

NOTICES

DEPARTMENT OF BANKING

Action on Applications

The Department of Banking, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 9, 2002 (P. L. 1572, No. 207), known as the Credit Union Code, has taken the following action on applications received for the week ending October 18, 2005.

BANKING INSTITUTIONS

Consolidations, Mergers and Absortions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-12-05	Affinity Bank of Pennsylvania Wyomissing Berks County Purchase of assets/assumption of liabilities of one branch office of Susquehanna Patriot Bank, Marlton, NJ Located at: 3101 Shillington Road Sinking Spring Berks County	Wyomissing	Filed
10-17-05	NOVA Savings Bank Philadelphia Philadelphia County Purchase of assets/assumption of liabilities of one branch office of Susquehanna Patriot Bank, Marlton, NJ Located at: 200 East Uwchlan Avenue Exton Chester County	Philadelphia	Approved

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
12-6-04	Coatesville Savings Bank Coatesville Chester County	1082 Georgetown Road Georgetown Lancaster County	Opened
10-14-05	Jersey Shore State Bank Jersey Shore Lycoming County	820 Broad Street Montoursville Lycoming County	Filed
10-14-05	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	Giant Supermarket 3301 Trindle Road Camp Hill Cumberland County	Opened
10-17-05	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	Washington Township Acme 415 Egg Harbor Road Sewell Gloucester County, NJ	Authorization Rescinded
10-18-05	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	2929 Arch Street Philadelphia Philadelphia County	Approved

Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-17-05	S & T Bank Indiana Indiana County	<i>To:</i> 12900 Frankstown Road Pittsburgh Allegheny County <i>From:</i> 12262 Frankstown Road Pittsburgh Allegheny County	Authorization Rescinded

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

No activity.

A. WILLIAM SCHENCK, III,
Secretary

[Pa.B. Doc. No. 05-1984. Filed for public inspection October 28, 2005, 9:00 a.m.]

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

Land Use Planning and Technical Assistance Program

The Department of Community and Economic Development (Department) gives notice of the revision of the Land Use Planning and Technical Assistance Program (Program) guidelines. The Program provides financial assistance to municipalities and counties of this Commonwealth for the purpose of developing and strengthening community planning and management capabilities. The Program has been separated into three programs: Community Planning Program; Implementation Program; and the Transit Revitalization Investment District Planning Study Program, as authorized by the act of December 8, 2004 (P. L. 1801, No. 238).

Program guidelines, which set forth the eligibility criteria and the application process, have been revised. The revised guidelines can be found on the Department's website at www.newpa.com or can be obtained by contacting the Governor's Center for Local Government Services.

Program inquiries and applications should be directed to Governor's Center for Local Government Services, Department of Community and Economic Development, 4th Floor, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120-0225, (888) 223-6837, (717) 783-1402.

DENNIS YABLONSKY,
Secretary

[Pa.B. Doc. No. 05-1985. Filed for public inspection October 28, 2005, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

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

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

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

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

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

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

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

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

I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0033669 Sewage	Martin Oley Valley View Park R. R. 4 P. O. Box 297C Dallas, PA 18612	Luzerne County Dallas Township	UNT to Abraham's Creek (5B)	Y
PA0063428	Blue Mountain Ski Area P. O. Box 201 Palmerton, PA 18071	Carbon County Lower Towamensing Township	Buckawha Creek (2B)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N ?</i>
PA0088536 (Sew)	Camp Hebron 957 Camp Hebron Road Halifax, PA 17032-9520	Dauphin County Halifax Township	Powell Creek/6-C	Y
PA0081370 (Sew)	Timeless Towns of America, Inc. 2636 Emmitsburg Road Gettysburg, PA 17325	Adams County Cumberland Township	UNT to Marsh Creek/13-D	Y
PA0087041 (Sew)	Klass Bakker, Inc. 576 Yellow Hill Road Narvon, PA 17555-9335	Lancaster County Brecknock Township	UNT to Black Creek/7-J	Y
PA0008826 (IW)	A. P. Green Refractories, Inc. 400 Fairway Drive Moon Township, PA 15108	Blair County Greenfield Township	Boiling Spring Run/11-A	Y

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N ?</i>
PA0084212 (Sew)	Leacock Township Sewer Authority P. O. Box 558 Intercourse, PA 17534	Lancaster County Leacock Township	Muddy Run/7-J	Y
PA0010375 (IW)	Lehigh Cement Company 200 Hokes Mill Road York, PA 17404-5540	York County West Manchester Township	UNT to Cordorus Creek/7-H	Y
PA0088421 (SEW)	Patrick Gibson 2887 Chaneyville Road Clearville, PA 15535	Bedford County Southampton Township	Dry Swale to Town Creek/ 13-A	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.

PA0055468, Dyer and MaryAnn Highley, d/b/a as Pleasant Run Mobile Home Park Sewage Treatment Plant (STP), Route 663 and Little Road, Perkiomenville, PA 18074. This facility is located in New Hanover Township, **Montgomery County.**

Description of Proposed Activity: This application is for renewal of an NPDES permit to discharge treated sanitary wastewater to Deep Creek.

The receiving stream, Deep Creek, is in the State Water Plan watershed 3E- Perkiomen and is classified for TSF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 are based on a design flow of 5,300 gpd.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		<i>Instantaneous Maximum (mg/l)</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Average Monthly</i>	<i>Average Weekly</i>	
CBOD ₅			25		50
Total Suspended Solids			30		
NH ₃ as N			10		60
Phosphorus as P			2.0		20
Fecal Coliform			200 #/100 ml		4.0
Dissolved Oxygen			5.0 (Min.)		
Total Residual Chlorine			0.50		
pH (STD Unit)			6.0 (min)		9.0 (max)

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

1. Discharge must not cause nuisance or health hazard.
2. Sludge disposal according to state and Federal regulations.

The EPA waiver is in effect.

PA0051926, Industrial Waste, SIC 4911, **Exelon Generation Company, LLC,** 200 Exelon Way, Kennett Square, PA 19348.

Description of Proposed Activity: Wastewater flow includes discharge of cooling water from two cooling towers serving Limerick Nuclear Power Plant and stormwater associated with industrial activities in Limerick Township, **Montgomery County.**

The receiving streams are Schuylkill River, Possum Hollow Run and Sanatoga Creek located in the State Water Plan Watershed 3D. The streams are classified for WWF. The nearest downstream public water supply intake for Pennsylvania American Water Company is located on Schuylkill River 2.0 miles below the point of discharge.

The proposed effluent limits for Outfall 001, based on an average flow of 10.7 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Suspended Solids	30	60	75
Temperature			110°F
Total Residual Oxidants		0.2	0.5
Spectrus CT1300	0.2	0.4	0.5
pH (Standard Units)	6.0		9.0
Cadmium, Total	Instantaneous Minimum Monitor	Monitor	Monitor

The proposed effluent limits for Outfalls 003 and 005, based on a maximum daily flow of 1.1 mgd from turbine system drain down are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Suspended Solids	Monitor	Monitor	Monitor
Temperature			110°F
Total Residual Oxidants		0.2	0.5
pH (Standard Units)	6.0		9.0
	Instantaneous Minimum		
Spectrus CT1300	0.2	0.4	0.5

The proposed effluent limits for discharge of stormwater through Outfalls 002, 004, 006—008, 009, 021 and 022 associated with industrial activities are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅		Monitor	
COD		Monitor	
Oil and Grease		Monitor	
pH		Monitor	
Suspended Solids		Monitor	
Total Kjeldahl Nitrogen		Monitor	
Total Phosphorus		Monitor	
Iron (Dissolved)		Monitor	

The proposed effluent limits for discharge of wastewater through Outfall 012, based on a maximum flow of 0.5 mgd during dredging operation of the Schuylkill River Pump House are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Oil and Grease		Monitor	
pH		Monitor	
Total Suspended Solids	Monitor	100	
Total Iron		7.0	
Iron (Dissolved)		Monitor	

The proposed effluent limits for Outfall 020, based on discharge from the storage tank containing Perkiomen Creek Water for cooling towers are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Suspended Solids	Monitor	100	Monitor
pH (Std Unit)	6.0		9.0
	Instantaneous Minimum		

The proposed effluent limits for Outfall 023, based on a maximum discharge of 0.4 mgd from the emergency overflow vents of the cooling towers are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Suspended Solids	Monitor	100	Monitor
Total Residual Oxidants		0.2	0.5
pH (Std Unit)	6.0		9.0
	Instantaneous Minimum		
Spectrus CT1300	0.2	0.4	0.5

The EPA waiver is in effect. In addition to the effluent limits, the permit contains the following major special conditions:

1. Remedial Measures.
2. BAT/ELG Reopener.
3. Disposal of Sludge.
4. TMDL/WLA Analysis.
5. Requirements for Stormwater Outfalls.
6. Laboratory Certification.
7. Certain Chemical Additives.
8. Thermal Impact of Outfall 001 upon Schuylkill River.
9. Radioactive Release Report to the Department of Environmental Protection's Bureau of Radiation Protection.
10. NO PCB Compounds.
11. Credits for Total Suspended Solids during the use of Spectrus DT1400 Additive.
12. Cooling Water Intake Structure.

PA0050423, Sewage, SIC 4952, **Sisters, Servants of the Immaculate Heart of Mary**, 1140 King Road, Immaculate, PA 19345-0200. This proposed facility is located in East Whiteland Township, **Chester County**.

Description of Proposed Activity: Renewal of an NPDES permit to discharge treated sewage from Villa Maria STP.

The receiving stream, a UNT to Ridley Creek, is in the State Water Plan watershed 3G and is classified for HQ-TSF, water supply, aquatic life and recreation. The nearest downstream public water supply intake for Aqua, PA main system is located on Ridley Creek 15.0 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.04 mgd.

Parameters	Concentration (mg/l)	
	Average Monthly	Instantaneous Maximum (mg/l)
CBOD ₅		
(5-1 to 10-31)	20	40
(11-1 to 4-30)	25	50
TSS	30	60
NH ₃ -N		
(5-1 to 10-31)	2.0	4.0
(11-1 to 4-30)	6.0	12.0
TRC	0.14	0.32
Dissolved Oxygen		6.0 (Instantaneous Minimum)
Fecal coliform	200 colonies/100 ml as a geometric mean	
pH	6.0 to 9.0 standard units at all times	

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

1. Operator Notification.
2. Abandon STP When Municipal Sewers Available.
3. Remedial Measures if Unsatisfactory Effluent.
4. No Stormwater.
5. Acquire Necessary Property Rights.
6. Change of Ownership.
7. Chlorine Minimization.
8. Proper Sludge Disposal.
9. 2/Month Sampling.
10. Instantaneous Maximum.
11. Laboratory Certification.

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

PA0026921, Sewage, **Greater Hazleton Joint Sewer Authority**, P. O. Box 651, Valmont Industrial Park, Hazleton, PA 18201-0651. This proposed facility is located in West Hazleton Borough, **Luzerne County**.

Description of Proposed Activity: Renewal permit to discharge 8.9 mgd of treated sewage.

The receiving stream, Black Creek, is in the State Water Plan watershed No. 5D (Nescopeck) and is classified for CWF. The nearest downstream public water supply intake for Danville Water Authority is located on North Branch Susquehanna River.

The proposed effluent limits for Outfall 001 based on a design flow of 8.9 mgd

Parameter	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
Fecal Coliform			
(5-1 to 9-30)	200/100 ml		1,000/100 ml
(10-1 to 4-30)	2,000/100 ml		10,000/100 ml
pH	6.0 to 9.0 standard units at all times.		
Total Residual Chlorine	.5		1.0
Ammonia-N	Report	Report	Report
Kjeldahl-N	Report	Report	Report
Nitrite-N/Nitrate N	Report	Report	Report
Total Nitrogen	Report	Report	Report
Total Phosphorus	Report	Report	Report
Total Nitrogen	Annual Mass Load of 216,739 lb. limit for years 4 and 5 of permit.		
Total Phosphorus	Annual Mass Load of 27,092 lb. limit for years 4 and 5 of permit.		

*Outfalls 101—103 (stormwater)**

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>
CBOD ₅				Report
Chemical Oxygen Demand				Report
Oil and Grease				Report
pH				Report
Total Suspended Solids (TSS)				Report
Total Kjeldahl Nitrogen (TKN)				Report
Total Phosphorus				Report
Iron (dissolved)				Report

*Permittee has the option to perform annual inspection of facility in lieu of annual monitoring.

Point Sources 002—016 (except 007) serve as combined sewer reliefs necessitated by stormwater entering the sewer system and exceeding the hydraulic capacity of the sewers and/or the treatment plant. In accordance with the Department of Environmental Protection's EPA approved CSO strategy, a special permit requirements is included in Part C of this permit.

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

Sludge disposal, pretreatment operations and reporting requirements, combined sewer overflows and stormwater.

The EPA waiver is not in effect.

PA0046388, Sewage, **Butler Township**, 415 West Butler Drive, Drums, PA 18222. This proposed facility is located in Butler Township, **Luzerne County**.

Description of Proposed Activity: Increase discharge of treated sewage from 0.6 mgd to 2.2 mgd.

The receiving stream, Nescopeck Creek, is in the State Water Plan watershed No. 5D and is classified for TSF. The nearest downstream public water supply intake for Danville Water Supply is located on Susquehanna River is approximately 30 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.6 mgd.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25.0	40.0	50.0
Total Suspended Solids	30.0	45.0	60.0
NH ₃ -N (5-1 to 10-31)	12.0		24.0
Dissolved Oxygen	A minimum of 5.0 mg/l at all times.		
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean		
(10-1 to 4-30)	2,000/100 ml as a geometric mean		
pH	6.0 to 9.0 standard units at all times.		
Total Residual Chlorine	1.0		2.0
Ammonia-N	Report		
Kjeldahl-N	Report		
Nitrate-N/Nitrite-N	Report		
Total Nitrogen	Report		
Total Phosphorus	Report		
Total Nitrogen	Report annual mass load.		
Total Phosphorus	Report annual mass load.		

The proposed effluent limits for Outfall 001 based on a design flow of 2.2 mgd.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25.0	40.0	50.0
Total Suspended Solids	30.0	45.0	60.0
NH ₃ -N (5-1 to 10-31)	4.7		9.3
(11-1 to 4-30)	14.0		28.0
Dissolved Oxygen	A minimum of 5.0 mg/l at all times.		
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean		
(10-1 to 4-30)	2,000/100 ml as a geometric mean		
pH	6.0 to 9.0 standard units at all times.		
Total Residual Chlorine	0.28		0.65
Ammonia-N	Report		
Kjeldahl-N	Report		

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Nitrate-N/Nitrite-N	Report		
Total Nitrogen	Report		
Total Phosphorus	Report		
Total Nitrogen	Annual mass load of 18,021 lbs/yr limit after completion of plant upgrades.		
Total Phosphorus	Annual mass load of 2,021 lbs/yr limit after completion of plant upgrades.		

In addition to the effluent limits, the permit contains the following major special conditions: Initial Whole Effluent Toxicity Testing Monitoring.

PA0070041, Sewage, **Mahanoy City Sewer Authority**, 130 East Center Street, P. O. Box 215, Mahanoy City, PA 17948. This proposed facility is located in Mahanoy Township, **Schuylkill County**.

Description of Proposed Activity: Renewal of NPDES permit.

The receiving stream, Mahanoy Creek, is in the State Water Plan watershed No. 6B and is classified for WWF. The nearest downstream public water supply intake for Dauphin Consolidated Water Company is located on Susquehanna River over 50 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 1.38 mgd.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25.0	40.0	50.0
Total Suspended Solids	30.0	45.0	60.0
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean		
(10-1 to 4-30)	2,000/100 ml as a geometric mean		
pH	6.0 to 9.0 standard units at all times.		
Total Residual Chlorine	0.5		1.2
Ammonia-N	Monitor and Report		
Kjeldhal -N	Monitor and Report		
Nitrite-N	Monitor and Report		
Nitrate-N	Monitor and Report		
Total Nitrogen	Monitor and Report		10/2005 to 9/2008
Total Phosphorus	Monitor and Report		10/2005 to 9/2008
Total Nitrogen	18,995 lbs/year		10/2008 to 9/2010
Total Phosphorus	2,374 lbs/year		10/2008 to 9/2010

In addition to the effluent limits, the permit contains the following major special conditions: combined sewer overflow.

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

PA0094111, Sewage, **Rimco Properties, Inc.**, 100 Sandune Drive, Pittsburgh, PA 15239. This application is for renewal of an NPDES permit to discharge treated sewage from Wellington Estates Mobile Home Park STP in Washington Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as tributary of Thorn Run, which are classified as a HQ-CWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Westmoreland County Municipal Authority on Beaver Run Reservoir.

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

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	10			20
Suspended Solids	10			20
Ammonia Nitrogen (5-1 to 10-31)	3.0			6.0
(11-1 to 4-30)	9.0			18.0
Phosphorus	2.0			4.0
Nitrite-Nitrate	10			20
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
Total Residual Chlorine	1.4			3.3
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0205249, Sewage, **Timber Creek Farms Homeowners Association**, P. O. Box 186, Warrendale, PA 15086-0186. This application is for renewal of an NPDES permit to discharge treated sewage from Timber Creek Farms STP in Marshall Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as UNT of Big Sewickley Creek, which are classified as a TSF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Nova Chemicals, Beaver Valley Plant on the Ohio River.

Outfall 001: existing discharge, design flow of 0.0112 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	2.0			4.0
(11-1 to 4-30)	3.0			6.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	0.03			0.06
Dissolved Oxygen	not less than 6 mg/l			
PH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0090395, Industrial Waste, SIC, 4941, **Indiana County Municipal Services Authority**, 827 Water Street, Indiana, PA 15701. This application is for renewal of an NPDES permit to discharge treated backwash waters from rinsing filters and softener discharge from Iselin Water Treatment Plant in Young Township, **Indiana County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Harpers Run, classified as a CWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is the Buffalo Township Municipal Authority located at Freeport approximately 25 miles below the discharge point.

Outfall 00: existing discharge, design flow of 0.002 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Total Suspended Solids			30		60
Total Iron			2		4
Aluminum (T)			4		8
Manganese (T)			1		2
Total Residual Chlorine			0.5		1
pH			not less than 6.0 nor greater than 9.0		

Other Conditions: DMR submittal address, residual waste management condition, chlorine minimization and chemical additives.

The EPA waiver is in effect.

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

PA0026271, Sewage, **Meadville Area Sewage Authority**, 984 Water Street, Meadville, PA 16335. This facility is located in Meadville City, **Crawford County**.

Description of Proposed Activity: Renewal of an existing discharge of treated sewage.

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply, considered during the evaluation is the Emlenton Water Company is located on the Allegheny River and is approximately 60 miles below point of discharge.

The receiving stream, the French Creek, is in watershed 16-D and classified for WWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 are based on a design flow of 7.3 mgd.

<i>Parameters</i>	<i>Loadings</i>		<i>Concentrations</i>		
	<i>Average Monthly (lb/day)</i>	<i>Average Weekly (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow					
CBOD ₅ (5-1 to 10-31)	1,218	1,826	20	30	40
(11-1 to 4-30)	1,522	2,435	25	40	50
Total Suspended Solids	1,826	2,739	30	45	60
NH ₃ -N (5-1 to 10-31)	578		9.5		19
Copper	1.5		0.024		0.05
Phosphours as "P" (year-round)	122		2.0		4.0
Fecal Coliform (5-1 to 9-30)			200		1,000
(10-1 to 4-30)			2,000		10,000
Dissolved Oxygen		3			
pH		6.0 to 9.0 standard units at all times			

The proposed effluent limits for Outfall 007 are based on a design flow of N/A mgd.

<i>Parameters</i>	<i>Loadings</i>		<i>Concentrations</i>		
	<i>Average Monthly (lb/day)</i>	<i>Average Weekly (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
This outfall shall be composed entirely of nonpolluting stormwater runoff in accordance with Special Condition 5.					

The EPA waiver is not in effect.

PA0005304, Industrial Waste. **United Refining Company**, 15 Bradley Street, Warren, PA 16365. This proposed facility is located in Warren, **Warren County**.

Description of Proposed Activity: from an existing and expanded discharge of treated industrial waste and stormwater.

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply (stream and Public Water Supplier) considered during the evaluation is the Emlenton Water Company and the Allegheny River and Glade Run located approximately 96 miles below point of discharge.

The receiving streams, the Allegheny River and Glade Run, are in watershed 16-B and classified for WWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 based on a design flow of 0.844 mgd.

<i>Parameter</i>	<i>Loadings</i>		<i>Concentrations</i>		
	<i>Average Monthly (lb/day)</i>	<i>Maximum Daily (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (mgd)					
TSS**	515	810			180
BOD ₅ **	645	1,165			225
Chemical Oxygen Demand**	4,520	8,710			1,605
Ammonia-Nitrogen	350	775			125
Sulfide	3	7.5			1.2
Total Chromium**	2.8	8.2			0.99
Hexavalent Chromium**	0.23	0.52			0.082
Phenolic Compounds (4AAP)**	2.4	8.7			0.85
Oil and Grease**	185	350	15	30	30
Spectrus NX 1103	2.75		0.39		0.98
Spectrus OX 1200	5		0.71		1.8
Ferric Chloride	630		90		225
pH		within 6 to 9 standard units at all times			

The proposed effluent limits for Outfall 001—with coker based on a design flow of 1.32 mgd

<i>Parameter</i>	<i>Loadings</i>		<i>Concentrations</i>		
	<i>Average Monthly (lb/day)</i>	<i>Maximum Daily (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (mgd)					
TSS**	605	945			135
BOD ₅ **	755	1,360			170
Chemical Oxygen Demand**	5,280	10,180			1,195
Ammonia-Nitrogen	410	905			90
Sulfide	3.5	8.5			0.9
Total Chromium**	5.1	14.7			1.16
Hexavalent Chromium**	0.41	0.94			1.16
Phenolic Compounds (4AAP)**	4.3	10			0.98
Oil and Grease**	220	410	15	30	30
Spectrus NX 1103	2.9		0.26		0.65
Spectrus OX 1200	5		0.46		1.15
Steamate NF 4630	89		8.1		20
Ferric Chloride	650		59		147
pH			within 6 to 9 standard units at all times		

The proposed effluent limits for Outfall 003 based on a design flow of 5.744 mgd.

<i>Parameter</i>	<i>Loadings</i>		<i>Concentrations</i>		
	<i>Average Monthly (lb/day)</i>	<i>Maximum Daily (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow					
TOC				5	
Oil and Grease			15		30
pH			6.0 to 9.0 standard units at all times		

The proposed effluent limits for Outfall 004 based on a design flow of 0.35 mgd.

<i>Parameter</i>	<i>Loadings</i>		<i>Concentrations</i>		
	<i>Average Monthly (lb/day)</i>	<i>Maximum Daily (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow					
TOC				5	
Oil and Grease			15		30
pH			6.0 to 9.0 standard units at all times		

The proposed effluent limits for Outfall 005 based on a design flow of 3 mgd.

<i>Parameter</i>	<i>Loadings</i>		<i>Concentrations</i>		
	<i>Average Monthly (lb/day)</i>	<i>Maximum Daily (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow					
TOC				5	
Oil and Grease			15		30
pH			6.0 to 9.0 standard units at all times		

The proposed effluent limits for Outfall 006 based on a design flow of 2.2 mgd.

<i>Parameter</i>	<i>Loadings</i>		<i>Concentrations</i>		
	<i>Average Monthly (lb/day)</i>	<i>Maximum Daily (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow					
TOC				5	
Oil and Grease			15		30
pH			6.0 to 9.0 standard units at all times		

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The proposed effluent limits for Outfall 00A based on a design flow of n/a mgd.

<i>Parameter</i>	<i>Loadings</i>		<i>Concentrations</i>		
	<i>Average Monthly (lb/day)</i>	<i>Maximum Daily (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow					
TOC				110	138
Oil and Grease			15		30
pH			6.0 to 9.0 standard units at all times		

The proposed effluent limits for Outfall 00L based on a design flow of n/a mgd.

<i>Parameter</i>	<i>Loadings</i>		<i>Concentrations</i>		
	<i>Average Monthly (lb/day)</i>	<i>Maximum Daily (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow					
TOC				110	138
Oil and Grease			15		30
pH			6.0 to 9.0 standard units at all times		

The proposed effluent limits for Outfall 00M based on a design flow of n/a mgd.

<i>Parameter</i>	<i>Loadings</i>		<i>Concentrations</i>		
	<i>Average Monthly (lb/day)</i>	<i>Maximum Daily (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow					
TOC				110	138
Oil and Grease			15		30
pH			6.0 to 9.0 standard units at all times		

The proposed effluent limits for Outfall 00D based on a design flow of n/a mgd.

<i>Parameter</i>	<i>Loadings</i>		<i>Concentrations</i>		
	<i>Average Monthly (lb/day)</i>	<i>Maximum Daily (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow					
TOC				110	138
Oil and Grease			15		30
pH			6.0 to 9.0 standard units at all times		

The proposed effluent limits for Outfall 00E based on a design flow of n/a mgd.

<i>Parameter</i>	<i>Loadings</i>		<i>Concentrations</i>		
	<i>Average Monthly (lb/day)</i>	<i>Maximum Daily (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow					
TOC				110	138
Oil and Grease			15		30
pH			6.0 to 9.0 standard units at all times		

The proposed effluent limits for Outfall 00F based on a design flow of n/a mgd.

<i>Parameter</i>	<i>Loadings</i>		<i>Concentrations</i>		
	<i>Average Monthly (lb/day)</i>	<i>Maximum Daily (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow					
TOC				110	138
Oil and Grease			15		30
pH			6.0 to 9.0 standard units at all times		

The proposed effluent limits for Outfall 00G based on a design flow of n/a mgd.

Parameter	Loadings		Concentrations		
	Average Monthly (lb/day)	Maximum Daily (lb/day)	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
Flow					
TOC				110	138
Oil and Grease			15		30
pH			6.0 to 9.0 standard units at all times		

The proposed effluent limits for Outfall 00H based on a design flow of n/a mgd.

Parameter	Loadings		Concentrations		
	Average Monthly (lb/day)	Maximum Daily (lb/day)	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
Flow					
TOC				110	138
Oil and Grease			15		30
pH			6.0 to 9.0 standard units at all times		

The proposed effluent limits for Outfall 00J based on a design flow of n/a mgd.

Parameter	Loadings		Concentrations		
	Average Monthly (lb/day)	Maximum Daily (lb/day)	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
Flow					
TOC				110	138
Oil and Grease			15		30
pH			6.0 to 9.0 standard units at all times		

The proposed effluent limits for Outfall 00P based on a design flow of n/a mgd.

Parameter	Loadings		Concentrations		
	Average Monthly (lb/day)	Maximum Daily (lb/day)	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
Flow					
TOC				110	138
Oil and Grease			15		30
pH			6.0 to 9.0 standard units at all times		

The proposed effluent limits for Outfall 00Q based on a design flow of n/a mgd.

Parameter	Loadings		Concentrations		
	Average Monthly (lb/day)	Maximum Daily (lb/day)	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
Flow					
TOC				110	138
Oil and Grease			15		30
pH			6.0 to 9.0 standard units at all times		

The EPA waiver is not in effect.

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

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

WQM Permit No. 4605419, Sewerage, **Upper Gwynedd Township**, Box 1, West Point, PA 19486. This proposed facility is located in Upper Gwynedd Township, **Montgomery County**.

Description of Action/Activity: Upgrade to existing sewer lines.

WQM Permit No. 4605420, Sewerage, **Upper Providence Township**, 1286 Black Rock Road, Oaks, PA 19456. This proposed facility is located in Upper Providence Township, **Montgomery County**.

Description of Action/Activity: Replacing of a 8" sewer main with a 12" sewer main.

WQM Permit No. 2305406, Sewerage, **Delaware County Regional Water Quality Control Authority**, 100 East Fifth Street, P. O. Box 999, Chester, PA 19016-0999. This proposed facility is located in Sharon Hill Borough, **Delaware County**.

Description of Action/Activity: Upgrade of Darby Creek Pump Station.

WQM Permit No. 1505421, Sewerage, **Wallace Township Municipal Authority**, P. O. Box 96, Glenmoore, PA 19343. This proposed facility is located in Wallace Township, **Chester County**.

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

WQM Permit No. 4605421, Sewerage, **Upper Montgomery Joint Authority**, P. O. Box 6, 1100 Mensch Dam Road, Pennsburg, PA 18073. This proposed facility is located in Upper Hanover Township, **Montgomery County**.

Description of Action/Activity: Construction and operation of a new submersible pump station and force main to serve a 43 lot subdivision.

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

WQM Permit No. 0105406, Sewerage, **Terry Weyant**, 758 Country Club Trail, Fairfield, PA 17320-8560. This proposed facility is located in Carroll Township, **Adams County**.

Description of Proposed Action/Activity: Permit Transfer Application.

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

WQM Permit No. 1705407 Sewage 4952, **ORD Sewer Authority**, P. O. Box 216, 218 Curtain Street, Osceola Mills, PA 16666. The proposed facilities are located in Decatur Township, **Clearfield County** and Rush Township, **Centre County**.

Description of Proposed Action/Activity: The applicant proposes to construct and operate a sewage plant, conveyance and collection system serving Osceola Mills, Decatur Township and Rush Township.

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

WQM Permit No. 1105402, Sewerage, **Department of Conservation and Natural Resources**, Bureau of State Parks, Prince Gallitzin St. Park, 966 Marina Rd., Patton, PA 16668. This proposed facility is located in White Township, **Cambria County**.

