-family homes.

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

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

WQM Permit No. 3305403, Sewerage, **Brookville Municipal Authority**, 30 Darrah Street, Brookville, PA 15825. This proposed facility is located in Borough of Brookville, **Jefferson County**.

Description of Proposed Action/Activity: This project is for the proposed expansion of an existing siphon system adding an additional 258 foot, 8 inch siphon giving a total capacity of 0.825 mgd.

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>
PAI010905001	Commerce Bank, NA Proposed Commerce Bank Building 1100 Atrium Way Mt. Laurel, NJ 08054	Bucks	Doylestown Borough	Cooks Creek (WWF-MF)

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI011503072-A1	Cardile Mushroom Inc. Cardile Mushroom Facility 540 Church Road Avondale, PA 19311	Chester	New Garden Township	East Branch White Clay Creek (EV)
PAI011505030	Culbertson Realty Assoc, LP 1595 Paoli Pike, Suite 202 P. O. Box 1906 West Chester, PA 19380-0133	Chester	West Brandywine Township	Culbertson Run (HQ-TSF-MF)
PAI011505031	Harkins Property, LLC 242 Winged Foot Drive Blue Bell, PA 19422	Chester	West Bradford Township	Broad Run (EV-MF)
PAI011505032	Frazer/Exton Development, Inc. Whiteland Village Development 508 Brandywine Parkway West Chester, PA 19380	Chester	East Whiteland Township	Valley Creek (EV) West Valley Creek (CWF)
PAI011505033	Lafayette & Hibernia Investments Co 300 Cabot Boulevard West Suite 200 Langhorne, PA 19047	Chester	West Brandywine Township	UNT West Branch Brandywine Creek (HQ-TSF-MF)
PAI011505034	Archdiocese of Philadelphia St. Peter's Church 1080 North Manor Road Honey Brook, PA 19344-9610	Chester	West Brandywine Township	West Branch Brandywine Creek (HQ-TSF) Beaver Creek (TSF-MF)
PAI011505035	Gen Terra Corporation Candleford Subdivision 65 Dowlin Forge Road Exton, PA 19341	Chester	West Nantmeal Township	East Branch Brandywine Creek (HQ)

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

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>
PAI024505013	Joshmor Inc. HC Box 405A Brodheads ville, PA 18322	Monroe	Chestnuthill and Jackson Township	McMichaels Creek EV

Lackawanna County Conservation District: 1300 Old Plank Rd., Mayfield, PA 18433, (570) 281-9495.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023505001	Christopher Speicher Laurel Ridge Development LLC 1710 Madison Ave. Dunmore, PA 18509	Lackawanna	Jefferson Township	East Branch of Wallenpaupack Creek HQ-CWF

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>
PAI023905018	Frank & Kate E.M. Tercha 1919 Tercha Rd. Fogelsville, PA 18051	Lehigh	Weisenberg Township	Little Lehigh Cr. HQ-CWF

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

Washington County Conservation District: 602 Courthouse Square, Washington, PA 15301, (724) 228-6774.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI056305004	84 Lumber Company/Pierce Hardy Limited Partnership 1019 Route 519 Eighty-Four, PA 15330	Washington	North Strabane Township	Little Chariters Creek (HQ-CWF)

Washington County Conservation District: 602 Courthouse Square, Washington, PA 15301. (724) 228-6774.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI056305005	Eighty-Four Development Corp. 1600 Route 136 Washington, PA 15301	Washington	South Strabane Township	Little Chariters Creek (HQ-WWF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI064204002	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
PAI064205002	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

Elk County Conservation District: Elk County Courthouse Annex, 300 Center Street, P. O. Box 448, Ridgway, PA 15853.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI062405002	United States Army Corps of Engineers Baltimore District 10 South Howard Street City Crescent Bldg., Baltimore, MD 21203	Elk	Benezette Township	UNT Porcupine Hollow HQ-CWF

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

PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)

PUBLIC WATER SUPPLY (PWS) PERMIT

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

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

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

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

Persons with a disability who require an auxiliary aid, service or other accommodations to participate during the 30-day public comment period should contact the office listed before the application. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

SAFE DRINKING WATER

Applications Received under the Pennsylvania Safe Drinking Water Act

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

Permit No. 4805502 , Public Water Supply	
Applicant	Lehigh Township Municipal Authority
Township or Borough	Lehigh Township
County	Northampton
Responsible Official	Jeffrey Lentz, Chairperson
Type of Facility	Public Water System
Consulting Engineer	Spotts, Stephens & McCoy MacArthur Office Plaza Suite 401 3722 Lehigh Street Whitehall, PA
Application Received Date	May 18, 2005

Description of Action The replacement of a surface water source with a new well.

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

Permit No. 0605507, Public Water Supply.

Applicant **Valley Run Water System**
 Municipality Washington Township
 County **Berks**
 Responsible Official Randy S Eddinger, Consultant/PADEP operator 1697 Swamp Pike Gibertsville, PA 19525

Type of Facility Public Water Supply
 Consulting Engineer George W Ruby, P. E. Ruby Engineering P. O. Box 127 Rexmont, PA 17085-0127

Application Received Date 5/12/2005

Description of Action Addition of Well No. 4 and associated treatment and storage facilities located on the Gehringer Farm Tract to the Valley Run Water System.

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

Permit No. 3097501-A2, Public Water Supply.

Applicant **Southwestern Pennsylvania Water Authority**
 P. O. Box 187 Jefferson, PA 15344

Township or Borough West Bethlehem and East Bethlehem Townships and Marianna Borough

Responsible Official Joseph Simatic, Manager Southwestern Pennsylvania Water Authority P. O. Box 187 Jefferson, PA 15344

Type of Facility Water treatment plant
 Consulting Engineer Bankson Engineer, Inc. 267 Blue Run Road P. O. Box 200 Indianola, PA 15051

Application Received Date May 4, 2005

Description of Action Installation of an emergency interconnection vault with existing W. Bethlehem Township water distribution system, installation of meter vault at existing interconnection between Marianna Borough's and W. Bethlehem Township's water distribution systems, the replacement of two horizontal split case pumps and disinfection at the SPWA's existing Washington County Pump Station.

MINOR AMENDMENT

Applications Received Under the Pennsylvania Safe Drinking Water Act

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

Application No. Minor Amendment.

Applicant **Nature's Way Purewater Systems, Inc.**
 Township or Borough Dupont Borough, Luzerne County
 Responsible Official Sandy Insalaco, Sr. President/CEO Nature's Way Purewater Systems, Inc. 164 Commerce Road Dupont, PA 18641

Type of Facility Bottled Water Facility
 Consulting Engineer James Palumbo, P. E. Quad Three Group, Inc. 72 Glenmaura National Boulevard Moosic, PA 18507

Application Received Date June 3, 2005

Description of Action The applicant proposes the removal of the Linesville Spring (BH1 and BH2) from their existing PWS Permit No. 2406411.

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

Application No. 5605501, Minor Amendment.

Applicant **United Mobile Homes, Inc.**
 1275 Forman Drive Morgantown, WV 26508

Township or Borough Somerset Township
 Responsible Official Jeff Yorick, Vice President of Engineering United Mobile Homes, Inc. 1275 Forman Drive Morgantown, WV 26508

Type of Facility Somerset Estates Mobile Home Park
 Consulting Engineer The EADS Group 450 Aberdeen Drive Somerset, PA 15501

Application Received Date May 27, 2005

Description of Action Installation of a 2" waterline approximately 1,600 feet in length between the existing Well No. 1 and the existing Well No. 2 for a single entry point.

WATER ALLOCATIONS

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

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

WA 22-303I, Water Allocations. United Water Pennsylvania, Dauphin County. The applicant is requesting the right to withdraw a maximum of 17.0 million mgd from Stony Creek, a maximum of 17.0 mgd from the Susquehanna River and a maximum of 4.0 mgd from Swatara Creek with a total combined maximum withdraw of 21.5 mgd from all sources. Consulting Engineer: Jason D. Wert, Herbert Rowland & Grubic Inc. Date Application Received: 8/5/2004.

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:

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

Dauphin Oil Company, Carlisle Borough, Cumberland County. Environmental Remediation & Recovery, Inc., 5719 Route 6N, Edinboro, PA 16412 on behalf of Dauphin Oil Company, 815 Newville Road, Carlisle, PA 17013, submitted a Notice of Intent to Remediate site soils contaminated with a petroleum product during closure of storage tanks and a floor drain. The applicant proposes to remediate the site to meet Statewide Health Standard requirements. The site will be redeveloped as a retail drug store.

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

Borough of Emporium (former Waste Disposal Area), Emporium Borough, Cameron County, GTE Operations Support Inc., 600 Hidden Ridge Drive, Irving, TX 75038 has submitted a Notice of Intent to Remediate soil and groundwater contaminated with VOCs and organics. This site is being remediated to meet a Site-Specific Standard.

Charles Weyandt Property, Huston Township, Centre County, has submitted a Notice of Intent to Remediate soil and groundwater contaminated with fuel oil. This site is being remediated to meet a Statewide Health Standard.

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

National Institute for Occupational Safety and Health (NIOSH), Pittsburgh Research Laboratory (Pittsburgh) Landfill Site or NIOSH—Pittsburgh Landfill Site, South Park Township, Allegheny County. S.B. Lal, P. E., Diversified Consulting Engineers, 1624 Citation Drive, South Park, PA 15129-8831 on behalf of Barbara M. Heirendt, United States Department of Health and Human Services, Centers for Disease Control and Prevention, National Institute for Occupational Safety and Health, Pittsburgh Research Laboratory, P. O. Box 18070, Cochran Mills Road, Pittsburgh, PA 15236-0070 has submitted a Notice of Intent to Remediate site soils and groundwater contaminated with inorganics, chlorinated solvents and PAHs. Contamination resulted from disposal of fill material from offsite sources and waste generated from research conducted on coal. Planned remediation includes Engineering Controls such as cap construction to eliminate pathways for exposure and deed restrictions to prevent groundwater use. Future planned use of the site is nonresidential for roads and parking lots.

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.

39-318-113: Oak Street USA, LLC (1949 South Fifth Street, Allentown, PA 18103) for construction of a paint

spray system and associated air cleaning devices at their facility in Allentown, **Lehigh County**.

35-302-116: Keystone Sanitary Landfill, Inc. (P. O. Box 249, Dunmore, PA 18512) for modification of a boiler to utilize landfill gas as a fuel at their facility in Throop and Dunmore Boroughs, **Lackawanna County**.

40-309-037C: Polyglass USA, Inc. (555 Oakridge Drive, Hazleton, PA 18201) for installation (replacement) of an air-cleaning device to capture emission from an asphalt application process at their facility in Hazle Township, **Luzerne County**.

40-317-024: Mission Foods—GRUMA Corp. (15 Elmwood Avenue, Mountaintop, PA 18707) for construction of a snack food processing operation and associated air cleaning device at their facility in Wright Township, **Luzerne County**.

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

05-03003A: Chestnut Ridge School District (3281 Valley Road, Fishertown, PA 15539-9846) for installation of two bituminous coal fired boilers at Chestnut Ridge Middle School in East Saint Clair Township, **Bedford County**. Regenerative centrifugal collectors will control particulate emissions. These units will replace two similarly sized coal fired boilers.

67-05046D: United Defense, LP (1100 Bairs Road, York, PA 17404) for installation of two new paint booths and curing ovens at their Ground Systems Division in West Manchester Township, **York County**.

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

63-00027A: Jessop Steel Co.—Allegheny Ludlum Corp. (100 River Road, Brackenridge, PA 15014) for installation of a natural gas-fired reheat furnace at their Washington Facility in Washington City, **Washington County**.

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

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

46-0248: Pottstown Borough Authority (100 East High Street, Pottstown, PA 19464) for installation of an indirect thermal sludge dryer at their existing wastewater treatment plant in Pottstown Borough, **Montgomery County**. This facility is a State-only facility. The installation causes de minimis emission increase, except NOx, which are 3.56 tons. The Plan Approval and Operating Permit will contain operating requirements designed to keep the facility operating within all applicable air quality requirements.

46-0200: John Middleton, Inc. (418 West Church Road, King of Prussia, PA 19406-3134) for installation of a tobacco flavoring process (top dressing) with a total enclosure emission capture system and regenerative thermal oxidizer at their facility in Upper Merion Township, **Montgomery County**. The permit is for a non-Title V State-only facility. The facility will be removing one of

three existing uncontrolled rotary drums and replacing it with this new process. This process will have its VOC emissions controlled and reduced by 98%. The process will increase capacity by 8 times and the potential VOC emissions from this new dryer shall not exceed 3.1 tons per year. Annual VOC emissions from the three rotary drums are currently permitted at 18.83 total tons per year as an aggregate for the top dressing processes. This limit will not change, as there will be no increase in potential VOC emissions. NOx emissions will increase by less than 1 ton per year. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

46-0037X: Cabot Supermetals (County Line Road, P. O. Box 1608, Boyertown, PA 19512-1608) for installation of a metal powder packaging unit, a pin crusher, two speed mills and two wet dust collectors at their Boyertown facility in Douglass and Colebrookdale Townships, **Montgomery and Berks Counties**. This facility is a Title V facility. The change will result in particulate matter emission increase of 1.84 tons per year. The Plan Approval and Operating Permit will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

48-304-032: Victaulic Co. of America (4901 Kesslerville Road, Easton, PA 18045) for installation of a single air cleaning device (replacement of two smaller units) to capture particulate emissions from the existing sand handling and finishing areas at their facility in Forks Township, **Northampton County**. The particulate emissions generated by the existing sand handling and finishing areas, will be controlled by the new fabric collector. The expected particulate emission rate from the baghouse filter will be less than 0.02 grain/dscf and will result in a reduction of particulate emissions of 90 tons per year at the facility. The company will operate the equipment in accordance with the good engineering practices to assure proper operation of the system. The Plan Approval and Title V Operating permit will contain additional recordkeeping and operating restrictions 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.

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. This facility has a potential to emit 74 tons per year of VOCs without limits. B & S Woodcrafts is limiting their operations to 2,800 hours per year to keep their potential to emit below 24 tons per year of VOCs. Actual emissions are expected to be 14 tons per year of VOC's. The plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the sources 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.

37-027C: IA Construction (River Road, West Pittsburg, PA 16160) for modification of a plan approval to burn alternative fuels including Nos. 2 and 4-6, biodiesel

and reprocessed/recycled fuel oil or any combination of Nos. 2 and 4-6 biodiesel, and reprocessed/recycled fuel oil at their West Pittsburg plant in Taylor Township, **Lawrence County**.

In accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department of Environmental Protection (Department) intends to issue a plan approval for modification of a plan approval to burn alternative fuels including Nos. 2 and 4-6, biodiesel and reprocessed/recycled fuel oil or any combination of Nos. 2 and 4-6 biodiesel, and reprocessed/recycled fuel oil at their West Pittsburg plant in Taylor Township, Lawrence 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.

10-027F: Penreco (138 Petrolia Street, Karns City, PA 16041) for installation of a replacement 13,500 gallon spent acid storage tank that is vented to an existing scrubber in Fairview/Karns City Township, **Butler County**. This is a Title V facility. The public notice is required for sources required to obtain a Plan Approval at Title V facilities in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V operating permit through an administrative amendment at a later date. The source shall comply with the conditions in their current Title V Operating permit, which will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate Best Available Technology for the source.

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

AMS 04281: E. I. DuPont de Nemours and Co. (3401 Grays Ferry Ave., Philadelphia, PA 19146) for installation of four new spray booths to replace three exiting spray booths, three less than or equal to 1.2 mmBTU/hr natural gas fired air handling units to replace three existing units, replacement of an exhaust fan and the establishment of a facility-wide VOC emission cap of 3 tons/month and 18 tons/year for all spray booths. The plan approval will contain operating and recordkeeping requirements to ensure operation within all applicable requirements.

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.

28-05040: Industrial Power Generating Corp. (2250 Dabney Road, Richmond, VA 17011) for their electric generating facility in Peters Township, **Franklin County**. The facility's major sources of emissions include fugitive particulate matter and landfill gasses. The primary emissions include combustion products from the engines, which primarily emit NOx and CO gasses as well as VOCs. This facility's emissions will be limited to: 249 tpy of CO, 99 tpy of NOx, 25 tpy of a combination of HAPs, 19 tpy of VOCs, 15 tpy of SO2 and 12 tpy of particulate matter. The Title V Operating Permit, number 28-05040, will contain 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.

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

07-05040: Lumax Industries, Inc. (P. O. Box 991, Chestnut and Fourth Street, Altoona, PA 16603) for operation of their manufacturing facility in the City of Altoona, **Blair County**. The facility has the potential to emit 90 tons per year of VOCs and 20 tons per year of hazardous air pollutants. The facility-wide (State-only) operating permit will limit volatile organic compound emissions to less than 30 tons per year, single hazardous air pollutant emissions to less than 10 tons per year and combined hazardous air pollutant emissions to less than 25 tons per year. The operating permit shall contain testing, monitoring, recordkeeping and reporting requirements, emission restrictions and work practice standards designed to keep the facility operating within all applicable air quality requirements.

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

53-00012: Patterson Lumber Co., Inc. (92 West Street, Galeton, PA 16922-0235) for operation of a sawmill facility in West Branch Township, **Potter County**.

The facility incorporates a 16 mmBtu per hour wood-fired boiler, a 9.6 mmBtu per hour natural gas-fired boiler, 12 lumber kilns and 4 lumber predryers, various pieces of sawmill and other woodworking equipment and lumber marking and end sealing operations. The PM emissions from the wood-fired boiler are controlled by a multicyclone collector and the particulate matter emissions from some of the sawmill and other woodworking equipment are controlled by two fabric collectors. The air contaminant emissions from the facility are not expected to exceed 22.98 tons of PM (including PM₁₀), 27.15 tons of NO_x, 44.88 tons of CO, 12.03 tons of VOCs, 1.0 ton of volatile hazardous air pollutants and .49 ton of SO_x per year.

The respective facility is not a major (Title V) facility for any air contaminant.

The Department of Environmental Protection (Department) proposes to incorporate into the operating permit to be issued conditions requiring compliance with all applicable regulatory requirements pertaining to the emission of air contaminants as well as the conditions previously existing in Operating Permit 53-302-002A issued on June 22, 1995, for the facility's wood-fired boiler. These previously-existing conditions include a requirement that the particulate matter emissions from the wood-fired boiler be controlled by a multicyclone at all times.

The Department additionally proposes to incorporate into the operating permit to be issued a condition limiting the particulate matter emissions from one of the facility's two fabric collectors to .01 grain per dry standard cubic foot of effluent gas volume, a condition limiting the VOC and volatile hazardous air pollutant emissions resulting from the use of lumber marking paint to 10.0 and 1.0 tons, respectively, in any 12 consecutive month period, a condition limiting the materials to be used for end sealing lumber to materials which contain no VOCs or volatile hazardous air pollutants and conditions requiring the maintenance of records of the amount of lumber processed through the kilns and predryers each month as

well as the identity and amount of lumber end sealing and lumber marking materials used each month.

41-00066: Sunoco, Inc.—R and M (Post Road and Blueball Avenue, Marcus Hook, PA 19061) to operate a soil vapor extraction system and associated biofilter at their former Atlantic Terminal in Armstrong Township, **Lycoming County**.

The soil vapor extraction system is used to remove petroleum products vapors from soil. The air contaminant emissions from the soil vapor extraction system are controlled by a biofilter. The resultant VOC emissions to the atmosphere are not expected to exceed 3.6 tons per year, a portion of which will also be hazardous air pollutants.

The respective facility is not a major (Title V) facility for any air contaminant.

The Department of Environmental Protection (Department) proposes to incorporate into the operating permit to be issued conditions requiring compliance with all applicable regulatory requirements pertaining to the emission of air contaminants as well as the conditions previously established in Plan Approval 41-330-004 issued by the Department on December 2, 2003. These previously-established conditions include requirements that the biofilter contain at least 213 cubic yards of bed material, have a bed surface area of at least 900 square feet and handle no more than 600 cubic feet per minute of gases at any time, a requirement that the VOC destruction efficiency of the biofilter be at least 92% (by weight), a requirement that the resultant VOCs emissions to the atmosphere be no greater than 3.6 tons in any 12 consecutive month period and a requirement that the biofilter inlet gas flow, influent gas humidity, bed temperature, inlet air contaminant concentration, outlet air contaminant concentration and visual bed appearance be monitored and recorded at least twice per month and the data reported to the Department on a monthly basis.

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

25-00037: Joseph McCormick Construction Co., Inc. - Wesleyville Plant (1507 Wesley Avenue, Erie, PA 16510-1675) for a Natural Minor Permit to operate a hot mix asphalt plant in Wesleyville Borough, **Erie County**. The significant sources are batch asphalt plant with dryer, material conveyors and baghouse.

25-00943: Safety-Kleen Corp. (1606 Pittsburgh Avenue, Erie, PA 16505) a natural minor operating permit for distribution and collection of organic solvents used in degreasing operations. This facility is located in the City of Erie, **Erie County**.

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

N05-005: LaFrance Corp. (8425 Executive Avenue, Philadelphia PA 19153) for operation of their zinc die casting facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include three combustion units each at three mmBtu/hr or less, five spray booths with dry panel filters, one roller coat and two silk screen machines.

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

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

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

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

Written comments, objections or requests for informal conferences on applications may be submitted by any person or any officer or head of any Federal, State or

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

Where any of the mining activities listed will have discharges of wastewater to streams, the Department will incorporate NPDES permits into the mining activity permits issued in response to these applications. NPDES permits will contain, at a minimum, technology-based effluent limitations as identified in this notice for the respective coal and noncoal applications. In addition, more restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining which may occur will be incorporated into a mining activity permit, when necessary, for compliance with water quality standards (in accordance with 25 Pa. Code Chapters 93 and 95). Persons or agencies who have requested review of NPDES permit requirements for a particular mining activity within the previously mentioned public comment period will be provided with a 30-day period to review and submit comments on the requirements.

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

Coal Applications Received

Effluent Limits

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

Parameter	30-day Average	Daily Maximum	Instantaneous Maximum
iron (total)	3.0 mg/l	6.0 mg/l	7.0 mg/l
manganese (total)	2.0 mg/l	4.0 mg/l	5.0 mg/l
suspended solids	35 mg/l	70 mg/l	90 mg/l
pH ¹		greater than 6.0; less than 9.0	
alkalinity greater than acidity ¹			

¹The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/l applied to: (1) surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas; active areas disturbed by coal refuse disposal activities; and mined areas backfilled and revegetated; and (2) drainage (resulting from a precipitation event of less than or equal to a 1-year 24-hour event) from coal refuse disposal piles.

