

# NOTICES

## DEPARTMENT OF AGRICULTURE

### Temporary Order Designating Dangerous Transmissible Diseases

The Department of Agriculture (Department) hereby issues a temporary order designating West Nile Encephalitis (WNE), Chronic Wasting Disease (CWD), Spring Viremia of Carp (SVC), Lymphocytic Choriomeningitis Virus (LCMV) and the neurologic form of Equine Rhinopneumonitis or Equine Herpes Virus (EHV-1) as "dangerous transmissible diseases." These designations are made under the authority of 3 Pa.C.S. §§ 2301—2389 (relating to the Domestic Animal Law).

This temporary order is the successor to a previous temporary order with respect to WNE, CWD and SVC published at 35 Pa.B. 372 (January 15, 2005) that made the same dangerous transmissible disease designations. This temporary order is also the successor to a previous temporary order issued with respect to LCMV, published at 35 Pa.B. 4319 (August 6, 2005). This temporary order is also the successor to a previous temporary order issued with respect to the neurologic form of EHV-1 published at 35 Pa.B. 2902 (May 14, 2005). Each of these previous temporary orders will expire as of January 1, 2006.

Under 3 Pa.C.S. § 2327(a) (relating to disease surveillance and detection), the Department has authority to monitor the domestic animal population of this Commonwealth to determine the prevalence, incidence and location of transmissible diseases of animals. Under 3 Pa.C.S. § 2321(d) (relating to dangerous transmissible diseases), the Department has authority to declare a disease that has not been specifically identified in that statute as a "dangerous transmissible disease" to be a dangerous transmissible disease through issuance of a temporary order making that designation.

#### 1. *WNE*

WNE is a disease of public health significance. It also poses a threat to domestic animal health and to the economic well being of domestic animal industries—particularly the equine industry. Section 2322(c) of 3 Pa.C.S. (relating to neoplastic diseases, metabolic diseases and heritable diseases) requires the Department to proceed with the agreement of the Department of Health (Health) when it adds a disease of public health significance to the list of designated dangerous transmissible diseases. Both the Department and Health agreed upon adding WNE to the list of dangerous transmissible diseases and to the reissuance of this temporary order.

WNE is an infection of the brain caused by the West Nile virus. Although West Nile virus has, in the past, been found most typically in Africa, Eastern Europe and West Asia, it was detected in the New York City area and in parts of New Jersey in 1999. It has spread across the United States since then. In mild cases of human disease, infection can cause fever, headache, body aches, skin rash

and swollen lymph glands. In more severe cases, it can cause headache, high fever, neck stiffness, stupor, disorientation, coma, tremors, paralysis and occasional convulsions. In animals, horses and birds appear to be most susceptible to illness following infection, although reports of illness in other species are increasing.

Humans and animals can acquire West Nile virus through a bite from a mosquito that has bitten an infected bird. The designation of WNE as a "dangerous transmissible disease" will facilitate the Department's surveillance of birds, horses and other animals for the presence of the West Nile virus or WNE. The designation will also help the Department in providing assistance to Health and other public health agencies in monitoring and treatment efforts.

#### 2. *CWD*

CWD is a disease of whitetail deer, elk and other cervids and is a member of the group of diseases known as transmissible spongiform encephalopathies (TSEs). Other more well-known TSEs are scrapie and bovine spongiform encephalopathy (BSE) or "mad cow" disease. All are thought to be caused by a protein that has converted to an abnormal infectious form known as a "prion." There is some evidence, in the case of BSE, that humans may become infected through consumption of meat products containing central nervous system tissues, thus there is a significant public health interest concerning all TSEs.

A number of states have, in recent years, instituted import regulations requiring that cervids entering those states: (1) originate from herds that are participating in a surveillance program; and (2) originate from states that have authority to take action in the event that CWD is diagnosed. The designation of CWD as a "dangerous transmissible disease" will facilitate the development and oversight of a surveillance program and will help the Department react and take action in the event CWD is detected.

#### 3. *SVC*

SVC is caused by a ribonucleic acid virus known as *Rhabdovirus carpio* and is considered an emerging disease in the United States. SVC poses a threat to both domestic fish health and wild fish health in this Commonwealth and has the potential to create a significant adverse economic impact on this Commonwealth's aquaculture industry.

The SVC virus readily infects species of the *Cyprinidae* family (carp and minnows) and spreads through direct contact with infected fish and through shared infected water sources. Symptoms typically appear in the spring time as water temperatures increase. Symptoms in infected fish range from undetectable through mild disease to sudden massive die-off.

There is no specific treatment for fish infected with SVC and no vaccine to prevent the disease. Once natural water resources become infected, SVC may be impossible to eradicate and may pose a permanent threat to aquaculture facilities utilizing those water sources.

4. *LCMV*

LCMV is known to cause potentially fatal disease in humans and is capable of being spread by various rodent species. From time to time, outbreaks have occurred in the United States—necessitating swift investigation and disease containment strategies in order to protect human health.

5. *Neurologic Form of EHV-1*

EHV-1 is a highly contagious virus that is ubiquitous in horse populations worldwide. The age, seasonal and geographic distributions vary and are likely determined by immune status and concentration of horses. Infection with EHV-1 most commonly causes respiratory illness, characterized by fever, rhinopharyngitis and tracheobronchitis. Infection may also cause abortions in pregnant mares, following clinical or subclinical infection, and can be fatal to newborn foals. A further, infrequent clinical resultant effect of EHV-1 infection is the development of neurologic disease. Depending upon the location and extent of the lesions, signs of neurologic disease may vary from mild incoordination and posterior paresis to severe posterior paralysis with recumbency, loss of bladder and tail function, and loss of sensation to the skin in the perineal and inguinal areas, and even the hindlimbs. In exceptional cases, the paralysis may be progressive and culminate in quadriplegia and death.

Transmission of EHV-1 occurs by direct or indirect contact with infective nasal discharges, aborted fetuses, placentas or placental fluids. Transmission can occur via coughing or sneezing over a distance of up to 35 feet, as well as by direct contact with infected horses, feed and equipment.

There is currently no known method to reliably prevent the neurologic form of EHV-1 infection. Sound management practices, including isolation, are important to reduce the risk of infection with EHV-1. Maintaining appropriate vaccination protocols may also be prudent in an attempt to reduce the incidence of the respiratory form of EHV-1 infection, which may reduce the incidence of the neurologic form.

*Order*

The Department hereby designates WNE, CWD, SVC, LCMV and EHV-1 "dangerous transmissible diseases" under 3 Pa.C.S. § 2321(d). This order supplants any previous temporary order making a designation.

This order shall take effect as of January 1, 2006, and shall remain in effect until no later than January 1, 2007. This Department may: (1) reissue this temporary order to extend the designation beyond January 1, 2007; (2) allow this temporary order to expire on January 1, 2007; (3) supplant this temporary order with a formal regulation; or (4) modify this temporary order.

Questions regarding this temporary order may be directed to Paul Knepley, DVM, Director, Bureau of Animal Health and Diagnostic Services, 2301 North Cameron Street, Harrisburg, PA 17110-9408, (717) 772-2852.

DENNIS C WOLFF,  
*Secretary*

[Pa.B. Doc. No. 06-20. Filed for public inspection January 6, 2006, 9:00 a.m.]

## DEPARTMENT OF BANKING

### Action on Applications

The Department of Banking, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 9, 2002 (P. L. 1572, No. 207), known as the Credit Union Code, has taken the following action on applications received for the week ending December 27, 2005.

#### BANKING INSTITUTIONS

##### Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
12-19-05	Application of Relational Investors, LLC, San Diego, CA, to solicit and act as proxy for more than 10% of the outstanding shares of common stock of Sovereign Bancorp, Inc., Philadelphia, PA, under the provisions of section 112 of the Banking Code of 1965	San Diego, CA	Approved

##### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
12-2-05	Fulton Bank Lancaster Lancaster County  Purchase of assets/assumption of liabilities of one branch of Susquehanna Bank PA, Lititz	Lancaster	Effective

Located at:

2305 Susquehanna Trail North  
York  
York County

The subject branch was immediately consolidated into an existing branch of Fulton Bank located at 3183 Susquehanna Trail, York, York County.

12-19-05	Affinity Bank of Pennsylvania Wyomissing Berks County	Wyomissing	Effective
Purchase of assets/assumption of liabilities of one branch of Susquehanna Patriot Bank, Marlton, NJ			
Located at:			
3101 Shillington Road Sinking Spring Berks County			
12-20-05	Maryland Permanent Bank & Trust Co., Owings Mills, MD, and Northwest Merger Subsidiary II, Inc., Warren, PA Surviving Institution—Maryland Permanent Bank & Trust Co., Owings Mills, MD	Owings Mills, MD	Filed
12-20-05	Northwest Savings Bank, Warren, PA, and Maryland Permanent Bank & Trust Co., Owings Mills, MD Surviving Institution—Northwest Savings Bank, Warren PA	Warren, PA	Filed
12-21-05	First Commonwealth Bank, Indiana, and First Commonwealth Trust Company, Indiana; First Commonwealth Systems Corporation; and First Commonwealth Professional Resources, Inc. Surviving Institution—First Commonwealth Bank, Indiana	Indiana	Approved
All of the merger proponents are wholly-owned subsidiaries of First Commonwealth Financial Corporation, Indiana, a bank holding company.			

**Branch Applications**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
12-22-05	Northwest Savings Bank Warren Warren County	36 West Main Street Rochester Monroe County, NY	Filed

**Branch Relocations/Consolidations**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
12-21-05	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	<i>Into:</i> 2015 Cottman Avenue Philadelphia Philadelphia County  <i>From:</i> 7935 Bustleton Avenue Philadelphia Philadelphia County	Filed

**Branch Discontinuances**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
12-21-05	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	Application to discontinue four branch offices at the following locations:  3890 Bigelow Boulevard Pittsburgh Allegheny County  1122 Seventh Avenue Beaver Falls Beaver County	Filed

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<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
		392 Franklin Avenue Aliquippa Beaver County	
		419 North 7th Street Altoona Blair County	

**SAVINGS INSTITUTIONS**

No activity.

**CREDIT UNIONS****Conversions**

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
12-20-05	Corry Jamestown Credit Union Corry Erie County	Corry	Approved

Represents conversion from an occupational-based credit union to a community charter; said conversion will be completed by filing Articles of Amendment with the Department of State which will amend Article 8 of the Articles of Incorporation by extending the field of membership of the credit union to include persons who live, work, worship, perform volunteer services, attend school, and businesses and other legal entities located in the area which constitutes the Corry Area School District.

**Consolidations, Mergers and Absorptions**

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
12-20-05	Tri-County Area Federal Credit Union, Pottstown, and KCC Credit Union, Boyertown Surviving Institution—Tri-County Area Federal Credit Union, Pottstown	Pottstown	Approved

A. WILLIAM SCHENCK, III,  
*Secretary*

[Pa.B. Doc. No. 06-21. Filed for public inspection January 6, 2006, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

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#### APPLICATIONS

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

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

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

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

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

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

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

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

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

**I. NPDES Renewal Applications**

**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.*

**PA0243914**, Industrial Waste, SIC 3273, **Delaware Valley Concrete Company, Inc.**, 248 East County Line Road, Hatboro, PA 19040. This proposed facility is located in Plymouth Township, **Montgomery County**.

Description of Proposed Activity: The discharge of stormwater from a Ready-Mix Concrete Batch Plant property. This property is located at Conshohocken Road, Conshohocken, PA 19428.

The receiving stream, Schuylkill River, is in the State Water Plan watershed 3F and is classified for: WWF, MF, aquatic life, water supply and recreation. The nearest downstream public water supply intake for Philadelphia Water Department—Queen Lane is located on Schuylkill River. This discharge is not expected to impact the water supply.

The proposed effluent limits for Outfall 001 is based on stormwater discharge.

Parameters	Mass (lb/day)		Concentration (mg/l)		Instantaneous Maximum (mg/l)
	Average Monthly	Maximum Daily	Average Annual	Maximum Daily	
Total Suspended Solids (Issuance through Year 2) (Year 3 through Expiration)			Monitor 50	Monitor 100	100
pH (Issuance through Year 2) (Year 3 through Expiration)			Monitor and Report within 6.0 and 9.0 Standard Units		
Oil and Grease			Monitor	Monitor	

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

1. Implement Stormwater BMPs.
2. Adopt Remedial Measures.
3. Small Stream Discharge.
4. Proper Disposal of Solids.
5. Applicable BMPs.
6. Definition 10-year, 24-hour rainfall event.

**PA0244121**, Sewage, **Michael and Cindy Tryniszewski**, 131 Shea Lane, Glenmoore, PA 19343. This proposed facility is located in Upper Uwchlan Township, **Chester County**.

Description of Proposed Activity: This application is for a NPDES permit to discharge treated sewage from a single residence sewage treatment plant. The applicant has also submitted an application (WQG010007) for construction and operation of the treatment plant. This facility will replace a failing onlot septic system.

The receiving stream, a UNT to Black Horse Creek, is in the State Water Plan watershed 3H and has designated uses as follows: HQ, TS, MF, aquatic life, water supply and recreation. The nearest downstream public water supply intake is for Aqua America, located on East Branch Brandywine Creek, approximately 13 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 500 gpd:

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		<i>Instantaneous Maximum (mg/l)</i>
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Annual</i>	<i>Maximum Daily</i>	
BOD <sub>5</sub>			10		20
Suspended Solids			10		20
Total Residual Chlorine			Monitor and Report		Monitor and Report
Fecal Coliform			200/100 ml GeoMean		
Dissolved Oxygen			minimum of 5.0 mg/l at all times		
pH			within limits of 6.0 to 9.0 Standard Units at all times		

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

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

**No. PA0036447, Industrial Waste, Naval Surface Warfare Center—Carderock Division, Philadelphia Naval Business Center.** This application is for renewal of an NPDES permit to discharge noncontact cooling water, potable water from fire pump testing and stormwater from the Philadelphia Naval Shipyard in the City of Philadelphia, **Philadelphia County**. This is an existing discharge to Delaware Estuary—Zone 4.

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

The proposed effluent limits for Outfall 001 (MP 101 and MP 301), based on an average flow of 36 mgd of noncontact cooling water, are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	Monitor and Report		
Temperature			110°F
pH	within limits of 6.0 to 9.0 Standard Units at all times		

The proposed effluent limits for Outfall 005 (MP 105) noncontact cooling water, based on a maximum flow of 0.139 mgd (two to three times per year), are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	Monitor and Report		
Temperature			110°F
pH	within limits of 6.0 to 9.0 Standard Units at all times		
Total Dissolved Solids (issuance through year 2) (year 3 through Expiration)	Monitor and Report	500	

The proposed effluent limits for Outfall 005 (MP 205), potable water from fire pump testing based on 39,000 gallons per 30-minute test, twice per month, are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	Monitor and Report		
Temperature	Monitor and Report		110°F
pH	within limits of 6.0 to 9.0 Standard Units at all times		
Total Residual Chlorine (issuance through year 2) (year 3 through expiration)	Monitor and Report	0.5	Monitor and Report 1.0

The EPA waiver is in effect.