Description of Proposed Action/Activity: Application for the installation and operation of an aerobic sludge digester and UV disinfection system.

WQM Permit No. 6505407, Sewerage, **Rostraver Preferred Properties**, 16 Priscilla Dr., Lakeville, MA 02347. This proposed facility is located in Rostraver Township, **Westmoreland County**.

Description of Proposed Action/Activity: Application for the construction and operation of the second phase of the Todd Manor Sewage Treatment Plant expansion.

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

WQM Permit No. 2505404, Sewerage, **Municipal Authority of the Borough of Edinboro**, 124 Meadville Street, Edinboro, PA 16412-2502. This proposed facility is located in Borough of Edinboro, **Erie County**.

Description of Proposed Action/Activity: This project is for the replacement of existing sanitary sewers on Meadville and Normal Streets to correct existing vertical and horizontal alignment problems.

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 & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>DEP Protocol (Y/N)</i>
PAI132243	Mayfield Borough 739 Penn Avenue Mayfield, PA 18433	Lackawanna	Mayfield Borough	Lackawanna River HQ-CWF Powderly Creek CWF Hoise 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 & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI010905026	C & M Homes at Milford, LLC Milford Pointe Subdivision 2421 Bristol Road Warrington, PA 18976	Bucks	Milford Township	UNT Unami Creek and Perkiomen Creek (HQ-TSF)

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI011503005A1	Great Valley School District GVHS Fill Operation 47 Church Road Malvern, PA 19335	Chester	East Whiteland Township	Valley Creek (EV)
PAI011505079	Commerce Bank, NA Proposed Commerce Bank 11000 Atrium Way Mount Laurel, NJ 08054	Chester	Willistown Township	Crum Creek (HQ)

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024505023	S.I.D.E. Corporation P. O. Box 1050 Blakeslee, PA 18610	Monroe	Tobyhanna Township	Tobyhanna Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI0239040361	Opus East, LLC Attn: Gary Drumheller 620 W. Germantown Pike Suite 300 Plymouth Meeting, PA 19462	Lehigh	Upper Macungie Township	Iron Run HQ-CWF
PAI023905034	Khan Partnership Attn: Yasin Khan 4825 Tilghman St. Allentown, PA 18104	Lehigh	South Whitehall Township	Cedar Creek HQ-CWF
PAI023905035	Summit Realty Advisors 621 Delaware St. P. O. Box 428 New Castle, DE 19720	Lehigh	Upper Macungie Township	Cedar Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI021305011	Department of Transportation District 5-0 1713 Lehigh St. Allentown, PA 18103-4727	Carbon	Nesquehoning Borough	UNT to Nesquehoning Creek HQ-CWF

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

Northumberland Conservation District: R. R. 3, Box 238C, Sunbury, PA 17801.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI044905003	Patton Family Partnership LLC R. R. 1, Box 73B New Columbia, PA 17856	Northumberland	Milton Borough	W. Br Susquehanna River- WWF

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

Erie Conservation District, 1927 Wager Road, Erie, PA 16509, (814) 825-6403.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI062505001	Cross Pointe Subdivision, Bruce Minnick, 5725 Thomas Road, Fairview, PA 16415	Erie	Millcreek Township	Walnut Creek CWF

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

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

**PUBLIC WATER SUPPLY (PWS)
PERMIT**

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

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

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

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

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

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

Permit No. 5405503 , Public Water Supply	
Applicant	Asemus Mobile Home Park
Township or Borough	Washington Township
County	Schuylkill
Responsible Official	Richard Zerbe Asemus Mobile Home Park 707 Mountain Road Pine Grove, PA 17963
Type of Facility	PWS

Consulting Engineer	Douglas E. Berg, P. E. Entech Engineering, Inc. 4 South Fourth Street P. O. Box 32 Reading, PA 19603
Application Received Date	October 6, 2005
Description of Action	The applicant requests approval for modifications to an existing PWS system including disinfection, pH adjustment and corrosion control treatment facilities, storage, and new wellhouse construction.
Permit No. 3905503 , Public Water Supply	
Applicant	Lehigh County Authority 1153 Spruce Street P. O. Box 3348 Allentown, PA 18106-0348 (610) 398-2503
Township or Borough	South Whitehall Township
County	Lehigh
Responsible Official	Aurel M. Arndt, General Manager
Type of Facility	Community Water System
Consulting Engineer	G. Matthew Brown, P. E., DEE ARRO Consulting, Inc. 270 Granite Run Drive Lancaster, PA 17601 (717) 560-6059
Application Received Date	October 6, 2005
Description of Action	Application for modification and upgrading of the Green Hills pumping station as an emergency source for the Authority's Central Lehigh Division.
Permit No. 5205504 , Public Water Supply	
Applicant	Matamoras Municipal Authority 304 Pennsylvania Avenue Matamoras, PA 18336
Township or Borough	Matamoras Borough
County	Pike
Responsible Official	Katherine Foss, Office Manager
Type of Facility	Public Water System
Consulting Engineer	McGoey, Hauser & Edsall 507 Broad Street Milford, PA
Application Received Date	October 11, 2005
Description of Action	The construction of a new well source. The water is treated at the existing well house.

Permit No. 2805507, Public Water Supply.
 Applicant **Washington Township Municipal Authority**
 Municipality Washington Township
 County **Franklin**
 Responsible Official Eugene A Barnhart, Manager
 11102 Buchanan Trail East
 Waynesboro, PA 17268-9424
 Type of Facility Public Water Supply
 Consulting Engineer Merle J. Holsinger, P. E.
 Civil Planning & Design
 1800 East Main Street
 Waynesboro, PA 17268
 Application Received Date 8/23/2005
 Description of Action Applicant seeks a construction permit for the proposed 65,000 gallon per day Lininger Sub-division finished water pump station.

MINOR AMENDMENT**Applications Received Under the Pennsylvania Safe Drinking Water Act**

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

Application No. Minor Amendment.

Applicant **City of Easton**
 Township or Borough City of Easton
 Northampton County
 Responsible Official David G. Hopkins
 Director of Public Works
 City of Easton—Bureau of Water
 One South Third Street
 Easton, PA 18042
 Type of Facility PWS
 Consulting Engineer James C. Elliot, P. E.
 Gannett Fleming, Inc.
 P. O. Box 6100
 Harrisburg, PA 17106-7100
 Application Received Date September 30, 2005
 Description of Action This Public Water Supply application proposes modifications/improvements to the City of Easton's existing water treatment plant intake.

Application No. 3546398, Minor Amendment.

Applicant **Water Vending Systems**
 214 Norwegian Woods Drive
 Pottsville, PA 17901
 Township or Borough Branch Township
Schuylkill County
 Responsible Official Paul A. DiRenzo, Jr., Owner
 Type of Facility Vended Water System
 Consulting Engineer N/A
 Application Received Date October 13, 2005

Description of Action Improvements to an existing system by the installation of a larger tank and structure to house the tank and treatment equipment.
Southwest Region: Water Supply Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Application No. 3005501MA, Minor Amendment.

Applicant **Dunkard Valley Joint Municipal Authority**
 P. O. Box 193
 Greensboro, PA 15338
 Township or Borough **Monongahela Township**
 Responsible Official Victor Shine, Secretary
 Dunkard Valley Joint Municipal Authority
 P. O. Box 193
 Greensboro, PA 15338
 Type of Facility Water storage tank
 Consulting Engineer Fayette Engineering Co., Inc.
 2200 University Drive
 P. O. Box 1030
 Uniontown, PA 15401
 Application Received Date August 19, 2005

Description of Action Construction of a new raw water storage tank.

Application No. 0405501MA, Minor Amendment.

Applicant **Ambridge Water Authority**
 600 Eleventh Street
 P. O. Box 257
 Ambridge, PA 15003
 Township or Borough Economy Borough
 Responsible Official Mary Hrotic, General Manager
 Ambridge Water Authority
 600 Eleventh Street
 P. O. Box 257
 Ambridge, PA 15003
 Type of Facility Interconnection
 Consulting Engineer Bankson Engineers, Inc.
 267 Blue Run Road
 P. O. Box 200
 Indianola, PA 15051
 Application Received Date October 11, 2005

Description of Action Construction of an interconnection with the Municipal Authority of the Borough of West View.

Application No. 2605506MA, Minor Amendment.

Applicant **Borough of Masontown**
 2 Court Avenue
 Masontown, PA 15461
 Township or Borough Masontown Borough
 Responsible Official Harry Lee, Council Vice President
 Borough of Masontown
 2 Court Avenue
 Masontown, PA 15461

Type of Facility Water storage tank
 Consulting Engineer Fayette Engineering Co., Inc.
 2200 University Drive
 P. O. Box 1030
 Uniontown, PA 15401
 Application Received September 29, 2005
 Date
 Description of Action Permit the existing Martin's Hill
 Farm water storage tank.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 1

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

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use the Background Standard, Statewide Health Standard, the Site-Specific Standard or who intend to remediate a site as a special industrial area must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one, a combination of the cleanup standards or who receives approval of a special industrial area remediation identified under the act will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

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

For further information concerning the content of a Notice of Intent to Remediate, contact the environmental

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

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

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

Stark Farm/The Villages at Orchard Hills, Southampton Township, **Cumberland County**. ECS Mid-Atlantic, LLC, 56 Grumbacher Road, Suite D, York, PA 17402, on behalf of Paul E. Stark, 1194 Baltimore Road, Shippensburg, PA 17257 and Southampton Stark, LLC, P. O. Box 6653, Freehold, NJ 07728, submitted a Notice of Intent to Remediate soils contaminated with pesticides and arsenic. Future use of property will be used for residential purposes. The applicant intends to document remediation to the Statewide Health Standard.

McCleary Oil Company, Hamilton Township, **Franklin County**. BL Companies, 830 Sir Thomas Court, Harrisburg, PA 17109, on behalf of McCleary Oil Company, 19 West King Street, Chambersburg, PA 17201, submitted a Notice of Intent to Remediate groundwater contaminated with No. 2 fuel oil and gasoline. Future use of the property will continue to be a bulk fueling facility. The applicant intends to document remediation of the site to a combination of Site-Specific and Statewide Health Standards.

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

Tom's Citgo, 30 Sheraton Road, Danville, PA, Danville Borough, **Montour County**; Ralph G. Schaar, 300 Claremont Drive, Lansdale, PA 19446. Consultant has submitted a Notice of Intent to Remediate soil contaminated with hydrocarbon concentrations. This site is being remediated to meet a Site-Specific Standard.

Grace Service Station, 535 Elmira Street, Troy, PA 14967, Troy Borough, **Bradford County**; Teeter Environmental Services, Inc., R. R. Box 124B, Sayre, PA 18840. Consultant has submitted a Notice of Intent to Remediate soil contaminated with benzene. This site is being remediated to meet a Statewide Health Standard.

Playworld Systems, Inc, 625 Market Street, New Berlin, PA 17855, New Berlin Borough, **Union County**, Molesevich Environmental, P. O. Box 654, Lewisburg, PA 17837. Consultant, has submitted a Remedial Investigation Report/Cleanup Plan concerning soil and groundwater contaminated with leaded and unleaded gasoline. This Remedial Investigation Report/Cleanup Plan is necessary to obtain compliance with the Site-Specific Standard.

FCI USA, Inc. Clearfield, Clearfield Borough, **Clearfield County**; HRP Associates, Inc. 4811 Jonestown Road, Suite 235, Harrisburg, PA 17055 has submitted a cleanup plan concerning soil and groundwater contaminated with solvent contaminated waste oil. This Cleanup Report is necessary to obtain compliance with the Site-Specific Standard.

Sunbury Armory, Catawissa Ave., Sunbury, PA, Upper August Township, **Northumberland County**; Converse Consultants, 2738 West College Ave., State College, PA 16801. Consultant has submitted a Notice of Intent to Remediate soil contaminated with No. 2 heating oil. This site is being remediated to meet a Statewide Health Standard.

RESIDUAL WASTE GENERAL PERMITS

Application Received Under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and the Beneficial Use of Residual Waste other than Coal Ash.

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

General Permit Application No. WMGR111. Electric Power Generation Association, 800 N. 3rd Street, Suite 303, Harrisburg, PA 17102.

General Permit Numbered WMGR111 is the processing (that is, mixing) of synthetic gypsum and coal ash for beneficial use to reclaim open pits from coal and noncoal mining at abandoned and/or active mine sites. Central Office received the application on September 22, 2005, and determined administratively complete on October 18, 2005.

Comments concerning the application should be directed to Ronald C. Hassinger, Chief, General Permits and Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Land Recycling and Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472. Persons interested in obtaining more information about the general permit application may contact the Division at (717) 787-7381. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

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.

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

42-184G: Keystone Powdered Metal Co. (8 Hanley Drive, Lewis Run, PA 16738) for installation of one induction heat treater and one gas-fired heat treater in Lewis Run Borough, **McKean County**. This is a State-only facility.

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

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

15-0098B: Cephalon, Inc. (145 Brandywine Parkway, West Chester, PA 19380) for installation of a 100-gallon reactor and to upgrade the process condensers for each reactor system at their facility in Charlestown Township, **Chester County**. The Plan Approval is for a Non-Title V State-only facility. The condensers for the two 100-gallon reactors will increase in size from 40 ft² to 79 ft² and the condensers for the two 50-gallon reactors will increase

from 15 ft² to 23 ft². The material for the condenser coils will be changed from glass to an alloy with better corrosion resistance and fabricability. The process will have emissions reduced by 95 to 99% due to the condensers. The installation of the 100-gallon reactor will increase the VOC emissions by 1.5 tons per year, therefore the overall VOC emission limit will increase from an existing 3.0 tons per year limit to 4.5 tons per year limit on a 12-month rolling basis. The plan approval will include monitoring, recordkeeping and reporting requirements to keep the facility operating within all applicable air quality requirements.

46-0180A: Transicoil Corp. (9 Iron Bridge Drive, Collegetown, PA 19426) for installation of a Methanol Glass Cleaning Operation, that uses methanol as cleaning agent, at the Transicoil military, aerospace and medical product and parts manufacturing new facility at 9 Iron Bridge Drive, Collegetown, PA 19426, Perkiomen Township, **Montgomery County**. The installation of the methanol glass cleaning operation may result in the emissions of 4.2 tons per year of methanol. Methanol is a VOC and a HAP. The Plan Approval and Operating Permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

54-305-021 Northeastern Power Co. (P. O. Box 7, McAdoo, PA 18297-0007) for construction and operation of anthracite refuse screening, and loading facility for their facility in Kline Township, **Schuylkill County**.

In accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department of Environmental Protection (Department) intends to issue a Plan Approval to Northeastern Power Co., for their facility in the Kline Township, Schuylkill County. The facility currently has a Title V Permit No. 54-00008. This Plan Approval No. 54-305-021 will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V Operating Permit through an administrative amendment at a later date.

Plan Approval No. 54-305-021 is for the construction and operation of anthracite refuse screening and loading facility. The company will add a 45 tons per hour capacity portable power screen unit at the existing facility to process anthracite refuse coal for the plant fuel. Water sprays will control particulate emission generated from this process. Installation of this screen will increase 2.5 tons per year of particulate emissions from the facility. The Plan Approval and Operating Permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, Department's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711.

Persons wishing to provide Department with additional information which they believe should be considered prior to the issuance of this permit may submit the information to the address shown in the preceding paragraph. Written comments must contain the following:

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

Identification of the proposed permit No.: 54-305-021

A concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department, in its discretion, decides that a hearing is warranted based on the comments received. Persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, when the Department determines that telephone notification is sufficient. Written comments or requests for a public hearing should be directed to Mark J. Wejkszner, P. E., Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711, (570) 826-2511 within 30 days after publication date.

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

06-03134: Dietrich's Specialty Processing, LLC (625 Spring Street, Suite 200, Reading, PA 19610) for installation of new food processing dryers at their plant in Exeter Township, **Berks County**. This facility has a potential to emit 21 tons per year of particulate matter. The plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the sources operating within all applicable air quality requirements.

28-05038A: Blue Ridge Renewable Energy, LLC (1300 North 17th Street, Suite 1600, Arlington, VA 19543-0588) for installation of a new engine generating facility in Greene Township, **Franklin County**. This facility will generate electric power for the electric power grid from landfill gas generated by the Blue Ridge Landfill. This facility's emissions will be approximately 213 tpy of CO, 43 tpy of NO_x, 14 tpy of VOCs, 10 tpy Particulate Matter, 3 tpy of SO₂ and 1 tpy of HCl. This plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the sources operating within all applicable air quality requirements.

36-05009A: J. L. Clark, Inc. (303 North Plum Street, Lancaster, PA 17602) for installation of a Regenerative Thermal Oxidizer (RTO) in the City of Lancaster, **Lancaster County**. The facility emissions associated with this modification are not expected to change. The new RTO is subject to the Compliance Assurance Monitoring rule of 40 CFR Part 64, which will require the new RTO to meet specific monitoring and work practice standards to assure compliance with the applicable standard for VOCs. This plan approval and amended Title V operating permit will include testing, monitoring, recordkeeping and reporting requirements designed to keep the sources operating within all applicable air quality requirements.

36-05014G: Alumax Mill Products, Inc. (1480 Manheim Pike, Lancaster, PA 17604) for installation of two cartridge filter dust collection systems at the secondary aluminum processing plant in Manheim Township, **Lancaster County**. Units at the plant are subject to 40 CFR Part 63, Subpart RRR—National Emission Standards for Hazardous Air Pollutants—Secondary Aluminum Plants, 40 CFR Part 63—National Emission Standards for Hazardous Air Pollutants—Surface Coating of

Metal Coils and 40 CFR Part 60, Subpart TT—Standards of Performance for Metal Coil Surface Coating. These installations will not measurably impact emissions from the facility. The plan approval and operating permit will include emission limits along with provisions for monitoring, recordkeeping, reporting and work practice standards to ensure the plant complies with the applicable air quality requirements.

36-05141: PPL Distributed Generation, LLC (Two North Ninth Street, Allentown, PA 18101) for construction of a landfill gas treatment system and two internal combustion landfill engines in Manor Township, **Lancaster County**. The proposed engines will be at the Frey Farm-Creswell landfill. The treatment system will process the landfill gas for combustion in the engines that will have the potential to provide up to 3,200 Kilowatts of power to the electric power grid. The new engines will have the potential-to-emit 133 tpy of CO, 43 tpy of NOx, 42 tpy of SOx, 19 tpy of PM10 and 7 tpy of VOCs. The plan approval will include restrictions, testing, monitoring, recordkeeping and reporting requirements designed to keep the sources operating within all applicable air quality requirements.

67-05014B: The York Group, Inc. (2880 Blackbridge Road, York, PA 17402) for construction of a spray paint booth; the removal of one existing spray paint booth from the recuperative thermal oxidizer (RTO); the addition of another existing spray paint booth to the RTO; and an increase in the facility VOC emission cap from 100 tpy to 139.5 tpy at their casket manufacturing facility in Manchester Township, **York County**. These changes will result in a potential VOC emissions increase of 39.5 tpy. The plan approval and amended Title V operating permit will include emission restrictions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

67-05083: Conectiv Mid-Merit LLC (P. O. Box 6066, 92 DC 72, Newark, DE 19714-6066) for construction of a combined cycle electric generating facility in Peach Bottom Township, **York County**, off Atom Road along Pikes Peak Road, approximately 1 mile northeast of the Borough of Delta.

The proposed facility will have an overall nominal maximum generation capacity of 1,100 megawatts of electricity for sale. The primary fuel will be natural gas. Liquid distillate fuel (low sulfur light petroleum product or LSPP) will be used on a limited basis. The major components of the facility will include:

- (a) Six nominal 100-megawatt (MW) Siemens Westinghouse V84.2 combustion turbines.
- (b) Six selective catalytic reduction systems for NOx control.
- (c) Six unfired heat recovery steam generators.
- (d) Two nominal 150 MW steam turbines for a three-on-one configuration.
- (e) Two 4 million gallon fuel oil tanks.
- (f) Two mechanical draft cooling towers.
- (g) Each turbine has a 135 ft. simple cycle stack and a 188 ft. combined cycle stack.
- (h) Two 12,000-gallon (49,000 lb) anhydrous ammonia tanks.

A modeling analysis was conducted for CO, NOx, SO₂, and PM10. The modeling used five years of meteorological data collected at the Peach Bottom nuclear facility and the New Castle County Airport in Wilmington, DE and the Environmental Protection Agency's approved AERMOD and CALPUFF models. The modeling indicated that none of the emissions from the turbines will have a significant impact on the surrounding area. Additional analyses were performed to assess the proposed facility's impact on soils, vegetation, and visibility in the area and the closest Class I area. The predicted impacts from all modeled pollutants fell within the allowable concentration levels as long as fuel oil firing is limited. A plan approval condition has been included to limit fuel oil firing to prevent visibility impacts at Class I areas.

Conectiv's emissions, along with additional background sources will consume the following portion of the available Prevention of Significant Deterioration air quality increments:

<i>Pollutant</i>	<i>Avg. Time</i>	<i>Max. Modeled Impact ug/m3</i>	<i>Class II Area Increment ug/m3</i>
PM10	24-hour	13.2	30
SO ₂	3-hour	60.0	512
SO ₂	24-hour	20.7	91

The plan approval includes the following limits on annual emission from the facility:

<i>Pollutant</i>	<i>Facility Total (tons/year)</i>
NOx	460.2
CO	439.3
PM/PM ₁₀ ¹	526.0
SO ₂	301.0
VOCs ²	46.2
H ₂ SO ₄ Mist	46.1
Ammonia	444.5
HAPs	< 25 (total HAPs) < 10 (any single HAP)

¹ Includes 5.3 tons/year (tpy) from cooling towers.

² Includes 0.8 tpy from the liquid distillate fuel oil storage tanks, and 1.0 tpy from miscellaneous sources such as the pipeline gas condensate tank.

The Plan approval will contain the following conditions to ensure compliance with the noted regulations:

General Plan Approval Requirements

1. This Plan Approval authorizes temporary operation of the sources covered by this Plan Approval provided the following conditions are met:

a. The Department of Environmental Protection (Department) must receive written notice from the permittee of the completion of construction and the Operator's intent to commence operation at least 5 working days prior to the completion of construction. The notice shall state when construction will be completed and when the permittee expects to commence operation.

b. Operation is authorized only to facilitate the start-up and shakedown of sources and air cleaning devices, to permit operations pending the issuance of an Operating Permit or to permit the evaluation of the sources for compliance with all applicable regulations and requirements.

c. This condition authorizes temporary operation of the sources for a period of 180 days from the date of commencement of operation, provided the Department receives notice from the permittee under Subpart (a).

d. The permittee may request an extension if compliance with all applicable regulations and Plan Approval requirements has not been established. The extension request shall be submitted in writing at least 15 days prior to the end of this period of temporary operation and shall provide a description of the compliance status of the source, a detailed schedule for establishing compliance and the reasons compliance has not been established. This temporary operation period will be valid for a limited time and may be extended for additional limited periods, each not to exceed 120 days.

2. This approval to construct shall become invalid if:

a. Construction (as defined in 40 CFR 52.21(b)(8)) has not commenced within 18 months of the issue date of this approval; or

b. Construction is discontinued for a period of 18 months or more.

Combustion Turbine Emission Restrictions

1. Under the Best Available Technology (BAT) provision of 25 Pa. Code § 127.1, the permittee shall limit the emission of ammonia from each SCR to:

10 ppmvd, volume corrected to 15% oxygen, 1 hour average, and

7 ppm, volume corrected to 15% oxygen on a daily average, both as measured by a certified continuous emissions monitor.

2. Under the BAT provision of 25 Pa. Code § 127.1, the permittee shall limit the emission of VOCs to 1.2 ppmvd, on an hourly basis volume corrected to 15 percent oxygen under normal operation for natural gas firing and to 1.3 ppmvd during gas firing in the diffusion mode and during oil firing. The VOCs are measured as methane.

3. The emission levels in Conditions 001, 002, 008 and 009 apply at all times except during periods of start-up and shutdown as defined as follows:

a. *Start-up*: Commences with the initiation of fuel injection into the combustion chambers and ends at the times specified below.

b. *Cold Start-up*: Refers to Start-ups made more than 24 hours after shutdown. When operating in the simple cycle mode, a cold start-up shall not exceed 20 minutes. When operating in the combined cycle mode, a cold start-up shall not exceed 60 minutes.

c. *Hot Start-up*: Refers to Start-ups made less than 24 hours after shutdown, and to mode changes and fuel switches. For mode changes and fuel switches, a hot start-up begins at the time the combustion turbine drops below 75% load. When operating in the simple cycle mode, a hot start-up shall not exceed 20 minutes. When operating in the combined cycle mode, a hot start-up shall not exceed 30 minutes.

d. *Shutdown*: Commences when the combustion turbine load falls below 75% and ends when the fuel injection into the combustion chambers is terminated. Shutdown periods shall not exceed 20 minutes per event.

4. The visible air contaminants from each combustion turbine exhaust stack shall not be emitted in such a manner that the opacity of the emission is equal to or greater than 10% for a period or periods aggregating more than 3 minutes in any 1 hour; or equal to or greater than 30% at any time.

5. The operation of the turbines shall not result in malodorous emissions.

6. In accordance with the provisions of 25 Pa. Code Chapter 127, Subchapter E, New Source Review, the permittee shall secure Department-approved Emission Reduction Credits in the amount of 529 tons of NOx prior to the commencement of operation of the gas turbines.

7. Under the Lowest Achievable Emission Rate (LAER) provisions of 25 Pa. Code § 127.205, the Owner or Operator shall limit the NOx emissions (corrected to 15% O₂) from each combustion turbine to the following:

Startup Limits of NOx Emissions:

Time, Min	<i>Simple Cycle Limits, lb/start</i>		<i>Combined Cycle Limits, lb/start</i>	
	Cold Start	Hot Start	Cold Start	Hot Start
Natural Gas	20	20	60	30
Fuel Oil	44	44	151	71
	126	126	310	172

<i>Shutdown Limits for NOx—20 minutes in duration</i>	
Fuel	Gas
NOx Emissions, lb/shutdown	44
	LSLPP
	126

8. Under the LAER provisions of 25 Pa. Code § 127.205, the owner or operator shall limit the NOx emissions (corrected to 15% O₂) from each combustion turbine to the following:

One-hour NOx averages calculated from a 3-hour rolling block average.

<i>Mode</i>	<i>Natural Gas</i>	<i>Peak Load*</i>	<i>Natural Gas or Liquid Fuel</i>
At 15% Oxygen	Premix burner operation up to and including base load		Diffusion mode operation up to including peak load*
Simple Cycle	9 ppmvd	25 ppmvd	42 ppmvd
Combined Cycle	2.5 ppmvd	5 ppmvd	8 ppmvd

* Peak Operation is defined as any operating mode that requires a higher firing temperature than that required to achieve Base Operation ratings. The modes are uniquely defined by the unit control configuration and will be recorded by the Owner or Operator.

9. Under the Best Available Control Technology provisions of 25 Pa. Code § 127.83, the permittee shall limit the emissions from each combustion turbine to the following:

Combined Cycle Operations—Gas Firing

CO	6.0 ppmvd on an hourly basis (3-hour rolling average).
SO ₂	0.0030 lb/mmBtu on an hourly basis.
PM/PM10	0.0141 lb/mmBtu on an hourly basis.
H ₂ SO ₄ mist	0.00046 lb/mmBtu on an hourly basis.

Combined Cycle Operations—Oil Firing

CO	6.0 ppmvd on an hourly basis (3-hour rolling average).
SO ₂	0.051 lb/mmBtu on an hourly basis.
PM/PM10	0.0287 lb/mmBtu (HHV) on an hourly basis.
H ₂ SO ₄ mist	0.0078 lb/mmBtu on an hourly basis.

Simple Cycle Operations—Gas Firing

CO	6.0 ppmvd on an hourly basis (3-hour rolling average).
SO ₂	0.0030 lb/mmBtu on an hourly basis.
PM/PM10	0.0135 lb/mmBtu on an hourly basis.
H ₂ SO ₄ mist	0.00023 lb/mmBtu on an hourly basis.

Simple Cycle Operations—Oil Firing

CO	6.0 ppmvd on an hourly basis (3-hour rolling average).
SO ₂	0.051 lb/mmBtu on an hourly basis.
PM/PM10	0.0184 lb/mmBtu on an hourly basis.
H ₂ SO ₄ mist	0.0039 lb/mmBtu on an hourly basis.

All ppmvd values are based on dry measurements at 15% oxygen.

Combustion Turbine Fuel Restrictions

10. The natural gas burned in the combustion turbines shall not exceed 1.05 gr S/100 scf.

11. The maximum site daily turbine hours and fuel oil consumption in any 24-hour calendar day are limited to the following:

<i>% S</i>	<i>Turbine Hrs. Peak Load</i>	<i>Gallons</i>	<i>Turbine Hrs 100% Load</i>	<i>Gallons</i>
0.05	40	449,600	43	483,320
0.03	55	618,200	58	651,920
0.02	67	753,080	71	798,040
0.01	84	944,160	91	1,022,840

The number of hours of liquid fuel firing (whether in combined cycle or simple cycle modes) shall not exceed 1,000 hours per CT on an annual basis. These annual operating hours may be totaled for all installed and operational units, up to six units, on a facility-wide basis (such as 6,000 hours of oil fired operation at the facility).