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

30841307 and NPDES Permit No. PA0213438, Emerald Coal Resources, LP, (158 Portal Road, P. O. Box 1020, Waynesburg, PA 15370), to revise the permit for the Emerald Mine No. 1 in Franklin Township, **Greene**

County for clean coal batch weigh system as extension of existing loading facility. Surface Acres Proposed 11.5. No additional discharges. Application received March 17, 2005.

30841317 and NPDES Permit No. PA0213527, Consol Pennsylvania Coal Company, (1525 Pleasant Grove Road, P. O. Box J, Claysville, PA 15323), to revise the permit for the Enlow Fork Mine in Morris Township, **Washington County** to install airshafts, boreholes, and portal facilities. Surface Acres Proposed 62.2. Receiving Stream: UNT to Short Creek, classified for the following use: TSF. Application received May 16, 2005.

63831302 and NPDES Permit No. PA0213608, Eighty Four Mining Company, (P. O. Box J, 1525 Pleasant Grove Road, Claysville, PA 15323), to revise the

permit for the Mine No. 84 in South Strabane Township, **Washington County** to add subsidence control plan area acres for development mining. SCP Acres Proposed 90.0. No additional discharges. Application received May 16, 2005.

32803712 and NPDES Permit No. PA0092142, Keystone Coal Mining Corporation, (P. O. Box 219, 400 Overview Drive, Shelocta, PA 15774), to renew the permit for the Lewisville Recovery Plant in Young Township, **Indiana County** and related NPDES permit for reclamation only. Application received May 23, 2005.

17743702 and NPDES Permit No. PA0215490, Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201), to renew the permit for Penfield Collieries, LLC, Stott No. 1 Mine—Coal Refuse and Related NPDES Permit, to transfer the permit and change the operation name to Lady Jane Plant, and to revise the permit for the Lady Jane Plant in Huston Township, **Clearfield County** to add surface acreage for the coal preparation activity area and the coal refuse disposal area. Surface Acres Proposed 43.0, CRDP Support Acres Proposed 14.2, CRDP Refuse Disposal Acres Proposed 23.7. No additional discharges. Application received April 14, 2005.

32881301 and NPDES Permit No. PA0215538, AMFIRE Mining Company, LLC, (One Energy Place, Latrobe, PA 15650), to renew the permit and related NPDES permit and to revise the permit for the Penn Run Mine in Cherryhill Township, **Indiana County** to delete 1,386.7 subsidence control plan area acres. No additional discharges. Application received April 20, 2005.

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

56050106 and NPDES No. PA0249807, Marquise Mining Corporation, 3889 Menoher Boulevard, Johnstown, PA 15905, commencement, operation and restoration of a bituminous surface-auger permit mine in Shade Township, **Somerset County**, affecting 122.5 acres. Receiving streams: Dixie Run; UNT to Dixie Run classified for the following uses: CWF. Encroachment activities are proposed within 100 feet of UNT "A" to Dixie Run, located approximately 4,000 feet southeast of the intersection of SR 0403 and SR 1014. Encroachment activities are to occur within 100 feet of the tributary approximately 50 feet upstream from SR 1014. The encroachment area is to disturb less than 1/2 acre for construction of a sedimentation pond. There are no potable water supply intakes within 10 miles downstream. Application received May 27, 2005.

Permit No. 32980111 and NPDES Permit No. PA 0234885, Kraynak Coal Company, 3124 Firetower Road, Mahaffey, PA 15757, permit revision—land use change on Thomas A. and Helen L. Green and Bernard and Donna J. Green property from forest to pasture or land occasionally cut for hay in Green Township, **Indiana County**, affecting 97.6 acres. Receiving streams: UNTs to Dixon Run classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received on May 4, 2005.

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

10010112 and NPDES Permit No. PA0242039, T. C. Mining (252 Lower Hayes Run Road, Kittanning, PA 16201) Revision to an existing bituminous surface strip and auger operation in Clay and Concord Townships, **Butler County** affecting 186.7 acres. Receiving streams: UNT to South Branch Slippery Rock Creek, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Revi-

sion to add 5 acres to the permit area on the Billie Lou Gordon property. Application received: May 31, 2005.

16050107 and NPDES Permit No. PA0257931, T. C. Mining (252 Lower Hays Run Road, Kittanning, PA 16201). Commencement, operation, and restoration of a bituminous surface strip operation in Madison Township, **Clarion County** affecting 111.7 acres. Receiving streams: UNT to Catfish Run and UNT to Allegheny River, classified for the following uses: WWF. The first downstream potable water supply intake from the point of discharge is PA American Water Company. Application received: May 4, 2005.

33900105 and NPDES Permit No. PA0207837, Hepburnia Coal Company (P. O. Box I, Grampian, PA 16838). Renewal of an existing bituminous surface strip, auger and beneficial use of a co-product operation in Snyder Township, **Jefferson County** affecting 650.2 acres. Receiving streams: UNTs to Little Toby Creek and UNTs to Mill Creek, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: May 6, 2005.

1642-10010112-E-1, T.C. Mining (252 Lower Hayes Run Road, Kittanning, PA 16201). Application to revise a stream encroachment to remove and reestablish a portion of an UNT to the South Branch of Slippery Rock Creek in Clay and Concord Townships, **Butler County** affecting 186.7 acres. Receiving streams: UNT to South Branch Slippery Rock Creek, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: May 31, 2005.

1642-10010112-E-2, T. C. Mining (252 Lower Hayes Run Road, Kittanning, PA 16201). Application for a stream encroachment to construct erosion and sedimentation controls and conduct mining operations within the 100 foot stream barrier of an UNT in Clay and Concord Townships, **Butler County** affecting 186.7 acres. Receiving streams: UNT to South Branch Slippery Rock Creek, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: May 31, 2005.

33040102 and NPDES Permit No. PA0242519, MSM Coal Company, Inc. (P. O. Box 243, DuBois, PA 15801). Revision to an existing bituminous surface strip operation in Union Township, **Jefferson County** affecting 35.0 acres. Receiving streams: UNT 1 to Little Millcreek, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Revision for an incidental boundary correction to add 4.5 acres to the permit area. Application received: June 1, 2005.

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

17870129 and NPDES Permit No. PA0116190, Sky Haven Coal, Inc. (5510 State Park Road, Penfield, PA 15849), revision to an existing bituminous surface mine permit for a road variance to mine within 100 feet of the eastern side of Township Road T-680, Hill Road. The variance begins approximately 4,600 feet north of T-680/SR 53 intersection and extends north for a distance of approximately 5,000 feet. Receiving streams: Emigh Run, a tributary to Moshannon Creek; UNT to Laurel Run; tributary to Moshannon Creek. Application received: April 11, 2005.

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

40763204R2. Northampton Fuel Supply Co., Inc., (1 Horwith Drive, Northampton, PA 18067), renewal of an existing coal refuse reprocessing operation in Newport Township, **Luzerne County** affecting 61.2 acres, receiving stream: none. Application received May 27, 2005.

49803201R4 and NPDES Permit No. PA0595978. Reading Anthracite Co., (P. O. Box 1200, Pottsville, PA 17901), renewal of an existing anthracite coal refuse reprocessing operation in Zerbe Township, **Northumberland County** affecting 176.0 acres, receiving stream: Zerbe Run. Application received May 31, 2005.

49803202R4 and NPDES Permit No. PA0592960. Reading Anthracite Co., (P. O. Box 1200, Pottsville, PA 17901), renewal of an existing anthracite coal refuse reprocessing operation in Zerbe Township, **Northumberland County** affecting 45.0 acres, receiving stream: Zerbe Run. Application received May 31, 2005.

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

¹ The parameter is applicable at all times.

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

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

32052802. Penn Run Quarry, 456 Weston Road, Penn Run, PA 15765, commencement, operation and restoration of a small noncoal (industrial minerals) operation in Cherryhill Township, **Indiana County**, affecting 6.8 acres. Receiving streams: UNT to Penn Run. Application received May 25, 2005.

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

4875SM2A2C4 and NPDES Permit No. PA0119563. Glen-Gery Corporation, (P. O. Box 7001, Wyomissing, PA 19610), correction to an existing quarry operation for an incidental boundary correction and update NPDES Permit for discharge of treated mine drainage affecting 156.3 acres, receiving stream: Fox Run. Application received May 26, 2005.

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

08000810. Donald E. Johnson, Jr. (R. R. 2, Box 48H, Wysox, PA 18854), transfer of an existing small industrial minerals (bluestone) permit from Donald E. Johnson, Sr., located in Warren Township, **Bradford County** affecting 5 acres. Receiving streams: UNT, tributary to Wappasening Creek and Pendleton Creek. Application received: March 25, 2005.

08050803. Anthony P. Bennett (R. R. 4, Box 4056, Wyalusing, PA 18853). Commencement, operation and restoration of a small industrial minerals (flagstone/shale) permit in Herrick Township, **Bradford County**, affecting 5 acres. Receiving streams: UNT, tributary to Camp Creek. Application received: April 11, 2005.

54763207R4. Gilberton Coal Company, (10 Gilberton Road, Gilberton, PA 17934), renewal of an existing coal refuse reprocessing and surface mine operation in Mahanoy Township, **Schuylkill County** affecting 25.9 acres, receiving stream: none. Application received May 6, 2005.

40940206R2. Heavy Media, Inc., (160 Nesbitt Street, Plymouth, PA 18651), renewal of an existing anthracite coal refuse reprocessing operation in Larksville Borough, **Luzerne County** affecting 15.9 acres, receiving stream: none. Application received May 9, 2005.

Noncoal Applications Received:

Effluent Limits

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

08052801. Daggett Sand & Gravel, Inc. (R. R. 2, Box 258, Millerton, PA 16936). Commencement, operation and restoration of a small industrial minerals (sand and gravel) permit in Wells Township, **Bradford County** affecting 5 acres. Receiving streams: Seeley Creek, tributary to Chemung River. Application received: April 12, 2005.

08940807. Nancy S. Preston (R. R. 1, Box 20A1, Wyalusing, PA 18853), transfer of an existing small industrial minerals (flagstone) permit from John Preston. The permit is located in Waylusing Township, **Bradford County** and affects 5 acres. Receiving streams: Wyalusing Creek, tributary to the Susquehanna River. Application received: April 11, 2005.

08010820. Gary E. Benjamin (105 Walnut Street, Athens, PA 18810), transfer of an existing small industrial minerals (bluestone) permit from Gary R. Bartholomew. The permit is located in Sheshequin Township, **Bradford County** and affects 3 acres. Receiving streams: UNT, tributary to the Susquehanna River. Application received: May 3, 2005.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

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

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

Northeast Region: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.

E45-479. Precision Homes, Inc., P. O. Box 191, Mount Pocono, PA 18344, in Coolbaugh Township, **Monroe County**, United States Army Corps of Engineers, Philadelphia District.

To place fill in a de minimus area of wetlands equal to 0.04 acre for the purpose of constructing a single family dwelling and driveway on Lot 2336 of Section H-II of Stillwater Lake Estates. The project also includes the installation of a 2-inch diameter PVC sanitary sewer line under the driveway and a private recreational floating dock having a surface area of approximately 134 S. F. in Sunset Lake. The site is located along Nadine Boulevard on the north side of Sunset Lake, approximately 0.3 mile east of SR 0380 (Tobyhanna, PA Quadrangle N: 1.9 inches; W: 2.9 inches).

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

E18-391. Department of Transportation, Engineering District 2-0, Bridge Replacement SR 4005, Section A01, 1924-30 Daisy Street, Clearfield, PA 16830 in Chapman Township, **Clinton County**, ACOE Baltimore District (Renovo East, PA Quadrangle N: 22.2 inches; W: 10.31 inches).

To remove the existing single span, two lane bridge with a clear span of 50 feet on a skew angle of 60 degrees and to construct and maintain a prestressed concrete box beam bridge with concrete abutments and wing walls. The proposed single span structure has a clear span normal to the channel of 58 feet and 60 feet along the centerline of roadway. The minimum vertical underclearance of the structure is 9.67 feet. Rock, Class R-6, will be permanently placed along both abutments and all wing walls and choked with R-4. A temporary stream crossing is proposed for maintenance and protection of traffic

during construction. No wetlands will be affected by the project other than stream bed and banks. Natural stream bottom will be replaced and rock lining added to the disturbed bank areas for stabilization following removal of the temporary stream crossing and construction of the bridge substructure. The Left Branch of Young Womans Creek is classified as a HQ-CWF, naturally reproducing trout.

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

E02-1497. John Bourlogianis, 2338 South Hampton Drive, Pittsburgh, PA 15241. To place fill in wetlands and construct an outfall structure in Upper St. Clair Township, **Allegheny County**, Pittsburgh ACOE District. (Bridgeville, PA Quadrangle N: 11 inches; W: 11.66 inches and Latitude: 40° 18' 38"—Longitude: 80° 5' 1"). The applicant proposes to place and maintain fill in a de minimus area of wetlands (0.05 acre) associated with an UNT to Brush Run (WWF) and to place and maintain fill in approximately 625.0 linear feet of an UNT to Brush Run (WWF) for the purpose of constructing the Forestbrook Estates Plan of Lots. The project is located just southwest from the intersection of Forest Brook Drive and Rossmoor Drive and will impact 0.77 acre of wetlands and 625.0 linear feet of stream channel. A 30-inch diameter outfall structure will also be constructed and an existing 15-inch diameter outfall structure will be replaced with an 18-inch diameter outfall structure.

E02-1498. Walnut Street Partners, 3285 Jacks Run Road, White Oak, PA 15131. To construct a culvert in the City of McKeesport, **Allegheny County**, Pittsburgh ACOE District. (McKeesport, PA Quadrangle N: 13.4 inches; W: 12.4 inches and Latitude: 40° 19' 25"—Longitude: 79° 50' 21"). The applicant proposes to construct and maintain an open bottom culvert with a span of 22 feet and underclearance of 15 feet approximately 540 feet long over Long Run (TSF) for a proposed development. The culvert will be an extension of an existing culvert located under Walnut Street (SR 148). The project is located on the west side of Walnut Street (SR 148) at its intersection with Long Run Road (SR 048). The proposed project impact is 540' to Long Run.

E02-1499. Township of Collier, 2418 Hilltop Road, Presto, PA 15142. To construct a pedestrian bridge in Collier Township, **Allegheny County**, Pittsburgh ACOE District. (Oakdale, PA Quadrangle N: 3.4 inches; W: 2.4 inches and Latitude: 40° 23' 28"—Longitude: 80° 08' 33"). The applicant proposes to construct and maintain a bridge having a span of 59.0 feet with a minimum under clearance of 5.0 feet across the channel of Robinson Run (WWF) for the purpose of constructing a walking path. The project is located approximately 800 feet south from the intersection of Sunnyside Avenue and Home Avenue and will impact 20.0 linear feet of stream channel. Stream bank protection (approximately 20 linear feet on both banks) and a temporary stream crossing will also be constructed.

E02-1502. Township of Upper St. Clair, 1820 McLaughlin Run Road, Upper St. Clair, PA 15241. To fill wetland in Upper St. Clair Township, **Allegheny County**, Pittsburgh ACOE District. (Bridgeville, PA Quadrangle N: 15.38 inches; W: 15.22 inches and Latitude: 40° 20' 04"—Longitude: 80° 06' 34"). The applicant proposes to place and maintain fill in 0.221 acre of wetland in the watershed of Chartiers Creek (WWF) for the purpose of developing Boyce Mayview Park located along Mayview Road.

E02-1505. J. West Corporation, 222 Oxford Boulevard, Allison Park, PA 15101. To construct a stormwater detention pond in the Township of McCandless, **Allegheny County**, Pittsburgh ACOE District. (Emsworth, PA Quadrangle N: 15.5 inches; W: 7.1 inches and Latitude: 40° 35' 06"—Longitude: 80° 03' 05"). The applicant proposes to excavate and maintain an UNT to Pine Creek (CWF) for the purpose of constructing a stormwater detention pond for the proposed Cooper's Run single family residential development. The project is located on the east side of Grossick Road, approximately 500 feet northeast from the intersection of Grossick Road and Donna Drive and will impact 350 linear feet of stream channel.

E03-429. Worthington-West Franklin Joint Municipal Authority, 102 West Main Street, Worthington, PA 16262. To construct an outfall in Worthington Borough and West Franklin Township, **Armstrong County**, Pittsburgh ACOE District. (Worthington, PA Quadrangle N: 15.6 inches; W: 3.4 inches and Latitude: 40° 40' 08"—Longitude: 79° 38' 58"). The applicant proposes to construct and maintain as part of construction of a comprehensive sanitary sewerage system: 1) A sewage pump station and a sewage treatment plant along the left bank of Buffalo Creek (HQ-TSF); 2) An outfall for the effluent of the proposed treatment plant in the left bank of the Buffalo Creek; 3) Three pipe culverts across a proposed access road, these structures qualify for the Department Waiver 105.12(a)(2) and three storm water outfall structures on the left bank of Buffalo Creek.; and 4) Fifty-two sanitary sewer line crossings under the bed and across the channel of the Buffalo Creek and its UNTs.

E03-431. Department of Transportation, Engineering District 10, P. O. Box 429, 2550 Oakland Avenue, Indiana, PA 15701-0429. To impact wetland in Plumcreek Township, **Armstrong County**, Pittsburgh ACOE District. (Whitesburg, PA Quadrangle N: 12.3 inches; W: 5.2 inches and Latitude: 40° 41' 34"—Longitude: 79° 24' 45"). The applicant proposes to impact 0.23 acre of wetland for the purpose of construction of approximately 3.00 acres of wetland habitat within wetland banking service area located on SR 2005 and along Cherry Run (CWF).

E11-309. Cambria County Commissioners, 200 South Center Street, Ebensburg, PA 15931. To construct a bridge in Allegheny Township, **Cambria County**, Pittsburgh ACOE District. (Ashville, PA Quadrangle N: 9.8 inches; W: 8.3 inches and Latitude: 40° 33' 15"—Longitude: 78° 33' 36"). The applicant proposes to remove the existing structure and to construct and maintain a 33-foot wide single span bridge having a normal span of 38.3 feet and a minimum underclearance of 4 feet across Beaverdam Run (CWF) for the purpose of improving transportation safety and roadway standards. The project is located on Township Road T-488 at Station 12+72.33. The project will also impact 0.01 acre of de minimis wetlands.

E65-873. Links Development Company, Inc., Murry Professional Building, 1060 Corporate Lane, Murry Corporate Park, Export, PA 15632. To impact wetlands in Penn Township, **Westmoreland County**, Pittsburgh ACOE District. (Irwin, PA Quadrangle N: 19.72 inches; W: 1.86 inches and Latitude: 40° 21' 31"—Longitude: 79° 38' 18"). The applicant proposes to impact 0.29 acre of wetlands and approximately 285 feet of an UNT to Bushy Run (TSF) as part of a proposed 124 unit residential development referred to as Penn's Forest and its associated roadways, utilities and stormwater management basin. The project is located off of Bushy Run Road (SR 0993), approximately 3,000 feet east of its intersection with SR 0130.

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

E27-078. Seneca Resources, 286 Old 36 Road, Sigel, PA 15860. Warrant 5158 Bridge across Ellsworth Run, in Green Township, **Forest County**, ACOE Pittsburgh District (Marienville West, PA Quadrangle N: 14.7 inches; W: 15.2 inches).

To maintain a bridge over Ellsworth Run (CWF) installed under general permit number GP082704601 in August 2004 having an instream length of approximately 15 feet and an underclearance of 2 feet located in Warrant 5158 on a private road 0.1 mile west of SR 2007 approximately 1.3 miles south of the intersection of SR 2007 and SR 3004.

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.

E43-322. Universal Development, 1607 Motor Inn Drive, Girard, OH 44420. Shenango Valley Freeway Condominiums, in City of Hermitage, **Mercer County**, ACOE Pittsburgh District (Sharon East, PA Quadrangle N: 19.7 inches; W: 12.4 inches).

To fill a total of 1.03 acres of three wetlands (1.02 acres PFO and 0.01 acre PEM) for the construction of Shenango Valley Freeway Condominiums buildings, associated grading and roadway on property extending north of SR 62 approximately 1 mile west of SR 18. Project proposes creation of 1.76 acres of replacement wetland (1.03 acres PEM and 0.73 acre PSS) on property bounded by Stateline Road, Ohio Street and the Shenango River and within the flood plain of the Shenango River in the City of Hermitage and Wheatland Borough (Sharon West, PA-OH Quadrangle N: 12.7 inches; W: 0.75 inch).

ACTIONS

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

The Department of Environmental Protection (Department) has taken the following actions on previously received applications for new, amended and renewed NPDES and WQM permits, applications for permit waivers and Notices of Intent (NOI) for coverage under general permits. This notice is provided in accordance with 25 Pa. Code Chapters 91 and

92 and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and the Federal Clean Water Act.

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

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

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

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

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

I. NPDES Renewal Permit Actions

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>
PA0051632	City of Easton One South Third Street Easton, PA 18042	Northampton County City of Easton	Delaware River (1F)	Y
PA0036102	Lehigh County Authority P. O. Box 3348 Allentown, PA 18106	Lehigh County Heidelberg Township	UNT to Mill Creek (2C)	Y

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

<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>
PA0024627	McClure Municipal Authority Ulsh Gap Road P. O. Box 138 McClure, PA 17841	Snyder County McClure Borough	Penns and Middle Creek (6A)	Y
PA003565	Morgan Advanced Materials & Technology Pure Carbon Division 1118 East Second Avenue Coudersport, PA 16915	Potter County Eulalia Township	Potato and Oswayo Creeks (16)	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>
PA0002038	OMG Americas, Inc. P. O. Box 111 Franklin, PA 16323-0111	Sugarcreek Borough Venango County	Allegheny River Two Mile Run 16-E	Y
PA0222879	Hickory Creek Wilderness Ranch 158 Main Street P. O. Box 93 Tidioute, PA 16351	Limestone Township Warren County	UNT to Camp Run 16-F	Y

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

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

PA0228885, Sewage, **Burnside Borough Council**, P. O. Box 208, Burnside, PA 15721. This proposed facility is located in Burnside Borough, **Clearfield County**.

Description of Proposed Activity: Construction of a proposed treatment facility.

