

# NOTICES

## DEPARTMENT OF AGRICULTURE

### Dog Control Facility Bill Reimbursement Grant Program

The Department of Agriculture (Department) gives notice of the guidelines and conditions under which it will award up to \$500,000 in grants under the 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)).

A proposed version of these guidelines and conditions was published at 35 Pa.B. 3428 (June 18, 2005). The Department invited public and legislative review of these proposed guidelines and conditions in accordance with 7 Pa. Code § 23.4 (relating to guidelines and conditions).

The Department received three comments on the proposed guidelines and conditions. One commentator suggested that the eligibility criteria be based on factors other than the operating budget of the facility, including the number of animals handled. While the Department declines to implement this suggestion, it will reconsider its eligibility guidelines for subsequent years. This year, the Department expanded eligibility to include larger facilities with operating budgets over \$350,000 and will evaluate the available funding to determine further adjustments to the eligibility guidelines. One commentator suggested that the eligibility guidelines include the requirement that the number of stray dogs handled by a facility be dogs originating from this Commonwealth. The Department will incorporate this suggestion. Finally, one commentator requested that in circumstances where a humane society or association for the prevention of cruelty to animals has more than one kennel location, all locations be eligible for individual reimbursement grants. The Department agrees with this suggestion and will incorporate it.

#### 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 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 the Dog Law (3 P. S. § 459-102).

*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 originating from this Commonwealth 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 non-profit kennel at the facility for which grant reimbursement is requested. Facilities which house kennel operations other than a nonprofit facility (such as, boarding kennel and/or commercial kennel) 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.

i. If the Humane Society/SPCA has more than one kennel location, and if each location maintains a separate operating budget and 2006 PA nonprofit kennel license, each location is eligible according to the requirements of (g) and (h) above.

### 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.

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 the Department's 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 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 stray 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. 05-1515. Filed for public inspection August 12, 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 August 2, 2005.

### BANKING INSTITUTIONS

#### Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-25-05	Community State Bank of Orbisonia Orbisonia Huntingdon County	307 North Church Street Three Springs Huntingdon County	Opened
7-27-05	First Savings Bank of Perkasio Perkasio Bucks County	219 South Ninth Street Perkasio Bucks County	Filed
8-1-05	Orrstown Bank Shippensburg Cumberland County	3045 Market Street Camp Hill Cumberland County	Opened
8-1-05	East Penn Bank Emmaus Lehigh County	4510 Bath Pike Hanover Township Northampton County	Filed

#### Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-29-05	ESB Bank Ellwood City Lawrence County	<i>To:</i> 1552 Beechview Avenue Pittsburgh Allegheny County  <i>From:</i> 1609 Broadway Avenue Pittsburgh Allegheny County	Filed

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
8-2-05	Penn Liberty Bank Wayne Delaware County	<i>To:</i> 472 Norristown Road Blue Bell Montgomery County  <i>From:</i> 649 West Germantown Pike Plymouth Meeting Montgomery County	Approved

**SAVINGS INSTITUTIONS**

No activity.

**CREDIT UNIONS**

No activity.

A. WILLIAM SCHENCK, III,  
*Secretary*

[Pa.B. Doc. No. 05-1516. Filed for public inspection August 12, 2005, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

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#### APPLICATIONS

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

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

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

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

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

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

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

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

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

### I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N ?</i>
PA0055697	TAD Facilities, Ltd. 628 Telegraph Road P. O. Box 199 Coatesville, PA 19320	Chester County West Caln	West Branch Brandywine Creek	Y
PA0031666	Concord Country Club P. O. Box 68 Concordville, PA 19331	Delaware County Concord Township	UNT to West Branch Chester Creek	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA-0031917	Blue Mountain School District P. O. Box 188 Orwigsburg, PA 17961-0188	Schuylkill County North Manheim Township	Mahoney Creek CWF Watershed 3A	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N ?</i>
PA0111317	Karyn Smithbauer 618 Academy Street Boalsburg, PA 16821	Centre County Harris Township	UNT to Spring Run	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N ?</i>
PA0030686	Cross Creek Resort R. D. 3, P. O. Box 188 Titusville, PA 16354	Cherrytree Township Venango County	UNT to Cherrytree Run 16-E	Y
PA0221554	Gateway Commerce Center LP 1605 Old Route 18 Wampum, PA 16157-9802	New Beaver Borough Lawrence County	UNT to Beaver River 20-B	Y

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

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

**PA0011436**, Industrial Waste, SIC 3317, **Handy & Harman Tube Company, Inc.**, 701 West Township Line Road, Norristown, PA 19403-4629. This existing facility is located in East Norriton Township, **Montgomery County**.

Description of Proposed Activity: Renewal of NPDES permit to discharge seasonal noncontact cooling water, treated groundwater from onsite recovery wells, TCE and rainwater from off-loading area, groundwater infiltration and stormwater runoff to a UNT to Stony Creek. Following treatment through an air stripper, treated groundwater and TCE and rainwater from an off-loading dock are monitored internally at Internal Monitoring Point (IMP) 101 before combining with noncontact cooling water, groundwater infiltration and additional stormwater runoff monitored at Outfall 001.

The receiving stream, Stony Creek, is in the State Water Plan watershed 3F and is classified for: TSF, aquatic life, water supply and recreation. The nearest downstream public water supply intake for PA America Water Company is located on Schuylkill River, approximately 4.4 miles below the point of discharge.

The proposed effluent limits for IMP 101 are based on a design flow of 0.016 mgd.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		<i>Instantaneous Maximum (mg/l)</i>
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	
Chloroform			0.086		0.22
Tetrachloroethylene			0.01		
1,1,1-Trichloroethane			Monitor		0.025
Trichloroethylene			0.0097		
Zinc			Monitor		
Influent Trichloroethylene			Monitor		0.024

The proposed effluent limits for Outfall 001 are based on a design flow of 0.017 mgd.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		<i>Instantaneous Maximum (mg/l)</i>
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	
Temperature					90°F
pH (Std Units)			6.0, I-min.		
Total Dissolved Solids			Monitor		9.0

The proposed effluent limits for Outfall 001 are based on a design flow of an average storm event.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		<i>Instantaneous Maximum (mg/l)</i>
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Semi-Annual</i>	<i>Maximum Daily</i>	
CBOD <sub>5</sub>			Monitor	Monitor	
COD			Monitor	Monitor	
Oil and Grease			Monitor	Monitor	
pH (Std Units)			Monitor	Monitor	
Total Suspended Solids			Monitor	Monitor	
Trichloroethylene			Monitor	Monitor	
Zinc, Total			Monitor	Monitor	
Iron, Total			Monitor	Monitor	
Total Phosphorus			Monitor	Monitor	
Copper, Total			Monitor	Monitor	
Chromium, Total			Monitor	Monitor	
Lead, Total			Monitor	Monitor	
Cadmium, Total			Monitor	Monitor	
Arsenic, Total			Monitor	Monitor	

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

1. Remedial Measures if Public Nuisance.
2. Right to Modify Permit.
3. No Chemical Addition.
4. Change of Ownership.
5. Proper Sludge Disposal.
6. Groundwater Summary Reports.
7. No Discharge of Stripper Tower Cleaning Wastewater.
8. Monitor System.
9. I-Maximum Limitations.
10. Stormwater Requirements.
11. Groundwater Monitoring.

The EPA waiver is in effect.

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

**Application No. PA 0026743**, Sewage, **City of Lancaster**, 120 North Duke Street, Lancaster, PA 17608. This facility is located in Lancaster City, **Lancaster County**.

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

The receiving stream, Conestoga River, is in Watershed 7-J, and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Holtwood Power Plant is located on the Susquehanna River, approximately 22 miles downstream. The discharge is expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 29.73 (Interim) and 32.08 (Final) mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>			
(5-1 to 10-31)	15	22.5	30
(11-1 to 4-30)	25	40	50
Total Suspended Solids	30	45	60
NH <sub>3</sub> -N			
(5-1 to 10-31)	2.5		5
(11-1 to 4-30)	7.5		15
NO <sub>2</sub>		Monitor	
NO <sub>3</sub>		Monitor	
Total Kjeldahl Nitrogen		Monitor	
Total Nitrogen		619,048 lbs per year	
Total Phosphorus		77,381 lbs per year	
Total Phosphorus	2		4
Total Residual Chlorine	0.14		0.44
Dissolved Oxygen		minimum of 5.0 at all times	
pH		from 6.0 to 9.0 inclusive	
Fecal Coliform			
(5-1 to 9-30)		200/100 ml as a geometric average	
(10-1 to 4-30)		2,000/100 ml as a geometric average	

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

The EPA waiver is not in effect.

**Application No. PA 0026743**, Sewage, **City of Lancaster**, 120 North Duke Street, Lancaster, PA 17608. This facility is located in Lancaster City, **Lancaster County**.

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

The receiving stream, Conestoga River, is in Watershed 7-J, and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Holtwood Power Plant is located on the Susquehanna River, approximately 22 miles downstream. The discharge is expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 29.73 (Interim) and 32.08 (Final) mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>			
(5-1 to 10-31)	15	22.5	30
(11-1 to 4-30)	25	40	50
Total Suspended Solids	30	45	60
NH <sub>3</sub> -N			
(5-1 to 10-31)	2.5		5
(11-1 to 4-30)	7.5		15
NO <sub>2</sub>		Monitor	
NO <sub>3</sub>		Monitor	
Total Kjeldahl Nitrogen		Monitor	
Total Nitrogen		619,048 lbs per year	
Total Phosphorus		77,381 lbs per year	
Total Phosphorus	2		4
Total Residual Chlorine	0.14		0.44
Dissolved Oxygen		minimum of 5.0 at all times	
pH		from 6.0 to 9.0 inclusive	
Fecal Coliform			
(5-1 to 9-30)		200/100 ml as a geometric average	
(10-1 to 4-30)		2,000/100 ml as a geometric average	

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

The EPA waiver is not in effect.

**Application No. PA 0247651**, Stormwater, SIC Code 4515, **UPS**, 1821 South 19th Street, Harrisburg, PA 17104. This facility is located in Armagh Township, **Mifflin County**.

Description of activity: The application is for issuance of an NPDES permit for a new discharge of stormwater.

The receiving stream, UNT Tea Creek, is in Watershed 12-A and classified for HQ-CWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake is Newport Borough located on the Juniata River. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 and 002:

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

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

- The facility may conduct an annual inspection in lieu of sampling.

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

The EPA waiver is in effect.

**Application No. PA 0020591**, Sewage, **Mount Gretna Authority**, 101 Chautaugua Drive, Mount Gretna, PA 17064. This facility is located in South Londonderry Township, **Lebanon County**.

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

The receiving stream, Conewago Creek, is in Watershed 7-G and classified for TSF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Elizabethtown Water Company is located on the Conewago Creek, approximately 10 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.2 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
NH <sub>3</sub> -N			
(5-1 to 10-31)	4		8
(11-1 to 4-30)	12		24
NO <sub>2</sub>		Monitor	
NO <sub>3</sub>		Monitor	
TKN		Monitor	
Total Nitrogen	9,741 pounds per year annual average		
Total Phosphorus	1,217 pounds per year annual average		
Dissolved Oxygen	minimum of 5.0 at all times		
pH	from 6.0 to 9.0 inclusive		
Fecal Coliform			
(5-1 to 9-30)	200/100 ml as a geometric average		
(10-1 to 4-30)	4,000/100 ml as a geometric average		
Total Copper		Monitor	
Dissolved Copper		Monitor	

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

The EPA waiver is not in effect.

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

**PA0228931**, Residential, **Kathleen D. Weaver and Robert L. Martin**, 2495 Valley View Road, Bellefonte, PA 16823. This proposed facility is located in Benner Township, **Centre County**.

Description of Proposed Activity: Single residence system consisting of a septic tank, effluent filter, peat filter and ultraviolet disinfection.

The receiving stream, UNT to Buffalo Run, is in the State Water Plan watershed 9C and is classified for: High quality, CWF, aquatic life, water supply and recreation. The nearest downstream public water supply intake for Pennsylvania American Water Company is located on West Branch Susquehanna River in Milton.



The proposed effluent limits for Outfall 001 are based on a design flow of 0.0004 mgd.

Parameter	Concentration (mg/l)			
	Minimum	Average Monthly	Maximum Daily	Instantaneous Maximum (mg/l)
BOD <sub>5</sub>		10		20
TSS		10		20
pH	6.0			9.0
Total Residual Chlorine (TRC)*		Monitor and Report		
Fecal Coliforms		200/100 ml		

\*If chlorine is used, it must be monitored.

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

**PA0239593**, Sewage, **Donald Ferri SFTF**, 625 Burkhart Avenue, Erie, PA 16511. This proposed facility is located at 7351 Williams Road in North East Township, **Erie County**.

Description of Proposed Activity: The applicant requests an NPDES permit for the discharge of treated domestic sewage from an SFTF serving a single dwelling. Treatment consists of a septic tank, dosing tank, sand filter, chlorine disinfection and dechlorination.

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride, phenolics, sulfate and chloride, there is no downstream potable water supply to consider between the discharge and Lake Erie.

The receiving stream, Twelve Mile Creek, is in the Lake Erie watershed and classified for HQ-CWF, MF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0005 mgd.

Parameter	Concentrations		
	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
Flow	monitor and report		
CBOD <sub>5</sub>	10		20
Total Suspended Solids	10		20
Total Residual Chlorine	1.4		3.3
Fecal Coliform	200/100ml as a geometric average		
pH	6.0 to 9.0 standard units at all times		

The EPA waiver is in effect.

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

**PA0020435**, Sewage, **Little Washington Wastewater Company**, 762 West Lancaster Avenue, Bryn Mawr Borough, Luzerne County. This proposed facility is located in White Haven Borough, **Luzerne County**.

Description of Proposed Activity: Expansion of the existing wastewater treatment NPDES Permit.

The receiving stream, Lehigh River, is in the State Water Plan watershed 2A and is classified for HQ and CWF. The nearest downstream public water supply intake for the City of Hazleton is located on the Lehigh River, approximately 10.4 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.600.

Parameter	Concentrations		
	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
CBOD <sub>5</sub>			
(5-1 to 10-31)	17	26	34
(11-1 to 4-30)	20	40	50
Total Suspended Solids	21	32	42
NH <sub>3</sub> -N			
(5-1 to 10-31)	3		6
(11-1 to 4-30)	9		18
Dissolved Oxygen	a minimum of 5.0 mg/l at all times		
Fecal Coliform	200/100 ml as a geometric mean		
(5-1 to 9-30)	2,000/100 ml as a geometric mean		
(10-1 to 4-30)	6.0 to 9.0 standard units at all times		
pH	6.0 to 9.0 standard units at all times		
Total Residual Chlorine	0.5		1.0

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


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

**WQM Permit No. 0905401**, Sewerage, **Warrington Township Water & Sewer Department**, 1585 Turk Road, Warrington, PA 18976. This proposed facility is located in Warrington Township, **Bucks County**.

Description of Action/Activity: Construction and operation of a sewage grinder pump for a lot residential subdivision.

**WQM Permit No. 1505403**, Sewerage, **New Garden Township**, 299 Starr Road, Landenberg, PA 19350. This proposed facility is located in New Garden Township, **Chester County**.

Description of Action/Activity: Installation of a new force main for existing PS No. 4 to divert sewage from Shangri-LA to East End WWTP.

**WQM Permit No. 1505404**, Sewerage, **New Garden Township**, 299 Starr Road, Landenberg, PA 19350. This proposed facility is located in New Garden Township, **Chester County**.

Description of Action/Activity: Installation of new pump in the irrigation wet well at the existing East End WWTP and new a force main at the Kennett Square Treatment Plant.

**WQM Permit No. 1505410**, Sewerage, **East Fallowfield Township**, 2264 Strasburg Road, East Fallowfield, PA 19320. This proposed facility is located in East Fallowfield Township, **Chester County**.

Description of Action/Activity: Construction and operation of a sewage pump station and 4" force main for 21 single family residents.

**WQM Permit No. 1505411**, Sewerage, **Uwchlan Township**, 715 North Ship Road, Exton, PA 19341-1940. This proposed facility is located in Uwchlan Township, **Chester County**.

Description of Action/Activity: Construction and operation of a low pressure sanitary sewer system.

**WQM Permit No. 1505413**, Sewerage, **London Grove Township Municipal Authority**, 372 Rosehill Road, Suite 300, West Grove, PA 19390. This proposed facility is located in London Grove Township, **Chester County**.

Description of Action/Activity: Construction and operation of a sewage pump station and force main.

**WQM Permit No. 0905407**, Sewerage, **Warrington Township**, 1585 Turk Road, Warrington, PA 18976. This proposed facility is located in Warrington Township, **Bucks County**.

Description of Action/Activity: Construction and operation of a sewage pumping station, force main and gravity main for land development.

**WQM Permit No. 4605407**, Sewerage, **Franconia Sewer Authority**, 671 Allentown Road, Box 128, Franconia, PA 18924. This proposed facility is located in Franconia Township, **Montgomery County**.

Description of Action/Activity: Construction and operation of a sanitary pump station and force main to serve a ten lot subdivision.

**WQM Permit No. 2305404**, Sewerage, **Chadds Ford Township**, 10 Station Way Road, P. O. Box 181, Chadds Ford, PA 19317. This proposed facility is located in Chadds Ford Township, **Delaware County**.

Description of Action/Activity: Construction and operation of a wastewater treatment plant to serve Chadds Ford Village.

**WQM Permit No. 4605411**, Sewerage, **New Hanover Township Authority**, 2943 North Charlotte Street, Gilbertsville, PA 19525. This proposed facility is located in New Hanover Township, **Montgomery County**.

Description of Action/Activity: Construction and operation of a sanitary sewer interceptor.

**WQM Permit No. 4605412**, Sewerage, **Limerick Township Municipal Authority**, P. O. Box 29, Royersford, PA 19468. This proposed facility is located in Limerick Township, **Montgomery County**.

Description of Action/Activity: Construction and operation of a sanitary pump station.

**WQM Permit No. 4605413**, Sewerage, **Spring Ford Area School District**, 199 Bechtel Road, Collegeville, PA 19426-2852. This proposed facility is located in Limerick Township, **Montgomery County**.

Description of Action/Activity: Construction and operation of a pump station for Elementary School.

**WQM Permit No. 4605414**, Sewerage, **Upper Pottsgrove Township**, 1409 Farmington Avenue, Pottstown, PA 19464. This proposed facility is located in Upper Pottsgrove Township, **Montgomery County**.

Description of Action/Activity: Installation of a new 10" PVC sewer line and a 6" force main.

**WQM Permit No. 4605415**, Sewerage, **Upper Pottsgrove Township**, 1409 Farmington Avenue, Pottstown, PA 19464. This proposed facility is located in Upper Pottsgrove Township, **Montgomery County**.

Description of Action/Activity: Installation of a new 18" PVC pipe.

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

**WQM Permit No. 4805404**, Sewerage, **Palmer Township Municipal Sewer Authority**, 3 Weller Place, P. O. Box 3039, Palmer, PA 18043. This proposed facility is located in Palmer Township, **Northampton County**.

Description of Proposed Action/Activity: This project is for the construction of an extension to the Shoeneck Creek Interceptor and the elimination of the Palmer Township Municipal Sewer Authority's Danforth Drive Pumping Station.

The wastewater will be conveyed to the Easton Area Joint Sewer Authority wastewater treatment plant by means of the Palmer Township Municipal Sewer Authority's Shoeneck Creek Interceptor and downstream conveyance facilities in the City of Easton.

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

**WQM Permit No. WQM 1405404**, Sewerage, **Kathleen Weaver and Robert Martin**, 2495 Valley View Road, Bellefonte, PA, 16823. This proposed facility is located in Benner Township, **Centre County**.

Description of Proposed Action/Activity: Permit application for the construction of a Small Flows Treatment Facility incorporating a peat filter for a single residence.

**WQM Permit No. 1405403**, Sewerage 4952, **Paul S. and Leslie A. Roberts**, 265 Maurer Road, Julian, PA 16844. This proposed facility is located in Huston Township, **Centre County**.

Description of Proposed Action/Activity: The applicant proposes to construct and operate a single residence sewage plant. The sewage plant will be a septic tank, buried sand filter and chlorination.

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>DEP Protocol (Y/N)</i>
PAI132244	Jessup Borough 395 Lane St. Jessup, PA 18434	Lackawanna	Jessup Borough	Lackawanna River HQ-CWF Grassy Island Creek CWF Sterry Creek CWF	Y
PAI132245	Jermyn Borough 440 Jefferson Ave. Jermyn, PA 18433	Lackawanna	Jermyn Borough	Lackawanna River HQ-CWF Rush Brook CWF Callender Gap Creek CWF Aylesworth Creek CWF	Y

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI011505054	St. Peter's Pikeland United Church c/o IMC construction 9 Old Lincoln Highway Suite 300 Malvern, PA 19355	Chester	East Pikeland Township	Pigeon Run (HQ-TSF)
PAI011505053	Owen J. Robert School District 901 Ridge Road Pottstown, PA 19465-8402	Chester	West Pikeland Township	Birch Run (EV)

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

*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 &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023905023	Gateway Land Development 188 Jefferson St. Emmaus, PA 18049	Lehigh	Weisenberg Township	Jordan Creek HQ-CWF, MF
PAI023905024	Robert Bender Heritage Bldg. Group, Inc. 2500 York Rd. Jamison, PA 18929	Lehigh	Upper Macungie Township	Spring Creek HQ-CWF

## NPDES

Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI023905025	Chris Canavan Prospect Acquis. 404 Sumneytown Pike Suite 200 North Wales, PA 19454	Lehigh	Upper Milford Township	Leibert Creek HQ-CWF

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

## NPDES

Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI024805019	Nic Zawarski & Sons Attn: Martin Zawarski 1441 Linden Street Bethlehem, PA 18018	Northampton	Palmer Township	Bushkill Creek HQ-CWF

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

## NPDES

Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI032105009	Silver Spring Square II, LLC 150 Monument Road Bala Cynwyd, PA 19004	Cumberland	Silver Spring and Hampden Townships	Trindle Spring Run/HQ and Quarry to Conodoguinet Creek/WWF
PAI033104003	Petersburg Water Authority P. O. Box 257 Petersburg, PA 16669	Huntingdon	Logan Township	Reed's Run, Tributary to Shaver Creek Tributary to Juniata River/HQ-CWF

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

*Centre County Conservation District: 414 Holmes Ave., Suite 4, Bellefonte, PA 16823 (814) 355-6817.*

## NPDES

Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI041405005	Omar Ahmed Nittany Express, Inc. 2526 Shingleton Road State College, PA 16801	Centre	Benner Township	UNT Buffalo Run HQ-CWF

*Tioga County Conservation District: 50 Plaza Lane, Wellsboro, PA 16901, (570) 724-1801, Ext. 101.*

## NPDES

Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI0415905001	Michael Harris 377 Landis Lane Liberty, PA 16930	Tioga	Liberty Township	Zimmerman Creek HQ-CWF

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

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

## NPDES

Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI056505005	Ed Schmidt R. R. 2, Box 164-A Route 66 N Export, PA 15632	Westmoreland	Washington Township	Beaver Run Reservoir (HQ)

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

*Conservation District: Crawford County, Woodcock Creek Nature Center; 21742 German Road, Saegertown, PA 16433.*

## NPDES

Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI062005001	Conneaut Lake Area Youth Soccer 10915 State Highway 18 Conneaut Lake, PA 16316	Crawford	Summerhill Township	Inlet Run HQ-WWF

**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 should contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

**SAFE DRINKING WATER**

**Applications Received under the Pennsylvania Safe Drinking Water Act**

*Central Office: Bureau Director, Water Standards and Facility Regulation, P. O. Box 8467, Harrisburg, PA 17105-8467.*

**Permit No. 9996537, Public Water Supply.**

Applicant	<b>Alaska Beverages, Inc.</b>
Township or Borough	St. Eustache, Quebec, Canada
Responsible Official	Valerie Pedneault, Quality Control Manager
Type of Facility	Out-of-State Bottled Water System

Application Received Date	July 29, 2005
Description of Action	Applicant requests Department approval to sell bottled water in this Commonwealth under the brand names: Alaska Natural Spring Water, Brooks Natural Spring Water and Eckerd Natural Spring Water.

**Permit No. 9996536, Public Water Supply.**

Applicant	<b>Nature's Nectar Spring Water, Inc.</b>
Township or Borough	Avoca, NY
Responsible Official	William Brewer, President
Type of Facility	Out-of-State Bottled Water System
Application Received Date	July 12, 2005
Description of Action	Applicant requests Department approval to sell bottled water in this Commonwealth under the brand name Nature's Nectar Spring Water.

**WATER ALLOCATIONS**

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

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

**WA58-210B, Water Allocations. Pennsylvania American Water Company (PAWC—Montrose District), 100 North Pennsylvania Avenue, Wilkes-Barre, PA 18701.** Service area includes the Borough of Montrose and portions of Bridgewater Township, **Susquehanna County**. PAWC is requesting the right to renew an existing allocation permit to continue to withdraw 550,000 gpd from an intake on Lake Montrose, Bridgewater Township, Susquehanna County.

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

**WA 28-631C, Water Allocations. Bear Valley Franklin County Pennsylvania Joint Authority, Franklin County.** Water allocation request for the right to purchase up to 820,000 gallons per day from the Borough of Chambersburg, based on a 30-day average. Consulting Engineer: David R Knapton, Gannett Fleming, Inc. Date Application Received: 7/5/2005.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

### PREAMBLE 1

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

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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.*

**Charles Chips Facility, West Hempfield Township, Lancaster County.** Weston Solutions, Inc., 1400 Weston Way, West Chester, PA 19380, on behalf of QVC, Inc. 1200 Wilson Drive, Studio Park, West Chester, PA 19380 and Regency V, LP, 1899 Lititz Pike, Lancaster, PA 17601, submitted a Combined Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated with No. 2 fuel oil, diesel fuel, PAHs, chlorinated solvents and other organics. The report is intended to document remediation to the Site Specific Standard.

**Lime Springs Farm, East Hempfield and West Hempfield Townships, Lancaster County.** GCI Environmental Services, 1250 East King Street, Lancaster, PA 17602, on behalf of Marilyn Berger, 22 D East Roseville Road, Lancaster, PA 17601 and Stauffer Charitable Trust, 901 Roherstown Road, Lancaster, PA 17601, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to the residential Statewide Health Standard.

**PPL Pole No. 42554S35335, Heidelberg Township, Lebanon County.** PPL Services Corporation, Two North Ninth Street, Allentown, PA 18101-1179 submitted a Final Report within 90 days of a release concerning remediation of site soils contaminated with PCBs. The report is intended to document remediation of the site to the Statewide Health Standard

#### **INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSES**

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**Applications received or withdrawn under the Solid Waste Management (35 P. S. §§ 6018.101—6018.1003) and the act of June 28, 1988 (P. L. 525, No. 93) (35 P. S. §§ 6019.1—6019.6) and regulations to transport infectious and chemotherapeutic waste.**

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

#### *New Application Received*

**Commodore Medical Services of Pennsylvania, LLC.,** 1941 Cement Plant Road, Nashville, TN 37208. Received on July 21, 2005.

#### *Renewal Applications Received*

**York Hospital,** 1001 S. George Street, York, PA 17405. **License No. PA-HC 0017.** Received on June 30, 2005.

**Carlucci Construction Company, Inc.,** 401 Meadow Street, Cheswick, PA 15024. **License No. PA-HC 0015.** Received on July 6, 2005.

**Abington Memorial Hospital,** 1200 Old York Road, Abington, PA 19001-3720. **License No. PA-HC 0095.** Received on July 25, 2005.

#### **OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE**

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

*Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**Permit No. 101509, New Morgan Landfill Company, Conestoga Landfill**, New Morgan Borough, Berks County, application for expansion (Disposal Area 1). On November 19, 2002, the Department held a local municipal involvement meeting which resulted in a negotiated time frame for the review of application for expansion. Due to compliance issues, the application review was suspended until June 17, 2005, when a new local municipal involvement process meeting was held. Conestoga landfill revised the application decreasing the average daily volume from 7,210 tons/day to 5,210 tons/day, with subsequent operational and environmental assessment revisions. The Department, applicant and New Morgan Borough negotiated a new application review timeline at that meeting. The amount of time negotiated to review the revised application is 375-calendar days starting from June 17, 2005. This time period does not include the applicant's response time.

## 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 should 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.**

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

**56-00284B: Quecreek Mining Inc.** (1576 Stoystown Road, Friedens, PA 15541) to increase throughput for the dry-screening operation and associated sources at Quecreek No. 1 Mine in Lincoln Township, **Somerset County**.