12. The liquid distillate fuel oil fired in the combustion turbines shall not exceed 0.05 weight percent sulfur.

13. Under the LAER provisions of 25 Pa. Code § 127.205, the permittee may use distillate oil in each combustion turbine while operating in the simple cycle mode when natural gas fuel is unavailable or if the unit

is undergoing commissioning tests. Gas unavailability shall be defined as those periods of time when:

a. Physical damage, maintenance to pipelines or ancillary equipment prevents the delivery of gas to the turbines.

b. Equipment failure, maintenance or malfunction occurs such that gas pressures, temperatures or fuel quality are not adequate for turbine operation.

c. Unavailability due to physical limitation of supply at times of high pipeline demand, including insufficient pressures or flows; or

d. Electric Reliability Emergencies issued by PJM and supply of natural gas is inadequate.

Combustion Turbine Operating Hours Restriction

14. The permittee shall not operate the combustion turbines in the simple cycle mode except:

(1) During periods of unavailability of the combined cycle portion of the plant due to forced or planned maintenance outages during electrical emergencies of the PJM system.

(2) During periods when electric power produced by the combined cycle portion of the plant is undeliverable due to causes outside the control of the permittee during electrical emergencies of the PJM system; or

(3) As required for compliance, commissioning, optimization or PJM capacity testing.

An electrical emergency for the purpose of this condition is defined as one of the following:

a. A Maximum Emergency Generation Action has been issued by the PJM along with a Request to Purchase Emergency Power.

b. A Maximum Generation Alert has been issued by the PJM along with a Request to Purchase Emergency Power.

c. A local power emergency has occurred or is imminent.

15. Under the LAER provisions of 25 Pa. Code § 127.205, the permittee is authorized to operate each of the six combustion turbines in the following modes up to but not greater than the associated hourly limits:

Combined Cycle Mode

<i>Fuel/Mode</i>	<i>Turbine Load</i>	<i>Annual Operations</i>
Gas Premix	Peak	100 hrs/yr
Gas Premix	100%	No Restriction
Gas Diffusion	Peak	200 hrs/yr
Gas Diffusion	100%	200 hrs/yr
Oil Firing	Peak	100 hrs/yr
Oil Firing	100%	900 hrs/yr

Simple Cycle Mode

<i>Fuel/Mode</i>	<i>Turbine Load</i>	<i>Annual Operations</i>
Gas Premix	Peak	100 hrs/yr
Gas Premix	100%	Restricted by Condition 014
Oil Firing	Peak	Restricted by Conditions 011, 013 and 014
Oil Firing	100%	Restricted by Conditions 011, 013 and 014

The Permittee shall not operate in diffusion mode (natural gas or oil) each of the six combustion turbines more than 200 hours during each NOx Budget Rule "Control Period" (as defined in 25 Pa. Code § 145.2). These hours of operation may be totaled for all installed and operational units, up to six units, on a facility-wide basis (that is 1,200 hours in diffusion gas and oil.)

16. With respect to the operating periods specified in Condition 015, the permittee may operate the combustion turbines in Diffusion mode during the NOx Budget Rule "Control Period" (as defined in 25 Pa. Code § 145.2) only when needed electric power output is not achievable through Premix mode of operation and one of the following conditions is met: (1) a Maximum Emergency Generation Action has been issued by the PJM Independent System Operator; (2) a Maximum Generation Alert has been issued by the PJM along with a Request to Purchase Emergency Power; (3) a local power emergency has occurred or is imminent; or (4) the PJM has directed the

loading of a simple cycle combustion turbine that emits at higher NOx emissions rate than this facility operating in the diffusion mode.

The permittee shall maintain appropriate PJM notification and operating logs and records for a minimum of 5 years in order to verify compliance.

Within the 200 hours specified in Condition 15, the permittee may also operate in diffusion mode for emissions compliance testing, and/or PJM required capacity testing. The permittee may perform diffusion mode stack emissions compliance testing outside of the NOx Budget Rule "Control Period." Should the Department require the permittee to perform diffusion mode emissions testing during this time period, any emissions testing hours will not be counted toward consumption of the 200-hour allotment.

For the local power emergency, the Department shall be notified by telephone within 24 hours (or the next business day whichever is greater) and a written description of the emergency shall be submitted to the Department within 7 business days.

This requirement does not apply during start-up, shut down or during periods of operation upset when the unit automatically defaults to diffusion operation as indicated by the loss of the premix release signal. Any diffusion mode operation occurring during start-up, shut down or during periods of operation upset will be counted toward the consumption of the allotments as allowed under Condition 15.

Combustion Turbine Testing Requirements

17. Within 60 days after achieving the maximum firing rate, but not later than 180 days after start-up, the permittee shall demonstrate compliance with each of the emission limits established in Conditions 1, 2, 8 and 9 and opacity, as per 25 Pa. Code Chapter 139, 40 CFR Part 60 and Title IV. The applicant shall develop a testing protocol for HAP emissions and submit the protocol to the Department for review. The testing shall be conducted while the turbines are operating at or above 95% of full load for the ambient conditions at the time of the test.

18. Within 60 days after achieving the maximum firing rate, but no later than 180 days after startup, the permittee shall demonstrate compliance with the VOC emission limit established in Condition 2, as per 25 Pa. Code Chapter 139. The testing shall be done while the turbines are operating in two load ranges: 60 to 85% of maximum load and 85 to 100% of maximum load.

19. At least 60 days prior to the test, the permittee shall submit to the Department for approval, the procedures for the test and a sketch with dimensions indicating the location of sampling ports and other data to ensure the collection of representative samples.

20. At least 30 days prior to the test, the Regional Air Quality Program Manager shall be informed of the date and time of the test.

21. Within 45 days after the source tests, three copies of the complete test report, including all operating conditions, shall be submitted to the Regional Air Quality Program Manager for approval.

Combustion Turbine Monitoring Requirements

22. The permittee shall measure the following parameters for each SCR system:

- Catalyst bed inlet gas temperature.
- Ammonia injection rate.

23. Continuous emission monitoring (CEM) systems for NO_x, CO and oxygen must be approved by the Department and installed, operated and maintained in accordance with the requirements of 25 Pa. Code Chapter 139 of the rules and regulations of the Department. Proposals containing information as listed in the Phase I section of the Department's "Continuous Source Monitoring Manual" for the CEMs must be submitted at least 3 months prior to start-up of the turbines.

Phase I Department approval must be obtained for the monitors above prior to initial startup of the source. Phase III Department approval must be obtained within 60 days of achieving the maximum production rate at which the source will be operated, but not later than 180 days after initial startup of the source. Department review time for the Phase III report (time between postmark of company's Phase III report and the postmark of the Department's response letter) will not be charged against the source in determining compliance with this condition. Information on obtaining Department approval is included in the Department's "Continuous Source Monitoring Manual."

NO_x CEM must also comply with the requirements of 40 CFR 60.334(b) as required by Subpart GG Standards of Performance for Stationary Gas Turbines.

24. The permittee shall submit a plan for monitoring the ammonia slip from each SCR system for approval by the Department. This submittal shall be made in conjunction with those for the CEM system.

25. The permittee shall install and maintain fuel flow meters for all acid rain affected sources in accordance with the requirements of 40 CFR Part 75. The fuel flow will be measured in accordance with 40 CFR Part 75, Appendix D requirements, in lieu of stack exhaust flow monitoring, to allow for calculation of pollutant mass emission rates.

26. The permittee shall monitor the sulfur and nitrogen content of the fuel being fired in the combustion turbines as per 40 CFR 60.334(h). The frequency of monitoring the sulfur and nitrogen content as applicable shall be in accordance with 40 CFR 60.334(i).

Combustion Turbine Recordkeeping Requirements

27. Records required under this Plan Approval and 40 CFR Part 60 shall be kept for a period of 5 years and shall be made available to the Department upon its request.

a. The permittee shall maintain records of all air pollution control system performance evaluations and records of calibration checks, adjustments and maintenance performed on all equipment, which is subject to this plan approval.

b. The permittee shall maintain a copy of the manufacturer's recommendations for all the six combustion turbines and air pollution control equipment onsite.

c. The permittee shall maintain a copy of the manufacturer's recommendations for all CEMs that are required by this Plan Approval.

d. The permittee shall keep a record of the date of malfunctions, the time of the malfunction, the cause of the malfunction and the action taken to correct the malfunction.

28. The permittee shall record each start-up and shutdown, including date and times of each event. Emissions during start-up will be calculated based upon the emis-

sions estimates approved by the Department and included in the total facility 12-month emissions.

29. The permittee shall, at a minimum, record the following:

a. Monthly fuel consumption rate and 12-month rolling total fuel consumption for each combustion turbine.

b. Hours of start-up and shutdown for each turbine.

c. Monthly hours of operation for each turbine in each mode.

30. Under the LAER provisions of 25 Pa. Code § 127.205, the permittee shall collect, record and maintain the documentation demonstrating the unavailability of natural gas leading to the usage of distillate fuel oil associated with Condition 13.

Combustion turbine Additional Requirements

31. The Department reserves the right to use the CEMs data, stack test results, and the operating parameters determined during optimization of the turbines and their associated air cleaning devices to verify emission rates, to establish emission factors, and to develop compliance assurance measures in the Operating Permit.

32. The combustion turbine units are subject to the Title V Acid Rain Program of the Clean Air Act Amendments of 1990 and shall comply with all applicable provisions of that Title, to include the following:

40 CFR Part 72	Permits Regulation
40 CFR Part 73	Sulfur Dioxide Allowance System
40 CFR Part 75	Continuous Emission Monitoring
40 CFR Part 77	Excess Emissions

33. The combustion turbines are subject to 40 CFR Part 60, Subpart GG of the Standards of Performance for New Stationary Sources. The equipment shall comply with all applicable requirements of the Subpart. 40 CFR 60.4 requires submission of copies of all requests, reports, applications, submittals and other communications to both the EPA and the Department. The EPA copies shall be forwarded to the Director, Air Protection, United States EPA, Region III, 1650 Arch Street, Philadelphia, PA 19103-2029

Cooling Tower Emission Restrictions

1. The permittee shall limit particulate emissions from the source to 5.3 tons during any consecutive 12-month period.

2. The total solids concentration in the blowdown for each cooling tower shall not exceed 825 mg/l (averaged over a 12-month rolling period.)

3. The operation of the source shall not result in visible emissions, except uncombined water vapor.

Throughput Restrictions

4. The permittee shall limit the maximum water flow rate to the cooling towers to 145,200 gpm each (nominal).

Cooling Tower Monitoring Requirements

5. The permittee shall sample the cooling tower blowdown for total solids twice monthly as approved in the NPDES permit. Any changes to the sampling methods shall be submitted to the SCRO within 90 days of receiving approval from Water Quality.

6. The permittee shall at a minimum annually verify the accuracy of the flowmeters which are used to determine the flow of water entering the cooling towers. The results of the testing shall be submitted to the Department within 90 days.

Cooling Tower Recordkeeping Requirements

7. The permittee shall record the following:

- a. Monthly average total solids in the cooling tower blowdown water.
- b. Monthly volume of water entering the towers.
- c. Monthly particulate emissions.
- d. 12-month rolling total particulate emissions.

Cooling Tower Work Practice Requirements

No substances containing zinc or chromium shall be used in the water treatment chemicals for the cooling towers.

Tank Recordkeeping Requirements

The permittee shall maintain records of the following at a minimum:

1. Monthly fuel oil usage.
2. Monthly HAP and VOC emissions.

HAP and VOC emissions shall be included in the facility totals.

An appointment to review the pertinent documents at the Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg PA 17110 may be scheduled by contacting the File Room at (717) 705-4732 between 8 a.m. and 3:30 p.m., Monday through Friday, except holidays.

A public hearing will be held for the purpose of receiving comments on the proposed action. The hearing will be held on December 7, 2005, at the Peach Bottom Recreation Center, 5 Pendyrus Street, Delta, PA at 7 p.m.

Persons who wish to comment should to contact John Repetz at (717) 705-4904 at least 1 week in advance of the hearing to schedule their testimony. Commentators are requested to provide two written copies of their remarks at the time of the hearing. Oral testimony will be limited to a maximum of 10 minutes per individual. Organizations are requested to designate an individual to present testimony on behalf of the organization. Written comments may be submitted to Yasmin Neidlinger, Air Pollution Control Engineer, Department of Environmental Protection, 909 Elmerton Avenue, Harrisburg PA 17110 during the 30-day period following publication of this notice.

Persons with a disability who wish to attend the hearing scheduled for December 7, 2005, at 7 p.m. and who require an auxiliary aid, service or other accommodation to participate in the proceedings, should contact John Repetz directly at (717) 705-4904 or through the AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

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

24-136A: National Fuel Gas Supply Corp. (1100 State Street, Erie, PA 16501) for installation for a nonselective catalytic reduction (NSCR) system on two 200 hp natural gas fired compressor engines and increase the hours of operation of both compressor engines for the company's plant in Kane, Highland Township, **Elk County**.

Under 25 Pa. Code §§ 127.44(a) and 127.424(b), the Department of Environmental Protection (Department) intends to issue a Plan Approval to for the company's plant in Kane, Highland Township, Elk County. This plan approval will authorize the applicant to install an NSCR

system on two 200 hp natural gas fired compressor engines and increase the hours of operation of both compressor engines, as described in the applicant's application of October 13, 2005. The Plan Approval will subsequently be incorporated into the company's facility Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Based on the information provided by the applicant and Department's own analysis, the installation of the NSCR on the two compressor engines will result in an emission decrease of 48.5 tons per year of NOx and approximately 7 tons per year of CO. The increase in the hours of operation will result in an emission increase of 8.6 tons of VOCs per year and 0.1 ton of particulate matter per year.

Copies of the application, Department's analysis and other documents used in the evaluation are available for public inspection between the hours of 8 a.m. and 4 p.m. weekdays at the address as follows. To make an appointment, contact Records Management at (814) 332-6340, for an appointment.

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

1. Name, address and telephone number of the person submitting comments.
2. Identification of the proposed Plan Approval; No. 24-136A.
3. Concise statement regarding the relevancy of the information or any objections to issuance of the Plan Approval.

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

61-185C: Heath Oil Co. (SR 8, Barkeyville, PA 16038) for postconstruction approval of the bulk storage terminal, tank wagon loading rack and vapor balancing and burn off system in Barkeyville Borough, **Venango County**. This is a State-only facility. The public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the State-only operating permit through an administrative amendment at a later date. The source shall comply with the following conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate Best Available Technology for the source:

- The source is subject to 25 Pa. Code §§ 123.13 and 123.21 for particulate matter and sulfur compound emissions.
- The source is subject to 25 Pa. Code §§ 129.59 and 129.62 for Bulk Gasoline Terminals

- The source is subject to 40 CFR 60, Subpart XX for Bulk Gasoline Terminals

- The flare is subject to 40 CFR 60.18 (General control device requirements)

24-123E: Onyx Greentree Landfill, LLC (635 Toby Road, Kersey, PA 15846), for installation of an additional enclosed ground flare (6,000 cfm) similar in design to the existing flares in Fox Township, **Elk County**. This installation will not result in NSR or PSD applicability. This is a Title V facility. The public notice is required for sources required to obtain a Plan Approval at Title V facilities in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V operating permit through an administrative amendment at a later date. The source shall comply with the following conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate Best Available Technology for the source:

- The source shall comply with 25 Pa. Code §§ 123.1, 123.21, 123.31 and 123.41 for fugitive matter, sulfur compound, odor and visible emissions.

- The flare shall be designed for and operated with no visible emissions except for periods not to exceed a total of 5 minutes during any 2 consecutive hours and the emissions during these periods shall not exceed 10% opacity. The opacity of the emissions shall not be equal to or greater than 60% at any time.

- The flare shall be designed and operated to either reduce nonmethane organic compounds (NMOC) by 98 weight percent or reduce the outlet NMOC concentration to less than 20 ppmv, dry basis as hexane @ 3% oxygen. This minimum DRE and outlet concentration is also required by 40 CFR 60.752(b)(2)(iii)(B) of the Federal New Source Performance Standards.

- Particulate Matter emissions from the flare shall not exceed 0.02 grain/dscf.

- The flare shall be stack tested for NO_x, CO and NMOC

- The flare shall maintain a minimum operating temperature of 1,500°F for at least 0.3 second. The minimum operating temperature of the flare shall be 1,500°F or the operating temperature maintained during the performance test in which compliance with the 98% destruction efficiency or 20 ppmv requirement was demonstrated. The operating temperature of the flare shall be continuously measured and recorded.

- The flare shall be designed and operated in accordance with 40 CFR 60.18.

- The flare must be an enclosed ground type, which is shrouded with no visible flame shooting from the flare.

- The flare shall be equipped with a continuous pilot ignition source using an auxiliary fuel.

- The flare shall be operated with a flame present at all times. The flare shall be equipped with an automatic shut-off mechanism designed to immediately stop the flow of gases when a flameout occurs. During restart or start-up, there shall be sufficient flow of auxiliary fuel to the burners such that unburnt landfill gases are not emitted to the atmosphere. The owner or operator shall keep on file records of all periods of operation in which the flame or flare pilot flame is absent. The records shall be made readily available upon Department request.

- The permittee shall perform quarterly monitoring to determine there are no landfill gas leaks which result in concentrations of 500 ppmv or more measured as propane (or 1,375 ppmv or more measure as methane) at a distance of 0.5 inch from any exposed equipment. The landfill equipment subject to this requirement shall include the exposed portions of the gas wells, piping or any other connections or fittings along the landfill gas transfer paths of a landfill gas collection and disposal system. A log shall be kept at the facility indicating any leak that exceeds the above concentration and the corrective action taken for a period of 5 years and made readily available to Department personnel upon request.

- A detailed record describing the time, location, type and amount of roadway surface treatment shall be maintained at the landfill site for at least 5 years.

- Petroleum contaminated soils may be used as daily landfill cover provided the VOC emissions from the contaminated soils does not exceed 2.7 tpy based on a consecutive 12-month period. The facility shall keep records of the petroleum-contaminated soil received at the landfill.

- The collection system shall be designed to minimize offsite migration of the subsurface gas. The gas collection system shall be designed: 1) to collect gas from the maximum possible area of the landfill; and; 2) to accommodate the maximum gas generation rate for the landfill. Should the landfill gas flow rate from the disposal area exceed the maximum design capacity of the control devices, the company shall submit a plan approval application for the installation of an additional control device deemed acceptable by the Department.

- The landfill gas shall be controlled and monitored in accordance with 25 Pa. Code § 273.292.

- 25 Pa Code § 273.217 requires landfill operators to implement fugitive air contaminant control measures and otherwise prevent and control air pollution in accordance with the Air Pollution Control Act (35 P. S. §§ 4001—4014), 25 Pa. Code Part I, Subpart C, Article III (relating to air resources) and 25 Pa. Code § 273.218 (relating to nuisance minimization and control).

- Fugitive Emission Control Criteria: This criterion specifies the reasonable actions that are necessary for the prevention of fugitive dust emissions from the operation of landfills in accordance with these requirements.

- The facility shall comply with New Source Performance Standards 40 CFR Part 60 Subpart WWW and shall comply with all applicable requirements of this subpart. This includes, but is not limited to, the following:

- In accordance with 40 CFR 60.756(b)(2), the facility shall either:

- Install, calibrate and maintain a gas flow rate measuring device that shall record the flow to the control device at least every 15 minutes; or

- Secure the bypass line valve in the closed position with a car-seal or a lock-and-key type of configuration. A visual inspection of the seal or closure mechanism shall be performed at least once every month to ensure that the valve is maintained in the closed position and that the gas flow is not diverted through the bypass line.

- In accordance with 40 CFR 60.755(b), each well shall be installed no later than 60-days after the date on which the initial solid waste has been in place for a period of: 5 years or more if active; or 2 years or more if closed or at final grade.

- In accordance with 40 CFR 60.753(c) and 60.756(a), each interior wellhead in the collection system shall be operated with a landfill gas temperature less than 55°C and with either a nitrogen level less than 20% or an oxygen level less than 5%. The above parameters shall be monitored monthly and records shall be kept on file for a period of 5 years and made readily available to Department personnel upon request. Should the temperature or nitrogen and/or oxygen level be exceeded during the monitoring of these wellheads, the permittee shall take the necessary steps, in accordance with 40 CFR 60.755(a)(5), to bring the affected wellheads into compliance. The monitoring procedures shall comply with the provisions of 40 CFR 60.756(a).

- In accordance with 40 CFR 60.753(d), 60.755(c) and 60.756(f), the collection system shall be operated so that the methane concentration is less than 500 parts per million above background at the surface of the landfill. The owner or operator shall monitor surface concentrations of methane along the entire perimeter of the collection area and along a serpentine pattern spaced 30 meters apart (or a site-specific established spacing) for each collection area on a quarterly basis. Methane concentration shall be less than 500 parts per million above background at the surface of the landfill using an organic vapor analyzer, flame ionization detector or other portable monitor meeting Section 3, 40 CFR Part 60, Appendix A, Method 21. Records shall be kept on file for a period of five years and made readily available to Department personnel upon request.

PUBLIC HEARINGS

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

67-05083: Conectiv Mid-Merit LLC (P. O. Box 6066, 92 DC 72, Newark, DE 19714-6066) for construction of a combined cycle electric generating facility. The facility is in Peach Bottom Township, **York County**, off Atom Road along Pikes Peak Road, approximately 1 mile northeast of the Borough of Delta.

The proposed facility will have an overall nominal maximum generation capacity of 1,100 megawatts of electricity for sale. The primary fuel will be natural gas. Liquid distillate fuel (low sulfur light petroleum product or LSPP) will be used on a limited basis. The major components of the facility will include:

- (a) Six nominal 100-megawatt Siemens Westinghouse V84.2 combustion turbines.
- (b) Six selective catalytic reduction systems for NOx control.
- (c) Six unfired heat recovery steam generators (HRSGs).
- (d) Two nominal 150 MW steam turbines for a three-on-one configuration.
- (e) Two 4 million gallon fuel oil tanks.
- (f) Two mechanical draft cooling towers.
- (g) Each turbine has a 135 ft. simple cycle stack and a 188 ft. combined cycle stack.
- (h) Two 12,000-gallon (49,000 lb.) anhydrous ammonia tanks.

A modeling analysis was conducted for CO, NOx, SO₂ and PM10. The modeling used five years of meteorological data collected at the Peach Bottom nuclear facility and the New Castle County Airport in Wilmington, DE and the Environmental Protection Agency's approved AERMOD and CALPUFF models. The modeling indicated that none of the emissions from the turbines will have a significant impact on the surrounding area. Additional analyses were performed to assess the proposed facility's impact on soils, vegetation, and visibility in the area and the closest Class I area. The predicted impacts from all modeled pollutants fell within the allowable concentration levels as long as fuel oil firing is limited. A plan approval condition has been included to limit fuel oil firing to prevent visibility impacts at Class I areas.

Conectiv's emissions, along with additional background sources will consume the following portion of the available Prevention of Significant Deterioration air quality increments:

<i>Pollutant</i>	<i>Avg. Time</i>	<i>Max. Modeled Impact ug/m3</i>	<i>Class II Area Increment ug/m3</i>
PM10	24-hour	13.2	30
SO ₂	3-hour	60.0	512
SO ₂	24-hour	20.7	91

The plan approval includes the following limits on annual emission from the facility:

<i>Pollutant</i>	<i>Facility Total (tons/year)</i>
NOx	460.2
CO	439.3
PM/PM ₁₀ ¹	526.0
SO ₂	301.0
VOCs ²	46.2
H ₂ SO ₄ Mist	46.1
Ammonia	444.5
HAPs	< 25 (total HAPs) < 10 (any single HAP)

¹ Includes 5.3 tons/year (tpy) from cooling towers.

² Includes 0.8 tpy from the liquid distillate fuel oil storage tanks, and 1.0 tpy from miscellaneous sources such as the pipeline gas condensate tank.

The Plan approval will contain the following conditions to ensure compliance with the noted regulations:

General Plan Approval Requirements

1. This Plan Approval authorizes temporary operation of the sources covered by this Plan Approval provided the following conditions are met:

a. The Department must receive written notice from the permittee of the completion of construction and the Operator's intent to commence operation at least 5 working days prior to the completion of construction. The notice shall state when construction will be completed and when the permittee expects to commence operation.

b. Operation is authorized only to facilitate the start-up and shakedown of sources and air cleaning devices, to permit operations pending the issuance of an Operating Permit or to permit the evaluation of the sources for compliance with all applicable regulations and requirements.

c. This condition authorizes temporary operation of the sources for a period of 180 days from the date of commencement of operation, provided the Department receives notice from the permittee under Subpart (a).

d. The permittee may request an extension if compliance with all applicable regulations and Plan Approval requirements has not been established. The extension request shall be submitted in writing at least 15 days prior to the end of this period of temporary operation and shall provide a description of the compliance status of the source, a detailed schedule for establishing compliance and the reasons compliance has not been established. This temporary operation period will be valid for a limited time and may be extended for additional limited periods, each not to exceed 120 days.

2. This approval to construct shall become invalid if:

a. Construction (as defined in 40 CFR 52.21(b)(8)) has not commenced within 18 months of the issue date of this approval; or

b. Construction is discontinued for a period of 18 months or more.

Combustion Turbine Emission Restrictions

1. Under the Best Available Technology (BAT) provision of 25 Pa. Code § 127.1, the permittee shall limit the emission of ammonia from each SCR to:

10 ppmvd, volume corrected to 15% oxygen, 1 hour average; and

7 ppm, volume corrected to 15% oxygen on a daily average, both as measured by a certified continuous emissions monitor.

2. Under the BAT provision of 25 Pa. Code § 127.1, the permittee shall limit the emission of VOCs to 1.2 ppmvd, on an hourly basis volume corrected to 15% oxygen under normal operation for natural gas firing and to 1.3 ppmvd during gas firing in the diffusion mode and during oil firing. The VOCs are measured as methane.

3. The emission levels in Conditions 001, 002, 008 and 009 apply at all times except during periods of start-up and shutdown as defined as follows:

a. *Start-up*: Commences with the initiation of fuel injection into the combustion chambers and ends at the times specified as follows.

b. *Cold Start-up*: Refers to start-ups made more than 24 hours after shutdown. When operating in the simple cycle mode, a cold start-up shall not exceed 20 minutes. When operating in the combined cycle mode, a cold start-up shall not exceed 60 minutes.

c. *Hot Start-up*: Refers to start-ups made less than 24 hours after shutdown, and to mode changes and fuel switches. For mode changes and fuel switches, a hot start-up begins at the time the combustion turbine drops below 75% load. When operating in the simple cycle mode, a hot start-up shall not exceed 20 minutes. When operating in the combined cycle mode, a hot start-up shall not exceed 30 minutes.

d. *Shutdown*: Commences when the combustion turbine load falls below 75% and ends when the fuel injection into the combustion chambers is terminated. Shutdown periods shall not exceed 20 minutes per event.

4. The visible air contaminants from each combustion turbine exhaust stack shall not be emitted in a manner that the opacity of the emission is equal to or greater than 10% for a period or periods aggregating more than 3 minutes in any one hour; or equal to or greater than 30% at any time.

5. The operation of the turbines shall not result in malodorous emissions.

6. In accordance with the provisions of 25 Pa. Code Chapter 127, Subchapter E, New Source Review, the permittee shall secure Department-approved Emission Reduction Credits (ERCs) in the amount of 529 tons of NOx prior to the commencement of operation of the gas turbines.

7. Under the Lowest Achievable Emission Rate (LAER) provisions of 25 Pa. Code § 127.205, the Owner or Operator shall limit the NOx emissions (corrected to 15% O₂) from each combustion turbine to the following

Startup Limits of NOx Emissions:

	<i>Simple Cycle Limits, lb/start</i>		<i>Combined Cycle Limits, lb/start</i>	
	Cold Start	Hot Start	Cold Start	Hot Start
Time, Min	20	20	60	30
Natural Gas	44	44	151	71
Fuel Oil	126	126	310	172

<i>Shutdown Limits for NOx—20 minutes in duration</i>		
Fuel	Gas	LSLPP
NOx Emissions, lb/shutdown	44	126

8. Under the LAER provisions of 25 Pa. Code § 127.205, the owner or operator shall limit the NOx emissions (corrected to 15% O₂) from each combustion turbine to the following:

One-hour NOx averages calculated from a 3-hour rolling block average.

<i>Mode</i>	<i>Natural Gas</i>	<i>Peak Load*</i>	<i>Natural Gas or Liquid Fuel</i>
At 15% Oxygen	Premix burner operation up to and including base load		Diffusion mode operation up to including peak load*
Simple Cycle	9 ppmvd	25 ppmvd	42 ppmvd
Combined Cycle	2.5 ppmvd	5 ppmvd	8 ppmvd

* Peak Operation is defined as any operating mode that requires a higher firing temperature than that required to achieve Base Operation ratings. The modes are uniquely defined by the unit control configuration and will be recorded by the owner or operator.

9. Under the Best Available Control Technology provisions of 25 Pa. Code § 127.83, the permittee shall limit the emissions from each combustion turbine to the following:

Combined Cycle Operations—Gas Firing

CO	6.0 ppmvd on an hourly basis (3-hour rolling average).
SO ₂	0.0030 lb/mmBtu on an hourly basis.
PM/PM10	0.0141 lb/mmBtu on an hourly basis.
H ₂ SO ₄ mist	0.00046 lb/mmBtu on an hourly basis.