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

**PA No. 0009911A1**, Industrial Waste, SIC code 2020, **Papettis Acquisition, Inc.**, R. R. 1, Box 176, Klingerstown, PA 17941. This proposed facility is located in Upper Mahantango Township, **Schuylkill County**.

Description of Proposed Activity: Internal amendment of an existing NPDES permit.

The receiving stream, Pine Creek, is in watershed 6C and is classified for: CWF, water supply, aquatic life and recreation. The nearest downstream public water supply intake for Dauphin Consolidated Water Company located on the Schuylkill River.

The following effluent monitoring requirements are proposed for the Chesapeake Bay Nutrient Monitoring Program:

<i>Parameter</i>	<i>Mass Units (lbs)</i>		<i>Monthly Average (mg/l)</i>
	<i>Monthly</i>	<i>Annual</i>	
Ammonia-N	Report		Report
Kjeldahl-N	Report		Report
Nitrate-Nitrite as N	Report		Report
Total Nitrogen	Report	Report	Report
Total Phosphorus	Report	Report	Report

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

**Application No. PA 0247847**, Sewage, **Rodger Petrone**, 4076 Market Street, Camp Hill, PA 17011. This facility is located in Carroll Township, **York County**.

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

The receiving stream, Yellow Breeches Creek, is in Watershed 7-E, and classified for CWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for United Water Company is located on the Yellow Breeches Creek, approximately 12.6 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.0005 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25		50
Total Suspended Solids	30		60
Total Residual Chlorine	Monitor and Report		
pH		Upon Request	
Fecal Coliform			
(5-1 to 9-30)		200/100 ml as a geometric average	
(10-1 to 4-30)		100,000/100 ml as a geometric average	

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

The EPA waiver is in effect.

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

**PA0253006**, Industrial Waste, SIC, 3841, **Cook Vascular, Inc.**, 1186 Montgomery Lane, Vandergrift, PA 15690. This application is for issuance of an NPDES permit to discharge treated groundwater from remediation activities in Parks Township, **Armstrong County**.

The following effluent limitations are proposed for discharge to the receiving waters, Kiskiminetas River, classified as a WWF 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, 8.05 miles below the discharge point.

*Outfall 001: new discharge, design flow of 0.0216 mgd.*

<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>	<i>Instantaneous Maximum</i>
Flow (mgd)	Monitor and Report				
Trichloroethene			0.006		0.012
cis 1, 2 Dichloroethene				Monitor and Report	Monitor and Report
Acetone				Monitor and Report	Monitor and Report
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is in effect.

**PA0253138**, Industrial Waste, SIC, 2819, **Almatis, Inc.**, 501 West Park Road, Leetsdale, PA 15056-1018. This application is for issuance of an NPDES permit to discharge stormwater and noncontact cooling water, from Almatis, Inc. in Leetsdale Borough, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, Ohio River, classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing downstream potable water supply is Nova Chemicals Beaver Valley Plant, located in Monaca, 15 miles below the discharge point.

Internal Outfall 101: new discharge, design flow of varied mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	Monitor and Report				
Temperature (°F)	110				
Manganese	Monitor and Report				
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is in effect.

Outfall 001: existing discharge, design flow of varied mgd

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	Monitor and Report				
Temperature (°F)	110				
Manganese	Monitor and Report				
pH	not less than 6.0 nor greater than 9.0				

This discharge shall consist solely of uncontaminated stormwater and those sources previously monitored at Internal Monitoring Point 101.

**PAS146102-A1**, Industrial Waste, SIC, 2653, **International Paper**, 10 Wilson Road, Eighty Four, PA 15330. This application is for amendment of an NPDES permit to discharge treated stormwater leachate and untreated cooling water stormwater from International Paper Eighty Four Container in North Strabane Township, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, UNT to Little Chartiers Creek, classified as a HQ-WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is West View Municipal Authority, located on the Ohio River, approximately 50 miles below the discharge point.

Outfall 002: new discharge, design flow of varied mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	Monitor and Report				
Total Suspended Solids	Monitor and Report				
COD	Monitor and Report				
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is in effect.

**PA0094994**, Sewage, **Kennywood Park Corporation**, 4800 Kennywood Boulevard, West Mifflin, PA 15122-2399. This application is for renewal of an NPDES permit to discharge treated sewage from Idlewild Park Sewage Treatment Plant in Ligonier Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Loyalhanna 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 Latrobe Municipal Authority.

Outfall 001: existing discharge, design flow of 0.04 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	1.4			3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.



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


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

**WQM Permit No. 4605422**, Sewerage, **Borough of Ambler**, 122 E. Butler Avenue, Ambler, PA 19002. This proposed facility is located in Upper Dublin Township, **Montgomery County**.

Description of Action/Activity: Installation of diesel engine centrifugal pumps to supplement WWTP pumping capacity during high flow events.

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

**WQM Permit No. 3605414**, Sewerage, **Salisbury Township**, 5581 Old Philadelphia Pike, Gap, PA 17527. This proposed facility is located in Salisbury Township, **Lancaster County**.

Description of Proposed Action/Activity: Application for an upgrade to the Gap Wastewater Treatment Plant.

**WQM Permit No. 6705413**, Sewerage, **Newberry Township Municipal Authority**, 1915 Old Trail Road, Etters, PA 17319. This proposed facility is located in Newberry Township, **York County**.

Description of Proposed Action/Activity: Application to install a sludge dewatering system.

**WQM Permit No. 3105403**, Sewerage, **Motel 22 d/b/a All Seasons Inn**, P. O. Box 520650, Flushing, NY 11355. This proposed facility is located in Brady Township, **Huntingdon County**.

Description of Proposed Action/Activity: Reopening of Motel 22—refurbishment of existing wastewater treatment plant to support motel operations.

**WQM Permit No. 2105404**, Sewerage, **Middlesex Township Municipal Authority**, 350 North Middlesex Road, Carlisle, PA 17013-8422. This proposed facility is located in Middlesex Township, **Cumberland County**.

Description of Proposed Action/Activity: Construction of sewer extension to serve Keystone Arms subdivision.

**WQM Permit No. 3605415**, Sewerage, **King's River Haven Mobile Home Park and Campsite**, 2379 River Road, Bainbridge, PA 17502. This proposed facility is located in Conoy Township, **Lancaster County**.

Description of Proposed Action/Activity: Construction/Operation of wastewater treatment facility to serve existing mobile home park and campground.

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

**WQM Permit No. 3205201**, Industrial Waste, **Britt Energies, Inc.**, 2450 Philadelphia Street, Indiana, PA 15701. This proposed facility is located in White Township, **Indiana County**.

Description of Proposed Action/Activity: Application for the construction and operation of a material storage and rail load out facility.

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


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


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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>DEP Protocol (Y/N)</i>
Waiver	Borough of McAdoo 23 N. Hancock Street McAdoo, PA 18237	Schuylkill	McAdoo Borough	Catawissa Creek CWF	Y

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


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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI011505089	Michael Sleiman Sleiman Residential Development 9 Vernon Lane Malvern, PA 19355	Chester	East Nottingham Township	Little Elk Creek (HQ-TSF-MF)
PAI011505090	Mark J. Farley Farley Residential Subdivision 600 A Newtown Road Villanova, PA 19085	Chester	East Whiteland Township	Valley Creek (EV) and Ridley Creek (HQ-TSF)

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

**NPDES**

Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI030605005	Wilson School District 2601 Grandview Boulevard West Lawn, PA 19609	Berks	Spring Township	Wyomissing Creek HQ/CWF
PAI033105001	Bruce E. Cox 1618 Ridge Road Warriors Mark, PA 16877	Huntingdon	Warriors Mark Township	UNT Warriors Mark Run HQ-CWF

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

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

**PUBLIC WATER SUPPLY (PWS)  
PERMIT**

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

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

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

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

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

<b>Permit No. 4005506</b> , Public Water Supply
Applicant <b>Sand Springs Water Company, Inc.</b>
Township or Borough <b>Butler Township</b>
County <b>Luzerne</b>

Responsible Official	Richard H. Krasley, Vice-President Sand Springs Water Company, Inc. 4511 Falmer Drive Bethlehem, PA 18202
Type of Facility	PWS
Consulting Engineer	William J. Schumacher, Jr., P. E. Schumacher Engineering, Inc. 55 North Conahan Drive Hazleton, PA 18201
Application Received Date	November 15, 2005
Description of Action	The applicant requests approval to construct a new finished water storage tank, Stone Ridge booster station, and add a finished water source/interconnect with CAN-DO water system.
<b>Permit No. 4005507</b> , Public Water Supply	
Applicant	<b>Aqua Pennsylvania, Inc.</b> 700 West Spoul Road Springfield, PA
Township or Borough	Hazle Township
County	<b>Luzerne</b>
Responsible Official	Thomas J. Roberts, Vice President
Type of Facility	PWS
Consulting Engineer	William A. LaDieu, P. E. CET Engineering Services 1240 North Mountain Road Harrisburg, PA
Application Received Date	December 2, 2005
Description of Action	The installation of pressure green sand filters for iron and manganese removal and the installation of a large diameter pipe for chlorine contact.
<b>Permit No. 5405504</b> , Public Water Supply	
Applicant	<b>Aqua Pennsylvania, Inc.</b> 762 West Lancaster Avenue Bryn Mawr, PA 19010
Township or Borough	East Union Township

County Schuylkill  
 Responsible Official Karl Kyriss, President  
 Type of Facility PWS  
 Consulting Engineer Peter J. Lusardi, P. E.  
 CET Engineering Services  
 1240 North Mountain Road  
 Harrisburg, PA 17112

Application Received Date December 2, 2005

Description of Action The construction of a new well, and structure housing the chemical feed equipment for the Oneida Water System.

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

**Permit No. 0605509**, Public Water Supply.  
 Applicant **Superior Water Company, Inc.**  
 Municipality Washington Township  
 County **Berks**  
 Responsible Official Robert A Braglio, Manager  
 2960 Skippack Pike  
 P. O. Box 127  
 Worcester, PA 19490

Type of Facility Public Water Supply  
 Consulting Engineer Stanley J. Endlich, P. E.  
 EDM Consultants Inc  
 1101 South Broad Street  
 P. O. Box 127  
 Lansdale, PA 19446

Application Received Date 5/31/2005

Description of Action Addition of West Tract Water System which consists of 4 wells to supply 786 residences, 19 offices, 32 retail and 13 commercial units.

**Permit No. 0105510**, Public Water Supply.  
 Applicant **Adams County Facility Center**  
 Municipality Straban Township  
 County **Adams**  
 Responsible Official George M. Groft, Sr., Director  
 Department of Building & Maintenance  
 111-117 Baltimore Street  
 Room 3  
 Gettysburg, PA 17325

Type of Facility Public Water Supply  
 Consulting Engineer Janet R. McNally, P. E.  
 William F. Hill & Assoc., Inc.  
 207 Baltimore St.  
 Gettysburg, PA 17325

Application Received Date 12/1/2005

Description of Action Installation of an orthophosphate feed system for lead and copper corrosion control treatment.

**Permit No. 0605524**, Public Water Supply.  
 Applicant **Pennsylvania American Water Company**  
 Municipality Amity Township  
 County **Berks**  
 Responsible Official Paul A. Zielinski, Director Water Quality  
 800 West Hersheypark Drive  
 Hershey, PA 17033

Type of Facility Public Water Supply  
 Consulting Engineer James C. Elliot, P. E.  
 Gannett Fleming, Inc.  
 P. O. Box 67100  
 Harrisburg, PA 17106-7100

Application Received Date 12/7/2005

Description of Action Addition of arsenic treatment for Well Nos. DG-3 and DG-4 at existing well site.

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

**Permit No. 4105502—Construction**, Public Water Supply.  
 Applicant **Williamsport Municipal Water Authority**  
 Township or Borough Williamsport  
 County **Lycoming**  
 Responsible Official LaRue S. VanZile  
 Director of Engineering  
 Williamsport Municipal Water Authority  
 253 West Fourth Street  
 Williamsport, PA 17701

Type of Facility Public Water Supply—Construction  
 Consulting Engineer John R. Amend, P. E.  
 Malcolm Pirnie, Inc.  
 40 Centre Drive  
 Orchard Park, NY 14127

Application Received Date December 15, 2005

Description of Action Lycoming Creek wellfield improvements and raw water transmission main piping project.

**Permit No. 5305503—Construction** Public Water Supply.  
 Applicant **Roulette Township Water Company**  
 Township or Borough Roulette Township  
 County **Potter**  
 Responsible Official William Grandin, Chairperson  
 Roulette Township Water Company  
 P. O. Box 253  
 Roulette, PA 16746

Type of Facility Public Water Supply—Construction

Consulting Engineer James P. Hunter, P. E.  
Northwest Engineering, Inc.  
P. O. Box Q  
Tidioute, PA 16351

Application Received Date 12/21/2005

Description of Action Potable water improvements project.

#### 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. 3396420, Minor Amendment.

Applicant **Nestle Waters North America, Inc.**  
405 Nestle Way  
Breinigsville, PA

Township or Borough Hegins Township  
**Schuylkill County**

Responsible Official Bruce Lauerman,  
Natural Resources Manager

Type of Facility Bulk Water Loading

Consulting Engineer Edward E. Davis, P. E.

Application Received Date December 5, 2005

Description of Action The upgrade of an existing, permitted facility (Frontier Spring No. 5) by the replacement of the building, storage tanks and truck loading area.

#### WATER ALLOCATIONS

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

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

**WA 01-1023, Water Allocations. Mason Dixon Country Club Inc., Adams County.** The applicant is requesting the right to withdraw an average of 300,000 gpd from Marsh Creek in Freedom Township, Adams County. Consulting Engineer: Thomas S Ladue, Dewberry-Goodkind Inc. Date Application Received: 11/8/2005.

*Northcentral Region: Water Supply Management Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.*

**WA-49-59B, Water Allocations. Municipal Authority of the City of Sunbury, Northumberland County.** Application for the renewal of existing water allocation permit WA-59-A, to withdraw a daily average of 5 million gallons per day from either the Susquehanna River or from Little Shamokin Creek or to make the withdrawal from any combination of amounts from the two sources.