**56-00210A: PBS Coals, Inc.** (1576 Stoystown Road, Friedens, PA 15541) to install coal processing equipment at Cambria Preparation Plant in Stonycreek Township, **Somerset County**.

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

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

**40-399-024: Mission Foods—GRUMA Corp.** (15 Elmwood Avenue, Mountaintop, PA 18707) for construction of snack food processing operations at their facility in Wright Township, **Luzerne County**. The construction involves installation of several small combustion sources fired with natural gas, each having rated capacity of less than 2.5 mmBtus per hour. Six bulk storage silos equipped with a high efficiency dust collector will be installed as a part of this application. Expected NOx and CO emissions are less than 1.5 tpy. The company will operate the facility and maintain the system in accordance with the good engineering practices to assure proper operation of the system. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within applicable air quality requirements.

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

**06-03124: James Hardie Building Products, Inc.** (Excelsior Industrial Park, 318 June Avenue, Blandon, PA 19510) for installation of a surface coating (painting) line in their Maiden creek Township, **Berks County** facility. This facility will have a potential to emit 33 tons per year of VOCs. Actual emissions are expected to be 12 tons per year of VOCs. The plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the sources operating within all applicable air quality requirements.

*Department of Public Health, Air Management Services, 321 University Avenue, Philadelphia, PA 19104, Edward Braun, Chief, (215) 685-7584.*

**AMS 05033: United States Postal Service—Philadelphia Processing and Distribution Center** (7500 Lindbergh Ave., Philadelphia, PA 19153) for installation of 2 7.32 mmBtu/hr Cleaver-Brooks natural gas fired boilers, a 3.35 mmBtu/hr Cleaver-Brooks natural gas fired boiler, a 75,000 Btu/hr Modine natural gas fired heater, 17 60,000 Btu/hr Modine natural gas fired heaters, 18 45,000 Btu/hr Modine natural gas fired heaters, 16 30,000 Btu/hr Modine natural gas fired heaters, 2 399,000 Btu/hr PVI natural gas fired hot water heaters, 3 199,000 Btu/hr PVI natural gas fired hot water heaters, a 300,000 Btu/hr Trane natural gas fired air handling unit and a 300 kW Caterpillar diesel fired emergency generator. Potential emissions from the facility are 12.78 tons of NOx per rolling 12-month period. The plan approval will contain operating and recordkeeping requirements to ensure operation within all applicable requirements.

#### OPERATING PERMITS

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

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

**3-00037: Sunoco Partners Marketing and Terminals, LP—Fort Mifflin Terminal** (1801 Market Street, Philadelphia, PA 19103-1699) this action is a renewal of the Title V Operating Permit located in Tinicum Township, **Delaware County**. The initial permit was issued on August 30, 2000, and was amended on November 5, 2002, for a change of ownership. The facility is a marine terminal for loading and unloading tankers and barges containing various petroleum products. No changes have taken place at this facility that were not previously permitted. The renewal contains applicable requirements including monitoring, recordkeeping and reporting. The sources at this facility are not subject to Compliance Assurance Monitoring under 40 CFR Part 64.

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

**37-00243: INMETCO** (245 Portersville, Ellwood City, PA 16117) for a Title V Operating Permit Reissuance to operate a secondary nonferrous metals recovery facility, in Ellwood City Borough, **Lawrence County**.

*Department of Public Health, Air Management Services, 321 University Avenue, Philadelphia, PA 19104, Edward Braun, Chief, (215)-685-7584.*

**V05-007: Sun Chemical** (3301 Hunting Park Avenue, Philadelphia, PA 19132) for operation of a printing ink manufacturing facility in the City of Philadelphia, **Philadelphia County**. The facility's air emissions' sources include 14 mixers, 6 mills, 21 mixing and storage tanks, 2 dispensing units, 1 transfer operation, a 2.5 mmBtu/hr natural gas-fired boiler, a 1.49 mmBtu/hr natural gas-fired air handling unit and a 1.44 mmBtu/hr natural gas-fired air handling unit. The facility's air emission control devices include three dust collectors.

The operating permit will be issued 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 (215) 685-9426.

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

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

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

**23-00105: Hanson Aggregates PA, Inc.** (523 West Forge Road, Glen Mills, PA 19342) for operation of a hot mix asphalt plant, a recycled asphalt pavement plant and a portable nonmetallic mineral processing plant, which have the potential to emit major levels of particulate matter before taking limitations in Middletown and Thornbury Townships, **Delaware County**. This is a non-Title V Facility, State-only, Synthetic Minor Operating Permit. The permit will include monitoring, recordkeeping, reporting and work practice standards designed to keep the facility operating within applicable air quality requirements.

**23-00024: Hanson Aggregates PA, Inc.** (523 West Forge Road, Glen Mills, PA 19342) for operation of an aggregate processing plant (quarry) and a portable non-metallic mineral processing plant, which have the potential to emit major levels of particulate matter before taking limitations in Middletown and Thornbury Townships, **Delaware County**. This is a non-Title V Facility, State-only, Synthetic Minor Operating Permit. The permit will include monitoring, recordkeeping, reporting and work practice standards designed to keep the facility operating within applicable air quality requirements.

**9-00182: Armoloy Co. of Philadelphia** (1105 Miller Avenue, Croydon, PA 19020) for operation of their hard chrome plating specialties facility in Bristol Township, **Bucks County**. The permit is for a non-Title V (State-only) facility. The facility's main sources include: two small hard chrome plating baths, exhausted to a Horizontal Scrubber. The source is subject to the Federal National Emission Standards for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks (40 CFR Part 63). The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

**09-00068: Orchard Hill Memorial Park, Inc. d/b/a Abbey Glen** (80 Kelly Road, Quakertown, PA 18951) for individual and bulk animal cremation services in Richland Township, **Bucks County**. This is a non-Title V Facility, State-only, Synthetic Minor Operating Permit. The facility's major emission points are three crematoriums, from which the main pollutant emitted is NOx. To avoid being a major source of NOx emissions, the facility has proposed to limit the hours of operation for each crematorium so that the NOx emissions from the facility will not exceed 21.9 tons per year. The permit will contain



monitoring, recordkeeping, reporting and work practice standards designed to keep the facility operating within applicable air quality requirements.

**09-00019: Miller and Son Paving, Inc.** (887 Mill Creek Road, Rushland, PA 18956) to quarry and crush stone and produce hot asphalt in Wrightstown Township, **Bucks County**. This is a non-Title V Facility, State-only, Synthetic Minor Operating Permit. The company quarries stone and crushes it into different grades (sizes) for sale to various industries, and also uses it to produce hot mix asphalt (HMA) for use in road construction. The facility's major emission points are a stone crushing plant, from which the main pollutant emitted is particulate matter (PM), and a batch HMA plant, from which the main pollutants emitted are PM and NOx. To control PM emissions, the facility routes emissions from both plants to dedicated baghouses, and uses water sprays to suppress fugitive PM emissions from the stone crushing plant. To avoid being a major source of NOx emissions, the facility has proposed to limit the HMA production for the batch HMA plant such that the NOx emissions from the facility will not exceed 24.9 tons per year. The permit will contain monitoring, recordkeeping, reporting and work practice standards 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.*

**06-03011: Joseph D. Giles Funeral Home, Inc.** (21 Chestnut St, Mohnton, PA 19540) to operate two human crematories controlled by secondary combustion chambers in the Borough of Mohnton, **Berks County**. The facility is not subject to Title V State-only operating permit. The renewal will include restrictions, monitoring, work practices, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**21-05040: Valley Quarries, Inc.** (P. O. Box J, Chambersburg, PA 17201) for renewal of their synthetic minor operating permit for their Shippensburg plant at Southampton Township, **Cumberland County**. The facility's major sources of emissions include rock crushing operations and a portable asphalt plant, which primarily emit particulate matter and VOC. The facility emissions of PM and VOC shall be limited at less than 100 and 50 tons per year respectively. The State-only operating permit will contain restrictions, work practice standards, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**36-05137: B and S Woodcrafts** (722 Truce Road, Quarryville, PA 17566) for operation of two spray paint booths in Providence Township, **Lancaster County** facility. Actual emissions are expected to be 14 tons per year of VOCs. The operating permit will 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, David Aldenderfer, Program Manager, (570) 327-3637.*

**17-00021: West Branch Area School District** (356 Allport Cutoff, Morrisdale, PA 16858) for operation of their junior/senior high school in Morris Township, **Clearfield County**.

The school incorporates two 9.165 million Btu per hour No. 2 fuel oil-fired boilers, two .245 million Btu per hour No. 2 fuel oil-fired boilers, two .105 million Btu per hour No. 2 fuel oil-fired water heaters and a 465 brake horsepower diesel-fired generator. The air contaminant emissions from the facility are not expected to exceed 54.23 tons of SOx, 18.67 tons of NOx, 7.83 tons of CO, 6.88 tons of VOCs and 1.41 tons of PM10 per year.

The 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 air contamination sources and the emission of air contaminants. The Department also plans to incorporate a condition requiring certification of the sulfur content of all No. 2 fuel oil delivered to the facility, a condition limiting the operation of the generator to no more than 1,450 hours in any 12-consecutive month period, of which no more than 600 hours shall occur between May 1 and September 30 of each year, and a condition requiring the maintenance of records of the number of hours the generator operates each month.

**55-00006: Philips Products Co.** (499 West Sassafras Street, Selinsgrove, PA 17870) for operation of a modular home window and door manufacturing facility in Penn Township, **Snyder County**.

The facility consists of a door manufacturing operation, a window manufacturing operation, a wood trim operation, cleanup operations, a solvent parts washer and numerous natural gas-fired space heaters. The particulate matter emissions, including PM10 from the wood trim operation are controlled by a fabric collector. The air contaminant emissions from this facility are not expected to exceed 12.39 tons of particulate matter, including PM10, 5.01 tons of NOx, 4.2 tons of CO, 5.0 tons of VOCs, .40 ton of volatile hazardous air pollutants, .03 ton of SOx and .25 ton of acetone per year.

The 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 applicable regulatory requirements pertaining to air contamination sources and the emission of air contaminants as well as the conditions previously established in Operating Permit OP-55-0004 issued on September 10, 1996. These previously-existing conditions include a requirement that the total facility-wide VOC emissions not exceed 5.0 tons per year, a requirement that the seam sealer used in the window manufacturing operation have a VOC content of no greater than .17 pound per gallon, a number of work practice requirements intended to minimize VOC compound loss to the atmosphere during cleanup operations and a requirement that accurate records be maintained of the identity and amount of all VOC-containing materials used at the facility.

The Department additionally proposes to incorporate into the operating permit to be issued conditions requiring the maintenance of records of the identity and amount of all volatile hazardous air pollutant-containing and acetone-containing materials used at the facility.

**59-00016: Pine Hill, Inc.** (Box 62, Blossburg, PA 16912) for operation of a residual waste landfill in Ward Township, **Tioga County**.

The residual waste landfill is used to dispose of foundry sand, stabilized slag and stabilized sludge from Ward Manufacturing, Inc. and ACP Manufacturing Co., LLC. The particulate matter and PM10 emissions from the landfill are not expected to exceed 6.12 and 2.24 tons per year, respectively.

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

The Department of Environmental Protection proposes to incorporate into the operating permit to be issued conditions requiring compliance with applicable regulatory requirements pertaining to air contamination sources and the emission of air contaminants as well as the conditions previously established in Operating Permit 59-399-005A issued on April 5, 1994. These previously-existing conditions include a condition which limits the waste which can be disposed of at the landfill to water-conditioned foundry sand, stabilized slag, stabilized sludge and mixtures of stabilized slag and stabilized sludge and a condition requiring the maintenance of a water truck on site for road dust and landfill surface dust control.

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

**61-00206: Renovex, Inc.** (1028 Stevenson Road, Grove City, PA 16127) for a Natural Minor Permit to operate a surface coating operation in Barkeville Borough, **Venango County**.

*Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104, Edward Braun, Chief, (215) 685-7584.*

**S04-015: Smurfit-Stone Container Corp.** (7701 Edmund Street, Philadelphia, PA 19136) for operation of a paper products manufacturing facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include one 600 hp boiler, two cyclones and nine pressers and gluers.

The operating permit will be issued 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 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.

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### PUBLIC HEARINGS

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

**22-02004B: The Hershey Co.** (19 East Chocolate Avenue, Hershey, PA 17033) to receive comments on the proposed Reasonably Available Control Technology Plan and amendment to the State Implementation Plan (SIP) for The Hershey Company manufacturing facility in

Derry Township, **Dauphin County**. The proposed SIP revision does not adopt any new regulations. It incorporates the requirements that include emission limitations for the significant VOC sources at the plant. The Department will hold one public hearing on Wednesday September 21, 2005, at the Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110, from 9 a.m. until all scheduled comments are received. Persons who wish to present testimony should contact Ronald Davis, Southcentral Regional Office at (717) 705-4862. Written comments may be submitted to the Southcentral Regional Office until October 21, 2005.

## COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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**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).**

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

Written comments, objections or requests for informal conferences on applications may be submitted by any person or any officer or head of any Federal, State or local government agency or authority to the Department at the district mining office indicated before an application within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement, as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34.

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

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

at the conference; and a statement whether the requestor wishes to have the conference conducted in the locality of the proposed mining activities.

#### *Coal Applications Received*

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

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Iron (total)	3.0 mg/l	6.0 mg/l	7.0 mg/l
Manganese (total)	2.0 mg/l	4.0 mg/l	5.0 mg/l
Suspended solids	35 mg/l	70 mg/l	90 mg/l
PH <sup>1</sup>		greater than 6.0; less than 9.0	

Alkalinity greater than acidity<sup>1</sup>

<sup>1</sup> The parameter is applicable at all times.

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

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

**30841316 and NPDES Permit No. PA0213535, Consol Pennsylvania Coal Company**, (1525 Pleasant Grove Road, P. O. Box J, Claysville, PA 15323), to revise the permit for the Bailey Mine and Prep Plant in Richhill Township, **Greene County** to install four South No. 4 Airshaft, boreholes, facilities and NPDES discharge point. Surface acres proposed 14.7. Receiving stream: Barney's Run, classified for the following use: WWF. Application received June 22, 2005.

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

**65900403 and NPDES Permit No. PA0591866. Hanson Aggregates PMA, Inc.** (2200 Springfield Pike, Connellsville, PA 15425). Revision application for underground mining to an existing large noncoal surface mine, located in Unity and Cook Townships, **Westmoreland County**, affecting 662.5 acres. Receiving streams: UNTs to Nine Mile Run, classified for the following use: WWF. The first potable water supply intake within 10 miles downstream from the point of discharge: Municipal Authority of Westmoreland County. Revision application received: July 25, 2005.

**03990105 and NPDES Permit No. PA0202592. Seven Sisters Mining Co., Inc.** (P. O. Box 300, 200 US Route 22, Delmont, PA 15626-0300). Renewal application for reclamation only of an existing bituminous surface mine, located in South Bend and Burrell Townships, **Armstrong County**, affecting 206.2 acres. Receiving stream: UNT to Fagley Run, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: July 25, 2005.

**03050103 and NPDES Permit No. PA0250759. Duquesne Light Company** (411 Seventh Ave., P. O. Box 1930, Pittsburgh, PA 15219). Application for commencement, operation and reclamation of a bituminous surface mine, located in Monongahela Township, **Greene County**, affecting 43.1 acres. Receiving streams: Sandy Run and Monongahela River, classified for the following use: WWF. Potable water supplies that have intakes within 10 miles downstream from the point of discharge: Dunkard Valley Joint Municipal Water Authority, Masontown Borough and Carmichaels Municipal Authority. Application received: July 6, 2005.

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

**54030103C2 and NPDES Permit No. PA0224367. JETT Contracting Company**, (P. O. Box 243, Brockton, PA 17925), correction to an existing anthracite surface mine operation to add an additional NPDES discharge point in Blythe Township, **Schuylkill County**, receiving stream: Morgan's Run. Application received July 21, 2005.

**54960202C6. City of Philadelphia, Trustee**, (21 South 12th Street, Philadelphia, PA 18107), correction to an existing coal refuse reprocessing operation to include surface mining and blasting in Butler, West Mahanoy and Union Townships, **Schuylkill County** affecting 1,071.0 acres, receiving streams: Shenandoah and Mahanoy Creeks, classified for the following use: CWF. Application received July 25, 2005.

**54773006R4. Reading Anthracite Company**, (P. O. Box 1200, Pottsville, PA 17901), renewal of an anthracite surface mine operation in Cass, Foster and New Castle Townships, **Schuylkill County** affecting 7,500.0 acres, receiving stream: none. Application received July 25, 2005.

#### *Noncoal Applications Received*

##### *Effluent Limits*

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

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

<sup>1</sup> 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.

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

**26950302 and NPDES Permit No. 0201332. Carbon Fuel Resources, Inc.** (P. O. Box 275, West Leisenring, PA 15489). Renewal application for reclamation only of an existing noncoal surface mine, located in Jefferson Township, **Fayette County**, affecting 48 acres. Receiving stream: Redstone Creek, classified for the following use: WWF. The first potable water supply intake within 10 miles downstream from the point of discharge: PA American Water, California Plant. Renewal application received: July 26, 2005.

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

**14050801. Robert Livergood** (P. O. Box 5, 102 Askey Road, Moshannon, PA 16859), commencement, operation and restoration of a small industrial minerals (Shale) permit in Snow Shoe Township, **Centre County** affecting 5.0 acres. Receiving streams: UNT to Moshannon Creek. Application received: July 25, 2005.

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

**58930801. Frank A. Summa** (R. R. 1 Box 1346, Hop Bottom, PA 18824), Stages I and II bond release for a quarry operation in Lathrop Township, **Susquehanna County** affecting 2.0 acres on property owned by Frank A. Summa. Application received July 20, 2005.

**06010301C2. Berks Products Corporation** (P. O. Box 421, Reading, PA 19603), boundary correction for an existing quarry operation in Maxatawny Township, **Berks County** affecting 38.4 acres, receiving stream: Maiden Creek. Application received July 26, 2005.

**58040595. William C. Burchell** (249B Harford Road, New Milford, PA 18834), Stages I and II bond release for a quarry operation in New Milford Township, **Susquehanna County** affecting 1.0 acre on property owned by David Grizzanti. Application received July 28, 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 should contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

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

## WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E15-741. Kelly Group**, 63 Chestnut Road, Paoli, PA 19301, West Goshen Township, **Chester County**, ACOE Philadelphia District.

To authorize the maintenance of the following activities, which were previously constructed with no permit, in and along the East Branch of Chester Creek (TSF) associated with the proposed Shadeland Woods Residential Subdivision. The site is located approximately 500 feet southwest of the intersection of Boot Road and Phoenixville Pike (Malvern, PA USGS Quadrangle N: 1.5 inches; W: 13.0 inches).

The authorization will include the following:

1. To maintain 94 linear feet of 10-foot by 6-foot precast concrete box culvert and associated fill in and along East Branch of Chester Creek and associated floodplain for the proposed Access Road to the Shadeland Woods Subdivision. Work also includes maintenance of the 8-inch sanitary sewer line, 8-inch water line, 18-inch

storm pipe and electric, telephone and cable conduits under the aforementioned culvert.

2. To maintain 18-inch stormwater outfall structure along the East Branch of Chester Creek located adjacent to the downstream endwall of the proposed box culvert.

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

**E67-776: Dover Township**, 2480 West Canal Road, Dover, PA 17315 in Dover Township, **York County**, ACOE Baltimore District.

To construct and maintain a 5-foot by 40-foot fabricated pedestrian footbridge using existing abutments over a UNT to Fox Run (TSF) located within Brookside Park (Dover, PA Quadrangle N: 40° 0' 7" W: 76° 49' 52") in Dover Township, York County

**E05-323A: South Woodbury Township**, 125 North Road, New Enterprise, PA 16664 in South Woodbury Township, **Bedford County**, ACOE Baltimore District.

Stream crossings c), d), i) and j) of Item 4) of the following project description are proposed to be amended and included in Item 5) to authorize the use of the dry trench method due to complications that arose during previous boring and/or directional drilling attempts:

To construct and maintain approximately 53,000 linear feet of 12-inch, 10-inch, 8-inch and 6-inch wastewater collection sewer and 4,000 linear feet of wastewater force main in South Woodbury Township, **Bedford County**, involving:

1) Three dry trench stream crossings of Yellow Creek (HQ-CWF): a) 45-foot by 8-inch (New Enterprise, PA Quadrangle N: 6.5 inches; W: 0.1 inch); b) 40-foot by 8-inch (New Enterprise, PA Quadrangle N: 6.6 inches; W: 0.2 inch); and c) 50-foot by 12-inch (New Enterprise, PA Quadrangle N: 7.0 inches; W: 0.3 inch).

2) One 60-foot by 16-inch bored stream crossing of Yellow Creek (New Enterprise, PA Quadrangle N: 11.9 inches; W: 0.2 inch).

3) One 70-foot by 12-inch dry trench stream crossing of an UNT to Yellow Creek (HQ-CWF) (New Enterprise, PA Quadrangle N: 6.6 inches; W: 0.0 inch).

4) Sixteen bored stream crossings of Three Springs Run (HQ-CWF): a) 30-foot by 16-inch (New Enterprise, PA Quadrangle N: 8.5 inches; W: 0.8 inch); b) 50-foot by 14-inch (New Enterprise, PA Quadrangle N: 8.6 inches; W: 1.0 inch); c) 30-foot by 4-inch (New Enterprise, PA Quadrangle N: 8.6 inches; W: 1.1 inches); d) 20-foot by 4-inch (New Enterprise, PA Quadrangle N: 8.6 inches; W: 1.3 inches); e) 35-foot by 14-inch (New Enterprise, PA Quadrangle N: 8.4 inches; W: 1.5 inches); f) 45-foot by 8-inch (New Enterprise, PA Quadrangle N: 8.3 inches; W: 1.5 inches); g) 40-foot by 8-inch (New Enterprise, PA Quadrangle N: 8.3 inches; W: 2.0 inches); h) 65-foot by 14-inch (New Enterprise, PA Quadrangle N: 8.4 inches; W: 2.4 inches); i) 30-foot by 12-inch (New Enterprise, PA Quadrangle N: 8.4 inches; W: 2.6 inches); j) 35-foot by 14-inch (New Enterprise, PA Quadrangle N: 8.3 inches; W: 3.1 inches); k) 25-foot by 14-inch (New Enterprise, PA Quadrangle N: 8.2 inches; W: 3.5 inches); l) 25-foot by 8-inch (New Enterprise, PA Quadrangle N: 8.2 inches; W: 4.0 inches); m) 25-foot by 8-inch (New Enterprise, PA Quadrangle N: 8.2 inches; W: 4.05 inches); n) 25-foot by 14-inch (New Enterprise, PA Quadrangle N: 8.2 inches; W: 4.3 inches); o) 20-foot by 4-inch (New Enterprise, PA Quadrangle N: 7.9 inches; W: 5.7 inches); and p) 20-foot by 4-inch (New Enterprise, PA Quadrangle N: 7.9 inches; W: 5.6 inches).

5) Two dry trench stream crossings of Three Springs Run: a) 20-foot by 8-inch (New Enterprise, PA Quadrangle N: 8.2 inches; W: 3.2 inches); and b) 10-foot by 8-inch (New Enterprise, PA Quadrangle N: 8.0 inches; W: 5.2 inches).

6) Six bored stream crossings of UNTs to Three Springs Run (HQ-CWF): a) 25-foot by 14-inch (New Enterprise, PA Quadrangle N: 8.2 inches; W: 3.7 inches); b) 5-foot by 12-inch (New Enterprise, PA Quadrangle N: 8.3 inches; W: 3.7 inches); c) 2-foot by 14-inch (New Enterprise, PA Quadrangle N: 8.9 inches; W: 4.8 inches); d) 10-foot by 14-inch (New Enterprise, PA Quadrangle N: 8.2 inches; W: 4.2 inches); e) 2-foot by 8-inch (New Enterprise, PA Quadrangle N: 8.4 inches; W: 1.9 inches); and f) 2-foot by 8-inch (New Enterprise, PA Quadrangle N: 8.5 inches; W: 2.0 inches).

7) Five dry trench stream crossings of UNTs to Three Springs Run: a) 2-foot by 6-inch (New Enterprise, PA Quadrangle N: 8.4 inches; W: 4.1 inches); b) 2-foot by 6-inch (New Enterprise, PA Quadrangle N: 8.4 inches; W: 4.1 inches); c) 2-foot by 8-inch (New Enterprise, PA Quadrangle N: 8.3 inches; W: 4.1 inches); d) 2-foot by 8-inch (New Enterprise, PA Quadrangle N: 8.4 inches; W: 4.1 inches); and e) 5-foot by 8-inch (New Enterprise, PA Quadrangle N: 8.7 inches; W: 4.6 inches);

8) One 15-foot by 8-inch stream crossing under an existing culvert on a UNT to Three Springs Run (New Enterprise, PA Quadrangle N: 7.9 inches; W: 6.0 inches);

9) One 35-foot by 16-inch bored stream crossing of Potter Creek (HQ-CWF) (New Enterprise, PA Quadrangle N: 11.7 inches; W: 0.3 inch);

10) One 40-foot by 16-inch bored stream crossing of Hickory Bottom Creek (HQ-CWF) (New Enterprise, PA Quadrangle N: 12.4 inches; W: 0.3 inch).

11) One 10-inch outfall with a 22-foot by 5-foot riprap apron on Yellow Creek (Hopewell, PA Quadrangle N: 6.3 inches; W: 17.2 inches).

12) Nine dry trench crossings of Exceptional Value PEM wetlands located on the floodplain of Yellow Creek or Three Springs Run resulting in 1.05 acres of temporary wetland impacts: a) 200-foot by 35-foot (New Enterprise, PA Quadrangle N: 6.4 inches; W: 0.2 inch); b) 265-foot by 35-foot (New Enterprise, PA Quadrangle N: 7.4 inches; W: 0.4 inch); c) 210-foot by 35-foot (New Enterprise, PA Quadrangle N: 7.7 inches; W: 0.4 inch); d) 122-foot by 35-foot (New Enterprise, PA Quadrangle N: 7.8 inches; W: 0.4 inch); e) 131-foot by 35-foot (New Enterprise, PA Quadrangle N: 8.3 inches; W: 1.7 inches); f) 250-foot by 35-foot (New Enterprise, PA Quadrangle N: 8.3 inches; W: 2.2 inches); g) 50-foot by 35-foot (New Enterprise, PA Quadrangle N: 8.3 inches; W: 3.1 inches); h) 10-foot by 35-foot (New Enterprise, PA Quadrangle N: 8.2 inches; W: 3.4 inches); and i) 83-foot by 35-foot (New Enterprise, PA Quadrangle N: 8.2 inches; W: 3.7 inches).

13) Three bored crossings of Exceptional Value PEM wetlands located on the floodplains of Yellow Creek and Hickory Bottom Creek, Three Springs Run, and a UNT to Three Springs Run resulting in less than 0.01 acre of temporary wetland impacts: a) 16-foot by 16-inch (New Enterprise, PA Quadrangle N: 12.4 inches; W: 0.3 inch); b) 10-foot by 8-inch (New Enterprise, PA Quadrangle N: 8.4; W: 1.9 inches); and c) 25-foot by 14-inch (New Enterprise, PA Quadrangle N: 8.9 inches; W: 4.8 inches).

The project includes a total of 60 linear feet of utility line stream impacts waived under 25 Pa. Code § 105.12(a)(2). The project proposes to temporarily impact

a total of 986 linear feet of stream channel and temporarily impact 1.05 acre of Exceptional Value PEM wetlands.

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

**E08-425. Department of Transportation, District 3-0**, P. O. Box 218, Montoursville, PA 17754. Culvert Replacement, in Athens Township, **Bradford County**, ACOE Baltimore District (Sayre, PA Quadrangle N: 8.45 inches; W: 14.65 inches).

1) To remove the existing 7 foot by 4.5 foot CMP arch culvert and to construct a precast concrete box culvert with a 15 foot by 3 foot hydraulic opening submerged 1 foot in the natural streambed with a curb-to-curb width of 24 feet on SR 4018, Section 10M in a UNT to Wolcott Creek; 2) place R-8 riprap for inlet and outlet scour protection 5 L. F. upstream and downstream of the culvert. The project will not impact wetlands while impacting about 75 feet of waterway. The UNT to Wolcott Creek is a WWF stream.

**E08-426. Department of Transportation, Engineering District 3-0**, P. O. Box 218 Montoursville, PA 17754-0218. Water Obstruction and Encroachment Permit Application for SR 4014 bridge replacement, in Smithfield Township, **Lycoming County**, ACOE Susquehanna River Basin District (Sayre, PA Quadrangle N: 5.50 inches; W: 7.80 inches).