Combined Cycle Operations—Oil Firing

CO	6.0 ppmvd on an hourly basis (3-hour rolling average).
SO ₂	0.051 lb/mmBtu on an hourly basis.
PM/PM10	0.0287 lb/mmBtu (HHV) on an hourly basis.
H ₂ SO ₄ mist	0.0078 lb/mmBtu on an hourly basis.

Simple Cycle Operations—Gas Firing

CO	6.0 ppmvd on an hourly basis (3-hour rolling average).
SO ₂	0.0030 lb/mmBtu on an hourly basis.
PM/PM10	0.0135 lb/mmBtu on an hourly basis.
H ₂ SO ₄ mist	0.00023 lb/mmBtu on an hourly basis.

Simple Cycle Operations—Oil Firing

CO	6.0 ppmvd on an hourly basis (3-hour rolling average).
SO ₂	0.051 lb/mmBtu on an hourly basis.
PM/PM10	0.0184 lb/mmBtu on an hourly basis.
H ₂ SO ₄ mist	0.0039 lb/mmBtu on an hourly basis.

All ppmvd values are based on dry measurements at 15% oxygen.

Combustion Turbine Fuel Restrictions

10. The natural gas burned in the combustion turbines shall not exceed 1.05 gr S/100 scf.

11. The maximum site daily turbine hours and fuel oil consumption in any 24-hour calendar day are limited to the following:

<i>% S</i>	<i>Turbine Hrs. Peak Load</i>	<i>Gallons</i>	<i>Turbine Hrs 100% Load</i>	<i>Gallons</i>
0.05	40	449,600	43	483,320
0.03	55	618,200	58	651,920
0.02	67	753,080	71	798,040
0.01	84	944,160	91	1,022,840

The number of hours of liquid fuel firing (whether in combined cycle or simple cycle modes) shall not exceed 1,000 hours per CT on an annual basis. These annual operating hours may be totaled for all installed and operational units, up to six units, on a facility-wide basis (such as 6,000 hours of oil fired operation at the facility).

12. The liquid distillate fuel oil fired in the combustion turbines shall not exceed 0.05 weight percent sulfur.

13. Under the LAER provisions of 25 Pa. Code § 127.205, the permittee may use distillate oil in each combustion turbine while operating in the simple cycle mode when natural gas fuel is unavailable or if the unit is undergoing commissioning tests. Gas unavailability shall be defined as those periods of time when:

a. Physical damage, maintenance to pipelines or ancillary equipment prevents the delivery of gas to the turbines;

b. Equipment failure, maintenance or malfunction occurs so that gas pressures, temperatures or fuel quality are not adequate for turbine operation;

c. Unavailability due to physical limitation of supply at times of high pipeline demand, including insufficient pressures or flows; or

d. Electric Reliability Emergencies issued by PJM and supply of natural gas is inadequate.

Combustion Turbine Operating Hours Restriction

14. The permittee shall not operate the combustion turbines in the simple cycle mode except:

(1) During periods of unavailability of the combined cycle portion of the plant due to forced or planned maintenance outages during electrical emergencies of the PJM system;

(2) During periods when electric power produced by the combined cycle portion of the plant is undeliverable due to causes outside the control of the permittee during electrical emergencies of the PJM system; or

(3) As required for compliance, commissioning, optimization or PJM capacity testing.

An electrical emergency for the purpose of this condition is defined as one of the following:

a. A Maximum Emergency Generation Action has been issued by the PJM along with a Request to Purchase Emergency Power.

b. A Maximum Generation Alert has been issued by the PJM along with a Request to Purchase Emergency Power.

c. A local power emergency has occurred or is imminent.

15. Under the LAER provisions of 25 Pa. Code § 127.205, the permittee is authorized to operate each of the six combustion turbines in the following modes up to but not greater than the associated hourly limits:

Combined Cycle Mode

<i>Fuel/Mode</i>	<i>Turbine Load</i>	<i>Annual Operations</i>
Gas Premix	Peak	100 hrs/yr
Gas Premix	100%	No Restriction
Gas Diffusion	Peak	200 hrs/yr
Gas Diffusion	100%	200 hrs/yr
Oil Firing	Peak	100 hrs/yr
Oil Firing	100%	900 hrs/yr

Simple Cycle Mode

<i>Fuel/Mode</i>	<i>Turbine Load</i>	<i>Annual Operations</i>
Gas Premix	Peak	100 hrs/yr
Gas Premix	100%	Restricted by Condition 014
Oil Firing	Peak	Restricted by Conditions 011, 013 and 014
Oil Firing	100%	Restricted by Conditions 011, 013 and 014

The Permittee shall not operate in diffusion mode (natural gas or oil) each of the six combustion turbines more than 200 hours during each NOx Budget Rule "Control Period" (as defined in 25 Pa. Code § 145.2). These hours of operation may be totaled for all installed and operational units, up to six units, on a facility-wide basis (that is 1,200 hours in diffusion gas and oil).

16. With respect to the operating periods specified in Condition 15, the permittee may operate the combustion turbines in diffusion mode during the NOx Budget Rule "Control Period" (as defined in 25 Pa. Code § 145.2) only when needed electric power output is not achievable through Premix mode of operation and one of the following conditions is met: (1) a Maximum Emergency Generation Action has been issued by the PJM Independent System Operator; or (2) a Maximum Generation Alert has been issued by the PJM along with a Request to Purchase Emergency Power; or (3) a local power emergency has occurred or is imminent; or (4) the PJM has directed the loading of a simple cycle combustion turbine that emits at higher NOx emissions rate than this facility operating in the diffusion mode.

The permittee shall maintain appropriate PJM notification and operating logs and records for a minimum of 5 years in order to verify compliance.

Within the 200 hours specified in Condition 15, the permittee may also operate in diffusion mode for emissions compliance testing, and/or PJM required capacity testing. The permittee may perform diffusion mode stack emissions compliance testing outside of the NOx Budget Rule "Control Period." Should the Department require the permittee to perform diffusion mode emissions testing during this time period, any emissions testing hours will not be counted toward consumption of the 200-hour allotment.

For the local power emergency, the Department shall be notified by telephone within 24 hours (or the next business day whichever is greater) and a written description of the emergency shall be submitted to the Department within 7-business days.

This requirement does not apply during startup-up, shut down or during periods of operation upset when the unit automatically defaults to diffusion operation as indicated by the loss of the premix release signal. Any diffusion mode operation occurring during start-up, shut down or during periods of operation upset will be counted toward the consumption of the allotments as allowed under Condition 15.

Combustion Turbine Testing Requirements

17. Within 60 days after achieving the maximum firing rate, but not later than 180 days after start-up, the permittee shall demonstrate compliance with each of the emission limits established in Conditions 1, 2, 8 and 9 and opacity, as per 25 Pa. Code Chapter 139, 40 CFR Part 60 and Title IV. The applicant shall develop a testing protocol for HAP emissions and submit the protocol to the Department for review. The testing shall be conducted while the turbines are operating at or above 95% of full load for the ambient conditions at the time of the test.

18. Within 60 days after achieving the maximum firing rate, but no later than 180 days after startup, the permittee shall demonstrate compliance with the VOC emission limit established in Condition 2, as per 25 Pa. Code Chapter 139. The testing shall be done while the turbines are operating in two load ranges: 60 to 85% of maximum load and 85 to 100% of maximum load.

19. At least 60 days prior to the test, the permittee shall submit to the Department for approval, the procedures for the test and a sketch with dimensions indicating the location of sampling ports and other data to ensure the collection of representative samples.

20. At least 30 days prior to the test, the Regional Air Quality Program Manager shall be informed of the date and time of the test.

21. Within 45 days after the source tests, three copies of the complete test report, including all operating conditions, shall be submitted to the Regional Air Quality Program Manager for approval.

Combustion Turbine Monitoring Requirements

22. The permittee shall measure the following parameters for each SCR system:

- a. Catalyst bed inlet gas temperature.
- b. Ammonia injection rate.

23. Continuous emission monitoring (CEM) systems for NOx, CO and oxygen must be approved by the Department and installed, operated and maintained in accord-

ance with the requirements of 25 Pa. Code Chapter 139 of the rules and regulations of the Department. Proposals containing information as listed in the Phase I section of the Department's "Continuous Source Monitoring Manual" for the CEMs must be submitted at least three months prior to start-up of the turbines.

Phase I Department approval must be obtained for the monitors above prior to initial startup of the source. Phase III Department approval must be obtained within 60 days of achieving the maximum production rate at which the source will be operated, but not later than 180 days after initial startup of the source. Department review time for the Phase III report (time between postmark of company's Phase III report and the postmark of the Department's response letter) will not be charged against the source in determining compliance with this condition. Information on obtaining Department approval is included in the Department's "Continuous Source Monitoring Manual."

NOx CEM must also comply with the requirements of 40 CFR 60.334(b) as required by Subpart GG Standards of Performance for Stationary Gas Turbines.

24. The permittee shall submit a plan for monitoring the ammonia slip from each SCR system for approval by the Department. This submittal shall be made in conjunction with those for the CEM system.

25. The permittee shall install and maintain fuel flow meters for all acid rain affected sources in accordance with the requirements of 40 CFR Part 75. The fuel flow will be measured in accordance with Part 75, Appendix D requirements, in lieu of stack exhaust flow monitoring, to allow for calculation of pollutant mass emission rates.

26. The permittee shall monitor the sulfur and nitrogen content of the fuel being fired in the combustion turbines as per 40 CFR 60.334(h). The frequency of monitoring the sulfur and nitrogen content as applicable shall be in accordance with 40 CFR 60.334(i).

Combustion Turbine Recordkeeping Requirements

27. Records required under this Plan Approval and 40 CFR Part 60 shall be kept for a period of 5 years and shall be made available to the Department upon its request.

a. The permittee shall maintain records of all air pollution control system performance evaluations and records of calibration checks, adjustments and maintenance performed on all equipment, which is subject to this plan approval.

b. The permittee shall maintain a copy of the manufacturer's recommendations for all the six combustion turbines and air pollution control equipment onsite.

c. The permittee shall maintain a copy of the manufacturer's recommendations for all CEMs that are required by this Plan Approval.

d. The permittee shall keep a record of the date of malfunctions, the time of the malfunction, the cause of the malfunction and the action taken to correct the malfunction.

28. The permittee shall record each start-up and shutdown, including date and times of each event. Emissions during start-up will be calculated based upon the emissions estimates approved by the Department and included in the total facility 12-month emissions.

29. The permittee shall, at a minimum, record the following:

- a. Monthly fuel consumption rate and 12-month rolling total fuel consumption for each combustion turbine.
- b. Hours of start-up and shutdown for each turbine.
- c. Monthly hours of operation for each turbine in each mode.

30. Under the LAER provisions of 25 Pa. Code § 127.205, the permittee shall collect, record and maintain the documentation demonstrating the unavailability of natural gas leading to the usage of distillate fuel oil associated with Condition 13.

Combustion Turbine Additional Requirements

31. The Department reserves the right to use the CEMs data, stack test results, and the operating parameters determined during optimization of the turbines and their associated air cleaning devices to verify emission rates, to establish emission factors, and to develop compliance assurance measures in the Operating Permit.

32. The combustion turbine units are subject to the Title V Acid Rain Program of the Clean Air Act Amendments of 1990 and shall comply with all applicable provisions of that Title, to include the following:

40 CFR Part 72	Permits Regulation
40 CFR Part 73	SOx Allowance System
40 CFR Part 75	Continuous Emission Monitoring
40 CFR Part 77	Excess Emissions

33. The combustion turbines are subject to 40 CFR Part 60 Subpart GG of the Standards of Performance for New Stationary Sources. The equipment shall comply with all applicable requirements of the Subpart. 40 CFR 60.4 requires submission of copies of all requests, reports, applications, submittals, and other communications to both the EPA and the Department. The Environmental Protection Agency (EPA) copies shall be forwarded to the Director, Air Protection, U. S. EPA, Region III, 1650 Arch Street, Philadelphia, PA 19103-2029

Cooling Tower Emission Restrictions

1. The permittee shall limit particulate emissions from the source to 5.3 tons during any consecutive 12-month period.

2. The total solids concentration in the blowdown for each cooling tower shall not exceed 825 mg/l (averaged over a 12-month rolling period.)

3. The operation of the source shall not result in visible emissions, except uncombined water vapor.

Throughput Restrictions

4. The permittee shall limit the maximum water flow rate to the cooling towers to 145,200 gpm each (nominal).

Cooling Tower Monitoring Requirements

5. The permittee shall sample the cooling tower blowdown for total solids twice monthly as approved in the NPDES permit. Any changes to the sampling methods shall be submitted to the SCRO within 90 days of receiving approval from Water Quality.

6. The permittee shall at a minimum annually verify the accuracy of the flowmeters which are used to determine the flow of water entering the cooling towers. The results of the testing shall be submitted to the Department within 90 days.

Cooling Tower Recordkeeping Requirements

7. The permittee shall record the following:

- a. Monthly average total solids in the cooling tower blowdown water.
- b. Monthly volume of water entering the towers.
- c. Monthly particulate emissions.
- d. 12-month rolling total particulate emissions.

Cooling Tower Work Practice Requirements

No substances containing zinc or chromium shall be used in the water treatment chemicals for the cooling towers.

Tank Recordkeeping Requirements

The permittee shall maintain records of the following at a minimum:

1. Monthly fuel oil usage.
2. Monthly HAP and VOC emissions.

HAP and VOC emissions shall be included in the facility totals.

An appointment to review the pertinent documents at the Department of Environmental Protection, Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg PA 17110 may be scheduled by contacting the File Room at (717) 705-4732 between 8 a.m. and 3:30 p.m., Monday through Friday, except holidays.

A public hearing will be held for the purpose of receiving comments on the proposed action. The hearing will be held on December 7, 2005, at the Peach Bottom Recreation Center, 5 Penderly Street, Delta, PA at 7 p.m.

Those wishing to comment are requested to contact John Repetz at (717) 705-4904 at least 1 week in advance of the hearing to schedule their testimony. Commentators are requested to provide two written copies of their remarks at the time of the hearing. Oral testimony will be limited to a maximum of 10 minutes per individual. Organizations are requested to designate an individual to present testimony on behalf of the organization. Written comments may be submitted to Yasmin Neidlinger, Air Pollution Control Engineer, Department of Environmental Protection, 909 Elmerton Avenue, Harrisburg PA 17110 during the 30-day period following publication of this notice.

Persons with a disability who wish to attend the hearing scheduled for December 7, 2005, at 7 p.m. and who require an auxiliary aid, service or other accommodation to participate in the proceedings, should contact John Repetz directly at (717) 705-4904 or through the AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

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

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

36-05136: Granger Energy of Honey Brook, LLC (481 South Churchtown Road, Narvon, PA 17555) for operation of a landfill gas treatment plant at their Lanchester Landfill in Caernarvon Township, **Lancaster County**. There are no potential emissions associated with the operation of this treatment plant. The treatment

plant is subject to 40 CFR Part 60, Subpart WWW—Standards of Performance for Municipal Solid Waste Landfills. The Title V operating permit will include monitoring, recordkeeping, reporting and work practice requirements designed to keep the plant operating within all applicable air quality requirements.

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

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

09-00067: Rogers Foam Corp. (150 East Port Rd. Morrisville, PA 19428) for operation of various sources in Falls Township, **Bucks County**. The permit is for a non-Title V (State-only) facility. The major sources of air emissions are two adhesive spray booths, a glue station and a boiler. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

46-00250: Porter Instruments, Co. (235 Township Line Road, Hatfield, PA 19440) for operation of a precision dental, medical, and industrial application manufacturing facility in Upper Merion Township, **Montgomery County**. The permit is for a non-Title V (State-only) facility. The major source of air emissions is one batch vapor degreaser that uses 1,1,2-Trichloroethylene as its solvent. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

06-03070: Atlas Minerals and Chemicals, Inc. (P. O. Box 38, Mertztown, PA 19539) for operation of a synthetic resins and specialty asphalts facility in Longswamp Township, **Berks County**. The State-only Operating Permit will include monitoring, recordkeeping, reporting requirements, emission restrictions and work practice standards designed to keep the facility operating within all applicable air quality requirements.

06-05091: Roebeg Enterprise, Inc. d/b/a Yorgey's Cleaners (1700 Fairview Street, Reading, PA 19606-2621) for operation of a petroleum based dry cleaning operation controlled by closed system cleaning machines in the City of Reading, **Berks County**. The facility is a non-Title V (State-only) facility. The facility will be required to limit the total emissions to less than the Title V thresholds during any consecutive 12-month period. The permit will include restrictions, work practices, monitoring, recordkeeping and reporting requirements designed to keep the facility within all air quality requirements.

22-03041: Librandi's Machine Shop, Inc. (93 Airport Drive HIA, Middletown, PA 17057) for electroplating operations including chromium electroplating controlled by surface tension method located in Middletown Borough, **Dauphin County**. The State-only operating permit shall contain additional monitoring, recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

36-03005: Intelligencer Printing Co., Inc. (330 Eden Road, P. O. Box 1768, Lancaster, PA 17608) for an Operating Permit to operate their printing operation at

their site in Manheim Township, **Lancaster County**. Emissions are estimated to be approximately 36.5 tons per year of VOCs. The State-only Operating Permit will contain additional recordkeeping and reporting requirements 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.

49-00008: Milton Steel, Inc. (6 Canal Street, Milton, PA 17847) for operation of a steel shelving manufacturing facility in Milton Borough, **Northumberland County**.

The respective facility incorporates two heated paint dip tanks, a paint spray operation, various welding operations, 19 natural gas-fired heaters, furnaces, and the like, a solvent parts washer and a propane-fired emergency generator. The air contaminant emissions from this facility are not expected to exceed 32.05 tons of VOCs, 13.44 tons of hazardous air pollutants (of which no single hazardous air pollutant will total 10 or more tons per year), 4.51 tons of NO_x, 3.18 tons of CO, 4.74 tons of particulate matter, all of which may be PM₁₀ and .03 ton of SO_x per year.

The facility is not a major (Title V) facility for any air contaminant but, due to the theoretical potential to emit both VOCs and hazardous air pollutants at levels which would qualify the facility as such, Milton Steel, Inc. has elected to restrict their ability to emit VOCs and hazardous air pollutants such that they will be a "synthetic minor" facility with respect to the Title V permitting requirements.

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 as well as conditions previously established in Operating Permit 49-318-034. These previously-established conditions include conditions requiring both dip tanks to be operated indoors, to be equipped with lids that remain closed except when a tank is in actual use or during tank cleaning, to clean the coating circulation systems associated with the dip tanks by flushing solvent through the entire system and reclaiming as much of the solvent in liquid form as is practicable and to clean the dip tanks by draining as much coating mixture from the tanks as is practicable then allowing the remaining coating mixture to dry and physically removing the dried residue, a condition limiting the VOC content of the coating used in the "blue tank" to 3.3 pounds of VOCs per gallon of coating mixture averaged over each calendar month period taking into account all materials added to the tank during each respective month, a condition limiting the VOC content of the coating used in the "orange tank" to 3.1 pounds of VOC per gallon of coating mixture averaged over each calendar month taking into account all materials added to the tank during each respective month, a condition limiting the combined VOC emissions from the dip tanks to 30 tons in any 12-consecutive month period and the combined hazardous air pollutant emissions to 12 tons in any 12-consecutive month period, a condition prohibiting the use of coatings, coating additives and cleaning solvents which contain methylene chloride, 1,1,1-trichloroethane, perchloroethylene or formaldehyde and a condition requiring all volatile organic compound-containing materials to be stored in closed containers when not in actual use.

The Department additionally proposes to incorporate into the operating permit to be issued a condition limiting the total combined facility-wide emission of VOCs to less than 50 tons in any 12-consecutive month period and a condition limiting the total combined facility-wide emission of any single hazardous air pollutant to less than 10 tons in any 12-consecutive month period and the total combined facility-wide emission of all hazardous air pollutants combined to less than 25 tons in any 12-consecutive month period.

The Department also intends to incorporate into the operating permit to be issued appropriate recordkeeping and reporting requirements intended to help monitor compliance with the permit conditions described above as well as with applicable regulatory requirements.

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

03-00237: Rosebud Mining Co. (301 Market Street, Kittanning, PA 16201) to operate the coal processing, screening and loading operation at their Keystone East Mine in Plumcreek Township, **Armstrong County**.

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

42-00155: MSL Oil and Gas Corp. (Route 219 and Route 59 intersection, Lewis Run, Lafayette, PA 16738) for a Natural Minor Permit to operate a gas production and distribution corporation in Lafayette Township, **McKean County**. The significant sources are one compressor engine of 360 hp with dehydrator, one 186 hp compressor engine with catalytic converter, one 180 HP compressor engine, one 30,000 gallons propane tank and miscellaneous equipment leaks.

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

S01-001: The Purolite Co. (3620 G Street, Philadelphia, PA 19134) for operation of a ion exchange manufacturing facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include three No. 6 oil/No. 2 oil/ natural gas fired boilers each less than 10 mmBtu/hr, a polymerization process and a sulfonation process.

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 wishing to file protest or comments on the operating permit must submit the protest or comments within 30 days from the date of this notice. 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 thirty days before the hearing.

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

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

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

Coal Applications Received

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

<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*		greater than 6.0; less than 9.0	
Alkalinity greater than acidity*			

* 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.

32921601 and NPDES Permit No. PA0095117, Sprinkle Mills Tipple (P. O. Box 343, Punxsutawney, PA 15767-0343), to revise the permit for the Valier Coal Yard in North Mahoning Township, **Indiana County** and related NPDES permit for coal stockpile, sediment trap and treatment basins. Surface Acres Proposed 1.2. Receiving stream: Crossman Run, classified for the following use: CWF. Application received July 15, 2005.

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

Permit No. 32990103 and NPDES No. PA0212687, TLH Coal Company, 4401 Pollock Road, Marion Center, PA 15759, permit renewal for reclamation only of a bituminous surface mine in Grant Township, **Indiana County**, affecting 30.1 acres. Receiving streams: UNTs to/and East Run, classified for the following uses: HQ-CWF. There are no potable water supply intakes within 10 miles downstream. Application received October 4, 2005.

56663098 and NPDES No. PA0607932. PBS Coals, Inc., P. O. Box 260, Friedens, PA 15541, permit renewal for the continued operation and restoration of a bituminous surface refuse reprocessing mine in Shade Township, **Somerset County**, affecting 412.3 acres. Receiving streams: Dark Shade Creek and Little Dark Shade Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received September 27, 2005.

Permit No. 32010113 and NPDES Permit No. PA 0249106. TLH Coal Company Inc., 4401 Pollock Road, Marion Center, PA 15759, permit revision—land use change on Larry Ferring property from cropland and forestland to unmanaged natural habitat in West Mahoning Township, **Indiana County**, affecting 21 acres. Receiving streams: UNTs to/and Mahoning Creek classified for the following use: WWF. There are no potable water supply intakes within 10 miles downstream. Application received on October 7, 2005.

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

63940101 and NPDES Permit No. PA0200735. Robinson Coal Company (200 Neville Road, Neville Island, PA 15225). Revision application for land use change from forestland to pastureland to a bituminous surface mine, located in Robinson and Smith Townships, **Washington County**, affecting 160.4 acres. Receiving stream: UNT to Robinson Run, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Revision application received: October 12, 2005.

Knox District Mining Office: White Memorial Building, P. O. Box 669, Best Avenue, Knox, PA 16232-0669, (814) 797-1191.

16000101 and NPDES Permit No. PA0241695. Milestone Crushed, Inc. (521 South Street, Clarion, PA 16214). Renewal of an existing bituminous surface strip and limestone and sandstone removal operation in Richland and Licking Townships, **Clarion County** affecting 83.6 acres. Receiving streams: UNTs to the Clarion River, classified for the following use: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: October 6, 2005.

16000102 and NPDES Permit No. PA0241741. Milestone Crushed, Inc. (521 South Street, Clarion, PA 16214). Renewal of an existing bituminous surface strip operation in Perry Township, **Clarion County** affecting 38.6 acres. Receiving streams: UNT to Clarion River, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application for reclamation only. Application received: October 12, 2005.

33000103 and NPDES Permit No. PA0241849. Falls Creek Energy Co., Inc. (R. D. 6, Box 231, Kittanning, PA 16201). Renewal of an existing bituminous surface strip and auger operation in McCalmont Township, **Jefferson County** affecting 57.1 acres. Receiving stream: Big Run to Mahoning Creek, classified for the following use: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application for reclamation only. Application received: October 13, 2005.

16050111 and NPDES Permit No. PA0258041. Neiswonger Construction, Inc. (17592 Route 322, Strattanville, PA 16258). Commencement, operation and restoration of a bituminous surface strip operation in Porter Township, **Clarion County** affecting 86.0 acres. Receiving streams: UNT to Licking Creek to Clarion River and UNT to West Fork classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: October 12, 2005.

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

17020114 and NPDES No. PA0243361. Sky Haven Coal, Inc., 5510 State Park Road, Penfield, PA 15849, revision of an existing bituminous surface mine to remove the Lower Kittanning Nos. 2 and 3, and Lower Kittanning No. 4 coal seams from phase one mining plan and revise erosion and sedimentation control plans in Bradford Township, **Clearfield County**, affecting 85.7 acres. Receiving stream: Sulfur Run classified for the following use: CWF. Application received October 6, 2005.

07020902 and NPDES No. PA0243345 Johnson Brothers Coal Company, Inc., 1390 Lee Run Road, Mahaffey, PA 15757, revision of an existing incidental coal mine to revise the mining area in Lawrence Township, **Clearfield County**, affecting 5.0 acres. Receiving stream: Laurel Run which is tributary to Little Clearfield Creek which is tributary to Clearfield Creek. Application received October 6, 2005.

*Noncoal Applications Received
Effluent Limits*

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

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

¹ The parameter is applicable at all times.

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

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

08050814. D. Terry and Tracy Kenney (P. O. Box 85, Wyalusing, PA 18853). Commencement, operation and restoration of a small industrial minerals (Flagstone)

permit in Wilmot Township, **Bradford County** affecting 3.0 acres. Receiving streams: UNT to Susquehanna River. Application received: September 30, 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(a) 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.

E15-746. Department of Transportation, 7000 Geerdes Boulevard, King of Prussia, PA 19406, Thornbury Township, Chester County, ACOE Philadelphia District.

To remove, replace and maintain an existing 38-foot long, 16-foot wide and 6.5-foot high single span steel girder bridge located on Westtown-Thorndale Road (SR 2005, section 62B), with a single precast reinforced concrete "ConSpan"-type arch measuring 48 feet long, 31-feet 7-inches wide and 12 feet high situated in and along a tributary to the East Branch of Chester Creek (WWF). Work will also include:

1. Approximately 212 feet and 158 feet of approach work on the north and south approaches, respectively.
2. Installation of stormwater facilities and associated outfall relocation along the north side of the proposed road downstream from the bridge.
3. Installation of the temporary access, consisting of causeways crossing the creek.

This site is located immediately after the SEPTA railroad underpass on Westtown-Thorndale Road (West Chester PA Quadrangle N: 6.4 inches; W: 6.4 inches). This application will replace existing application.

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

E39-453. Prospect Acquisitions, LP, 404 Sumneytown Pike, Suite 200, North Wales, PA 19454, in Upper Milford Township, Lehigh County, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain an outfall to Leibert Creek (HQ-CWF) consisting of a 32-inch by 50-inch reinforced concrete elliptical pipe, and wall and riprap-lined outfall channel; a minor road crossing of PEM wetlands consisting of two 29-inch by 45-inch reinforced elliptical pipes and riprap apron; and two utility line crossings of wetlands. The encroachments are part of the Estates at Maple Ridge Residential Development located adjacent to Main Road West (SR 2023) approximately 0.5 mile west of the Pennsylvania Turnpike. (Allentown West, PA Quadrangle N: 0.3 inch; W: 1.2 inches).

E40-654. CAN DO, Inc., One South Church Street, 200 Renisance Center, Hazleton, PA 18201, in Hazle Township, Luzerne County, United States Army Corps of Engineers, Baltimore District.

To place fill or regrade within approximately 0.42 acre of PSS wetlands and several pond areas for the purpose of preparing a 75-acre site for industrial development. The project is known as the Harwood Innovation Site and is located on the east side of SR 081, approximately 0.5 mile south of SR 0924. (Conyngham, PA Quadrangle N: 11.0 inches; W: 2.0 inches).

E39-454. Principle Investment, LLC, 1611 Pond Road, Allentown, PA 18102, in Lower Macungie Township, Lehigh County, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain two outfall structures in the floodway of the Little Lehigh Creek (HQ-CWF), the first consisting of an 18-inch RCP, concrete outlet structure and a cable concrete apron and the second consisting of a 24-inch RCP concrete outlet structure and a cable concrete apron. The outfalls are associated with the Olympic Ridge Residential Development located on the north side of Indian Creek Road (SR 2018) approximately 0.1 mile east of the Pennsylvania Turnpike. (Allentown West, PA Quadrangle N: 6.2 inches; W: 3.1 inches).

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

E36-799: Townsedge Development, 48 South Market Street, Elizabethtown, PA 17022 in Conoy Township, Lancaster County, ACOE Baltimore District.

To construct and maintain a wetland enhancement project consisting of: wetland and floodplain grading; fill placement; and installation of tree and shrub plantings within 1.21 acres of farmed, palustrine emergent wetland associated with a UNT to Conoy Creek (TSF) located adjacent to the proposed Townsedge residential subdivision (York Haven, PA Quadrangle; Latitude: 40-05-51.30; Longitude: 76°40'13.09" in Conoy Township and Bainbridge Borough, Lancaster County. This project will result in 1.22 acres of functional floodplain Palustrine/Scrub-Shrub wetland.