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

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

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

**Permit Application No. 101463. BFI Transfer Systems of PA LLC,** 2904 S. Christopher Columbus Blvd., Philadelphia, PA 19148, Philadelphia City, Philadelphia County. The application was received for the reissuance to modify the operating entity at TRC Transfer Station. The application was received by the Southeast Regional Office on December 14, 2005.

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

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

**Permit No. 101649. Phoenix Resources, Inc.,** 38, 248 Main St., Blossburg, PA 16912-1100, located in Duncan Township, **Tioga County.** The permit renewal application was deemed complete by the Williamsport Regional Office on December 19, 2005.

Comments concerning the application should be directed to David Garg, P. E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Persons interested in obtaining more information about the general permit application may contact the Williamsport Regional Office, (570) 327-3653. TDD users may contact the Department of Environmental Protection 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.**

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

**48-399-055: ESSROC Cement Corp.** (3251 Bath Pike, Nazareth, PA 18064) for a Plant-wide Applicability Limit (PAL Permit) for the Nazareth Plants 1—3 in Lower Nazareth Township, **Northampton County**.

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

**36-03160A: G/S/M Industrial, Inc.** (P. O. Box 607, Ephrata, PA 17522) for construction of a new coating booth at the facility in East Hempfield, **Lancaster County**.

**36-05144: Lancaster Leaf Tobacco Co. of PA, Inc.** (198 West Liberty Street, P. O. Box 897, Lancaster, PA 17608-0897) to use Nos. 4—6 fuel oils in boilers in their plant in the City of Lancaster, **Lancaster County**.

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

**62-017N: United Refining Co.** (Bradley and Dobson Streets, Warren, PA 16365) for modification of plan approval 62-017G for No. 4 boiler, North Crude Heater, Enclosed Flare, Delayed Coker Heater, and Hydrogen

Reformer at their refinery in the City of Warren, **Warren County**. The facility is a Title V facility.

**42-172A: Hexion Specialty Chemicals, Inc.** (Hutchins Road, Mt. Jewett, PA 16740) for modification of plan approvals 42-302-021A and 42-399-017A to reflect conditions that are no longer applicable in Sergeant Township, **McKean County**. The facility is a Natural Minor.

**43-270D: CCL Container** (One Llodio Drive, Hermitage, PA 16148-9015) for construction of a new aluminum container manufacturing line (No. 109) rated at 180 cans per minute controlled by an existing 45,000 thermal oxidizer in Hermitage City, **Mercer County**. This is a Title V 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.*

**46-0029A: Glasgow, Inc.** (P. O. Box 1089, Glenside, PA 19038) for installation of a cyclone and baghouse and modification to annual production rates at the Springhouse asphalt plant in Montgomery Township, **Montgomery County**. This installation of the control device may result in the emissions of 10.48 tons per year of total PM, 6.74 tons per year of PM10 emissions and 2.07 tons per year of PM2.5 emissions. The increase in annual asphalt production to 499,000 tons/yr using natural gas and 415,000 tons/yr using No. 2 fuel oil may result in the emissions of 24.90 tons/yr of NOx, 18.26 tons/yr of SOx, 6.99 tons/yr of VOC and 99.80 tons/yr of CO. 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.

**PA-15-0027I: Johnson Matthey, Inc.—Catalytic Systems** (456 Devon Park Drive, Wayne, PA 19087) for installation of two new diesel catalysts production lines to produce soot filters and oxidation catalysts that will be used to reduce pollutant emissions from diesel-fueled engines, at its facility in Tredyffrin Township, **Chester County**. This facility is a Title V facility. This new installation will result in an increase of NOx emissions of 28.48 tons per year from the facility. The Plan Approval and Operating Permit will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

**09-0188: Gamesa Wind PA, LLC** (400 Maintenance Drive, Fairless Hills, PA 19030) for construction of a new wind generator manufacturing facility at USX Industrial Complex in Falls Township, **Bucks County**. This facility is a minor facility. This new construction will result in total HAP emissions of 17.52 ton per year and VOC emissions of 25.35 ton per year. The Plan Approval will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

**54-313-086: First Quality Nonwovens, Inc.** (101 Green Mountain Road, Humboldt Industrial Park, Hazleton, PA 18202) for construction of a polypropylene extrusion process at their manufacturing facility in the Humboldt Industrial Park in East Union Township, **Schuylkill County**. This facility is not a Title V facility. The new process will result in particulate emissions of less than 1 ton per year and VOC emissions of 3.35 tons per year. The plan approval will include all appropriate restrictions, testing, monitoring, recordkeeping and reporting requirements designed to keep the process operating within all applicable air quality requirements.

**40-317-026: General Mills Operations, Inc.** (2 Chestnut Hill Drive, Hazleton, PA 18201) for construction of a par-bake oven at the General Mills Bakery and Foodservice Hazleton Plant, in Hazleton, **Luzerne County**. The VOCs generated by the new par-bake oven, in addition to the existing par-bake unit will be limited to a total annual emission rate of 49 tons, on a rolling sum basis. Other total annual emission limits for the two ovens are: Particulates—4.7 TPY; NO<sub>x</sub>—6.1 TPY; SO<sub>x</sub>—0.04 TPY; HAPs—2.0 TPY; and CO—1.2 TPY. The expected particulate emission rate from the oven will be less than 0.02 grain/dscf. The company will operate the equipment in accordance with the good engineering practices to assure proper operation of the system. The Plan Approval and Synthetic Minor Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

**36-03075A: City of Lancaster AWWTP** (1220 New Danville Pike, Lancaster, PA 17603) for installation of a lime stabilization system at their wastewater treatment facility in Lancaster Township, **Lancaster County**. Process emissions will be controlled by a scrubber and biofilter. The plan approval will include stack testing, monitoring, recordkeeping, reporting and work practice standards designed to keep the facility operating within all applicable air quality requirements.

**38-05003A: Rich Maid Cabinetry LLC** (633 W. Lincoln Avenue, Myerstown, PA 17067) for modification of the existing cabinet finishing operations at the plant in Jackson Township, **Lebanon County**. The modifications include the addition of new and replacement spray booths. VOC and HAP emissions from the facility will largely be unchanged by the proposed modifications. Emissions of all pollutants will continue to be capped below the Title V permit thresholds. The plan approval and permit will include emission restrictions, monitoring, recordkeeping and reporting requirements to ensure compliance with the applicable air quality regulations.

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

**19-303-004D: HRI, Inc.** (1750 West College Avenue, State College, PA 16804-0155) for installation of replacement particulate matter control equipment (a knock out box and Astec model BH-60 fabric collector) and a replacement burner in their plant and approval to fire virgin Nos. 4—6 fuel oils in Hemlock Township, **Columbia County**.

HRI has submitted an application (No. 19-303-004D) to the Department of Environmental Protection (Department) for plan approval to modify an existing 250 ton per

hour Stansteel model RM-80 asphalt concrete plant (Source ID P110) by installing replacement PM control equipment (a knock out box and Astec model BH-60 fabric collector) and a replacement burner in the plant. The application also requests approval to fire virgin Nos. 4—6 fuel oil in Source ID P110 at their Bloomsburg asphalt plant in Hemlock Township, Columbia County. Source ID P110 is currently permitted to burn gas (natural and LP), virgin No. 2 fuel oil and recycled/reprocessed oil.

The Department's review of the information submitted by HRI, Inc. indicates that the proposal will meet all applicable air quality regulatory requirements pertaining to air contamination sources and the emission of air contaminants, including Subpart I of the Federal Standards of Performance for New Stationary Sources 40 CFR Part 60, 60.90—60.93, the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the fugitive air contaminant emission requirement of 25 Pa. Code § 123.1, the PM emission limitation of 25 Pa. Code § 123.13 and the SO<sub>x</sub> emission limitation of 25 Pa. Code § 123.21. Based on these findings, the Department intends to approve the application and issue plan approval for the modification of Source ID P110. Additionally, if the Department determines that the asphalt plant is operating in compliance with all plan approval conditions, the conditions established in the plan approval will be incorporated into a State-only operating permit by means of an administrative amendment under 25 Pa. Code § 127.450.

The following is a summary of the conditions that the Department proposes to place in the plan approval to be issued to ensure compliance with all applicable regulatory requirements:

1. Under the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, Source ID P110 shall be controlled by a an Astec model 10' by 8' knockout box (ID C110A) followed by a Astec model No. BH-60 fabric collector (ID C110B) operating in series.

2. Under the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, Source ID P110 shall be equipped with a Hauck Eco-Star II model 100 burner with a maximum capacity of 105 mmBtu/hr.

3. Under the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, Source ID P110 shall only be fired virgin Nos. 2 and 4—6 fuel oils or recycled/reprocessed oil. None of the oil used as fuel shall have a sulfur content of greater than 0.5% by weight.

4. Under the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the PM emissions from the exhaust of the Astec model No. BH-60 fabric collector (ID C110B) associated with Source ID P110 shall not exceed 0.02 grain per dry standard cubic foot.

5. Under BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the recycled/reprocessed oil fired in Source ID P110 shall not contain contaminants equal to or in excess of the limitations specified as follows:

Arsenic	5 ppm
Cadmium	2 ppm
Chromium	10 ppm
Lead	100 ppm
Total halogens	1,000 ppm
PCBs	none detectable (detection limit none greater than 2 ppm)

Additionally, the flash point of the recycled/reprocessed oil shall not be less than 140°F.

6. Under BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the NO<sub>x</sub>, expressed as NO<sub>2</sub> emissions from

Source ID P110 shall not exceed 0.07 pound per ton of product produced and 17.50 pounds per hour when firing virgin Nos. 2 and 4–6 or recycled/reprocessed fuel oils.

7. Under BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the total combined NO<sub>x</sub>, expressed as NO<sub>2</sub> emissions from Source ID P110 shall not exceed 18.90 tons in any 12-consecutive month period.

8. Under BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the CO from Source ID P110 shall not exceed 0.159 pound per ton of product produced and 39.75 pounds per hour when firing virgin No. 2 and 4–6 or recycled/reprocessed fuel oils.

9. Under BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the total combined CO emissions from Source ID P110 shall not exceed 42.93 tons in any 12-consecutive month period.

10. Under BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the SO<sub>x</sub>, expressed as SO<sub>2</sub> emissions from Source ID P110 shall not exceed 0.17 pound per ton of product produced and 42.50 pounds per hour when firing virgin No. 2 and 4–6 or recycled/reprocessed fuel oils.

11. Under BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the total combined SO<sub>x</sub>, expressed as SO<sub>2</sub> emissions from Source ID P110 shall not exceed 45.90 tons in any 12-consecutive month period.

12. Under BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the VOC emissions (expressed as methane) from the Source ID P110 shall not exceed 0.066 pound per ton of product produced and 16.50 pounds per hour when firing virgin No. 2 and 4–6 or recycled/reprocessed fuel oils.

13. Under BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the total combined VOC emissions (expressed as methane) from Source ID P110 shall not exceed 17.82 tons in any 12-consecutive month period.

14. Under BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the total combined HAP emissions from Source ID P110 shall not exceed 2.08 tons in any 12-consecutive month period. In addition, the emission of xylene shall not exceed 0.73 ton in any 12-consecutive month period and the emission of ethylbenzene shall not exceed 0.59 ton in any 12-consecutive month period.

15. Under BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, Source ID P110 shall not be used to produce asbestos-containing asphalt material.

16. Under BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, Source ID P110 shall not be used to decontaminate or otherwise treat soil or any other material which has been contaminated with gasoline, fuel oil or any other substance.

17. Within of 120 days of installation of the new burner, the permittee shall perform the following testing on Source ID P110:

a. Concurrent NO<sub>x</sub>, CO, SO<sub>x</sub> and VOC (expressed as methane) testing while recycled/reprocessed oil is being fired.

b. Concurrent NO<sub>x</sub>, CO, SO<sub>x</sub> and VOC (expressed as methane) testing while virgin No. 6 fuel oil is being fired.

c. PM testing while either virgin No. 6 or recycled/reprocessed fuel oils are being fired.

Testing shall be performed while the plant is being operated at maximum production rate using testing methods and procedures approved by the Department.

18. (a) At least 60 days prior to the performance of the stack testing required by this plan approval, a test plan shall be submitted to the Department for evaluation. The plan shall contain a description of the proposed test methods and dimensioned drawings or sketches showing the test port locations.

(b) The Department shall be given at least 14 days advance notice of the scheduled dates for the performance of the stack testing required by this plan approval. The Department is under no obligation to accept the results of the testing without being given proper notification.

(c) Within 60 days of the completion of the stack tests required by this plan approval, two copies of the test report shall be submitted to the Department. This report shall contain the results of the tests, a description of the testing and analytical procedures actually used in performance of the tests, all process and operating data collected during the tests, a copy of all raw data, and a copy of all calculations generated during data analysis.

19. The Astec model No. BH-60 fabric collector (ID C110B) shall be equipped with instrumentation to continuously monitor the pressure drop across ID C110B and shall monitor the pressure drop on a continuous basis.

20. The permittee shall record the pressure drop across control device ID C110B at least once per day. These records shall be retained on site for a minimum of 5 years and be presented to the Department upon request.

21. Under BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the air compressor that supplies compressed air to fabric collector shall be equipped with an air dryer/oil trap.

22. The permittee shall keep on hand a sufficient quantity of spare fabric collector bags for ID C110B associated with Source ID P110 in order to replace any bag immediately in need of replacement.

23. The permittee has requested an elective restriction to limit the production of asphalt in Source ID P110 to 540,000 tons in any 12-consecutive month period.

24. Under BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, a sample of each shipment of recycled/reprocessed oil delivered to the asphalt concrete plan using a sampling technique capable of collecting a representative sample of the entire load shall be retained on site for a minimum of 5 years for random selection and analysis from the Department. These samples are to be sealed and identified as to the date of delivery, delivery invoice number, and the like

25. Under BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall test each shipment of recycled/reprocessed oil received for halides using EPA Reference Method 9077, or an alternate reference test method if so decided by the Department. The results from these analyses will not, however, be accepted as a determination of compliance with the total halides limitation specified herein should they differ from the results of analyses when using Method 9076. Additionally, the permittee shall have a complete analysis of all contaminants of concern using reference test methods specified by the Department, for a minimum of 1 out of every 15 shipments of recycled/reprocessed oil received.

26. Under BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the following analytical techniques and methods shall be employed to determine compliance with the recycled/reprocessed oil contaminant limitations and minimum flash point specified here in, unless the Department specifies the use of alternate analytical techniques and methods.