The receiving stream, West Branch Susquehanna River, is in the State Water Plan watershed 8B and is classified for: WWW. The nearest downstream public water supply intake for Shawville Power Plant is located on West Branch Susquehanna River and is 56.29 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.040 mgd.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum mg/l</i>
CBOD ₅	25	40		50
TSS	30	45		60
Fecal Coliforms			200/100 ml as a geometric mean	
pH			6.0 to 9.0 at all times	
Total Nitrogen			Monitor and Report	
Total Phosphorous			Monitor and Report	
Transmissivity			Monitor and Report	

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

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

WQG Permit No. 01360501, Sewerage, **Steve E. Riehl**, 143 North Ronks Road, Ronks, PA 17572-9702. This proposed facility is located in Leacock Township, Lancaster County.

Description of Proposed Action/Activity: Construction and operation of a Small Flow Treatment Facility.

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

WQG Permit No. 016107, **Robert Storm**, 597 Storm Road, Loretto, PA 15940. This proposed facility is located in Allegheny Township, **Cambria County**.

Description of Proposed Action/Activity: Small flow sewage treatment plant.

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

WQM Permit No. WQG018370, Sewerage, **John T. Afton, Jr.**, 7856 Knoyle Road, Wattsburg, PA 16442. This proposed facility is located in Venango Township, **Erie County**.

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

WQM Permit No. WQG018371, Sewerage, **John T. Afton, Jr.**, 7856 Knoyle Road, Wattsburg, PA 16442. This proposed facility is located in Venango Township, **Erie County**.

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

WQM Permit No. WQG018369, Sewerage, **John T. Afton, Jr.**, 7856 Knoyle Road, Wattsburg, PA 16442. This proposed facility is located in Venango Township, **Erie County**.

Description of Proposed Action/Activity: A Single Residence Sewage Treatment Plant.

WQM Permit No. WQG018360, Sewerage, **Pleasant Acres Golf Course SFTF**, 240 Tower Road, Jamestown, PA 16134. This proposed facility is located in Greene Township, **Mercer County**.

Description of Proposed Action/Activity: This project is for the construction and operation of a small flow treatment facility to serve a golf course.

IV. NPDES Stormwater Discharges from MS4 Permit Actions

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>DEP Protocol (Y/N)</i>
PAI132241	Vandling Borough 634 Hillside St. Vandling, PA 18421	Lackawanna	Vandling Borough	Lackawanna River HQ-CWF	Y
PAI132242	Scott Township R. R. 1, Box 438 Olyphant, PA 18447	Lackawanna	Scott Township	Lackawanna River HQ-CWF Hull Creek CWF	Y

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>
PAI010905006	O & B Builders 1765 Canary Road Subdivision P. O. Box 973 Worcester, AP 19490	Bucks	Milford Township	Schmoultz/Unami Creek (HQ-TSF)
PAI011503066	Toll RA VI, LP The Datner Tract P. O. Box 514 Uwchland, PA 19380	Chester	West Bradford Township	UNT West Branch Brandywine Creek (EV)
PAI011504084	ONB, Inc. Dunsmore Subdivision 1195 McDermott Drive West Chester, PA 19380	Chester	East Fallowfield Township	UNT West Branch Brandywine Creek (EV, MF)
PAI011505018	BK Campbell, Inc. Shoppes at Lower Oxford— Phase I 402 Bayard Road, Suite 100 Kennett Square, PA 19348	Chester	Lower Oxford Township	UNT Leech Run (TSF-MF) UNT Big Elk Creek (HQ-TSF-MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI021304004	Carbon Lehigh Holding Co. 7785 Spring Creek Rd. Macungie, PA 18062	Carbon	Penn Forest Township	Sony Creek and Bear Creek HQ-CWF
PAI023905001	John F. Folck 2968 Boger Stadt Rd. New Tripoli, PA 18066	Lehigh	Weisenberg Township	Lyon Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10F106-1 Revision 29	Rob Cooper PSU—Office of Physical Plant 101P Physical Plant Bldg. University Park, PA 16802	Centre	College Township	Slab Cabin Run 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>
West Whiteland Township Chester County	PAG2001504116	Coley Pontiac/Buick/GMC 421 West Lincoln Highway Exton, PA 19341	Valley Creek (CWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Kennett Township Chester County	PAG2001505007	Chatham Financial Corporation 576 Rosedale Road Kennett Square, PA 19348	Red Clay Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
West Brandywine Township Chester County	PAG2001505021	EVP Development ARC 111 Westwood Place Suite 200 Brentonwood, NJ 37027	UNT Beaver Creek (TSF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
East Bradford Township Chester County	PAG2001505025	Bradford Plaza Investment 5755 New King Court Troy, MI 48098	UNT Taylor Run (TSF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
East Marlborough Township Chester County	PAG2001504124	Blakburn Realty Assoc, LP 1595 Paoli Pike Suite 202 P. O. Box 1906 West Chester, PA 19380	UNT Red Clay Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Providence Township Delaware County	PAG2002305001	County of Delaware 201 West Front Street Media, PA 19063	Crum Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Whitpain Township Montgomery County	PAG2004605054	The Blue Bell Inn 601 Skippack Pike Blue Bell, PA 19422	Stony Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Norristown Borough Montgomery County	PAG2004604196	SEPTA Norristown Transportation Cntr 1234 Market Street 12th Floor Philadelphia, PA 19107	Schuylkill River/Stony Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900

NOTICES

3451

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Upper Dublin Township Montgomery County	PAG2004605049	Liberty Property Limited Prtshp. 5 Walnut Grove Drive Suite 200 Horsham, PA 19044	Pine Run (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
New Hanover Township Montgomery County	PAG2004604077	Heritage Building Group, Inc. 3326 Old York Rd. Suite A-100 Furlong, PA 18925	Swamp Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
East Greenville Township Montgomery County	PAG2004605014	East Greenville Associates, LP 310 Schoolhouse Rd. Suite 1 Souderton, PA 18964	Perkiomen Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Lower Providence Township Montgomery County	PAG2004605029	Methacton School District 1001 Krieger Mill Road Norristown, PA 19408	UNT Mine Run (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
New Hanover Township Montgomery County	PAR10T547R	Sal Lapio Homes, Inc. 104 Mill Road Sellersville, PA 18960	Swamp Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Cheltenham Township Montgomery County	PAG2004604188	Nassimi Realty Corporation 370 Seventh Avenue Suite 1700 New York, NY 10001	Rock Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Pottstown Borough Montgomery County	PAG2004605038	Mount Olive Baptist Church 399 North Evans Street Pottstown, PA 19464	Schuylkill River (WWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Lower Merion Township Montgomery County	PAG2004605019	Stephen Varehorst Architects 1100 East Hector Street Conshohocken, PA 19428	UNT Mill Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Merion Township Montgomery County	PAG2004605047	Glaxo Smith Kline 5 Moore Drive Research Triangle Park NJ	Schuylkill River (WWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Lower Gwynedd Township Montgomery County	PAG2004604099	David Cutler 5 Sentry Parkway W., Suite 100 Blue Bell, PA 19422	Trewellyn Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Lower Moreland Township Montgomery County	PAG2004604223	Toll Brothers, Inc. 3103 Philmont Avenue Huntingdon Valley, PA 19006	Pennypack Creek (TSF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Bridgeport Borough Montgomery County	PAG2004605011	MBC Development, LP 950 E. Main St. P. O. Box 472 Schuylkill Haven, PA 17972	Schuylkill River (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Pottsgrove Township Montgomery County	PAG2004603021	Pottstown Area Police Ath. Leg. 2093 East High Street Pottstown, PA 19464	Goose 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>
Lower Moreland Township Montgomery County	PAG2004604201	First Baptist Church of Huntingdon Valley 245 Murray Avenue Huntingdon Valley, PA 19006	Pennypack Creek (WWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Hatfield Township Montgomery County	PAG2004603023-1	Line Lexington Management 768 North Bethlehem Pk. Lower Gwynedd, PA 19002	Tributary West Branch of Neshaminy Creek (TSF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Limerick Township Montgomery County	PAG2004603075-1	McGrath Homes 1262 Wood Lane Suite 207 Langhorne, PA 19047	Schuylkill River (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG2015105010	Dale Corporation Lucien E. Blackwell Homes 70 Limekiln Pike Glenside, PA 19038	Delaware River (WWF) City of Philadelphia WWTF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG2015105012	HE.R.B., CDC Cecil B. Moore Homeownship 1510 Cecil B. Moore Ave. Suite 300 Philadelphia, PA 19121	City of Philadelphia WWTF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Cressona Borough Schuylkill County	PAG2005405017	Keepsake Homes P. O. Box 2181 Sinking Spring, PA 19608	West Branch of Schuylkill River CWF	Schuylkill Co. Cons. Dist. (570) 622-3742
Summit Hill Borough Carbon County	PAG2001305005	Panther Valley School District 11 E. Bertsch St. Lansford, PA 18232	Panther Creek CWF	Carbon Co. Cons. Dist. (610) 377-4894
Jessup Borough Lackawanna County	PAG2003505005	Pat Dempsey D.L.P. Ventures L.P. Sunset Drive 49 Moosic Lakes Lake Ariel, PA 18436	Sterry Creek CWF	Lackawanna Co. Cons. Dist. (570) 281-9495
City of Pottsville Palo Alto Borough Port Carbon Borough Mount Carbon Borough Schuylkill County	PAG2005405001	Greater Pottsville Area Sewer Authority 401 Centre St. Pottsville, PA 17901	Schuylkill River CWF	Schuylkill Co. Cons. Dist. (570) 622-3742
Upper Saucon Township Lehigh County	PAG2003905008	Eagle Custom Bldrs., Inc. P. O. Box 170 Coopersburg, PA 18036	Tumble Brook CWF	Lehigh Co. Cons. Dist. (610) 391-9583
Clinton County Wayne Township	PAG2001805001	Fred Beury Hunters Archery 68 Beury Lane Lock Haven, PA 17745	W. Br. Susquehanna River WWF	Clinton County Conservation District 45 Cooperation Lane Mill Hall, PA 17754 (570) 726-3798
Columbia County Town of Bloomsburg	PAG2001905005	Bloomsburg University Buckingham Maintenance Center 400 E. 2nd St. Bloomsburg, PA 17815	Fishing Creek WWF	Columbia County Conservation District 702 Sawmill Rd. Suite 204 Bloomsburg, PA 17815 (570) 784-1310

<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>
Armstrong County Manor Township	PAG2000305004	Western Pennsylvania Chapter of Outlaws, Inc. P. O. Box 77 McGrann, PA 16238	UNT to Garretts Run (WWF)	Armstrong County CD (724) 548-3425
Beaver County Franklin Township	PAG2000405012	Ellwood Investors, LLC c/o James A. Gallagher 103 Crystal Springs Dr. Cranberry Township, PA 16066	UNT to Connequenessing Creek (WWF)	Beaver County CD (724) 378-1701
Indiana County Burrell Township	PAG2003205006	Jeffrey Harlich Prudential Realty Co. 3700 South Water St. Indiana, PA 1570-1	UNT to Blacklick Crk. (CWF)	Indiana County CD (724) 463-8547
Indiana County Conemaugh Township	PAG2003205008	Charles Merlo Charles Merlo, Inc. 234 Merlo Road Mineral Point, PA 15701	Blackleggs Creek (CWF)	Indiana County CD (724) 463-8547
Washington County Smith, Robinson, Mt. Pleasant Townships and Midway Borough	PAG2006305014	Washington County Commissioners 100 West Beau Street Suite 701 Washington, PA 15301	Robinson Run (WWF)	Washington County CD (724) 228-6774
Butler County Jackson Township	PAG2001005027	Glick Fire Equipment Co., Inc. 350 Mill Creek Road Bird-In-Hand, PA 16525	Breakneck Creek WWF	Butler Conservation District, 122 McCune Drive Butler, PA 16001-6501

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 Antrim Township	PAR113508	Grove U. S., LLC 1565 Buchanan Trail East Shady Grove, PA 17256	UNT to Conococheague Creek/WWF Marsh Run/WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Rush Township Centre County	PAR604826	Jim Verost Used Cars & Trucks 846 N. Ninth Street Phillipsburg, PA 16866	Moshannon Creek TSF	NorthCentral Regional Office 208 West Third Street Williamsport, PA 17701-6448 (570) 327-3664
City of Washington Washington County	PAR126103	Coca Cola Bottling Co. of Eastern Great Lakes 124 West Maiden Street Washington, PA 15301	Catfish Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

General Permit Type—PAG-4

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Lancaster County Leacock Township	PAG043727	Steve E. Riehl 143 North Ronks Road Ronks, PA 17572-9702	Pequea Creek WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Blair County Allegheny Township	PAG043527	Michael A. Maher 1029 Mahers Lane Duncansville, PA 16635-5801	UNT to Blair Gap Run TSF	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>
Cumberland County Lower Mifflin Township	PAG043617	Mark Lehman 694 Center Road Newville, PA 17241	7B	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Cambria County Allegheny Township	PAG046298	Robert Storm 597 Storm Road Loretto, PA 15940	UNT of Beaverdam Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Venango Township Erie County	PAG049163	John T. Afton, Jr. 7856 Knoyle Road Wattsburg, PA 16442	UNT to Alder Brook	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Venango Township Erie County	PAG049164	John T. Afton, Jr. 7856 Knoyle Road Wattsburg, PA 16442	UNT to Alder Brook	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Venango Township Erie County	PAG049162	John T. Afton, Jr. 7856 Knoyle Road Wattsburg, PA 16442	UNT to Six Mile Creek	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Freehold Township Warren County	PAG048313	Elsie I. Mitchell R. R. 1, Box 32 Columbus, PA 16405	Pine Valley Creek	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Greene Township Mercer County	PAG049152	Pleasant Acres Golf Course 240 Tower Road Jamestown, PA 16134	UNT to Shenango River 20-A	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

General Permit Type—PAG-8

<i>Facility Location & County/Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
Beauty Road Clearfield, PA Lawrence Township Clearfield County	PAG084817	Clearfield Municipal Authority 107 East Market St. Clearfield, PA 16830	Clearfield Wastewater Treatment Facility Beauty Road Clearfield, PA	Northcentral Regional Office (570) 327-3636

General Permit Type—PAG-8 (SSN)

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Contact Office & Phone No.</i>
Bedford County Hopewell Borough	PAG083508	Hopewell Borough Wastewater Treatment Plant P. O. Box 160 Hopewell, PA 16650-0160	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707

PUBLIC WATER SUPPLY (PWS) PERMITS

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

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing

Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act

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

Operations Permit issued to: **Lehigh County Authority—Central Lehigh Division**, P. O. Box 3348, Allentown, PA 18016 (PWSID 3390073), Upper Macungie Township, **Lehigh County** on May 31, 2005 for the operation of facilities approved under construction permit Minor Amendment of December 22, 2004.

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

Permit No. 4105501—Construction, Public Water Supply.

Applicant	Meadow Brook Mobile Home Park
Township or Borough	Muncy Creek Township
County	Lycoming
Responsible Official	Donald DeBlase, Manager Pocono, LLC 100 Linden Oaks, Suite 103 Rochester, NY 14623
Type of Facility	Public Water Supply—Construction
Consulting Engineer	James J. Oberst, P. E. 202 Milburn Street Rochester, NY 14607
Permit Issued Date	6/1/05
Description of Action	Installation of a barium removal system for Well No. 3 at Meadow Brook Mobile Home Park. This includes two Culligan Hi-Flo 3 water softeners connected in parallel, a 1,500 gallon Norwesco waste brine tank, a Well-Rite model WR100 hydropneumatic tank and a 600 pound brine pot.

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

Applicant	Millville Borough Council
Township or Borough	Millville Township
County	Columbia
Responsible Official	Roy Bower, President Millville Borough Council P. O. Box 30, 136 Morehead Ave. Millville, PA 17846-0030
Type of Facility	Public Water Supply—Operation
Consulting Engineer	Britt Bassett, P. E. Bassett Engineering, Inc. 1440 Broad Street Montoursville, PA 17754
Permit Issued Date	6/1/05
Description of Action	Addition of Aqua-Mag for corrosion control to the existing system.

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

Permit No. 3204507, Public Water Supply.

Applicant	Green Township Municipal Authority Barr Slope Water Treatment Plant P. O. Box 129 77 Musser Street Commodore, PA 15729
Borough or Township	Green Township
County	Indiana
Type of Facility	Water treatment plant
Consulting Engineer	Keller Engineers 420 Allegheny Street P. O. Box 61 Hollidaysburg, PA 16648
Permit to Construct Issued	May 16, 2005

Permit No. 1103503MA, Public Water Supply.

Applicant	Northern Cambria Municipal Authority 1202 Philadelphia Avenue Northern Cambria, PA 15714
Borough or Township	Susquehanna Township, North Cambria Borough
County	Cambria
Type of Facility	Reservoir
Consulting Engineer	Stiffler, McGraw & Associates, Inc. 19 N. Juniata Street P. O. Box 462 Hollidaysburg, PA 16648
Permit to Construct Issued	May 23, 2005

Permit No. 2605501, Public Water Supply.

Applicant	Indian Creek Valley Water Authority P. O. Box 486 Indian Head, PA 15446
Borough or Township	Saltlick Township
County	Fayette

Type of Facility Pritts Spring Slow Sand Filtration Plant

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

Permit to Construct Issued May 26, 2005

Permit No. 4871-A8, Public Water Supply.

Applicant **Municipal Authority of the Borough of Derry** 620 Chestnut Stree Derry, PA 15627

Borough or Township Derry Borough

County **Westmoreland**

Type of Facility Pretreatment chemicals and filter improvements

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

Permit to Construct Issued June 6, 2005

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Palmer Township	3 Weller Place Palmer, PA 18043	Northampton

Plan Description: The Plan Update provides for: (1) extension of the existing Shoeneck Creek Interceptor north to serve the Danforth Drive pumping station service area and elimination of the Danforth Drive pumping station; (2) replacement of the Sheridan Drive and Stone Crossing pumping stations; and (3) continuation of the program to identify and remove excessive infiltration/inflow from the sanitary sewer system. The Department of Environmental Protection's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required WQM Permits must be obtained in the name of the municipality or authority as appropriate.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Hanover Township	2072 State Route 168 Georgetown, PA 15043	Beaver

Plan Description: The approved plan provides for construction of a 1,200-gallon per day small flow sewage treatment plant to serve three residential lots under the ownership of Michael Heinlein. The property is located along SR 168 in Hookstown, PA. The proposed discharge point is to a tributary of Aunt Claras Fork Kings Creek, classified as a CWF. Any required NPDES Permits or WQM Permits must be obtained in the name of the applicant as appropriate. The Department's review of the sewage facilities revision has not identified any significant impacts resulting from this proposal.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
New Sewickley Township	233 Miller Road Rochester, PA 15074	Beaver

Plan Description: The approved plan provides for construction of a 400 gallon per day single residence sewage treatment plant to repair the existing malfunctioning septic system at the single-family home of Donald Farris. The property is located at 107 Twin Creek Lane. The proposed discharge point is to Crows Run, classified as a warm water fishery. Any required NPDES Permits or WQM Permits must be obtained in the name of the applicant as appropriate. The Department's review of the sewage facilities revision has not identified any significant impacts resulting from this proposal.

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Greene Township	9333 Tate Road Erie, PA 16509	Erie

Plan Description: The approved plan provides for the construction of a new .390 mgd wastewater treatment plant in Greene Township and the construction of a

WATER ALLOCATIONS

Actions taken on applications received under the act of June 24, 1939 (P. L. 842, No. 365) (35 P. S. §§ 631—641) relating to the acquisition of rights to divert waters of this Commonwealth.

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

WA65-111E, Water Allocations. Municipal Authority of Westmoreland County, Southwest Corner U. S. Route 30 West and South Greengate Road, P. O. Box 730, Greensburg, PA 15601, **Westmoreland County.** Modification order to sell 50,000 gallons per day, as a peak month, to the Pennsylvania-American Water Company.

WA2-200F, Water Allocations. Pennsylvania-American Water Company, 300 Galley Road, McMurray, PA 15317, **Allegheny County.** The applicant was granted the right to purchase 50,000 gallons per day, as a peak month, from the Municipal Authority of Westmoreland County.

WA2-200E, Water Allocations. Pennsylvania-American Water Company, 300 Galley Road, McMurray, PA 15317, **Allegheny County.** The applicant was granted the right to purchase 12 million gallons of water per day, on an emergency basis, from the Pittsburgh Water & Sewer Authority.

WA2-131A, Water Allocations. Pittsburgh Water & Sewer Authority, 441 Smithfield Street, Pittsburgh, PA 15222, **Allegheny County.** Modification order to sell 12 million gallons of water per day, on an emergency basis, to the Pennsylvania-American Water Company.

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

sanitary sewer collection/conveyance system to serve on existing 925 equivalent dwelling units within the study area. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
West St. Clair Township	P. O. Box 92 Alum Bank, PA 15521	Bedford

Plan Description: The approved plan provides for the subdivision of residential lot No. 6 of Karl and Rena Kaufman to be served by a small flow treatment facility with stream discharge. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 2

The following plans and reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.908).

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

For further information concerning plans or reports, contact the Environmental Cleanup Program manager in

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

The Department has received the following plans and reports:

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

Weigle Residence, Huntington Township, **Adams County**. Marshall Miller & Associates, Inc., 3913 Hartzdale Drive, Suite 1306, Camp Hill, PA 17011, on behalf of Ron and Jean Weigle, 3509 Carlisle Road, Idaville, PA 17337, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil. The report was submitted within 90 days of a release and is intended to document remediation of the site to the Statewide Health standard.

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

Jersey Shore Coastal Mart, Jersey Shore Borough, **Lycoming County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, has submitted a Final Report concerning groundwater contaminated with gasoline. This Final Report is intended to demonstrate attainment of the Statewide Health Standard.

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

Molycorp Washington Site, Canton Township, **Washington County**. Alan Shuckrow, Malcolm Pirnie Inc., 1603 Carmody Court, Sewickley, PA 15143 (on behalf of Ray Chermiske, Molycorp, Inc., P. O. Box 469, Questa, NM 87556) has submitted a Risk Assessment Report concerning remediation of site soil and groundwater contaminated with VOC and semivolatile organics, metals and cyanide. The report is intended to document remediation of the site to meet the Site-Specific Standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

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

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

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

The Department has received the following plans and reports:

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

Kerrigan and Heller Residences, Tyrone Township, **Adams County**. Marshall Miller & Associates, Inc., 3913 Hartzdale Drive, Suite 1306, Camp Hill, PA 17011, on behalf of Raymond and Lois Kerrigan, 630 Game Lands Road, Aspers, PA 17304 and Environmental Products & Services, Inc., 5140 Paxton Street, Harrisburg, PA 17111, submitted a Final Report concerning remediation of site soils contaminated with home heating oil. The final report demonstrated attainment of the Statewide Health standard, and was approved by the Department on May 31, 2005.