E31-206: War Vets Field Project, 2401 Taylor Avenue, 2201 Moore Street, Huntingdon, PA 16652 in Huntingdon Borough, Huntingdon County, ACOE Baltimore District.

To construct a ticket booth, 6-feet wide by 30-foot 8-inches long, slab on grade one story block structure, located (Huntingdon, PA Quadrangle Latitude: 40°29'04", Longitude: 78°00'17") within the floodplain of the Juniata River (CWF-HQ) in the Borough of Huntingdon, Huntingdon County.

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

E10-414. Bobbie Mikita, 501 Rollingridge Drive Suite 200, State College, PA 16801. Brookstone Residential Development, in Adams Township, **Butler County**, ACOE Pittsburgh District (Mars, PA Quadrangle N: 17.6 inches; W: 4.6 inches).

To fill 0.65 acre of Scrub-Shrub wetlands and 1,111 feet of a UNT to Breakneck Creek (WWF) during construction of the Brookstone Residential Subdivision along Forsythe Road located approximately 0.25 mile south of the intersection of Forsythe and Myoma Roads.

E25-041A. Erie Sand Steamship Company, P. O. Box 179, Erie, PA 16512-0179. Sand and Gravel Dredging in Lake Erie, ACOE Pittsburgh District.

The applicant has requested 5 year extension of Permit E25-041A to dredge sand and gravel ranging from 7 to 16 miles offshore of Presque Isle in Lake Erie under Sand and Gravel Agreement SG-001 at an area bounded by a point starting at 42°11.4'N, 80°17.2'W then 320°—3 miles, then 292°—3.16 miles, then 011°—4.15 miles, then 139°—5.18 miles, then 48°—1.61 miles, then 131°—2.3 miles, then 228°—1.84 miles, then 114°—1.44 miles, and then 236°—2.53 miles. Permit E25-041A expires on December 31, 2005, and is proposed to be extended to December 31, 2010.

ENVIRONMENTAL ASSESSMENTS

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

EA36-15: John S. Yost, 6059 Old Philadelphia Pike, Narvon, PA 17555 in Salisbury Township, **Lancaster County**, ACOE Baltimore District.

To install two grass waterways for stormwater management on a farm located at 6059 Old Philadelphia Pike in

Salisbury Township, Lancaster County (Honey Brook USGS Quad, 40° 01' 57" N, 75° 57' 33" W). Construction of the waterways will involve approximately 3 acres of land disturbance, and the waterways will convey stormwater to a UNT of Pequea Creek (HQ-CWF).

EA36-16: Michael and Dawn Janssen, 1147 Holtwood Road, Holtwood, PA 17110 in East Drumore Township, **Lancaster County**, ACOE Baltimore District

To construct and maintain a 10-inch outfall pipe with a rip-rap rock apron which will discharge into the floodway of the Conowingo Creek (HQ-CWF) at a point located near the intersection of Cardinal Drive and Conowingo Drive (Wakefield, PA Quadrangle N: 17.0 inches; W: 10.0 inches) in East Drumore Township, Lancaster County.

DAM SAFETY

Central Office: Bureau of Waterways Engineering, 400 Market Street, Floor 3, P. O. Box 8554, Harrisburg, PA 17105-8554.

D40-244. Wyoming Valley Inflatable Dam. Luzerne County Flood Protection Authority, Luzerne County Courthouse, 200 North River Street, Wilkes-Barre, PA 18711.

To construct, operate and maintain Wyoming Valley Inflatable Dam across the Susquehanna River (WWF), impacting 1.06 acres of wetlands (Palustrine Emergent and Palustrine Forested) and 4.5 miles of river, and providing 1.06 acres of wetland mitigation, for the purpose of revitalizing interest in the river through new recreation, scenic, and economic opportunities. Work includes construction of a 9.5-foot high 960-foot long inflatable run-of-the-river dam. (Wilkes-Barre West, PA Quadrangle N: 22.0 inches; W: 5.9 inches) in the City of Wilkes-Barre and Borough of Larksville, **Luzerne County**.

ACTIONS

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

The Department of Environmental Protection (Department) has taken the following actions on previously received applications for new, amended and renewed NPDES and WQM permits, applications for permit waivers and Notices of Intent (NOI) for coverage under general permits. This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92 and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and the Federal Clean Water Act.

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

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

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

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

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

I. NPDES Renewal Permit Actions

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N ?
PA0087718 (Industrial Waste)	Crystal Springs Hardwood, Inc. P. O. Box 34 Crystal Springs, PA 15536	Fulton County Brush Creek Township	Little Brush Creek 11-C	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N ?
PA0113280 IW	Pennsylvania State University 101P Office of Physical Plant Building University Park, PA 16802-1118	State College Borough Centre County	UNT Slab Cabin Run 9-C	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N ?
PA0031879	Pittsburgh District Church of the Nazarene 177 North Road Butler, PA 16001	Franklin Township Butler County	UNT to Mulligan Run 20-C	Y

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

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

NPDES Permit No. PA0247740, Sewage, **Big Spring Fish and Game**, P. O. Box 81, Newville, PA 17241. This proposed facility is located in North Newton Township, **Cumberland County**.

Description of Proposed Action/Activity: Authorization to discharge to Conodoguinet Creek in Watershed 7-B.

NPDES Permit No. PA0085863, Industrial Waste, **SC Holdings Inc.**, Harmony Grove Landfill, 383 Meadow Road, Edison, NJ 08817. This proposed facility is located in Dover Township, **York County**.

Description of Proposed Action/Activity: Authorization to discharge to an onsite retention pond and a UNT of Davidsburg Run in Watershed 7-F.

NPDES Permit No. PA0247774, Industrial Waste, **Mueller's Auto Recycling & Sales**, R. D. 6, Box 355, Altoona, PA 16601. This proposed facility is located in Logan Township, **Blair County**.

Description of Proposed Action/Activity: Authorization to discharge to a UNT to Mill Run in Watershed 11-A.

NPDES Permit No. PA0014656, Industrial Waste, **Exide Technologies**, Hamburg Facility, 3000 Montrose Avenue, Reading, PA 19605. This proposed facility is located in Hamburg Borough, **Berks County**.

Description of Proposed Action/Activity: Authorization to discharge to Kaercher Creek in Watershed 3-B.

NPDES Permit No. PAS203501, Industrial Waste, **Buck Company, Incorporated Foundry**, 897 Lancaster Pike, Quarryville, PA 17566. This proposed facility is located in Providence Township, **Lancaster County**.

Description of Proposed Action/Activity: Authorization to discharge to UNTs of the Conowingo Creek and Fishing Creek in Watershed 7-K.

NPDES Permit No. PA0247782, Industrial Waste, **Value Auto Salvage**, R. R. 2, Box 168, Huntingdon, PA 16652. This proposed facility is located in Jackson Township, **Huntingdon County**.

Description of Proposed Action/Activity: Authorization to discharge to the Standing Stone Creek in Watershed 11-B.
Northwest Region: Water Management Program Manager; 230 Chestnut Street, Meadville, PA 16335-3481.

NPDES Permit No. PA0239569, Sewage, **Scott Martin, Shannon Mills Estates**, 102 Donahue Drive, Renfrew, PA 16053. This proposed facility is located in Connoquenessing Township, **Butler County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to a UNT to Little Connoquenessing Creek.

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

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

WQM Permit No. WQG02230505, Sewerage, **Bethel Township Delaware County Sewer Authority**, 1082 Bethel Road, Boothwyn, PA 19061. This proposed facility is located in Bethel Township, **Delaware County**.

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

WQM Permit No. 1505412, Sewerage, **London Britian Township**, P. O. Box 215, 81 Good Hope Road, Kemblesville, PA 19347. This proposed facility is located in London Britian Township, **Chester County**.

Description of Action/Activity: Construction and operation of a 16 lot residential subdivision.

WQM Permit No. 4604412, Sewerage, **Upper Gwynedd Township**, P. O. Box 1, West Point, PA 19486. This proposed facility is located in Upper Gwynedd Township, **Montgomery County**.

Description of Action/Activity: Modifications to existing treatment facility to provide for more efficient handling of peak wet weather.

WQM Permit No. 1501401 A-2, Amendment, Sewerage, **Penn Township**, 260 Lewis Road, P. O. Box 39, West Grove, PA 19390-0039. This proposed facility is located in Penn Township, **Chester County**.

Description of Action/Activity: Modifications to existing sewage treatment facility.

WQM Permit No. 0905408, Sewerage, **East Rockhill Township**, 1622 Ridge Road, Perkasie, PA 18944. This proposed facility is located in East Rockhill Township, **Chester County**.

Description of Action/Activity: Construction and operation of a pump station and a 2.5 force main to serve proposed municipal golf station.

WQM Permit No. 4605410, Sewerage, **East Norriton-Plymouth-Whitpain Joint Sewer Authority**, 200 Ross Street, Plymouth Meeting, PA 19462. This proposed facility is located in Plymouth Township, **Montgomery County**.

Description of Action/Activity: Improvements to the conventional sludge process at the existing WWTP.

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

WQM Permit No. 3904201, Industrial Waste, **Turnpike Commission**, P. O. Box 67676, Harrisburg, PA 17106-7676. This proposed facility is located in Washington Township, **Lehigh County**.

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

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

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

Description of Proposed Action/Activity: Approval for the construction/operation of sewerage facilities consisting of a small flow treatment system with septic tank, STB-650 Ecoflo peat filter and chlorination with contact tank.

WQM Permit No. 0705201, CAFO, **Philip Kulp, Kulp Family Farms**, R. R. 2, Box 142B, Martinsburg, PA 16662. This proposed facility is located in Tyrone Township, **Blair County**.

Description of Proposed Action/Activity: Construction/operation of Heifer Farm Manure Storage Facility.

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

WQM Permit No. 1401404-T1, Sewerage 4952, **Walter W. Kemp**, 138 Hemlock Lane, Port Matilda, PA 16870. This facility is located in Taylor Township, **Centre County**.

Description of Proposed Action/Activity: Transfer of a WQM Part II Permit for small flow sewage treatment facilities serving a single residence.

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

WQM Permit No. 3005401, Sewerage, **Dry Tavern Sewer Authority**, P. O. Box 159, Rices Landing, PA 15357. This proposed facility is located in Jefferson Township, **Greene County**.

Description of Proposed Action/Activity: Sanitary Sewers and Treatment Plant.

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

WQM Permit No. WQG018414, Sewerage, **John and Paula Walsh**, R. D. 1, Box 72C, Youngsville, PA 16371. This proposed facility is located in Brokenstraw Township, **Warren County**.

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

WQM Permit No. WQG018406, Sewerage, **Bradley W. Irwin**, 8971 Old Route 422, New Castle, PA 16101. This proposed facility is located in Franklin Township, **Erie County**.

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

WQM Permit No. 1005403, Sewerage, **Scott Martin**, 102 Donahue Drive, Renfrew, PA 16053. This proposed facility is located in Connoquenessing Township, **Butler County**.

Description of Proposed Action/Activity: This project is for the construction and operation of a sewage treatment facility to serve the Shannon Mills Estates Development.

IV. NPDES Stormwater Discharges from MS4 Permit Actions

V. NPDES Waiver Stormwater Discharges from MS4 Actions

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10G527A1	Toll PA II, LP Orleans at Upper Uwchlan, LP K. Hovnanian at Upper Uwchlan, LLC Allan A. Myers Byers Station—Parcel 6C 325 Fellowship Road Chester Springs, PA 19425	Chester	Upper Uwchlan Township	UNT Pickering Creek (HQ-TSF)

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

NOTICES

6041

General Permit Type—PAG-2

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Hilltown Township Bucks County	PAG2000905102	Deep Run Sports Association Proposed Soccer Fields P. O. Box 380 Hilltown, PA 18927	East Branch Perkiomen Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Newtown Township Bucks County	PAG2000905066	Cameron C. Triolo, Inc. 104 Pheasant Run Development P. O. Box 291 Yardley, PA 19067	Core Creek (CWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Middletown Township Bucks County	PAG2000904138	Woodbourne Development Corporation Cornerstone Executive Suites, I and II 670 Woodbourne Road Langhorne, PA 19047	Mile Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Sadsbury Township Chester County	PAR10G475	Total Systems Design, Inc. 308 Commerce Drive Exton, PA 19341	Bucks Run (TSF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
New Garden Township Chester County	PAG2001505049	DCW, Inc. P. O. Box 618 Kennett Square, PA 19348	UNT West Branch Red Clay Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
East Marlborough Township Chester County	PAG2001505045	Beiler Campbell Realtors 402 Bayard Road, Suite 100 Kennett Square, PA 19348	UNT East Branch Red Clay Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG2015105016	Rite Aid of Pennsylvania, Inc. 5th and Annsbury Rite Aid Develop 11750 Bustleton Avenue Philadelphia, PA 19116	Delaware River (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG2015105023	The Renfrew Center Renfrew Center Expansion 475 Spring Lane Philadelphia, PA 19128-3918	UNT Schuylkill River (CWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG2015105026	Apartments on Chestnut, LP The Apartments on Chestnut Develop 5847 San Felipe, Suite 2600 Houston, TX 77057	Schuylkill River (CWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG2015105031	Reliance Development Corporation Summer Hill Estates Development 828 Red Lion Road Philadelphia, PA 19115	Wooden Bridge Run (TSF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG2015105037	Westrum Development Company Schuylkill Falls Housing Project 370 Commerce Drive Fort Washington, PA 19034	Schuylkill River (WWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Northampton Borough Northampton County	PAG2004805016	Northampton Area School Dist. 2014 Laubach Ave. Northampton, PA 18067	Hokendauqua Creek CWF	Northampton Co. Cons. Dist. (610) 746-1971
City of Bethlehem Northampton County	PAG2004805020	John Tallarico, Jr. 274 Wedgewood Rd. Bethlehem, PA 18017	Nancy Run (Source to SR3007 Bridge) CWF, MF	Northampton Co. Cons. Dist. (610) 746-1971
Palmer Township Northampton County	PAG2004805030	N. Pugliese 1072 Grand St. Phillipsburg, NJ 08865	Shoeneck Creek WWF	Northampton Co. Cons. Dist. (610) 746-1971
St. Clair Borough Schuylkill County	PAG2005405022	Timber Development Corp. 1060 West State Rd. Island Lake Business Cntr. Suite 112 Longwood, FL 32570	Mill Creek CWF	Schuylkill Co. Cons. Dist. (570) 622-3742
Plains Township Luzerne County	PAG2004003035(1)	Downs Racing, LP 1280 Highway 315 Wilkes-Barre, PA 18702	Mill Creek CWF	Luzerne Co. Cons. Dist. (570) 674-7991
Hazle Township Luzerne County	PAG2004005031	Matt Bayzick Hazleton Site Contractors 40 Elm Rd. Hazleton, PA 18202	UNT to Tom Hicken Creek CWF	Luzerne Co. Cons. Dist. (570) 674-7991
Hanover Township Luzerne County	PAG2004005033	Verus Partners 9450 West Bryn Mawr Ave. Rosemont, IL 60018	Solomon Creek CWF	Luzerne Co. Cons. Dist. (570) 674-7991
Williams Township Northampton County	PAG2004805043	Joseph Ortelli, II 165 W. Butternut Dr. Hellertown, PA 18055	Delaware River WWF, MF	Northampton Co. Cons. Dist. (610) 746-1971
Greene Township Franklin County	PAG2002805049	Greene Township 1145 Graver Lane P. O. Box 215 Scotland, PA 17254	Conococheague Creek CWF	Franklin County Conservation District 100 Sunset Boulevard West Chambersburg, PA 17201 (717) 264-8074, Ext. 5
Letterkenny Township Franklin County	PAG2002805060	United States Army Corps of Engineering James Payne 10 South Howard Street Baltimore, MD 21203-1715	Muddy Run Rocky Spring WWF/TSF	Franklin County Conservation District 100 Sunset Boulevard West Chambersburg, PA 17201 (717) 264-8074, Ext. 5
Gettysburg Borough Adams County	PAG2000105019	Roger Hoffman Rite Aid Pennsylvania, Inc. 30 Hunter Lane Camp Hill, PA 17011	Stevens Run WWF	Adams County Conservation District 670 Old Harrisburg Rd. Suite 201 Gettysburg, PA 17325 (717) 334-0636
Bendersville Borough Adams County	PAG2000105020	Allen Beckett Allen Beckett Construction 596 Middle Creek Road Fairfield, PA 17320	UNT to Oppossum Creek CWF	Adams County Conservation District 670 Old Harrisburg Rd. Suite 201 Gettysburg, PA 17325 (717) 334-0636
Londonderry Township Dauphin County	PAG2002205051	Agile Partnership 2507 Steinruck Rd. Elizabethtown, PA 17022	Iron Run WWF Brills Run TSF	Dauphin County Conservation District 1451 Peters Mountain Rd. Dauphin, PA 17018 (717) 921-8100

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<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Lower Paxton Township Dauphin County	PAG2002205041	Benjamin Slotznick P. O. Box 23 Mt Gretna, PA 17064 and Molinari & Greenburg, LLC 4083 Wimbledon Dr. Harrisburg, PA 17112	Paxton Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Rd. Dauphin, PA 17018 (717) 921-8100
Hamburg Borough Berks County	PAG2000605083	Lynda Albright Hamburg Municipal Authority 61 N. Third Street Hamburg, PA 19526	Schuylkill CWF	Berks County Conservation District 1238 County Welfare Road P. O. Box 520 Leesport, PA 19533-0520 (610) 372-4657, Ext. 201
Hamburg Borough Berks County	PAR10C4123	Stephen MacLean Department of Transportation 1713 Lehigh St Allentown, PA 18103	Schuylkill WWF-MF	Berks County Conservation District 1238 County Welfare Road P. O. Box 520 Leesport, PA 19533-0520 (610) 372-4657, Ext. 201
Ruscombmanor Township Berks County	PAG2000605078	Spiro Phyrillas European Builders, Ltd. 2718 Bernville Rd Reading, PA 19605-9448	Willow Creek CWF	Berks County Conservation District 1238 County Welfare Road P. O. Box 520 Leesport, PA 19533-0520 (610) 372-4657, Ext. 201
Caernarvon Township Berks County	PAG2000605061	Gary McEwen Red School, LLC 3335 Morgantown Rd. Mohnton, PA 19540	Conestoga River UNT to Hay Creek WWF/CWF, MF	Berks County Conservation District 1238 County Welfare Road P. O. Box 520 Leesport, PA 19533-0520 (610) 372-4657, Ext. 201
North Middleton, Cumberland County	PAG2002105038	Shillington Shillington Associates John Kershner 7300 Derry Street Harrisburg, PA 17111	Conodoguinet Creek WWF	Cumberland County Conservation District 43 Brookwood Avenue Carlisle, PA 17013 (717) 240-7812
North Middleton, Cumberland County	PAG2002105047	Cumberland Valley Storage Vincent Books 204 Georgetown Road Mechanicsburg, PA 17050	Conodoguinet Creek WWF	Cumberland County Conservation District 43 Brookwood Avenue Carlisle, PA 17013 (717) 240-7812
Walker Township Huntingdon County	PAG200305007	Steve Prendergast 10880 Tuckahoe Drive Huntingdon, PA 16652	UNT to Crooked Creek WWF	Huntingdon County Conservation District R. D. 1, Box 7C, Rt. 26 S. Huntingdon, PA 16652
Manheim Township Lancaster County	PAG2003605107	Wanner Realty Co. 1373 Manheim Pike Lancaster, PA 17601	UNT Little Conestoga Creek TSF	Lancaster County Conservation District 1383 Arcadia Rd Rm 6 Lancaster PA 17601 (717) 299-5361, Ext. 5
Manheim Township Lancaster County	PAG2003605119	Penn Cinema Mgmt. Co., LLC 516 E. Woods Dr. Lititz, PA 17543	Lititz Run WWF	Lancaster County Conservation District 1383 Arcadia Rd Rm 6 Lancaster PA 17601 (717) 299-5361, Ext. 5

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Centre County Marion and Walker Townships	PAG2001405015	Daniel Mattern, ETAL 1076 East Bishop St. Bellefonte, PA 16823	Drainage Way Tributary to Nittany Creek CWF	Centre County Conservation District 414 Holmes Ave., Suite 4 Bellefonte, PA 16823 (814) 355-6817
Clearfield County Lawrence and Boggs Townships	PAG2001705001	Department of Transportation Eng. Dist 2-0 1924-30 Daisy St. Clearfield, PA 16830	Clearfield Creek WWF	Clearfield County Conservation District 650 Leonard St. Clearfield, PA 16830 (814) 765-2629
Clearfield County Sandy Township	PAG2001705015	Versatile Hotels, Inc. 14424 Clearfield Shawville Hwy. Clearfield, PA 16830	Slab Run CWF	Clearfield County Conservation District 650 Leonard St. Clearfield, PA 16830 (814) 765-2629
Northumberland County Delaware Township	PAG2004905010	Heintzelman Storage Units SR 1005, Seagraves Road Watsontown, PA 17777	UNT Delaware Run WWF	Northumberland County Conservation District R. R. 3, Box 238C Sunbury, PA 17801 (570) 988-4488
Snyder County Penn Township	PAR105914R	Daniel Clement P. O. Box 93 Lewisburg, PA 17837	UNT Penns Creek WWF	Snyder County Conservation District 403 West Market St. Middleburg, PA 17842 (570) 837-0007, Ext. 112
Allegheny County West Deer Township	PAG2000205060	Glasso Development Co., LP 4201 Cohasset Lane Allison Park, PA 15101	Little Deer Creek (TSF)	Allegheny County CD (412) 241-7645
Allegheny County Indiana Township	PAG2000205079	Indiana Township 941 Route 910 Indianola, PA 15051	Little Pine Creek (TSF)	Allegheny County CD (412) 241-7645
Allegheny County Shaler Township	PAG2000205086	Chuck Glasso 4201 Cohasset Lane Allison Park, PA 15101	Pine Creek (TSF)	Allegheny County CD (412) 241-7645
Allegheny County Harrison Township	PAG2000205088	R H Kuhn Company, Inc. 55th St. and AVRR Pittsburgh, PA 15201	Little Bull CK (TSF)	Allegheny County CD (412) 241-7645
Allegheny County North Fayette Township	PAG2000205090	CSG Properties, LLC 101 International Drive Oakdale, PA 15071	Robison Run (WWF)	Allegheny County CD (412) 241-7645
Allegheny County Pittsburgh	PAG2000205091	McCormack Baron Salazer 1413 Olive Street St Louis, MO 63103-2334	Monongahela River (WWF)	Allegheny County CD (412) 241-7645
Allegheny County Marshall Township	PAG2000205095	Heartland Homes 101 Commerce Drive P. O. Box 535 Lawrence, PA 15055	Brush Creek (WWF)	Allegheny County CD (412) 241-7645
Allegheny County Hampton Township	PAG2000205096	Willow Run Develop. Co. P. O. Box 171 Wildwood, PA 15091	Pine Creek (TSF)	Allegheny County CD (412) 241-7645
Allegheny County Pittsburgh	PAG2000205101	WPXI TV, Inc. 11 Television Hill Pittsburgh, PA 15214	Allegheny River (WWF)	Allegheny County CD (412) 241-7645
Allegheny County Marshall Township.	PAG2000205103	Covenant Community Church 5157 Wexford Run Road Wexford, PA 15090	Brush Creek (WWF)	Allegheny County CD (412) 241-7645

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<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Allegheny County Robinson Township	PAG2000205106	Phillips Service Corp. 320 Pittsburgh St. Coraopolis, PA 15108	Ohio River (WWF)	Allegheny County CD (412) 241-7645
Allegheny County Tarentum Borough	PAG2000205108	East 10th Avenue Assoc. 141 Oak Manor Drive Natrona Hts., PA 15065	Bull Creek (TSF)	Allegheny County CD (412) 241-7645
Indiana County White Township	PAG2003205015	Robert Marx IUP 650 South 13th Street Indiana, PA 15705	Stoney Run, Two Lick Creek (CWF)	Indiana County CD (724) 463-8547
Somerset County Somerset Township	PAG2005605009	Department of General Services 18th and Herr Streets Harrisburg, PA 17120	UNT B to East Branch of Coxes Creek (TSF)	Somerset County CD (814) 445-4652
Somerset County Jenner Township	PAG2005605011	Chemstream Inc. 265 Fourth Seasons Road Boswell, PA 15531	UNTB to Quemahoning Creek (CWF)	Somerset County CD (814) 445-4652
Washington County Canonsburg Borough	PAG2006305032	Maronda Inc. 202 Park West Drive Pittsburgh, PA 15275	Brush Run (WWF)	Washington County CD (724) 228-6774
Washington County Peters Township	PAG2006305037	Peters Township 610 East McMurray Rd. McMurray, PA 15317	Brush Run (WWF)	Washington County CD (724) 228-6774
Westmoreland County Unity Township	PAG2006505028	Joseph Szczur Department of Transportation P. O. Box 459 Uniontown, PA 15401	Monestery Run (TSF)	Westmoreland County CD (724) 837-5271
Mahoning Township Lawrence County	PAG2003705007	Cemex Inc. 2001 Portland Park Wampum, PA 16157	Mahoning River WWF	Lawrence Conservation District (724) 652-4512
Bradford City McKean County	PAG2064205001	Bradford Regional Medical Center 116 Interstate Parkway Bradford, PA 16701	West Branch Tunungwant Creek CWF	Department of Environmental Protection (814) 332-6945
Cranberry Township Venango County	PAG2006105010	Hospitality Development SR 257 Singh General Partnership 1411 Liberty Street Franklin, PA 16323	UNT Lower Two Mile Run CWF	Venango Conservation District (814) 676-2832

General Permit Type—PAG-3

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Bensalem Township Bucks County	PAR800103	United States Postal Service 1800 Byberry Rd. Bensalem, PA 19020	Neshaminy Creek-2F Watershed	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5970
Havertown Township Delaware County	PAR800097	United States Postal Service 444 E. Township Line Rd. Havertown, PA 19083	Cobbs Creek-3F Watershed	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5970
Chester City Delaware County	PAR800102	United States Postal Service 400 E. Edgemont Ave. Chester, PA 19013	Chester Creek-3G Watershed	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5970

*Facility Location:
Municipality &
County*

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Falls Township Bucks County	PAR800101	United States Postal Service 950 W. Trenton Ave. Morrisville, PA 19067	Rock Run-2E Watershed	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5970
Lancaster County West Earl Township	PAR803554	American LaFrance Aerials—Ephrata 64 Cocalico Creek Road Ephrata, PA 17522-9403	Cocalico Creek WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Lancaster County East Cocalico Township	PAR123512	Pepperidge Farm, Inc. 2195 North Reading Road Denver, PA 17555	Little Muddy Creek WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Huntingdon County Porter Township	PAR143507	MeadWestvaco Consumer and Office Products P. O. Box 317 Alexandria, PA 16611	Frankstown Branch Juniata River WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
City of Williamsport Lycoming County	PAR804829	United States Postal Service 2901 West Reach Road Williamsport, PA 17701	West Branch Susquehanna River (WWF)	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3664
Etna Borough Allegheny County	PAR806238	A. Duie Pyle 151 Poplar Street Etna, PA 15223	Pine Creek to Allegheny River	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

General Permit Type—PAG-4

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Berks County Greenwich Township	PAG043558	Karen Kuhns 1685 Route 143 Lenhartsville, PA 19543	UNT Maiden Creek	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Taylor Township Centre County	PAG045115	Walter W. Kemp 138 Hemlock Lane Port Matilda, PA 16870	UNT Goss Hollow Run CWF	Water Management Program 208 West Third Street, Williamsport, PA 17701 (570) 327-3664
Brokenstraw Township Warren County	PAG049206	John and Paula Walsh R. D. 1, Box 72C Youngsville, PA 16371	UNT to Irvine Run	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Franklin Township Erie County	PAG049198	Bradley W. Irwin 8971 Old Route 422 New Castle, PA 16101	UNT to Little Elk Creek	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

General Permit Type—PAG-10

Facility Location:

Municipality & County

Permit No.

Applicant Name & Address

Receiving Water/Use

Contact Office & Phone No.

Exelon Generation
Richmond Fac.
3901 N. Delaware
Ave.
City of Philadelphia
Philadelphia
County

PAG100018

Exelon Generation Co.,
LLC
3901 N. Delaware Ave.
Philadelphia, PA 19137

Delaware River

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

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

Operations Permit issued to **Pennsylvania American Water—Yardley** (PWS ID 1090074), Yardley Borough, **Bucks County** on October 14, 2005, for the operation of facilities approved under Construction Permit No. 0904506.

Operations Permit issued to **Bedminster Municipal Authority** (PWS ID 1090104), Bedminster Township, **Bucks County** on October 14, 2005, for the operation of facilities approved under Construction Permit No. 0904501.

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

Permit No. 4005502, Public Water Supply.

Applicant **Greenbriar Estates**
180 Wellington Drive
Shavertown, PA 18708

Borough or Township **Lehman Township**

County **Luzerne**

Type of Facility **Public Water Supply**

Consulting Engineer **Michael P. Goodwin, P. E.**
Milnes Engineering, Inc.

Permit to Construct Issued **October 13, 2005**

Permit No. Minor Amendment, Public Water Supply.