<i>Contaminant/ Property</i>	<i>Analytical Method</i>
Arsenic	EPA Method 200.8 and/or EPA 200.7
Cadmium	EPA Method 200.8 and/or EPA 200.7
Chromium	EPA Method 200.8 and/or EPA 200.7
Lead	EPA Method 200.8 and/or EPA 200.7
Total halides	EPA 9076
Sulfur	ASTM D4294-90
PCBs	EPA 3580 for extraction and EPA 608 for analysis
Flash point	ASTM D93-97

27. Under BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall not accept for use in Source ID P110 any shipment of recycled/reprocessed oil for which the arsenic, cadmium, chromium, lead, total halides or PCB contents or flash point are unknown or which fails to meet any limitation specified herein or for which the sulfur content is unknown or which fails to meet the limitation specified.

28. The permittee shall maintain complete and accurate records of the following:

a. The total quantity of asphalt concrete produced by Source ID P110 each month and the corresponding rolling 12-consecutive month total.

b. The quantity and type of each fuel used to fire Source ID P110 each month.

c. The delivery date, quantity delivered, identity of supplier and delivery invoice number of each shipment of recycled/reprocessed oil delivered to the plant, as well as a certified fuel analysis report for each shipment which identifies the arsenic, cadmium, chromium, lead, total halide, PCB and sulfur content in parts per million and the flash point in degrees Fahrenheit.

d. The results of all analyses required by the Department, as well as the results of any other analyses performed on recycled/reprocessed oil delivered to the plant, the identity of the specific shipment of recycled/reprocessed oil represented by each such analysis or set of analyses, the name of the individuals and/or company who performed each such analysis or set of analyses and the identity of the analytical techniques and methods used to perform each such analysis or set of analyses.

29. The permittee shall submit an annual report to the Department listing the delivery date, quantity delivered, source of origin and delivery invoice number of each shipment of recycled/reprocessed oil delivered to the site during the previous calendar year, as well as identifying the arsenic, cadmium, chromium, lead, total halides, PCB and sulfur contents and the flash points of each load. This report shall further identify the specific sources of all analytical data provided and describe why this analytical data actually represents the contaminant concentrations and flash point of the recycled/reprocessed oil delivered to the site. The report for each calendar year shall be due no later than March 1 of the following year.

30. Source ID P110 is subject to Subpart I of the federal Standards of Performance for New Stationary Sources, 40 CFR 60.90–60.93. The permittee shall comply with all applicable requirements of 40 CFR 60.90–60.93. Under 40 CFR 60.4 of the Standards of Performance, the submission of all requests, reports, applications, submittals and other communications required by the Standards of Performance must be made to both the Department and the Environmental Protection Agency.

Copies of the application and review memo are available for public review between 8 a.m. and 4 p.m. at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review may be made by calling the Department at (570) 327-3693. Written comments or requests for a public hearing should be directed to Muhammad Q. Zaman, Chief, Facilities Permitting Section, Department of Environmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-0512.

**53-0009A: Morgan Advanced Materials and Technology, Inc.** (441 Hall Avenue, St. Marys, PA 15857) for construction of three electric heat treat ovens (Source ID 107) and installation of three thermal oxidizers (ID C107) in Eulalia Township, **Potter County**.

The company has submitted an application to the Department of Environmental Protection (Department) for plan approval to construct a three electric heat treat ovens (Source ID 107) and the installation of three thermal oxidizers (ID C107) to control the VOC emissions from each oven at their Coudersport facility in Eulalia Township, Potter County.

The Department's review of the information submitted by Morgan Advanced Materials & Technology, Inc. indicates that the ovens and the thermal oxidizers will meet all applicable air quality requirements pertaining to air contamination sources and the emission of air contaminants, including the fugitive air contaminant emission requirements of 25 Pa. Code § 123.1, PM emission limitation of 25 Pa. Code § 123.11, the SO<sub>x</sub> emission limitation of 25 Pa. Code § 123.22, the visible emission limitation of 25 Pa. Code § 123.41, and the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12. Based on these findings, the Department intends to approve the application and issue plan approval for the construction of the heat-treat ovens with the installation of independent thermal oxidizers. Additionally, if the Department determines that each oven with thermal oxidizer is operating in compliance with all plan approval conditions, the conditions established in the plan approval will be incorporated into the State Only operating permit 53-00009 by means of an administrative amendment under 25 Pa. Code § 127.450.

The following is a summary of the conditions the Department proposes to place in the plan approval to ensure compliance with all applicable regulatory requirements:

1. Under BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall not permit the following air contaminant emissions from the exhaust of each thermal oxidizer of ID C107 associated with Source ID 107 in excess of the limitations listed below:

(a) VOC—0.52 ton in any 12-consecutive month period.

(b) SO<sub>x</sub>, expressed as SO<sub>2</sub>—2.5 tons in any 12-consecutive month period.

2. Under BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall equip each thermal oxidizer of ID C107 with instrumentation to monitor the outlet temperature of each thermal oxidizer of ID C107 and shall monitor the outlet temperature on a continuous basis.

3. Under BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall only use natural gas as fuel for each thermal oxidizer of ID C107.



4. Under BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the outlet temperature of each thermal oxidizer of ID C107 shall be maintained at no less than 1,400°F at all times during the operation of each respective heat treat oven of Source ID 107.

5. Under BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the VOC destruction efficiency of each thermal oxidizer of ID C107 shall not be less than 95%.

6. The permittee shall keep records of the following information for Source ID 107:

(a) The number of hours that each heat-treat oven of Source ID 107 is operated on a monthly basis.

(b) The supporting calculations on a monthly basis used to verify compliance with the VOC and SO<sub>x</sub> emission limitations from each heat-treat oven of Source ID 107 in any 12-consecutive month period.

(c) The test reports and supporting calculations used to verify compliance with the VOC emission limitation of each heat-treat oven of Source ID P107 and the destruction efficiency requirement for each thermal oxidizer of ID C107.

(d) The outlet temperature of each thermal oxidizer of ID C107 before entry of product into each heat treat oven of Source ID 107 and once every 4 hours of operation thereafter.

These records shall be kept for a minimum of 5 years and shall be made available to the Department upon request.

7. Under BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall not emit into the outdoor atmosphere of particulate matter, from the exhaust of each of the thermal oxidizers of ID C107 associated with each heat treat oven of Source ID 107, in a manner that the concentration of PM in the effluent gas exceeds 0.01 grain per dry standard cubic foot.

8. The permittee shall perform a VOC stack test on each thermal oxidizer of ID C107 to verify compliance with the VOC emission limitation and 95% VOC destruction efficiency requirement of each thermal oxidizer of ID C107 associated with Source ID 107.

(a) The testing of the inlet and outlet of each thermal oxidizer of ID C107 shall be running simultaneously.

(b) Testing is to be done using EPA reference method test procedures acceptable to the Department and all testing is to be performed while the respective source is operating at its maximum production rate.

9. Under BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the VOC emissions from each heat treat oven of Source ID 107 shall be controlled by an independent thermal oxidizer of ID C107. The permittee shall not operate any heat treat oven of Source ID 107 without the simultaneous operation of the respective thermal oxidizer of ID C107.

10. Under BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, this plan approval is issued for the construction of three electric heat treat ovens Sergeant Wilbur/Lindbergh Models #B1T1210886/#9346-ETK-20A (Oven A), #B1T1210886/#35-9346-ETK-18A (Oven B), and #PAR11071/#9346-ETK-20A (Oven C) herein Source ID 107. The air contaminant emissions from each heat treat oven of Source ID 107 shall be controlled by an independent natural gas-fired thermal oxidizer, Morgan AM&T In-house design with a rated heat input of 0.04 mmBtu/hr (each) herein ID C107.

A copy of the plan approval application and the Department's review is available for public review between 8 a.m. and 4 p.m. at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review may be made by calling the Department at (570) 327-3693. Written comments or requests for a public hearing should be directed to Muhammad Q. Zaman, Chief, Facilities Permitting Section, Department of Environmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-0512.

**55-399-007: Kerrico Corp.** (R. R. 1, Box 131H, Selinsgrove, PA 17870) for modification of a cast polymer bathroom and kitchen countertop manufacturing operation by increasing VOC emissions above 10 tons per year in Penn Township, **Snyder County**.

The respective facility is a major (Title V) facility for which a Title V operating permit has not yet been issued.

The respective facility is not expected to emit more than 38.53 tons of VOCs per year, of which no more than 36.12 tons will be HAPs, primarily styrene but also some methyl methacrylate. The facility is also not expected to emit more than 5.0 tons of acetone per year.

The Department of Environmental Protection's (Department) review of the information submitted by Kerrico Corporation indicates that the facility should comply with all applicable regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement of 25 Pa. Code §§ 127.1 and 127.12 and the requirements of Subpart WWW of the National Emission Standards for Hazardous Air Pollutants, 40 CFR 63.5780—63.5935 (National Emission Standards for Hazardous Air Pollutants: Reinforced Plastic Composites Production). Based on this finding, the Department proposes to issue plan approval for the modification of the cast polymer bathroom and kitchen countertop manufacturing operation.

The following is a summary of the conditions the Department proposes to place in the plan approval to be issued to ensure compliance with all applicable requirements:

1. The two gelcoat spray booths shall be equipped with a complete set of overspray filters any time the booths are in use and, additionally, shall be equipped with instrumentation to continuously monitor the pressure differential across the filters.

2. Gelcoat applied in the facility shall be applied in the two gelcoat spray booths with HVLP or high volume low pressure spray technology (or an application technique determined by the Department to have an equivalent, or lower, air contaminant emission potential) only. The air pressure of each HVLP spray system shall be set such that the air pressure at the tip of the spray gun is between .1 psig and 10.0 psig.

3. Each HVLP spray gun used at the facility shall be tested at least once each calendar quarter using "test gauge air caps" or "air cap test kits" to determine the air pressure at the tip of the gun.

4. "Clear gelcoats" and "white/off-white gelcoats" (as those terms are defined in Subpart WWW) are the only gelcoats that shall be used at this facility. The clear gelcoats shall contain no more than 44% (by weight) volatile HAPs and no more than 44% (by weight) VOCs. The white/off-white gelcoats shall contain no more than 30% (by weight) volatile HAPs and no more than 30% (by weight) VOCs.

5. The two batch mixing machines shall be equipped with covers having no visible gaps except that gaps up to one inch are permissible around mixer shafts and any required instrumentation. The covers shall be closed at any time mixing is occurring except when adding or removing materials.

6. "Marble or cultured resins" and "solid surface resins" (as those terms are defined by the Department) are the only resins that shall be used at this facility. The marble or cultured resins shall contain no more than 32% (by weight) volatile HAPs and no more than 32% (by weight) VOCs, as supplied by the resin supplier. The solid surface resins shall contain no more than 17% (by weight) volatile HAPs and no more than 17% (by weight) VOCs as mixed. To determine the as-mixed volatile HAP or VOC, content of a batch of solid surface resin, the weight of resin used in the batch shall be divided by the sum of the weight of the resin used and the weight of the filler (such as aluminum silicate) used in the batch. This value shall then be multiplied by the volatile HAPs or VOC, content of the as-supplied resin expressed as a percentage.

7. The mold release agents used at the facility shall not contain any volatile HAPs. Additionally, the vapor pressure of any mold release agent shall not exceed 6.0 millimeters of mercury at 20°C.

8. The only materials that shall be used at the facility to clean cured and uncured gelcoats and/or resins from gelcoat application equipment and resin mixing and pouring equipment shall be acetone and Superior Oil Company "Super Blue LF Resin Cleaner" (or an alternate material determined by the Department to have an equivalent, or lower, air contaminant emission potential). Additionally, the Super Blue LF Resin Cleaner shall not contain any volatile HAPs and shall contain no more than 6.3% VOCs (by weight).

9. Containers of gelcoat, resin, cleaning solvents/materials and any other VOC-containing material, volatile HAP-containing material or acetone-containing material used at this facility shall be kept closed except when in actual use. Spray lines and guns shall be cleaned either by flushing cleaning solvent/material through the spray line/gun into an appropriate container in a solid liquid stream or by soaking the lines/guns in a closed container of cleaning solvent/material. Under no circumstances shall cleaning solvent/material be flushed or sprayed directly into the atmosphere or flushed into a container in an atomized spray. Any solvent-wet cleaning cloths shall be kept in a closed container when not in actual use.

10. The total combined VOC emissions from the entire facility shall not exceed 38.53 tons in any 12-consecutive month period, the total combined volatile HAP emissions shall not exceed 36.12 tons in any 12-consecutive month period and the total combined acetone emissions shall not exceed 5.0 tons in any 12-consecutive month period.

11. The total combined VOC emissions resulting from the use of gelcoats in this facility shall not exceed 28.16 tons in any 12-consecutive month period and the total combined volatile HAP emissions shall not exceed 28.16 tons in any 12-consecutive month period.

12. The total combined VOC emissions resulting from the use of resins in this facility shall not exceed 6.5 tons in any 12-consecutive month period and the total combined volatile HAP emissions shall not exceed 6.5 tons in any 12-consecutive month period.

13. The total combined volatile HAP emissions resulting from the resins used in the two batch mixing machines shall not exceed 1.0 ton in any 12-consecutive month period.

14. The total combined VOC emissions resulting from the use of mold release agents and mold cleaners in this facility shall not exceed 3.49 tons in any 12-consecutive month period and the total combined volatile HAP emissions shall not exceed 1.4 tons in any 12-consecutive month period.

15. The total combined VOC emissions resulting from the use of cleaning solvents/materials, other than mold cleaners, in this facility shall not exceed .32 ton in any 12-consecutive month period.

16. The permittee shall maintain the records as are necessary to determine compliance with all limitations and requirements contained in this notice.

17. The permittee shall submit a "Title V Operating Permit Application" package for this facility to the Department within 120 days of the issuance of this plan approval.

**18-315-0001A: First Quality Tissue, LLC** (904 Woods Avenue, Lock Haven, PA 17745) for installation of a selective catalytic reduction (SCR) system incorporating a 2.0 mm/Btu per hour natural gas/propane-fired flue gas reheat burner, on seven 11.56 mm/Btu per hour natural gas/propane-fired boilers (and possibly on an eighth such boiler which is yet to be constructed) associated with a paper machine (Paper Machine No. 1) at a paper towel and tissue manufacturing facility in Castanea Township, **Clinton County**.

The respective facility is a major (Title V) facility for which a Title V operating permit has not yet been issued.