To remove an existing reinforced concrete slab bridge with a clear span of 16 feet, construct and maintain a single cell precast reinforced concrete box culvert with clear span of 18 feet and a minimum under clearance of 6.5 feet with a depression of 1.0 feet on a skew of 90°, located 1.8 miles west of the intersection of SR 4014 and SR 0220 along SR 4014. This project proposes to permanently impact 60 linear feet of UNT to Bucks Creek, which is designated a WWF and does not propose to impact any jurisdictional wetlands.

**E14-471. Curtin Township**, 351 Orviston Road, Howard, PA 16841. Sayer's Hill Road Stream Crossing, in Curtin Township, **Centre County**, ACOE Baltimore District (Howard, PA Quadrangle N: 12.07 inches; W: 9.83 inches).

To maintain a 96-inch by 74.4-inch by 30.03-foot corrugated metal arch-semicircular culvert in Romola Branch as a public road crossing for Sayer's Hill Road located 600 feet north on Sayer's Hill Road from Orviston Mountain Road. This project has impacted 40 linear feet of Romola Branch, which is a CWF and has no wetland impacts.

**E18-396. Department of Transportation, Engineering District 2-0**, 1924-30 Daisy Street, Clearfield, PA 16830. Water Obstruction and Encroachment Application for SR 1010 Section A01 Bridge Replacement, in Pine Creek Township, **Clinton County**, ACOE Susquehanna River Basin District (Lock Haven, PA Quadrangle N: 12.6 inches; W: 0.1 inch).

The applicant proposes to remove the existing bridge and appurtenant substructures and construct and maintain a precast adjacent box beam bridge with a single clear span of 45'9" with a minimum underclearance of 8'6" on a skew of 75° and place R-7 riprap for scour protection at the inlet, outlet and along the abutments of the proposed bridge over Chatham Run. The proposed project will directly affect approximately 90 linear feet of Chatham Run, which is classified as a CWF, with no wetland impacts proposed.

**E19-247. Department of Transportation**, P. O. Box 215, Montoursville, PA 17754-0218. Bridge Replacement, in North Centre Township, **Columbia County**, ACOE Baltimore District (Mifflinville, PA Quadrangle N: 12.70 inches; W: 12.35 inches).

1) To remove the existing concrete filled steel deck I beam bridge which has a normal span ranging from 10.5 to 11.0 feet with a curb-to-curb width of 33.8 feet and is on a 45° skew with the roadway. The minimum existing underclearance is 5.0 feet at the outlet and 7.1 at the inlet. The existing hydraulic opening is approximately 62.48 square feet; 2) to construct and maintain a 16-foot by 6 foot precast reinforced concrete box culvert with a 16-foot opening on a 45° skew. The box will be submerged 1 foot to allow for the formation of a natural streambed in the culvert with an underclearance of 5 feet from the streambed to the low chord of the top slab. The hydraulic opening will be 80 square feet. The proposed box culvert will have a curb-to-curb width of 34.0 feet. The culvert will cross a UNT to the North Branch of Briar Creek on SR 0093 about 1.14 miles southeast of the intersection of SR 0093 with SR 1012. The project will not impact wetlands while impacting about 105 feet of waterways and 0.1 acre of earth disturbance. The UNT to North Branch Briar Creek is a CWF stream.

**E47-082. Montour County**, 29 Mill Street, Danville, PA 17821. County Line Branch Bridge Replacement, in Limestone Township, **Montour County**, ACOE Baltimore District (Washingtonville, PA Quadrangle N: 16.8 inches; W: 12.5 inches).

The proposed project is to remove the existing single span pony truss bridge structure and to construct, operate and maintain a prestressed concrete box beam bridge with a single clear span of 45.49 feet, minimum outlet underclear of 6.16 feet and a skew of 85° across County Line Branch, which is designated as a WWF. The estimated stream disturbance is 175 linear feet and a total of 896 square feet of permanent wetland impacts and no temporary wetland impacts.

**E59-468. Dennis Schmidt**, 2905 Orchard Lane, Middletown, PA 17057, Bridge Crossing, in Rutland Township, **Tioga County**, ACOE Baltimore District (Jackson Summit, PA Quadrangle N: 0.61 inch; W: 0.60 inch).

To construct and maintain a steel beam timber deck bridge with a clear span of 28 feet, a width of 12 feet and a minimum underclearance of 4 feet on reinforce concrete abutments over Bailey Creek off SR 1011 about 1.5 miles north of the intersection of SR 1011 with SR J49. The project will impact about 1,450 square feet of wetlands while impacting about 60 feet of waterway and 0.3 acre of earth disturbance. Bailey Creek is a TSF stream.

**E59-469. Liberty Area Municipal Authority**, P. O. Box 73, Liberty, PA 16930. Standard Joint Permit Application for structure at SR 0204 Section 004 replacement over Block House Creek, in Jackson Township, **Tioga County**, ACOE Susquehanna River Basin District (Liberty, PA Quadrangle N: 10.5 inches; W: 22.0 inches).

To construct, operate and maintain a total of 37,000 ft. of 3, 4, 6 and 8-inch gravity sewer, 1,600 ft. of 2-inch force main, a stepped concrete outfall measuring 16 ft. long by 3 ft. wide; construct, operate and maintain 31,600 ft.<sup>2</sup> of sand filters, 2,900 yd.<sup>3</sup> of fill in the floodplain of Block-house Creek. Construction of the new sewer lines require 7 wetland and 12 stream crossings that are as follows:

<i>Stream/Wetland</i>	<i>Stream Classification</i>	<i>Latitude</i>	<i>Longitude</i>
Blockhouse Creek	CWF	41° 33' 13"	77° 06' 33"
UNT—Blockhouse Creek	CWF	41° 33' 23"	77° 06' 27"
UNT—Blockhouse Creek	CWF	41° 33' 28"	77° 06' 16"
UNT—Blockhouse Creek	CWF	41° 33' 26"	77° 06' 06"
Blockhouse Creek	CWF	41° 33' 45"	77° 06' 14"
Blockhouse Creek	CWF	41° 33' 49"	77° 06' 11"
Blockhouse Creek	CWF	41° 33' 51"	77° 06' 11"
Blockhouse Creek	CWF	41° 33' 56"	77° 06' 11"
UNT—Blockhouse Creek	CWF	41° 34' 08"	77° 06' 17"
Blockhouse Creek (2)	CWF	41° 18' 14"	77° 07' 22"
Blockhouse Creek	CWF	41° 33' 10"	77° 06' 38"
Wetland A	EV	41° 33' 18"	77° 06' 27"
Wetland B	EV	41° 34' 01"	77° 06' 08"
Wetland C	EV	41° 33' 56"	77° 06' 08"
Wetland D	EV	41° 34' 16"	77° 06' 37"
Wetland E	EV	41° 34' 47"	77° 06' 18"
Wetland F and G	EV	41° 34' 41"	77° 06' 17"

Sewer lines shall be placed beneath streambeds so there will be a minimum of 3 feet of cover between the top of the pipe and the lowest point in the streambed. Trench plugs or clay dikes shall be used at every waterway and wetland crossing to ensure the existing hydrology is not altered. As proposed, the project temporarily impacts 0.10 acre of wetland. The project is located along the eastern and western right-of-way of SR 0414, SR 2002 and SR 2005; southern right-of-way of SR 0414 and SR 2007 in the Borough of Liberty and Liberty Township.

**E60-174. Limestone Township Supervisors**, 10655 SR 304 Hwy, Mifflinburg, PA 17844. Water Obstruction and Encroachment Application for T-380 (Thomas Road) Bridge Replacement, in Limestone Township, **Union County**, ACOE Susquehanna River Basin District °Mifflinburg, PA Quadrangle N: 6.26 inches; W: 10.68 inches).

The applicant proposes to remove the existing two 18-inch diameter culvert pipes, each 40 feet in length, one 15-inch diameter culvert pipe 35 feet in length and construct and maintain two 36-inch HDPE and one 48-inch HDPE; proposed culverts will be 40 feet in length. Proposed culvert replacements for a UNT to Buffalo Creek. The proposed project will directly affect approximately 65 linear feet of the UNT to Buffalo Creek, which is classified as a CWF, with no wetland impacts proposed.

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

**E42-317, Catalyst Energy, Inc**, 800 Cranberry Woods Drive, Cranberry Township, PA 16066. Bridge over UNT Railroad Run Moody Lot No. 65, in Lafayette Township, **McKean County**, ACOE Pittsburgh District (Lewis Run, PA Quadrangle N: 19.35 inches; W: 0.36 inch).

To construct and maintain a single span preengineered/constructed steel bridge w/concrete stub abutments hav-

ing a clear span of 18 feet a width of 10 feet and average underclearance of approximately 6 feet across an unt to Railroad Run (EV) approximately 600 feet northwest of the intersection of Baltimore Railroad and Dronery Road.

**E43-323, Prime Auto Wash LLC**, 224 Arrowhead Drive, Slippery Rock, PA 16057. Prime Auto Wash, in Springfield Township, **Mercer County**, ACOE Pittsburgh District (Grove City, PA Quadrangle N: 3.25 inches; W: 5.22 inches).

To fill a total of 0.074 acre of PEM wetlands for the construction of Prime Auto Wash on property located on the north side of Route 208 approximately 0.3 mile from the intersection of I-79 and Route 208. Project proposes creation of 0.08 acre of replacement wetland (PEM).

*Cambria District: Environmental Program Manager, 286 Industrial Pk. Rd., Ebensburg, PA 15931-4119.*

**E43-09-001. Department of Environmental Protection**, Bureau of Abandoned Mine Reclamation, Cambria Office, 286 Industrial Park Rd., Ebensburg, PA 15931. Abandoned Mine Land Reclamation Project, in Worth and Jackson Townships, **Mercer County**, Pittsburgh ACOE District.

The applicant proposes to backfill an abandoned surface mine, which includes a total of 1,500 linear feet of dangerous highwall. The project will include the backfilling of: (1) 2.06 acres of PEM wetland; (2) 1.03 acres of open water; (3) 2.06 acres of PEM replacement wetland will be constructed onsite to provide mitigation for wetland impacts; (4) 0.41 acre of open water will also be constructed onsite to mitigate for open water impacts. The project will directly impact 2.06 acres of wetland and 1.03 acres of open water; 2.06 acres of replacement wetland and 0.41 acre of open water will be utilized to compensate for wetland water body impacts. (Sandy Lake Quadrangle N: 4.25 inches, W: 13.5 inches).

## 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**

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0008591IW	NGC Industries, Inc. P. O. Box 338 Milton, PA 17847	White Deer Township Union County	West Branch Susquehanna River 10-C	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0004073 Industrial Waste	U. S. Steel Corporation P. O. Box 878 Dravosburg, PA 15034	Allegheny County West Mifflin Borough	Monongahela River	N

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0025356	Mercer Borough WWTP 147 North Pitt Street Mercer, PA 16137	Mercer Borough Mercer County	Neshannock Creek 20-A	Y
PA0093301	Penn Christian Academy School 199 West Airport Road Butler, PA 16001	Penn Township Butler County	UNT to Thorn Creek 20-C	Y
PA0104213	Peaceful Rest Home, Inc. 3472 County Line Road Cochranon, PA 16314	French Township Mercer County	UNT to Foulk Run 16-C	Y



<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0222933	Sharon Tube Company 20 Church Street Wheatland, PA 16161	Wheatland Borough Mercer County	Shenango River 20-A	Y
PA0103675	Miracle Mountain Ranch Mission, Inc. Eldred Hill Road R. D. 1, Box 95 Spring Creek, PA 16436	Spring Creek Township Warren County	UNT to Brokenstraw Creek 16-B	Y

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

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

**NPDES Permit No. PA0053783**, Sewage, **Avon Grove School District**, 375 South Jennersville Road, West Grove, PA 19390. This proposed facility is located in New London Township, **Chester County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge into the West Branch White Clay Creek in Watershed 3I.

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

**PA0228834**, Sewage 4952, **River Hill Power Company, LLC.**, 94 Spruce Street, Indiana, PA 15701-8424. This proposed facility is located in Karthaus Township, **Clearfield County**.

Description of Proposed Activity: The applicant is proposing Outfall 002 from a new biological packaged sewage treatment plant to be located at the proposed facility.

The receiving stream, West Branch Susquehanna River, is in the State Water Plan watershed 8D and is classified for WWF. The nearest downstream public water supply intake is located on the West Branch Susquehanna River approximately 120 miles downstream of the proposed point of discharge, near Milton, PA.

The proposed effluent limits, based on a design flow of 0.006 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow		Report
Fecal Coliforms (5-1 to 9-30) (10-1 to 4-30)	200/100 ml 2,000/100 ml	
C-BOD <sub>5</sub>	25	50
Total Suspended Solids	30	60
Total Chlorine Residual	1.0	2.3
pH	within the range of 6.0 to 9.0	

**NPDES Permit No. PA0228826**, Industrial Wastewater (4911), **River Hill Power Company, LLC.**, 94 Spruce Street, Indiana, PA 15701-8424. This proposed facility is located in the Karthaus Township, **Clearfield County**.

Description of Proposed Action/Activity: Treated industrial wastewater discharges (Outfalls 001 and 003) from cooling tower blowdown, miscellaneous floor drains and coal pile runoff, along with two discharges (Outfalls S01 and S02) from site stormwater at the proposed Waste Coal Fired Power Plant.

The receiving stream, West Branch Susquehanna River, is in the State Water Plan watershed 8D and is classified for WWF. The nearest downstream public water supply intake is located on the West Branch Susquehanna River approximately 120 miles downstream of the proposed point of discharge, near Milton, PA.

The proposed effluent limits for Outfalls 001 and 003, based on a design flow of 1.5 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Ph (std units)	within range of 6.0—9.0	
Oil and Grease	15	30
TSS	30	125
Total Cl <sub>2</sub> Residual	0.2	0.5
Chromium	0.2	0.25
Zinc	1.0	1.25
Iron		Monitor and Report
TDS		Monitor and Report

Outfalls S01 and S02 are regulated through monitoring and/or best management practices.

The EPA waiver is in effect.

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

**NPDES Permit No. PA0027570-A1**. Sewage. **Western Westmoreland Municipal Authority**, 12441 Route 993, North Huntingdon, PA 15642. This proposed facility is located in North Huntingdon Township, **Westmoreland County**.

Description of Proposed Action/Activity: NPDES permit amendment.

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

**NPDES Permit No. PA0026832**, Sewage Amendment No. 1, **Ellwood City Borough**, 525 Lawrence Avenue, Ellwood City, PA 16117. This proposed facility is located in Ellwood City Borough, **Lawrence County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to Connoquenessing Creek in Watershed 20-C.

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

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

**WQM Permit No. 1405201**, Industrial Waste (SIC 2033 & 2037), **Hanover Foods Corporation**, P. O. Box 193, Centre Hall, PA 16828. This existing facility is located in Potter Township, **Centre County**.

Description of Proposed Action/Activity: Permit issued authorizing the construction and operation of improvements to the aeration system serving the aerated treatment lagoon and the addition of a chlorine contact tank for disinfection purposes.

**WQM Permit No. 1705401**, Sewerage 4952, **River Hill Power Company, LLC**, 94 Spruce Street, Indiana, PA 15701-8424. This proposed facility is located in Karthaus Township, **Clearfield County**.

Description of Proposed Action/Activity: The River Hill Power Company, LLC has been approved for a packaged wastewater treatment system utilizing extended aeration and activated sludge with a design Maximum Monthly Flow of 0.006 million gallon per day.

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

**WQM Permit No. 6505402**, Sewerage, **Greater Greensburg Sewage Authority**, P. O. Box 248, Greensburg, PA 15601. This proposed facility is located in the City of Greensburg, **Westmoreland County**.

Description of Proposed Action/Activity: Construction and operation of two equalization basins as part of Greater Greensburg Sewage Authority's LTCP.

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

**WQM Permit No. WQG018400**, Sewerage, **Marcy Allen**, 105 Lollipop Lane, Slippery Rock, PA 16057. This proposed facility is located in Brady Township, **Butler County**.

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

**WQM Permit No. WQG018393**, Sewerage, **William M. Fendya**, 12688 Forrest Drive, Edinboro, PA 16412. This proposed facility is located in Washington Township, **Erie County**.

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

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

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

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### IV. NPDES Stormwater Discharges from MS4 Permit Actions

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### V. NPDES Waiver Stormwater Discharges from MS4 Actions

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

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

#### NPDES

Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI011504066	Southdown Homes, LP Porter Tract 55 County Club Drive Suite 200 Downingtown, PA 19335	Chester	West Vincent Township	Pickering Creek (HQ)
PAI011505011	Wesley M. Taylor Wesley M. Taylor Site Plan 307 Aster Circle Kennett Square, PA 19348	Chester	Elverson Borough	UNT French Creek (EV)

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

## NPDES

Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI024805004	Everson Tesla, Inc. 615 Daniels Rd. Nazareth, PA 18064	Northampton	Lower Nazareth Township	East Branch Monocacy Creek HQ-CWF
PAI024805009	Fox Funding, LLC 1 Fox Chase Drive Watchung, NJ 07069-6402	Northampton	Bushkill Township	Tributary to Bushkill Creek HQ-CWF
PAI024805003	CMC Development Corp. 4511 Falmer Drive Bethlehem, PA 18020-9796	Northampton	Bushkill Township	Tributary to Bushkill Creek HQ-CWF

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

## NPDES

Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI033605003	Robert L. Sensenig 276 Scott Rd. Quarryville, PA 17566	Lancaster	Little Britain Township	UNT McCreary Run HQ-TSF: MF

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

## NPDES

Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI041704001	River Hill Power Co., LLC 94 Spruce St. Indiana, PA 15701	Clearfield	Karthus Township	W. Br. Susquehanna River WWF UNT Mosquito Creek HQ-CWF Dutch Hollow Run HQ-CWF
PAI041705002	Pike Township Muni. Auth. P. O. Box 27 Curwensville, PA 16833	Clearfield	Pike Township	Bear Run HQ-CWF
PAI041405004	Dr. John Corneal 1526 Martin St. State College, PA 16801	Centre	College and Harris Townships	Spring Creek HQ-CWF

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

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

### List of NPDES and/or Other General Permit Types

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

*General Permit Type—PAG-2*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Plumstead Township Bucks County	PAG2000904044	Peter DiPalma DiPalma Tract 3546 Highgate Avenue Chalfont, PA 18916	UNT North Branch Neshaminy Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
New Britain Township Bucks County	PAG2000905060	1600 Horizon Drive, LP Highpoint Office Campus Lot 1 1200 Meetinghouse Road Gwynedd, PA 19436	UNT Neshaminy Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Falls Township Bucks County	PAG2000904048	Pennsbury Manor Visitor's Center 603 North Office Building Harrisburg, PA 17125	Delaware River (WWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Plumstead Township Bucks County	PAG2000903134	Granor Price Homes Teaberry Hill Development 721 Dresher Road Horsham, PA 19044	Tohickon Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
New Britain Township Bucks County	PAG2000905006	Antonio Bova 4365 County Line Road Chalfont, PA 18914	West Branch Neshaminy Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Hilltown Township Bucks County	PAG2000903072-1	Calvary Church 820 Route 313 Souderton, PA 18964	Mill Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Sellersville Borough Bucks County	PAG2000905042	Sellersville Court, LP Sellersville Court Subdivision 100 Correll Drive No. 600, Suite 102 Bristol, PA 19004	East Branch Perkiomen Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
New Britain Township Bucks County	PAR10D699-1	Toll Brothers Hopkins Tract 250 Gibraltar Road Horsham, PA 19044	Mill Creek (WWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
East Rockhill Township Bucks County	PAG2000905024	Beres Construction Fox Hill Subdivision 303B Airport Road Doylestown, PA 198901	Tohickon Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Milford Township Bucks County	PAG2000905022	Main Street Development Group, Inc. 1574 Easton Road Warrington, PA 18976	Morgan Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
West Caln Township Chester County	PAG2001505030	John Callahan 771 Highspire Road Glenmore, PA 19343	UNT Indian Spring Run (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upland Borough Delaware County	PAG2002305040	Pennrose Properties Suite 3810, 1 Liberty Place Philadelphia, PA 19103	Chester Creek (WWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900

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<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Radnor Township Delaware County	PAG2002305031	Villanova University 800 Lancaster Avenue Villanova, PA 19085	Mill Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Middletown Township Delaware County	PAG2002305026	Dixon Homes, LLC 1041 Media Line Road Newtown Square, PA 19703	Chester Creek (TSF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Skippack Township Montgomery County	PAG2004605013	David Kane Muller Tract 4365 Skippack Park P. O. Box 1301 Skippack, PA 19474	UNT Skippack Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Salford Township Montgomery County	PAG2004605079	Upper Salford Township Park and Soccer Fields P. O. Box 100 Salfordville, PA 18958	UNT Perkiomen Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Cheltenham Township Montgomery County	PAG2004605051	Shelter Development, LLC Park View at Cheltenham 218 North Charles Street Baltimore, MD 21201	Tacony Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Horsham Township Montgomery County	PAG2004605107	Department of Transportation SR 463, Horsham Road 7000 Geerdes Boulevard King of Prussia, PA 19406	Tributaries of Park Creek (WWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Marlborough Township Montgomery County	PAG2004603234	MacIntosh Builders, Inc. Candlewyck Estates Phases I and II 602 East Broad Street Souderton, PA 18960	UNT Green Lane Reservoir and Macoby Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Skippack Township Montgomery County	PAG2004603197-1	TH Properties Monroe Court 345 Main Street Harleysville, PA 19438	Skippack Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Providence Township Montgomery County	PAG2004604132	Lower Perkiomen Valley Regional Sewer Authority Oaks WTP 5 River Road P. O. Box 297 Oaks, PA 19456	Shuylkill River/Perkiomen Creek (TSF, WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Hanover Township Montgomery County	PAG2004605009	Hanover North Associates The Shoppes at Upper Hanover 350 Sentry Parkway Building 630 Blue Bell, PA 19422	Perkiomen Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Saucon Township Lehigh County	PAG2003905014	Dennis Benner 2005 City Line Rd. Bethlehem, PA 18034	Saucon Creek CWF	Lehigh Co. Cons. Dist. (610) 391-9583
Whitehall Township Lehigh County	PAG2003905021	Dale Dech P. O. Box 157 Northampton, PA 18067	Coplay Creek CWF	Lehigh Co. Cons. Dist. (610) 391-9583
Scott Township Lackawanna County	PAG2003505017	Bill Nish <i>The Scranton Times</i> 149 Penn Ave. Scranton, PA 18503	Kennedy Creek CWF	Lackawanna Co. Cons. Dist. (570) 281-9495

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Centre County College Township	PAG2001405010	Rob Cooper Penn State University Office of Physical Plant 101 P Physical Plant Bldg. University Park, PA 16802	UNT Spring Creek CWF	Centre County Conservation District 414 Holmes Ave. Suite 4 Bellefonte, PA 16823 (814) 355-6817
Centre County Ferguson Township	PAG2001405020-1	Sergey Maslov Russian Church of Christ 1341 Shamrock Ave. State College, PA 16801	Tributary to Slab Cabin Bald Eagle Creek CWF	Centre County Conservation District 414 Holmes Ave. Suite 4 Bellefonte, PA 16823 (814) 355-6817
Columbia County Franklin Township	PAG2001905011	Frankline Group Co. Frank Tangredi 1658 Rt. 300 Newburgh, NY 12550	Roaring Creek TSF UNT Susquehanna River CWF	Columbia County Conservation District 702 Sawmill Rd. Suite 204 Bloomsburg, PA 17815 (570) 784-1310
Northumberland County Point Township	PAG2004904007-1	Eldarado Properties Corp. P. O. Box 2621 Harrisburg, PA 17105	Susquehanna River WWF	Northumberland County R. R. 3, Box 238C Sunbury, PA 17801 (570) 286-7114, Ext. 4
Northumberland County City of Shamokin Coal Township	PAG2004905008	Cameron Bridge Project Shamokin, PA 17872	Shamokin Creek WWF	Northumberland County R. R. 3, Box 238C Sunbury, PA 17801 (570) 286-7114, Ext. 4
Snyder County Monroe Township	PAG200550509 revisions	Penns Valley Airport Auth. 100 Airport Rd. Selinsgrove, PA 17871	Penns Creek WWF	Snyder County 403 W. Market St. Middleburg, PA 17842 (570) 837-0007 Ext. 112
Tioga County Hamilton Township	PAG2005905004	David R. Thomas P. O. Box 205 Morris Run, PA 16939	Tioga River CWF	Tioga County Conservation District 50 Plaza Lane Wellsboro, PA 16901 (570) 724-1801 Ext. 101
Allegheny County Richland Township	PAG2000205022	Echo Real Estate Services, Inc. 701 Alpha Drive Pittsburgh, PA 15238	Deer Creek (CWF)	Allegheny County CD (412) 241-7645
Allegheny County Upper St. Clair Township	PAG2000205052	John Bourlogianis 2338 Southampton Dr. Pittsburgh, PA 15241	Brush Run (WWF)	Allegheny County CD (412) 241-7645
Allegheny County Pine Township	PAG2000205055	T. Hartley Construction 1660 Chapel Ridge Lane Mars, PA 16046	Pine Creek (CWF)	Allegheny County CD (412) 241-7645
Allegheny County Shaler Township	PAG2000205058	Shaler Area School Dist. 1600 Butler Plank Road Glenshaw, PA 15116	Girtys Run (WWF)	Allegheny County CD (412) 241-7645
Allegheny County Bethel Park	PAG2000205061	Echo Real Estate Services, Inc. 701 Alpha Drive Pittsburgh, PA 15238	Lick Run (WWF)	Allegheny County CD (412) 241-7645
Allegheny County Collier Township	PAG2000205064	J. West Corporation 222 Oxford Boulevard Allison Park, PA 15101	Pine Run (CWF)	Allegheny County CD (412) 241-7645

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<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Allegheny County City of Pittsburgh	PAG2000205068	University of Pittsburgh 3400 Forbes Avenue Pittsburgh, PA 15260	Monongahela River (WWF)	Allegheny County CD (412) 241-7645
Allegheny County Harmar Township	PAG2000205071	Allegheny Valley School District 300 Pearly Avenue Cheswick, PA 15024-1066	Allegheny River (WWF)	Allegheny County CD (412) 241-7645
Allegheny County Collier Township	PAG2000205072	A. R. Building Company The Walnut Mall 5541 Walnut Street Pittsburgh, PA 15232	Thoms Run (TSF)	Allegheny County CD (412) 241-7645
Cambria County Upper Yoder Township	PAG2001105014	Richard M. Kastelic, MD 311 Warren Street Johnstown, PA 15905	Stonycreek River (WWF)	Cambria County CD (814) 472-2120
Washington County Cecil Township	PAG2006305025	Joe DeNardo JND Properties 3625 Washington Pike Bridgeville, PA 15017	UNT to Millers Run (WWF)	Washington County CD (724) 228-6774
Westmoreland County North Huntingdon Township	PAG2006505032	Ron Brentzel 215 Fifth Street Irwin, PA 15642	Brush Creek (WWF)	Westmoreland County CD (724) 837-5271
Westmoreland County North Huntingdon Township	PAG2006505039	Joseph S. Veychek Traditional Land Co. 1083 Redoak Drive Harrison City, PA 15636	Little Sewickley Creek (TSF)	Westmoreland County CD (724) 837-5271
Westmoreland County Municipality of Murrysville	PAG2006505044	Jim Crowley Golden Triangle 5615 William Penn Hwy. Export, PA 15032	Turtle Creek (CWF)	Westmoreland County CD (724) 837-5271
Mercer County Jackson and Worth Townships	PAG2094305001	Bureau of Abandoned Mine Reclamation Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119	Yellow Creek WWF-TSF	Department of Environmental Protection Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119 (814) 472-1800
Centre County	PAG2091405002	Bureau of Abandoned Mine Reclamation Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119	Sevenmile Run CWF	Department of Environmental Protection Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119 (814) 472-1800

*General Permit Type—PAG-3*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Upper Augusta Township Northumberland County	PAR214812	Central Builders Supply Company P. O. Box 152 Island Park Sunbury, PA 17801-0152	Susquehanna River WWF	Water Management Program Manager 208 West Third Street Williamsport, PA 17701 (570) 327-3664

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Point Township Northumberland County	PAR214810	Central Builders Supply Company Island Park P. O. Box 152 Sunbury, PA 17801-0152	UNT To Susquehanna River CWF	Water Management Program Manager 208 West Third Street Williamsport, PA 17701 (570) 327-3664
Bradford Township Clearfield County	PAR604827	Ogden's Auto Wrecking 6982 Shiloh Rd. Woodland, PA 16881	UNT to Valley Fork Run CWF	Water Management Program Manager 208 West Third Street Williamsport, PA 17701 (570) 327-3664
Mt. Pleasant Borough Westmoreland County	PAR216149	Klocek Burial Vaults Company 153 Quarry Street Mt. Pleasant, PA 15666	Sherrick Run to Jacobs Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
St. Marys Elk County	PAR118334	SGL Carbon, LLC 900 Theresia Street St. Marys, PA 15857	Elk Creek	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
<i>General Permit Type—PAG-4</i>				
<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Bradford Township Clearfield County	PAG045195	Cindy Reed-Lauer P. O. Box 0142 Shawville, PA 16873	UNT to Millstone Run CWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3664
Brady Township Butler County	PAG049192	Marcy Allen 105 Lollipop Lane Slippery Rock, PA 16057	UNT to Slippery Rock Creek	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Washington Township Erie County	PAG049185	William M. Fendya 12688 Forrest Drive Edinboro, PA 16412	UNT to Little Conneautee Creek	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942



*General Permit Type—PAG-10*

*Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Eastern Shore Natural Gas Highland Township Pipeline Highland Township Chester County	PAG100013	Eastern Shore Natural Gas Co. 417 Bank Lane Dover, DE 19904	Valley Creek and Knight Run	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5970

**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**

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

**Operations Permit** issued to: **Asbury Pointe LTD**, 7670137, East Manchester Township, **York County** on 7/25/2005 for the operation of facilities approved under Construction Permit No. 6704512.