Applicant **City of Easton**
One South Third Street
Easton, PA 18042

Borough or Township **City of Easton**

County **Northampton**

Type of Facility **PWS**

Consulting Engineer **Matthew J. Carnish, P. E.**
Gannett Fleming, Inc.
P. O. Box 67100
Harrisburg, PA 17106-7100

Permit to Construct Issued **October 12, 2005**

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

Permit No. 0605514, Public Water Supply.

Applicant **Pennsylvania-American Water**

Municipality **Amity Township**

County **Berks**

Type of Facility **Construction of a booster pump station and 31,000 feet of 12-inch DI transmission main to interconnect PAWCs Glen Alsace and Douglasville water systems.**

Consulting Engineer **Michael J. Daschbach, P. E.**
Entech Engineering Inc
4 South Fourth Street
Reading, PA 19603

Permit to Construct Issued **10/4/2005**

Permit No. 0605515 MA, Minor Amendment, Public Water Supply.

Applicant	Pennsylvania-American Water
Municipality	Amity Township
County	Berks
Type of Facility	Construction of 31,000 feet of 12-inch DI transmission main to interconnect PAWCs Glen Alsace and Douglasville water systems.
Consulting Engineer	Michael J. Daschbach, P. E. Entech Engineering Inc 4 South Fourth Street Reading, PA 19603
Permit to Construct Issued:	10/4/2005

Operations Permit issued to **Franklin County General Authority**, 7280045, Green Township, **Franklin County** on 10/4/2005 for the operation of facilities approved under Construction Permit No. 2802503.

Operations Permit issued to **DS Waters of America, LP**, 7366003, Millcreek Township, **Lebanon County** on 6/29/2005 for the operation of facilities approved under Construction Permit No. 3805502.

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

Permit No. 1105502, Public Water Supply.

Applicant	Patton Borough Water Department P. O. Box 175 Patton, PA 16668
Borough or Township	Patton Borough
County	Cambria
Type of Facility	Post filtration caustic soda feed
Consulting Engineer	CET Engineering Services 321 Washington Street Huntingdon, PA 16652
Permit to Construct Issued	October 13, 2005

Operations Permit issued to **Pennsylvania-American Water Company**, 800 Hersheypark Drive, Hershey, PA 17033, (PWS ID 5020039) North Strabane Township, **Washington County** on October 18, 2005, for the operation of facilities approved under Construction Permit No. 8328-A1-T1.

Operations Permit issued to **Greater Johnstown Water Authority**, P. O. Box 1407, Johnstown, PA 15907, (PWS ID 4110014) East Taylor Township, **Cambria County** on October 13, 2005, for the operation of facilities approved under Construction Permit No. 1101503.

Operations Permit issued to **Pennsylvania-American Water Company**, 800 Hersheypark Drive, Hershey, PA 17033, (PWS ID 5020039) Carroll Township, **Washington County** on October 18, 2005, for the operation of facilities approved under Construction Permit No. 6304505.

Operations Permit issued to **Pennsylvania-American Water Company**, 800 Hersheypark Drive, Hershey, PA 17033, (PWS ID 5020039) Lincoln Borough, **Allegheny County** on October 18, 2005, for the operation of facilities approved under Construction Permit No. 0204504.

Permit No. 1186503MA, Minor Amendment. Public Water Supply.

Applicant	Croyle Township Water Authority P. O. Box 249 Summerhill, PA 15948-0249
Borough or Township	Croyle Township
County	Cambria
Type of Facility	Water storage tank
Consulting Engineer	Innovative Consulting Group, Inc. 2817 Industrial Avenue Altoona, PA 16603
Permit to Construct Issued	October 13, 2005

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

Permit No. 4287502-MA4, Minor Amendment

Applicant	Bradford City Water Authority
Borough or Township	Bradford City
County	McKean
Type of Facility	PWS
Permit to Construct Issued	10/18/2005

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

Plan Location:

Borough or Township	Borough or Township Address	County
Briar Creek Borough	6029 Park Road Berwick, PA 18603	Columbia
Briar Creek Township	150 Municipal Road Berwick, PA 18603	

Plan Description: This plan proposes to extend approximately 65,000 feet of gravity sewers with pump stations to 357 existing dwellings in the areas of Ruckle Hill Road and Rittenhouse Mill Road in the Borough of Briar Creek and in the areas of Woodcrest, Briar Crest, and Foundryville in the township of Briar Creek. The Department of Environmental Protection's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required 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 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.

Welsh Res., Haverford Township, **Delaware County**. Pamela Franks, Lewis Env. Group, Inc., P. O. Box 639, Royersford, PA 19468 on behalf of Tracey Welsh, 2404

Hollis Rd., Havertown, PA 19083 has submitted a Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on October 5, 2005.

Ceton Court, LLC, Marple Township, **Delaware County**. Henry Alexander, Conestoga-Rovers & Assoc., 559 W. Uwchlan Ave., Exton, PA 19341 on behalf of Ceton Court, LLC, 140 W. Eagle Rd., Havertown, PA 19083 has submitted a Final Report concerning the remediation of site soil contaminated with lead and arsenic. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on October 5, 2005.

Parkside Amoco Station, Parkside Borough, **Delaware County**. Mark Genua, Powell~Harpstead, Inc., 800 E. Washington St., West Chester, PA 19380 has submitted a Final Report concerning the remediation of site soil contaminated with unleaded gasoline. The Final Report demonstrated attainment of the Statewide Health Standard and was disapproved by the Department of Environmental Protection on October 12, 2005.

Tamanend Middle School, Warrington Township, **Bucks County**. Daniel B. Lewis, P. G., Spotts, Stevens & McCoy, 1047 Park Rd., P. O. Box 6307, Reading, PA 19610 on behalf of Michael Nickerson, Central Bucks School Dist., 320 W. Swamp Rd., Doylestown, PA 18901 has submitted a Final Report concerning the remediation of site soil contaminated with Nos. 2 and 4 fuel oil. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on October 12, 2005.

Fox Prop., Hatfield and Montgomery Townships, **Montgomery County**. Jamey A. Stynchula, P. G., Pennoni Assoc., Inc., One Drexel Plaza, 3001 Market St., Philadelphia, PA 19104 on behalf of Stephen Klein, Firefox I LP, 1700 Market St., Suite 2600, Philadelphia, PA 19103 has submitted a Final Report concerning the remediation of site groundwater contaminated with chlorinated solvents. The Final Report demonstrated attainment of the Background Health Standard and was approved by the Department of Environmental Protection on October 5, 2005.

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

Hull's Landing Restaurant, 27 SR 442, Muncy, PA 17756, Muncy Creek Township, **Lycoming County** has submitted a Final Report concerning groundwater contaminated with benzene, toluene, ethylbenzene, BTEX, MTBE and naphthalene. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on October 6, 2005.

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

National Church Residences—Eastlake Woods, Harborcreek Township, **Erie County**. Korin Giles, Urban Engineers of Erie, 1319 Sassafras Street, Erie PA 16501 on behalf of Thomas Herlihy, Owner, National Church Residences, 2335 North Bank Drive, Columbus OH 43220 has submitted a Final Report concerning the remediation of site soil contaminated with Benzene, Ethyl Benzene and Naphthalene. The Final Report was approved by the Department of Environmental Protection on October 14, 2005.

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

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

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

Permit No. 101662. Conshohocken Rail, LLC, 1025 Bundy Rd., Youngstown OH, 44509, Plymouth Township, **Montgomery County**. This amended waste management permit is to bring Conshohocken Rail LLC's C & D transfer station located in Plymouth Township, Montgomery County, into compliance with the radiation protection action plan requirements. The permit was issued by the Southeast Regional Office on October 11, 2005.

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

Permit ID No. 300558. Pennsylvania Power Company, P. O. Box 128, Shippingport, PA 15077-0128. Operation of a residual waste disposal impoundment in Greene Township, **Beaver County**. Permit reissued to FirstEnergy Generation Corporation in the Regional Office on October 11, 2005.

Permit ID. NO. 100281. Greenridge Reclamation Landfill, Greenridge Recalvation, LLC, R. D. 1, Box 717, Landfill Road, Scottsdale, PA 15683. Operation of a municipal waste landfill in East Huntingdon Township, **Westmoreland County**. Consent Order and Agreement executed on October 14, 2005 rescinding permit modification issued February 7, 2005 and requiring measures to control overweight and ill-maintained waste vehicles.

Permit ID. NO. 100281. Arden Landfill, Inc., 200 Rangos Lane, Washington, PA 15301. Operation of a municipal waste landfill in Chartiers Township, **Washington County**. Permit renewal issued in the Regional Office on October 17, 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.

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

GP5-30-00158: CNX Gas Co., LLC (1800 Washington Road, Pittsburgh, PA 15241) on October 10, 2005, to install and operate a natural gas fired engine and booster compressor unit at their company's CNX Gas Compressor Site No. 11 in Gilmore Township, **Greene County**, PA. The equipment is required to meet all applicable limitations, terms and conditions of General Permit, BAQ-GPA/GP-5.

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

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

39-309-062: Lafarge North America, Inc. (5160 Main Street, Whitehall, PA 18052) on October 7, 2005, to modify cement kiln No. 3 (new mixing fan) at their facility in Whitehall Township, **Lehigh County**.

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

04-00724A: Duke Energy NGL Services, LP (370 17th Street, Suite 2500, Denver, CO 80134) on October 6, 2005, to install propane and butane storage tanks at Midland Propane Terminal in Industry Borough, **Beaver County**.

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

AMS 05081: Sunoco Chemicals—Frankford Plant (Margaret and Bermuda Streets, Philadelphia, PA 19137) on October 18, 2005, to install piping and new sump lids for four sumps and to install a carbon canister system on each new sump lid in the City of Philadelphia, **Philadelphia County**.

AMS 03022: Advance Technologies (2915 East Ontario Street, Philadelphia, PA 19134) issued October 18, 2005, for installation of 2 reactors for manufacturing esters, 5 condensers, 2 scrubbers, one 6.7 mmBtu/hr boiler and 16 <75 cubic meter storage tanks in the City of Philadelphia, **Philadelphia County**.

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

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

23-0014D: Kimberly-Clark Corp. (Front Street and Avenue of the States, Chester, PA 19103) on October 11, 2005, to modify the wet scrubber dust control system in City of Chester, **Delaware County**.

46-0025C: Lonza, Inc. (900 River Road, Conshohocken, PA 19428) on October 17, 2005, to operate a waste incinerator in Upper Merion 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.

39-313-042: Filmtech Corp. (2121 31st Street SW, Allentown, PA 18103) on September 30, 2005, to modify five polyethylene extrusion lines and associated air cleaning devices at their facility in Allentown, **Lehigh County**. The Plan Approval has been extended.

48-302-103: Newstech PA, LP (6 Horwith Drive, Northampton, PA 18067) on September 30, 2005, to reactivate a boiler at their facility in Northampton Borough, **Northampton 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.

32-00297D: Creps United Publications (1163 Water Street, P. O. Box 746, Indiana, PA 15701) on October 13, 2005, to conduct stack testing at their Christy Park Drive Facility in White Township, **Indiana County**. This plan approval was extended.

04-00033B: Nova Chemicals, Inc. (400 Frankfort Road, Monaca, PA 15061) on October 11, 2005, to complete construction for the remainder of the project in Potter Township, **Beaver County**. This plan approval was extended.

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

43-290B: Winner Steel, Inc. (277 Sharpsville Avenue, Sharon, PA 16146) on October 31, 2005, to install a new No. 3 Continuous Steel Strip Galvanizing Line Furnace in the City of Sharon, **Mercer County**. This is a State-only facility.

Plan approvals denied, terminated, modified, suspended or revoked under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and the provisions of 25 Pa. Code §§ 127.13b and 127.13c.

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

48-328-007: Green Knight Economic Development Corp. (P. O. Box 4, Pen Argyl, PA 18072) on October 11, 2005, to terminate the facility's Plan Approval No. 48-328-007 for physical changes to, and the temporary operation of, three turbine generators at the Green Knight Energy Center in Plainfield Township, **Northampton County**. The Department of Environmental Protection (Department) has determined that the changes Green Knight made to the turbine generators at its Green Knight Energy Center fit within the exemptions to the Department's plan approval requirements under 25 Pa. Code § 127.14 and therefore do not require a plan approval from the Department. Specifically, the changes are classified as the temporary replacement (no longer than 6 months) of a source with a source of equal emission potential. This type of physical change is a listed exemption in the Department's Guidance Document No 275-2101-003, titled Air Quality Permit Exemptions. The Department's understanding is that Green Knight will continue to operate the three turbine generators and three turbine stacks at the Pen Argyl facility under the requirements and conditions set forth in Operating Permit No. 48-328-002. Green Knight currently has a Title V Permit application pending before the Department. The existing Operating Permit will not expire until September 30, 2007.

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

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

36-05014: Alumax Mill Products, Inc. (1480 Manheim Pike, Lancaster, PA 17604-3167) on October 13, 2005, for a Title V Operating Permit renewal to operate their secondary aluminum production facility in Manheim Township, **Lancaster County**. This action 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.

65-00622: General Carbide Corp.—3 Greensburg Plants (P. O. Box C, Greensburg, PA 15601-0076) on October 11, 2005, renewed the Title V Operating Permit for their facility in Hempfield Township, **Westmoreland County**. The facility's major source of emissions include Balls Mills which mix the carbide in a slurry formation and dryers. Both of these processes use heptane which is a VOC and these processes have the potential of emitting more than 50 tons of VOCs.

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.

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

20-00295: Baillie Lumber Co. (45529 Route 27E, Titusville, PA 16354) on October 12, 2005, for a Natural Minor Operating Permit for a wood-fired boiler and lumber processing operations in Oil Creek Township, **Crawford County**.

61-00206: Renovex, Inc. (1028 Stevenson Road, Grove City, PA 16127) on October 12, 2005, for a Natural Minor Permit to operate a surface coating operation in Barkeyville Borough, **Venango County**.

10-00030: Concast Metal Products Co.—Adams Township (Myoma Road, Mars, PA 16046) on October 12, 2005, for the Natural Minor Operating Permit to operate Metal Plant located in Adams Township, **Butler County**.

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

N05-006: Drexel University—Queen Lane Campus (2900 Queen Lane, Philadelphia PA 19129) on September 30, 2005, to operate a medical college in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include 5 boilers, each 225 hp or less and one 1,500 kW emergency generator.

N04-002: Fox Chase Cancer Center (7701 Burhome Avenue, Philadelphia PA 19111) on October 18, 2005, to operate a hospital and research facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include three 5.5 mmBtu/hr boilers, one 8.5 mmBtu/hr boiler and eight emergency generators.

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.

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

59-00005: Dominion Transmission, Inc. (445 West Main Street, Clarksburg, WV 26301) on October 11, 2005, by way of the minor operating permit modification requirements of 25 Pa. Code § 127.462, to delete a 6.5 mmBtu/hr natural gas-fired heater and add a 9.25 mmBtu/hr natural gas-fired salt bath heater and a 576 horsepower diesel-fired emergency generator at their Sabinsville Compressor Station in Clymer Township, **Tioga County**.

59-00006: Dominion Transmission, Inc. (445 West Main Street, Clarksburg, WV 26301) on October 11, 2005, by means of the minor operating permit modification requirements of 25 Pa. Code § 127.462 to delete a 9.2 mmBtu/hr natural gas-fired salt bath heater and a 220 horsepower natural gas-fired emergency generator and add a 5.613 mmBtu/hr natural gas-fired indirect heater coil and a 400 horsepower natural gas-fired emergency generator at the Boom Compressor Station in Lawrence Township, **Tioga County**.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

Coal Permits Actions

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

11040102 and NPDES No. PA0249688. E. P. Bender Coal Company, Inc., P. O. Box 594, Carrolltown, PA 15722, revision of an existing bituminous surface mine to add auger mining in Chest and White Townships, **Cambria County**; Chest and Beccaria Townships, Clearfield County affecting 136.0 acres. Receiving streams: UNTs to and South Witmer Run classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received August 11, 2005. Permit issued: October 6, 2005.

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

30841312 and NPDES Permit No. PA0013790, Consolidation Coal Company (1 Bridge Street, Monongah, WV 26554), to revise the permit for the Blacksville No. 2 Mine in Gilmore Township, **Greene County** for the M North Mains Shaft and Substation Site. Surface Acres Proposed 17.2. No additional discharges. Permit issued October 11, 2005.

11861301. NPDES Permit No. PA0214361, Rampside Collieries, Inc. (527 Slate Hill Road, Berlin, PA 15530), to renew the reclamation only and related

NPDES permit for the Rampside No. 1 Mine in Richland Township, **Cambria County** and revise the post-mining land sue to industrial/commercial. No additional discharges. Permit issued October 13, 2005.

Greensburg District Mining Office: Armbrust Building, R. R. 2, Box 603C, Greensburg, PA 15601-0982, (724) 925-5500.

03010106 and NPDES Permit No. PA0250031. Seven Sisters Mining Co., Inc. (200 US Route 22, P. O. Box 300, Delmont, PA 15626-0300). Permit renewal issued for continued operation and reclamation of a bituminous surface mine located in South Bend Township, **Armstrong County**, affecting 34.3 acres. Receiving streams: Crooked Creek and UNT to the Allegheny River. Application received: August 15, 2005. Renewal issued: October 12, 2005.

Knox District Mining Office: White Memorial Building, P. O. Box 669, Best Avenue, Knox, PA 16232-0669, (814) 797-1191.

10980103 and NPDES Permit No. PA0227692. Ben Hal Mining Company (389 Irishtown Road, Grove City, PA 16127). Revision to an existing bituminous surface strip operation in Cherry and Slippery Rock Townships, **Butler County** affecting 101.1 acres. Receiving streams: UNT to McDonald Run. Revision to change the postmining land use from forestland to unmanaged natural habitat. Application received: August 12, 2005. Permit issued: October 13, 2005.

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

54050101. Park Mine Coal Company (60 Weston Place, Shenandoah, PA 17976), commencement, operation and restoration of an anthracite surface mine and refuse reprocessing operation in Mahanoy Township, **Schuylkill County** affecting 602.0 acres, receiving stream: none. Application received May 2, 2005. Permit issued October 13, 2005.

Noncoal Permits Actions

Moshannon District Mining Office: 186 Enterprise Drive, Phillipsburg, 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 noncoal (industrial minerals) operation in Snow Shoe Township, **Centre County** affecting 1.5 acres, receiving streams: UNT to UNT to Moshannon Creek. Permit issued September 28, 2005.

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

7976SM2C4. Eureka Stone Quarry, Inc. (9119 Frankford Avenue, Philadelphia, PA 19114), depth correction to an existing quarry operation in Warrington Township, **Bucks County** affecting 134.9 acres, receiving stream: UNT to Neshaminy Creek. Application received April 23, 2003. Correction issued October 13, 2005.

50890301C4 and NPDES Permit No. PA0594431. Eastern Industries, Inc. (4401 Camp Meeting Road, Suite 200, Center Valley, PA 18034), renewal of NPDES Permit of discharge of treated mine drainage from a quarry operation in Buffalo Township, **Perry County**, receiving stream: UNT to the Susquehanna River. Application received August 24, 2005. Renewal issued October 14, 2005.

5875SM5C2 and NPDES Permit No. PA0595128. Eastern Industries, Inc. (4401 Camp Meeting Road, Suite 200, Center Valley, PA 18034), renewal of NPDES

Permit of discharge of treated mine drainage from a quarry operation in Oliver Township, **Mifflin County**, receiving stream: UNT to Strodes Run. Application received August 24, 2005. Renewal issued October 14, 2005.

6174SM5A2C9 and NPDES Permit No. 0594423. Meckley's Limestone Products, Inc. (R. R. 1, Box 1682, Herndon, PA 17830), renewal of NPDES Permit of discharge of treated mine drainage from a quarry operation in Lower Mahanoy and Jordan Townships, **Northumberland County**, receiving stream: Upper Fiddler Run. Application August 25, 2005. Renewal issued October 14, 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.

Knox District Mining Office: White Memorial Building, P. O. Box 669, Best Avenue, Knox, PA 16232-0669.

33054006. Francis J. Palo, Inc. (P. O. Box 368, 309 South 4 Avenue, Clarion, PA 16214). Blasting activity permit to build an airport access road in Washington Township, **Jefferson County**. This blasting activity permit will expire on October 12, 2006. Application received: October 11, 2005. Application Issued: October 12, 2005.

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

36054161. Hall Explosives, Inc. (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting for Florin Hill in Mt. Joy Borough, **Lancaster County** with an expiration date of October 30, 2006. Permit issued October 11, 2005.

36054162. Hall Explosives, Inc. (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting for Masonic Homes in West Donegal Township, **Lancaster County** with an expiration date of October 30, 2006. Permit issued October 11, 2005.

40054123. DC Guelich Explosives, Inc. (R. R. 3 Box 125A, Clearfield, PA 16830), construction blasting for a home in Hunlock Township, **Luzerne County** with an expiration date of November 29, 2005. Permit issued October 11, 2005.

21054170. Hall Explosives, Inc. (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting for Shippensburg Elementary School in Shippensburg Borough and Shippensburg Township, **Cumberland County** with an expiration date of October 30, 2005. Permit issued October 12, 2005.

23054106. Brubacher Excavating, Inc. (P. O. Box 528, Bowmansville, PA 17507), construction blasting for Foxfield Development in Bethel Township, **Delaware County** with an expiration date of December 31, 2006. Permit issued October 12, 2005.

28054155. Geological Technologies, Inc. (P. O. Box 70, Falling Waters, WV 25419), construction blasting for Spring Run Estates in Washington Township, **Franklin County** with an expiration date of October 23, 2006. Permit issued October 12, 2005.

54054102. DC Guelich Explosives, Inc. (R. R. 3 Box 125A, Clearfield, PA 16830), construction blasting for Humboldt Industrial Park in East Union Township,

Schuylkill County with an expiration date of October 4, 2007. Permit issued October 12, 2005.

35054031. Warren's Excavating & Drilling, Inc. (P. O. Box 189, Bowmansville, PA 17507-0189), construction blasting at the Keystone Opportunity Zone in the City of Lancaster, **Lancaster County** with an expiration date of October 31, 2006. Permit issued October 12, 2005.

36054032. ABEL Construction Co., Inc. (P. O. Box 476, Mountville, PA 17554), construction blasting for the Millway Pipeline Extension in Ephrata and West Earl Townships, **Lancaster County** with an expiration date of May 31, 2006. Permit issued October 12, 2005.

38054008. Warren's Excavating & Drilling, Inc. (P. O. Box 189, Bowmansville, PA 17507-0189), construction blasting for Greystone Development in Jackson Township, **Lebanon County** with an expiration date of October 31, 2006. Permit issued October 12, 2005.

28054158. David H. Martin Excavating, Inc. (4961 Cumberland Highway, Chambersburg, PA 17201), construction blasting for Salem Luthern Church Cemetery in Guilford Township, **Franklin County** with an expiration date of October 6, 2012. Permit issued October 13, 2005.

28054159. David H. Martin Excavating, Inc. (4961 Cumberland Highway, Chambersburg, PA 17201), construction blasting for Culbertson Mennonite Church Cemetery in Greene Township, **Franklin County** with an expiration date of October 6, 2012. Permit issued October 13, 2005.

67054142. Hall Explosives, Inc. (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting for Argento Mini Storage in Hellam Township, **York County** with an expiration date of October 30, 2006. Permit issued October 13, 2005.

21054169. Keystone Blasting Service (381 Reifsnyder Road, Lititz, PA 17543), construction blasting for a home in Silver Spring Township, **Cumberland County** with an expiration date of December 30, 2005. Permit issued October 14, 2005.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501–508 and 701–704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute

provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

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

Permits, Environmental Assessments and 401 Water Quality Certifications Issued

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E09-879. Department of Transportation, 7000 Geerdes Boulevard, King of Prussia, PA 19406-1525, Warwick and Buckingham Townships, Bucks County, ACOE Philadelphia District.

To remove the existing stone masonry abutments associated with the previously demolished superstructure and to construct and maintain, in its place, a single span steel truss pedestrian bridge and path across Neshaminy Creek (TSF-MF). The proposed pedestrian bridge will have a width of 10 feet, a clear span of 189 feet and a minimum underclearance of approximately 15 feet. This work also includes placement and maintenance of associated riprap protection at the abutments, and temporary sand bag cofferdam. The site is located just southwest of the intersection of Dark Hollow Road (SR 2095) and Macclesfield Road (Buckingham, PA USGS Quadrangle N: 1.4 inches; W: 9.4 inches).

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

E23-408. Delaware County, County of Delaware Government Center Building, 201 W. Front Street, Room 207, Media, PA 19063-2788, City of Chester and Nether Providence Township, Delaware County, ACOE Philadelphia District.

To reissue permit No. E23-408, which authorized the removal of an existing single span, pony truss bridge across Ridley Creek (WWF-MF). The demolition will include the removal of the existing abutments, wingwalls and the roadway approaches. The bridge is located along East 25th Street (AKA Irvington Lane) approximately 1,300 feet west of its intersection with Ridley Mill Lane, (Bridgeport, NJ-PA, Quadrangle, N: 22.3 inches; W: 15.00 inches).

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

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

E39-447. Lehigh Parkway Apartments, LLC, 2268 South 12th Street, Suite 101, Allentown, PA 18103. City of Allentown, Lehigh County, Army Corps of Engineers Philadelphia District.

To construct and maintain a bituminous parking lot having an encroachment of 1.3 acres in the floodway of the Little Lehigh Creek (HQ-CWF) and to construct and maintain a 24-inch outfall pipe with a concrete endwall and riprap apron and a 150-foot long outfall channel with a riprap apron in the floodway of the Little Lehigh Creek. The project is located at the northeast corner of Lehigh Parkway North and Lehigh Parkway East (Allentown East, PA Quadrangle N: 16.2 inches; W: 15.6 inches). (Subbasin: 2C)

E40-649. Oley Creek Watershed Association, Inc., P. O. Box 412, Drums, PA 18222. Dennison Township, Luzerne County, Army Corps of Engineers Baltimore District.

To remove the existing structure and to construct and maintain a road crossing of a tributary to Oley Creek (CWF), utilizing a 48-inch HDPE culvert; and to reconstruct approximately 130 linear feet of channel in the vicinity of the culvert, utilizing boulder weir structures and boulder bank revetment. The project is located approximately 1,200 feet upstream of the confluence of the tributary with Oley Creek, and approximately 2,500 upstream of the Beech Mountain Lake reservoir (Freeland, PA Quadrangle N: 9.1 inches; W: 4.9 inches). (Subbasin: 5D)

E48-357. N.A.P.E.R. Development Corporation, Inc., P. O. Box 639, Wind Gap, PA 18091. Borough of Wind Gap and Plainfield Township, Northampton County, Army Corps of Engineers Philadelphia District.

To place fill in approximately 0.22 acre of PSS wetlands in Little Bushkill Creek (HQ-CWF) watershed for the purpose of constructing a roadway to provide access to a proposed 125-acre industrial park known as Slatebelt Industrial Center and in approximately 0.21 acre of PSS wetlands for the purpose of developing a retail property. The total wetland encroachment will be 0.43 acre. The permittee is required to provide for 0.43 acre of replacement wetlands by participating in the Pennsylvania Wetland Replacement Project. The project is located at an abandoned rail yard on the north side of SR 0512 between North Broadway and Glass Street (Wind Gap Quadrangle N: 20.1 inches; W: 3.7 inches). (Subbasin: 1F)

E40-651. George J. Venesky, 1327 Heslop Road, Mountain Top, PA 18707. Rice and Wright Townships, Luzerne County, Army Corps of Engineers Baltimore District.

To remove accumulated sand, gravel, silt and debris, to a depth of approximately 2 feet, from the channel of Big Wapwallopen Creek (CWF). The project area is approximately 30 feet long (upstream to downstream) by 18 feet wide. The project is located immediately upstream of the SR 2042 (Nuangola Road) bridge (Wilkes-Barre West, PA Quadrangle N: 3.75 inches; W: 5.75 inches). (Subbasin: 5B)

E45-468. Thomas Grlica, H.C. 88, Box 111A, Pocono Lake, PA 18347. Tobyhanna Township, **Monroe County**, Army Corps of Engineers Philadelphia District.

To place fill in approximately 0.13 acre of PFO wetlands for the purpose of constructing a single family dwelling and driveway on Lot 305, Section B of the Wagner Forest residential subdivision. The permittee is required to provide for 0.13 acre of replacement wetlands by participating in the Pennsylvania Wetland Replacement Project. The project is located on the south side of SR 0940, approximately 500 feet west of SR 4003 (Blakeslee, PA Quadrangle N: 21.9 inches; W: 5.6 inches). (Subbasin: 2A)

E40-650. Wlodzimierz Jaskiewicz, 12 Jaskiewicz Way, White Haven, PA 18661. Rice Township, **Luzerne County**, Army Corps of Engineers Baltimore District.