The proposed SCR system is intended to ensure that the NOx emissions from the boilers will comply with the emission limits established in Plan Approval 18-315-001 (issued by the Department of Environmental Protection (Department) on August 20, 2004, under the Prevention of Significant Deterioration (PSD) provisions of 40 CFR 52.21 and 25 Pa. Code § 127.83, the New Source Review (NSR) provisions of 25 Pa. Code §§ 127.201—127.217 and the best available technology provision of 25 Pa. Code §§ 127.1 and 127.12. The respective NOx emission limits are 15 parts per million, dry volume basis at 3% oxygen, one hour average, 1.93 pounds per hour and 8.45 tons per 12-consecutive month period.

The Department's review of the information submitted by First Quality Tissue, LLC indicates that the proposed SCR system should be capable of ensuring compliance with the 15 ppm NOx emission limitation as well as with the revised hourly and 12 consecutive month period emission limitations of 1.69 pounds and 7.40 tons the Department proposes to establish for the boilers as a result of a proposed SCR system design which will, at any given time, accommodate only seven of the eight possible boilers to be associated with Paper Machine No. 1. The Department also proposes to similarly adjust the allowable hourly SOx emission limitation and allowable hourly and 12-consecutive month period CO, VOC and PM, including PM10 emission limitations for the boilers. These adjustments will result in decreases of 3.21, .22 and .27 ton per 12-consecutive month period in the allowable CO, VOC and PM/PM10 emissions from the boilers.

The use of a SCR system will result in the emission of a new air contaminant, ammonia. The ammonia emis-

sions are not expected to be greater than 10 ppm, dry volume basis at 15% oxygen. The Department has determined that this level of emission complies with the BAT provision of 25 Pa. Code §§ 127.1 and 127.12.

Based on the finding discussed, the Department proposes to issue plan approval for the installation of the SCR system on the boilers associated with Paper Machine No. 1.

The following is a summary of the conditions the Department proposes to place in the plan approval to be issued to ensure compliance with all applicable requirements:

1. Only seven of the eight boilers potentially associated with Paper Machine No. 1 shall be operated at any given time following the installation of the SCR system.

2. The burner incorporated in the SCR system shall be fired on natural gas or propane only.

3. The temperature of the boiler flue gas at the inlet to the catalyst incorporated in the SCR system shall be maintained between 400° and 500°F at any time any of the eight boilers are operating unless none of the eight boilers are being exhausted to the SCR system.

4. The SCR system shall be equipped with instrumentation to continuously monitor and record the temperature of the flue gas at the inlet of the catalyst as well as the ammonia injection rate and the boilers shall be equipped with instrumentation to continuously monitor and record their combined steam load. Records generated under this condition shall be retained for at least 5 years and shall be made available to the Department upon request.

5. Following installation of the SCR system, the SCR system may be bypassed and the boilers exhausted directly to atmosphere only during periods of scheduled SCR system maintenance when the boilers are operating at low steam demand or during emergencies to prevent unsafe conditions. The NOx emission limitation, however, remains applicable at all times.

6. The ammonia emissions from the exhaust of the SCR system shall not exceed 10 ppm, dry volume basis at 15% oxygen.

7. Following the installation of the SCR system, the NOx emissions from the boilers, measured at the outlet of SCR system if the SCR system is in use and measured at the outlet of the boilers if the SCR system is not in use, shall not exceed 15 ppm, dry volume basis at 3% oxygen, one hour average, 1.69 pounds per hour, and 7.4 tons in any 12-consecutive month period, the CO emissions shall not exceed 100 ppm, dry volume basis at 3% oxygen, 6.48 pounds per hour and 28.37 tons in any 12 consecutive month period, the VOC emissions shall not exceed .45 pound per hour and 1.97 tons in any 12 consecutive month period, the SOx emissions shall not exceed .054 pound per hour and .24 ton in any 12-consecutive month period and the PM emissions (including PM10) shall not exceed .59 pound per hour and 2.58 tons in any 12-consecutive month period.

8. Within 120 days of completion of installation of the SCR system, the permittee shall perform NOx CO and VOC stack testing on the exhaust of the SCR system while the boilers are operating at their normal maximum rate of production as well as on the exhaust of the boilers when the SCR system is not being used and the boilers are operating at the maximum steam load considered by the permittee to be the "low steam load" at which the boilers will operate during scheduled SCR maintenance. A

test protocol shall be submitted to the Department at least 60 days prior to the performance of this testing.

The permittee shall additionally perform such other stack testing as may be required to calibrate the SCR system or which may be deemed necessary by the Department to determine compliance with any emission limitation contained herein or in Plan Approval 18-315-001.

9. Within 120 days of completion of installation of the SCR system, and at least annually thereafter, the permittee shall calibrate the system in accordance with procedures which have been approved by the Department to ensure that the NOx and ammonia emission rates will not exceed the NOx and ammonia limitations specified at any boiler steam load or ammonia injection rate. A protocol for performing this calibration shall be submitted to the Department at least 60 days in advance of each occurrence of calibration.

10. Comprehensive accurate records shall be maintained of the following during each period of scheduled SCR system maintenance during which the boilers are exhausted directly to atmosphere:

a. The date and time the maintenance was commenced.

b. The date and time the maintenance was completed.

c. The combined boiler steam load. This information is to be recorded at least once per hour for the duration of the maintenance period.

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

**25-952F: Bush Industries, Inc.** (2455 Robison Road, Erie, PA 16509) for modification of the sources for four of the six baghouse systems currently permitted at the facility in the City of Erie, **Erie 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 modify conditions in existing plan approvals 25-316-00003, PA 25-0952B and PA 25-0952C. Other conditions in referenced plan approvals will remain in effect. This Plan Approval will be incorporated into a State-only operating permit at a later date.

This plan approval will modify the sources for four of the six-baghouse systems currently permitted at the facility. Based on the information provided by the applicant and Department's own analysis the particulate emissions from the modification will be 33 tons/yr.

Conditions of the plan approval include the following:

A list of the current sources for each baghouse system is contained in the Plan Approval.

The facility shall incorporate weekly baghouse maintenance schedules as indicated in the plan approval application. A log of the performed maintenance as recommended by the manufacturer shall be kept. Records shall be maintained for a minimum of 5 years, and shall be made available to the Department upon request.

A magnehelic gauge or equivalent shall be permanently installed and maintained at a convenient location to indicate the pressure drop across each cyclone control devices, Systems 1 and 2. The gauge employed shall have a scale such that the expected normal reading shall be no less than 20% of full scale and be accurate within  $\pm 2\%$  of full scale reading.

The pressure drop across the collectors shall be recorded on a weekly basis. A log shall be maintained and kept on file for at least 5 years and made available to Departmental personnel on request.

Pressure drop, for specific systems across the baghouse collectors, shall fall within the following ranges:

System 1	1-5"
System 2	0.25—4.25"
System 3	1-5"
System 4	1-5"
System 5	1-5"
System 6	1-5"

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

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

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

#### OPERATING PERMITS

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

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

**54-00006: WPS Westwood Generation LLC** (P. O. Box 312, US Route 309, Tremont, PA 17981) for a renewal Title V Operating Permit for a power generating facility in Frailey Township, **Schuylkill County**. The facility sources include: 1 fluidized bed boiler, 1 fire pump engine and 2 No. 2 fuel oil tanks, 1 culm materials handling system, one lime materials handling system, one ash materials handling system, 12 space heaters, 1 fuel screener, 2 wet cooling towers and unpaved facility haul roads. These sources have the potential to emit major quantities of regulated emissions above the Title V emission thresholds. The proposed renewal Title V Operating Permit contains all applicable requirements including Federal and State regulations. The facility is also subject to Phase II acid rain requirements under Title IV of the Clean Air Act. In addition, monitoring, recordkeeping and reporting conditions regarding compliance with all applicable requirements are included.

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

**37-00013: CEMEX, Inc.—Wampum Cement Plant** (2001 Portland Park, Wampum, PA 16157) for reissuance of Title V Operating Permit previously issued to the facility in Wampum Borough, **Lawrence County**. This facility is a major facility due to its emissions of PM10, SOx, NOx, CO and HAPs. This facility is exempted from the Compliance Assurance Monitoring requirements found in 40 CFR Part 64 because all of the pollutant specific control devices that would otherwise be subject to the rule are also regulated under 40 CFR Part 63, Subpart LLL.

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

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

**22-05044: Pennsy Supply, Inc.** (P. O. Box 3331, Harrisburg, PA 17104-3331) for operation of a stone crushing plant and a concrete plant at the Hummelstown Quarry, in South Hanover Township, **Dauphin County**. This action is a renewal of the State-only Operating Permit issued in February, 2001.

**28-03049: Thomas L. Geisel Funeral Home, Inc.** (333 Falling Spring Road, Chambersburg, PA 17201) for operation of its human crematory in Guilford Township, **Franklin County**. The facility has the following annual potential air emissions: 3 tons NOx; 1 ton PM10; 0.4 ton SOx; and 0.2 ton CO. The State-only 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.

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

**S05-015: Eastern Pennsylvania Psychiatric Institute** (3300 Henry Avenue, Philadelphia, PA 19129) for operation of a hospital in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include two diesel fired emergency generators, two No. 4 oil fired boilers each at 750 Hp, and one natural gas fired boiler at 200 Hp.

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

## COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

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

Written comments or objections should contain the name, address and telephone number of the person submitting comments or objections; the application 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.

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

**11000104 and NPDES No. PA0248851. Hoffman Mining, Inc.,** P. O. Box 130, 118 Runway Road, Friedens, PA 15541, permit renewal for the continued operation and restoration of a bituminous surface auger mine in Adams Township, **Cambria County**, affecting 133.8 acres. Receiving streams: Paint Creek, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received December 9, 2005.

**07000101 and NPDES No. PA0248843. Cooney Brothers Coal Company,** P. O. Box 246, Cresson, PA 16630, permit renewal for the continued operation and restoration of a bituminous surface mine in Logan Township, **Blair County**, affecting 31.0 acres. Receiving stream: Kittanning Run classified for the following use: CWF. The first downstream potable water supply intake from the point of discharge is Altoona City Authority—Kittanning Point Reservoir. Application received December 15, 2005.

**Permit No. 56960102 and NPDES No. PA 0213381. Hoffman Mining Inc.,** 118 Runway Road, P. O. Box 130, Friedens, PA 15541, permit renewal for reclamation only of a bituminous surface auger mine in Paint Township, **Somerset County**, affecting 196.0 acres. Receiving stream: Weaver Run to Paint Creek, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received December 16, 2005.

**56950108 and NPDES No. PA0213195. Fieg Brothers**, 3070 Stoystown Road, Stoystown, PA 15563, permit renewal for the continued operation and restoration of a bituminous surface mine in Brothersvalley Township, **Somerset County**, affecting 112.25 acres. Receiving streams: UNTs to Buffalo Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received December 16, 2005.

*Knox District Mining Office: White Memorial Building, P. O. Box 669, Best Avenue, Knox, PA 16232-0669, (824) 797-1191.*

**33010101 and NPDES Permit No. PA0241865. Sky Haven Coal, Inc.** (5510 State Park Road, Penfield, PA 15849) Renewal of an existing bituminous surface strip operation in Winslow and Sandy Townships, **Jefferson and Clearfield Counties**, affecting 65.5 acres. Receiving stream: UNT to Sandy Lick 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 December 16, 2005.

**33930101 and NPDES Permit No. PA0211486. P. and N. Coal Co., Inc.** (P. O. Box 332, Punxsutawney, PA 15767). Renewal of an existing bituminous surface strip and auger operation in Gaskill and Henderson Townships, **Jefferson County** affecting 151.1 acres. Receiving stream: UNTs to East Branch Mahoning Creek, UNT of Laurel Run, classified for the following use: HQ-CWF. This first downstream potable water supply intake from the point of discharge is the Punxsutawney Public Water Supply. Application for reclamation only. Application received: December 21, 2005.

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

**22851601T2. Rausch Creek Land, LP** (978 Gap Street, Valley View, PA 17983), transfer of an existing anthracite preparation plant operation from Harriman Coal Corporation in Wiconisco Township, **Dauphin County** affecting 13.0 acres. Receiving stream: none. Application received December 9, 2005.

**54763013T2. Rausch Creek Land, LP** (978 Gap Street, Valley View, PA 17983), transfer of an existing anthracite surface mine operation from Harriman Coal Corporation in Hegins, Frailey and Porter Townships, **Schuylkill County** affecting 658.0 acres. Receiving stream: none. Application received December 9, 2005.

**54713018T and R3. Rausch Creek Land, LP** (978 Gap Street, Valley View, PA 17983), transfer and renewal of an existing anthracite surface mine operation from Harriman Coal Corporation in Tremont Township, **Schuylkill County** affecting 600.0 acres. Receiving stream: none. Application received December 9, 2005.

**54803019T2 and R3. Rausch Creek Land, LP** (978 Gap Street, Valley View, PA 17983), transfer and renewal of an existing anthracite surface mine operation from Harriman Coal Corporation in Hegins and Porter Townships, **Schuylkill County** affecting 1,313.0 acres. Receiving stream: none. Application received December 9, 2005.

**54803004R4. Rausch Creek Land, LP** (978 Gap Street, Valley View, PA 17983), renewal of an existing

anthracite surface mine operation in Hegins and Porter Townships, **Schuylkill County** affecting 214.0 acres. Receiving stream: none. Application received December 9, 2005.

**54803203T2 and R3. Rausch Creek Land, LP** (978 Gap Street, Valley View, PA 17983), transfer and renewal of an existing coal refuse reprocessing operation from Harriman Coal Corporation in Hegins Township, **Schuylkill County** affecting 76.0 acres. Receiving stream: East Branch Rausch Creek. Application received December 9, 2005.

**54820203T2 and R4. Rausch Creek Land, LP** (978 Gap Street, Valley View, PA 17983), transfer and renewal of an existing anthracite coal refuse reprocessing operation from Harriman Coal Corporation in Hegins and Porter Townships, **Schuylkill County** affecting 200.0 acres. Receiving stream: East Branch Rausch Creek. Application received December 9, 2005.

**54850207T and R4. Rausch Creek Land, LP** (978 Gap Street, Valley View, PA 17983), transfer and renewal of an existing anthracite coal refuse reprocessing operation from Harriman Coal Corporation in Hegins Township, **Schuylkill County** affecting 39.1 acres. Receiving stream: East Branch Rausch Creek. Application received December 9, 2005.

**54860109T. Rausch Creek Land, LP** (978 Gap Street, Valley View, PA 17983), transfer of an existing anthracite surface mine operation from Harriman Coal Corporation in Tremont Township, **Schuylkill County** affecting 35.0 acres. Receiving stream: none. Application received December 9, 2005.

**54920103T and R2. Rausch Creek Land, LP** (978 Gap Street, Valley View, PA 17983), transfer and renewal of an existing anthracite surface mine operation from Harriman Coal Corporation in Tremont Township, **Schuylkill County** affecting 47.6 acres. Receiving stream: none. Application received December 9, 2005.