Laurel Center II, City of Reading and Cumru Township, **Berks County**. Liberty Environmental, Inc., 10 North Fifth Street, Suite 800, Reading, PA 19601, on behalf of Greater Berks Development Fund, 19 North Sixth Street, Suite 200, P. O. Box 8621, Reading, PA 19603-8621 and Cambridge-Lee Industries, Inc., P. O. Box 14026, Reading, PA 19612-4026, submitted a combined Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated with PHCs, PCBs, metals and solvents. The combined report demonstrated attainment of the Statewide Health and Site-Specific standards, and was approved by the Department on June 2, 2005.

Laurel Pipeline Company Site, Sinking Spring Borough, **Berks County**. Laurel Pipeline Company, LP, P. O. Box 368, Emmaus, PA 18049-0368 submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil. The final report demonstrated attain-

ment of the Statewide Health standard, and was approved by the Department on June 2, 2005.

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

Westinghouse Air Brake Technology Company, Borough of Wilmerding **Allegheny County**. Bruce Shaw, American Geosciences Inc., 3925 Reed Blvd., Suite 400, Monroeville, PA 15668-1848 on behalf of Westinghouse Air Brake Technology Company, 1001 Air Brake Avenue, Wilmerding, PA 15148 has submitted a Remedial Investigation Report concerning the remediation of site soil and groundwater contaminated with heavy metals, solvents, BTEX and PHCs. The Remedial Investigation Report was approved by the Department on June 1, 2005.

Flint Ink, Borough of Sharpsburg **Allegheny County**. Martin Knuth, Civil & Environmental Consultants, Inc., 333 Baldwin Road, Pittsburgh, PA 15205 on behalf of Norfolk-Southern RR, 425 Holiday Drive, Pittsburgh, PA 15220, and Flint Ink, 4600 Arrowhead Drive, Ann Arbor, MI 48105 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with lead and heavy metals. The Final Report demonstrated attainment of the Site-Specific Standard and was approved by the Department on May 10, 2005.

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

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

Housing & Neighborhood Development Svc., City of Warren, **Warren County**. Shay L. Meinzer, Housing & Neighborhood Development Svc., 502 East 12th Street, Erie PA 16503 on behalf of Mark Patterson, Patterson-Erie Corp., 1250 Tower Lane, Erie PA 16505 has submitted a Final Report concerning the remediation of site Soil and Groundwater contaminated with Organics and Inorganics. The Final report demonstrated attainment of the residential standards and was approved by the Department on May 26, 2005.

Castle Brand Former, City of New Castle, **Lawrence County**. J. Scott Whipkey, RAR Eng Group, 1135 Butler Ave., New Castle PA 16101 on behalf of Leonard L. Lastoria, New Castle Area Transit Authority, 311 Mahoning Ave., New Castle PA 16101 has submitted a Baseline Environmental Report concerning the remediation of site soil contaminated with Boron and Lead and dissolved Lead, Pentachlorophenol and Trichlorethene in the groundwater. The report is intended to document remediation of the site to meet the Special Industrial Standards.

Pennzoil Quaker State Plant 2, Oil City, Cornplanter Township, **Venango County**. Brad Zewe, CP Environmental Group, 1092 Fifth Avenue, New Kensington PA 15068 on behalf of Harry Perrine, Pennzoil-Quaker State Co. d/b/a Shell OPUS, 260 Elm Street, Oil City PA 16301 has submitted a Remedial Investigation/Site Characterization Report concerning the remediation of site soil and groundwater contaminated with petroleum based separate phase liquid, benzene and

1,3 5-trimethylbenzene. The reports are intended to document remediation of the site to meet the Site Specific Standards.

MUNICIPAL WASTE GENERAL PERMITS

Permits Issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and municipal waste regulations for a general permit to operate municipal waste processing facilities and the beneficial use of municipal waste.

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

General Permit Application No. WMGM031. Waste Management and Processors, Inc., Main Street, P. O. Box K, Frackville, PA 17951.

General Permit Numbered WMGM031 is for the processing and beneficial use by blending: (1) Class B biosolids; (2) Gilberton Coal Ash; and (3) other odor absorbing materials (such as, pulp and paper mill sludge, woodchips or sawdust) for land application for mine reclamation purposes at the Reading Anthracite Buck Run Strip Mine. The general permit was issued by Central Office on June 2, 2005.

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

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

Permit No. 101076. Lower Merion Township, 75 E. Lancaster Ave., Ardmore PA, 19003-2323, Lower Merion Township, **Montgomery County.** This permit was issued to allow for the short-term, continued operation of the Lower Merion Township Transfer Station during the review of the facility's 10-year renewal application. The permit was issued by the Southeast Regional Office on May 31, 2005.

Permit No. 101662. Conshohocken Rail LLC, 1025 Bundy Rd., Youngstown OH, 44509, Plymouth Township, **Montgomery County.** This permit is for reissuance of the solid waste permit from ADC Recycling Corporation to Conshohocken Rail, LLC for the construction and demolition waste transfer facility located in Plymouth Township, Montgomery County. The permit was issued by the Southeast Regional Office on May 26, 2005.

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

Permit ID No. 101571. Mostoller Landfill, Inc., 7095 Glades Pike, Somerset, PA 15501. A major permit modification for leachate collection and treatment plant

design at a municipal waste landfill in Brothersvalley and Somerset Townships, **Somerset County,** was issued in the Regional Office on June 6, 2005.

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

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

Permit No. 400689. Multiple Hearth Incinerator, Merck & Co., Inc., P. O. Box 600, Danville, PA 17821. Request for bond release for closed residual waste processing facility approved by Northcentral Regional Office on May 26, 2005.

Persons interested in reviewing the permit may contact David Garg, P. E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3653. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

MUNICIPAL WASTE GENERAL PERMITS

Department Initiated General Permit Issued Under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and municipal waste regulations for a General Permit to Operate Municipal Waste Processing Facilities and the Beneficial Use of Municipal Waste.

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

General Permit Application No. WMGM030. The Department of Environmental Protection, Bureau of Land Recycling and Waste Management, authorizes, under General Permit WMGM030, yard waste composting facilities that do not exceed 15 acres in size. This proposed general permit was originally published in draft at 34 Pa.B. 5953 (October 30, 2004). This is a Department initiated Statewide municipal waste general permit.

Persons interested in obtaining more information, or obtaining copies of the general permit may contact Ronald C. Hassinger, Chief, General Permits and Beneficial Use Section, Division of Municipal and Residual waste, Bureau of Land Recycling and Waste Management, Rachel Carson State Office Building, P. O. Box 8472, Harrisburg, PA 17105-8472, (717) 787-7381. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

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.

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

GP3-06-03131: Brubacher Excavating, Inc. (825 Reading Road, P. O. Box 528, Bowmansville, PA 17507) on May 31, 2005, for a Portable Nonmetallic Mineral Processing Plant under GP3 in the Borough of Wyomissing, **Berks County**.

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

GP3-41-03: Glenn O. Hawbaker, Inc. (711 East College Avenue, Bellefonte, PA 16823) on May 31, 2005, to construct and operate a portable stone crushing plant under the General Plan Approval and General Operating Permit for Nonmetallic Mineral Processing Plants (BAQ-GPA/GP3) at their Montoursville Asphalt Plant No. 15 in Loyalsock Township, **Lycoming County**.

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

GP1-65-00921: North Side Foods Corp. (2200 Rivers Edge Drive, Arnold, PA 15068) on June 1, 2005 to renew permit (GP-1) effective June 3, 2005 to allow the operation of one Cleaver Brooks, Model No. CBLE700-400-150, natural gas-fired Boiler with Flue Gas Recirculation rated at 13.39 mmBtu/hr in Arnold, **Westmoreland County**.

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

GP-42-194: Glenn O. Hawbaker, Inc.—Shinglehouse (497 Horserun Road, Shinglehouse, PA 16748) on May 25, 2005, to operate of a portable nonmetallic mineral processing plant in Ceres Township, **McKean County**.

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

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

45-318-032: Tobyhanna Army Depot (11 Hap Arnold Boulevard, Tobyhanna, PA 18466) on May 26, 2005, to modify their VOC emission limit in Coolbaugh Township, **Monroe County**.

48-318-137: Victaulic Co. of America (4901 Kesslersville Road, Easton, PA 18040) on May 23, 2005, to construct a paint dip operation at their facility in Forks Township, **Northampton County**.

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

14-00014B: Glenn O. Hawbaker, Inc. (711 East College Avenue, Bellefonte, PA 16823) on May 11, 2005, to construct a recycled asphalt pavement crusher and two associated conveyors in an asphalt plant, a screen in an asphalt plant, a crusher and two associated conveyors in a primary stone crushing operation, a stone railcar unloading operation and to install an air cleaning device (a fabric collector) on a secondary stone crushing operation at their Pleasant Gap Plant in Spring Township, **Centre County**.

18-315-002: First Quality Products, Inc. (P. O. Box 331, McElhattan, PA 17748) on May 24, 2005, to con-

struct 22 absorbent products manufacturing (converting) lines in their Clinton County Industrial Park in Wayne Township, **Clinton 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.

15-0094: Metallurgical Products Co. (P. O. Box 598, West Chester, PA 19380) on June 1, 2005, to operate a bag filter dust collector in West Goshen Township, **Chester County**.

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

38-03035A: V and S Lebanon Galvanizing, LLC (1000 Buckeye Park Road, Columbus, OH 43207-2509) on May 29, 2005, to construct a surface preparation and coating operation in Union Township, **Lebanon County**. This plan approval was extended.

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

47-00001A: PPL Montour, LLC (18 McMichael Road, Washingtonville, PA 17884) on June 3, 2005, to operate two bituminous coal-fired utility boilers (Units 1 and 2) and associated air cleaning devices (two electrostatic precipitators, two selective catalytic reduction systems and two flue gas injection systems) on a temporary basis until October 1, 2005, at their Montour Steam Electric Station in Derry Township, **Montour County**. The plan approval has been extended.

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

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

15-00013: Huhtamaki Flexibles, Inc. (2400 Continental Boulevard, Malvern, PA 19355) on June 2, 2005, to operate a facility Title V Operating Permit in Tredyffrin Township, **Chester County**.

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

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

46-00108: Highway Materials, Inc. (1750 Walton Road, Blue Bell, PA 19422) on June 2, 2005, to operate a Synthetic Minor Operating Permit in Marlborough Township, **Montgomery County**.

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

19-00025: Ciba Specialty Chemicals Corp. (920 Seventh Avenue, Berwick, PA 18603) on May 31, 2005, to operate a starch modification facility in Berwick Borough, **Columbia County**.

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

04-00434: Blackhawk School District (500 Blackhawk Road, Beaver Falls, PA 15010) on May 31, 2005, to operate their space heating boiler at Blackhawk High School in Chippewa Township, **Beaver County**.

04-00218: NF and M International, Inc. (1729 Pennsylvania Avenue, Monaca, PA, 15061-1852) on May 31, 2005, to operate their major sources of emissions which include various saws, abrasive and grinding wheels, two annealing furnaces, a pickling tank, sanders and a shot blaster at their Monaca plant in Monaca Borough, **Beaver County**.

32-00197: Purchase Line School District (16559 Route 286 Highway E, Commodore, PA 15729-8309) on May 31, 2005, to operate two coal fired boilers at their high school in Green Township, **Indiana County**.

Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

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

46-00122: Unisys Corp. (Township and Union Meeting Roads, Blue Bell, PA 19424) on June 2, 2005, to modify the operation of a Synthetic Minor Operating Permit in Whitpain Township, **Montgomery County**.

46-00127: Verizon Pennsylvania, Inc. (1050 Virginia Drive, Fort Washington, PA 19034) on June 1, 2005, to change the required frequency of monitoring for odors, visible emissions, and fugitive particulate emissions from the facility to once per day when either/both generator(s) is/are operating, in Upper Dublin Township, **Montgomery County**. This is an Administrative Amendment to State-Only (Synthetic Minor) Operating Permit No. SMOP-46-00127.

Administrative Amendment of State Only Operating Permit No. SMOP-46-00127 is issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450.

46-00128: Verizon Pennsylvania, Inc. (100 Greenwood Avenue, Jenkintown, PA 19046) on June 1, 2005, to change the required frequency of monitoring for odors, visible emissions, and fugitive particulate emissions from the facility to once per day when the generator is operating in Jenkintown Borough, **Montgomery County**. This is an Administrative Amendment to State-Only (Synthetic Minor) Operating Permit No. SMOP-46-00128.

Administrative Amendment of State Only Operating Permit No. SMOP-46-00128 is issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450.

15-00105: Buckeye Pipe Line Transportation LLC—Malvern Station (8 South Malin Road, Frazer, PA 19355) on June 2, 2005, for an Administrative Amendment to Title V Operating Permit No. TVOP-15-00105 in East Whiteland Township, **Chester County**. The previously issued Title V Operating Permit (TVOP) has been amended to correct the Tax ID No. to 37-1504935.

Administrative Amendment of Title V Operating Permit No. TVOP-15-00105 is issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450.

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

17-399-012A: Allegheny Clearfield, Inc. (114 Appalachian Drive, Clearfield, PA 16830) on June 3, 2005, via the minor operating permit modification requirements of 25 Pa. Code Section 127.462, to use additional lubricants in the parts processed through the facility's powdered metal parts sintering furnaces, to use up to 1.0% organic lubricant in the parts processed through all of the facility's sintering furnaces and to incorporate sintering furnaces Nos. 81-84 in Lawrence Township, **Clearfield County**.

59-00004: Ward Manufacturing, Inc. (115 Gulick Street, Blossburg, PA 16912-1001) on June 3, 2005, by means of the minor operating permit modification requirements of 25 Pa. Code § 127.462, to remove an iron melting cupola blast air recordkeeping requirement, modify a cupola flue gas reagent injection requirement and reflect the existence of two 5.2 million Btu per hour burners in the cupola's air pollution control system in Blossburg Borough, **Tioga County**.

De Minimis emissions increases authorized under 25 Pa. Code § 127.449.

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

SOOP-46-00024: McNeil Consumer and Specialty Pharmaceuticals (7050 Camp Hill Road, Fort Washington, PA 19034) for operation of a pharmaceutical preparation plant in Whitmarsh Township, **Montgomery County**. The permit is for a non-Title V State-only facility. De Minimis particulate matter emissions will result from installation of a new tablet compression machine (associated with Source ID 201 Solid Dose Operations). Particulate emissions will be routed to a dust collector; PM emissions are estimated to be 0.13 ton per year. The permit will include monitoring, recordkeeping, and reporting requirements designed to keep the facility within all applicable air quality requirements.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

Coal Permits Actions

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

11040101 and NPDES Permit No. PA0249661. E. P. Bender Coal Company, Inc., P. O. Box 594, Carrolltown, PA 15722, commencement, operation and restoration of a bituminous surface and auger mine in Reade Township, **Cambria County**, affecting 69.0 acres. Receiving streams: UNTs to/and Powell Run classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received October 19, 2004. Permit issued May 27, 2005.

32990110 and NPDES Permit No. PA0235164. KMP Associates, Inc., 1094 Lantz Road, Avonmore, PA 15618, permit renewal for the continued operation and restoration of a bituminous surface-auger mine and refuse removal in Young Township, **Indiana County**, affecting 41.3 acres. Receiving streams: UNTs to Harpers Run and Harpers Run classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received February 24, 2005. Permit issued June 1, 2005.

Permit No.11950101 and NPDES No. PA0213080. L & J Energy Company Inc., P. O. Box J, Grampian, PA 16838, permit renewal for reclamation only of a bituminous surface and auger mine in Susquehanna Township, **Cambria County**, affecting 9.0 acres. Receiving stream: UNT to Moss Creek, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received April 5, 2005. Permit issued: May 11, 2005.

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

49870201R2. Susquehanna Coal Company (P. O. Box 27, Nanticoke, PA 18634), renewal of an existing coal refuse reprocessing operation in Mt. Carmel Township, **Northumberland County** affecting 206.0 acres, receiving stream: none. Application received August 2, 2004. Renewal issued June 1, 2005.

54991302R and NPDES Permit No. PA0223972. Snyder Coal Company (66 Snyder Lane, Hegins, PA 17938), renewal of an existing anthracite underground mine operation in Barry, Foster and Hegins Townships, **Schuylkill County** affecting 9.5 acres, receiving stream: tributary to Hans Yost Creek. Application received February 2, 2005. Renewal issued June 2, 2005.

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

63823020 and NPDES Permit No. PA0616621. Robert B. Goodall (275 Midway Candor Road, Bulger, PA 15019). Renewal permit for continued mining of and existing bituminous surface mine, located in Robinson Township, **Washington County**, affecting 39 acres. Receiving stream: UNT to Little Raccoon Creek. Renewal application received: June 3, 2004. Renewal permit received: May 13, 2005.

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

33930107 and NPDES Permit No PA0211621. Original Fuels, Inc. (P. O. Box 343, Punxsutawney, PA 15767). Revision to an existing bituminous strip to change the postmining land use from forestland to unmanaged natural habitat on the Clarion Timber Company, LP property in Pinecreek and Warsaw Townships, **Jefferson County**. Receiving streams: UNT of Laurel Run and UNT to Little

Mill Creek, all to Mill Creek; three UNTs of Mill Creek. Application received: March 14, 2005. Permit Issued: May 10, 2005.

33940105 and NPDES Permit No. PA0212121. Original Fuels, Inc. (P. O. Box 343, Punxsutawney, PA 15767). Revision to an existing bituminous strip to change the postmining land use from forestland to unmanaged natural habitat on the Clarion Timber Company, LP property in Pinecreek Township, **Jefferson County**. Receiving streams: Two UNTs to Five Mile Run and Mill Creek. Application received: March 14, 2005. Permit Issued: May 10, 2005.

33980103 and NPDES Permit No. PA0227722. Original Fuels, Inc. (P. O. Box 343, Punxsutawney, PA 15767). Revision to an existing bituminous strip to change the postmining land use from forestland to unmanaged natural habitat on the Clarion Timber Company, LP property in Warsaw Township, **Jefferson County**. Receiving stream: UNT to Mill Creek. Application received: March 14, 2005. Permit Issued: May 10, 2005.

Noncoal Permits Actions

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

3374SM58T and NPDES Permit No. PA0591688. Coolspring Mining, Inc. (P. O. Box 1328, Uniontown, PA 15401). NPDES renewal issued for continued treatment of discharges at a noncoal surface mining site (limestone quarry) located in North Union Township, **Fayette County**, affecting 146.6 acres. Receiving streams: UNT to Coolspring Run and Coolspring Run to Shutes Run to Cove Run to Redstone Creek to the Monongahela River. Application received: March 24, 2005. NPDES renewal issued: June 1, 2005.

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

37990302 and NPDES Permit No. PA0241547. Cemex, Inc. (840 Gessner, Suite 1400, Houston, TX 77002). Renewal of an existing limestone operation in Shenango and Wayne Townships, **Lawrence County** affecting 798.0 acres. Receiving streams: UNTs to Snake Run, UNTs to Beaver River and Snake Run. Application received: January 28, 2005. Permit Issued: May 11, 2005.

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

52050801. Randy S. Miller, Inc. (HC 1 Box 1220, Tafton, PA 18464), commencement, operation and restoration of a quarry operation in Blooming Grove Township, **Pike County** affecting 5.0 acres, receiving stream: none. Application received March 14, 2005. Permit issued June 3, 2005.

64052801. Bucks Cove Rod & Gun Club, Inc. (P. O. Box 729, Honesdale, PA 18431), commencement, operation and restoration of a quarry operation in Texas and Palmyra Townships, **Wayne County** affecting 5.0 acres, receiving stream: none. Application received March 1, 2005. Permit issued June 3, 2005.

7274SM1A1C5 and NPDES Permit No. PA0595161. Lehigh Asphalt Paving & Construction Company (P. O. Box 549, Tamaqua, PA 18252), renewal and correction of NPDES Permit for discharge of treated mine drainage from a quarry operation in West Penn Township, **Schuylkill County**, receiving stream: UNT to Lizard Creek. Application received March 14, 2005. Renewal issued May 9, 2005.

58040826. Kevin W. Ralston (R. R. 2 Box 41-A, New Milford, PA 18834), commencement, operation and restoration of a Bluestone Quarry operation in New Milford Township, **Susquehanna County** affecting 5.0 acres. Receiving stream: none. Application received May 3, 2004. Permit issued May 12, 2005.

58050807. James E. Rogers (R. R. 1 Box 1122, Hop Bottom, PA 18824), commencement, operation and restoration of a bluestone quarry operation in Lenox Township, **Susquehanna County** affecting 5.0 acres. Receiving streams: Millard Creek. Application received February 22, 2005. Permit issued May 12, 2005.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

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

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

26054003. DemTech, Inc. (65 Bald Mountain Road, Dubois, WY 82513). Permit issued for a bridge replacement project on Route 40 in Markleysburg, **Fayette County**, with an expected duration of one year. Permit issued: May 16, 2005.

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

41054001. Great Lakes Geophysical, Inc. (P. O. Box 127, Williamsburg, MI 49690), for oil and gas exploration blasting, located in Cummings, Watson, Cogan House, Anthony, Snow Shoe, Boggs, Morris and Graham Townships, **Lycoming, Centre and Clearfield Counties**, with an expected duration of 208 days. Permit issued: May 6, 2005.

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

36054119. Hall Explosives, Inc. (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting for Lakeview Country Estates in Mt. Joy Township, **Lancaster County** with an expiration date of December 30, 2005. Permit issued May 9, 2005.

46054115. Newville Construction Services, Inc. (408 Mohawk Road, PA 17241), construction blasting for Douglass Township Sewer Project in Douglass Township, **Montgomery County** with an expiration date of May 30, 2006. Permit issued May 9, 2005.

28054117. Geological Technologies, Inc. (P. O. Box 70, Falling Waters, WV 25419), construction blasting for a home in Waynesboro Borough, **Franklin County** with an expiration date of September 30, 2005. Permit issued May 10, 2005.

28054118. David H. Martin Excavating, Inc. (4961 Cumberland Highway, Chambersburg, PA 17201), construction blasting for Greene Valley Estates in **Greene Township**, Franklin County with an expiration date of December 31, 2005. Permit issued May 10, 2005.