To construct and maintain: a road crossing of approximately 110 LF of PSS wetlands, along Aleksander Boulevard; several sanitary sewer line crossings of wetlands; and a stormwater outfall within wetlands, within the drainage basin of Big Wapwallopen Creek (CWF), for the construction of the Polonia Estates Subdivision. These activities were previously authorized under Permit E40-501 but were not completed prior to expiration of the permit. The total wetland impact as originally permitted was 0.78 acre, and the impact for the remaining activities is approximately 0.13 acre. The permittee is required to provide 0.78 acre of replacement wetlands. The project is located on the north side of SR 2042 (Nuangola Road), immediately west of the Rice Township/Wright Township boundary (Wilkes-Barre West, PA Quadrangle N: 3.8 inches; W: 5.8 inches). (Subbasin: 5B)

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

E01-256: The Links at Gettysburg Land Co., LLC, 601 Mason Dixon Road, Gettysburg, PA 17325 in Mount Joy Township, **Adams County**, ACOE Baltimore District

To construct and maintain: 1) a 63-foot multi-span corrugated metal arch culvert with a length of 40-feet; 2) two 8-inch water lines; 3) a 15-inch and 18-inch outfall pipe; 4) an 8-inch sanitary sewer line; 5) a 6-foot by 40-foot footbridge; 6) a 6-inch intake pipe, all associated with Lousy Run (WWF); 7) a 36-inch reinforced concrete pipe culvert with a length of 95-feet; 8) two 8-inch water lines; 9) two 8-inch sanitary sewer lines; 10) a 112-inch by 75-inch corrugated metal pipe arch culvert with a length of 60-feet; 11) a 6-inch outfall pipe, all associated with an UNT to Lousy Run (WWF); 12) a 6-inch intake pipe associated with Rock Creek (WWF); and 13) two 6-foot by 16-foot footbridges over UNTs to Rock Creek, all located in Mount Joy Township, Adams County. The project will temporarily impact 0.03 acre of palustrine emergent wetlands. The amount of wetland impact is considered a de minimis impact of 0.03 acre and wetland mitigation is not required.

E31-205: Daniel L. Varner, 530 Washington Street, Huntingdon, PA 16652 in the Borough of Huntingdon, **Huntingdon County**, ACOE Baltimore District.

To construct and maintain a 50-foot by 100-foot basketball court and a 40-foot by 60-foot ice-skating rink within the floodway of the Juniata River (WWF), and a 13-foot by 22-foot toilet facility within the floodplain of the Juniata River at a site (Latitude: 40° 29' 08"; Longitude: 78° 01' 01") within Portstown Municipal Park in the Borough of Huntingdon, Huntingdon County.

E07-384: J & W Interests, 352 East College Avenue, State College, PA 16801 in Snyder Township, **Blair County**, ACOE Baltimore District.

To construct and maintain a private bridge on Bald Eagle Creek (TSF) having a single span of approximately 50 feet, a width of 20 feet, and an underclearance of approximately 5 feet for the purpose of constructing a private residence located at a site (Latitude: 40° 44' 22"; Longitude: 78° 09' 10") approximately 1,100 feet downstream of the Centre and Blair County line in Snyder Township, Blair County.

E22-494: Department of Transportation, Engineering District 8-0, 2140 Herr Street, Harrisburg, PA 17103-1699 in Lower Paxton and South Hanover Townships, **Dauphin County**, ACOE Baltimore District.

To remove the existing structure and then to construct and maintain a single span bridge with a center line span of 90 feet on a 74.5° skew with an average underclearance of 13.7 feet over Beaver Creek (WWF) on SR 2010, Section 003, Segment 0030, Offset 0000, relocate a channel of a UNT, provide revetment along the approaches of the bridge and at the right bank, to fill in 0.029 acre of de minimis wetland and associated improvements to improve the alignment and safety of the road located about 0.9 mile west of Hoernerstown village (Hershey, PA Quadrangle N: 6.62 inches; W: 16.35 inches) in South Hanover and Lower Paxton Townships, Dauphin County. The wetland impact is considered a de minimis impact; therefore, a wetland mitigation is not required.

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

E08-426. Department of Transportation, Engineering District 3-0, P. O. Box 218 Montoursville, PA 17754-0218. Issuance of Water Obstruction and Encroachment Permit for SR 4014 bridge replacement, in Smithfield Township, **Bradford 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 underclearance of 6.5 feet with a depression of 1.0 foot on a skew of 90° in a UNT to Bucks Creek, located 1.8 mile west of the intersection of SR 4014 and SR 0220 along SR 4014. This project proposes to permanently impact 78 linear feet of a UNT to Bucks Creek, which is, designated a WWF and does not propose to impact any jurisdictional wetlands. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E18-396. Department of Transportation, Engineering District 2-0, 1924-30 Daisy Street, Clearfield, PA 16830. Water Obstruction and Encroachment Permit 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. This project does not propose to impact any jurisdictional wetlands.

E18-400. Larry and Brenda Smith, 811 Island Road, Lock Haven, PA 17745-8841. Smith Family Addition, in Dunnstable Township, **Clinton County**, ACOE Baltimore District (Lock Haven, PA Quadrangle N: 5.25 inches; W: 1.5 inches).

To construct and maintain: 1) a 30-foot 2-inch by 12-foot 2-inch enclosed two sided addition, with cinderblock walls, 6 rodent proof flood vents and one 6.5-foot wide door, in the north corner of their existing farm house to build a second and third floor addition to their existing home to get household appliances and other family possessions out of the 100-year flood waters; 2) to add an 8-foot by 6-foot open sided covered porch/outside steps to access; and 3) a 30-foot 2-inch by 10-foot second floor deck built on five 4-inch by 6-inch columns/poles located next to the cinder block addition, for a private home located in the northwest corner of the intersection Baird Lane and Island Road (Lock Haven, PA Quadrangle, N: 5.25 inches; W: 1.5 inches) in Dunnstable Township, Clinton County. This permit was issued under Section 105.13(e) "Small Projects."

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 inches; W: 0.60 inches).

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 reinforced concrete abutments over Bailey Creek off SR 1011 about 1.5 miles north of the intersection of SR 1011 with SR 549. The project will impact about 1,450 square feet of wetlands while impacting about 60 feet of waterway and 0.3 acres of earth disturbance. Bailey Creek is a trout stocked fisheries stream.

E60-173. Department of Transportation, Engineering District 3-0, P. O. Box 218, Montoursville, PA 17754-0218. Permit Issuance for structure at SR 0204 Section 004 replacement over Penns Creek, in Jackson Township, **Union County**, ACOE Susquehanna River Basin District (Lewisburg, PA Quadrangle N: 4.6 inches; W: 3.4 inches).

To remove a four-span steel girder bridge and construct and maintain a three-span reinforced concrete spread box beam bridge having a clear span of 242.76 feet, with a minimum underclearance of 9.64 feet on a skew of 90° over Penns Creek, along SR 0204 in the Borough of New Berlin, Union County. This project proposes to have a minimal impact on Penns Creek, which is, designated a WWF. This project does not propose to impact any jurisdictional wetlands.

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

E37-167, City of New Castle, 230 N. Jefferson Street, New Castle, PA 16101. Grant Street Bridge Across Shenango River, in City of New Castle, **Lawrence County**, ACOE Pittsburgh District (New Castle North, PA Quadrangle N: 0.55 inches; W: 14.65 inches).

To remove the existing structure and to construct and maintain a continuous steel multigirder bridge having two clear spans of 130 feet and an underclearance of 14 feet across the Shenango River on Grant Street approximately 1,500 feet west of SR 18. Project includes installation of a 15-inch diameter stormwater outfall downstream of the bridge on the west side of the Shenango River and

an 18-inch diameter stormwater outfall approximately 100 feet downstream of the bridge along the east side of the Shenango River. The project also includes temporary stream diversion barriers and a construction access causeway consisting of clean rock fill within the left (west) side of the channel of the Shenango River.

E43-321. Department of Transportation, District 1-0, 255 Elm Street, Oil City, PA 16301-1412. SR 0208, Section A00, Springfield Township, **Mercer County**, ACOE Pittsburgh District. (Mercer, PA Quadrangle 3.35 N; 4.15 W).

To construct and maintain an extension of the I-79 ramps, replacement of the SR 0208 Bridge over I-79 with a new six-lane bridge, and improvements to the SR 0208/0258 intersection. The total length of SR 0208 (and SR 0258) to be improved is approximately 6,000 feet. The length of interchange ramps to be extended/reconfigured is approximately 13,000 feet. The project involves: (1) to fill 0.09 acre of palustrine wetlands; (2) to construct and maintain an 85-foot long extension to the existing 6-foot high by 10-foot wide concrete box culvert (Culvert No. 5) in a UNT to Black Run; (3) to construct and maintain four culvert extensions having diameters from 1 to 3 feet in UNTs to Black Run with drainage areas less than 100 acres; and (4) to relocate 150 feet of UNT to Black Run with a drainage area of less than 100 acres. Project includes payment into the PADEP Wetland Replacement Project Fund as mitigation for impacted wetlands.

SPECIAL NOTICES

Operate Waste Processing Site under the Terms of a Consent Order and Agreement

Consent Order and Agreement 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.

Consent Order and Agreement. WM No. 21 05 101, Harrisburg Energy Alternatives, 2850 Appleton Street, Camp Hill, Lower Allen Township, **Cumberland County**. A Consent Order and Agreement (COA) has been executed between the Department of Environmental Protection (Department) and Harrisburg Energy Alternatives (HEA). The COA allows HEA to process on-specification oil at their facility. The processing, to include dehydration and solids removal, will be conducted within the existing facility structure with equipment to be installed and operated by HEA. HEA will also install a small boiler to provide heat for the process and tankage to contain incoming oil and processed oil. HEA will apply for a residual waste processing permit to allow for the receipt of off-specification waste oil for processing at the facility. Until the time the residual waste processing permit is issued, HEA will confine its activities at the facility to the processing of on-specification waste oil only.

[Pa.B. Doc. No. 05-1986. Filed for public inspection October 28, 2005, 9:00 a.m.]

Certification Program Advisory Committee Meeting Cancellation

The November 7, 2005, meeting of the Certification Program Advisory Committee (Committee) has been cancelled. Details concerning the Committee's next meeting will be announced in a future edition of the *Pennsylvania Bulletin*.

Questions concerning the cancellation of the November 7, 2005, meeting or future Committee meetings should be directed to Lynn Rice, (717) 787-5236, mlrice@state.pa.us.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 05-1987. Filed for public inspection October 28, 2005, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Application for Lease of Right-of-Way

The Department of Transportation (Department) gives notice that under 67 Pa. Code § 495.4(d) (relating to application procedure), an application to lease highway right-of-way has been submitted to the Department by Erie-Western Pennsylvania Port Authority of 208 East Bayfront Parkway, Suite 201, Erie, PA 16507-2405, seeking to lease highway right-of-way located along the southerly side of SR 0079-A00/4034-A00 at Bayfront Parkway and also on the easterly side of Lincoln Avenue, bisected by West 11th Street in the City of Erie, Erie County containing 1.526 acres/66,460 sq. ft. ± for the purpose of a park and ride facility. Interested persons are invited to submit within 30 days from the publication of this notice in the *Pennsylvania Bulletin* written comments, suggestions and/or objections regarding the approval of this application to William G. Petit, P. E., District Executive, Engineering District 1-0, P. O. Box 398, Oil City, PA 16301-0398.

Questions regarding this application or the proposed use should be directed to Jeffrey E. Hahne, Right of Way Administrator, P. O. Box 398, Oil City, PA, (814) 678-7069.

ALLEN D. BIEHLER, P. E.,
Secretary

[Pa.B. Doc. No. 05-1988. Filed for public inspection October 28, 2005, 9:00 a.m.]

ENVIRONMENTAL QUALITY BOARD

Acceptance of Rulemaking Petition for Study

On October 18, 2005, the Environmental Quality Board (Board) accepted a rulemaking petition for study under 25 Pa. Code Chapter 23 (relating to Environmental Quality Board policy for processing petitions—statement of policy). The petition, submitted by the Cameron County Conservation District, requests the Board redesignate Tannery Hollow Run and its tributary of Snodgrass Run from Cold Water Fishes (CWF) to High Quality-Cold Water Fishes (HQ-CWF) or Exceptional Value (EV).

Under 25 Pa. Code § 93.4d(a) (relating to processing of petitions, evaluations and assessments to change a desig-

nated use), the Department of Environmental Protection (Department) is required to publish a notice of intent to assess candidate waters before performing survey work. The Department's assessment notice for Tannery Hollow Run and its tributary of Snodgrass Run will appear in a future issue of the *Pennsylvania Bulletin*.

The petition submitted by the Cameron County Conservation District is available to the public by contacting the Environmental Quality Board, P. O. Box 8477, Harrisburg, PA 17105-8477, (717) 787-4526 and the Department's website at www.dep.state.pa.us, (DEP Keyword: EQB (October 18, 2005, meeting)).

KATHLEEN A. MCGINTY,
Chairperson

[Pa.B. Doc. No. 05-1989. Filed for public inspection October 28, 2005, 9:00 a.m.]

Environmental Quality Board Meeting Cancellation

The November 15, 2005, Environmental Quality Board (Board) meeting has been cancelled. The next meeting of the Board is scheduled for Tuesday, December 20, 2005, at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. An agenda and meeting materials for the December 20, 2005, meeting will be available on the Department of Environmental Protection's website at www.dep.state.pa.us (DEP Keyword: "EQB").

Questions concerning the Board's next scheduled meeting should be directed to Natalie Shepherd at (717) 783-8727 or nshepherd@state.pa.us.

KATHLEEN A. MCGINTY,
Chairperson

[Pa.B. Doc. No. 05-1990. Filed for public inspection October 28, 2005, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Approval to Acquire Control

National Interstate Insurance Company has filed an application to acquire control of Triumphe Casualty Company, a Commonwealth domiciled stock casualty insurance company. The filing was made under the Insurance Holding Companies Act (40 P. S. §§ 991.1401—991.1413). Persons wishing to comment on the acquisition are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Written statements must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Robert Brackbill, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, rbrackbill@state.pa.us.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 05-1991. Filed for public inspection October 28, 2005, 9:00 a.m.]

Application for Domestic Certificate of Authority

Avalon Insurance Company has applied for a Certificate of Authority to operate as a domestic stock life insurance company in this Commonwealth. The filing was made under the The Insurance Company Law of 1921 (40 P. S. §§ 341—991.2361). Persons wishing to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Written statements must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Robert Brackbill, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, rbrackbill@state.pa.us.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 05-1992. Filed for public inspection October 28, 2005, 9:00 a.m.]

Aston Medical Associates; Prehearing

**Appeal of Aston Medical Associates under the
Medical Care Availability and Reduction of Error
(MCARE) Act (40 P. S. §§ 1303.101—1303.910);
Doc. No. MM05-09-026**

On or before October 20, 2005, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's August 11, 2005, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for November 10, 2005. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before November 7, 2005. A hearing date shall be determined, if necessary, at the prehearing telephone conference.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 05-1993. Filed for public inspection October 28, 2005, 9:00 a.m.]

Continental General Insurance Company; Application for Approval of Revised Rates for Standardized Medicare Supplement Policy Forms 340—342, 347 and 3AA—3AK; Rate Filing

Continental General Insurance Company has filed for approval increased rates for its issue-age and attained-age rated standardized Medicare supplement policy forms. The filing requests rate increases that vary by standardized benefit package and range from 0% to 25%.

These rate adjustments will affect approximately 8,157 insureds in this Commonwealth and will generate approximately \$3.5 million in additional premium annually. The company requests that the revised rates take effect on January 1, 2006. The requested rate adjustment percentages and age 65 female open enrollment rates by plan are as follows:

<i>Policy Form</i>	<i>Rating Method</i>	<i>Standardized Plan</i>	<i>Proposed Adjustment</i>	<i>Current Rate</i>	<i>Proposed Rate</i>
340	Issue-age	Plan A	12.0%	\$2,460	\$2,755
341	Issue-age	Plan B	24.0%	\$2,401	\$2,978
342	Issue-age	Plan C	13.0%	\$3,270	\$3,695
347	Issue-age	Plan H	4.0%	\$5,222	\$5,430
3AA	Attained-age	Plan A	12.0%	\$1,432	\$1,603
3AB	Attained-age	Plan B	24.0%	\$1,467	\$1,819
3AC	Attained-age	Plan C	13.0%	\$2,056	\$2,324
3AD	Attained-age	Plan D	25.0%	\$1,375	\$1,718
3AE	Attained-age	Plan E	9.5%	\$1,285	\$1,407
3AF	Attained-age	Plan F	13.0%	\$1,687	\$1,907
3AG	Attained-age	Plan G	25.0%	\$1,377	\$1,722
3AK	Attained-age	Plan Fhd	0.0%	\$ 491	\$ 491

These rates are applicable to most areas in this Commonwealth; insureds with attained-age plans residing in zip codes beginning with 150, 151, 152, 153, 154, 189, 190, 191, 192, 193 or 194 should add 10% to the rates shown previously.

Also included in the filing are reduced rates for insureds who choose to drop their policy's prescription drug benefit. Plan 347 includes a prescription drug benefit that the insured may eliminate from their coverage effective January 1, 2006, in exchange for a reduced premium rate. The proposed 2006 rates for this plan with the prescription drug benefit (\$3,644 for an age 65 female

open enrollee), when compared with the proposed 2006 rates with the prescription drug benefit, reflect a 32.9% rate reduction associated with the removal of the prescription drug benefit.

Unless formal administrative action is taken prior to January 10, 2006, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) website at www.ins.state.pa.us. Under the Quick Links section, click on the link "Rate Filings Published in the PA Bulletin."

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's regional offices in Harrisburg, Philadelphia and Pittsburgh.

Interested parties are invited to submit written comments, suggestions or objections to Michael Gurgiol, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, mgurgiol@state.pa.us, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 05-1994. Filed for public inspection October 28, 2005, 9:00 a.m.]

Educators Mutual Insurance Company; Public Informational Hearing; Plan of Conversion

The Insurance Department (Department) will hold a public informational hearing regarding the proposed Plan of Conversion (plan) submitted by Educators Mutual Life Insurance Company (Educators Mutual), a Pennsylvania domiciled mutual life insurance company. The proposed plan provides for conversion of Educators Mutual from a Pennsylvania mutual life insurance company to a Pennsylvania stock life insurance company. In furtherance to the transaction, Eastern Insurance Holdings, Inc., a Pennsylvania domiciled corporation, submitted a request for approval to acquire control of all of the authorized capital stock of Educators Mutual upon consummation of the previously referenced conversion. The plan was submitted for approval under the Insurance Company Mutual-to-Stock Conversion Act (act) (40 P. S. § 911-A—929-A) and the Insurance Holding Companies Act (40 P. S. §§ 991.1401—991.1413). Policyholders and interested persons are invited to attend and participate in the hearing. Individuals may attend the hearing without any obligation to speak at the hearing.

1. *Date and Time:* December 14, 2005, at 9 a.m.
2. *Location:* Capitol Associates Building, 901 North 7th Street, Room 200, Harrisburg, PA 17102.
3. *Nature of Hearing:* The public informational hearing will provide an opportunity for policyholders and interested persons to present comments relevant to the proposed plan. The proceeding will be recorded and a transcript may be purchased directly from the court reporter.
4. *Legal Authority:* The public informational hearing will be held under the act.
5. *ADA Notice:* Individuals who require the assistance of auxiliary aids or services to participate in or attend this public informational hearing should contact the Director of the Bureau of Administration at (717) 787-4298. Hearing impaired persons should call the Department's TTY/TDD (717) 783-3898.

6. *Written Comments:* Persons unable to attend the public informational hearing or persons who prefer to submit written comments instead of speaking at the hearing should submit comments to Robert E. Brackbill,

Jr., Chief, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, rbrackbill@state.pa.us. Comments received will be part of the public record regarding this filing.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 05-1995. Filed for public inspection October 28, 2005, 9:00 a.m.]

HealthAmerica Inc.; Hearing

Appeal of HealthAmerica Inc. under 40 P. S. §§ 991.2101—991.2193; Steven T. Mercurio; Doc. No. HC05-09-021

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

A prehearing telephone conference initiated by the Administrative Hearings Office will be conducted on November 3, 2005. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before November 1, 2005. The hearing will occur on November 17, 2005, at 2 p.m. in Room 200, Administrative Hearings Office, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA 17102.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before October 20, 2005, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene shall be filed on or before October 27, 2005.

Persons with a disability who wish to attend the previously referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Kathryn Culbertson, Agency Coordinator, (717) 705-4194.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 05-1996. Filed for public inspection October 28, 2005, 9:00 a.m.]

Medical Care Availability and Reduction of Error Fund; Notice of and Amount of Assessment Action; Notice 2005-10

The Insurance Department (Department), Medical Care Availability and Reduction of Error Fund, by Sarah H. Lawhorne, Deputy Insurance Commissioner, under section 712 of the Medical Care Availability and Reduc-

tion of Error (MCARE) Act (act) (40 P. S. § 1303.712), has determined that the annual assessment to be levied for calendar year 2006 shall be 29% applied to the prevailing primary premium for each participating health care provider.

The act defines "prevailing primary premium" as the schedule of occurrence rates approved by the Insurance Commissioner for the Joint Underwriting Association (JUA). For purposes of the 2006 annual assessment, the rates shall be those currently approved for use by the JUA.

Participating health care providers having approved self-insurance plans shall be assessed an amount equal to the assessment imposed on a participating health care provider of like class, size, risk and kind as determined by the Department.

This action is subject to 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure).

SARAH H. LAWHORNE,
Deputy Insurance Commissioner

[Pa.B. Doc. No. 05-1997. Filed for public inspection October 28, 2005, 9:00 a.m.]

Johari Imani Murray; Prehearing

Appeal of Johari Imani Murray under 40 P. S. §§ 991.2101—991.2193; Keystone Health Plan East; Doc. No. HC05-10-004

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

A prehearing telephone conference initiated by the Administrative Hearings Office will be conducted on November 16, 2005. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before November 10, 2005.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before November 2, 2005, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene shall be filed on or before November 9, 2005.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 05-1998. Filed for public inspection October 28, 2005, 9:00 a.m.]

Michael Pallone, M. D.; Prehearing

Appeal of Michael Pallone, M. D. under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM05-09-023

On or before October 25, 2005, the appellant shall file a concise statement setting forth the factual and/or legal

basis for the disagreement with MCARE's August 5, 2005, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for November 15, 2005. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before November 9, 2005.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before November 1, 2005, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any, shall be filed on or before November 8, 2005.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 05-1999. Filed for public inspection October 28, 2005, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

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

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

Appeal of William Tonti; file no. 05-130-07653; Erie Insurance Exchange; doc. no. P05-10-003; November 29, 2005, 2 p.m.

The following hearings will be held in the Pittsburgh Regional Office, Room 304, State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222.

Appeal of Teri Manning; file no. 05-130-06555; Leader Insurance Company; doc. no. P05-08-036; December 1, 2005, 9 a.m.

Appeal of Kevin C. Laskovich; file no. 05-308-71200; Harleysville Preferred Insurance Co.; doc. no. PI05-08-018; December 1, 2005, 11 a.m.

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

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is

available only when the insured is successful on appeal and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

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

Persons with a disability who wish to attend an administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Kathryn Culbertson, Agency Coordinator at (717) 705-4194.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 05-2000. Filed for public inspection October 28, 2005, 9:00 a.m.]

available only when the insured is successful on appeal and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

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

Persons with a disability who wish to attend an administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Kathryn Culbertson, Agency Coordinator, (717) 705-4194.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 05-2001. Filed for public inspection October 28, 2005, 9:00 a.m.]

Review Procedure Hearings under the Unfair Insurance Practices Act

The following insureds have requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (40 P. S. § 1171.8) in connection with their companies' termination of the insureds' policies. The administrative hearings will be held in the Insurance Department's regional office in Harrisburg. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

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

Appeal of Jason Clements and Sara Gmutza; file no. 05-130-06827; Insurance Placement Facility of PA; doc. no. P05-08-030; November 8, 2005, 10 a.m.

Appeal of Daniel Mescall; file no. 05-130-07916; Erie Insurance Exchange; doc. no. P05-10-011; December 7, 2005, 10 a.m.

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

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is

Heidi Zafra, M. D.; Prehearing

Appeal of Heidi Zafra, M. D. under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM05-10-010

On or before November 9, 2005, the appellant shall file a concise statement setting forth the factual and/or legal basis for his disagreement with MCARE's September 20, 2005, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for November 30, 2005. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before November 22, 2005. A hearing date shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before November 16, 2005, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any, shall be filed on or before November 23, 2005.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 05-2002. Filed for public inspection October 28, 2005, 9:00 a.m.]

LIQUOR CONTROL BOARD

Expiration of Leases

The following Liquor Control Board leases will expire:

Allegheny County, Wine & Spirits Shoppe #0210, The Bavarian Village, 2550 Brownsville Road, South Park, PA 15129-8522.

Lease Expiration Date: September 30, 2006

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 3,500 to 4,000 net useable square feet of new or existing retail commercial space in a shopping center environment within 1.5 miles of the intersection of Brownsville and Piney Fork Roads in South Park Township. The site must have free parking and access for tractor-trailer loading.

Proposals due: November 18, 2005, at 12 p.m.

Department: Liquor Control Board
Location: Real Estate Division, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, PA 15222
Contact: Bruce VanDyke, (412) 565-5130

Allegheny County, Wine & Spirits Shoppe #0295, Great Valley Shopping Center, 500 Lincoln Highway, North Versailles, PA 15137.

Lease Expiration Date: August 31, 2006

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 2,800 to 3,500 net useable square feet of new or existing retail commercial space in a shopping center environment within a 1/2-mile radius of the intersection of US Route 30 and SR 686 in North Versailles Township.

Proposals due: November 18, 2005, at 12 p.m.

Department: Liquor Control Board
Location: Real Estate Division, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, PA 15222
Contact: Bruce VanDyke, (412) 565-5130

Beaver County, Wine & Spirits Shoppe #0404, Rochester Plaza, 730 Ohio River Boulevard, East Rochester, PA 15074-1498.

Lease Expiration Date: September 30, 2006

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 4,000 to 4,500 net useable square feet of new or existing retail commercial space in a shopping center environment in the Rochester or East Rochester area. The site must have free parking and access for tractor-trailer loading.

Proposals due: November 18, 2005, at 12 p.m.

Department: Liquor Control Board
Location: Real Estate Division, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, PA 15222
Contact: George Danis, (412) 565-5130

Beaver County, Wine & Spirits Shoppe #0409, Chippewa Mall, 2546 Constitution Boulevard, Beaver Falls, PA 15010-1252.

Lease Expiration Date: September 30, 2006

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 3,500 to 4,000 net useable square feet of new or existing retail commercial space in a shopping center environment near the intersection of Routes 51 and 251 in Chippewa Township. The site must have free parking and access for tractor-trailer loading.

Proposals due: November 18, 2005, at 12 p.m.

Department: Liquor Control Board
Location: Real Estate Division, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, PA 15222
Contact: Craig Johnson, (412) 565-5130

Blair County, Wine & Spirits Shoppe #0705, Ivyside Plaza, 503 E. 25th Avenue, Altoona, PA 16601-4031.

Lease Expiration Date: October 31, 2006

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 4,000 to 5,000 net useable square feet of new or existing retail commercial space in a shopping center environment near downtown Altoona. The site must have free parking and access for tractor-trailer loading.

Proposals due: November 18, 2005, at 12 p.m.

Department: Liquor Control Board
Location: Real Estate Division, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, 15222
Contact: George Danis, (412) 565-5130

JONATHAN H. NEWMAN,
Chairperson

[Pa.B. Doc. No. 05-2003. Filed for public inspection October 28, 2005, 9:00 a.m.]

PATIENT SAFETY AUTHORITY

Public Meeting

The Patient Safety Authority (Authority), established by section 303 of the Medical Care Availability and Reduction of Error (MCARE) Act (40 P.S. § 1303.303) enacted on March 20, 2002, will hold a meeting of the Authority's 11 member Board on Monday, November 7, 2005, at 10:30 a.m. at the Wildwood Conference Center, Harrisburg Area Community College, One HAAC Drive, Harrisburg, PA.

Individuals having questions regarding this meeting, which is open to the public, should contact the Authority at (717) 346-0469.

ALAN B. K. RABINOWITZ,
Administrator

[Pa.B. Doc. No. 05-2004. Filed for public inspection October 28, 2005, 9:00 a.m.]

PENNSYLVANIA INDUSTRIAL DEVELOPMENT AUTHORITY

Participation and Interest Rates

The Pennsylvania Industrial Development Authority (PIDA) gives notice of the change in interest rates for loans approved by the PIDA Board of Directors (Board). Loan applications submitted after November 1, 2005, and until further notice will be subject to the interest rate schedule that follows in the respective counties as determined by the most recent applicable unemployment statistics and will remain in effect until changed by a notice in the *Pennsylvania Bulletin*.

The PIDA Board retains the right to waive or modify the interest rates on a case by case basis for good cause shown.

Note: Loan applications are subject to the schedule of interest rates in effect at the time the application is received by the Department of Community and Economic Development. A loan application that is deferred will be subject to the schedule of interest rates in effect on the date of the Board meeting at which the application is considered, regardless of when the application was originally submitted.

Further information can be obtained from the Pennsylvania Industrial Development Authority, Commonwealth Keystone Building, 400 North Street, 4th Floor, Harrisburg, PA 17120, (717) 787-6245.