**54970103T and R. Rausch Creek Land, LP** (978 Gap Street, Valley View, PA 17983), transfer and renewal of an existing anthracite surface mine operation from Harriman Coal Corporation in Porter Township, **Schuylkill County** affecting 213.0 acres. Receiving stream: none. Application received December 9, 2005.

**54841304R3. Rausch Creek Land, LP** (978 Gap Street, Valley View, PA 17983), renewal of an existing anthracite underground mine operation in Hegins Township, **Schuylkill County** affecting 56.2 acres. Receiving stream: none. Application received December 19, 2005.

**54000103R. Joe Kuperavage Coal Company** (916 Park Avenue, Port Carbon, PA 17965), renewal of an existing anthracite surface mine operation in Blythe Township, **Schuylkill County** affecting 250.8 acres. Receiving stream: none. Application received December 19, 2005.

#### *Noncoal Applications Received*

#### *Effluent Limits*

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

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

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

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

*Greensburg District Mining Office: Armbrust Professional Center, 8205 Route 819, Greensburg, PA 15601, (724) 925-5500.*

**65950401 and NPDES Permit No. PA0201162. Derry International, LTD** (P. O. Box 529, New Alexandria, PA 15670). NPDES renewal of a noncoal surface mine, located in Loyalhanna and Derry Townships, **Westmoreland County**, affecting 52 acres. Receiving stream: UNT to Loyalhanna Creek, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the pint of discharge. Renewal application received: December 16, 2005.

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

**8274SM5A1C8. D. M. Stoltzfus & Son, Inc.**, (P. O. Box 84, Talmage, PA 17580), depth correction for an existing quarry operation in Fulton Township, **Lancaster County** affecting 321.82 acres. Receiving stream: Octoraro Creek. Application received December 13, 2005.

**38870301C5. Pennsy Supply, Inc.** (P. O. Box 3331, Harrisburg, PA 17105), incidental boundary correction for an existing quarry operation in North Londonderry Township, **Lebanon County** affecting 405.85 acres. Receiving stream: Quittapahilla Creek. Application received December 13, 2005.

**28012805. Arthur J. Beidel** (11468 Creek Road, Fannettsburg, PA 17221), Stage I and II bond release for a quarry operation in Metal Township, **Franklin County** affecting 2.0 acres, on property owned by HW Baker & Sons, Inc. Application received December 15, 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

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

**E40-656. Thomas A. and Phyllis K. Regula**, Box 449, R. D. 1, 508 Clinton Street, Dalton, PA 18414-0449, in Harveys Lake Borough, **Luzerne County**, United States Army Corps of Engineers, Baltimore District.

To remove the existing structure (having an areal coverage of approximately 1,337 square feet and to construct and maintain a dock/boathouse (having an areal coverage of approximately 2,888 square feet in Harveys Lake (HQ-CWF). The proposed structure will extend approximately 50 feet from the shoreline, and will have an overall width of approximately 64 feet. The project is located at Pole No. 255 along SR 0415 (Lakeside Drive). (Harveys Lake, PA Quadrangle N: 19.6 inches; W: 5.4 inches).

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

**E02-1509. Pittsburgh Water and Sewer Authority**, 441 Smithfield Street, Pittsburgh, PA 15222. To construct a new sewer line in Bellevue Borough and the City of Pittsburgh, **Allegheny County**, Pittsburgh ACOE District. (Pittsburgh West, PA Quadrangle N: 20.2 inches; W: 6.6 inches and Latitude: 40° 29' 10"—Longitude: 80° 02' 51"). The applicant proposes to construct and maintain a new 48-inch diameter sewer line along and across the channel of Jack's Run (WWF) and an 84-inch diameter sewer line along, under the bed and across the

channel of Jack's Run (WWF) for the purpose of upgrading the existing sewer system. The project is located at the intersection of Belgium Street and Farragut Street in Bellevue Borough and the City of Pittsburgh, and will impact 750 Linear Feet of stream channel.

**E02-1519. Franklin Park Borough**, 2344 West Ingomar Road, Pittsburgh, PA 15237. To construct two foot bridges in Franklin Park Borough, **Allegheny County**, Pittsburgh ACOE District. (Emsworth, PA Quadrangle N: 15.2 inches; W: 14.0 inches and Latitude: 40° 35' 01"—Longitude: 80° 06' 03"). The applicant proposes to construct and maintain two foot bridges; one having a span of 25.0 feet with an underclearance of 6.85 feet across the channel of Bear Run (TSF) located approximately 300.0 feet downstream from I-79 and one having a span of 23.0 feet with an underclearance of 4.5 feet across said stream located approximately 1,000 feet downstream from I-79. To place and maintain fill in 0.14 acre of PEM/PSS wetlands and to relocate and maintain the channel of a UNT to Bear Run (TSF) for the purpose of improving Blueberry Hill Park located just south from the intersection of the intersection of Route 79 and Route 279. The project will impact 0.14 acres of wetlands and 450 feet of stream channel.

**E02-1520. Michael Joseph Development Corporation**, 105 Brandford Road, Suite 310, Wexford, PA 15090. To place fill in wetlands in Harrison Township, **Allegheny County**, Pittsburgh ACOE District. (Freeport, PA Quadrangle N: 3.93 inches; W: 12.37 inches and Latitude: 40° 38' 48"—Longitude: 79° 42' 51"). The applicant proposes to place fill in 0.46 acre of PEM wetlands and to place fill in 700 linear feet of a UNT to Little Bull Creek (WWF) for the purpose of constructing the proposed Walmart Super Center. The project is located on the west side of Freeport Road (Route 28), approximately 800 feet northwest from the intersection of Freeport Road (Route 28) and Old Freeport Road and will impact approximately 700 linear feet of stream channel and 0.46 acre of wetlands. A 410 foot long stream enclosure with a drainage area of less than 100 acres will also be constructed.

**E02-1521 Turnpike Commission**, P. O. Box 67676, Harrisburg, PA 17106-7676. To replace, upgrade and widen the existing roadway in Pine and Marshall Townships, **Allegheny County**, Pittsburgh ACOE District. (Mars, PA Quadrangle N: 5.6 inches; W: 10.0 inches and Latitude: 40° 39' 19"—Longitude: 80° 04' 27"). The applicant proposes to construct and maintain a 74 LF extension to an existing 145 LF long, 54 inch diameter culvert with a drainage area of 250 acres; relocate and maintain 30 feet of an adjacent UNT with a drainage area of 7 acres; and fill in adjacent de minimis areas of PEM wetlands equal to 0.02 acre. The applicant also proposes to extend an existing 115 LF long, 54 inch diameter culvert 13 LF in an adjacent drainage area of 54 acres (Mars, PA Quadrangle N: 5.6 inches; W: 10.1 inches). This project is associated with the widening and improvements to the Turnpike (I-76) in the Warrendale Toll Plaza area. Total project impacts are 87 LF of additional culvert, 30 feet of stream relocation, and 0.02 acre of de minimis wetland in an along UNTs to Brush Creek (WWF).

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

**E10-411. Nasser Elyaderani**, 7 Kevin Drive, Sewickley, PA 15143. Cranberry Center Commercial Property Development, in Cranberry Township, **Butler**

**County**, ACOE Pittsburgh District (Baden, PA Quadrangle N: 40° 40' 53.16"; W: 80° 08' 20.37").

To place and maintain 30 cubic yards of fill within the floodway of Brush Creek (WWF) and to fill 0.014 acre of PEM wetlands for the purpose of developing 2.8 acres of property into a commercial development at the northeast corner of the intersection of Freedom and Powell Roads.

**E37-169. Department of Transportation, District 11-0**, 45 Thomas Run Road Bridgeville, PA 15107. SR 1012, Section L02, Segment 0140, Offset 1810 Across Slippery Rock Creek, in Slippery Rock Township, **Lawrence County**, ACOE Pittsburgh District (Portersville, PA Quadrangle N: 21.2 inches; W: 8.2 inches).

To remove the existing structure and to construct and maintain a simple span steel multi-girder bridge having a clear span of 135 feet and an underclearance of 23.8 feet on a 90° skew across Slippery Rock Creek on SR 1012, Section L02, Segment 0140, Offset 1810 approximately 2.5 miles south of Harlansburg. The project also includes the placement of R-7 riprap in the remnants of an adjacent millrace. According to 25 Pa. Code Chapter 93, Slippery Rock Creek is a CWF-TSF.

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

**E42-09-001. Department of Environmental Protection, Bureau of Abandoned Mine Reclamation**, Cambria Office, 286 Industrial Park Rd., Ebensburg, PA 15931. Abandoned Mine Land Reclamation Project, in Sergeant Township, **McKean County**, Pittsburgh ACOE District.

The applicant proposes to construct an acid mine drainage (AMD) treatment system that will treat discharges from an abandoned deep mine complex. These discharges are impacting Gumboot Run for a distance of 1.6 miles. The discharges also increase the acidity load to the next receiving stream, East Branch Clarion River and the East Branch Lake. The project will fill 1.5 acres of AMD-impacted PEM wetland. Facilities to be constructed include settling ponds and limestone beds. Mitigation will include the restoration of 1.6 miles of riverine habitat in Gumboot Run and beneficial impacts to 3.0 miles of the East Branch Clarion River and the East Branch Dam. (Crosby Quadrangle N: 6.75 inches, W: 16.5 inches).

*Northeast Region: Bureau of Abandoned Mine Reclamation, Wilkes-Barre District Office, 2 Public Square, 5th Floor, Wilkes-Barre, PA 18711-0790, (570) 826-2371.*

**EA5411-001: Bureau of Abandoned Mine Reclamation, Wilkes-Barre District Office**. Mary D. East Project in Schuylkill Township, Schuylkill County, ACOE Philadelphia District, Delano, PA. Quadrangle N: 1.15 inches; W: 7.30 inches to N: 1.50 inches; W: 7.00 inches.

To perform the following water obstruction and encroachment activities associated with abandoned mine discharge treatment.

This project will expand an existing 1.77-acre wetland to treat mine drainage. This wetland does not meet the Category 1 criteria. A 0.69-acre portion of the wetland will be filled in and replaced by 0.91 acre on the opposite side resulting in a net increase of 0.22 acre. Also two 12" PVC pipes will be installed to cross under Swift Creek allowing mine discharge into two 0.08 acre settling ponds before entering the wetland. A temporary stream crossing will be constructed during the project. Outlet control for this wetland through use of a 24" pipe and an emergency spillway will also be installed.



*Department of Environmental Protection, Bureau of Waterways Engineering, Water Management Program Manager, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8554, Harrisburg, PA 17105-8554.*

**E4614-001. Department of General Services, Bureau of Engineering and Architecture**, 18th and Herr Streets, Harrisburg, PA 17125, Ardsley Drainage Channel Flood Protection Project, Township of Upper Dublin, **Montgomery County**, ACOE Philadelphia District.

The permit is requested for a flood protection project with the following activates associated with the construction of the project in and along approximately 2,500 linear feet (~1.7 acres) of the Ardsley Drainage Channel (intermittent, WWF):

1. The upstream end of the project is at Penn Street in Abington Township. The upstream end of the project connects to an existing elliptical concrete pipe under Penn Street. A concrete box culvert (10 feet wide) will run for 305 linear feet from the Penn Street pipe.

2. The concrete box culvert empties into a 10-foot wide rectangular concrete channel. This channel will extend for a distance of 340 feet to an area near the intersection of Spear Avenue and Avenue G. The channel transitions to a 14 feet width and continues for a distance of 188 feet to Avenue H.

3. The existing corrugated metal pipe arch under Avenue H will be replaced with a new concrete box culvert that is 14 feet wide. The new concrete box culvert is 63 feet long.

4. A rectangular concrete channel will be constructed from Avenue H to Avenue J. The channel will run for a distance of 172 linear feet. The width of the concrete channel is 10 feet.

5. A precast concrete box culvert will replace the existing corrugated metal pipe under Avenue J. The box culvert also replaces a riprap lined channel between Avenue J and North Hills Avenue. The box culvert is 252 feet long with interior dimensions of 10 feet wide and 4 feet high.

6. A precast concrete box culvert will replace the existing box culvert under North Hills Avenue down to Fitzwatertown Road. The box culvert is 895 feet long with interior dimensions that vary between widths of 10 and 14 feet, width depths between 4 feet and 3 feet 9 inches.

7. An existing concrete box culvert under Fitzwatertown Road will remain. The existing box culvert is 100 feet long.

8. A trapezoidal riprap channel will be constructed downstream of the existing Fitzwatertown Road culvert.

The riprap channel will have a bottom width of 12 feet and a bank height of 5 feet. This channel will extend for a distance of 145 feet to the stream junction with Sandy Run.

The project is located along the Ardsley Drainage Channel (Ambler, PA Quadrangle N: 0.0 inches, W: 5.0 inches) in Upper Dublin Township, Montgomery County.

#### ENVIRONMENTAL ASSESSMENTS

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

**D15-394EA. T. Lyons Bradley**, 1339 Temple Road, Pottstown, PA 19465. ACOE Philadelphia District. Project proposes to remove approximately 1.5 acres of accumulated silts and sediments from the reservoir impounded by the Bradley Pond Dam across a tributary to the Schuylkill River (HQ-TSF). The dam is located approximately 450 feet north of the intersection of Temple Road and Catfish Lane (Pottstown, PA Quadrangle, N: 17.80", W: 8.75"). North Coventry Township, **Chester County**.

#### DAM SAFETY

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

**D66-009A. Harry H. Sharpe**, P. O. Box L, Tunkhannock, PA 18657. To modify, operate and maintain an existing partially breached earthfill dam, which creates a 41-acre recreational lake known as Sharpe's Pond, located across a tributary to Little Mehoopany Creek (CWF), impacting 0.14 acre of wetlands (Palustrine Emergent) and providing for 0.429 acre of wetland mitigation. Work includes reconstructing the earthen embankment, constructing a new primary spillway, creating an earthen auxiliary spillway, and installing a drawdown control and conduit. (Jenningsville, PA Quadrangle N: 15.7 inches; W: 8.5 inches) in Windham Township, **Wyoming County**.

**D65-009. John and Jessie Ferrante**, R. R. 36, Route 30 West, Greensburg, PA 15601. To modify, operate and maintain Jeannette Dam across a tributary to Brush Creek (TSF), impacting 0.21 acre of open water for the purpose of rehabilitating the existing dam creating Mountain Valley Lake. Work includes lowering the existing dam crest, stabilizing an existing diversion channel, constructing a new spillway and energy dissipation basin, constructing an outlet tower with control gate and discharge conduit, and other ancillary activities (Greensburg, PA Quadrangle N: 10.5 inches; W: 12.1 inches) in Hempfield Township, **Westmoreland County**.