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

<b>Permit No. M.A.—Operation</b>	<b>Public Water Supply.</b>
Applicant	<b>Pennsylvania American Water Company</b>
Township or Borough	White Deer Township
County	<b>Union</b>
Responsible Official	Edward Russell Pennsylvania-American Water Company 800 West Hersheypark Drive Hershey, PA 17033
Type of Facility	Public Water Supply—Operation
Consulting Engineer	Scott Thomas, P. E. Pennsylvania-American Water Company 800 West Hersheypark Drive Hershey, PA 17033
Permit Issued Date	8/2/05
Description of Action	Operation of purification unit No. 2.

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

<b>Permit No. 2504502</b>	<b>Public Water Supply</b>
Applicant	<b>Millcreek Township Water Authority</b>
Borough or Township	Millcreek Township
County	<b>Erie</b>
Type of Facility	PWS
Permit to Construct Issued	07/29/2005

**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**

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

**WA 25-726A. Water Allocation Permit.** The Department grants **Millcreek Township Water Authority's** request for modification of the existing water allocation permit to expand the service area to include portions of McKean Township along Grubb Road, Bargain Road and Colonial Village. This request does not increase the existing allocation capacity. Consulting Engineer: Clayton J. Fails, P. E., Hill Engineering, Inc., 8 Gibson Street, North East, PA 16428. Modification Order issued July 29, 2005.

## SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Upper Saucon Township	5500 Camp Meeting Road Center Valley, PA 18034	Lehigh

*Plan Description:* The approved plan provides for a 375 unit multiresidential community on a 65 acre tract. The proposed development, Liberty Village, is located on Liberty Road in Upper Saucon Township, Lehigh County. The 375 new residential units will consist of the following:

14 Single Family Dwellings × 226 gpd	=	3,164 gpd
131 Townhouse Dwellings × 226 gpd	=	29,606 gpd
230 Multi-family Dwellings × 226 gpd	=	<u>51,980 gpd</u>

Total Proposed Sewage Flows = 84,750 gpd

The developer will construct a new 8" PVC collection system within the project which will be dedicated to the Upper Saucon Township Municipal Authority. The new collection system will connect to the South Branch Interceptor directly downstream of MH No. 81 for conveyance to the public wastewater facility. All the sewage facilities will be owned, operated and maintained by the Upper Saucon Township Municipal Authority. 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:

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

**ThyssenKrupp-Budd Co.**, City of Philadelphia, **Philadelphia County**. Thomas Nowlan, O'Brien & Gere Engineers, Inc., 512 Township Line Rd., Two Valley Sq., Suite 210, Blue Bell, PA 19422 on behalf of Charles Payne, ThyssenKrupp-Budd Co., 3155 W. Big Beaver Rd., Troy, MI 48084 has submitted a Remedial Investigation Report concerning remediation of site soil and groundwater contaminated with diesel fuel, inorganics, leaded and unleaded gasoline, lead, MTBE, other organics and PAH. The report is intended to document remediation of the site to meet the Site-Specific Standard.

**Glasgow Prop**, Montgomery Township, **Montgomery County**. Mark Fortna, DelVal Soil & Env. Consultants, Inc., Sky Run II, Suite A1, 4050 Skyron Dr., Doylestown, PA 18901 on behalf of Glasgow, Inc., Willow Grove Ave. and Limekiln Pike, Glenside, PA 19038 has submitted a Final Report concerning remediation of site soil contaminated with PCB and inorganics. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**318 W. Lancaster Ave. Prop.**, Lower Merion Township, **Montgomery County**. Darryl D. Borrelli, Manko, Gold, Katcher & Fox, LLP, 401 City Ave., Suite 500, Bala Cynwyd, PA 19004 on behalf of Andrew Talone, 318 W. Lancaster Ave. Corp., 202 Grouse Lane, Radnor, PA 19087 has submitted a Remedial Investigation Report, Risk Assessment Report and Cleanup Plan concerning remediation of site soil and groundwater contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Site-Specific Standard.

**719-725 N. 24th St. Site**, City of Philadelphia, **Philadelphia County**. Greg Hill, Hill Env. Group, Inc., has submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

**Charles Chips Facility**, West Hempfield Township, **Lancaster County**. Weston Solutions, Inc., 1400 Weston Way, West Chester, PA 19380, on behalf of QVC, Inc. 1200 Wilson Drive, Studio Park, West Chester, PA 19380 and Regency V, LP, 1899 Lititz Pike, Lancaster, PA 17601, submitted a Combined Remedial Investigation and Final Report concerning remediation of site soils and groundwa-

ter contaminated with No. 2 fuel oil, diesel fuel, PAHs, chlorinated solvents and other organics. The report is intended to document remediation to the Site-Specific Standard.

**Lime Springs Farm**, East Hempfield and West Hempfield Townships, **Lancaster County**. GCI Environmental Services, 1250 East King Street, Lancaster, PA 17602, on behalf of Marilyn Berger, 22 D East Roseville Road, Lancaster, PA 17601 and Stauffer Charitable Trust, 901 Rotherstown Road, Lancaster, PA 17601, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to the residential Statewide Health Standard.

**PPL Pole No. 42554S35335**, Heidelberg Township, **Lebanon County**. PPL Services Corporation, Two North Ninth Street, Allentown, PA 18101-1179 submitted a Final Report within 90 days of a release concerning remediation of site soils contaminated with PCBs. The report is intended to document remediation of the site to the Statewide Health Standard.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

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

of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

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

The Department has received the following plans and reports:

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

**Marks Res.**, Solebury Township, **Bucks County**. Van Wagenen, Coventry Env. Assoc., Inc., 991 Ridge Rd., Bucktown, PA 19465 on behalf of Bernard Marks, 1063 Hillsboro Mile No. 508, Hillsboro Beach, FL 33062 has submitted a Low Risk Property Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The Low Risk Property Final report was approved by the Department on June 1, 2005.

**Philadelphia Gas Works Richmond**, City of Philadelphia, **Philadelphia County**. Lisa Popovics, Philadelphia Gas Works, 800 W. Montgomery Ave., Philadelphia, PA 19122 on behalf of Michael Handwerk, Philadelphia Gas Works/City of Philadelphia has submitted a Remedial Investigation Report concerning the remediation of site soil and groundwater contaminated with VOC and semi-VOC. The Remedial Investigation Report was approved by the Department on July 12, 2005.

**Levy United News**, City of Philadelphia, **Philadelphia County**. Dean Jeffery Telego, Risk Mgmt Technologies, Inc., 110 N. Royal St., Suite 301, Alexandria, VA 22314 on behalf of Clifford Risell, PCCBC, 725 E. Erie Ave., Philadelphia, PA has submitted a Remedial Investigation, Risk Assessment Reports and Cleanup Plan concerning the remediation of site soil and groundwater contaminated with chlorinated solvents, diesel fuel, No. 2 fuel oil, No. 6 fuel oil, MTBE, other organics and PAH. The Remedial Investigation, Risk Assessment Reports and Cleanup Plan were approved by the Department on June 6, 2005.

**Tube City, Inc. Fac.**, City of Philadelphia, **Philadelphia County**. Donald A. Coleman, PG, Penn E & R, Inc., 2755 Bergey Rd., Hatfield, PA 19440 on behalf of Parker Adams, U. S. Steel Corp., 600 Grant St., Pittsburgh, PA 15219 has submitted a Final Report concerning the remediation of site soil contaminated with inorganics and lead. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on June 15, 2005.

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

**American Eagle Paper Plant**, Tyrone Borough, **Blair County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of Blair County Development Corporation, 3900 Industrial Park Road, Altoona, PA 16602, submitted a Baseline Environmental Report concerning remediation of site soils and groundwater contaminated with metals, solvents, VOCs and SVOCs. The site is being remediated as a Special Industrial Area. The report was approved by the Department on July 25, 2005.

**Weigle Residence**, Huntington Township, **Adams County**. Marshal Miller and Associates, Inc., on behalf of Mr. and Mrs. Ron Weigle, 3509 Carlisle Road, Idaville, PA 17337 submitted a Final Report concerning the remediation of site soils contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the residential Statewide Health Standard and was approved by the Department on July 26, 2005.

**Stutzman Farm**, South Heidelberg Township, **Berks County**. Aquaterra Technologies, Inc., 122 South Church Street, West Chester, PA 19381, on behalf of Sunoco, Inc., (R & M), Post Road and Blue Ball Avenue, P. O. Box 1135, Marcus Hook, PA 19061, submitted a Final Report concerning the remediation of groundwater and surface water contaminated with No. 2 fuel oil, leaded and unleaded gasoline. The final report demonstrated attainment of the nonresidential Statewide Health Standard, and was approved by the Department on July 28, 2005. Site soils will be addressed in a separate report.

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

**Potter County Redevelopment Authority—Arch Street Property**, Coudersport Borough, **Potter County**. Moody & Associates, Inc, 11548 Cotton Road, Meadville, PA 16335 has submitted a Baseline Environmental Report concerning soil and groundwater contamination resulting from historic use as a vegetable tanning facility. This area is served by a municipal water supply. The Final Report demonstrated attainment of the Special Industrial Area Standard and was approved by the Department on May 20, 2005.

**Donald McGahan Property**, 111 Gregg Street, Spring Mills, PA, 16875, Gregg Township, **Centre County**. Chambers Environmental Group, Inc. 629 East Rolling Ridge Drive, Bellefonte, PA 16823 has submitted a Final Report concerning soils contamination resulting from a gasoline release. The Final Report demonstrated attainment of the Statewide Health Standard-Residential and was approved by the Department on July 26, 2005.

**CPO2, Inc. Site**, 200 Chestnut Street, Mifflinburg, PA 17844, Mifflinburg Borough, **Union County**. Molesevich Environmental, P. O. Box 654, Lewisburg, PA 17837, has submitted a Final Report concerning soils contamination resulting from a heating oil release. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on July 26, 2005.

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

**Castle Brand Former**, City of New Castle, **Lawrence County**. 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 Remedial Investigation Report concerning the remediation of site soil contaminated with Boron and Lead and groundwater contaminated with dissolved Lead, Pentachlorophenol and Trichlorethene. The Report demonstrated attainment of the special industrial area requirements and was approved by the Department on August 1, 2005.

**International Paper**, City of Erie, **Erie County**. Patrick Arneault, Presque Isle Downs, Inc., Rt. 2, P. O. Box 358, Chester, WV 26034 on behalf of Jason K. Kronenwetter, GES, 290 Executive Drive, Suite 200, Cranberry Township, PA 16066, has submitted a Final Report concerning the remediation of site soil and

groundwater contaminated with VOCs, semi-VOCs, diesel fuel, No. 2 fuel oil, inorganics, leaded and unleaded gasoline, PAHs and PCBs. The report is intended to document remediation of the site to meet the Statewide Health, Site Specific Standards.

#### **HAZARDOUS WASTE TRANSPORTER LICENSE**

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

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

#### *Hazardous Waste Transporter License Renewed*

**Barr Transportation Corporation**, 805 Spencer Stree, Syracuse, NY 13204. License No. PA-AH 0571. Effective June 17, 2005.

**Barnett Transportation, Inc.**, 1547 51st Avenue, Tuscaloosa, AL 35401. License No. PA-AH 0700. Effective June 20, 2005.

**First Piedmont Hauling, Inc.**, P. O. Box 1069, Chatham, VA 24531. License No. PA-AH S212. Effective June 28, 2005.

**Quality Carriers, Inc.**, 3802 Corporex Park Drive, Tampa, FL 33619-1109. License No. PA-AH 0630. Effective July 5, 2005.

**Waste Recovery Solutions, Inc.**, 343 King Street, Myerstown, PA 17067. License No. PA-AH 0683. Effective July 6, 2005.

**Fred Pugliese DBA Plainfield Motor Services**, 724 W. Route 126, Plainfield, IL 60544. License No. PA-AH 0573. Effective July 6, 2005.

**Sumter Transport Company**, P. O. Box 1060, Sumter, SC 29151-1060. License No. PA-AH 0439. Effective July 8, 2005.

**Beelman Truck, Company**, 1 Racehorse Drive, East St. Louis, IL 62205. License No. PA-AH 0363. Effective July 19, 2005.

**Safety-Kleen Systems, Inc.**, 5400 Legacy Drive, Cluster II B 3, Plano, TX 75024. License No. PA-AH 0172. Effective July 22, 2005.

**T. F. Boyle Transportation, Inc.**, 15 Riverhurst Road, Billerica, MA 01821. License No. PA-AH 0572. Effective July 25, 2005.

**AEG Environmental Products & Services**, P. O. Box 286, Westminster, MD 21158. License No. PA-AH 0701. Effective July 28, 2005.

*Hazardous Waste Transporter License Voluntarily Terminated*

**Sanford Motors, Inc.**, 1307 S. Pennsylvania Avenue, Morrisville, PA 19067-1275. License No. PA-AH S178. Effective June 1, 2005.

*Hazardous Waste Transporter License Expired*

**M. C. Tank Transport, Inc.**, 10134 Mosteller Lane, West Chester, OH 45069. License No. PA-AH 0489. Effective June 30, 2005.

**Reifsneider Transportation, Inc.**, 223 Fellowship Road, Eagle, PA 19480. License No. PA-AH 0486. Effective June 30, 2005.

## INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSE

**Actions on applications for Infectious and Chemotherapeutic Waste Transporter License received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the act of July 13, 1988 (P. L. 525, No. 93) (35 P. S. §§ 6019.1—6019.6) and regulations to transport infectious and chemotherapeutic waste.**

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

*Infectious and Chemotherapeutic Waste Transporter License Issued*

**Commodore Medical Services of Pennsylvania, LLC.**, 1941 Cement Plant Road, Nashville, TN 37208. Received on July 21, 2005.

*Infectious and Chemotherapeutic Waste Transporter License Renewed*

**York Hospital**, 1001 S. George Street, York, PA 17405. License No. PA-HC 0017. Effective July 6, 2005.

**Carlucci Construction Company, Inc.**, 401 Meadow Street, Cheswick, PA 15024. License No. PA-HC 0015. Effective July 11, 2005.

**Abington Memorial Hospital**, 1200 Old York Road, Abington, PA 19001-3720. License No. PA-HC 0095. Effective July 28, 2005.

*Infectious and Chemotherapeutic Waste Transporter License Voluntarily Terminated*

**Sanford Motors, Inc.**, 1307 S. Pennsylvanice, Avenue, Morrisville, PA 19067-1275. License No. PA-HC 0122. Effective June 1, 2005.

## AIR QUALITY

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

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

**GP1-22-03007: Pinnacle Health System—Polyclinic Hospital** (2501 North Third Street, Harrisburg, PA 17110) June 30, 2005, to operate small gas and No. 2 oil fired combustion units under GP1 in the City of Harrisburg, **Dauphin County**.

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

**GP5-32-00386A: Phillips Production Co.** (502 Keystone Drive, Warrendale, PA 15086) on July 28, 2005, to install and operate one 225 bhp Caterpillar natural gas-fired Compressor Engine, Model No. G342NA, equipped with a DCL International Catalytic Converter, Model No. DC47-4, at the Malone Compressor Site in Conemaugh Township, **Indiana County**.

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

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

**15-0027G: Johnson Matthey, Inc.** (456 Devon Park Drive, Wayne, PA 19087) on August 1, 2005, to operate a catalyst coating equipment system in Tredyffrin Township, **Chester County**.

**23-0014F: Kimberly Clark PA LLC** (Front St. and Avenue of the States, Chester, PA 19013) on July 29, 2005, to operate a ventilation system in City of Chester, **Delaware County**.

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

**48-304-033: Victaulic Co. of America** (4901 Kesslersville Road, Easton, PA 18040) on July 18, 2005, to install an air cleaning device to capture particulate emissions from a sand handling and casting finishing area at their facility in Forks Township, **Northampton County**.

**40-303-020B: Reading Materials, Inc.** (P. O. Box 1467, 2052 Lucon Road, Skippack, PA 19474) on July 12, 2005, to modify a batch asphalt plant to utilize alternate fuels including Nos. 2 and 4 fuel oils, and waste derived liquid fuel at their Pikes Creek Asphalt Plant in Lehman Township, **Luzerne County**.

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

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

**09-0110B: Riverside Construction Materials, Inc.** (355 Newbold Road, Fairless Hills, PA 19030) on July 27, 2005, to operate a material handling system in Bristol Township, **Bucks County**.

**23-0089: FPL Energy Marcus Hook, LP** (P. O. Box 426 Delaware Avenue and Green Street, Marcus Hook, PA 19061) on July 28, 2005, to operate a 750 megawatt (MW) combined cycle in Marcus Hook Borough, **Delaware County**.

**09-0027E: Fres-Co Systems—USA, Inc.** (3005 State Road, Telford, PA 18969) on August 1, 2005, to operate a thermal oxidizer in West Rockhill Township, **Bucks County**.

**15-0039: Highway Materials, Inc.** (1750 Walton Road, Blue Bell, PA 19422) on August 1, 2005, to operate a dryer burner in East Caln Township, **Chester County**.

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

**46-0037N: Cabot Supermetals** (P. O. Box 1608, County Line Road, Boyertown, PA 19512) on August 1,

2005, to operate a 4th tantalum production line in Douglass Township, **Montgomery County**.

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

**39-313-045: Carpenter Co.** (P. O. Box 519, 57 Olin Way, Fogelsville, PA 18051) on July 25, 2005, to modify and expand polystyrene manufacturing process at their facility in Upper Macungie Township, **Lehigh County**. The Plan Approval has been extended.

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

**30-00099A: Allegheny Energy Supply Co., LLC** (800 Cabin Hill Drive, Greensburg, PA 15601) on July 21, 2005, for units 1, 2 and 3 boilers at Hatfield Power Station in Monongahela Township, **Greene County**. The plan approval has been extended.

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

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

**28-05002: Letterkenny Army Depot** (AMSAM-LE-EE-S, Chambersburg, PA 17201-4150) on July 26, 2005, the Depot Systems Command installation primarily emits VOCs, NO<sub>x</sub>, SO<sub>x</sub> and particulate matter in Greene/Letterkenny Townships, **Franklin County**. This is a renewal of the Title V Operating Permit.

**36-05081: Lancaster County Solid Waste Management Authority** (1299 Harrisburg Pike, Lancaster, PA 17604-4425) on July 28, 2005, for landfill operations at their Frey Farm-Creswell landfill in Manor Township, **Lancaster County**. This is a renewal of the Title V Operating Permit.

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

**04-00471: Marathon Petroleum Co.** (539 South Main Street, Findlay OH 45849) July 26, 2005, for their Midland Terminal in Industry Borough, **Beaver County**. As a result of the potential levels of VOC emitted from this facility, it is a major stationary source as defined in Title I, Part D of the Clean Air Amendments. The facility is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code, Chapter 127, Subchapter G. This is a Title V renewal.

**65-00207: OMNOVA Solutions, Inc.** (1001 Chambers Avenue, Jeannette, PA 15644-3207) on July 26, 2005, for their vinyl plastic film manufacturing facility in Jeannette, **Westmoreland County**. As a result of the potential levels of VOC emitted from this facility it is a major stationary source as defined in Title I, Part D of the Clean Air Amendments. The facility is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. This is a Title V renewal.

*Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104; Thomas Huynh, Chief, (215) 685-7584.*

**V04-010: Arbill Industries, Inc.** (2270 West Glenwood Avenue, Philadelphia, PA 19132) on July 26, 2005, to operate an industrial laundry and petroleum based dry-

cleaning facility in the City of Philadelphia, **Philadelphia County**. The Title V facility's air emission sources include 2 5.5 mmBtu/hr boilers, 2 heavy-duty petroleum solvent dry cleaning washer, 10 textile dryers with built-in condensers, 3 vacuum stills for petroleum solvent recovery and 26 hampers used to convey textiles.

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**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.**

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

**46-00247: Universal Concrete Products Corp.** (1513 Ben Franklin Highway, Stowe, PA 19518) on July 29, 2005, to operate a Natural Minor Operating Permit in West Pottsgrove Township, **Montgomery County**.

**46-00159: United States Chrome Corp.** (750 West Washington Street, P. O. Box 603, Norristown, PA 19401) on August 1, 2005, to operate a Natural Minor Operating Permit in Norristown Borough, **Montgomery County**.

**23-00063: Department of Corrections** (500 East 4th Street, Chester, PA 19013) On July 29, 2005, to operate a Synthetic Minor Operating Permit in City of Chester, **Delaware County**.

**23-00098: SAP America, Inc.** (3999 West Chester Pike, Newtown Sqaure, PA 19073) on August 1, 2005, to operate a Synthetic Minor Operating Permit in Newtown Township, **Delaware County**.

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

**40-00041: Back Mountain Veterinary Hospital,** (732 Center Hill Road, Dallas, PA 18612) on June 30, 2005, to operate their facility in Dallas Township, **Luzerne County**.

**40-00088: Pennsy Supply Inc.** (1 Clear Spring Road, Annville, PA 17003) on July 1, 2005, to operate a quarry/stone crushing plant in Salem Township, **Luzerne County**.

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

**06-03104: Bean Funeral Homes and Cremation Services, Inc.** (129 East Lancaster Avenue, Shillington, PA 19607-2613) on July 27, 2005, to operate a human crematory controlled by a secondary afterburner chamber in the Borough of Sinking Spring, **Berks County**. This is a renewal of their operating permit.

**06-05094: Reading Alloys, Inc.** (Old West Penn Avenue, P. O. Box 53, Robesonia, PA 19551) on July 28, 2005, to operate a specialty alloy manufacturing facility controlled by various fabric collectors, a wet scrubber and three venturi scrubbers in South Heidelberg Township, **Berks County**.

**22-05048: Amerigas Propane, LP** (5400 Paxton Street, Harrisburg, PA 17111-2527) on July 25, 2005, to operate their propane cylinder filling facility in Swatara Township, **Dauphin County**.

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

**03-00192: Equitable Gas Co.** (225 North Shore Drive, 2nd Floor, Pittsburgh, PA 15212) on July 27, 2005, for a state only operating permit for an internal combustion engines at their Village Compressor Station in Cowanshannock Township, **Armstrong County**.

**65-00817: IA Construction Corp.** (158 Lindsay Road, Zelenople, PA 16063) on July 27, 2005, to operate a hot mix asphalt plant, which is controlled by a fabric collector to in City of Lower Burrell, **Westmoreland County**.

**56-00199: Shade-Central City District** (P. O. Box 7, 203 McGregor Avenue, Cairnbrook, PA 15924) on July 29, 2005, for the district's sources of emissions include steam two boilers and two emergency generators in Shade Township, **Somerset County**.

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

**16-00003: State System of Higher Education—Clarion State University** (840 Wood Street, Clarion, PA 16214-1240) on July 27, 2005, the Department issued Natural Minor Operating Permit Number to operate the boiler plant at the university in Clarion Borough, **Clarion County**. The facility's primary emission sources include three boilers and various emergency power generators. The emissions of criteria pollutants from this facility are below major source levels.

**20-00293: Meadville Sandblasting, Inc.** (15921 South Mosiertown Rd., Meadville, PA 16335) on July 27, 2005 for a Natural Minor Permit for shot blast and surface coating operations in Hayfield Township, **Crawford County**.

*Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104; Edward Braun, Chief, (215) 685-7584.*

**S04-009: Saint Joseph's University** (5930 City Avenue, Philadelphia, PA 19131-1395) on July 29, 2005, to operate a university in the City of Philadelphia, **Philadelphia County**. The facility's major air emission sources include three boilers; two rated at 13.4 mmBtu/hr and one rated at 20.7 mmBtu/hr.

**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.*

**15-00010: ISG Plate LLC** (139 Modena Road, Coatesville, PA 19320) on July 29, 2005, to amend to process a change of ownership and responsible official for a facility Title V Operating Permit in City of Coatesville, **Chester County**.

**46-00011: ISG Plate LLC** (900 Conshohocken Road, Conshohocken, PA 19428) on July 29, 2005, to amend to process a change of ownership and responsible official for a facility Title V Operating Permit in Plymouth Township, **Montgomery County**.

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

**59-399-005A: Pine Hill, Inc.** (P. O. Box 62, Blossburg, PA 16912) on July 21, 2005, via the minor operating permit modification requirements of 25 Pa. Code Section

127.462, to authorize the disposal of foundry waste from ACP Manufacturing Co., LLC at a residual waste landfill in Ward Township, **Tioga County**.

**60-399-002: Ritz-Craft Corp.** (15 Industrial Park Road, Mifflinburg, PA 17844) on July 22, 2005, to operate two mobile/modular home assembly plants and a surface coating operation on a temporary basis until November 19, 2005, in Mifflinburg Borough, **Union County**. The plan approval has been extended.

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

**56-00232: Shade Landfill, Inc.** (Waste Management, Cherrington Corporate Center, 625 Cherrington Parkway, Moon Township, PA 15108) on July 20, 2005, for their Shade landfill in Shade Township **Somerset County**. The Department of Environmental Protection (Department) has administratively amended the Operating Permit to incorporate the names of the new Responsible Official, permit contact, corrections to Plan Approval PA-56-232B, Condition No. 4, and the conditions of Plan Approval PA-56-00232B. Through a minor permit modification the Department has revised the permit to incorporate specific alternatives to the collection and control system operation. The proposed methods are acceptable and conform with language allowing such a change in the Operating Permits and also mirror language found in 40 CFR 60.752(b)(2)(i)(B) and 40 CFR 60.753 that allow for alternatives to operational standards for collection and control systems.

The Department has approved this minor operating permit modification in accordance with 25 Pa. Code § 127.462. This is a Title V Facility.

## ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

### Coal Permits Actions

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

**02891701 and NPDES Permit No. PA0215571, Consolidation Coal Company** (1800 Washington Road, Pittsburgh, PA 15241), to renew the industrial waste permit for the Harmer Mine in Harmer and Indiana Townships, Fox Chapel Borough, **Allegheny County** and related NPDES permit. No additional discharges. Permit issued July 27, 2005.



**03901304. NPDES Permit No. PA0214531, TJS Mining, Inc.** (2340 Smith Road, Shelocta, PA 15774), to revise the permit for the Darmac No. 3 Deep Mine in Plumcreek Township, **Armstrong County** to use coal ash for mine reclamation. No additional discharges. Permit issued July 29, 2005.

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

**32980111 and NPDES Permit No. PA0234885, 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 stream: UNTs to Dixon Run classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received: May 4, 2005. Permit revision issued: July 21, 2005.

**Permit No. 56900104 and NPDES No. PA0598780. Windber High Standard Coal Company,** 1210 Graham Ave. Windber, PA 15963 permit renewal for reclamation only of a bituminous surface mine in Shade Township, **Somerset County**, affecting 37.7 acres. Receiving streams: Beaverdam Creek and UNTs to Beaverdam Creek, classified for the following uses: CWF. There are no potable water supply intakes within 10 miles downstream. Application received May 31, 2005. Permit issued July 25, 2005.