DENNIS YABLONSKY,
Chairperson

*Financially Distressed Municipalities under Act 47**

- Aliquippa City
Beaver County
- Braddock Borough
Allegheny County
- Chester City
Delaware County
- Clairton City
Allegheny County
- Duquesne City
Allegheny County
- Farrell City
Mercer County
- Franklin Borough
Cambria County
- Greenville Borough
Mercer County
- Homestead Borough
Allegheny County
- Johnstown City
Cambria County
- Millbourne Borough
Delaware County
- Pittsburgh City
Allegheny County

- Rankin Borough
Allegheny County
- Scranton City
Lackawanna County
- West Hazleton
Luzerne County
- Federal Empowerment Zones**
- Portions of Pittsburgh and Philadelphia
- Federal Enterprise Communities**
- Portions of Harrisburg, Dauphin County
- Portions of Lock Haven, Clinton County
- *Eligible for 4.25% Interest Rate

Effective November 1, 2005

PIDA Participation and Interest Rates For Counties and Municipalities Over 25,000 Population

	<i>Maximum PIDA Participation</i>		<i>Interest Rate** %</i>
	<i>(S)</i>	<i>(L)</i>	
ADAMS	40 * * *	30 * * * *	5.25
ALLEGHENY	40 * * *	30 * * * *	5.25
McKeesport City	60	50	4.25
West Mifflin Borough	40 * * *	30 * * * *	4.25
ARMSTRONG	50	40 * * *	4.25
BEAVER	50	40 * * *	4.25
BEDFORD	60	50	4.25
BERKS	50	30 * * * *	4.25
Reading City	60	50	4.25
BLAIR	40 * * *	40 * * *	5.25
BRADFORD	40 * * *	30 * * * *	4.25
BUCKS	40 * * *	30 * * * *	5.25
BUTLER	40 * * *	30 * * * *	5.25
CAMBRIA	50	40 * * *	4.25
Johnstown City	60	50	4.25
CAMERON	50	40 * * *	4.25
CARBON	60	50	4.25
CENTRE	40 * * *	30 * * * *	5.25
CHESTER	30 * * * *	30 * * * *	5.25
CLARION	40 * * *	40 * * *	5.25
CLEARFIELD	60	50	4.25
CLINTON	50	40 * * *	4.25
COLUMBIA	50	40 * * *	4.25
CRAWFORD	50	40 * * *	4.25
CUMBERLAND	40 * * *	30 * * * *	5.25
DAUPHIN	40 * * *	30 * * * *	5.25
Harrisburg City	50	30 * * * *	4.25
DELAWARE	40 * * *	30 * * * *	5.25
Chester City	60	50	4.25
ELK	50	40 * * *	4.25
ERIE	50	40 * * *	4.25
FAYETTE	60	50	4.25
FOREST	70	60	4.25
FRANKLIN	40 * * *	30 * * * *	5.25

	Maximum PIDA Participation		Interest Rate** %
	(S)	(L)	
FULTON	50	40 * * *	4.25
GREENE	50	40 * * *	4.25
HUNTINGDON	60	50	4.25
INDIANA	50	40 * * *	4.25
JEFFERSON	50	40 * * *	4.25
JUNIATA	40 * * *	40 * * *	5.25
LACKAWANNA	40 * * *	40 * * *	5.25
LANCASTER	40 * * *	30 * * * *	5.25
Lancaster City	50	30 * * * *	4.25
LAWRENCE	50	40 * * *	4.25
New Castle City	60	50	4.25
LEBANON	30 * * * *	30 * * * *	5.25
Lebanon City	40 * * *	30 * * * *	5.25
LEHIGH	40 * * *	30 * * * *	5.25
Allentown City	50	30 * * * *	4.25
Whitehall Township	50	30 * * * *	4.25
LUZERNE	50	40 * * *	4.25
LYCOMING	50	40 * * *	4.25
McKEAN	50	40 * * *	4.25
MERCER	40 * * *	30 * * * *	5.25
MIFFLIN	50	40 * * *	4.25
MONROE	50	40 * * *	4.25
MONTGOMERY	40 * * *	30 * * * *	5.25
Norrstown Borough	50	30 * * * *	4.25
MONTOUR	40 * * *	30 * * * *	5.25
NORTHAMPTON	40 * * *	30 * * * *	5.25
NORTHUMBERLAND	50	40 * * *	4.25
PERRY	40 * * *	30 * * * *	5.25
PHILADELPHIA	50	40 * * *	4.25
PIKE	40 * * *	30 * * * *	5.25
POTTER	50	40 * * *	4.25
SCHUYLKILL	50	40 * * *	4.25
SNYDER	40 * * *	30 * * * *	5.25
SOMERSET	50	40 * * *	4.25
SULLIVAN	50	40 * * *	4.25
SUSQUEHANNA	50	40 * * *	4.25
TIOGA	50	40 * * *	4.25
UNION	40 * * *	30 * * * *	5.25
VENANGO	50	40 * * *	4.25
WARREN	50	40 * * *	4.25
WASHINGTON	50	40 * * *	4.25
WAYNE	40 * * *	40 * * *	5.25
WESTMORELAND	40 * * *	40 * * *	4.25
WYOMING	40 * * *	40 * * *	5.25
YORK	40 * * *	30 * * * *	5.25
York City	60	50	4.25

* Municipalities are listed only if PIDA rate differs from County rate.

** Based on calendar year 2003 unemployment rate. Subject to change at discretion of the PIDA Board.

(S) Small Business (Less than 50 existing employees, including parent, subsidiaries and affiliates.)

(L) Large Business.

Special Note: Projects located in Designated Enterprise Zones, Financially Distressed Municipalities under Act 47, Federal Empowerment Zones, Federal Enterprise Communities, Keystone Opportunity Zones, Keystone Opportunity Expansion Zones, Keystone Opportunity Improvement Zones, Brownfield Sites and companies designated as Advanced Tech Firms will receive an interest rate of 4.25%.

*** 10% Equity required

**** 20% Equity required

[Pa.B. Doc. No. 05-2005. Filed for public inspection October 28, 2005, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Generic Investigation Regarding Virtual NXX
Codes; Doc. No. I-00020093

Public Meeting held
September 9, 2005

Commissioners Present: Wendell F. Holland, Chairperson; James H. Cawley, Vice Chairperson; Bill Shane, dissenting statement follows; Kim Pizzingrilli; Terrance J. Fitzpatrick

Statement of Policy

By the Commission:

By Order entered March 4, 2005, the Pennsylvania Public Utility Commission (Commission) requested input in the form of supplemental comments from interested parties regarding any possible implications that newly enacted legislation, Act 183, P.L. 1398, 66 Pa.C.S. §§ 3011, et. seq. (Act 183)¹ may have on the issue of Virtual NXX (VNXX) arrangements. This order addresses the supplemental comments received from the Pennsylvania Telephone Association (PTA), Verizon Pennsylvania Inc. and Verizon North Inc. (Verizon), CTSI, LLC (CTSI), Core Communications, Inc. (Core), the Office of Consumer Advocate (OCA), and the Office of Small Business Advocate (OSBA) and adopts a final policy statement.

Background

Telephone numbers consist of ten digits set forth as NPA-NXX-XXXX² and are obtained by telephone companies from the North American Number Plan Administrator³ ("NANPA"). The first three digits of a 10-digit telephone number, or the "NPA," refer to the area code.⁴ The second three digits in a 10-digit telephone number, or the "NXX," refer to the "central office code" or "NXX

¹ Act 183 enacted an amended version of the original Chapter 30 that provided for the regulatory reform of the telephone industry in Pennsylvania.

² The "N" in the "NXX" represents any of the numbers 2 through 9 and the "X" represents any one of the numbers 0 through 9.

³ The North American Numbering Plan Administrator is the entity responsible for managing the North American Numbering Plan ("NANP"). Presently, Neustar is the entity managing the NANP.

⁴ See 47 C.F.R. § 52.7(a).

code.⁵ In order to assign telephone numbers, a telephone company obtains a central office code or NXX code from the NANPA and usually assigns the NXX code to a switch⁶ pursuant to standard industry practice. A telephone company's central office switch normally serves a particular geographic area called a rate center.⁷ Accordingly, each NXX code generally corresponds to a particular geographic area or rate center.

When a telephone company assigns a telephone number from the NXX code to a customer, in general, it gives the customer a telephone number from a NXX code that is associated with the central office switch serving the particular rate center where the customer is physically located. The purpose of this assignment procedure by telephone companies is to ensure the proper routing of the telephone call and, more importantly, to ensure the accuracy and integrity of the rating structure so that calls between customers are properly billed by the telephone company.

With VNXX service, a customer can obtain a telephone number from a NXX code that is associated with a rate center or local calling area in which they are not physically located. This type of arrangement or service has been referred to as "virtual" NXX because the customer has only a virtual presence, as opposed to a physical presence, in the local calling area based solely on the use of the assigned NXX code for that local calling area.

In August 2002, we initiated a generic investigation at the above-captioned docket in order to consider the issue of VNXX codes given that the controversial practice, among other things, could have an adverse impact on Pennsylvania efforts to conserve numbering resources and prevent avoidable area code relief. As part of the generic investigation, interested parties filed comments addressing 13 specific questions related to the use of VNXX codes and also regarding what intercarrier compensation regime should apply to such arrangements. The Office of Administrative Law Judge conducted the generic investigation. The notice regarding the generic investigation was published October 19, 2002, at 32 Pa.B. 5240.

The generic investigation culminated with the issuance of an *Investigation Report* on February 9, 2004, as directed by the Commission. The *Investigation Report* outlined the parties' positions regarding the legality of VNXX service in Pennsylvania and the intercarrier compensation regime that should apply to such arrangements. By an Order entered May 24, 2004, the Commission released the *Investigation Report* to the public. The Commission did so in light of the fact that the *Investigation Report* was a valuable educational tool regarding the usage of VNXX codes in Pennsylvania. However, since the *Investigation Report* was not dispositive of the issues surrounding VNXX, the May 24, 2004 Order also directed Staff to submit a recommendation indicating whether any regulatory or policy changes regarding VNXX service needed to be implemented by the Commission. In accordance with the May 24, 2004 Order, Staff initiated its review of the *Investigation Report*. In the meantime, Act 183 became effective on December 1, 2004. Moreover, the Commission noted that the Federal Communications Commission (FCC) had taken action recently in a pro-

ceeding⁸ involving the appropriate intercarrier compensation regime for emerging technologies, including Internet access on the public switched network.

In light of these developments, we issued an Interim Order at this docket that was entered on March 4, 2005. We determined that additional comments on these particular topics would assist us in reaching a final determination on the use of VNXX arrangements in Pennsylvania. Accordingly, through the Interim Order, we requested input in the form of supplemental comments from interested parties regarding any possible implications that Act 183 may have on the issue of VNXX arrangements. Additionally, we sought input from interested parties on the potential impact of the recent action taken by the FCC in its pending intercarrier proceeding. The Interim Order was published on March 19, 2005 at 35 Pa.B. 1851.

The Pennsylvania Telephone Association (PTA), Verizon Pennsylvania Inc. and Verizon North (collectively Verizon), CTSI LLC (CTSI), Core Communications, Inc. (Core), the Office of Consumer Advocate, (OCA), and the Office of Small Business Advocate (OSBA) filed supplemental comments. This order addresses those comments and sets forth a final form policy statement on VNXX service.

Comments

PTA

The PTA filed supplemental comments on behalf of its members that are rural telephone companies serving areas adjacent to the ILECs where resale and UNE is occurring. In its supplemental comments, the PTA asserted that VNXX affects these small, rural companies by virtue of extended area service (EAS) routes that have been opened by the Commission between them and Verizon Pennsylvania, Verizon North and Sprint/United. The PTA explained that calls to the CLEC's customer appear to be "local" calls because the rate center associated with the NXX code by the CLEC is within the EAS calling plan of the adjacent ILEC. Nevertheless, the physical destination of the call may fall somewhere outside the listed rate center thus making the telephone call a long distance or toll call. The PTA argues that VNXX results in a complete lack of compensation for use of the network of the ILEC offering an EAS calling plan. Accordingly, the PTA characterizes VNXX as an "arbitrage device to avoid toll and switched access charges."

The PTA further asserts that under Act 183, Section 3017, 66 Pa.C.S. § 3017, governs the intercarrier compensation for telephone calls utilizing VNXX arrangements. The PTA states that the language of section 3017(b) clearly mandates that if a telephone call terminates outside of the local calling area of the calling party, access charges apply regardless of whether the rate center associated with the NXX code by the LEC is within the local calling area.

Additionally, the PTA notes that the Federal Communications Commission (FCC) currently has a pending proceeding in which it intends to set a regime that unifies compensation for all traffic types. The PTA suggests that since Act 183 clearly governs the compensation scheme for VNXX arrangements, the Commission should defer from taking any further action on VNXX until the FCC issues a decision in its pending intercarrier compensation proceeding.

⁸ See *In the Matter of Developing a Unified Intercarrier Compensation Regime*, Notice of Proposed Rulemaking, CC Docket No. 01-92, 16 FCC Rcd 9610 (2001).

⁵ See 47 C.F.R. § 52.7(c). There are 792 possible NXX codes in each NPA or area code.

⁶ A switch is usually housed in a telephone company's central office. Thus, a switch is commonly referred to as "central office switch."

⁷ A rate center is a telephone-company designated geographic area that generally defines the local calling area of a customer. Rate centers comprise a telephone company's entire service territory. A telephone company's service territory can consist of any number of individual rate centers.

Verizon

In its supplemental comments, Verizon asserts that VNXX is a substitute for toll-free calling services, such as 1-8XX service⁹ but is used as a scheme to avoid paying compensation to the underlying carriers whose networks are being used to haul the traffic. Verizon states that the ILEC provides transport for the VNXX call that resembles the transport provided for calls to 1-8XX numbers; however, the VNXX carrier does not compensate the ILEC for such transport because the VNXX carrier claims that the call is a "local" call. Verizon asserts that Act 183 requires that the geographic endpoints of a telephone call dictate the applicable intercarrier compensation. In particular, Verizon echoes PTA's argument that section 3017 now absolutely requires that access charges be paid by carriers for VNXX calls and that any carrier refusing to pay tariffed access charges on VNXX traffic is violating the law.

CTSI

CTSI's supplemental comment asserts that Act 183 does not appear to affect expressly the intercarrier compensation regime for VNXX calls. Nevertheless, CTSI asserts that the FCC's pending unified intercarrier compensation proceeding will have an impact on the compensation rules for VNXX calls. As a result, CTSI states that the Commission should maintain the status quo and refrain from issuing any further rulings, decisions, or orders on VNXX pending resolution of the FCC's intercarrier compensation proceeding.

Core

Core asserts that federal law exclusively governs the intercarrier compensation regime for all calls, including ISP-bound calls. Core asserts that it is unlawful for the Commission to use any provision of Act 183 to change the applicable intercarrier compensation for VNXX calls by disrupting the FCC's established manner of determining the jurisdictional classification of a call. Core states that the FCC acknowledged that it is standard industry practice for telecommunications carriers to determine the jurisdictional classification and proper rating of a call by comparing the relevant V & H¹⁰ coordinates of the originating and terminating NPA-NXX codes associated with the call. Core asserts that FCC precedent has clearly established that the physical destination of the call does not govern its jurisdictional classification or rating structure. Core further asserts that if the NPA-NXXs of the originating and terminating codes are within the same local calling area then the call is a local call and is subject to the reciprocal compensation regime set forth in section 251(b)(5) of the Telecommunications Act of 1996, 42 U.S.C. § 251(b)(5).

Additionally, Core states that the legislative history of Act 183 reveals that the Act should have no impact on the intercarrier compensation for VNXX arrangements. Furthermore, Core asserts that any effort by the Commission to create another category of traffic—a VNXX category—

⁹ Toll-free 8XX numbers as identified by the North American Numbering Plan Administrator, for example, 800, 888, 877, or 866, allow callers to reach businesses and/or individuals without being charged for the call. The charge for using a toll-free number is paid by the called party (the toll-free subscriber) instead of the calling party. Toll-free numbers can be dialed directly to your business or personal telephone line.

¹⁰ Each NXX code is associated with a switch within a rate center. Additionally, each rate center has a particular vertical and horizontal (V & H) coordinate or rating point. Accordingly, the NPA-NXX prefixes are based upon individual and specific V & H coordinates. This rating point (or V & H coordinate) is significant as it is the starting point for determining mileage when calculating the cost of the telephone call between two end-users. If the rating points of the two NXX codes (representing both the calling party and called party) have a zero distance (are the same) or are within the same local calling area then the telephone call is rated as local.

for intercarrier compensation purposes would disrupt the FCC's goal of creating a unified intercarrier compensation system.

OCA

The OCA asserts that it is unaware of any impact that Act 183 may have on the applicable intercarrier compensation regime for VNXX arrangements in Pennsylvania. In fact, the OCA states that none of the rate modifications possible under Act 183 have any particular relationship to the use of VNXX codes. Additionally, OCA acknowledges that the FCC's unified intercarrier compensation proceeding might have an impact on the use of virtual NXX codes and the applicable intercarrier compensation regime for virtual NXX arrangements in Pennsylvania. The OCA suggests that the Commission should wait until the FCC has entered its order in its proceeding before the Commission attempts to resolve the issue concerning VNXX arrangements.

OSBA

In its supplemental comments, the OSBA states that it has not been able to identify any impact that Act 183 or the FCC's intercarrier compensation proceeding might have on either the use of virtual NXX codes or on the intercarrier compensation regime used for virtual NXX arrangements in Pennsylvania.

Discussion

VNXX service allows a telephone company to assign a telephone number to a customer in a calling area where the customer has no physical presence. Essentially, the telephone number of that VNXX customer is associated with the particular local calling area. Therefore, a telephone call from a person residing in the local calling area to the VNXX customer is rated as a "local" call by the telephone company of the calling party even though the VNXX customer is located outside of the calling party's local calling area. We acknowledge that VNXX service is an attractive option for businesses that want to expand their marketing base to customers in surrounding areas without incurring the costs of building additional facilities in that distant market or having consumers incur long distance charges in attempting to call them. We also note, however, that the ILECs are opposed to the use of VNXX arrangements and have expressed various reasons why the Commission should prohibit VNXX arrangements in Pennsylvania.

In light of the diametrically opposed views regarding VNXX service, we focused on two main issues in our generic investigation: (1) the legality of VNXX service in Pennsylvania and (2) the appropriate intercarrier compensation for VNXX arrangements. Upon our review of the initial comments and the supplemental comments submitted by the parties in this generic investigation, the Commission determines that there is no state or federal law or regulation that requires us to take any steps to prohibit the use of VNXX service in Pennsylvania. We agree with those parties that stated in their supplemental comments that there are no provisions in Act 183 that impact the legality of VNXX arrangements in Pennsylvania. Moreover, we determine that there are no public policy considerations that warrant a prohibition against the use of VNXX arrangements by telecommunications providers in Pennsylvania. Accordingly, we decline to implement any regulatory or policy changes regarding the use of VNXX arrangements in Pennsylvania.

Nonetheless, the heart of the dispute concerning VNXX service has never truly been its legality, but rather, the applicable intercarrier compensation scheme for such

arrangements. The crux of the debate regarding what intercarrier compensation applies to VNXX arrangements is whether a VNXX call that passes between an ILEC network and a CLEC network should be rated as a local call (subject to reciprocal compensation charges) or a toll call (subject to access charges).

In their comments and supplemental comments submitted in this proceeding, the CLECs have continued to assert that the proper rating classification for telephone calls has always been based on a comparison of the NPA-NXX prefixes of the parties to the telephone call and that the geographical ending point of the telephone call does not govern the rating structure that applies to the call. We acknowledge that the current methods of identifying and rating all telephone calls, including telephone calls facilitated by VNXX arrangements, do not readily ascertain whether the traffic that originates at a local exchange calling area of an ILEC can be properly classified as anything other than local traffic.¹¹

We also note that the FCC is engaged in a comprehensive proceeding that holds the potential of fundamentally affecting intercarrier compensation arrangements. *In re Developing a Unified Intercarrier Compensation Regime*, (FCC Rel.: March 3, 2005), CC Docket No. 01-92, *Further Notice of Proposed Rulemaking*, FCC 05-33 (*Unified Intercarrier Compensation*). Based on the FCC's activities in its *Unified Intercarrier Compensation* proceeding and their potential impact on intrastate access charge reform that primarily relates to rural ILECs, this Commission has stayed its related investigation proceeding at Docket No. I-00040105. *Investigation Regarding Intrastate Access Charges and IntraLATA Toll Rates of Rural Carriers, and the Pennsylvania Universal Service Fund*, Docket No. I-00040105, Opinion and Order entered August 30, 2005. Likewise, in view of the FCC's pending proceeding, we believe that it is premature for this Commission to reach any conclusions at this time on issues of intercarrier compensation for traffic that moves over VNXX code arrangements.

Conclusion

Based upon the discussion above, we decline to take any steps at this time to prohibit the use of virtual NXX service in Pennsylvania. Additionally, since the FCC is currently considering to establish a unified intercarrier compensation regime for all telecommunications traffic that utilizes the public switched network, we will not make any conclusions at this time on the issue of intercarrier compensation for traffic that moves over VNXX arrangements; *Therefore*,

It Is Ordered That:

1. The use of VNXX code arrangements within Pennsylvania is lawful.
2. This Statement of Policy shall apply in any future adjudication involving the issue of virtual NXX arrangements until the Commission issues a definitive ruling on intercarrier compensation.
3. The record in this proceeding be marked closed.
4. The Secretary's Bureau serves a copy of this Statement of Policy upon all jurisdictional ILECs and CLECs.

¹¹ Furthermore, an additional degree of difficulty relates to the issue of classifying a telephone call as local when an ILEC and a CLEC have different local calling areas in the same geographic locale. The Commission is currently investigating intercarrier compensation issues "when the local calling area of the CLECs and the ILECs are different (i.e., the CLEC's local calling area is larger or smaller than the ILEC's local calling area)." *Generic Investigation in re: Impact On Local Carrier Compensation if A Competitive Local Exchange Carrier Defines Local Calling Areas Differently Than the Incumbent Local Exchange Carrier's Local Calling Areas but Consistent With Established Commission Precedent*, Docket No. I-00030096, Investigation Order, entered June 26, 2003, at 5.

5. A copy of this Statement of Policy be published in the *Pennsylvania Bulletin* and published on our website.

JAMES J. MCNULTY,
Secretary

Dissenting Statement of Commissioner Bill Shane

*Public Meeting September 9, 2005; SEP-2005-L-0075**

Generic Investigation Regarding Virtual NXX Codes; Doc. No. I-00020093

I agree with the Vice-Chairman that we should decline to take any steps to prohibit the use of virtual NXX service in the Commonwealth, however, I am of the opinion that Act 183 incorporates certain provisions that have established an intercarrier compensation scheme governing VNXX arrangements and that the Act clearly states that a Local Exchange Carrier must pay access charges whenever an ISP-bound call between its customers terminates in another local calling area even if the phone call is facilitated by a VNXX arrangement that has associated the VNXX customer's telephone number with the calling party's local calling area. This should be our policy and should be applied in any future adjudication involving the issue of virtual NXX arrangements unless and until the FCC issues an order in its unified intercarrier proceeding that preempts us from establishing an intercarrier compensation regime for all ISP-bound calls. For this reason, I cannot support the Vice-Chairman's Motion.

[Pa.B. Doc. No. 05-2006. Filed for public inspection October 28, 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 November 21, 2005. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

Applications of the following for approval to *begin operating as common carriers for transportation of persons as described under each application.*

A-00122178. Ronald Swope, Jr. (135 Hemlock Road, DuBois, Clearfield County, PA 15801)—persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the Counties of Clearfield and Jefferson, to points in Pennsylvania, and return.

A-00122169. J. Sagan Amish Shuttle Service, LLC (23742 Sterling Road, Cambridge Springs, Crawford County, PA 16403)—persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from the County of Crawford to points in Pennsylvania, and return.

A-00122172. Carol Ann Butt (1575 Hunsecker Road, Bird in Hand, Lancaster County, PA 17505)—persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the County of Lancaster, to points in Pennsylvania, and return.

A-00122138. David Wayne Zellman (289 Franklin Road, Mercer, Mercer County, PA 16137)—persons in paratransit service, from points in the Counties of Mercer, Crawford and Lawrence, to points in Pennsylvania and return.

A-00121571 (Corrected). Cloyd B. Colyer, Jr. t/a C. B. Colyer Transportation (R. R. 2, Box 2030, McAlisterville, Fayette Township, Juniata County, PA 17049)—persons in paratransit service, between points in the County of Juniata and from points in said to points in Pennsylvania and return.

Application of the following for amendment to the certificate of public convenience approving the operation of motor vehicles as common carriers for transportation of persons as described under the application.

A-00096669, Folder 3, Am-B. Country Trails Bus Co., Inc. (139 Bauer Road, Clarion, Clarion County, PA 16214), a corporation of the Commonwealth—which grants the right, inter alia, to transport, by motor vehicle, persons and packages not exceeding 75 pounds in weight, on schedule, between the Borough of Brookville, Jefferson County, and the City of Pittsburgh, Allegheny County, over the following route: Beginning in the Borough of Brookville, Jefferson County, thence by way of various Borough streets to I-80 (Exit 13), thence west by way of I-80 to Exit 10, thence northwest by way of unnumbered highway route to the Borough of Clarion, Clarion County, thence southeast by way of the same unnumbered highway route to its intersection with SR 66, thence south by way of SR 66 to the Borough of New Bethlehem, Clarion County, thence southwest by way of SR 66 becoming SR 28 to its termination in the City of Pittsburgh, Allegheny County. Thence return by way of the same routes to the place of its beginning; provided that no service shall be rendered between the intersection of Pa. Legislative Route 03116 and SR 28, at or near the Village of Distant, in Mahoning Township, Armstrong County, and the City of Pittsburgh, and vice versa: *So As To Permit* the transportation of persons on schedule beginning and ending in the Borough of Clarion, Clarion County, over the following routes: Beginning in the Borough of Clarion, Clarion County, thence southward on Pa. Traffic Route 68 to the Village of Williamsburg, Clarion County, thence continuing southward on Pa. Traffic Route 68 to the Village of Reidsburg, Clarion County, thence southwest on Pa. Traffic Route 68 to the Borough of Sligo, Clarion County, thence southeast on Pa. Traffic Route 68 to the Borough of Rimersburg, Clarion County, thence southeast on Pa. Traffic Route 861 to its intersection with Pa. Traffic Route 28, thence southwest on Pa. Traffic Route 28 to the Borough of South Bethlehem, Armstrong County, thence northwest on Pa. Traffic Route 28 to the Borough of New Bethlehem, Clarion County, thence continuing northwest on Pa. Traffic Route 28 to the Village of Mayport, Clarion County, thence northeast on Pa. Traffic Route 28 to the Borough of Summerville, Jefferson County, thence northwest on Legislative Route 33006 to the Village of Corsica, Jefferson County, thence northwest on US 322 to the Borough of Strattanville, Clarion County, thence continuing northwest on US 322 to the Borough of Clarion, Clarion County. *Attorney:* William A. Gray, 2310 Grant Building, Pittsburgh, PA 15219-2383.

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-00122171. George B. Holman & Co., Inc. t/d/b/a Holman Moving Systems (P. O. Box 3043, Wilmington, DE 19804), a corporation of the State of New Jersey—household goods in use: (1) from points in the County of Berks, to points in Pennsylvania, and vice versa, provided that the transportation is at the request of the householder and as an incident of a move by the householder from one domicile to another; and (2) between points in the City of Lancaster, Lancaster County, and within 18 miles by the usually traveled highways of the limits of said city, and from points in said city and territory to other points in Pennsylvania, and vice versa; which is to be a transfer of all the rights authorized under the certificate issued at A-00066766, F. 2, Am-A and Am-B to Worldwide Transportation Experts, Inc. t/d/b/a Fritz Moving Company, Inc., subject to the same limitations and conditions. *Attorney:* James P. Melia, 17 North Second Street, 18th Floor, Harrisburg, PA 17101-1507.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 05-2007. Filed for public inspection October 28, 2005, 9:00 a.m.]

Telecommunications

A-311149F7006. Denver & Ephrata Telephone and Telegraph, Buffalo Valley Telephone Company and Conestoga Telephone and Telegraph and NPCR, Inc. Joint petition of Denver & Ephrata Telephone and Telegraph, Buffalo Valley Telephone Company and Conestoga Telephone and Telegraph and NPCR, Inc. for approval of amendment no. 1 to the interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Denver & Ephrata Telephone and Telegraph, Buffalo Valley Telephone Company and Conestoga Telephone and Telegraph and NPCR, Inc., by its counsel, filed on October 17, 2005, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of amendment no. 1 to the interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Denver & Ephrata Telephone and Telegraph, Buffalo Valley Telephone Company and Conestoga Telephone and Telegraph and NPCR, 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. 05-2008. Filed for public inspection October 28, 2005, 9:00 a.m.]

Telecommunications

A-310651F0002AMA; A-310651F0002AMB; A-310651F0002AMC; A-310651F0002AMD; A-310651F0002AME; A-310651F0002AMF; A-310651F0002AMG. Service Electric Telephone Company, LLC. Application of Service Electric Telephone Company, LLC for approval to expand its facilities-based competitive local exchange carrier service area to include the remaining service territory of Commonwealth Telephone Company and the service territories of Buffalo Valley Telephone Company, Conestoga Telephone and Telegraph Company, Denver and Ephrata Telephone and Telegraph Company, Frontier Communications of Pennsylvania, Inc., Frontier Communications of Lakewood, Inc. and TDS Telecom/Mahanoy and Mahantango Telephone Company.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utili-

ties). 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 November 14, 2005. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

Applicant: Service Electric Telephone Company, LLC

Through and By Counsel: James H. Lister, Esquire, McGuireWoods, LLP, Suite 1800, 1750 Tysons Boulevard, McLean, VA 22102

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 05-2009. Filed for public inspection October 28, 2005, 9:00 a.m.]