39054103. Schlouch, Inc. (P. O. Box 69, Blandon, PA 19510), construction blasting for Integrated Health Campus in South Whitehall, Upper Macungie and Washington Townships, **Lehigh County** with an expiration date of May 2, 2006. Permit issued May 10, 2005.

45054115. Hayduk Enterprises (P. O. Box 554, Dalton, PA 18414), construction blasting for a home in Pocono Township, **Monroe County** with an expiration date of November 30, 2005. Permit issued May 5, 2005.

46054116. Hayduk Enterprises (P. O. Box 554, Dalton, PA 18414), construction blasting for Jonah's Estates in Polk and Penn Forest Townships, **Monroe and Carbon Counties** with an expiration date of June 30, 2006. Permit issued May 10, 2005.

64054103. Hayduk Enterprises (P. O. Box 554, Dalton, PA 18414), construction blasting for Wal-lenpaupack Estates in Paupack Township, **Wayne County** with an expiration date of June 30, 2006. Permit issued May 10, 2005.

01051409. Newville Construction Services, Inc. (408 Mohawk Road, PA 17241), construction blasting for Risser Building in Straban Township, **Adams County** with an expiration date of May 30, 2006. Permit issued May 12, 2005.

01054110. Newville Construction Services, Inc. (408 Mohawk Road, PA 17241), construction blasting for Gettysburg Battlefield Resort in Cumberland Township, **Adams County** with an expiration date of May 30, 2006. Permit issued May 12, 2005.

21054131. Hall Explosives, Inc. (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting for a pool on Honeysuckle Drive in Silver Spring Township, **Cumberland County** with an expiration date of May 30, 2005. Permit issued May 12, 2005.

21054132. M & J Explosives, Inc. (P. O. Box 608, Carlisle, PA 17013), construction blasting for Cella Development in Penn Township, **Cumberland County** with an expiration date of May 31, 2006. Permit issued May 12, 2005.

28054119. R & M Excavating (403 Hilltop Road, Newburg, PA 17240), construction blasting for a home in Guilford Township, **Franklin County** with an expiration date of May 31, 2006. Permit issued May 12, 2005.

28054120. R & M Excavating (403 Hilltop Road, Newburg, PA 17240), construction blasting for a home in Shippensburg Borough, **Franklin County** with an expiration date of May 30, 2006. Permit issued May 12, 2005.

28054121. R & M Excavating (403 Hilltop Road, Newburg, PA 17240), construction blasting for Guilford-Siloam Water Main Extension in Greene Township, **Franklin County** with an expiration date of May 10, 2006. Permit issued May 12, 2005.

36054120. Gerlach's Drilling & Blasting (172 Bender Mill Road, Lancaster, PA 17603), construction blasting for a pool on Lititz Run Road in Warwick Township, **Lancaster County** with an expiration date of December 31, 2005. Permit issued May 12, 2005.

46054116. American Rock Mechanics, Inc. (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Providence Chase in Upper Providence Township, **Montgomery County** with an expiration date of December 23, 2005. Permit issued May 12, 2005.

67054108. Newville Construction Services, Inc. (408 Mohawk Road, PA 17241), construction blasting for West Manchester Sewer in West Manchester Township, **York County** with an expiration date of April 30, 2006. Permit issued May 12, 2005.

52054107. Explosive Services, Inc. (7 Pine Street, Bethany, PA 18431), construction blasting for Pocono

Ranch Lands in Lehman Township, **Pike County** with an expiration date of May 11, 2006. Permit issued May 13, 2005.

40054002. Lagana Plumbing & Heating, Inc. (146 Airport Road, Suite 3, Hazleton, PA 18202) and Bernard J. Hasara (1125 East Mahanoy Avenue, Mahanoy City, PA 17948), construction blasting at the Upper Lehigh Sewer Project in Butler Township, **Luzerne County** with an expiration date of August 31, 2005. Permit issued May 31, 2005.

21054136. Hall Explosives, Inc. (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting for a pool/pond on Kent Road, Lower Allen Township, **Cumberland County** with an expiration date of July 30, 2005. Permit issued June 1, 2005.

36054126. Gerlach's Drilling & Blasting (172 Bend Mill Road, Lancaster, PA 17603), construction blasting for Sweetbrier Sewer Extension in Manheim Borough and Penn Township, **Lancaster County** with an expiration date of June 1, 2006. Permit issued June 1, 2005.

67054111. Hall Explosives, Inc. (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting for Orchard Hills Development in Springettsbury Township, **York County** with an expiration date of May 25, 2006. Permit issued June 1, 2005.

15054002. Explo-Craft, Inc. (P. O. Box 1332, West Chester, PA 19380), construction blasting at Timberlane Site in Valley and East Fallowfield Townships, **Chester County** with an expiration date of July 1, 2006. Permit issued June 2, 2005.

38054002. ABEL Construction Company, Inc. (3925 Columbia Avenue, Mountville, PA 17554) and **J. Roy's, Inc.** (P. O. Box 125, Bowmansville, PA 17507), construction blasting at Arbor Greene Phases 2 and 3 in North Londonderry Township, **Lebanon County** with an expiration date of March 31, 2006. Permit issued June 2, 2005.

23054103. Newville Construction Services, Inc. (408 Mohawk Road, Newville, PA 17241), construction blasting for a pool in Radnor Township, **Delaware County** with an expiration date of June 30, 2006. Permit issued June 2, 2005.

36054127. Gerlach's Drilling & Blasting (172 Bend Mill Road, Lancaster, PA 17603), construction blasting for Manor Corporate Center in Manor Township, **Lancaster County** with an expiration date of June 10, 2006. Permit issued June 2, 2005.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35

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

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

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

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

Permits, Environmental Assessments and 401 Water Quality Certifications Issued

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E15-736. Honey Brook Township, P. O. Box 1281, 495 Suplee Road, Honey Brook, PA 19344-1281, Honey Brook Township, **Chester County**, ACOE Philadelphia District.

To maintain an existing 88-inch span by 56-inch rise reinforced concrete elliptical culvert carrying Todd Road across West Branch of Brandywine Creek. The site is located approximately 50 feet southeast of the intersection of River Road (SR 0032) and Dale Road (Honey Brook, PA, USGS Quadrangle N: 19.0 inches; W: 4.8 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)).

E46-970. Toll brothers, Inc., Regency @ Northampton, 445 St. Leonards Road, Holland, PA 18966, Lower Moreland Township, **Montgomery County**, ACOE Philadelphia District.

To perform grading activities and to construct and maintain an approximately 1,200-linear foot long concrete retaining wall within the 100-year floodway of Pennypack Creek (TSF, MF) and Mill Race Creek (TSF, MF) associated with the proposed Huntingdon Valley Club Condominiums. This work includes the construction and maintenance of a storm water basin and its associated intake/outfall structures, an outfall structure associated with the

collection system and interior drainage of this project, and an 8-inch PVC sanitary sewer line. The site is located just northwest of the intersection of Huntingdon Pike (SR 0232) and Welsh Road (SR 0063) (Frankford, PA USGS Quadrangle N: 21.8 inches; W: 9.8 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)).

E09-882. Bucks County Board of Commissioners, 55 East Court Street, Doylestown, PA 18901, Perkasie Borough, **Bucks County**, ACOE Philadelphia District.

To reissue and amend permit E09-656 for the removal of the existing Walnut Street Bridge No.13 and to reconstruct and maintain a new three span bridge over the East Branch of Perkiomen Creek (TSF). The proposed bridge has three clear spans measuring 68.5 feet, 69 feet and 68.5 feet with the proposed low point on the bridge superstructure at elevation 311.5 feet. This work will also include the following activities:

1. To remove and reconstruct portions of an existing concrete check dam as required to construct new bridge abutments and new bridge piers. Size and location of new construction will match the existing condition.

2. To remove and reconstruct a paved concrete channel, at the same location, measuring approximately 180 linear feet long, which conveys a minor tributary of the East Branch Perkiomen Creek. Size and location of new construction will match the existing condition.

3. To install a temporary bypass pipe and cofferdams within the East Branch of Perkiomen Creek to facilitate reconstruction of the paved concrete channel and construction of the proposed abutment and piers.

This site is located on Walnut Street approximately 200 feet northwest of the intersection of Walnut Street and Constitution Avenue (Telford, PA-DE, Quadrangle N: 21.3 inches; W: 5.15 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)).

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

E54-318. Pine Grove Joint Treatment Authority, P. O. Box 426, Pine Grove, PA 17963. Pine Grove Township, **Schuylkill County**, Army Corps of Engineers Baltimore District.

To construct and maintain:

- (1) A wastewater treatment facility including the placement of fill within approximately 1.8 acres of the floodplain along the right bank of Swatara Creek (CWF), including the placement of fill in wetlands.

- (2) A 36-inch effluent line crossing of wetlands.

- (3) A 36-inch effluent outfall along the right bank of Swatara Creek.

- (4) An 8-inch sanitary sewer line crossing of a tributary to Swatara Creek.

- (5) A multiple utility line (dual 15-inch PVC or 16-inch D.I. sewer force main, and 8-inch water line) crossing of wetlands.

- (6) A multiple utility line (dual 15-inch PVC or 16-inch D.I. sewer force main, and 8-inch water line) crossing of a tributary to Swatara Creek and adjacent wetlands.

- (7) A multiple utility line (dual 15-inch PVC or 16-inch D.I. sewer force main, and 8-inch water line) crossing of wetlands.

- (8) A permanent access road crossing of wetlands.

The total permanent wetland impact is approximately 0.02 acre, and the total temporary wetland impact is approximately 0.32 acre. A previous design and location for the wastewater treatment facility was authorized under Permit E54-306, but was not constructed. The project is located east of SR 0081 and south of SR 0443 (Pine Grove, PA Quadrangle N: 5.8 inches; W: 4.6 inches). (Subbasin: 7D)

E54-314. Tremont Borough, 19 North Pine Street, P. O. Box 55, Tremont, PA 17981. Tremont Borough, **Schuylkill County**, Army Corps of Engineers Baltimore District.

To authorize the following water obstructions and encroachments associated with the Good Spring Creek Restoration Project:

1. To construct and maintain a stream restoration project in a 925-foot reach of Good Spring Creek (CWF) using natural stream channel design with work consisting of narrowing the channel; widening the floodplain; installing rock vanes, cross vanes and habitat structures; and planting a riparian buffer.

2. To construct and maintain bank stabilization along 95 feet of the left bank of a tributary to Good Spring Creek with work consisting of removing an existing retaining wall, constructing an 18-foot long, 6-foot high precast concrete block retaining wall, and regrading and stabilizing 77 feet of bank with erosion control matting.

3. To construct and maintain a temporary road crossing of a tributary to Good Spring Creek consisting of a 21-inch diameter pipe and clean rock fill.

4. To construct and maintain a temporary ford crossing of Good Spring Creek consisting of clean rock fill.

The project begins at East Line Street and continues downstream to the railroad crossing. (Tremont, PA Quadrangle N: 0.25 inches; W: 1.75 inches) in Tremont Borough, Schuylkill County. (Subbasin: 7D)

E54-319. Neal W. and Alberta E. Brensinger, 243 Lutz Valley Road, Schuylkill Haven, PA 17972. Wayne Township, **Schuylkill County**, Army Corps of Engineers Baltimore District.

To construct and maintain a private bridge having a single span of 15.5 feet and an underclearance of approximately 4.5 feet across a tributary to Little Swatara Creek (CWF). The project is located on the north side of Township Road T670 (Lutz Valley Road), approximately 1.5 miles west of its intersection with SR 0183. (Friedensburg, PA Quadrangle N: 12.8 inches; W: 15.0 inches). (Subbasin: 7D)

E48-352. Signature Homes, 610 Farm Lane, Doylestown, PA 18901. Forks Township, **Northampton County**, Army Corps of Engineers Philadelphia District.

To construct and maintain a 30-inch diameter R.C.P. stormwater outfall structure and associated energy dissipator in the floodway of Bushkill Creek (HQ-CWF). This work is associated with a proposed 26-lot planned residential development, known as Upstream Estates, located on the east side of SR 2019 (Bushkill Drive), south of its intersection with Newlins Mill Road. (Easton, PA-NJ Quadrangle N: 19.0 inches; W: 17.0 inches). (Subbasin: 1F)

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

E08-423: Columbia Natural Resources, 900 Pennsylvania Avenue, P. O. Box 6070, Charleston, WV 25362. Athens Township, **Bradford County**. United States Army Corps of Engineers, Baltimore District (Sayre, PA 7.5' Quadrangle N: 11 inches; W: 11 inches).

To place and maintain fill in 0.035 acre of palustrine emergent wetlands for the purpose of improving an access road that will serve a gas well drilling pad. Since this encroachment falls under the de minimus amount of an avoidable impact, 0.05 acre, no compensation will be required. The project is located south of T-817 approximately 1.8 miles northwest of the intersection of SR 4018 (Wolcott Hollow Road) and T-817 (Sunnyfield Road).

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

This permit authorizes removal of the existing bridge structure and to construct, operate and maintain a single span wooden footbridge and associated wooden abutments over Sizer Run. This crossing is located three-fourths mile on Sizer Run Road from the intersection with SR 155. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

E26-325. Department of Transportation, Engineering District 12-0, P. O. Box 459, Uniontown, PA 15401. To extend and maintain an existing box culvert in South Union Township, **Fayette County**, Pittsburgh ACOE District. (Uniontown, PA Quadrangle N: 0.9 inch; W: 16.8 inches and Latitude: 39° 52' 48"—Longitude: 79° 44' 41"). 1) To extend and maintain, with matching span and rise, an existing 214.0-foot long, 9.0-foot wide by 6.0-foot high box culvert 103.0 feet at the upstream end and 273.0 feet at the downstream end in an UNT to Coal Lick Run (WWF) (SR 0119 Station 379+15); 2) To relocate approximately 290.0 linear feet of an UNT to Coal Lick Run (WWF) at the upstream end of the box culvert and 70 linear feet at the downstream end (southbound on-ramp Station 8+10 to Station 11+0); 3) To construct and maintain concrete lining in the invert of an existing 496.0-foot long, 10.5-foot diameter corrugated metal pipe in an UNT to Coal Lick Run (SR 3009 Station 72+32); and 4) To construct and maintain a 125.0-foot long, 48-inch diameter reinforced concrete pipe in an UNT to Coal Lick Run (Northbound off-ramp Station 34+20). This structure qualifies for Department waiver § 105.12(a)(2).

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

E10-401. Department of Transportation, District 10-0, 2550 Oakland Ave. P.O. Box 429, Indiana, PA 15701-0429. SR 0019 and SR 3022 over Coal Run, in Cranberry Township, **Butler County**, ACOE Pittsburgh District. (Mars, PA Quadrangle 40° 41' 30" N; 80° 6' 15" W).

To construct and maintain a roadway improvements project consisting of: (1) a 10' 2" roadway/bridge deck extension with appurtenances to the downstream side of the existing CIP Concrete Slab Bridge having a clear span of 21' 2", a roadway width of 83' 8" and a minimum underclearance of 6' 9" at a point along SR 0019 over

Coal Run (WWF); (2) extending the north side by 17' 4" and south side 11' 4" with associated appurtenances of the existing CIP Concrete Slab Bridge having a clear span of 22' 0", a roadway width of 42' 8" and a minimum underclearance of 8' 4" at a point along Rochester Road (SR 3022) over Coal Run (WWF); (3) fills within the floodway of Coal Run (WWF) to facilitate roadway widening/resurfacing activities associated with this project all of which are located near the intersection of SR 0019 and SR 3022.

E10-403, Slippery Rock University Foundation, 1 Morrow Way, Slippery Rock, PA 16057. Slippery Rock University Student Housing Project, in Slippery Rock Township, **Butler County**, ACOE Pittsburgh District (Slippery Rock, PA Quadrangle N: 11.6 inches; W: 5.8 inches).

To place fill within 0.1 acre of emergent wetlands and to impact 865 linear feet of two UNTs to Slippery Rock Creek (CWF) on grounds of Slippery Rock University in the vicinity of Rocket Drive. The permittee is required to replace 0.10 acre of wetlands as a part of this project.

E10-404, Butler County, P. O. Box 1208, Butler, PA 16003-1208. Cunningham Bridge No. 120 Replacement Project, in Clinton Township, **Butler County**, ACOE Pittsburgh District (Curtisville, PA Quadrangle N: 8.9 inches; W: 10.75 inches).

To remove the existing truss bridge having a clear span of 36' 0", a curb to curb width of 12' 7" and a maximum underclearance of 9' 5" and to construct and maintain a steel girder bridge w/concrete deck having a clear span of 43' 0", a curb to curb width of 24' 0" and a maximum underclearance of 10' 0" at a point approximately 300' east of Saxonburg Boulevard along Anderson Road (T-572) over Bull Creek (TSF).

E20-540, Lloyd Akins and John Zinnamosca, 12515 Culvert Lane, Conneaut Lake, PA 16316. Storage Building, in Summit Township, **Crawford County**, ACOE Pittsburgh District (Harmonburg, PA Quadrangle N: 4.9 inches; W: 8.3 inches).

The applicant proposes to construct and maintain a storage building involving to fill approximately 0.02 acre (de minimis) of PSS wetlands (Harmonburg, PA Quadrangle N: 4.9 inches; W: 8.3 inches) in Summit Township, Crawford County approximately 200 feet northeast of the intersection of SR 18 and T-567 (Phelps Road).

E43-316, Mercer County Conservation District, 747 Greenville Road, Mercer, PA 16137. Stream Restoration of UNT to Powdermill Run in French Creek Township, **Mercer County**. ACOE Pittsburgh District (New Lebanon, PA Quadrangle N: 18.9 inches; W: 1.7 inches).

To construct and maintain a natural channel design stream restoration project impacting a total reach of approximately 2,950 feet of an UNT to Powdermill Run (WWF) beginning at the outlet of an existing culvert under SR 322 approximately 400 feet north of the intersection of Fejes Road and Hollabaugh Road and extending downstream to its confluence with Powdermill Run approximately 1,000 feet downstream of Hollabaugh Road including realignment of the stream channel, regrading to establish bankfull and flood prone width and depth along the entire reach, the replacement of the existing culvert under Hollabaugh Road and impact to 0.1 acre of wetland (PEM/PSS) associated with realignment/grading of the stream channel in French Creek Township, Mercer County. Replacement of 0.1 acre of impacted

wetland will be constructed with the elimination of a breached off-stream pond near the confluence of Powdermill Run.

E62-404, Conewango Township Supervisors, 4 Firemans Street, Warren, PA 16365. T-465 (Creamery Road) Bridge Replacement, in Conewango Township, **Warren County**, ACOE Pittsburgh District (Russell, PA Quadrangle N: 5.1 inches; W: 15.5 inches).

The applicant proposes remove the existing bridge and to construct and maintain a prestressed concrete box beam bridge having a clear span of 48 feet and an underclearance of approximately 7.19 feet on a 73° skew across Jackson Run on Creamery Road approximately 800 feet SW of the intersection of SR 69 and Creamery Road. Project includes de minimis impact of 0.015 acre of EV wetlands and installation of riprap to fill an existing scour hole and provide scour protection. The project

proposes to directly impact 0.015 acre of EV wetland and approximately 50 linear feet of stream.

ENVIRONMENTAL ASSESSMENTS

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

D13-027EA. Bureau of Waterways Engineering, P. O. Box 8460, Harrisburg, PA 17105-8460. Borough of Palmerton, **Carbon County**, ACOE Philadelphia District.

Project proposes to breach and remove Diversion Dam located across the Lehigh River (TSF) to eliminate a threat to public safety and to restore the stream to a free flowing condition. The dam is located adjacent to SR 248, approximately 1,000 feet downstream of Bowman Island, 1 mile southwest of the Town of Palmerton (Lehighon, PA Quadrangle N: 7.6"; W: 1.4").

STORAGE TANKS

SITE-SPECIFIC INSTALLATION PERMITS

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

<i>SSIP Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
05-28-002	Ken West Alex C. Fergusson, Inc. 5000 Letterkenny Road Chambersburg, PA 17201	Franklin	Letterkenny Township	10 Asts storing regulatd substances	55,500 gallons

SPECIAL NOTICES

Certification to Perform Radon-Related Activities in this Commonwealth

In the month of May 2005 the Department of Environmental Protection, under the Radon Certification Act (63 P. S. §§ 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the following persons to perform radon-related activities in this Commonwealth. The period of certification is 2 years. For a complete list of persons currently certified to perform radon-related activities in this Commonwealth and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P. O. Box 8469, Harrisburg, PA 17105-8469, (800) 23RADON.

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Chad Albright	3810 Broad Avenue Altoona, PA 16601	Testing
Alpha Detection & Control	98 Porter Avenue Scottdale, PA 15683	Testing
Arick Amspacker	3262 Reeve Drive Bethlehem, PA 18020	Testing
David Artigliere	P. O. Box 4475 Reading, PA 19606	Testing
Brian Bacchus	251 Fox Meadow Drive Wexford, PA 15090	Testing
Jay Bauder	3 Yoder Lane Newmanstown, PA 17073	Mitigation
Benchmark Professional Home Inspection, Inc.	219 W. Grove Street Clarks Summit, PA 18411	Testing
Thomas Biebel	2820 West 23rd Street Erie, PA 16506	Testing
Robert Blanchfield	2830 Stephens Street Easton, PA 18045	Testing
Deborah Buck	P. O. Box 699 Saylorsburg, PA 18353	Testing
Robert Cunningham	R. R. 7, Box 7051 Saylorsburg, PA 18353	Testing

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Bernard Curley	1341 North Delaware Avenue Suite 205 Philadelphia, PA 19125	Testing
Lois Distenfeld	4326 Crestview Road Harrisburg, PA 17112	Testing and Laboratory
Mark Dolph	R. R. 8, Box 8320 Moscow, PA 18444	Testing
Kevin Dunkle	P. O. Box 211 Worthington, PA 16262	Testing
Susan Fella	316 Hard Hill Road Hamburg, PA 19526	Testing
Todd Giddings & Associates, Inc.	3049 Enterprise Drive State College, PA 16801	Testing
John Jenkins, Jr.	72 Glenmaura National Blvd. Moosic, PA 18507	Testing
Wendy McCorkel EMG	11011 McCormick Road EMG Hunt Valley, MD 21031	Testing
Robert Meyer, Jr.	2843 North Front Street Harrisburg, PA 17110	Mitigation
Patrick Moran	4601 Locust Lane Suite 303 Harrisburg, PA 17109	Testing
James Nase Moyer & Son, Inc.	P. O. Box 64198 113 E. Reliance Road Souderton, PA 18964	Testing
John Platz	2006 West 51st Street Erie, PA 16509	Testing
Brian Reuss HouseMaster Home Inspections	9125 Marshall Road Suite B12 Cranberry Township, PA 16066	Testing
Troy Rudy	1604 Lititz Avenue Lancaster, PA 17601	Testing
Mark Salasky Landauer, Inc.	2 Science Road Glenwood, IL 60425	Laboratory
Reid Stever	1341 North Delaware Avenue Suite 205 Philadelphia, PA 19125	Testing
ValueGuard USA, Inc.	44 West Lancaster Avenue Suite 220 Ardmore, PA 19003	Testing
Terry Wilver	1015 Green Street Milton, PA 17847	Testing
Jeffrey Yocum	4351 Vera Cruz Road Center Valley, PA 18034	Testing
John Zym	330 S. Whitfield Street Nazareth, PA 18064	Testing

Pennsylvania Wetland Replacement Project Public Notice

The Department of Environmental Protection (Department) has approved the following wetland restoration projects for funding under the Pennsylvania Wetland Replacement Project (PWRP). The PWRP is a jointly managed fund between the Department and the National Fish and Wildlife Foundation established to offset wetland losses. Construction for the following projects is anticipated to begin in the Spring, 2005. Contact Alissa Myers, Department of Environmental Protection, Division of Waterways, Wetlands and Erosion Control, P. O. Box 8775, Harrisburg, PA 17105-8775, (717) 787-6827 or almyers@state.pa.us for further information.