**Permit No. 56000103 and NPDES No. PA0235245. Hoffman Mining, Inc.,** 118 Runway Road, Friedens, PA 15541, permit renewal for reclamation only of a bituminous surface mine in Quemahoning Township, **Somerset County**, affecting 111.4 acres. Receiving streams: UNTs to Oven Run to Stony Creek River, classified for the following uses: CWF and WWF. There are no potable water supply intakes within 10 miles downstream. Application received June 1, 2005. Permit issued July 25, 2005.

**Permit No. 32000106 and NPDES No. PA0235334. P & N Coal Company, Inc.,** permit renewal for reclamation only of a bituminous surface mine in Banks Township, **Indiana County**, affecting 43.8 acres. Receiving stream: UNTs to Cush Creek, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received June 10, 2005. Permit issued July 25, 2005.

**Permit No 56900105 and NPDES No PA0598852. Cooney Brothers Coal Company,** P. O. Box 246, Cresson, PA 16630, permit renewal for reclamation only of a bituminous surface mine in Paint Township, **Somerset County**, affecting 295 acres. Receiving streams: UNTs to and Shade Creek, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received May 4, 2005. Permit issued July 27, 2005.

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

**33900105. Hepburnia Coal Company** (P. O. Box I, Grampian, PA 16838). Renewal of an existing bituminous strip and auger operation in Snyder Township, **Jefferson County**, affecting 650.2 acres. Receiving streams: UNTs to Little Toby Creek and UNTs to Mill Creek. Application received May 8, 2000. Permit issued July 21, 2005.

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

**17880126 and NPDES No. PA0116599. Waroquier Coal Company** (P. O. Box 128, Clearfield, PA 16830). Renewal of an existing bituminous surface-auger permit in Lawrence Township, **Clearfield County** affecting 290.4 acres. Receiving streams: UNTs to the West Branch of the Susquehanna River. Application received: January 31, 2005. Permit issued July 11, 2005.

*Noncoal Permits Actions*

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

**26900306 and NPDES Permit No. PA0591483. Hanson Aggregates PMA, Inc.** (2200 Springfield Pike, Connellsville, PA 15425). NPDES permit renewal issued for continued operation and reclamation of a noncoal surface mining site located in Connellsville Township, **Fayette County**, affecting 51.4 acres. Receiving stream: UNT to Connell Run. Application received: June 17, 2005. NPDES renewal issued: July 25, 2005

**03010407 and NPDES Permit No. PA0250040. Stitt Coal Company, Inc.** (R. D. 1, Box 197A, Ford City, PA 16226). Permit revised to reconfigure 0.9 acre of the permit area and add a coal preparation area at an existing noncoal surface mining site located in Kittanning Township, **Armstrong County**, affecting 285.2 acres. Receiving stream: Garrets Run. Application received: January 10, 2005. Revised permit issued: July 28, 2005.

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

**08040807. Kim L. Mapes** (622 Second Street, Towanda, PA 18848), commencement, operation and restoration of a small industrial mineral (Bluestone) surface mine permit in Standing Stone Township, **Bradford County** affecting 2.0 acres. Receiving stream: UNT to the Susquehanna River. Application received: June 10, 2004. Permit issued July 20, 2005.

**59040801. Richard N. Smith Excavating, Inc.** (R. R. 2, Box 116, Millerton, PA 16936), commencement, operation and restoration of a small industrial minerals (Sand and Gravel) surface mine permit in Jackson Township, **Tioga County** affecting 3.0 acres. Receiving streams: Seeley Creek and Chemung River. Application received December 27, 2004. Permit issued July 19, 2005.

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

**7174SM1C5 and NPDES Permit No. PA0009407.** (205 Creek Road, Camp Hill, PA 17011), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Swatara Township, **Dauphin County**, receiving stream: Susquehanna River. Application received April 20, 2005. Renewal issued July 26, 2005.

**58050811. Richard Luce,** (R. R. 1 Box 1652, Hallstead, PA 18822), commencement, operation and restoration of a bluestone quarry operation in Liberty Township, **Susquehanna County** affecting 5.0 acres. Receiving streams: Dubois Creek. Application received March 2, 2005. Permit issued July 26, 2005.

**58040827. Jeffrey C. Bennett** (P. O. Box 442, New Milford, PA 18834), commencement, operation and restoration of a Bluestone Quarry operation in Gibson Township, **Susquehanna County** affecting 5.0 acres. Receiving stream: Tributary to Butler Creek. Application received May 3, 2004. Permit issued July 26, 2005.

**58050814. Bluerock Natural Resources, LLC** (R. R. 7 Box 7022, Montrose, PA 18801), commencement, opera-



tion and restoration of a Bluestone Quarry operation in Middletown Township, **Susquehanna County** affecting 5.0 acres. Receiving stream: Middle Branch Wyalusing Creek. Application received April 4, 2005. Permit issued July 28, 2005.

**58050815. Harold Jay Luther** (R. R. 3 Box 3727, Nicholson, PA 18446), commencement, operation and restoration of a quarry operation in Springville Township, **Susquehanna County** affecting 5.0 acres. Receiving stream: Meshoppen Creek. Application received April 7, 2005. Permit issued July 28, 2005.

#### ACTIONS ON BLASTING ACTIVITY APPLICATIONS

**Actions on applications under the Explosives Acts of 1937 and 1957 (73 P.S. §§ 151–161) and 25 Pa. Code § 211.124. 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.*

**65054004. John J. Brentzel, Inc.** (1070 Morris Avenue, North Huntingdon, PA 15642). Permit issued for construction related blasting at a site located in North Huntingdon Township, **Westmoreland County**, with an expected duration of 6 months. Permit issued on July 25, 2005.

**26054006. DT Construction** (1107 University Drive, Dunbar, PA 15431). Blasting permit issued for abandoned mine land reclamation project, located in Luzerne Township, **Fayette County**, with an expected duration of 180 days. Permit issued: July 28, 2005.

**2054004. Lomik Construction** (15 Rock Springs Road, Delmont, PA 15626). Blasting permit issued for the Beaver grade drop zone, located in Leetsdale Borough, **Allegheny County**, with an expected duration of 180 days. Permit issued: July 28, 2005.

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

**16054002. Glen Gery Corporation** (Route 28, P. O. Box 68, Summerville, PA 15864). Blasting activity permit to blast for clay exploration in Monroe Township, **Clarion County**. This blasting activity permit will expire on August 22, 2005. Application received: July 21, 2005. Application Issued: July 22, 2005.

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

**08050801. William C. Pickett** (R. R. 2 Box 2951, Laceyville, PA 18623). Addition to an existing small noncoal permit in Tuscarora Township, **Bradford County**. Permit issued: July 21, 2005.

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

**28054136. Newville Construction Services, Inc.** (408 Mohawk Road, Newville, PA 17241), construction blasting for Allison Atrium Museum in Greencastle Borough, **Franklin County** with an expiration date of July 30, 2006. Permit issued July 25, 2005.

**28054137. Newville Construction Services, Inc.** (408 Mohawk Road, Newville, PA 17241), construction blasting for Young Subdivision in Antrim Township, **Franklin County** with an expiration date of July 30, 2006. Permit issued July 25, 2005.

**28054138. Newville Construction Services, Inc.** (408 Mohawk Road, Newville, PA 17241), construction blasting for Scott Green Estates in Chambersburg Borough, **Franklin County** with an expiration date of July 30, 2006. Permit issued July 25, 2005.

**28054139. Newville Construction Services, Inc.** (408 Mohawk Road, Newville, PA 17241), construction blasting for Scotland Meadows in Greene Township, **Franklin County** with an expiration date of July 30, 2006. Permit issued July 25, 2005.

**48054111. Austin Powder Company** (25800 Science Park Drive, Cleveland, OH 44122), construction blasting for Florey Farms in Upper Nazareth Township, **Northampton County** with an expiration date of July 20, 2006. Permit issued July 25, 2005.

**48054112. Austin Powder Company** (25800 Science Park Drive, Cleveland, OH 44122), construction blasting for Posh Job in Forks Township, **Northampton County** with an expiration date of July 31, 2006. Permit issued July 25, 2005.

**67054123. M & J Explosives, Inc.** (P. O. Box 608, Carlisle, PA 17013), construction blasting for West Manchester Sewer in West Manchester Township, **York County** with an expiration date of January 13, 2006. Permit issued July 25, 2005.

**67054033. J. Roy's, Inc.** (Box 125, Bowmansville, PA 17507), construction blasting for Dauberton Subdivision in Manchester Borough, **York County** with an expiration date of June 30, 2006. Permit issued July 27, 2005.

**67054034. Warren's Excavating & Drilling, Inc.** (P. O. Box 189, Bowmansville, PA 17507-0189), construction blasting for Winter Ridge Housing Development in Lower Windsor Township, **York County** with an expiration date of June 30, 2006. Permit issued July 27, 2005.

**67054035. J. Roy's, Inc.** (Box 125, Bowmansville, PA 17507), construction blasting for Colonial Crossings Subdivision in Codorus Township, **York County** with an expiration date of July 15, 2006. Permit issued July 27, 2005.

**7054036. J Roy's, Inc.** (Box 125, Bowmansville, PA 17507), construction blasting at Lot 15 on Arnold Road (New Subdivision) in Manheim Township, **York County** with an expiration date of July 15, 2006. Permit issued July 27, 2005.

**09054011. Eastern Blasting Company, Inc.** (1292 Street Road, New Hope, PA 18938), construction blasting at Poets Walk Housing Development in Northampton Township, **Pike County** with an expiration date of July 1, 2006. Permit issued July 27, 2005.

**38054007. Warren's Excavating & Drilling, Inc.** (P. O. Box 189, Bowmansville, PA 17507-0189), construction blasting at Fox Hill Estates in South Londonderry Township, **Lebanon County** with an expiration date of July 31, 2006. Permit issued July 27, 2005.

**21054006. Brubacher Excavating, Inc.** (P. O. Box 528, 825 Reading Road, Bowmansville, PA 17507), construction blasting for Summerhill in Silver Spring Township, **Cumberland County** with an expiration date of July 31, 2006. Permit issued July 27, 2005.

**09054012. Eastern Blasting Company, Inc.** (1292 Street Road, New Hope, PA 18938), construction blasting at New Britain Business Park in New Britain Township, **Bucks County** with an expiration date of November 1, 2005. Permit issued July 27, 2005.

**67054037. J. Roy's, Inc.** (Box 125, Bowmansville, PA 17507) construction blasting at Delco Plaza Shopping Mall in West Manchester Township, **York County** with an expiration date of July 15, 2006. Permit issued July 27, 2005.

**67054038. ABEL Construction Co., Inc.** (P. O. Box 476, Mountville, PA 17554), construction blasting at Delta Ridge Subdivision in Peach Bottom Township, **York County** with an expiration date of August 31, 2006. Permit issued July 27, 2005.

**22054005. Warren's Excavating & Drilling, Inc.** (P. O. Box 189, Bowmansville, PA 17507), construction blasting for Charter Homes Winslett in West Hanover Township, **Dauphin County** with an expiration date of July 31, 2006. Permit issued July 27, 2005.

**15054117. American Rock Mechanics, Inc.** (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Atwater Development in Tredyffrin Township, **Chester County** with an expiration date of December 30, 2006. Permit issued July 27, 2005.

**21054149. M & J Explosives, Inc.** (P. O. Box 608, Carlisle, PA 17013), construction blasting for High Meadows in Lower Allen Township, **Cumberland County** with an expiration date of August 31, 2006. Permit issued July 27, 2005.

**21054150. Newville Construction Services, Inc.** (408 Mohawk Road, Newville, PA 17241), construction blasting for High Meadows in Upper Allen Township, **Cumberland County** with an expiration date of July 30, 2006. Permit issued July 27, 2005.

**28054145. David H. Martin Excavating, Inc.** (4961 Cumberland Highway, Chambersburg, PA 17201), construction blasting for Heritage Estates in Greencastle Borough, **Franklin County** with an expiration date of July 26, 2006. Permit issued July 27, 2005.

**46054124. Austin Powder Company** (25800 Science Park Drive, Cleveland, OH 44122), construction blasting for South View in Lower Pottsgrove Township, **Montgomery County** with an expiration date of July 31, 2006. Permit issued July 27, 2005.

**46054125. Austin Powder Company** (25800 Science Park Drive, Cleveland, OH 44122), construction blasting for The Court at Upper Providence in Upper Providence Township, **Montgomery County** with an expiration date of August 1, 2006. Permit issued July 27, 2005.

**21054007. Warren's Excavating & Drilling, Inc.** (P. O. Box 189, Bowmansville, PA 17507-0189), construction blasting at Towns on the Meadow in Upper Allen Township, **Cumberland County** with an expiration date of July 31, 2006. Permit issued July 28, 2005.

**67054039. J. Roy's, Inc.** (Box 125, Bowmansville, PA 17507), construction blasting at New Brittney Subdivision in Manchester Township, **York County** with an expiration date of December 31, 2005. Permit issued July 28, 2005.

**15054118. Allan A. Myers, Inc.** (P. O. Box 98, Worcester, PA 19490), construction blasting for Sawmill Subdivision in West Bradford Township, **Chester County** with an expiration date of July 28, 2006. Permit issued July 28, 2005.

**15054119. Horst Drilling & Blasting, Inc.** (141 Rancks Church Road, New Holland, PA 17557), construction blasting for Sawmill Subdivision in West Bradford Township, **Chester County** with an expiration date of July 28, 2006. Permit issued July 28, 2005.

**22054110. Hall Explosives, Inc.** (2981 Elizabethtown Road, Hershey, PA 170330), construction blasting for Milton Hershey School in Derry and South Londonderry Township, **Dauphin and Lebanon Counties** with an expiration date of July 30, 2006. Permit issued July 28, 2005.

**38054117 and 38054118. Keystone Blasting Service** (381 Reifsnnyder Road, Lititz, PA 17543), construction blasting for Tri-Valley Contractor Project in South Lebanon Township, **Lebanon County** with an expiration date of December 30, 2005. Permit issued July 28, 2005.

**40054113. Holbert Explosives, Inc.** (237 Mast Hope Plank Road, Lackawaxen, PA 18435), construction blasting for Linde Enterprises in Pittston Township, **Luzerne County** with an expiration date of August 1, 2006. Permit issued July 28, 2005.

**01054112. Hall Explosives, Inc.** (2981 Elizabethtown Road, Hershey, PA 170330), construction blasting for Cedar Ridge in Hamilton Township, **Adams County** with an expiration date of July 30, 2006. Permit issued July 29, 2005.

**40054114. Holbert Explosives, Inc.** (237 Mast Hope Plank Road, Lackawaxen, PA 18435), construction blasting for Saddle Ridge in Dallas Township, **Luzerne County** with an expiration date of August 1, 2006. Permit issued July 29, 2005.

**67054124. M & J Explosives, Inc.** (P. O. Box 608, Carlisle, PA 17013), construction blasting for Pleasant View in Fairview Township, **York County** with an expiration date of August 31, 2006. Permit issued July 29, 2005.

## FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

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

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

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

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

*Permits, Environmental Assessments and 401 Water Quality Certifications Issued*

**WATER OBSTRUCTIONS AND ENCROACHMENTS**

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

**E38-136: Ronald Sniegocki**, 360 Palmyra-Bellegrove Road, Annville, PA 17003 in North Londonderry Township, **Lebanon County**, ACOE Baltimore District

To remove an existing 22-foot long 42-inch diameter corrugated metal pipe culvert and then to construct and maintain a 16-foot wide by 5.58-foot depth concrete box culvert at the channel of an UNT to the Quittapahilla Creek (TSF) to construct Carson Lane of the proposed Tiffany's Equine Estates residential development, located on the east side of Palmyra-Bellegrove Road (SR 4008) about 1,200 feet south of its intersection with Snyder Road (T-864) (Palmyra, PA Quadrangle N: 16.1 inches; W: 8.87 inches) in North Londonderry Township, Lebanon County.

**E50-229: Department of Transportation, Engineering District 8-0**, 2140 Herr Street, Harrisburg, PA 17103-1699 in Southwest Madison Township, **Perry County**, ACOE Baltimore District.

To rehabilitate and maintain the Bistline Covered Bridge over Sherman Creek (HQ-CWF) on SR 3005, Section 003, Segment 0020, Offset 2314 (Madison Road) by replacing the abutments thereby increasing the span to 96.2 feet, replacing the steel girders and beams thereby providing a minimum underclearance of 9 feet, removing the steel piers, replacing the timber decking and other associated improvements in order to improve the traffic

safety condition located about 1.1 miles south of Andersonburg Village (Andersonburg, PA Quadrangle N: 15.24 inches; W: 13.38 inches) in Southwest Madison township, Perry County.

**E50-230: Department of Transportation, Engineering District 8-0**, 2140 Herr Street, Harrisburg, PA 17103-1699 in Southwest Madison Township, **Perry County**, ACOE Baltimore District.

To rehabilitate and maintain the Adairs Covered Bridge over Sherman Creek (WWF) on SR 3008, Section 005, Segments 0110, Offset 1236 (Couchtown Road) by repairing the abutments and the middle pier, replacing the steel girders, beams, and timber decking, removing the two steel piers and other associates improvements to improve the traffic safety conditions located ear Cisna School (Andersonburg, PA Quadrangle N: 18.26 inches; W: 6.85 inches) in Southwest Madison township, Perry County.

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

**E14-473. David Greenaway**, 2105 Runville Road, Bellefonte, PA 16823. Bank Protection, in Boggs Township, **Centre County**, ACOE Baltimore District (Bellefonte, PA Quadrangle N: 21.07 inches; W: 13.35 inches).

To construct and maintain a total of 43 linear feet of stream bank protection located within a 235 feet reach downstream of a culvert pipe that is next to Mr. Greenaway's parking area and in the right bank of a UNT to Wallace Run located 3,100 feet upstream of the intersection of Gum Stump Road and Runville Road (SR 144) (Bellefonte, PA Quadrangle N: 21.07 inches; W: 13.35 inches) in Boggs Township, Centre County. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

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

<i>Structure</i>	<i>Structure Dimension</i>	<i>Waterway Impacted</i>	<i>Water Quality</i>	<i>Latitude</i>	<i>Longitude</i>
Water Make-up Intake	20-inch Diameter × 275-foot Length	West Branch, Susquehanna River	WWF	41° 02' 06"	78° 06' 33"
Wastewater Outfall	12-inch Diameter × 220-foot Length	West Branch, Susquehanna River	WWF	41° 02' 06"	78° 06' 33"
Access Road Arch Culvert	20-foot Span × 6-foot Rise × 54-foot Length	Dutch Hollow Run	CWF-Wild Trout	41° 08' 00"	77° 07' 50"
Access Road Arch Culvert	57-inch Span × 38-inch Rise × 136-foot Length	UNT-Dutch Hollow Run	CWF-Wild Trout	41° 07' 56"	78° 07' 49"

<i>Structure</i>	<i>Structure Dimension</i>	<i>Waterway Impacted</i>	<i>Water Quality</i>	<i>Latitude</i>	<i>Longitude</i>
Access Road Arch Culvert	57-inch Span × 38-inch Rise × 373-foot Length	UNT-Mosquito Creek	HQ-CWF	41° 07' 47"	78° 07' 3.7"
Access Road Arch Culvert	57-inch Span × 38-inch Rise × 221-foot Length	UNT-Mosquito Creek	HQ-CWF	41° 07' 46"	78° 06' 40"

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

**E57-106. Joseph M. Chaklos, Sr.**, 79 Washington Street, Port Carbon, PA 16965. Floodway Construction in Cherry Township, **Sullivan County**, ACOE Baltimore District (Dushore, PA Quadrangle N: 1.33 inches; W: 14.03 inches).

To construct and maintain a 1,000-gallon sewage holding tank, strapped to a concrete pad and faced with a concrete wall on the stream side 8 feet above the 100-year flood level of the Little Loyalsock Creek off the north side of SR 87 about 1 mile south of the intersection of Black Creek Road with SR 87. The project will not impact wetlands or waterways with negligible earth disturbance impacts. Little Loyalsock Creek is a CWF stream. This permit was issued under Section 105.13(e) "Small Projects."

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

**E63-570. Washington County Commissioners**, 100 West Beau Street, Washington, PA 15301. To construct a bridge in the City of Monongahela, **Washington County**, Pittsburgh ACOE District (Monongahela, PA Quadrangle N: 12.6 inches; W: 7.7 inches and Latitude: 40° 11' 40"—Longitude: 79° 55' 49"). To remove the existing structure (Pigeon Creek Bridge No. 2) and to construct and maintain a new 2-span bridge having a total span of 105.16 feet with an average underclearance of 5.42 feet across the channel of Pigeon Creek (WWF) for the purpose of improving highway safety. The project is located on Wall Street approximately 100 feet southeast from the intersection of Wall Street and SR 431, and will impact approximately 250 feet of stream channel. The permit also authorizes the construction and maintenance of a temporary road crossing consisting of four 72-inch diameter CM pipes.

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

**E25-689, Department of Transportation, District 1-0**, 255 Elm Street, P. O. Box 398 Oil City, PA 16301-1412. SR 0006, Segment 0060, Offset 0252 Bridge over French Creek, in LeBoeuf Township, **Erie County**, ACOE Pittsburgh District (Waterford, PA Quadrangle N: 1.3 inches; W: 16.9 inches).

The applicant proposes to remove the existing structure and to construct and maintain a steel span plate girder bridge having a clear span of 158.5 feet and a minimum underclearance of 13.42 feet on a 90° skew across French Creek (Waterford, PA Quadrangle N: 1.3 inches; W: 16.9 inches) in LeBoeuf Township, Erie County on SR 0006, Segment 0060, Offset 0252 approximately 250 feet E of the intersection of SR 0006 and SR 0019. French Creek is a perennial stream classified as a WWF.

### 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 &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
04-05-006	Francis H. Kelly BASF Corporation 370 Frankfort Road Monaca, PA 15061	Beaver	Potter Township	1 AST storing Methyl-Methacrylate	75,000 gallons

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**SPECIAL NOTICES**


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**Request for Proposals for Municipal Solid Waste Capacity**

The following notice(s) is placed through the Department of Environmental Protection as required by section 502(d) of Act 101 of 1988: the Municipal Waste Planning, Recycling and Waste Reduction Act.

Montgomery County is revising its Municipal Waste Management Plan in accordance with Act 101 for the purpose of including additional waste processing and disposal capacity for the county. The waste facilities to be considered in the plan revision must be permitted and fully available for use prior to January 1, 2006. Currently about 750,000 tons per year of municipal waste is generated in the county. For detailed information, interested facility owners should write to Drew Shaw, Environmental Planning Section Chief, Montgomery County Planning Commission, Courthouse, Norristown, PA 19404-0311. Inquiries should be in writing and made no later than 30-calendar days from the date this notice is published.

**Certification to Perform Radon-Related Activities in this Commonwealth**

In the month of July 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>
Advantage Radon Control Centers	626 Jacksonville Road Suite 200 Warminster, PA 18974	Mitigation
Harold Beers H. E. Beers Company	2421 Fishing Creek Valley Road Harrisburg, PA 17112	Mitigation
Matthew Beinhaur Harris Environmental, Inc.	600 Stone House Road Clarion, PA 16214	Testing
Jeffrey Calta	P. O. Box T Chicora, PA 16025	Laboratory
George Corkdale	R. R. 7, Box 7669 Saylorsburg, PA 18353	Testing
Scott Coslett	332 East 11th Street Berwick, PA 18603	Testing
D-Tech	P. O. Box 902 Blue Bell, PA 19422	Testing
Delta Inspection Services, Inc.	P. O. Box 586 Yardley, PA 19067	Testing
Joseph Dunlap	115 Heather Drive Monaca, PA 15061	Testing
Fidelity Inspection & Consulting Services	626 Jacksonville Road Suite 200 Warminster, PA 18974	Testing
Stephen Gazzo	780 Pierson Run Road Pittsburgh, PA 15239	Testing
Stephen Genzale, P. E.	417 East Beil Avenue Nazareth, PA 18064	Testing
Patrick Kelly	601 South Irving Avenue Scranton, PA 18505	Testing
George Kerr	325 Noblestown Road Pittsburgh, PA 15205	Testing
Kevin Kerwood	1341 North Delaware Avenue Suite 205 Philadelphia, PA 19125	Testing
Robert Krause	P. O. Box 184 208 Depot Street Clarks Summit, PA 18411	Testing
David Lanzer Clean Air Pro	174 Penn Lear Drive Monroeville, PA 15146	Mitigation

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
James Makara	146 South Marmic Drive Holland, PA 18966	Testing
Luke Marsh	2500 Eldo Road Suite 2 Monroeville, PA 15146	Testing
Joseph Miloser, Jr.	160 Rustic Ridge Fombell, PA 16123	Testing
Joseph Molony	220 Dotterer Road Lenhardtsville, PA 19534	Testing
Lewis Nelson, IV First Choice Radon Testing Co., Inc.	Box 830 Huntingdon Valley, PA 19006	Testing
Rachelle Painter	780 Pierson Run Road Pittsburgh, PA 15239	Testing
Emanuel Posluszny	8123 Bear Creek Boulevard Bear Creek Township, PA 18702	Testing and Mitigation
Christian Radomicki	1341 North Delaware Avenue Suite 205 Philadelphia, PA 19125	Testing
David Robertson	345 West Rose Tree Road Media, PA 19063	Testing
Val Sarko	317 Melrose Avenue Reading, PA 19606	Testing
Rodney Williams	4296 Limeport Pike Coopersburg, PA 18036	Testing
Sharon Young	1 Old Mill Road Tannersville, PA 18372	Testing

[Pa.B. Doc. No. 05-1517. Filed for public inspection August 12, 2005, 9:00 a.m.]

### Proposed Revisions to General Plan Approval and General Operating Permit

The Department of Environmental Protection (Department) proposes to revise the following general plan approval and operating permit: BAQ-GPA/GP-3 (GP-3) for portable nonmetallic processing plants.

The primary purpose of this revision is to reflect the way general permit conditions have evolved since GP-3 was issued initially. These changes clarify that the general permit may be used either as a general plan approval or as a general operating permit for a portable nonmetallic processing plant in a facility, as outlined under Condition 2 or, Applicability/Source Coverage Limitations. In addition, diesel fired internal combustion engines powering portable nonmetallic processing plants are now a separate source category requiring separate authorization through BAQ-GPA/GP-9 or BAQ-GPA/GP-11. Therefore, affected Conditions 2, 3, 8 and 17, that is, "applicability/source coverage limitation," "application for use," "monitoring, recordkeeping and reporting" and "emission limitations" respectively have been modified to reflect this separate source category. Among the other changes, Condition 2 now contains a definition of "portable plants" as defined in 40 CFR § 60.671; a new requirement concerning change of locations for nonmetallic processing plants has been added under Condition 12; and previous "malfunctions" requirements now have been rephrased and moved under "notice requirements" in Condition 6. Several requirements have been added for dust suppression system, baghouse and scrubber in Conditions 18, 22 and 24. Also, Conditions 3, 4, 5—11, 14, 15,

21 and 25 in the current general permit document were changed due to routine internal evaluations. Conditions 1, 4, 13, 16, 19, 20 and 23 of this document remain unchanged from the last revision and are not reproduced here.

The following are the conditions affected by this revision. The condition numbers listed here reflect how they appear in this current revision.

#### *Proposed Permit Conditions*

#### **2. Applicability/Source Coverage Limitations**

This General Permit is limited to the erection, operation, and modification of portable nonmetallic mineral processing plants

a. that are temporarily (no longer than 24 months) located at construction sites; or,

b. that are located at sites for which a valid mining permit or an air quality permit exists for the operation of a nonmetallic mineral processing plant.

"Nonmetallic mineral processing plants," as defined in 40 CFR § 60.671, means any combination of equipment that is used to crush or grind any nonmetallic mineral. Nonmetallic mineral processing plants are designed to process nonmetallic minerals, and consist of affected units like crushers, grinders, screening operations, belt conveyors, bucket elevators, storage bins, bagging operations, and enclosed truck and rail car loading stations.

"Portable plant" means any of the nonmetallic mineral processing plants that are mounted on any chassis or skids and may be moved by the application of a lifting or

pulling force. In addition, there shall be no cable, chain, turn-buckle, bolt or other means (except electrical connections) by which any piece of equipment is attached or clamped to any anchor, slab, or structure, including bedrock that must be removed prior to the application of a lifting or pulling force for the purpose of transporting the unit.

Diesel-fired internal combustion engine(s) required to operate nonmetallic mineral processing plants are not covered by this General Permit. Internal combustion engine(s) may be covered by general plan approval and general operating permit for a diesel or No. 2 fuel-fired internal combustion engines (BAQ-GPA/GP 9) or nonroad engines (BAQ-GPA/GP 11) as applicable.