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## ACTIONS

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### THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

#### FINAL ACTIONS TAKEN FOR NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS AND WATER QUALITY MANAGEMENT (WQM) PERMITS

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

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

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

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

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

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

## **I. NPDES Renewal Permit Actions**

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0029637 (Minor Industrial Waste)	Video Display Corporation P. O. Box 119 White Mills, PA 18473-0119	Wayne County Texas Township	Lackawaxen River (1B)	Y
PA0012823A1	PPL Martins Creek, LLC Two North Ninth Street Allentown, PA 18101-1179	Lower Mt. Bethel Township Northampton County	Delaware River 1F	N

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0218693 Sewage	Luzerne Township Sewage Authority 415 Hopewell Road Brownsville, PA 15417-9542	Fayette County Luzerne Township	Monongahela River	Y
PA0090395 Industrial Waste	Indiana County Municipal Services Authority 827 Water Street Indiana, PA 15701	Indiana County Young Township	Harpers Run	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0023931	Cambridge Area Joint Authority 161 Carringer Street Cambridge Springs, PA 16403	Cambridge Springs Borough Crawford County	French Creek 16-A	Y

Along with issuance of this final NPDES Permit on December 21, 2005, Cambridge Area Joint Authority (CAJA) and Cambridge Springs Borough simultaneously executed a Consent Order and Agreement with the Department. It requires CAJA, on behalf of the Borough to submit an approvable Act 537 Plan Update Revision, proposing solutions that will result in elimination of existing Sanitary Sewer Overflows located prior to the sewage treatment plan. The Authority has already submitted a draft 537 Plan Update Revision to the Department, preliminarily indicating the desire to construct a new STP with a higher design flow to solve these problems. CAJA has paid an up-front penalty to resolve past violations.

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

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

**NPDES Permit No. PA0244112**, Sewage, **Antonio and Pamela Logioia**, 2606 Pheasant Run Lane, Spring City, PA 19475. This proposed facility is located in East Pikeland Township, **Chester County**.

Description of Proposed Action/Activity: Approval for a new small flow sewage treatment plant to discharge into Stony Run in Watershed 3D-Manatawny.

**NPDES Permit No. PA0055468**, Sewage, **Pleasant Run Mobile Home Park**, Route 663 and Little Road, Perkiomenville, PA 18074. This proposed facility is located in New Hanover Township, **Montgomery County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge treated sewage into Deep Creek in Watershed 3E-Perkiomen.

**NPDES Permit No. PA0055697**, Sewage, **TAD Facilities, Ltd.** 628 Telegraph Road, Coatesville, PA 19320. This proposed facility is located in West Caln Township, **Chester County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge treated sewage to West Branch Brandywine Creek in Watershed 3H.

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

**NPDES Permit No. PA-0061123**, Sewage, **Moscow Sewer Authority**, P. O. Box 525, 309 Market Street, Moscow, PA 18444-0525. This proposed facility is located in Moscow Borough, **Lackawanna County**.

Description of Proposed Action/Activity: Issuance of NPDES Permit. Approval for increased discharge of treated sewage up to 0.30 mgd.

Included monitoring and annual mass loads for total nitrogen and total phosphorus.

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

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

**WQM Permit No. 1503420**, 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 wastewater treatment plant.

**WQM Permit No. 1505423**, Sewerage, **New Garden Township Sewer Authority**, 299 Starr Road, Landenberg, PA 19350. This proposed facility is located in New Garden Township, **Chester County**.

Description of Action/Activity: Construction and operation of a wastewater treatment facility diversion valve system.

**WQM Permit No. 1500416, Amendment**, Sewerage, **East Marlborough Township**, 721 Unionville Road, Kennett Square, PA 19348. This proposed facility is located in East Marlborough Township, **Chester County**.

Description of Action/Activity: To increase in spray irrigation capacity from 290,000 gpd to 440,000 gpd.

**WQM Permit No. 4604405**, Sewerage, **Lower Perkiomen Valley Regional Sewer Authority**, 5 River Road, P. O.Box 613, Oaks, PA 19456-0613. This proposed facility is located in Upper Providence Township, **Montgomery County**.

Description of Action/Activity: Installation of a 66" and 54" sanitary sewer interceptor.

**WQM Permit No. 4604407**, Sewerage, **Lower Perkiomen Valley Regional Sewer Authority**, 5 River Road, P. O. Box 613, Oaks, PA 19456-0613. This proposed facility is located in Upper Providence Township, **Montgomery County**.

Description of Action/Activity: Installation of a PVC sewer interceptor, sewer manholes and nine sewage meter pits.

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

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

**WQM Permit No. 4600409, Amendment**, Sewerage, **Lower Moreland Township Authority**, 640 Red Lion Road, Huntingdon Valley, PA 19006-6234. This proposed facility is located in Lower Moreland Township, **Montgomery County**.

Description of Action/Activity: Expansion of flow capacity from 0.220 million gpd to 0.2795 million gpd.

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

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

**WQM Permit No. WQG02460510**, Sewerage, **Rouse/Chamberlin, Ltd.**, 500 Exton Road, Exton, PA 19341. This proposed facility is located in Upper Pottsgrove Township, **Montgomery County**.

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

**WQM Permit No. 1505422**, Sewerage, **Antonio and Pamela Logioia**, 2606 Pheasant Run Lane, Spring City, PA 19475. This proposed facility is located in East Pikeland Township, **Chester County**.

Description of Action/Activity: Construction and operation of a small flow sewage treatment plant.

**WQM Permit No. WQG02460512**, Sewerage, **Lower Providence Township Sewer Authority**, 100 Parklane Drive, Eagleville, PA 19403. This proposed facility is located in Lower Providence Township, **Montgomery County**.

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

**WQM Permit No. 1586409, Amendment**, 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: Modifications to the existing effluent dispersal spray fields.

**WQM Permit No. 1505406**, Sewerage, **Willistown Township**, 688 Sugartown Road, Malvern, PA 19355. This proposed facility is located in Willistown Township, **Chester County**.

Description of Action/Activity: Construction and operation of a wastewater pumping station, force main and gravity mains.

**WQM Permit No. 4605419**, 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: Upgrade to existing sewer lines.

**WQM Permit No. 0905410**, Sewerage, **Hilltown Township Water and Sewer Authority**, 316 Highland Park, P. O. Box 365, Sellersville, PA 18960. This proposed facility is located in Hilltown Township, **Bucks County**.

Description of Action/Activity: Construction and operation of sewerage facilities consisting of 6 individual grinder pumps and a force main.

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

**WQG Permit No. WQG026101**, Sewerage, **Menallen Township Sewer Authority**, 427 Searights Herbert Road, Uniontown, PA 15401. This proposed facility is located in Menallen Township, **Fayette County**.

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

**WQM Permit No. 2605402**, Sewerage, **S.M.A.A.J.G. Development Corporation**, P. O. Box 622, Perryopolis, PA 15473. This proposed facility is located in Perryopolis Borough, **Fayette County**.

Description of Proposed Action/Activity: Pump Station and Force Main.

**WQM Permit No. 3005402**, Sewerage, **Dana Mining Corporation of Pennsylvania, Inc.**, P. O. Box 1029, Morgantown, WV 26507. This proposed facility is located in Dunkard Township, **Greene County**.

Description of Proposed Action/Activity: Construction of a sewage treatment plant to serve Dana Mining Corporation of PA 4-West Mine Bathhouse.

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

**WQM Permit No. 1005404**, Sewerage, **Linda Starr**, 400 Isle Road, Butler, PA 16001. This proposed facility is located in Middlesex Township, **Butler County**.

Description of Proposed Action/Activity: This project is for the construction and operation of a sewage treatment system to serve the Starr Subdivision.

**WQM Permit No. 1005405**, Sewerage, **Breakneck Creek Regional Authority**, P. O. Box 1180, Mars, PA 16046. This proposed facility is located in Adams Township, **Butler County**.

Description of Proposed Action/Activity: This project is for the construction and installation of a pump station and sewer extension to serve the Cobblestone Plan of Lots.

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

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI010905003	Steffen Hausner Hausner Tract 16 Stoney Hill Road New Hope, PA 18938	Bucks	New Hope Borough	Aquetong Creek (HQ-CWF)

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI011505058	LTK Associates, Inc. Calvary Chapel of Chester Springs Church 55 Country Club Drive Downingtown, PA 19335	Chester	Uwchlan Township	Shamona Creek (HQ-TSF-MF)
<i>Southcentral Region: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.</i>				
<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI032805005	Spring Valley Estates, LLC P. O. Box 701 Mavqansville, MD 21767	Franklin	Guilford Township	Falling Spring Branch HQ/CWF
PAI032805001	Mark Bard 1402 Lincoln Way East Chambersburg, PA 17201	Franklin	Guilford Township	Conococheague/Falling Springs HG/CWF
PAI032805004	KJS Properties, LLC 9156 Molly Pitcher Highway South Greencastle, PA 17225	Franklin	An trim Township	Muddy Run HQ/CWF
PAI033605005	Salisbury Township 5581 Old Philadelphia Pike Gap, PA 17527	Lancaster	Salisbury Township	Pequea Creek/Umbles Run WWF/HQ-CWF
<i>Northwest Region: Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.</i>				
<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI062405001	MiCale Construction Services, Inc.	Elk	Fox Township	UNT Byrnes Run EV
PAI063305002	Jefferson County	Jefferson	Pinecreek Township	UNT North Fork HQ-CWV UNT Mill Creek CWF

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

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

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

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

*General Permit Type—PAG-2*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Lower Makefield Township Bucks County	PAG2000905071	Congregation Beth EI Phase II Development 375 Stony Hill Road Yardley, PA 19067-5810	Rock Run and Brock Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Bensalem Township Bucks County	PAG2000905089	First Leader Development Waterford Greene 1 Abington Plaza, Suite 403 Jenkintown, PA 19046	Tributary Neshaminy Creek (WWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Bensalem Township Bucks County	PAG2000905120	K/H GPI, LLC Proposed Warehouse Expansion 2600 Grand Avenue Kansas City, MO 64108	Neshaminy Creek (WWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
New Britain Township Bucks County	PAG2000905076	Goodman Properties 636 Old York Road Jenkintown, PA 19046	Neshaminy Creek (WWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Bristol Township Bucks County	PAG2000904102	First Federal Reality 118 Mill Street Bristol, PA 19007	Delaware River (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Bensalem Township Bucks County	PAG2000905081	RRD, LLC 920 Wayland Circle Bensalem, PA 19020	UNT Neshaminy Creek (WWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Bedminster Township Bucks County	PAG2000904185	Robert R. Ferguson and Richard Foggio P. O. Box 83 Bedminster, PA 18910	Deep Run (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Marple Township Delaware County	PAG2002305030	National Realty Corporation 1604 Walnut Street Philadelphia, PA 19103	Darby Creek (WWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Darby Borough Delaware County	PAG2002305050	Department of Transportation 7000 Geerdes Boulevard King of Prussia, PA 19406	Darby Creek (TSF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Marple Township Delaware County	PAG2002305051	Blanke Aschkerasy Properties, LLC 300 Conshohocken State Road West Conshohocken, PA 19428	Crum Creek (CWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Chadds Ford Township Delaware County	PAG2002305070	John Tremonte 62 Sonia Lane Broomall, PA 19008	UNT Brandywine Creek (WWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Norristown Borough Montgomery County	PAG2004605159	Quaker City Properties P. O. Box 269, 321 Arbor Lane Ambler, PA 19002	Sawmill Run (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG2015105034	Philadelphia Housing Development Corp. Ludlow Village, Phase V 1234 Market Street 17th Floor Philadelphia, PA 19107	City of Philadelphia Municipal Separate Storm Sewer	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
City of Philadelphia Philadelphia County	PAG2015105041	Marinaview Properties, LP Marina View Towers 5891 Easton Road P. O. Box 1040 Philadelphia, PA 18949	Delaware River (CWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Hampden Township Cumberland County	PAG2002105019	Laurel Ridge Estates High Family Partnership Jim Shultz 1853 William Penn Way P. O. Box 10008 Lancaster, PA 17605	Pine Run and Holtz Run WWF	Cumberland County Conservation District 43 Brookwood Avenue Carlisle, PA 17013 (717) 240-7812
Lemoyne Borough Cumberland County	PAG20021040421	Copper Ridge II Cornerstone Development Group Dyric Synder 1 Marketway East York, PA 17401	UNT to Susquehanna WWP	Cumberland County Conservation District 43 Brookwood Avenue Carlisle, PA 17013 (717) 240-7812
Mennallen Township Bendersville Borough Adams County	PAG2000104021	Richard A. Klein, Pres. Greater Bendersville Development Company, LLC 350 Mason Dixon Road Gettysburg, PA 17325	UNT to Oppossum Creek TSF	Adams County Conservation District 670 Old Harrisburg Rd. Suite 201 Gettysburg, PA 17325 (717) 334-0636
Freedom Township Adams County	PAG2000105031	Brian C. Shaub 1500 Wilson Avenue Lancaster, PA 17603	Middle Creek CWF	Adams County Conservation District 670 Old Harrisburg Rd. Suite 201 Gettysburg, PA 17325 (717) 334-0636
Monroe Township Mifflin County	PAG2003405011	Larry L. Long R. R. 2, Box 410 Port Royal, PA 17082	UNT to Quaker Run CWF	Juniata County Conservation District R. D. 5, Box 35 Stoney Creek Dr. Mifflintown, PA 17059 (717) 436-8953
Exeter and Amity Townships Berks County	PAG20006050541	David Kaufman Pennsylvania American Water 800 West Hersheypark Drive Hershey, PA 17033	Schuylkill River WWF	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	PAG2000605098	Bruce Shepherd Hibernia Homes 1009 Telegraph Road Coatesville, PA 19320	Conestoga River WWF	Berks County Conservation District 1238 County Welfare Road, P. O. Box 520 Leesport, PA 19533-0520 (610) 372-4657, Ext. 201
Derry Township Dauphin County	PAG2002205063	Derry Township Municipal Authority 670 Clearwater Rd. Hershey, PA 17033	Swatara Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Rd. Dauphin, PA 17018 (717) 921-8100
Bradford County Tory and Granville Townships	PAG2000805012	Mark A. Johnson Tenn. Gas Pipeline Co. 1001 Louisiana St. Room 1156A Houston, TX 77002	Mud Creek TSF	Bradford County Conservation District R. R. 5, Box 5030C Stoll Natural Resource Center Towanda, PA 18848 (570) 265-5539, Ext. 205