Project No. S09A58-001

The primary objective of the John Erich and Ducks Unlimited sponsored 1.5 acre wetland creation in Subbasin 9 (the Central West Branch Susquehanna River Watershed) is to provide habitat for waterfowl and improve water quality in the Hills Creek Watershed by intercepting, filtering and cleansing runoff from adjacent cultivated areas. The project is located on John Erich's property in Charleston Township, Tioga County. (Crooked Creek, PA Quadrangle, N: 6.23 inches, W: 9.2 inches)

Project No. S07A50-002

Sponsored by Jim Morrison and Natural Resources Conservation Service, the primary objective of the 2.5-acre wetland restoration in Subbasin 7 (the Lower Susquehanna River Watershed) is to provide wildlife habitat and to improve water quality in the Shermans Creek by intercepting runoff from upland slopes and trapping nutrients and sediment. The project is located on Jim Morrison's property in Tyrone Township, Perry County. (Landisburg, PA Quadrangle, N: 16.3 inches, W: 12.3 inches)

Project No. O16C53-002

The primary objective of this wetland project is to create two wetland sites totaling 2.0 acres. The project is sponsored by the Bureau of Forestry and Natural Resources Conservation Service and is in Subbasin 16 (the Upper Allegheny River Watershed) and will provide an aquatic feature in a primarily forested area. The project is located in the Susquehannock State Forest, Roulette Township, Potter County. (Coudersport, PA Quadrangle, N: 2.5 inches, W: 12.8 inches)

[Pa.B. Doc. No. 05-1181. Filed for public inspection June 17, 2005, 9:00 a.m.]

Certification Program Advisory Committee 2005 Meetings

The Certification Program Advisory Committee (Committee) will hold regular meetings in 2005 on the following dates:

- June 27, 2005
- July 25, 2005
- November 7, 2005

These meetings will be held in the Rachel Carson State Office Building and will begin at 10 a.m. Agendas and materials will be available prior to these meetings on the Committee's website at www.dep.state.pa.us/dep/subject/advcoun/Certi_Prog/certi_prog.htm.

Persons who have questions concerning this meeting should contact Lynn Rice at (717) 787-5236 or mlrice@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. 05-1182. Filed for public inspection June 17, 2005, 9:00 a.m.]

Recycling Fund Advisory Committee Meeting Cancellation

The Recycling Fund Advisory Committee meeting scheduled for Thursday, July 14, 2005, has been cancelled.

Questions concerning this meeting should be directed to Lawrence E. Holley, (717) 787-7382, lholley@state.pa.us.

Persons with a disability who require accommodations to attend the meeting should contact the Department of Environmental Protection (Department) at (717) 787-7382 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. 05-1183. Filed for public inspection June 17, 2005, 9:00 a.m.]

DEPARTMENT OF HEALTH

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

Under 28 Pa. Code § 1103.4(5) (relating to selection criteria for authorization and reauthorization), the WIC Program publishes notice of the maximum allowable prices. Effective July 1, 2005, through September 30, 2005, the maximum allowable prices the Department of Health will pay for a WIC allowable food are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
1/2 gal. of Milk: Whole, Reduced Fat, Low Fat, or Skim	\$2.26
12 oz. Evaporated Milk	\$1.13
16 oz. Dry Milk	\$5.22
1 qt. Lactose Reduced Milk	\$2.07
1/2 gal. Kosher Milk	\$2.93
4 oz. Kosher Infant Juice	\$0.69
8 oz. Kosher Infant Cereal	\$1.92
1 doz. Grade A Eggs	\$1.30
1 lb. Fresh Carrots	\$1.14
14 to 16 oz. Canned Carrots	\$1.14
1 lb. Cheese	\$6.12
1 lb. Kosher Cheese	\$8.32
1 lb. Dry Beans or Peas	\$1.63
1 oz. Adult WIC Cereal	\$0.39
8 oz. Gerber Infant Cereal	\$1.92
15 to 18 oz. Peanut Butter	\$2.46
46 oz. Single Strength Juice or 11.5 or 12 oz. Juice Concentrate	\$2.51
6 oz. Cans Juice	\$1.56
6 to 6.5 oz. Chunk Light Tuna Packed in Water	\$1.02
4 oz. Gerber Infant Juice	\$0.69
32 oz. Alimentum Advance Ready-to-Feed Formula	\$9.32
16 oz. Alimentum Advance Powder Formula	\$26.82
12.8 oz. EnfaCare LIPIL w/ Iron Powder Formula	\$13.21
13 oz. Isomil Advance Concentrate Formula	\$4.70
32 oz. Isomil Advance Ready-to-Feed Formula	\$5.80
12.9 oz. Isomil Advance Powder Formula	\$14.64
12.9 oz. Isomil 2 Advance Powder Formula	\$12.98
13 oz. Isomil with Iron Concentrate Formula	\$4.36
12.9 oz. Isomil with Iron Powder Formula	\$13.29
32 oz. Isomil DF Ready-to-Feed Formula	\$6.22
13 oz. Nutramigen Lipil Concentrate Formula	\$7.04

<i>Description</i>	<i>Maximum Allowable Price</i>
32 oz. Nutramigen Lipil Ready-to-Feed Formula	\$8.87
16 oz. Nutramigen Lipil Powder Formula	\$24.42
8 oz. Pediasure Ready-to-Feed Formula	\$2.13
8 oz. Pediasure with Fiber Ready-to-Feed Formula	\$2.23
13 oz. Similac Advance Concentrate Formula	\$4.38
32 oz. Similac Advance Ready-to-Feed Formula	\$6.20
12.9 oz. Similac Advance Powder Formula	\$13.66
12.9 oz. Similac 2 Advance Powder Formula	\$12.30
13 oz. Similac with Iron Concentrate Formula	\$4.07
32 oz. Similac with Iron Ready-to-Feed Formula	\$5.39
12.9 oz. Similac with Iron Powder Formula	\$12.95
13 oz. Similac Lactose Free Advance Concentrate Formula	\$4.81
32 oz. Similac Lactose Free Advance Ready-to-Feed Formula	\$5.92
12.9 oz. Similac Lactose Free Advance Powder Formula	\$14.74
12.8 oz. Similac Neosure Advance Powder Formula	\$15.65

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

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

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

[Pa.B. Doc. No. 05-1184. Filed for public inspection June 17, 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>
Clark Construction Company and John M Clark (Fed. ER I.D. No. 25-1460370)	R. D. 5, Box 228 Titusville, PA 16354	May 18, 2005

STEPHEN M. SCHMERIN,
Secretary

[Pa.B. Doc. No. 05-1185. Filed for public inspection June 17, 2005, 9:00 a.m.]

DEPARTMENT OF PUBLIC WELFARE

Medical Assistance Program Fee Schedule Revisions; Addition of HCPCS Codes to Medical Assistance Program Fee Schedule

This notice announces revisions to the Medical Assistance (MA) Program Fee Schedule. The MA Program Fee Schedule does not list several Healthcare Common Procedure Coding System (HCPCS) codes created by the Centers for Medicare and Medicaid Services (CMS) when it updated the HCPCS codes in 2004. The Department of Public Welfare (Department) is adding these codes to the MA Program Fee Schedule to enable providers to use these codes in place of the HCPCS codes that the Department end-dated effective February 7, 2005, as a result of the 2004 CMS HCPCS update. See 35 Pa.B. 803 (February 5, 2005).

The following HCPCS procedure codes are being added to the MA Program's Fee Schedule effective for dates of service on or after February 7, 2005:

<i>Code</i>	<i>Modifiers</i>	<i>Terminology</i>
E0950	NU, RR	Wheelchair accessory, tray, each
E0952	NU, RR	Toe loop/holder, any type, each
E0959	NU, RR	Manual wheelchair accessory, adapter for amputee, each
E0961	NU, RR	Manual wheelchair accessory, wheel lock brake extension (handle), each
E0966	NU, RR	Manual wheelchair accessory, headrest extension, each
E0967	NU, RR	Manual wheelchair accessory, hand rim with projections, any type, replacement only, each
E0972	NU, RR	Wheelchair accessory, transfer board or device, each
E0974	NU, RR	Manual wheelchair accessory, anti-rollback device, each
E0992	NU, RR	Manual wheelchair accessory, solid seat insert
E0995	NU, RR	Wheelchair accessory, calf rest/pad, each
E1226	NU, RR	Wheelchair accessory, manual fully reclining back, (recline greater than 80°), each
E1810	RT, LT, 50	Dynamic adjustable knee extension/flexion device, includes soft interface material

Fees for the added procedure codes will be published in a *Medical Assistance Bulletin* (MAB) that will be issued

to providers. Items of durable medical equipment priced at \$100 or higher, which are subject to prior authorization under section 443.6(b)(2) of the Public Welfare Code (62 P. S. § 443.6(b)(2)) regarding reimbursement for certain MA items and services, will be identified in the MAB.

Fiscal Impact

The fiscal note was prepared under section 612 of The Administrative Code of 1929 (71 P. S. § 232).

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 Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Comments received within 30 days will be reviewed and considered for any subsequent revision to the fee schedule.

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

ESTELLE B. RICHMAN,
Secretary

Fiscal Note: 14-NOT-429. No fiscal impact; (8) recommends adoption. The fees for the new codes remain the same as those for the obsolete codes that they are replacing.

[Pa.B. Doc. No. 05-1186. Filed for public inspection June 17, 2005, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania \$100,000 Hold 'Em Poker Instant Lottery Game

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

1. *Name:* The name of the game is Pennsylvania \$100,000 Hold 'Em Poker.

2. *Price:* The price of a Pennsylvania \$100,000 Hold 'Em Poker instant lottery game ticket is \$5.

3. *Play Symbols:* Each Pennsylvania \$100,000 Hold 'Em Poker instant lottery game ticket will contain one play area consisting of "DEAL 1," "DEAL 2," "DEAL 3" and "DEAL 4." Each "DEAL" is played separately. Each "DEAL" features a "YOUR 2 CARDS" area, a "THEIR 2 CARDS" area, and a "COMMUNITY CARDS" area. The black play symbols located in the "YOUR 2 CARDS" area, the "THEIR 2 CARDS" area and the "COMMUNITY CARDS" area are: 2 of Spades (TWS), 3 of Spades (THS), 4 of Spades (FRS), 5 of Spades (FVS), 6 of Spades (SXS), 7 of Spades (SNS), 8 of Spades (ETS), 9 of Spades (NIS), 10 of Spades (TNS), Jack of Spades (JKS), Queen of Spades (QNS), King of Spades (KGS), Ace of Spades (ACS), 2 of Clubs (TWC), 3 of Clubs (THC), 4 of Clubs (FRC), 5 of Clubs (FVC), 6 of Clubs (SXC), 7 of Clubs (SNC), 8 of Clubs (ETC), 9 of Clubs (NIC), 10 of Clubs (TNC), Jack of Clubs (JKC), Queen of Clubs (QNC), King of Clubs (KGC) and Ace of Clubs (ACC). The red play

symbols located in the "YOUR 2 CARDS" area, the "THEIR 2 CARDS" area and the "COMMUNITY CARDS" area are: 2 of Diamonds (TWD), 3 of Diamonds (THD), 4 of Diamonds (FRD), 5 of Diamonds (FVD), 6 of Diamonds (SXD), 7 of Diamonds (SND), 8 of Diamonds (ETD), 9 of Diamonds (NID), 10 of Diamonds (TND), Jack of Diamonds (JKD), Queen of Diamonds (QND), King of Diamonds (KGD), Ace of Diamonds (ACD), 2 of Hearts (TWH), 3 of Hearts (THH), 4 of Hearts (FRH), 5 of Hearts (FVH), 6 of Hearts (SXH), 7 of Hearts (SNH), 8 of Hearts (ETH), 9 of Hearts (NIH), 10 of Hearts (TNH), Jack of Hearts (JKH), Queen of Hearts (QNH), King of Hearts (KGH) and Ace of Hearts (ACH).

4. *Prize Symbols:* The prize symbols and their captions located in the "PRIZE" area of each "DEAL" are: \$5⁰⁰ (FIV DOL), \$7⁰⁰ (SVN DOL), \$10⁰⁰ (TEN DOL), \$14\$ (FORTN), \$21\$ (TWY ONE), \$100 (ONE HUN), \$500 (FIV HUN), \$2,100 (TWYONEHUN), WSOP (PRZPKG), \$50,000 (FTY THO) and \$100,000 (ONEHUNTHO).

5. *Prizes:* The prizes that can be won in this game are \$5, \$7, \$10, \$14, \$21, \$100, \$500, \$2,100, World Series of Poker Prize Package, \$50,000 and \$100,000. The player can win up to 4 times on a ticket.

6. *Second Chance Drawing:* The Pennsylvania Lottery will conduct a Second Chance Drawing for nonwinning Pennsylvania \$100,000 Hold 'Em Poker instant lottery tickets as provided for in section 11.

7. *Approximate Number of Tickets Printed for the Game:* Approximately 7,200,000 tickets will be printed for the Pennsylvania \$100,000 Hold 'Em Poker instant lottery game.

8. *Determination of Prize Winners:*

(a) Holders of tickets on which the player's best 5-card hand, resultant from combining "YOUR 2 CARDS" and the "COMMUNITY CARDS," beats the best 5-card hand, resultant from combining "THEIR 2 CARDS" and the "COMMUNITY CARDS," and a prize symbol of \$100,000 (ONEHUNTHO) appears in the "PRIZE" area for that "DEAL," on a single ticket, shall be entitled to a prize of \$100,000.

(b) Holders of tickets on which the player's best 5-card hand, resultant from combining "YOUR 2 CARDS" and the "COMMUNITY CARDS," beats the best 5-card hand, resultant from combining "THEIR 2 CARDS" and the "COMMUNITY CARDS," and a prize symbol of \$50,000 (FTY THO) appears in the "PRIZE" area for that "DEAL," on a single ticket, shall be entitled to a prize of \$50,000.

(c) Holders of tickets on which the player's best 5-card hand, resultant from combining "YOUR 2 CARDS" and the "COMMUNITY CARDS," beats the best 5-card hand, resultant from combining "THEIR 2 CARDS" and the "COMMUNITY CARDS," and a prize symbol of WSOP (PRZPKG) appears in the "PRIZE" area for that "DEAL," on a single ticket, shall be entitled to a World Series of Poker Prize Package as described in section 12(a). Only one claimant per ticket allowed. Claimant must be 18 years of age or older, and must be at least 21 years of age to claim a seat in the World Series of Poker Tournament. The winner of a World Series of Poker Prize Package may opt for a cash prize of \$20,000, less required Federal withholding, in lieu of the prize package.

(d) Holders of tickets on which the player's best 5-card hand, resultant from combining "YOUR 2 CARDS," and the "COMMUNITY CARDS," beats the best 5-card hand, resultant from combining "THEIR 2 CARDS" and the "COMMUNITY CARDS," and a prize symbol of \$2,100

(TWYONEHUN) appears in the "PRIZE" area for that "DEAL," on a single ticket, shall be entitled to a prize of \$2,100.

(e) Holders of tickets on which the player's best 5-card hand, resultant from combining "YOUR 2 CARDS" and the "COMMUNITY CARDS," beats the best 5-card hand, resultant from combining "THEIR 2 CARDS" and the "COMMUNITY CARDS," and a prize symbol of \$500 (FIV HUN) appears in the "PRIZE" area for that "DEAL," on a single ticket, shall be entitled to a prize of \$500.

(f) Holders of tickets on which the player's best 5-card hand, resultant from combining "YOUR 2 CARDS" and the "COMMUNITY CARDS," beats the best 5-card hand, resultant from combining "THEIR 2 CARDS" and the "COMMUNITY CARDS," and a prize symbol of \$100 (ONE HUN) appears in the "PRIZE" area for that "DEAL," on a single ticket, shall be entitled to a prize of \$100.

(g) Holders of tickets on which the player's best 5-card hand, resultant from combining "YOUR 2 CARDS" and the "COMMUNITY CARDS," beats the best 5-card hand, resultant from combining "THEIR 2 CARDS" and the "COMMUNITY CARDS," and a prize symbol of \$21\$ (TWY ONE) appears in the "PRIZE" area for that "DEAL," on a single ticket, shall be entitled to a prize of \$21.

(h) Holders of tickets on which the player's best 5-card hand, resultant from combining "YOUR 2 CARDS" and the "COMMUNITY CARDS," beats the best 5-card hand,

resultant from combining "THEIR 2 CARDS" and the "COMMUNITY CARDS," and a prize symbol of \$14 (FORTN) appears in the "PRIZE" area for that "DEAL," on a single ticket, shall be entitled to a prize of \$14.

(i) Holders of tickets on which the player's best 5-card hand, resultant from combining "YOUR 2 CARDS" and the "COMMUNITY CARDS," beats the best 5-card hand, resultant from combining "THEIR 2 CARDS" and the "COMMUNITY CARDS," and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "PRIZE" area for that "DEAL," on a single ticket, shall be entitled to a prize of \$10.

(j) Holders of tickets on which the player's best 5-card hand, resultant from combining "YOUR 2 CARDS" and the "COMMUNITY CARDS," beats the best 5-card hand, resultant from combining "THEIR 2 CARDS" and the "COMMUNITY CARDS," and a prize symbol of \$7⁰⁰ (SVN DOL) appears in the "PRIZE" area for that "DEAL," on a single ticket, shall be entitled to a prize of \$7.

(k) Holders of tickets on which the player's best 5-card hand, resultant from combining "YOUR 2 CARDS" and the "COMMUNITY CARDS," beats the best 5-card hand, resultant from combining "THEIR 2 CARDS" and the "COMMUNITY CARDS," and a prize symbol of \$5 (FIV DOL) appears in the "PRIZE" area for that "DEAL," on a single ticket, shall be entitled to a prize of \$5.

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

When Your Best 5 Card Hand Beats Their Best 5 Card Hand Win With Prize(s) of:

<i>Prize(s) of:</i>	<i>Win:</i>	<i>Odds of 1 In:</i>	<i>Approximate No. of Winners Per 7,200,000 Tickets</i>
\$5	\$5	10	720,000
\$7	\$7	15	480,000
\$5 × 2	\$10	60	120,000
\$10	\$10	60	120,000
\$7 × 2	\$14	120	60,000
\$14	\$14	120	60,000
\$7 × 3	\$21	200	36,000
\$7 + \$14	\$21	200	36,000
\$21	\$21	150	48,000
\$5 × 2 + \$21 × 2	\$52	120	60,000
\$21 × 2 + \$10	\$52	120	60,000
\$100	\$100	239.04	30,120
\$500	\$500	9,231	780
\$2,100	\$2,100	120,000	60
WSOP	\$20,000	480,000	15
\$50,000	\$50,000	1,440,000	5
\$100,000	\$100,000	1,440,000	5

WSOP = World Series of Poker Prize Package

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

10. *Second Chance Drawing Requirements:*

(a) To be eligible for the Second Chance Drawing, players must mail exactly three (3) nonwinning Pennsylvania \$100,000 Hold 'Em Poker instant lottery tickets in an envelope no larger than 4 1/8 inches by 9 1/2 inches addressed to Pennsylvania Lottery, \$100,000 Hold 'Em Poker Second Chance Drawing, P. O. Box 999, Middletown, PA 17057-0999. The player shall affix proper postage to the entry.

(b) Envelopes containing less than or more than three (3) nonwinning Pennsylvania \$100,000 Hold 'Em Poker

instant lottery tickets shall be disqualified.

(c) Nonwinning Pennsylvania \$100,000 Hold 'Em Poker instant lottery tickets received in an envelope larger than 4 1/8 inches by 9 1/2 inches shall be disqualified. The only exception is for nonwinning Pennsylvania \$100,000 Hold 'Em Poker instant lottery tickets received in a United States Post Office "damaged-in-mail- process" envelope.

(d) Winning Pennsylvania \$100,000 Hold 'Em Poker instant lottery tickets submitted to the \$100,000 Hold 'Em Poker Chance Drawing address will not be paid or honored. Second Chance Drawing entries containing win-

ning Pennsylvania \$100,000 Hold 'Em Poker instant lottery tickets will be disqualified.

(e) The back of each nonwinning Pennsylvania \$100,000 Hold 'Em Poker instant lottery ticket entered in the Second Chance Drawing must be completed by the same player in a legible manner, including the player's name, street address, city, state, zip code, telephone number and signature. Only one claimant per ticket allowed. Claimant must be 18 years of age or older, and must be at least 21 years of age to claim a seat in the World Series of Poker Tournament. Incomplete tickets shall be disqualified.

(f) To be eligible for the Second Chance Drawing, nonwinning Pennsylvania \$100,000 Hold 'Em Poker instant lottery tickets must be received by the Pennsylvania Lottery no later than April 7, 2006.