This General Permit has been established in accordance with the provisions described in 25 Pa. Code Chapter 127, Subchapter H (relating to general plan approvals and general operating permits). If the portable nonmetallic mineral processing plant at the facility cannot be regulated by the requirements of this General Permit, a plan approval and/or an operating permit issued in accordance with 25 Pa. Code Chapter 127, Subchapter B (relating to plan approval requirements) and/or F (relating to operating permit requirements) will be required, or, if the facility is a Title V facility, a Title V operating permit issued in accordance with Subchapters F and G (relating to Title V Operating Permits) will be required.

"Nonmetallic mineral" means any of the following minerals or any mixture of which the majority is any of the following minerals:

- a. Crushed and broken stone, including limestone, dolomite, granite, traprock, sandstone, quartz, quartzite, marl, marble, slate, shale, oil shale, and shell;
- b. Sand and gravel;
- c. Clay including kaolin, fireclay, bentonite, Fuller's earth, ball clay, and common clay;
- d. Rock salt;
- e. Gypsum;
- f. Sodium compounds, including sodium carbonate, sodium chloride, and sodium sulfate;
- g. Pumice;
- h. Gilsonite;
- i. Talc and pyrophyllite;
- j. Boron, including borax, kernite, and colemanite;
- k. Barite;
- l. Flourospar;
- m. Feldspar;
- n. Diatomite;
- o. Perlite;
- p. Vermiculite;
- q. Mica; and
- r. Kyanite, including andalusite, sillimanite, topaz, and dumortierite.

Nonmetallic minerals do not include coals of any type.

This General Permit is designed to serve as both a general plan approval and a general operating permit for one or more portable nonmetallic mineral processing plant located in a facility. The specific use of the General Permit will depend upon permit status, emission levels and location of the facility as outlined below.

#### *Plan Approval*

This General Permit authorizes the construction of portable nonmetallic mineral processing plants that meet the best available technology (BAT) required under 25 Pa. Code §§ 127.1 and 127.12(a)(5), provided the respective construction is not subject to the requirements of 25 Pa. Code Chapter 127, Subchapter D (relating to prevention of significant deterioration), or 25 Pa. Code Chapter 127, Subchapter E (relating to new source review). For the purpose of this General Permit, BAT shall include the installation of water spray dust suppression systems, fabric collectors, combinations of these or other measures capable of meeting the emission limitations described in Condition No. 21.

#### *Operating Permit*

This General Permit authorizes the operation of portable nonmetallic mineral processing plants for a period of no longer than twenty four (24) months for plants located at a construction site and maximum up to five (5) years for plants located at a site for which a valid mining permit or an air quality permit exists for the operation of a nonmetallic mineral processing plant.

A facility that is subject to the requirements of 25 Pa. Code Chapter 127, Subchapter F (relating to Operating Permit Requirements), or 25 Pa. Code Chapter 127, Subchapters F and G (relating to Title V Operating Permits Requirements) may use this General Permit as a plan approval to construct and an operating permit to operate a qualifying portable nonmetallic mineral processing plant on a temporary basis until such time as the operating permit required pursuant to 25 Pa. Code Chapter 127, Subchapter F, or 25 Pa. Code Chapter 127, Subchapters F and G, has been obtained or amended to include the terms and conditions of this General Permit.

Once authorization to use this General Permit is granted, operation may proceed provided that the permittee notifies DEP in accordance with Condition 6.

Any portable nonmetallic mineral processing plant located at a "Title V facility" as defined in 25 Pa. Code § 121.1, shall comply with the requirements of 25 Pa. Code § 127.514 (relating to general operating permits at Title V facilities).

### **3. Application for Use**

Any person proposing to install, operate or modify under this General Permit shall notify DEP using the Portable Nonmetallic Mineral Processing Plant General Permit Application provided by DEP. In accordance with 25 Pa. Code § 127.641 (relating to application for use of general plan approvals and general operating permits for portable sources), the applicant shall receive written authorization from DEP prior to installing, operating or modifying under this General Permit.

Portable nonmetallic mineral processing plant driven by internal combustion engine(s) must also apply for General Plan Approval and/or General Operating Permit for Diesel or No. 2 Fuel-Fired Internal Combustion Engines (BAQ-GPA/GP 9) or, General Plan Approval and/or General Operating Permit for Nonroad Engines (BAQ-GPA/GP 11), in conjunction with the portable nonmetallic mineral plant general permit application.

### **4. Compliance**

Any portable nonmetallic mineral processing plant operating under this General Permit must comply with the terms and conditions of the General Permit. The portable nonmetallic mineral processing plant and any associated air cleaning devices shall be

a. operated in such a manner as not to cause air pollution, as the term is defined in 25 Pa. Code § 121.1;

b. operated and maintained in a manner consistent with good operating and maintenance practices; and

c. operated and maintained in accordance with the manufacturer's specifications and the applicable terms and conditions of this General Permit.

### 5. Permit Modification, Suspension and Revocation

This General Permit may be modified, suspended, or revoked if DEP determines that affected nonmetallic mineral processing plants cannot be adequately regulated under this General Permit. Authorization to use this General Permit shall be suspended or revoked if the permittee fails to comply with applicable terms and conditions of the General Permit.

Authorization to operate the portable nonmetallic mineral processing plant shall be suspended, if, at any time, the permittee causes, permits or allows any modification without DEP approval (as defined in 25 Pa. Code § 121.1) of the portable nonmetallic mineral processing plant and any associated air pollution control device covered by this General Permit. Upon suspension of the General Permit, the permittee may not continue to operate or use said nonmetallic mineral processing plant. If warranted, DEP will require that the nonmetallic mineral processing plant be permitted under the state operating permit or Title V operating permit requirements in 25 Pa. Code Chapter 127, as appropriate.

### 6. Notice Requirements

The applications and notifications required by 25 Pa. Code § 127.621 shall be submitted to the appropriate Regional Office responsible for authorizing the use of General Permits in the county in which the portable nonmetallic mineral processing plant is, or will be located. As required under § 127.621(b) the application shall be either hand delivered or transmitted by certified mail with a return receipt.

The permittee shall notify DEP, in writing, of the permittee's intent to commence operation of source(s) authorized by the General Plan Approval at least five (5) working days prior to the completion of construction. The notice shall specify the expected date of completion of construction and date of commencement of operation for the source(s).

The permittee shall notify DEP, by telephone, within 24 hours of the discovery of any malfunction of a portable nonmetallic mineral processing plant operating pursuant to this General Permit, or any malfunction of an associated air cleaning device, which results in, or may possibly be resulting in, the emission of air contaminants in excess of any applicable limitation specified herein or in excess of the limitations specified in any applicable rule or regulation contained in 25 Pa. Code Chapters 121 through 145 or which otherwise results in, or may possibly be resulting in, noncompliance with the requirements specified in any applicable condition of this General Permit (if the permittee is unable to provide notification within 24 hours of discovery due to a weekend or holiday, the notification shall be made to DEP by no later than 4 p.m. on the first DEP business day following the respective weekend or holiday). The permittee shall additionally provide whatever subsequent written report DEP may request regarding any reported malfunction.

### 7. Sampling and Testing

No later than one hundred and eighty (180) days after initial start-up, the permittee shall demonstrate compliance with the emission limitations for particulate matters established in Condition 21.

If, at any time, DEP has cause to believe that air contaminant emissions from a nonmetallic mineral processing plant covered by this General Permit are in excess of the limitations specified in, or established pursuant to, any applicable regulation contained in 25 Pa. Code, Subpart C, Article III, the permittee shall conduct tests deemed necessary by DEP to determine the actual emission rate(s).

The permittee shall perform such testing in accordance with applicable provisions of 25 Pa. Code Chapter 139 (relating to sampling and testing) and in accordance with any restrictions or limitations established by DEP at the time the permittee is notified, in writing, of the testing requirement.

### 8. Monitoring, Recordkeeping and Reporting

The permittee shall comply with applicable monitoring, recordkeeping and reporting requirements set forth in 25 Pa. Code Chapter 139 (relating to sampling and testing), the Air Pollution Control Act (35 P. S. § 4001 et seq.), the Clean Air Act (42 U.S.C. § 7401 et seq.), and the applicable regulations under the acts.

Records maintained under this General Permit shall be kept for a period of five (5) years and shall be made available to DEP upon its request.

### 9. Term of Permit

Authority to use this General Permit is granted for a fixed period of five years.

The authority to operate the portable nonmetallic mineral processing plants at one location would be allowed for

a. no longer than twenty-four (24) months for plants that are temporarily located at construction sites; or

b. a maximum up to five (5) years for plants that are located at sites for which a valid mining permit or an air quality permit exists for the operation of nonmetallic mineral processing plant.

Authority to operate the portable nonmetallic mineral processing plants beyond the stipulated periods in 9a and 9b above at one location would require a new authorization from DEP.

DEP will notify each applicant, in writing, when authority to construct and/ or operate under this General Permit is granted.

### 10. Permit Fees

This General Permit establishes the following application fee for a new authorization:

a. One thousand (\$1000) dollars.

b. The following additional fee is applicable each time a change in location of the nonmetallic mineral processing plant along with its diesel fired or nonroad engine(s), which may be used to operate it occurs:

Three hundred seventy five (\$375) dollars.

A new plan approval application and fee as indicated in Condition 10.a is required each time the permittee installs or modifies a portable nonmetallic mineral processing plant. The installation or modification of a portable nonmetallic mineral processing plant must be conducted



according to the terms and conditions of this General Permit and only after written authorization is received from DEP.

#### 11. Expiration and Renewal of Authorization

The permittee's authority to use this General Permit terminates after a fixed term of five years from the date of issuance of the authorization and cannot be renewed for another term.

#### 12. Change of Location

In advance of each change in location without any modification of the nonmetallic mineral processing plant, the permittee shall, in accordance with 25 Pa. Code § 127.641, notify both DEP and the municipality where the operation will take place. The notice to DEP shall require an application and appropriate fees required by Condition 10.b.

#### 14. Prohibited Use

Any stationary air contamination source that is subject to the requirements of 25 Pa. Code Chapter 127, Subchapter D (relating to prevention of significant deterioration), 25 Pa. Code Chapter 127, Subchapter E (relating to new source review), or 25 Pa. Code Chapter 127, Subchapter G (relating to Title V operating permits), may not operate under this General Permit. Title V facilities may use this General Permit as a general plan approval when major new source review and prevention of significant deterioration requirements are not applicable.

#### 15. Transfer of Ownership or Operation

The permittee may not transfer authorization to operate under this General Permit. New owner shall submit a new application and fees as described in Condition 10.a.

#### 17. Emission Limitations

The operation of a portable nonmetallic mineral processing plant shall not at any time result in the emission of any of the following:

a. Fugitive air contaminants in excess of the limitations specified in 25 Pa. Code §§ 123.1 and 123.2. All reasonable actions shall be taken to prevent particulate matter from becoming airborne. These actions include, but are not limited to, the following:

i. Proper installation of a water spray dust suppression system and operation in accordance with Condition 18 or proper design, installation, and operation of a fabric collector.

ii. Application of asphalt, water or suitable chemicals on dirt roads, material stockpiles and other surfaces that may give rise to airborne dusts.

iii. Paving and maintenance of plant roadways.

iv. Prompt removal of earth or other material from paved streets onto which earth or other material has been transported by trucking or earth moving equipment, erosions by water, or other means.

b. Particulate matter emissions from air pollution control devices in excess of 0.04 gr/dscf as specified in 25 Pa. Code § 123.13(c).

c. Visible emissions from air pollution control devices in excess of the following limitations:

i. Equal to or greater than 20% for a period or periods aggregating more than three minutes in any one (1) hour.

ii. Equal to or greater than 60% at any time.

#### 18. Air Pollution Control Device Specifications

##### a. Water Spray Dust Suppression Systems.

Water spray dust suppression systems on portable nonmetallic mineral processing plants shall be operated on any and all occasions that the respective plant is operated. Operation without simultaneous operation of the water spray dust suppression system can take place only in those unusual instances where processed materials contain sufficient moisture so as not to create air contaminant emissions in excess of the limitations and standards of this General Permit. If, however, the water spray dust suppression system is incapable of operation due to weather conditions or any other reason, the permittee may not operate the plant. A pressure gauge will be installed to indicate a normal operation of the dust suppression system.

##### b. Fabric Collectors

Fabric collectors shall be equipped with pressure drop measuring instrumentation and operated in accordance with manufacturer's specifications. Compressed air sources for fabric collectors shall be equipped and operated with air dryers and oil traps.

##### c. Scrubbers

Scrubbers shall be equipped with pressure drop and flow measuring instrumentation for water and gas streams and operated in accordance with manufacturer's specifications.

#### 21. Standard for particulate matter

a. The operation of a portable nonmetallic mineral processing plant shall not cause to be discharged into the atmosphere from any transfer point on belt conveyors or from any other affected facility any stack emissions that

i. contain particulate matter in excess of 0.05 g/dscm (0.022 gr/dscf); and

ii. exhibit greater than 7 percent opacity, unless the stack emissions are discharged, from an affected facility using a wet scrubber control device. Facilities using a wet scrubber must comply with the reporting provisions of Conditions 23.c., d. and e.

b. On and after the sixtieth (60th) day after achieving the maximum production rate at which the processing plant will be operated, but not later than one hundred eighty (180) days after initial startup as required under 40 CFR § 60.11, the operation of nonmetallic mineral processing equipment shall not cause to be discharged into the atmosphere from any transfer point on belt conveyors or from any other affected facility any fugitive emissions which exhibit greater than 10 percent opacity, except as provided in Condition 21.c. or d.

c. On and after the sixtieth (60th) day after achieving the maximum production rate at which the processing equipment will be operated, but not later than one hundred eighty (180) days after initial startup as required under 40 CFR § 60.11, the operation of a nonmetallic mineral processing plant shall not cause to be discharged into the atmosphere from any crusher, at which a capture system is not used, fugitive emissions which exhibit greater than 15 percent opacity.

d. If any transfer point on a conveyor belt or any affected facility is enclosed in a building, then each enclosed affected facility must comply with the emission limits in Paragraphs 21.a. b. and c., or the building enclosing the affected facility or facilities must comply with the following limits:

i. Operation of nonmetallic mineral processing equipment shall not cause to be discharged into the atmosphere from any building enclosing any other affected emissions unit any visible fugitive emissions except from a vent.

ii. Operation of nonmetallic mineral processing equipment shall not cause to be discharged into the atmosphere from any vent of any building enclosing any transfer point on a conveyor belt or any other affected facility emissions, which exceed the stack emissions limits in Paragraph 21.a.

e. On and after the sixtieth (60th) day after achieving the maximum production rate at which the processing plant will be operated, but not later than one hundred eighty (180) days after initial startup as required under 40 CFR § 60.11, the operation of nonmetallic mineral processing equipment shall not cause to be discharged into the atmosphere from any baghouse that controls emissions from only an individual, enclosed storage bin, stack emissions that exhibit greater than 7 percent opacity.

f. The operation of multiple storage bins with combined stack emissions shall comply with the emission limits in paragraph a.i. and a.ii. of this condition.

g. On and after the sixtieth (60th) day after achieving the maximum production rate at which the processing plant will be operated, but not later than one hundred eighty (180) days after initial startup, the operation of nonmetallic mineral processing equipment shall not cause to be discharged into the atmosphere from either of the following:

i. Wet screening operations and subsequent screening operations, bucket elevators, and belt conveyors that process saturated material in the production line up to the next crusher, grinding mill or storage bin.

ii. Screening operations, bucket elevators, and belt conveyors in the production line downstream of wet mining operations, where such screening operation, bucket elevator, and belt conveyors process saturated materials up to the first crusher, grinding mill, or storage bin in the production line.

## 22. Monitoring

Any permittee which uses a wet scrubber, baghouse or dust suppression system to control emissions shall install, calibrate, maintain and operate the following monitoring devices:

a. A device for the continuous measurement of the pressure loss of the gas stream through the scrubber. The monitoring device must be certified by the manufacturer to be accurate within  $\pm 1$  inch water gauge pressure and must be calibrated on an annual basis in accordance with manufacturer's instructions.

b. A device for the continuous measurement of the scrubbing liquid flow rate to the wet scrubber. The monitoring device must be certified by the manufacturer to be accurate within  $\pm 5$  percent of design scrubbing liquid flow rate and must be calibrated on an annual basis in accordance with manufacturer's instructions.

c. A device for measurement of pressure drop across the baghouse. Monitoring must be performed daily to ensure pressure drop is within manufacturer's recommended pressure drop range for normal operations. In cases of deviations, the permittee shall take corrective actions to return the operations of the baghouse to within

the recommended operating range. The monitoring device must be calibrated on an annual basis in accordance with manufacturer's instructions.

d. A pressure gauge to monitor recommended line pressure for normal operation of a dust suppression system on a daily basis.

## 24. Reporting and Recordkeeping

a. This General Permit allows the replacement of existing nonmetallic mineral processing plant equipment with equipment of equal or smaller size and having the same function as described in 40 CFR § 60.671. Each permittee shall submit the following information about the existing unit being replaced and the replacement piece of equipment.

i. For a crusher, grinding mill, bucket elevator, bagging operation or enclosed truck or railcar loading station

1. the rated capacity in tons per hour of the existing equipment being replaced; and

2. the rated capacity in tons per hour of the replacement equipment.

ii. For a screening operation

1. the total surface area of the top screen of the existing screening operation being replaced; and

2. the total surface area of the top screen of the replacement screening operation.

iii. For a conveyor belt

1. the width of the existing belt being replaced; and

2. the width of the replacement conveyor belt.

iv. For a storage bin

1. the rated capacity in tons of the existing storage bin being replaced; and

2. the rated capacity in tons of replacement storage bins.

b. Each permittee shall also submit the following data to the Director of the Emissions Standards and Engineering Division (MD-13), U. S. Environmental Protection Agency (EPA), Research Triangle Park, NC, 27711

i. the information described in Condition 24.a.,

ii. a description of the control device used to reduce particulate matter emissions from the existing facility and a list of all other pieces of equipment controlled by the same control device; and

iii. the estimated age of the existing facility.

c. During the initial performance test of a wet scrubber, and daily thereafter, the permittee shall record the measurements of both the change in pressure of the gas stream across the scrubber and the scrubbing liquid flow rate.

d. After the initial performance test of a wet scrubber, the permittee shall submit semiannual reports of such occurrences when the measurements of the scrubber pressure low (or gain) and liquid flow rate differ by more than  $\pm 30$  percent from the averaged determined during the most recent performance test.

e. The permittee shall record the measurements of pressure drop for the gas stream across the baghouse daily.

f. The permittee shall submit semiannual reports of such occurrences when the measurements of the pressure

drop for the gas stream across the baghouse deviate from manufacturer's suggested operating range.

g. The semiannual reports required under Paragraph d. and f. shall be postmarked within thirty (30) days following end of the second and fourth calendar quarters.

h. The permittee shall submit written reports of the results of all performance tests conducted to demonstrate compliance with the standards set forth in Condition 21, including reports of opacity observations made using Method 9 to demonstrate compliance with Conditions 21.b., c., and e. and reports of observations using Method 22 to demonstrate compliance with Condition 21.d.

i. A permittee who operates any screening operation, bucket elevator, or belt conveyor that processes saturated material and is subject to Condition 21.g. and subsequently processes unsaturated materials, shall submit a report of this change within thirty (30) days following such change. This screening operation, bucket elevator, or belt conveyor is then subject to the 10 percent opacity limit in Condition 21.b. and the emission test requirements of 40 CFR § 60.11.

Likewise, a screening operation, bucket elevator, or belt conveyor that processes unsaturated material but subsequently processes saturated material shall submit a report of this change within thirty (30) days following such change. This screening operation, bucket elevator, or belt conveyor is then subject to the no visible emission limit in Condition 21.g.

j. The notification requirement under 40 CFR § 60.7(a)(2), for the anticipated date of initial startup of portable nonmetallic mineral processing plant equipment shall be waived for a permittee operating under this General Permit.

k. A notification of the actual date of initial startup of each affected facility shall be submitted to DEP and EPA.

i. For a combination of affected facilities in a production line that begin actual initial startup on the same day, a single notification of start may be submitted by the permittee to DEP and EPA. The notification shall be postmarked within fifteen (15) days after such date and shall include a description of each affected facility, equipment manufacturer, and serial number of the equipment, if available.

ii. The notification of the actual date of initial startup shall include both the home office and the current address or location of the portable plant.

## 25. Additional Requirement

Pursuant to the federal New Source Performance Standards under 40 CFR § 60.4, the permittee shall submit copies of all requests, reports, applications, submittals, and other communications to both EPA and the appropriate DEP Regional Office. Copies of all the documents shall be submitted to:

Air Enforcement Branch, Mail Code 3AP12  
U. S. EPA, Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029

### *Opportunity to Comment*

A copy of the draft revised general plan approval and general operating permit is available on DEP's website: [www.dep.state.pa.us](http://www.dep.state.pa.us) (DEP Keyword: Participate; scroll down to "Proposals Open for Comment" and choose "Regulations & Other Proposals"). A copy of the draft revised general plan approval and general operating permit may also be obtained by contacting Jeanette Van Skike, Division of Permits, Bureau of Air Quality, 12th Floor, Rachel Carson State Office Building, P. O. Box 8468, Harrisburg, PA 17105-8468, (717) 787-4325. TDD users may telephone DEP through the AT&T Relay Service, (800) 654-5984.

DEP requests written comments on the proposed revisions to the general permits. Notice and opportunity for comment will also be provided to the United States Environmental Protection Agency and Delaware, Maryland, New Jersey, New York, Ohio, Virginia and West Virginia. Interested persons may submit written comments, suggestions or objections to Craig A. Evans, Chief, Title V/NSR Section, Division of Permits, Bureau of Air Quality, 12th Floor, Rachel Carson State Office Building, P. O. Box 8468, Harrisburg, PA 17105-8468, (717) 787-4325. DEP will also consider written requests that a public hearing be held concerning this proposed general plan approval and operating permit. Public comments must be submitted to DEP within 45 days of the date of this notice in the *Pennsylvania Bulletin*. Comments received by facsimile will not be accepted.

KATHLEEN A. MCGINTY,  
*Secretary*

[Pa.B. Doc. No. 05-1518. Filed for public inspection August 12, 2005, 9:00 a.m.]

## Stream Redesignation Evaluation; Water Quality Standards Review

Under 25 Pa. Code § 93.4d (relating to public notice of receipt of petitions, evaluations or assessments of waters for High Quality (HQ) or Exceptional Value (EV) Waters redesignation), the Department of Environmental Protection (Department) gives notice that an evaluation will be conducted on the stream sections listed to determine the proper aquatic life use designation in the Commonwealth's Water Quality Standards.

<i>Stream Name</i>	<i>County</i>	<i>Tributary To</i>	<i>Current &amp; Requested Designated Use</i>
Buck Hill Creek—A 0.28-mile portion of the Buck Hill Creek basin (from the confluence of UNT 05028 to the confluence of UNT 05026)	Monroe	Brodhead Creek	HQ-CWF/EV
Pickering Creek—Basin, source to Philadelphia Suburban Water Company Dam	Chester	French Creek	HQ-TSF/EV
Tunkhannock Creek—Basin, source to confluence with Tobyhanna Creek	Monroe and Carbon	Tobyhanna Creek	HQ-CWF/EV

Persons who have technical data concerning the water quality, instream habitat or biological condition of this stream section are encouraged to make it available to the Department for consideration in the assessment. This assessment may lead to a recommendation to the Environmental Quality Board (Board) for redesignation.

Data should be submitted to Tony Shaw, Division of Water Quality Standards, Bureau of Water Standards and Facility Regulation, P. O. Box 8467, Harrisburg, PA 17105-8467, tshaw@state.pa.us. Data should be submitted no later than 30 days following publication of this notice. Questions concerning this evaluation should be directed to Tony Shaw at (717) 787-9637.

These assessments are being conducted in response to three rulemaking petitions submitted to the Board by the Buck Hill Conservation Foundation, Green Valleys Association and the Tobyhanna Creek/Tunkhannock Creek Watershed and Tunkhanna Fishing Associations, respectively. The portions of the Buck Hill Creek and Tunkhannock Creek basin to be evaluated are currently designated HQ-Cold Water Fishes. The portion of Pickering Creek to be evaluated is currently designated HQ-Trout Stocking. The petitioners for all three petitions are requesting redesignation to EV.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Tony Shaw directly at (717) 787-9637 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

KATHLEEN A. MCGINTY,  
*Secretary*

[Pa.B. Doc. No. 05-1519. Filed for public inspection August 12, 2005, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Application of Albert Einstein Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Albert Einstein Medical Center has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards) which requires compliance with minimum standards contained in *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exemption from the following standards contained in this publication: 7.2.B17 (relating to equipment storage room).

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

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

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

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 or for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 05-1520. Filed for public inspection August 12, 2005, 9:00 a.m.]

### Application of Ephrata Community Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Ephrata Community Hospital has requested an exception to the requirements of 28 Pa. Code § 107.62 (relating to oral orders).

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

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

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

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care, (717) 783-8980 or for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service, (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 05-1521. Filed for public inspection August 12, 2005, 9:00 a.m.]

### Application of Eynon Surgery Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Eynon Surgery Center has requested an exception to the requirements of 28 Pa. Code § 555.31 (relating to principle).

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

The facility is requesting a waiver of the comment period, as set forth in 28 Pa. Code § 51.33(c).

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care, (717) 783-8980 or for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service, (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 05-1522. Filed for public inspection August 12, 2005, 9:00 a.m.]

### Application of Hazleton Endoscopy Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Hazleton Endoscopy Center has requested an exception to the requirements of 28 Pa. Code §§ 555.31 and 555.33 (relating to principle; and anesthesia policies and procedures).

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

The facility is requesting a waiver of the comment period, as set forth in 28 Pa. Code § 51.33(c).

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care, (717) 783-8980 or for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service, (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 05-1523. Filed for public inspection August 12, 2005, 9:00 a.m.]

### Application of John Heinz Institute of Rehabilitation Medicine for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that John Heinz Institute of Rehabilitation Medicine has requested an exception to the requirements of 28 Pa. Code § 101.31 (relating to hospital requirements).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of

Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

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

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

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care, (717) 783-8980 or for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service, (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 05-1524. Filed for public inspection August 12, 2005, 9:00 a.m.]

### Application of Memorial Hospital, Inc. for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Memorial Hospital, Inc. has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards) which requires compliance with minimum standards contained in *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exemption from the following standards contained in this publication: 7.2.B19 (relating to showers and bathtubs).

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

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

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

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care, (717) 783-8980 or for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service, (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 05-1525. Filed for public inspection August 12, 2005, 9:00 a.m.]

### Application of Plastic Surgical Associates of Johnstown, Inc. for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Plastic Surgical Associates of Johnstown, Inc. has requested an exception to the requirements of 28 Pa. Code § 571.1 (relating to minimum standards), which requires compliance with minimum standards contained in *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exemption from the following standards contained in this publication: 9.5.E1, 9.5.F3, 9.5.F5i and 9.5.H.2(a)(3).

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

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

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

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care, (717) 783-8980 or for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service, (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 05-1526. Filed for public inspection August 12, 2005, 9:00 a.m.]

### Application of The Skin Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that The Skin Center has requested an exception to the requirements of 28 Pa. Code § 571.1 (relating to minimum standards) which requires compliance with minimum standards contained in *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exemption from the following standards contained in this publication: 9.5.F2.c, 9.5.F5j, 9.5.F5.k and 9.5.H1.a.

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

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

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

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care, (717) 783-8980 or for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service, (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 05-1527. Filed for public inspection August 12, 2005, 9:00 a.m.]

### Application of Surgery Center at Limerick for Exception

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

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

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

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

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care, (717) 783-8980 or for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service, (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 05-1528. Filed for public inspection August 12, 2005, 9:00 a.m.]

### Application of 20/20 Surgery Center LLC for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that 20/20 Surgery Center LLC has requested an exception to the requirements of 28 Pa. Code § 555.31 (relating to principle).

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

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

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

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care, (717) 783-8980 or for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service, (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 05-1529. Filed for public inspection August 12, 2005, 9:00 a.m.]

### Application of UPMC Northwest for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that UPMC Northwest has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards) which requires compliance with minimum standards contained in *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exemption from the following standards contained in this publication: 7.2.A3 (relating to windows in extended recovery center).

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

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

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

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care, (717) 783-8980 or for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service, (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 05-1530. Filed for public inspection August 12, 2005, 9:00 a.m.]

### Application of West Chester Rehabilitation Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that West Chester Rehabilitation Hospital has requested an exception to the requirements of 28 Pa. Code § 107.2 (relating to medical staff membership).