11. *Second Chance Drawing Procedures:*

(a) The Second Chance Drawing will be held at Lottery Headquarters the week of April, 10, 2006. The odds of an entry being selected in the Second Chance Drawing depend upon the number of entries received.

(b) To be eligible for the Second Chance Drawing, a player must have complied with the requirements of section 10.

(1) The Lottery will make a reasonable effort to ensure that each Second Chance entry is entered into the Second Chance Drawing. The Lottery assumes no responsibility for a lost or misplaced entry not entered into the Second Chance Drawing.

(2) If a Second Chance entry is rejected during or following the Second Chance Drawing, the sole remedy is to select another entry to replace the rejected entry in accordance with Lottery procedure.

(c) Manner of conducting the Second Chance Drawings.

(1) All entries received at Lottery Headquarters on or before April 7, 2006, will be placed in numbered containers, each containing approximately 500 envelopes.

(2) A computer-generated randomizer or mechanical device may be used to select the numbered containers from which the winners will be selected, one from each container. If used, the randomizer will not be programmed to eliminate the possibility of the same container being selected more than once.

(3) One envelope will be randomly drawn from each of the selected numbered containers. As each entry envelope is selected, its contents will be qualified according to the requirements of section 10. If the entry does not meet the requirements of section 10, another entry will be selected from that container; and so on, until a qualified entry has been chosen. Once a qualified entry has been selected, further validation will take place by verifying the status of the tickets contained in the entry envelope drawn by entering the ticket information into the computerized instant ticket database. The first qualified and validated entry from each of the designated containers will entitle its owner to the \$100,000 Hold 'Em Poker Prize Package.

(4) Determination of winners will be made by the Secretary, whose judgment will be final and binding.

(d) The payment of a prize awarded in the Second Chance drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code §§ 811.16 (relating to prizes payable after death of a prize winner).

12. *Second Chance Prize Description:*

(a) \$100,000 Hold 'Em Poker Prize Package. Each prize package will have a value of \$20,000 and consist of the following: One entry into a World Series of Poker Tournament at the winner's choice of locations within the continental United States, including the payment of up to a maximum of \$10,000 buy-in to the World Series Poker Game, round-trip airfare for two, 6 nights/7 days hotel accommodations (double occupancy) at a first-class hotel selected by the Lottery, lessons from a professional poker player, payment of all required Federal withholding taxes and \$1,000 in cash. In the event that the cost of the prize package, as described previously, is less than \$20,000, the winner will receive the difference in cash. The winner of a World Series of Poker Prize Package may opt for a cash prize of \$20,000, less required Federal withholding, instead of the prize package.

13. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania \$100,000 Hold 'Em Poker instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

14. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania \$100,000 Hold 'Em Poker, prize money from winning Pennsylvania \$100,000 Hold 'Em Poker instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania \$100,000 Hold 'Em Poker instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

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

16. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania \$100,000 Hold 'Em Poker or through normal communications methods.

GREGORY C. FAJT,
Secretary

[Pa.B. Doc. No. 05-1187. Filed for public inspection June 17, 2005, 9:00 a.m.]

Pennsylvania \$275 Million Cash Extravaganza Instant Lottery Game

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

1. *Name:* The name of the game is Pennsylvania \$275 Million Cash Extravaganza.

2. *Price:* The price of a Pennsylvania \$275 Million Cash Extravaganza instant lottery game ticket is \$20.

3. *Play Symbols:* Each Pennsylvania \$275 Million Cash Extravaganza instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS"

area and a "YOUR NUMBERS" area. The play symbols and their captions located in the "WINNING NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THRFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORTY). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THRFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORTY), Safe Symbol (SAFE), Gold Bar Symbol (GBAR) and 5X Symbol (5TIMES).

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$10⁰⁰ (TEN DOL), \$20\$ (TWENTY), \$25\$ (TWY FIV), \$40\$ (FORTY), \$50\$ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$5,000 (FIV THO), \$20,000 (TWY THO) and \$1MILL (ONE MIL).

5. *Prizes:* The prizes that can be won in this game are \$10, \$20, \$25, \$40, \$50, \$100, \$200, \$400, \$500, \$1,000, \$5,000, \$20,000 and \$1,000,000. (The \$1,000,000 top prize is paid as a lump-sum, cash payment.) A player can win up to 20 times on a ticket.

6. *Approximate Number of Tickets Printed for the Game:* Approximately 19,200,000 tickets will be printed for the Pennsylvania \$275 Million Cash Extravaganza instant lottery game.

7. *Determination of Prize Winners:*

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

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$20,000 (TWY THO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20,000.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$5,000 (FIV THO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 5X Symbol (5TIMES), and a prize symbol of \$1,000 (ONE THO) appears under the 5X Symbol (5TIMES) on a single ticket, shall be entitled to a prize of \$5,000.

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

"WINNING NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Safe Symbol (SAFE), and a prize symbol of \$1,000 (ONE THO) appears under the Safe Symbol (SAFE) on a single ticket, shall be entitled to a prize of \$1,000.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gold Bar Symbol (GBAR), and a prize symbol of \$500 (FIV HUN) appears under the Gold Bar Symbol (GBAR) on a single ticket, shall be entitled to a prize of \$1,000.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 5X Symbol (5TIMES), and a prize symbol of \$200 (TWO HUN) appears under the 5X Symbol (5TIMES) on a single ticket, shall be entitled to a prize of \$1,000.

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

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Safe Symbol (SAFE), and a prize symbol of \$500 (FIV HUN) appears under the Safe Symbol (SAFE) on a single ticket, shall be entitled to a prize of \$500.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 5X Symbol (5TIMES), and a prize symbol of \$100 (ONE HUN) appears under the 5X Symbol (5TIMES) on a single ticket, shall be entitled to a prize of \$500.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gold Bar Symbol (GBAR), and a prize symbol of \$200 (TWO HUN) appears under the Gold Bar Symbol (GBAR) on a single ticket, shall be entitled to a prize of \$400.

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$200 (TWO HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$200.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Safe Symbol (SAFE), and a prize symbol of \$200 (TWO HUN) appears under the Safe Symbol (SAFE) on a single ticket, shall be entitled to a prize of \$200.

(o) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gold Bar Symbol (GBAR), and a prize symbol of \$100 (ONE HUN) appears under the Gold Bar Symbol (GBAR) on a single ticket, shall be entitled to a prize of \$200.

(p) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 5X Symbol (5TIMES), and a prize symbol of \$40\$ (FORTY) appears under the 5X Symbol (5TIMES) on a single ticket, shall be entitled to a prize of \$200.

(q) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol

of \$100 (ONE HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(r) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gold Bar Symbol (GBAR), and a prize symbol of \$50\$ (FIFTY) appears under the Gold Bar Symbol (GBAR) on a single ticket, shall be entitled to a prize of \$100.

(s) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 5X Symbol (5TIMES), and a prize symbol of \$20\$ (TWENTY) appears under the 5X Symbol (5TIMES) on a single ticket, shall be entitled to a prize of \$100.

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

(u) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Safe Symbol (SAFE), and a prize symbol of \$50\$ (FIFTY) appears under the Safe Symbol (SAFE) on a single ticket, shall be entitled to a prize of \$50.

(v) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 5X Symbol (5TIMES), and a prize symbol of \$10⁰⁰ (TEN DOL) appears under the 5X Symbol (5TIMES) on a single ticket, shall be entitled to a prize of \$50.

(w) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gold Bar Symbol (GBAR), and a prize symbol of \$25\$ (TWY FIV) appears under the Gold Bar Symbol (GBAR) on a single ticket, shall be entitled to a prize of \$50.

(x) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$40\$ (FORTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(y) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Safe Symbol (SAFE), and a prize symbol of \$40\$ (FORTY) appears under the Safe Symbol (SAFE) on a single ticket, shall be entitled to a prize of \$40.

(z) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gold Bar Symbol (GBAR), and a prize symbol of \$20\$ (TWENTY) appears under the Gold Bar Symbol (GBAR) on a single ticket, shall be entitled to a prize of \$40.

(aa) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$25\$ (TWY FIV) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$25.

(bb) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Safe Symbol (SAFE), and a prize symbol of \$25\$ (TWY FIV) appears under the Safe Symbol (SAFE) on a single ticket, shall be entitled to a prize of \$25.

(cc) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$20\$ (TWENTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(dd) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Safe Symbol (SAFE), and a prize symbol of \$20\$ (TWENTY) appears under the Safe Symbol (SAFE) on a single ticket, shall be entitled to a prize of \$20.

(ee) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gold Bar Symbol (GBAR), and a prize symbol of \$10⁰⁰ (TEN DOL) appears under the Gold Bar Symbol (GBAR) on a single ticket, shall be entitled to a prize of \$20.

(ff) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10⁰⁰ (TEN DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

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

<i>When Any of Your Numbers Match Any of the Winning Numbers, Win With Prize (s) of:</i>	<i>Win</i>	<i>Approximate Odds of 1 In:</i>	<i>Approximate No. Winners Per 19,200,000 Tickets</i>
\$10 × 2	\$20	30	640,000
\$10 w/Gold Bar	\$20	30	640,000
\$20 w/Safe	\$20	30	640,000
\$20	\$20	30	640,000
\$25 w/Safe	\$25	30	640,000
\$25	\$25	30	640,000
\$10 × 4	\$40	75	256,000
\$20 × 2	\$40	75	256,000
\$20 w/Gold Bar	\$40	75	256,000
\$40 w/Safe	\$40	75	256,000
\$40	\$40	75	256,000
\$10 × 5	\$50	150	128,000
\$25 w/Gold Bar	\$50	150	128,000
\$10 w/5X	\$50	150	128,000
\$50 w/Safe	\$50	150	128,000
\$50	\$50	150	128,000

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

	Win	Approximate Odds of 1 In:	Approximate No. Winners Per 19,200,000 Tickets
\$10 × 10	\$100	250	76,800
\$20 × 5	\$100	250	76,800
\$20 w/5X	\$100	250	76,800
\$50 w/Gold Bar	\$100	250	76,800
\$100	\$100	300	64,000
\$10 × 20	\$200	1,600	12,000
\$20 × 10	\$200	1,600	12,000
\$25 × 8	\$200	1,600	12,000
\$40 w/5X	\$200	1,600	12,000
\$100 w/Gold Bar	\$200	1,600	12,000
\$100 × 2	\$200	1,600	12,000
\$200 w/Safe	\$200	1,600	12,000
\$200	\$200	1,600	12,000
\$25 × 20	\$500	4,800	4,000
\$25 × 10 + \$50 × 5	\$500	4,800	4,000
\$50 × 10	\$500	4,800	4,000
\$100 × 5	\$500	4,800	4,000
\$200 w/Gold Bar + \$100	\$500	4,800	4,000
\$100 w/5X	\$500	4,800	4,000
\$500 w/Safe	\$500	4,800	4,000
\$500	\$500	4,800	4,000
\$50 × 20	\$1,000	12,000	1,600
\$50 × 10 + \$100 × 5	\$1,000	15,000	1,280
\$100 × 10	\$1,000	15,000	1,280
\$200 × 5	\$1,000	15,000	1,280
\$200 w/5X	\$1,000	15,000	1,280
\$500 × 2	\$1,000	15,000	1,280
\$500 w/Gold Bar	\$1,000	15,000	1,280
1,000 w/Safe	\$1,000	20,000	960
\$1,000	\$1,000	20,000	960
\$200 × 10 + \$500 × 5 + \$100 × 5	\$5,000	60,000	320
\$500 × 10	\$5,000	60,000	320
\$1,000 × 5	\$5,000	60,000	320
\$1,000 w/5X	\$5,000	60,000	320
\$5,000	\$5,000	120,000	160
\$20,000	\$20,000	120,000	160
\$1,000,000	\$1,000,000	960,000	20

Safe = Win prize automatically.

Gold Bar = Win double the prize shown.

5X = Win 5 times the prize shown.

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

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania \$275 Million Cash Extravaganza instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania \$275 Million Cash Extravaganza, prize money from winning Pennsylvania \$275 Million Cash Extravaganza instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania \$275 Million Cash Extravaganza instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

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

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania \$275 Million Cash Extravaganza or through normal communications methods.

GREGORY C. FAJT,
Secretary

[Pa.B. Doc. No. 05-1188. Filed for public inspection June 17, 2005, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

Quality Distribution, Inc. and Quality Carriers, Inc.
v. DEP; EHB Doc. No. 2005-107-K

Quality Distribution, Inc. and Quality Carriers, Inc.
have appealed the issuance by the Department of Envi-

ronmental Protection of an NPDES permit equivalent to Quality Carriers, Inc. for a facility in West Caln Township, Chester County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457 and may be reviewed by interested parties on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the AT&T Pennsylvania Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

MICHAEL L. KRANCER,
Chairperson

[Pa.B. Doc. No. 05-1189. Filed for public inspection June 17, 2005, 9:00 a.m.]

FISH AND BOAT COMMISSION

Proposed Change to List of Class A Wild Trout Waters; Cross Fork, Potter County

The Fish and Boat Commission (Commission) is considering a change to its list of Class A Wild Trout Streams. Under 58 Pa. Code § 57.8a (relating to Class A wild trout streams), it is the Commission's policy to manage self-sustaining Class A wild trout populations as a renewable natural resource to conserve that resource and the angling it provides. Class A wild trout populations represent the best of this Commonwealth's naturally reproducing trout fisheries. The Commission manages these stream sections solely for the perpetuation of the wild trout fishery with no stocking.

At its meetings on July 18 and 19, 2005, the Commission intends to consider removing the following water from the current list of Class A Wild Trout Streams: Cross Fork, Section 03, Potter County, which extends for a distance of 5.4 miles from the confluence with Rhulo Hollow downstream to 440 yards downstream of the T-416 Bridge. This section of stream was determined to be a Class A wild brown trout water by Commission staff based on a trout population survey in 1981. In September 1999, the Commission formally designated the existing list of Class A Wild Trout Waters, including Cross Fork, Section 03.

According to 58 Pa. Code 57.8a, a stream must meet the following criteria to be classified as a Class A wild brown trout water: (1) total brown trout biomass must be at least 40 kg/ha (35.6 lbs/acre); (2) total biomass of brown trout less than 15 cm (5.9 inches) in total length must be at least 0.1 kg/ha (0.089 lbs/acre); and (3) brown trout biomass must comprise at least 75% of the total trout biomass. For a water to be removed from the Class A Wild Trout Streams designation, total trout biomass

must be documented below the set criteria for two consecutive stream examinations.

Commission staff conducted time series monitoring of the trout population within Cross Fork, Section 03, on an annual basis from 1996 to 2003. Overall, the trout failed to meet the minimum biomass criteria for Class A Wild Trout Waters during each of these surveys. Although this section was identified in the past as a Class A Wild Trout Water, eight consecutive surveys have confirmed that the section now supports a Class B wild trout biomass. Accordingly, the Commission proposes that Cross Fork, Section 03, be removed from the list of Class A Wild Trout Streams. This change will allow for stocking to occur at a low rate and encourage more angling activity on the stream.

Persons with comments, objections or suggestions concerning the removal are invited to submit comments in writing to Executive Director, Fish and Boat Commission, P. O. Box 67000, Harrisburg, PA 17106-7000, within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

Comments also may be submitted electronically by completing the form at www.state.pa.us/fish/regcomments. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt.

DOUGLAS J. AUSTEN, Ph.D.,
Executive Director

[Pa.B. Doc. No. 05-1190. Filed for public inspection June 17, 2005, 9:00 a.m.]

Proposed Special Regulation Designations and Redesignations

The Fish and Boat Commission (Commission) has approved guidelines with regard to encouraging public participation on possible changes to the designation of streams, stream sections or lakes for special regulation programs. Under 58 Pa. Code Chapter 65 (relating to special fishing regulations), the Commission designates certain streams, stream sections and lakes as being subject to special fishing regulations. These designations are effective after Commission approval when they are posted at the site and a notice is published in the *Pennsylvania Bulletin*. Under the Commission's guidelines, a notice concerning the proposed designation or redesignation of a stream, stream section or lake under special regulations ordinarily will be published in the *Pennsylvania Bulletin* before the matter is reviewed by the Commissioners.

At the next Commission meetings on July 18 and 19, 2005, the Commission will consider designating or redesignating the following stream sections as waters subject to special fishing regulations under 58 Pa. Code Chapter 65, effective January 1, 2006:

58 Pa. Code § 65.3. Heritage Trout Angling Program

The Commission will consider adding the following stream section to the list of waters regulated and managed under the Heritage Trout Angling Program under 58 Pa. Code § 65.3:

<i>County</i>	<i>Water on which located</i>	<i>Description</i>
Franklin	Falling Spring Branch	From 672 feet upstream of the Briar Lane bridge downstream to a wire fence crossing the Thomas L. Geisel property, a distance of 2.5 miles. (Note: This is an extension of the 2.4 mile section of Falling Spring Branch—from Briar Lane bridge downstream to a wire fence crossing the Thomas L. Geisel property—that the Commission currently manages in its Heritage Trout Angling Program)

58 Pa. Code § 65.5. Catch-and-Release Areas

The Commission will consider removing the following stream section from the list of Catch-and-Release Areas regulated and managed under 58 Pa. Code § 65.5:

<i>County</i>	<i>Water on which located</i>	<i>Description</i>
Potter	East Fork Sinnemahoning Creek	From the confluence of Wild Boy Run downstream to the confluence with Camp Run, a distance of 2.9 miles

58 Pa. Code § 65.6. Delayed Harvest Artificial Lures Only (DHALO) Areas

The Commission will consider designating the following stream section as a DHALO Area to be regulated and managed under 58 Pa. Code § 65.6:

<i>County</i>	<i>Water on which located</i>	<i>Description</i>
Dauphin	Wiconisco Creek	From the foot bridge located behind the Ned Smith Center for Nature and Art downstream to the power line crossing 1.7 miles upstream from the mouth, a distance of 0.74 mile

At this time, the Commission is soliciting public input concerning the designations and redesignations. Persons with comments, objections or suggestions concerning the designations and redesignations are invited to submit comments in writing to Executive Director, Fish and Boat Commission, P. O. Box 67000, Harrisburg, PA 17106-7000, within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

Comments also may be submitted electronically by completing the form at www.state.pa.us/Fish/reg-comments. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt.

DOUGLAS J. AUSTEN, Ph.D.,
Executive Director

[Pa.B. Doc. No. 05-1191. Filed for public inspection June 17, 2005, 9:00 a.m.]

HOUSING FINANCE AGENCY

Program to Reimburse Homeowners Without Title Insurance for Costs Incurred Associated With Litigation Arising From Certain Native American Tribal Land Claims

At 35 Pa.B. 1940 (March 26, 2005), the Housing Finance Agency (Agency) published a notice announcing the opening of an application period for reimbursement for homeowners without title insurance for costs incurred by them associated with litigation arising from claims under section 12 of the former act of March 3, 1799 (1 Stat. 743), known as the Trade and Intercourse Act of 1799, involving the alienation of Native American tribal lands. The application deadline was May 31, 2005.

The Agency is extending the application deadline to June 30, 2005. Applications must be received by 5 p.m. on that date. The Agency will consider, for reimbursement, costs incurred after that date (subject to the availability of funds) but only with respect to applications received by the deadline.

Applications should be sent to the Housing Finance Agency, Attention: Chief Counsel, 211 North Front Street, P. O. Box 8029, Harrisburg, PA 17105-8029. The application form can be found on the Agency's website at www.phfa.org.

For further information or assistance, contact John F. Goryl, Associate Counsel, Housing Finance Agency, (717) 780-3880, jgoryl@phfa.org.

BRIAN A. HUDSON, SR.,
Executive Director

[Pa.B. Doc. No. 05-1192. Filed for public inspection June 17, 2005, 9:00 a.m.]

HUMAN RELATIONS COMMISSION

Public Hearing Opinions

The Human Relations Commission (Commission), under section 7(o) of the Pennsylvania Human Relations Act (act) (43 P. S. § 957(o)), announces the publication of the Findings of Fact, Conclusions of Law, Opinion and Final Order made after a public hearing under section 9(e)—(g) of the act (43 P. S. § 959(e)—(g)) in the following case:

Doris Folmar v. Moshannon Valley Citizens, Inc. d/b/a Philipsburg Area Hospital, Doc. No. E100573D, PHRC Case No. 200100574 (Pennsylvania Human Relations Commission, May 24, 2005)

Sex-based discrimination with regard to determining which employees to retain after positions are consolidated

Ruling for complainant, 7-0 decision and 2 abstention
45 pages

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

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

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

HOMER C. FLOYD,
Executive Director

[Pa.B. Doc. No. 05-1193. Filed for public inspection June 17, 2005, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Comments Issued

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

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

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
106-8	Environmental Hearing Board Practice and Procedure 35 Pa.B. 2107 (April 9, 2005)	5/9/05	6/8/05
54-61	Pennsylvania Liquor Control Board Revisions to Codify Practices and Procedures Resulting from Legislative Amendments 35 Pa.B. 2112 (April 9, 2005)	5/9/05	6/8/05
2-147	Department of Agriculture Nutrient Management Certification 35 Pa.B. 2101 (April 9, 2005)	5/9/05	6/8/05

Environmental Hearing Board Regulation #106-8 (IRRC #2472)
Practice and Procedure
June 8, 2005

We submit for your consideration the following comments that include references to the criteria in the Regulatory Review Act (71 P. S. § 745.5b) which have not been met. The Environmental Hearing Board (Board) must respond to these comments when it submits the final-form regulation. The public comment period for this regulation closed on May 9, 2005. If the final-form regulation is not delivered within two years of the close of the public comment period, the regulation will be deemed withdrawn.

1. Section 1021.2. Definitions.—Clarity.

The definition of "Department" references "other boards, commissions or agencies whose decisions are appealable to the Board." Clarity would be improved by specifically listing the applicable "boards, commissions or agencies."

2. Section 1021.53. Amendments to appeal or complaint.—Reasonableness; Need; Clarity.

Under Subsection (b) an appeal may be amended if the amendment satisfies one of the following three conditions:

1. It is based upon specific facts, identified in the motion, that were discovered during discovery of hostile witnesses or Departmental employees.

2. It is based upon facts, identified in the motion, that were discovered during preparation of appellant's case, that the appellant, exercising due diligence, could not have previously discovered.

3. It includes alternate or supplemental legal issues, identified in the motion, the addition of which will cause no prejudice to any other party or intervenor.