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

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

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

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care, (717) 783-8980 or for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service, (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 05-1531. Filed for public inspection August 12, 2005, 9:00 a.m.]

### Governor's Council on Physical Fitness and Sports Meeting

The Governor's Council on Physical Fitness and Sports will hold a meeting on Wednesday, September 14, 2005, from 2 p.m. to 4 p.m. Members of the public who wish to attend this meeting should report to the Governor's Residence, 2035 North Front Street, Harrisburg, PA, 17102.

For additional information or persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodations to do so, contact Kevin Alvarnaz, Chief, Cardiovascular Health Section, Room 1011, Health and Welfare Building, Harrisburg, PA at (717) 787-5876 or for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

This meeting is subject to cancellation without notice.

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

[Pa.B. Doc. No. 05-1532. Filed for public inspection August 12, 2005, 9:00 a.m.]

### Health Policy Board Meeting

The Health Policy Board is scheduled to hold a meeting on Wednesday, September 21, 2005, at 10 a.m. in Room 812, Health and Welfare Building, Seventh and Forster Streets, Harrisburg, PA 17108.

For additional information or persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so, contact Cynthia Trafton, Bureau of Health Planning at (717) 772-5298, ctrafton@state.pa.us or for speech and/or hear-

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

This meeting is subject to cancellation without notice.

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

[Pa.B. Doc. No. 05-1533. Filed for public inspection August 12, 2005, 9:00 a.m.]

## DEPARTMENT OF PUBLIC WELFARE

### 1115 Demonstration Waiver for Medicaid for Children with Special Needs

The Department of Public Welfare (Department) announces its intent to establish a demonstration waiver under section 1115 of the Social Security Act (42 U.S.C.A. § 1315), for children with disabilities. The waiver will apply only to children under the age of 18 who meet the Social Security Administration's (SSA) definition of disability. The determination of disability must be established either by an SSA assessment or an assessment completed by the Department's medical review team.

The waiver will not apply to children who receive Supplemental Security Income. Under the waiver, custodial parents with a child who has an SSA level of disability will be assessed a premium receive Medicaid for the child with a disability. The premium will be based on the family's income, that is the income of the custodial parents and the child's own income. Premiums will not be charged to a family with income below 200% of the Federal Poverty Income Guidelines.

The Department will establish premiums based on a sliding scale which will consider household income and household size. Families with higher income will pay a higher premium. The family will be assessed only one premium per household even if there is more than one child in the family who is receiving Medicaid as a child with a disability.

The premium will not exceed the average monthly expenditure that the Department pays for children in this category of assistance. Families will be informed of the premium amount at least 30 days prior to the due date of the first premium payment. The premiums will be payable monthly. Premiums will be adjusted annually based on changes in the household's circumstances and changes in the Department's Medical Assistance costs. Premiums will be adjusted prior to the annual update if there is a decrease in the household's income or an increase in household size.

This notice takes effect upon publication in the *Pennsylvania Bulletin*.

#### *Fiscal Impact*

The Department estimates net savings of \$23.642 million (\$10.590 million in State funds) in Fiscal Year (FY) 2005-2006. The Department estimates an annual net savings of \$31.768 million (\$14.379 million in State funds) in FY 2006-2007.

#### *Public Comment*

Interested person are invited to submit written comments regarding this notice to the Department at the following address: Department of Public Welfare, Office of

Income Maintenance, Edward J. Zogby, Director, Bureau of Policy, Room 431 Health and Welfare Building, Harrisburg, PA 17120, (717) 787-4081. Comments received within 30 calendar days will be reviewed and considered for any subsequent revision of the notice.

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

ESTELLE B. RICHMAN,  
*Secretary*

**Fiscal Note:** 14-NOT-438. (1) General Fund; (2) Implementing Year 2005-06 is \$367,000; (3) 1st Succeeding Year 2006-07 is \$367,000; 2nd Succeeding Year 2007-08 is \$367,000; 3rd Succeeding Year 2008-09 is \$367,000; 4th Succeeding Year 2009-10 is \$367,000; 5th Succeeding Year 2010-11 is \$367,000; (4) 2004-05 Program—\$34,257,000; 2003-04 Program—\$41,030,000; 2002-03 Program—\$56,835,000; (7) County Administration—Statewide; (8) recommends adoption. The cost that this action will generate to the Count Administration—Statewide line item is included in the 2005-2006 budget. The net affect of this action will be a General Fund savings of \$10 million due to savings generated in the Medical Assistance—Outpatient line item.

[Pa.B. Doc. No. 05-1534. Filed for public inspection August 12, 2005, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Pure Gold 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 Pure Gold.

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

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

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$2<sup>00</sup> (TWO DOL), \$5<sup>00</sup> (FIV DOL), \$6<sup>00</sup> (SIX DOL), \$10<sup>00</sup> (TEN



DOL), \$15\$ (FIFTN), \$25\$ (TWY FIV), \$50\$ (FIFTY), \$100 (ONE HUN), \$250 (TWOHUNFTY), \$2,500 (TWYFIVHUN), \$50,000 (FTY THO) and \$100,000 (ONEHUNTHO).

5. *Prizes:* The prizes that can be won in this game are \$2, \$5, \$6, \$10, \$15, \$25, \$50, \$100, \$250, \$2,500, \$50,000 and \$100,000. A player can win up to ten times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 6,000,000 tickets will be printed for the Pennsylvania Pure Gold 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 "GOLD NUMBERS" play symbols and a prize symbol of \$100,000 (ONEHUNTHO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100,000.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "GOLD NUMBERS" play symbols and a prize symbol of \$50,000 (FTY THO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50,000.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "GOLD NUMBERS" play symbols and a prize symbol of \$2,500 (TWYFIVHUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$2,500.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gold Bar symbol (GOLDBAR), and a prize symbol of \$250 (TWOHUNFTY) appears under the Gold Bar symbol (GOLDBAR) on a single ticket, shall be entitled to a prize of \$250.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "GOLD NUMBERS" play symbols and a prize symbol of \$250 (TWOHUNFTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$250.

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

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

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

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

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

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

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gold Bar symbol (GOLDBAR), and a prize symbol of \$15\$ (FIFTN) appears under the Gold Bar symbol (GOLDBAR) on a single ticket, shall be entitled to a prize of \$15.

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

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gold Bar symbol (GOLDBAR), and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears under the Gold Bar symbol (GOLDBAR) on a single ticket, shall be entitled to a prize of \$10.

(o) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "GOLD NUMBERS" play symbols and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(p) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gold Bar symbol (GOLDBAR), and a prize symbol of \$6<sup>00</sup> (SIX DOL) appears under the Gold Bar symbol (GOLDBAR) on a single ticket, shall be entitled to a prize of \$6.

(q) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "GOLD NUMBERS" play symbols and a prize symbol of \$6<sup>00</sup> (SIX DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$6.

(r) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gold Bar symbol (GOLDBAR), and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears under the Gold Bar symbol (GOLDBAR) on a single ticket, shall be entitled to a prize of \$5.

(s) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "GOLD NUMBERS" play symbols and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(t) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "GOLD NUMBERS" play symbols and a prize symbol of \$2<sup>00</sup> (TWO DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$2.

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

<i>When Any of Your Numbers Match Any of the Gold Numbers, Win With Prize(s) of:</i>	<i>Win:</i>	<i>Approximate Odds 1 In:</i>	<i>Approximate No. of Winners Per 6,000,000 Tickets</i>
\$5	\$5	30	200,000
\$5 w/GOLD BAR	\$5	12.24	490,000
\$6	\$6	60	100,000
\$6 w/GOLD BAR	\$6	60	100,000
\$2 × 5	\$10	120	50,000
\$5 × 2	\$10	600	10,000
\$10	\$10	600	10,000
\$10 w/GOLD BAR	\$10	46.15	130,000
\$5 × 3	\$15	600	10,000
\$10 + \$5	\$15	300	20,000
\$15	\$15	600	10,000
\$15 w/GOLD BAR	\$15	120	50,000
\$5 × 5	\$25	75	80,000
\$25	\$25	200	30,000
\$25 w/GOLD BAR	\$25	66.67	90,000
\$25 × 2	\$50	300	20,000
\$15 × 3 + \$5	\$50	600	10,000
\$5 × 10	\$50	300	20,000
\$10 × 5	\$50	300	20,000
\$50	\$50	300	20,000
\$50 w/GOLD BAR	\$50	600	10,000
\$10 × 10	\$100	1,200	5,000
\$50 × 2	\$100	1,200	5,000
\$100	\$100	1,200	5,000
\$100 w/GOLD BAR	\$100	1,200	5,000
\$25 × 10	\$250	30,000	200
\$50 × 5	\$250	30,000	200
\$250	\$250	30,000	200
\$250 w/GOLD BAR	\$250	30,000	200
\$250 × 10	\$2,500	600,000	10
\$2,500	\$2,500	600,000	10
\$50,000	\$50,000	1,200,000	5
\$100,000	\$100,000	1,200,000	5

GOLD BAR = Win prize shown under it automatically.

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

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Pure Gold 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 Pure Gold, prize money from winning Pennsylvania Pure Gold 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 Pure Gold 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 Pure Gold or through normal communications methods.

GREGORY C. FAJT,  
Secretary

[Pa.B. Doc. No. 05-1535. Filed for public inspection August 12, 2005, 9:00 a.m.]

### Pennsylvania Run the Table Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—761-314) 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 Run the Table.

2. *Price:* The price of a Pennsylvania Run the Table instant lottery game ticket is \$10.

3. *Play Symbols:*

(a) Each Pennsylvania Run the Table instant lottery game ticket will contain five play areas known as Game

1, Game 2, Game 3, Game 4 and Game 5. Each game is played separately.

(b) The play symbols and their captions located in the play area for Game 1 are: 1 symbol (ONE), 2 symbol (TWO), 3 symbol (THREE), 4 symbol (FOUR), 5 symbol (FIVE) and 6 symbol (SIX).

(c) The play symbols and their captions located in the play area for Game 2 are: 15 symbol (FTN), 16 symbol (SXT), 17 symbol (SVT), 18 symbol (EGN), 19 symbol (NIT), 20 symbol (TWY) and 21 symbol (TTO).

(d) The play symbols and their captions located in the "YOUR CARD" areas for Game 3 are: 3 (THR), 4 (FOR), 5 (FIV), 6 (SIX), 7 (SVN), 8 (EGT), 9 (NIN), 10 (TEN), Jack (JCK), Queen (QUN), King (KNG) and Ace (ACE) playing card symbols. The play symbols and their captions located in the "THEIR CARD" areas for Game 3 are: 2 (TWO), 3 (THR), 4 (FOR), 5 (FIV), 6 (SIX), 7 (SVN), 8 (EGT), 9 (NIN), 10 (TEN), Jack (JCK), Queen (QUN) and King (KNG) playing card symbols.

(e) The play symbols and their captions located in the "HAND 1," "HAND 2," "HAND 3" and "HAND 4" areas for Game 4 are: 2 (TWO), 3 (THR), 4 (FOR), 5 (FIV), 6 (SIX), 7 (SVN), 8 (EGT), 9 (NIN), 10 (TEN), Jack (JCK), Queen (QUN), King (KNG) and Ace (ACE) playing card symbols. The play symbols and their captions located in the "DEALER'S HAND" area for Game 4 are: 6 (SIX), 7 (SVN), 8 (EGT), 9 (NIN), 10 (TEN), Jack (JCK), Queen (QUN), King (KNG) and Ace (ACE) playing card symbols.

(f) The play symbols and their captions located in the "HAND 1," "HAND 2" and "HAND 3" areas for Game 5 are: 2 (TWO), 3 (THR), 4 (FOR), 5 (FIV), 6 (SIX), 7 (SVN), 8 (EGT), 9 (NIN), 10 (TEN), Jack (JCK), Queen (QUN), King (KNG) and Ace (ACE) playing card symbols.

4. *Prize Symbols:* The prize symbols and their captions located in the prize area for Game 1, Game 3, Game 4 and Game 5 are: \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$15\$ (FIFTN), \$20\$ (TWENTY), \$50\$ (FIFTY), \$100 (ONE HUN), \$250 (TWOHUNFTY), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO) and \$210,000 (TWHNTNTHO).

5. *Prizes:* The prizes that can be won in Game 1, Game 3, Game 4 and Game 5 are: \$5, \$10, \$15, \$20, \$50, \$100, \$250, \$500, \$1,000, \$10,000 and \$210,000. The prize that can be won in Game 2 is \$50. A player can win up to 15 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 6,000,000 tickets will be printed for the Pennsylvania Run the Table instant lottery game.

7. *Determination of Prize Winners:*

(a) Determination of prize winners for Game 1 are:

(1) Holders of tickets where the sum of "YOUR ROLLS" play symbols totals 7 or 11 in the same "ROLL," and a prize play symbol of \$210,000 (TWHNTNTHO) appears in the prize area to the right of that "ROLL," on a single ticket, shall be entitled to a prize of \$210,000.

(2) Holders of tickets where the sum of "YOUR ROLLS" play symbols totals 7 or 11 in the same "ROLL," and a prize play symbol of \$10,000 (TEN THO) appears in the prize area to the right of that "ROLL," on a single ticket, shall be entitled to a prize of \$10,000.

(3) Holders of tickets where the sum of "YOUR ROLLS" play symbols totals 7 or 11 in the same "ROLL," and a prize play symbol of \$1,000 (ONE THO) appears in the prize area to the right of that "ROLL," on a single ticket, shall be entitled to a prize of \$1,000.

(4) Holders of tickets where the sum of "YOUR ROLLS" play symbols totals 7 or 11 in the same "ROLL," and a prize play symbol of \$500 (FIV HUN) appears in the prize area to the right of that "ROLL," on a single ticket, shall be entitled to a prize of \$500.

(5) Holders of tickets where the sum of "YOUR ROLLS" play symbols totals 7 or 11 in the same "ROLL," and a prize play symbol of \$250 (TWOHUNFTY) appears in the prize area to the right of that "ROLL," on a single ticket, shall be entitled to a prize of \$250.

(6) Holders of tickets where the sum of "YOUR ROLLS" play symbols totals 7 or 11 in the same "ROLL," and a prize play symbol of \$100 (ONE HUN) appears in the prize area to the right of that "ROLL," on a single ticket, shall be entitled to a prize of \$100.

(7) Holders of tickets where the sum of "YOUR ROLLS" play symbols totals 7 or 11 in the same "ROLL," and a prize play symbol of \$50\$ (FIFTY) appears in the prize area to the right of that "ROLL," on a single ticket, shall be entitled to a prize of \$50.

(8) Holders of tickets where the sum of "YOUR ROLLS" play symbols totals 7 or 11 in the same "ROLL," and a prize play symbol of \$20\$ (TWENTY) appears in the prize area to the right of that "ROLL," on a single ticket, shall be entitled to a prize of \$20.

(9) Holders of tickets where the sum of "YOUR ROLLS" play symbols totals 7 or 11 in the same "ROLL," and a prize play symbol of \$15\$ (FIFTN) appears in the prize area to the right of that "ROLL," on a single ticket, shall be entitled to a prize of \$15.

(10) Holders of tickets where the sum of "YOUR ROLLS" play symbols totals 7 or 11 in the same "ROLL," and a prize play symbol of \$10<sup>00</sup> (TEN DOL) appears in the prize area to the right of that "ROLL," on a single ticket, shall be entitled to a prize of \$10.

(11) Holders of tickets where the sum of "YOUR ROLLS" play symbols totals 7 or 11 in the same "ROLL," and a prize play symbol of \$5<sup>00</sup> (FIV DOL) appears in the prize area to the right of that "ROLL," on a single ticket, shall be entitled to a prize of \$5.

(b) Determination of prize winners for Game 2 are:

(1) Holders of tickets with a 21 (TTO) play symbol in the "Hit Me" game play area, on a single ticket, shall be entitled to a prize of \$50.

(c) Determination of prize winners for Game 3 are:

(1) Holders of tickets where the "YOUR CARD" play symbol is higher than "THEIR CARD" play symbol in the same "HAND," and a prize symbol of \$210,000 (TWHNTNTHO) appears to the right of that "HAND," on a single ticket, shall be entitled to a prize of \$210,000.

(2) Holders of tickets where the "YOUR CARD" play symbol is higher than "THEIR CARD" play symbol in the same "HAND," and a prize symbol of \$10,000 (TEN THO) appears to the right of that "HAND," on a single ticket, shall be entitled to a prize of \$10,000.

(3) Holders of tickets where the "YOUR CARD" play symbol is higher than "THEIR CARD" play symbol in the same "HAND," and a prize symbol of \$1,000 (ONE THO) appears to the right of that "HAND," on a single ticket, shall be entitled to a prize of \$1,000.

(4) Holders of tickets where the "YOUR CARD" play symbol is higher than "THEIR CARD" play symbol in the same "HAND," and a prize symbol of \$500 (FIV HUN)

appears to the right of that "HAND," on a single ticket, shall be entitled to a prize of \$500.

(5) Holders of tickets where the "YOUR CARD" play symbol is higher than "THEIR CARD" play symbol in the same "HAND," and a prize symbol of \$250 (TWOHUNFTY) appears to the right of that "HAND," on a single ticket, shall be entitled to a prize of \$250.

(6) Holders of tickets where the "YOUR CARD" play symbol is higher than "THEIR CARD" play symbol in the same "HAND," and a prize symbol of \$100 (ONE HUN) appears to the right of that "HAND," on a single ticket, shall be entitled to a prize of \$100.

(7) Holders of tickets where the "YOUR CARD" play symbol is higher than "THEIR CARD" play symbol in the same "HAND," and a prize symbol of \$50\$ (FIFTY) appears to the right of that "HAND," on a single ticket, shall be entitled to a prize of \$50.

(8) Holders of tickets where the "YOUR CARD" play symbol is higher than "THEIR CARD" play symbol in the same "HAND," and a prize symbol of \$20\$ (TWENTY) appears to the right of that "HAND," on a single ticket, shall be entitled to a prize of \$20.

(9) Holders of tickets where the "YOUR CARD" play symbol is higher than "THEIR CARD" play symbol in the same "HAND," and a prize symbol of \$15\$ (FIFTN) appears to the right of that "HAND," on a single ticket, shall be entitled to a prize of \$15.

(10) Holders of tickets where the "YOUR CARD" play symbol is higher than "THEIR CARD" play symbol in the same "HAND," and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears to the right of that "HAND," on a single ticket, shall be entitled to a prize of \$10.

(11) Holders of tickets where the "YOUR CARD" play symbol is higher than "THEIR CARD" play symbol in the same "HAND," and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears to the right of that "HAND," on a single ticket, shall be entitled to a prize of \$5.

(d) Determination of prize winners for Game 4 are:

(1) Holders of tickets where the sum of the playing card symbols for "YOUR HAND" is greater than the sum of the playing card symbols for the "DEALER'S HAND," and a prize symbol of \$210,000 (TWHNTNTHO) appears in the "PRIZE" area under that "YOUR HAND," on a single ticket, shall be entitled to a prize of \$210,000.

(2) Holders of tickets where the sum of the playing card symbols for "YOUR HAND" is greater than the sum of the playing card symbols for the "DEALER'S HAND," and a prize symbol of \$10,000 (TEN THO) appears in the "PRIZE" area under that "YOUR HAND," on a single ticket, shall be entitled to a prize of \$10,000.

(3) Holders of tickets where the sum of the playing card symbols for "YOUR HAND" is greater than the sum of the playing card symbols for the "DEALER'S HAND," and a prize symbol of \$1,000 (ONE THO) appears in the "PRIZE" area under that "YOUR HAND," on a single ticket, shall be entitled to a prize of \$1,000.

(4) Holders of tickets where the sum of the playing card symbols for "YOUR HAND" is greater than the sum of the playing card symbols for the "DEALER'S HAND," and a prize symbol of \$500 (FIV HUN) appears in the "PRIZE" area under that "YOUR HAND," on a single ticket, shall be entitled to a prize of \$500.

(5) Holders of tickets where the sum of the playing card symbols for "YOUR HAND" is greater than the sum of the playing card symbols for the "DEALER'S HAND," and a prize symbol of \$250 (TWOHUNFTY) appears in the "PRIZE" area under that "YOUR HAND," on a single ticket, shall be entitled to a prize of \$250.

(6) Holders of tickets where the sum of the playing card symbols for "YOUR HAND" is greater than the sum of the playing card symbols for the "DEALER'S HAND," and a prize symbol of \$100 (ONE HUN) appears in the "PRIZE" area under that "YOUR HAND," on a single ticket, shall be entitled to a prize of \$100.

(7) Holders of tickets where the sum of the playing card symbols for "YOUR HAND" is greater than the sum of the playing card symbols for the "DEALER'S HAND," and a prize symbol of \$50\$ (FIFTY) appears in the "PRIZE" area under that "YOUR HAND," on a single ticket, shall be entitled to a prize of \$50.

(8) Holders of tickets where the sum of the playing card symbols for "YOUR HAND" is greater than the sum of the playing card symbols of the "DEALER'S HAND," and a prize symbol of \$20\$ (TWENTY) appears in the "PRIZE" area under that "YOUR HAND," on a single ticket, shall be entitled to a prize of \$20.

(9) Holders of tickets where the sum of the playing card symbols for "YOUR HAND" is greater than the sum of the playing card symbols of the "DEALER'S HAND," and a prize symbol of \$15\$ (FIFTN) appears in the "PRIZE" area under that "YOUR HAND," on a single ticket, shall be entitled to a prize of \$15.

(10) Holders of tickets where the sum of the playing card symbols for "YOUR HAND" is greater than the sum of the playing card symbols for the "DEALER'S HAND," and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the "PRIZE" area under that "YOUR HAND," on a single ticket, shall be entitled to a prize of \$10.

(11) Holders of tickets where the sum of the playing card symbols for "YOUR HAND" is greater than the sum of the playing card symbols of the "DEALER'S HAND," and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the "PRIZE" area under that "YOUR HAND," on a single ticket, shall be entitled to a prize of \$5.

(e) Determination of prize winners for Game 5 are:

(1) Holders of tickets with three matching playing card play symbols in the same "HAND," and a prize symbol of \$210,000 (TWHNTNTHO) appears to the right of that "HAND," on a single ticket, shall be entitled to a prize of \$210,000.

(2) Holders of tickets with three matching playing card play symbols in the same "HAND," and a prize symbol of \$10,000 (TEN THO) appears to the right of that "HAND," on a single ticket, shall be entitled to a prize of \$10,000.

(3) Holders of tickets with three matching playing card play symbols in the same "HAND," and a prize symbol of \$1,000 (ONE THO) appears to the right of that "HAND," on a single ticket, shall be entitled to a prize of \$1,000.

(4) Holders of tickets with three matching playing card play symbols in the same "HAND," and a prize symbol of \$500 (FIV HUN) appears to the right of that "HAND," on a single ticket, shall be entitled to a prize of \$500.

(5) Holders of tickets with three matching playing card play symbols in the same "HAND," and a prize symbol of \$250 (TWOHUNFTY) appears to the right of that "HAND," on a single ticket, shall be entitled to a prize of \$250.

(6) Holders of tickets with three matching playing card play symbols in the same "HAND," and a prize symbol of \$100 (ONE HUN) appears to the right of that "HAND," on a single ticket, shall be entitled to a prize of \$100.

(7) Holders of tickets with three matching playing card play symbols in the same "HAND," and a prize symbol of \$50\$ (FIFTY) appears to the right of that "HAND," on a single ticket, shall be entitled to a prize of \$50.

(8) Holders of tickets with three matching playing card play symbols in the same "HAND," and a prize symbol of \$20\$ (TWENTY) appears to the right of that "HAND," on a single ticket, shall be entitled to a prize of \$20.

(9) Holders of tickets with three matching playing card play symbols in the same "HAND," and a prize symbol of \$15\$ (FIFTN) appears to the right of that "HAND," on a single ticket, shall be entitled to a prize of \$15.

(10) Holders of tickets with three matching playing card play symbols in the same "HAND," and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears to the right of that "HAND," on a single ticket, shall be entitled to a prize of \$10.

(11) Holders of tickets with three matching playing card play symbols in the same "HAND," and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears to the right of that "HAND," on a single ticket, shall be entitled to a prize of \$5.

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

<i>Win With Prize(s) of:</i>	<i>Win:</i>	<i>Approximate Odds of 1 In:</i>	<i>Approximate No. of Winners Per 6,000,000 Tickets</i>
\$5 × 2	\$10	20	300,000
\$10	\$10	20	300,000
\$5 × 3	\$15	30	200,000
\$15	\$15	30	200,000
\$5 × 4	\$20	60	100,000
\$10 × 2	\$20	60	100,000
\$20	\$20	60	100,000
\$5 × 10	\$50	150	40,000
\$15 × 3 + \$5	\$50	150	40,000
\$20 × 2 + \$10	\$50	150	40,000
\$50 (HIT ME)	\$50	150	40,000
\$50	\$50	150	40,000
\$5 × 8 + \$10 × 6	\$100	800	7,500
\$10 × 10	\$100	800	7,500
\$20 × 5	\$100	800	7,500
\$50 × 2	\$100	800	7,500
\$50 + \$50 (HIT ME)	\$100	480	12,500
\$100	\$100	800	7,500
\$5 × 10 + \$50 × 3 + \$50 (HIT ME)	\$250	1,714	3,500
\$20 × 2 + \$5 × 10 + \$100 + \$10 + \$50 (HIT ME)	\$250	1,714	3,500
\$50 × 5	\$250	1,846	3,250
\$50 × 4 + \$50 (HIT ME)	\$250	1,846	3,250
\$100 × 2 + \$50	\$250	1,846	3,250
\$250	\$250	1,846	3,250
\$50 × 10	\$500	8,571	700
\$100 × 5	\$500	9,231	650
\$50 × 9 + \$50 (HIT ME)	\$500	8,571	700
\$250 × 2	\$500	9,231	650
\$500	\$500	8,571	700
\$100 × 10	\$1,000	24,000	250
\$250 × 4	\$1,000	24,000	250
\$500 × 2	\$1,000	24,000	250
\$1,000	\$1,000	24,000	250
\$1,000 × 10	\$10,000	120,000	50
\$10,000	\$10,000	120,000	50
\$210,000	\$210,000	600,000	10

HIT ME = GAME 2—Reveal a "21" symbol and win \$50 automatically.

GAME 1—When any of YOUR ROLLS total 7 or 11 in the same ROLL, win prize shown to the right of that ROLL.

GAME 2—Reveal a "21" symbol and win \$50 automatically.

GAME 3—When YOUR CARD is higher than THEIR CARD in the same HAND, win prize shown to the right of that HAND. Aces are high.

GAME 4—When the total for any HAND is higher than the total of the DEALER'S HAND, win prize shown under that HAND. J, Q, K = 10; A = 11.

GAME 5—Get 3 of a kind in the same HAND, win prize shown to the right of that HAND.

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

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Run the Table 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 Run the Table, prize money from winning Pennsylvania Run the Table 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 Run the Table 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 Run the Table or through normal communications methods.

GREGORY C. FAJT,  
*Secretary*

[Pa.B. Doc. No. 05-1536. Filed for public inspection August 12, 2005, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

**Hatfield Township Municipal Authority v. DEP; EHB  
Doc. No. 2003-085-K**

The Department of Environmental Protection (Department) and Hatfield Township Municipal Authority (Authority) have agreed to a settlement of the previously captioned matter. This appeal challenged the NPDES Permit No. PA0026247 issued by the Department to the Authority on March 11, 2003.

The parties have agreed to a settlement, the major provisions of which include:

1. The parties have agreed that:

a. The Authority will not have to develop a Compliance Plan with respect to the Neshaminy TMDL until all appeals of the Neshaminy TMDL are fully adjudicated or otherwise resolved between the Department and the Authority.

b. The Stipulation and Settlement in this appeal shall not be construed to expand the Authority's appeal of the Neshaminy TMDL, which is docketed at EHB Docket No. 2004-046-K (consolidated with 2004-045-K and 2004-112-K).

The Department agreed that:

a. The Authority's future submission of the Compliance Plan is not a waiver of its right to appeal any future action related to the development or implementation of the Neshaminy TMDL.

b. The Authority's withdrawal of the appeal is without prejudice to the Authority's right to challenge any future action of the Department regarding development or implementation of the Neshaminy TMDL.

c. It will not assert the doctrine of administrative finality in any appeal by the Authority of a future Department action related to the development or implementation of the Neshaminy TMDL.

The parties requested that the Environmental Hearing Board (Board) attach the Stipulation of Settlement to its order dismissing the appeal subject to the rights set forth in the Stipulation of Settlement. Copies of the full Stipulation of Settlement are in the hands of Gina M. Thomas, Esquire, Department of Environmental Protection, Southeast Regional Counsel, 2 East Main Street, Norristown, PA 17401, (484) 250-5861 and Steven A. Hann, Esquire, Hamburg, Ruben, Mullin, Maxwell & Lupin, 375 Morris Road, Lansdale, PA 19446, (215) 661-0400. Copies of the full Stipulation of Settlement are also available at the office of the Board and may be reviewed by interested parties on request during normal business hours. Interested members of the public may comment to the Board on the Stipulation of Settlement for a period of 30 days from the date of this notice.

MICHAEL L. KRANCER,  
*Chairperson*

[Pa.B. Doc. No. 05-1537. Filed for public inspection August 12, 2005, 9:00 a.m.]

## FISH AND BOAT COMMISSION

**Change to List of Class A Wild Trout Waters;  
Removal of Cross Fork, Section 03, Potter  
County**

The Fish and Boat Commission (Commission) has removed Cross Fork, Section 03, Potter County, from its list of Class A Wild Trout Streams as set forth in 35 Pa.B. 3477 (June 18, 2005). The section of Cross Fork that is affected extends for a distance of 5.4 miles from the confluence with Rhulo Hollow downstream to 440 yards downstream of the T-416 Bridge.

For a water to be removed from the Commission's list of Class A Wild Trout Streams, total trout biomass must be documented below 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 took action to remove Cross Fork, Section 03, 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.

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

[Pa.B. Doc. No. 05-1538. Filed for public inspection August 12, 2005, 9:00 a.m.]

**Proposed Special Regulation 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.

Prior to the end of the year, the Commission will consider redesignating the following river sections that are currently regulated and managed under 58 Pa. Code § 65.4a (relating to all-tackle trophy trout) and placing them under regulation and management under 58 Pa. Code § 65.15 (relating to catch and release all-tackle areas), a new regulatory program that will go into effect on January 1, 2006. If adopted, these redesignations will go into effect on January 1, 2006:

<i>County</i>	<i>Water on which located</i>	<i>Description</i>
Blair/ Huntingdon	Little Juniata River	From the railroad bridge at the east (downstream) border of Ironville downstream to the mouth, a distance of 13.5 miles
Elk	Clarion River	From the confluence of the East and West branches downstream to the confluence with Elk Creek, a distance of 8.5 miles

The Commission is soliciting public input concerning these redesignations. Persons with comments, objections or suggestions concerning the redesignations are invited to submit comments in writing to the 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](http://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. 05-1539. Filed for public inspection August 12, 2005, 9:00 a.m.]

# PENNSYLVANIA PUBLIC UTILITY COMMISSION

## Natural Gas Service

**A-120000F2000. CRG, Inc.** Application of CRG, Inc. for approval of the abandonment or discontinuance of natural gas service to the public in this Commonwealth.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before August 29, 2005. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between the hours of 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

*Applicant:* CRG, Inc.

*Through and By Counsel:* Henry Ray Pope, III, Esquire,  
Pope and Drayer, Ten Grant Street, Clarion, PA 16214  
JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 05-1540. Filed for public inspection August 12, 2005, 9:00 a.m.]

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by September 6, 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.

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

**A-00121975. Forks Township Emergency Squad** (P. O. Box 284, Easton, Northampton County, PA 18044), a corporation of the Commonwealth—persons, in paratransit service, between points in the Counties of Northampton, Lehigh and Monroe.

**Application of the following for approval of the *additional right and privilege of operating motor vehicles as common carriers for transportation of persons by transfer of rights* as described under the application.**

**A-00120554, Folder 2. A & D Limousine Service, Inc.** (3237 Bristol Road, Bensalem, Bucks County, PA 19020), a Pennsylvania corporation—persons in limousine service, between points in Pennsylvania, which is a transfer of the rights authorized to Gail A. Segal Enterprises, Inc., at A-00112576, subject to the same limitations and conditions. *Attorney:* David P. Temple, Esquire, 1760 Market Street, Suite 1100, Philadelphia PA 19103.

**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-00121976. Kyle Bryan Day** (1409 Cemetery Street, Jersey Shore, Lycoming County, PA 17740)—persons upon call or demand, in the Boroughs of Jersey Shore and Salladasburg and the Townships of Cummings, Mifflin, Watson, Piatt, Porter, Nippenose and Limestone, all located in Lycoming County, and the Townships of Dunnstable, Wayne, Pine Creek and Crawford and the Borough of Avis, all located in Clinton County; subject to the following conditions: (1) that no right, power or privilege is granted to transport to or from the Williamsport-Lycoming Municipal Airport in the Borough of Montoursville, Lycoming County; and (2) that service rendered in Cummings Township, Lycoming County, must fall within an airline distance of 10 statute miles of the limits of the Borough of Jersey Shore, Lycoming County; which is to be a transfer of all the right authorized under the certificate issued at A-00116843 to Jersey Shore Taxi, LLC, subject to the same limitations and conditions.

**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-00121974. Theresa P. Ammon t/d/b/a Penn Valley Moving Company** (505 Gordon Avenue, Narberth, Montgomery County, PA 19072)—household goods in use, between points in the City and County of Philadelphia, and the Counties of Montgomery, Delaware, Chester and Bucks.

**Application of the following for approval of the *additional right and privilege of operating motor vehicles as common carriers for transportation of household goods in use* as described under the application.**

**A-00114256, Folder 2. Shannon Transport, Inc. t/a Shannon Moving & Storage** (25 Roland Avenue, Mt. Laurel NJ 08054) a New Jersey corporation—household goods in use, between points in the Counties of Philadelphia, Delaware, Chester, Montgomery, Bucks, Berks, Lehigh and Northampton.

**Complaint**

*Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Jagdip Singh; Doc. No. A-00116726C0501*

**COMPLAINT**

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth

of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Jagdip Singh, respondent, maintains a principal place of business at 183 Marlboro Rd., Upper Darby, PA 19082.

2. That respondent was issued a Certificate of Public Convenience by this Commission on May 2, 2000 at Application Docket No. A-00116726.

3. That respondent has failed to maintain evidence of bodily injury and property damage liability insurance on file with this Commission.

4. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

*Wherefore*, unless respondent causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission issue a Secretarial Letter which (1) cancels the Certificate of Public Convenience held by respondent at Docket No. A-00116726, for failure to maintain evidence of current insurance on file with the Commission, (2) orders such other remedy as the Commission may deem to be appropriate, which may include a fine and the suspension of a vehicle registration and (3) imposes an additional fine on the respondent.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement  
Motor Carrier Services & Enforcement Division  
Bureau of Transportation and Safety  
P. O. Box 3265  
Harrisburg, PA 17105-3265

**VERIFICATION**

I, Wendy J. Keezel, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: \_\_\_\_\_  
Wendy J. Keezel

**NOTICE**

A. You must file an answer within twenty days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice, 52 Pa. Code § 1.56(a). The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint.



Your answer must be verified and the original and three copies sent to:

James J. McNulty, Secretary  
 Pennsylvania Public Utility Commission  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty days of the date of service, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty. Pursuant to 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the revocation of your Certificate of Public Convenience, Contract Carrier Permit, or Brokerage license, or any other remedy as may be appropriate. Each day you continue to violate any regulation, direction, requirement, determination or order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations within twenty days of the date of service of this Complaint. The proof of insurance must be filed with the Secretary of the Commission at the address set forth in Paragraph A. Upon receipt of the evidence of insurance from your insurer, the complaint proceeding shall be closed. ACORD CERTIFICATES OF INSURANCE ARE UNACCEPTABLE AS EVIDENCE OF INSURANCE.

D. If you file an answer which either admits or fails to deny the allegations of the complaint, the Bureau of Transportation and Safety will request that the Commission enter an order imposing a penalty (see Paragraph B). Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an answer which contests the complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional penalty set forth in Paragraph B.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Insurance/Filing Unit at (717) 783-5933.

### Complaint

*Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Elize Cab Co.; Doc. No. A-00111567C0501*

### COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Elize Cab Co., respondent, maintains a principal place of business at 815 Marlyn Road, Philadelphia, PA 19151.

2. That respondent was issued a Certificate of Public Convenience by this Commission on January 17, 1995 at Application Docket No. A-00111567.

3. That respondent has failed to maintain evidence of bodily injury and property damage liability insurance on file with this Commission.

4. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission issue a Secretarial Letter which (1) cancels the Certificate of Public Convenience held by respondent at Docket No. A-00111567, for failure to maintain evidence of current insurance on file with the Commission, (2) orders such other remedy as the Commission may deem to be appropriate, which may include a fine and the suspension of a vehicle registration and (3) imposes an additional fine on the respondent.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement  
 Motor Carrier Services & Enforcement Division  
 Bureau of Transportation and Safety  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

### VERIFICATION

I, Wendy J. Keezel, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: \_\_\_\_\_  
 Wendy J. Keezel

### NOTICE

A. You must file an answer within twenty days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice, 52 Pa. Code § 1.56(a). The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your answer must be verified and the original and three copies sent to:

James J. McNulty, Secretary  
 Pennsylvania Public Utility Commission  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty days of the date of service, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty. Pursuant to 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the revocation of your Certificate of Public Convenience, Contract Carrier Permit, or Brokerage license, or any other remedy as may be appropriate. Each day you continue to violate any regulation, direction, requirement, determination or order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current

insurance in accordance with the Commission's regulations within twenty days of the date of service of this Complaint. The proof of insurance must be filed with the Secretary of the Commission at the address set forth in Paragraph A. Upon receipt of the evidence of insurance from your insurer, the complaint proceeding shall be closed. ACORD CERTIFICATES OF INSURANCE ARE UNACCEPTABLE AS EVIDENCE OF INSURANCE.

D. If you file an answer which either admits or fails to deny the allegations of the complaint, the Bureau of Transportation and Safety will request that the Commission enter an order imposing a penalty (see Paragraph B). Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an answer which contests the complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional penalty set forth in Paragraph B.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Insurance/Filing Unit at (717) 783-5933.

### Complaint

*Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Shadi A. Adams; Doc. No. A-00121077C0501*

### COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Shadi A. Adams, respondent, maintains a principal place of business at 613 Heritage Ct., Mechanicsburg, PA 17050.
2. That respondent was issued a Certificate of Public Convenience by this Commission on September 24, 2004 at Application Docket No. A-00121077.
3. That respondent has failed to maintain evidence of bodily injury and property damage liability insurance on file with this Commission.
4. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission issue a Secretarial Letter which (1) cancels the Certificate of Public Convenience held by respondent at Docket No. A-00121077, for failure to maintain evidence of current insurance on file with the Commission, (2) orders such other remedy as the Commission may deem to be appropriate, which may include a fine and the suspension of a vehicle registration and (3) imposes an additional fine on the respondent.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement  
Motor Carrier Services & Enforcement Division  
Bureau of Transportation and Safety  
P. O. Box 3265  
Harrisburg, PA 17105-3265

### VERIFICATION

I, Wendy J. Keezel, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: \_\_\_\_\_

Wendy J. Keezel

### NOTICE

A. You must file an answer within twenty days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice, 52 Pa. Code § 1.56(a). The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your answer must be verified and the original and three copies sent to:

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty days of the date of service, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty. Pursuant to 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the revocation of your Certificate of Public Convenience, Contract Carrier Permit, or Brokerage license, or any other remedy as may be appropriate. Each day you continue to violate any regulation, direction, requirement, determination or order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations within twenty days of the date of service of this Complaint. The proof of insurance must be filed with the Secretary of the Commission at the address set forth in Paragraph A. Upon receipt of the evidence of insurance from your insurer, the complaint proceeding shall be closed. ACORD CERTIFICATES OF INSURANCE ARE UNACCEPTABLE AS EVIDENCE OF INSURANCE.

D. If you file an answer which either admits or fails to deny the allegations of the complaint, the Bureau of Transportation and Safety will request that the Commission enter an order imposing a penalty (see Paragraph B). Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an answer which contests the complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional penalty set forth in Paragraph B.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Insurance/Filing Unit at (717) 783-5933.

**Complaint**

*Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Family Connection Transportation Services, Inc.; Doc. No. A-00112997C0501*

**COMPLAINT**

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Family Connection Transportation Services, Inc., respondent, maintains a principal place of business at 438 South 57th Street 1st Floor, Philadelphia, PA 19143-1421.

2. That respondent was issued a Certificate of Public Convenience by this Commission on May 20, 1998, at Application Docket No. A-00112997.

3. That respondent has failed to maintain evidence of cargo insurance on file with this Commission.

4. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission issue a Secretarial Letter which (1) cancels the Certificate of Public Convenience held by respondent at Docket No. A-00112997, for failure to maintain evidence of current insurance on file with the Commission, (2) orders such other remedy as the Commission may deem to be appropriate, which may include a fine and the suspension of a vehicle registration and (3) imposes an additional fine on the respondent.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement  
Motor Carrier Services & Enforcement Division  
Bureau of Transportation and Safety  
P. O. Box 3265  
Harrisburg, PA 17105-3265

**VERIFICATION**

I, Wendy J. Keezel, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: \_\_\_\_\_  
Wendy J. Keezel

**NOTICE**

A. You must file an answer within twenty days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice, 52 Pa. Code

§ 1.56(a). The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your answer must be verified and the original and three copies sent to:

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty days of the date of service, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty. Pursuant to 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the revocation of your Certificate of Public Convenience, Contract Carrier Permit, or Brokerage license, or any other remedy as may be appropriate. Each day you continue to violate any regulation, direction, requirement, determination or order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations within twenty days of the date of service of this Complaint. The proof of insurance must be filed with the Secretary of the Commission at the address set forth in Paragraph A. Upon receipt of the evidence of insurance from your insurer, the complaint proceeding shall be closed. ACORD CERTIFICATES OF INSURANCE ARE UNACCEPTABLE AS EVIDENCE OF INSURANCE.

D. If you file an answer which either admits or fails to deny the allegations of the complaint, the Bureau of Transportation and Safety will request that the Commission enter an order imposing a penalty (see Paragraph B). Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an answer which contests the complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional penalty set forth in Paragraph B.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Insurance/Filing Unit at (717) 783-5933.

**Complaint**

*Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Northern Limousine, Inc.; Doc. No. A-00120108C0501*

**COMPLAINT**

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Northern Limousine, Inc., respondent, maintains a principal place of business at 626 W. Lackawanna Avenue, Scranton, PA 18503.

2. That respondent was issued a Certificate of Public Convenience by this Commission on August 31, 2004, at Application Docket No. A-00120108.

3. That respondent has failed to maintain evidence of bodily injury and property damage liability insurance on file with this Commission.

4. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission issue a Secretarial Letter which (1) cancels the Certificate of Public Convenience held by respondent at Docket No. A-00120108, for failure to maintain evidence of current insurance on file with the Commission, (2) orders such other remedy as the Commission may deem to be appropriate, which may include a fine and the suspension of a vehicle registration and (3) imposes an additional fine on the respondent.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement  
Motor Carrier Services & Enforcement Division  
Bureau of Transportation and Safety  
P. O. Box 3265  
Harrisburg, PA 17105-3265

#### VERIFICATION

I, Wendy J. Keezel, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: \_\_\_\_\_  
Wendy J. Keezel

#### NOTICE

A. You must file an answer within twenty days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice, 52 Pa. Code § 1.56(a). The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your answer must be verified and the original and three copies sent to:

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty days of the date of service, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty. Pursuant to 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the revocation of your Certificate of Public Convenience, Contract Carrier Permit, or Brokerage license, or any other remedy as may be appropriate. Each day you continue to violate any regulation, direction, requirement, determination or order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations within twenty days of the date of service of this Complaint. The proof of insurance must be filed with the Secretary of the Commission at the address set forth in Paragraph A. Upon receipt of the evidence of insurance from your insurer, the complaint proceeding shall be closed. ACORD CERTIFICATES OF INSURANCE ARE UNACCEPTABLE AS EVIDENCE OF INSURANCE.

D. If you file an answer which either admits or fails to deny the allegations of the complaint, the Bureau of Transportation and Safety will request that the Commission enter an order imposing a penalty (see Paragraph B). Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an answer which contests the complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional penalty set forth in Paragraph B.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Insurance/Filing Unit at (717) 783-5933.

#### Complaint

*Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. A. Penza, Inc.; Doc. No. A-00085271C0501*

#### COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That A. Penza, Inc., respondent, maintains a principal place of business at 3301 S. Galloway Street, Philadelphia, PA 19148.

2. That respondent was issued a Certificate of Public Convenience by this Commission on July 7, 1958, at Application Docket No. A-00085271.

3. That respondent has failed to maintain evidence of cargo insurance and bodily injury and property damage liability insurance on file with this Commission.

4. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission issue a Secretarial Letter which (1) cancels the Certificate of Public Convenience held by respondent at Docket No. A-00085271, for failure to maintain evidence of current insurance on file with the Commission, (2) orders such other remedy as the Commission may deem to be appro-

appropriate, which may include a fine and the suspension of a vehicle registration and (3) imposes an additional fine on the respondent.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement  
Motor Carrier Services & Enforcement Division  
Bureau of Transportation and Safety  
P. O. Box 3265  
Harrisburg, PA 17105-3265

#### VERIFICATION

I, Wendy J. Keezel, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: \_\_\_\_\_  
Wendy J. Keezel

#### NOTICE

A. You must file an answer within twenty days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice, 52 Pa. Code § 1.56(a). The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your answer must be verified and the original and three copies sent to:

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty days of the date of service, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty. Pursuant to 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the revocation of your Certificate of Public Convenience, Contract Carrier Permit, or Brokerage license, or any other remedy as may be appropriate. Each day you continue to violate any regulation, direction, requirement, determination or order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations within twenty days of the date of service of this Complaint. The proof of insurance must be filed with the Secretary of the Commission at the address set forth in Paragraph A. Upon receipt of the evidence of insurance from your insurer, the complaint proceeding shall be closed. ACORD CERTIFICATES OF INSURANCE ARE UNACCEPTABLE AS EVIDENCE OF INSURANCE.

D. If you file an answer which either admits or fails to deny the allegations of the complaint, the Bureau of Transportation and Safety will request that the Commission enter an order imposing a penalty (see Paragraph B). Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an answer which contests the complaint, the matter will be assigned to an Administrative Law

Judge for hearing and decision. The judge is not bound by the optional penalty set forth in Paragraph B.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Insurance/Filing Unit at (717) 783-5933.

#### Complaint

*Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Grover C. Walker, t/a Walker Trucking; Doc. No. A-00117739C0501*

#### COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Grover C. Walker, t/a Walker Trucking respondent, maintains a principal place of business at 5816 Rippley Street, Pittsburgh, PA 15206.

2. That respondent was issued a Certificate of Public Convenience by this Commission on February 2, 2004 at Application Docket No. A-00117739, F.3.

3. That respondent has failed to maintain evidence of bodily injury and property damage liability insurance on file with this Commission.

4. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission issue a Secretarial Letter which (1) cancels the Certificate of Public Convenience held by respondent at Docket No. A-00117739, for failure to maintain evidence of current insurance on file with the Commission, (2) orders such other remedy as the Commission may deem to be appropriate, which may include a fine and the suspension of a vehicle registration and (3) imposes an additional fine on the respondent.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement  
Motor Carrier Services & Enforcement Division  
Bureau of Transportation and Safety  
P. O. Box 3265  
Harrisburg, PA 17105-3265

#### VERIFICATION

I, Wendy J. Keezel, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: \_\_\_\_\_  
Wendy J. Keezel

NOTICE

A. You must file an answer within twenty days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice, 52 Pa. Code § 1.56(a). The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your answer must be verified and the original and three copies sent to:

James J. McNulty, Secretary  
 Pennsylvania Public Utility Commission  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty days of the date of service, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty. Pursuant to 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the revocation of your Certificate of Public Convenience, Contract Carrier Permit, or Brokerage license, or any other remedy as may be appropriate. Each day you continue to violate any regulation, direction, requirement, determination or order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations within twenty days of the date of service of this Complaint. The proof of insurance must be filed with the Secretary of the Commission at the address set forth in Paragraph A. Upon receipt of the evidence of insurance from your insurer, the complaint proceeding shall be closed. ACORD CERTIFICATES OF INSURANCE ARE UNACCEPTABLE AS EVIDENCE OF INSURANCE.

D. If you file an answer which either admits or fails to deny the allegations of the complaint, the Bureau of Transportation and Safety will request that the Commission enter an order imposing a penalty (see Paragraph B). Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an answer which contests the complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional penalty set forth in Paragraph B.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Insurance/Filing Unit at (717) 783-5933.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 05-1541. Filed for public inspection August 12, 2005, 9:00 a.m.]

**Telecommunications**

**A-311124F7002. The United Telephone Company of Pennsylvania d/b/a Sprint and KMC Data, LLC.** Joint petition for approval of a master interconnection, resale and collocation agreement between The United Telephone Company of Pennsylvania d/b/a Sprint and KMC Data, LLC, under section 252(e) of the Telecommunications Act of 1996.

The United Telephone Company of Pennsylvania d/b/a Sprint and KMC Data, LLC, by its counsel, filed on July 25, 2005, at the Pennsylvania Public Utility Commission (Commission) a joint petition for approval of a master interconnection, resale and collocation agreement under section 252(e) of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the United Telephone Company of Pennsylvania d/b/a Sprint and KMC Data, LLC joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 05-1542. Filed for public inspection August 12, 2005, 9:00 a.m.]

**Telecommunications**

**A-310957F7002. The United Telephone Company of Pennsylvania d/b/a Sprint and KMC Telecom V, Inc.** Joint petition for approval of a master interconnection, resale and collocation agreement between The United Telephone Company of Pennsylvania d/b/a Sprint and KMC Telecom V, Inc. under section 252(e) of the Telecommunications Act of 1996.

The United Telephone Company of Pennsylvania d/b/a Sprint and KMC Telecom V, Inc., by its counsel, filed on July 27, 2005, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of a master interconnection, resale and collocation agreement under section 252(e) of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the United Telephone Company of Pennsylvania d/b/a Sprint and KMC Telecom V, Inc. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 05-1543. Filed for public inspection August 12, 2005, 9:00 a.m.]

**Telecommunications**

**A-310580F7001. Verizon North, Inc. and MCI WorldCom Communications, Inc. (as successor to Rhythms Links, Inc.).** Joint petition for approval of amendment number 3 to the interconnection agreement between Verizon North, Inc. and MCI WorldCom Communications, Inc. (as successor to Rhythms Links, Inc.).

Verizon North, Inc. and MCI WorldCom Communications, Inc. (as successor to Rhythms Links, Inc.), by its

counsel, filed on July 25, 2005, at the Pennsylvania Public Utility Commission (Commission) a joint petition for approval of amendment number 3 to the interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the joint petition for amendment with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon North, Inc. and MCI WorldCom Communications, Inc. (as successor to Rhythms Links, Inc.) joint petition for amendment are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 05-1544. Filed for public inspection August 12, 2005, 9:00 a.m.]

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### Telecommunications

**A-310401F7000. Verizon Pennsylvania, Inc. and Intermedia Communications, Inc. d/b/a Pennsylvania Intermedia Communications, Inc.** Joint petition for approval of amendment number 4 to the interconnection agreement between Verizon Pennsylvania, Inc. and Intermedia Communications, Inc. d/b/a Pennsylvania Intermedia Communications, Inc.

Verizon Pennsylvania, Inc. and Intermedia Communications, Inc. d/b/a Pennsylvania Intermedia Communications, Inc., by its counsel, filed on July 25, 2005, at the Pennsylvania Public Utility Commission (Commission) a joint petition for approval of amendment number 4 to the interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the joint petition for amendment with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon Pennsylvania, Inc. and Intermedia Communications, Inc. d/b/a Pennsylvania Intermedia Communications, Inc. joint petition for amendment are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 05-1545. Filed for public inspection August 12, 2005, 9:00 a.m.]

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### Telecommunications

**A-310580F7000. Verizon Pennsylvania, Inc. and MCI WorldCom Communications, Inc. (f/k/a MFS Intelenet of Pennsylvania, Inc.).** Joint petition for approval of amendment number 3 to the interconnection agreement between Verizon Pennsylvania, Inc. and MCI WorldCom Communications, Inc. (f/k/a MFS Intelenet of Pennsylvania, Inc.).

Verizon Pennsylvania, Inc., and MCI WorldCom Communications, Inc. (f/k/a MFS Intelenet of Pennsylvania, Inc.), by its counsel, filed on July 25, 2005, at the Pennsylvania Public Utility Commission (Commission) a joint petition for approval of amendment number 3 to the interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the joint petition for amendment with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon Pennsylvania, Inc. and MCI WorldCom Communications, Inc. (f/k/a MFS Intelenet of Pennsylvania, Inc.) joint petition for amendment are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 05-1546. Filed for public inspection August 12, 2005, 9:00 a.m.]

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### Telecommunications

**A-310580F7000. Verizon Pennsylvania, Inc. and MCI WorldCom Communications, Inc. (as successor to Rhythms Links, Inc.).** Joint petition for approval of amendment number 3 to the interconnection agreement between Verizon Pennsylvania, Inc. and MCI WorldCom Communications, Inc. (as successor to Rhythms Links, Inc.).

Verizon Pennsylvania, Inc. and MCI WorldCom Communications, Inc. (as successor to Rhythms Links, Inc.), by its counsel, filed on July 25, 2005, at the Pennsylvania Public Utility Commission (Commission) a joint petition for approval of amendment number 3 to the interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the joint petition for amendment with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of Verizon Pennsylvania, Inc. and MCI WorldCom Communications, Inc. (as successor to Rhythms Links, Inc.) joint petition for amendment are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 05-1547. Filed for public inspection August 12, 2005, 9:00 a.m.]

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### Telecommunications

**A-310752F7000. Verizon Pennsylvania, Inc. and MCImetro Access Transmission Services, LLC.** Joint petition for approval of amendment number 5 to the interconnection agreement between Verizon Pennsylvania, Inc. and MCImetro Access Transmission Services, LLC.

Verizon Pennsylvania, Inc. and MCImetro Access Transmission Services, LLC, by its counsel, filed on July 25, 2005, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of amendment number 5 to the interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the joint petition for amendment with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of Verizon Pennsylvania, Inc. and MCImetro Access Transmission Services, LLC joint petition for amendment are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 05-1548. Filed for public inspection August 12, 2005, 9:00 a.m.]

### 2006 Schedule of Filing Dates for Recovery of Purchased Gas Costs; Doc. No. L-840102

Under 52 Pa. Code § 53.64(a) (relating to filing requirements for natural gas distributors with gross intrastate annual operating revenues in excess of \$40 million) the Pennsylvania Public Utility Commission (Commission) annually publishes a schedule of filing dates for jurisdictional gas utilities subject to the procedure of 66 Pa.C.S. § 1307(f) (relating to sliding scale of rates; adjustments) for the recovery of purchased gas costs.

The 2006 schedule of filing dates is as follows:

February 1, 2006: National Fuel Gas Distribution Corporation—PA Division; T. W. Phillips Gas and Oil Company

March 1, 2006: Philadelphia Gas Works

April 1, 2006: Columbia Gas of Pennsylvania, Inc.; Peoples Natural Gas Company; Equitable Gas Company

June 1, 2006: P. G. Energy, Inc.; PECO—Gas Division; UGI Corporation; PFG Gas, Inc.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 05-1549. Filed for public inspection August 12, 2005, 9:00 a.m.]

## PHILADELPHIA REGIONAL PORT AUTHORITY

### Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept proposals for Project #05-046.P, Design & Print Foreign Trade Zone Folder until 2 p.m. on Thursday, August 25, 2005. The proposal documents can be obtained from the Director of Procurement, PRPA, 3460 N. Delaware Ave., 2nd Floor, Philadelphia, PA 19134, (215) 426-2600 and will be available August 16, 2005. The cost of the proposal document is \$10 (includes 7% Pennsylvania Sales Tax). The cost is nonrefundable. PRPA is an equal opportunity employer. Contractors must comply with all applicable equal employment opportunity laws and regulations.

JAMES T. MCDERMOTT, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 05-1550. Filed for public inspection August 12, 2005, 9:00 a.m.]

## SECURITIES COMMISSION

### Accredited Investor Exemption

Securities Commission staff has issued an Interpretive Opinion regarding the Accredited Investor Exemption. Contact the Division of Corporation Finance at (717) 787-8059 for copies or questions.

JEANNE S. PARSONS,  
*Secretary*

[Pa.B. Doc. No. 05-1551. Filed for public inspection August 12, 2005, 9:00 a.m.]