The Board is amending Subsection (b) to delete these standards and allow amendments to appeals or complaints after the initial 20-day period merely upon a showing that "no undue prejudice will result to the opposing parties." In a comment included in the proposal, the Board acknowledges that the new standard is "contrary to the apparent holding in *Pennsylvania Game Commission v. Department of Environmental Resources*, 509 A.2d 877 (Pa. Cmwlth. 1986), affirmed, 555 A.2d 812 (1989)." In that case, Commonwealth Court ruled that an amendment to an appeal may only be allowed upon a showing of good cause. In view of this precedent, we believe it is unreasonable to replace the current standards with a more liberal standard.

In addition, since only the responding party can prove undue prejudice, the proposed amendments will unfairly shift the burden of proving undue prejudice to the responding party. Therefore, the Board should retain the existing standards for allowing amendment, or explain why the undue prejudice standard is reasonable and necessary.

Finally, we agree with the Department of Transportation that the new standard will hinder the speedy resolution of litigation. This is especially important when construction deadlines hang in the balance.

**3. Comments included within the regulation.—
Need; Reasonableness.**

The Board has inserted several “comments” throughout the proposed regulation. Some of these comments contain substantive provisions. However, these provisions are not enforceable because “comments” are not regulatory mandates. Therefore, we recommend the following revisions:

1. *Section 1021.51.* Delete the comment and include a cross-reference to Sections 1021.21 and 1021.22 in Subsection (i). (Subsection (k) already cross-references these sections.)

2. *Section 1021.54.* Delete the comment and add a Subsection (c) which indicates that the prepayment of penalties will be placed in an escrow account.

3. *Section 1021.94a.* Delete the comment and include these provisions as subsections under Section 1021.94a. Replace “should” with “shall,” and replace “should not” with “may not.”

**Pennsylvania Liquor Control Board Regulation
#54-61 (IRRC #2468)**

**Revisions to Codify Practices and Procedures
Resulting from Legislative Amendments**

June 8, 2005

We submit for your consideration the following comments that include references to the criteria in the Regulatory Review Act (71 P. S. § 745.5b) which have not been met. The Pennsylvania Liquor Control Board (Board) must respond to these comments when it submits the final-form regulation. The public comment period for this regulation closed on May 9, 2005. If the final-form regulation is not delivered within two years of the close of the public comment period, the regulation will be deemed withdrawn.

CHAPTER 11. PURCHASES AND SALES

1. Section 11.176. Renewal.—Economic impact; Reasonableness; Need

Subsection (b)

Under 47 P. S. § 4-406(a)(3), a Sunday sales permit is permissible if “. . . sales of food and nonalcoholic beverages are equal to thirty per centum or more of the combined gross sales of both food and alcoholic beverages” In existing regulation (40 Pa. Code § 11.172(a)(4)), the Board established that this 30% limit must be met for “. . . at least 90 consecutive days during the 12 months immediately preceding the date of application” Proposed Subsection (b) establishes the procedure for a licensee to apply for a new Sunday sales permit if the licensee cannot meet the 30% limit and therefore does not qualify for renewal of the existing permit.

We agree that the regulation should address how a licensee can reapply for a Sunday sales permit. However, this proposed subsection adds a 120-day waiting period for licensees to reapply after the expiration of the previous permit. As demonstrated by the example, a licensee whose application does not meet the 30% ratio would lose its Sunday sales permit from March 1 until the reapplication is approved, presumably sometime in July.

We have the following concerns with the 120-day waiting period:

- A licensee could meet the statutory 30% ratio for 90 consecutive days during the several months between the date of application (November 30, 2003 in the example) and prior to expiration of the permit (February 28, 2004 in the example). Yet, the regulation would prohibit use of this data until the 120-day period expires (July 1, 2004 in the example).

- The 120-day waiting period would extend well into the summer tourist season.

- Since no Sunday sales of alcoholic beverages occur during the 120-day period, a licensee who remains open on Sundays would accumulate a higher overall ratio of nonalcoholic beverage and food sales.

- Renewal under this circumstance is considered differently than a new application.

We recommend that the regulation allow a licensee to reapply as soon as it can demonstrate 90 consecutive days of compliance with the 30% ratio in the most recent 12 months. Alternatively, the Board should explain why the 120-day waiting period is reasonable.

Subsection (c)

This subsection states:

When the licensee delays its renewal application, sales during the prior Sunday sales permit may not be used to qualify the applicant for a new Sunday sales permit.

Once again, it is not clear why a renewal in this circumstance is considered differently from a new application. We recommend that the regulation allow a licensee to reapply as soon as it can demonstrate 90 consecutive days of compliance with the 30% ratio in the most recent 12 months. Alternatively, the Board should explain why sales during the prior Sunday sales permit need to be excluded and why this is reasonable.

If the Board believes this provision is needed and reasonable, the language should be revised. The point where a licensee is considered to have delayed its renewal application is pivotal, but is not clear in the regulation. In the example immediately following this subsection, the licensee would apply on November 30, 2003 to renew a permit that expires February 28, 2004. Would a renewal application be considered delayed if it was filed after November 30, 2003 or after February 28, 2004? This will determine whether the “prior sales permit” would be the permit that expired in 2003 or 2004. This provision should clearly explain when a renewal application is “delayed” and thus what sales may not be included.

CHAPTER 13. PROMOTIONS

2. Section 13.27. Board participation in wine events.—Statutory Authority; Reasonableness.

We have two concerns with this section. First, we question the statutory authority for the reference to Board approval in Subsections (c) and (d). Section 2-215(e) of the Liquor Code (47 P. S. § 2-215(e)) provides that the Board is authorized to participate in or sponsor wine events, not “approve” them. What does the Board contemplate by approval?

Second, concerning Subsection (d), we question the Board’s statutory authority to prohibit appeal of its decision to disapprove. Section 702 of the Administrative Agency Law (2 Pa.C.S. § 702) provides that “any person aggrieved by an adjudication of a Commonwealth agency who has a direct interest in such adjudication shall have the right to appeal” The Board should remove this prohibition or explain why this provision is exempt from the appeal process.

3. Miscellaneous Clarity.

- Section 5.121(a) cross references “Section 494(14) of the Liquor Code (47 P. S. § 4-494(14)).” This reference should be corrected to Section 4-493(14).
- Section 11.13 references all of Section 305 of the Liquor Code (47 P. S. § 3-305). It appears that only Subsection (h) of the Code applies to gift cards. If so, the reference in the regulation should be more specific by referencing 47 P. S. § 3-305(h).
- Section 11.172(a)(4) is being amended to state “. . . at least 30%. . .” To be consistent with 47 P. S. § 4-406(a)(3) and Section 11.171(b) of existing regulation, this provision should be amended to state “equal to 30% or more.”
- The example in Section 11.176 does not specify which subsection it demonstrates. It is placed after Subsection (c), but it appears to demonstrate Subsection (b). The regulation should clearly state which provision is being demonstrated.
- The terms “wine event” and “event” are used interchangeably in Section 13.27. The term “wine event” should be defined and used consistently.
- The amendments to Section 13.51(a) replace specific references to exceptions with general language. The Board should retain the specific reference to exceptions.
- Section 17.15(a) states when petitions to intervene may be filed. It should also include where they must be filed.

Department of Agriculture Regulation #2-147 (IRRC #2473)

Nutrient Management Certification

June 8, 2005

We submit for your consideration the following comments that include references to the criteria in the Regulatory Review Act (71 P. S. § 745.5b) which have not been met. The Department of Agriculture (Department) must respond to these comments when it submits the final-form regulation. The public comment period for this regulation closed on May 9, 2005. If the final-form regulation is not delivered within two years of the close of the public comment period, the regulation will be deemed withdrawn.

1. Section 130b.2. Definitions.—Consistency with the statute; Clarity.

This section defines the terms, “BMP—Best management practice,” “Nutrient,” and “Nutrient management plan” differently than they are defined in the Nutrient Management Act (Act).

We question the need for the regulatory definitions of the above terms which differ from the definitions contained in the Act. If the Department does not reference the statutory definitions in the final regulation, it should justify the changes.

2. Section 130b.3. Fees.—Fiscal impact; Consistency with the statute; Reasonableness.

Both Subsections (a) and (b) establish a process for the Department to set certification and examination fees by publishing notice of the fees or fee changes in the *Pennsylvania Bulletin*. This is contrary to Section 7(a) of the Act (3 P. S. § 1707(a)), which provides: “The Department of Agriculture shall *by regulation* establish such fees

and terms and conditions of certification as it deems appropriate . . . ” (emphasis added). We have three concerns.

First, establishing fees or fee changes merely by publication in the *Pennsylvania Bulletin* is not consistent with the clear statutory directive that fees be established by regulation. Therefore, the proposed regulation should follow the same approach as the existing regulation and include the fees.

Second, it is unnecessary to include the cost of “enforcing this chapter” as a basis for both the certification and examination fees. Therefore, the phrase “and enforcing this chapter” should be deleted from Section 130b.3(b).

Third, if the final-form regulation does not contain the specific fees, then there is no certainty concerning the fee levels for different types of certification. In the existing regulation, the fees vary depending on the type of certification (commercial, public or individual). Will the Department continue to apply different fee levels? Does the practice of charging different fee levels also coincide with the policy of basing fees on the costs of administering and enforcing the chapter? If specific fees are not set forth in the final-form regulation, then the formula or process used to apportion the fees for different types of certification should be included in the final-form regulation.

3. Section 130b.11. Determination of competence.—Implementation procedure; Clarity.

Subsection (a) Commercial nutrient management specialist.

Subsection (b) Public nutrient management specialist.

These subsections include the phrase: “It may also include other course work related to requirements set forth in the nutrient management regulations which are determined by the Department to be necessary and appropriate.” These subsections also contain descriptions of requirements that are very similar to the requirements for each position in Subsection (g) (relating to final certification requirements). We have three concerns.

First, the final-form regulation should include examples of the types of “other course work” that would be necessary in response to changes in the science or technology of nutrient management. In addition, what process will be used to determine what is “necessary and appropriate”?

Second, to improve clarity, the word “It” should be replaced with the phrase: “The precertification requirements.”

Third, it is unnecessary for these two subsections to include requirements similar to those set forth in Subsection (g). These requirements involve the development or review of nutrient management plans by certificate holders and determinations by the Department or its designee that these plans are adequate. It is our understanding that the successful development or review of these plans is a requirement for final certification, not for precertification. To improve clarity and avoid repetition, the descriptions of these final certification requirements should be deleted from Subsections (a) and (b).

Subsection (d) Examination.

The following phrase has been added to the areas of the examination administered by the Department:

(9) Other areas related to requirements in the nutrient management regulations, as determined appropriate by the Department.

The concerns with this subsection are similar to those identified above in Subsections (a) and (b) regarding examples of "other areas" and determining what is "appropriate." In addition, the final-form regulation should specify that new "areas" added to the examination will also be included in the required course work in Subsections (a) and (b).

Subsection (h) Public nutrient management specialist to commercial nutrient management specialist.

The first sentence of this subsection should read, "The Commission with the consent of the Department . . ."

4. Section 130b.12. Final certification.—Clarity.

Subsection (a) requires that, "[T]he appropriate fee shall accompany the application for final certification." It is our understanding that an "appropriate fee" is a "certification fee." Certification fees are described in Section 130b.3(a) as "nonrefundable" and as established by the Department for each level of certification via publication in the *Pennsylvania Bulletin*. The final-form regulation should include the word "certification" between "appropriate" and "fee" and a reference to Section 130b.3(a) in this subsection. If the final-form regulation includes a schedule of fees similar to the existing regulation as recommended in Issue #2, then this subsection should reference the provisions that set forth the appropriate certification fees.

5. Section 130b.41. General.—Clarity.

Subsection (c) stipulates the requirements a commercial nutrient management specialist must meet to have reciprocity in this Commonwealth. Is there a time frame in which an applicant must submit the required plans to the Department or its designee for approval? If so, the time frame should be included in this subsection.

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 05-1194. Filed for public inspection June 17, 2005, 9:00 a.m.]

Notice of Filing of Final Rulemakings

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

Final-Form

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
47-11	Milk Marketing Board Transactions Between Dealers and Customers; Dealer Inducements	6/3/05

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 05-1195. Filed for public inspection June 17, 2005, 9:00 a.m.]

INSURANCE DEPARTMENT

State Farm Fire and Casualty Company; Homeowners Program; Rate Filing

On June 3, 2005, the Insurance Department (Department) received from State Farm Fire and Casualty Company a filing for a rate revision for homeowners insurance.

The company requests an overall 0.7% decrease amounting to \$2.381 million annually, to be effective November 15, 2005, for new business and January 15, 2006, for renewal business.

Unless formal administrative action is taken prior to August 2, 2005, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Department's website at www.ins.state.pa.us. To access the filing, under "Quick Links" click on "Rate Filings Published in the PA Bulletin."

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

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 05-1196. Filed for public inspection June 17, 2005, 9:00 a.m.]

LEGISLATIVE REFERENCE BUREAU

Documents Filed But Not Published

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

Governor's Office

Administrative Circular No. 05-06—Closing Instruction No. 2, 2004-05 Fiscal Year; Preclosing at May 31, 2005, Amended May 24, 2005.

Administrative Circular No. 05-07—Closing Instruction No. 3, Prior Fiscal Year Appropriations Subject to Act 146 Waivers; Encumbrances Carried Forward From Prior Fiscal Years (Including Contracted Repairs), Amended May 24, 2005.

Administrative Circular No. 05-08—Conversion to SAP Account Codes, Amended May 24, 2005.

MARY JANE PHELPS,
Director
Pennsylvania Bulletin

[Pa.B. Doc. No. 05-1197. Filed for public inspection June 17, 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 July 11, 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-00121825. Philadelphia Ambulance, Inc. t/d/b/a Ameriheart Ambulance (13440 Damar Drive, Unit G, City and County of Philadelphia, PA 19116), a corporation of the Commonwealth—persons in paratransit service, between points in the City and County of Philadelphia, and the Counties of Montgomery and Bucks.

A-00121832. AAA Alpine Taxicab Company, LLC (P. O. Box 1524, Harrisburg, Dauphin County, PA 17105-1524), a limited liability company of the Commonwealth—persons, upon call or demand, in the City of Harrisburg, Dauphin County, and within an airline distance of 10 statute miles of the limits of the said city.

A-00121811. John Henry Briggs, III (4803 Summer Street, Erie, Erie County, PA 16509)—persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, between points in the Counties of Crawford and Erie, and from points in said counties, to points in Pennsylvania, and return.

Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under the application.

A-00121822. P. M. J. K. Management Group, Inc. (1846 Rose Tree Lane, Havertown, Delaware County, PA 19083), a corporation of the Commonwealth—household goods in use, between points in the Counties of Delaware, Chester, Montgomery, Bucks and the City and County of Philadelphia.

Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of persons by transfer of rights as described under the application.

A-00121828. Anthony J. Bekavac (221 Second Street, Elizabeth, Allegheny County, PA 15037)—persons, in limousine service, between points in Pennsylvania; which is to be a transfer of all the right authorized under the certificate issued at A-00120302 to Katherine Andrews, subject to the same limitations and conditions. *Attorney:* John A. Pillar, 680 Washington Road, Suite B101, Pittsburgh, PA 15228-1925.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 05-1198. Filed for public inspection June 17, 2005, 9:00 a.m.]

Telecommunications Service

A-311014F0002AMA. Armstrong Telecommunications, Inc. Application of Armstrong Telecommunications, Inc. to amend its certificate of public convenience to offer, render, furnish or supply telecommunications services as a facilities-based competitive local exchange carrier to the public in the service territory of Citizens Telephone Company of Kecksburg.

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 July 5, 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: Armstrong Telecommunications, Inc.

Through and By Counsel: D. Mark Thomas, Esquire; Michael L. Swindler, Esquire; Thomas, Thomas, Armstrong & Niesen, 212 Locust Street, P. O. Box 9500, Harrisburg, PA 17108-9500

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 05-1199. Filed for public inspection June 17, 2005, 9:00 a.m.]

Water Service

A-212285F0125. Pennsylvania-American Water Company. Application of Pennsylvania-American Water Company for approval of the right to offer, render, furnish or supply water service to the public in portions of New Beaver and Big Beaver Boroughs, Beaver County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before July 5, 2005. The documents filed in support of the application are available for inspection and copying

at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

Applicant: Pennsylvania-American Water Company

Through and By Counsel: Velma A. Redmond, Esquire, Susan Simms Marsh, Esquire, 800 West Hersheypark Drive, P. O. Box 888, Hershey, PA 17033-0888

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 05-1200. Filed for public inspection June 17, 2005, 9:00 a.m.]

Water Service

A-213550F0020, A-212010F5000 and A-212010F2000. The York Water Company and Mt. View Water Company. Application of The York Water Company and Mt. View Water Company for approval of: 1) the transfer by sale of certain public water facilities and rights from Mt. View Water Company to the York Water Company; 2) the approval of a corporate reorganization of Mt. View Water Company immediately prior to the sale whereby all of the stock of Mt. View Water Company will be transferred from the estate and heirs of Mt. View Water Company to Richard H. Waltersdorff, Inc. (Waltersdorff Construction); and 3) the abandonment by Mt. View Water Company of water service to the public in Conewago Township, York County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before July 5, 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: The York Water Company and Mt. View Water Company

Through and By Counsel: Michael W. Gang, Esquire; Michael W. Hassell, Esquire; Morgan, Lewis & Bockius, LLP, One Commerce Square, 417 Walnut Street, Harrisburg, PA 17101-1904

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 05-1201. Filed for public inspection June 17, 2005, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project #05-042.1, Inshore Yard Paving, Pier 82 South, until 2 p.m. on Thursday, July 14, 2005. The bid documents can be obtained from the

Director of Procurement, PRPA, 3460 N. Delaware Avenue, 2nd Floor, Philadelphia, PA 19134, (215) 426-2600 and will be available June 28, 2005. Additional information and project listings may be found at www.philaport.com. The cost of the bid document is \$35 (includes 7% Pennsylvania Sales Tax). The cost is non-refundable. PRPA is an equal opportunity employer. Contractor must comply with all applicable equal opportunity laws and regulations. Bidders must provide to the Procurement Department in writing the names of individuals that will be attending prebid meetings. This information is needed 24 hours prior to the meeting. Fax to (215) 426-6800, Attn: Procurement Department.

A mandatory prebid job site meeting will be held July 7, 2005, at 10 a.m. at Pier 82 S., Columbus Blvd. and at first gate north of Snyder Ave., Philadelphia, PA 19148.

JAMES T. MCDERMOTT, Jr.,
Executive Director

[Pa.B. Doc. No. 05-1202. Filed for public inspection June 17, 2005, 9:00 a.m.]

PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

Hearing Scheduled

A hearing has been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's (System) denial of claimant's request concerning the indicated account.

The hearing will be held before a hearing examiner at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

September 28, 2005 Dennis Clark 1 p.m.
(Multiple Service)

Persons with a disability who wish to attend the listed hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Marilyn Fuller-Smith, Assistant to the Executive Director at (717) 720-4921 to discuss how the System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

JEFFREY B. CLAY,
Executive Director

[Pa.B. Doc. No. 05-1203. Filed for public inspection June 17, 2005, 9:00 a.m.]

STATE TAX EQUALIZATION BOARD

2004 Common Level Ratio

The State Tax Equalization Board (Board) has established a common level ratio for each county in this Commonwealth for the calendar year 2004. The ratios were mandated by the act of December 13, 1982 (P. L. 1158, No. 267).

The law requires the Board to use statistically acceptable techniques, to make the methodology for computing ratios public and to certify, prior to July 1, the ratio to the Chief Assessor of each county each year.

The statistical technique which the Board used for the

2004 common level ratio is to determine the arithmetic mean of the individual sales ratios for every valid sale received from the county for the calendar year 2004.

The methodology used is to include every valid sale with a ratio from 1% to 100% and compute a mean. Using this mean as a base, the Board has defined high and low limits by multiplying and dividing this computed mean by 4. Using these computed limits, the Board has utilized the valid sales, rejecting those sales which exceed the limits. The resulting arithmetic mean ratio is the ratio which the Board is certifying as the common level ratio for each county for 2004.

There is one exception to this procedure. The original mean ratio for those counties which have a predetermined assessment ratio for 2004 of 100% will utilize valid sales from 1% to 200%.

The common level ratios for 2004 are listed as follows:

2004 Common Level Ratios

<i>County</i>	<i>Ratio</i>	<i>County</i>	<i>Ratio</i>	<i>County</i>	<i>RATIO</i>
ADAMS	30.5	ELK	19.0	*MONTGOMERY	60.4
*ALLEGHENY	91.3	*ERIE	88.5	MONTOUR	8.5
ARMSTRONG	39.0	*FAYETTE	91.0	NORTHAMPTON	36.4
BEAVER	31.0	FOREST	22.9	NORTHUMBERLAND	12.3
*BEDFORD	20.0	*FRANKLIN	13.0	*PERRY	86.2
*BERKS	80.0	*FULTON	45.4	PHILADELPHIA	29.7
BLAIR	8.4	*GREENE	82.4	PIKE	21.0
BRADFORD	41.1	HUNTINGDON	14.7	*POTTER	39.5
BUCKS	2.8	INDIANA	13.0	SCHUYLKILL	41.4
BUTLER	10.1	JEFFERSON	17.2	SNYDER	15.9
CAMBRIA	14.0	*JUNIATA	15.6	SOMERSET	38.1
CAMERON	35.6	*LACKAWANNA	18.6	*SULLIVAN	84.2
CARBON	39.7	*LANCASTER	75.9	SUSQUEHANNA	39.0
CENTRE	32.9	*LAWRENCE	91.2	*TIOGA	84.6
*CHESTER	60.8	LEBANON	8.0	UNION	14.6
CLARION	19.6	LEHIGH	36.6	*VENANGO	90.9
CLEARFIELD	19.5	LUZERNE	6.5	WARREN	35.6
CLINTON	26.8	LYCOMING	60.4	WASHINGTON	14.3
COLUMBIA	30.7	MCKEAN	23.5	WAYNE	7.6
CRAWFORD	34.8	*MERCER	28.1	*WESTMORELAND	20.5
*CUMBERLAND	85.2	MIFFLIN	47.8	WYOMING	22.8
*DAUPHIN	80.4	MONROE	16.3	*YORK	75.0
*DELAWARE	72.5				

*Counties with a predetermined assessment ratio of 100%

JAMES A. ZURICK, Esq.,
Chairperson

[Pa.B. Doc. No. 05-1204. Filed for public inspection June 17, 2005, 9:00 a.m.]