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Clearfield County Grampian Borough	PAG2001704017	Monty T. Simbeck P. O. Box 88 Grampian, PA 16838	Kratzer Run CWF	Clearfield County Conservation District 650 Leonard St. Clearfield, PA 16830 814-765-2629
Beaver County Chippewa Township	PAG2000405016	Demetrios Pappan Sean & Company, LP 2304 Broadhead Road Aliquippa, PA 15001	UNT to Wallace Run (WWF)	Beaver County CD (724) 378-1701
Beaver County Center Township	PAG2000405025	Center Area School Dist. Dr. Daniel Matsook 160 Baker Road Ext. Monaca, PA 15061	UNT to Moon Run (WWF)	Beaver County CD (724) 378-1701
Beaver County Franklin Township	PAG2000405026	Jeff Kaurez Auto Zone, Inc. 123 S. Front Street 3rd Floor Memphis, TN 38103	UNT to Connequenessing Creek (WWF)	Beaver County CD (724) 378-1701

*General Permit Type—PAG-3*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
New Sewickley Township Beaver County	PAR506116	Joseph J. Brunner 211 Brunner Road Zelienople, PA 16063	UNT to Brush Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

*General Permit Type—PAG-4*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Eaton Township Wyoming County	PAG042201	Cyril Lichtensteiger 60 Lortel Avenue Staten Island, NY 10314	Susquehanna River	DEP—NERO Water Mgmt. Program 2 Public Square Wilkes-Barre, PA 18711-0790 (570) 826-2511

*General Permit Type—PAG-9*

<i>Facility Location &amp; County/Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Phone No.</i>
Hempfield Township Westmoreland County	PAG096106	Hapchuk Sanitation R. D. 10, Box 276 Greensburg, PA 15601	Hapchuk Sanitation	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

## PUBLIC WATER SUPPLY (PWS) PERMITS

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

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the

Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available



in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

### SAFE DRINKING WATER

#### Actions taken under the Pennsylvania Safe Drinking Water Act

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

**Operations Permit** issued to **Pennsylvania American Water Co.**, 800 West Hersheypark Drive, Hershey, PA 17033 (PWS ID 3480038) Upper Mount Bethel Township and Bangor Borough, **Northampton County** on December 20, 2005, for the operation of facilities approved under construction permit Minor Amendment issued November 12, 2004.

**Permit No. Minor Amendment.** Public Water Supply.

Applicant	<b>Pennsylvania American Water Company</b> 800 West Hersheypark Drive Hershey, PA 17033
Borough or Township	Bridgewater Township
County	<b>Susquehanna</b>
Type of Facility	PWS
Consulting Engineer	Scott Thomas, P. E.
Permit to Construct Issued:	December 15, 2005

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

**Permit No. 0605502,** Public Water Supply.

Applicant	<b>Pennsylvania-American Water</b>
Municipality	Lower Heidelberg Township
County	<b>Berks</b>
Type of Facility	Addition of the Calvary Well Facility P-28 to the Penn District with associated treatment.
Consulting Engineer	Michael J Daschbach, P. E. Entech Engineering, Inc. 4 South Fourth Street Reading, PA 19603
Permit to Construct Issued:	12/15/2005

**Permit No. 3805504,** Public Water Supply.

Applicant	<b>Cornwall Borough, Lebanon County Municipal Authority</b>
Municipality	Cornwall Borough
County	<b>Lebanon</b>

Type of Facility	Construction of a new Alden Place Storage Tank and booster chlorination system at the existing Borough Garage Pumping Station; repainting of the Cold Spring Storage Tank and distribution pipeline improvement.
Consulting Engineer	James C Elliot, P. E. Gannett Fleming, Inc. P. O. Box 67100 Harrisburg, PA 17106-7100
Permit to Construct Issued:	11/30/2005
<b>Permit No. 2805506 MA, Minor Amendment,</b>	Public Water Supply.
Applicant	<b>Bear Valley, Franklin County, Pennsylvania Joint Authority</b>
Municipality	St. Thomas, Peters and Hamilton
County	<b>Franklin</b>
Type of Facility	Distribution system upgrades
Consulting Engineer	David R Knapton, P. E. Gannett Fleming, Inc. 601 Holiday Drive Pittsburgh, PA 15220
Permit to Construct Issued:	11/28/2005
<b>Permit No. 2805507,</b>	Public Water Supply.
Applicant	<b>Washington Township Municipal Authority</b>
Municipality	Washington Township
County	<b>Franklin</b>
Type of Facility	Applicant seeks a construction permit for the proposed 65,000 gallon per day Lininger Subdivision finished water pump station.
Consulting Engineer	Merle J Holsinger, P. E. Civil Planning & Design 1800 East Main Street Waynesboro, PA 17268
Permit to Construct Issued:	12/8/2005
<b>Permit No. 2205507 MA, Minor Amendment,</b>	Public Water Supply.
Applicant	<b>Lykens Borough Authority</b>
Municipality	Jackson Township
County	<b>Dauphin</b>
Type of Facility	Installation and use of soda ash instead of lime from December to March.
Consulting Engineer	Peter Lusardi, P. E. CET Engineering Services 1240 N. Mountain Rd. Harrisburg, PA 17112
Permit to Construct Issued:	12/15/2005

**Operations Permit** issued to **Reading Area Water Authority**, 3060059, Ontelaunee Township, **Berks County** on 12/15/2005 for the operation of facilities approved under Construction Permit No. 0604502 MA.

**Operations Permit** issued to **The Meadows Home Owners Association**, 7010044, Cumberland Township, **Adams County** on 12/13/2005 for the operation of facilities approved under Construction Permit No. 0104505.

**Operations Permit** issued to **Reading Area Water Authority**, 3060059, Ontelaunee Township, **Berks County** on 12/15/2005 for the operation of facilities approved under Construction Permit No. 0603515 MA.

**Operations Permit** issued to **Lower Windsor Township**, 7670307, Windsor Township, **York County** on 11/30/2005 for the operation of facilities approved under Construction Permit No. 6704513.

**Operations Permit** issued to **Shrewsbury Borough**, 7670088, Shrewsbury Borough, **York County** on 11/30/2005 for the operation of facilities approved under Construction Permit No. 6702506.

**Operations Permit** issued to **Exelon Nuclear**, 7670905, Delta Borough, **York County** on 12/14/2005 for the operation of facilities approved under Construction Permit No. 6704501.

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

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

Applicant	<b>Renovo Borough</b>
Township or Borough	Renovo Borough
County	<b>Clinton</b>
Responsible Official	Judith Kelley Renovo Borough 128 Fifth Street Renovo, PA 17764
Type of Facility	Public Water Supply—Operation
Consulting Engineer	N/A
Permit Issued Date	12/20/2005
Description of Action	Operation of the 4-inch turbo meter installed at your booster pump station.

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

**Permit No. 0205503**, Public Water Supply.

Applicant	<b>Fawn-Frazier Joint Water Authority</b> 326 Donnellville Road Natrona Heights, PA 15065
Borough or Township	Fawn and Frazier Townships
County	<b>Allegheny</b>
Type of Facility	Water system improvements
Consulting Engineer	Bankson Engineers, Inc. 267 Blue Run Road P. O. Box 200 Indianola, PA 15051
Permit to Construct Issued	December 20, 2005

## WATER ALLOCATIONS

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

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

**WA30-1000, Water Allocations. Dunkard Valley Joint Municipal Authority**, P. O. Box 193, Greensboro, PA 15338, **Greene County**. The applicant is requesting the right to withdraw 250,000 gallons per day, average day, from the Monongahela River.

### SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Upper Leacock Township	P. O. Box 325 Leola, PA 17540	Lancaster

*Plan Description:* The approved plan provides for extension of sewer service to 14 residential lots. Sewage will be tributary to a new sewage pump station to be dedicated to the Leola Sewer Authority and will then go to the City of Lancaster's North pump station and Wastewater Treatment Facility. Total flows will be 2,800 gallons per day. The name of the project is "Quarry Road" and the DEP Code number is A3-36954-150-3; the APS number is 570014. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
North Middleton Township	2051 Spring Rd. Carlisle, PA 17013	Cumberland

*Plan Description:* Approval of a revision to the Official Sewage Plan of North Middleton Township, Cumberland County. The proposed Brubacker subdivision consists of 200 residential lots, a new pump station for 46,000 gal/day average flow and a new force main tributary to the North Middleton Authority sewer system and the Carlisle Wastewater Treatment Plant. The Department's review of the sewage facilities update revision has not identified any significant impacts resulting from this proposal.

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Hanover Township	901 Steubenville Pike Burgettstown, PA 15021	Washington

*Plan Description:* The approved plan amends the existing Act 537. The revised plan consists of Phase 1 construction of sanitary sewers to serve the Paris Area. Sewage flow from these sewers will be conveyed via pump stations to the Weirton Sewage Treatment Plant in Weirton, West Virginia. Phases II—V: construction of a 205,000 gallon per day sewage treatment plant in the Bavington Area at the confluence of Raccoon and Little Raccoon Creeks. The new sewage treatment plant will serve the Bavington Area, Starpointe Business Park, Florence and the Post Gazette Pavilion as well as the Pepsi Roadhouse. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

### SEWAGE FACILITIES ACT PLAN DISAPPROVAL

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

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

*Plan Location:* On the south side of Edgegrove Rd., east of its intersection with Centennial Rd. in Mt. Pleasant Township, Adams County.

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Mount Pleasant Township	c/o Diane Groft 1035 Beck Rd. Gettysburg, PA 17325	Adams

*Plan Description:* The development proposed a five-lot single family residential subdivision utilizing onsite sewage disposal and the project code number is A3-01925-209-2. The plan was disapproved because the hydrogeologic study does not reliably predict whether the proposed subdivision will prevent pollution of the waters of this Commonwealth.

### HAZARDOUS SITES CLEANUP UNDER THE ACT OF OCTOBER 18, 1988

#### Prompt Interim Response

#### Forward Township, Ash Slide Site, Forward Township, Allegheny County

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (HSCA) (35 P. S. §§ 6020.101—6020.1305), has initiated a prompt interim response at Forward Township, Ash Slide Site (Site). This response has been initiated under sections 501(a) and 505(b) of the HSCA (35 P. S. §§ 6020.501(a) and 6020.505(b)). The Site is located at the intersection of River Hill Road and Malerie Lane in Forward Township, Allegheny County.

The Site consists of approximately 30,000 cubic yards of ash that was dumped into a ravine on the property in the 1940's. The purpose of the deposition of the ash material is unknown, but it may have been used as fill material. On January 25, 2005, several tons of this ash slid into the channel of Perry Mills Run below. The slide resulted in blockage of the stream channel, the flooding of Rostosky Ridge Road and nearby residences and the deposition of ash in the affected area. In January of 2005 the Department funded a response to relocate the stream channel to

prevent undercutting the waste pile and to remove heavy ash deposits along Rostosky Ridge Road.

The ash pile continues to present an eminent and substantial threat to the environment and to the public at large. The slide resulted in the waste pile having a 40 to 50 foot high near-vertical face wall of questionable stability. The pile's current condition poses the likelihood that an additional failure could occur that would release additional ash to the air, surface water and surrounding community.

The objective of this response action is to remove the human health threats associated with the ash pile by excavating the ash and removing the ash offsite to an approved disposal facility.

The following response actions were considered:

1. *No Action:* This alternative would involve no response by the Department to stabilize or cover the ash slide slope.

2. *Removal and offsite disposal of the ash and stabilizing the slope:* This alternative involves excavating into the existing slope and removing the ash to be taken offsite for proper disposal. The slope remaining after the ash is removed will be graded, mulched and seeded to stabilize it. Prior to the work, engineering studies will be done to determine the most effective method of stabilizing the area. Monitoring and maintenance of the Site will take place for at least 1 year after seeding. Reseeding will be done, as needed, to maintain a stabilizing growth of vegetation, and repairs would be made of any areas of erosion or instability.

3. *Removal and onsite disposal of ash and stabilizing slope with borrow material:* This alternative involves excavating into the existing slope and removal of ash from this excavation and from the base of the slope for temporary storage. Borrow material would be removed from another area on the property to be placed, compacted and graded to design specifications on the slope to stabilize it. The slope would be seeded and mulched. The temporarily stored ash would be placed in the excavated borrow area on the property, covered with soil, seeded, and mulched. Prior to the work, engineering studies will be done to determine the most effective method of stabilizing the area. Monitoring and maintenance of the Site will take place for at least 1 year after seeding. Reseeding will be done, as needed, to maintain a stabilizing growth of vegetation and repair any areas of erosion or instability.

The Department has determined that alternative No. 2 is the most protective of human health and environment and has begun work at the site to prepare to remove the ash to an offsite disposal facility. This work is being conducted as an emergency response under section 501(g) of the HSCA (35 P. S. § 6020.501(g)).

This notice is being provided under section 505(b) of HSCA. The administrative record which contains the information that forms the basis and documents the selection of this response action is available for public review and comment. The administrative record is located at the Department's regional office at 400 Waterfront Drive in Pittsburgh and is available Monday through Friday from 8 a.m. to 4 p.m.

The administrative record will open for comment from January 7, 2006, to April 7, 2006. Persons may submit written comments to the record during this time only by sending them to Terry Goodwald, 400 Waterfront Drive, Pittsburgh, PA 15222 or by delivering them to this office in person.

In addition, persons may present oral comments for inclusion in the administrative record at a public hearing. The Department has scheduled the hearing on February 9, 2006, at 7:30 p.m. at the William Penn Elementary School, 392 William Penn Road, Forward Township. Persons wishing to present comments must register with Helen Humphreys before 12 p.m. on February 9, 2006, by telephone at (412) 442-4183 or in writing at 400 Waterfront Drive, Pittsburgh, PA 15222.

Persons with a disability who wish to attend the hearing and require auxiliary aid, service or other accommodations to participate in the proceedings should call Helen Humphreys at (412) 442-4000 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

### PREAMBLE 2

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

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

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

The Department has received the following plans and reports:

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

**Franklin Center (Former American Insulator),** New Freedom Borough, **York County.** Alternative Environmental Solutions, Inc., 930 Pointview Avenue, Suite B, Ephrata, PA 17522, on behalf of Cornerstone Development Group, One Market Way East, York, PA 17401, submitted a Final Report concerning remediation of groundwater and soil contaminated with hydraulic oil. The report is intended to document remediation of the site to the residential Statewide Health Standard.

**Wawa Store No. 153,** City of Reading, **Berks County.** Groundwater & Environmental Services, Inc., 410 Eagleview Boulevard, Exton, PA 19604, on behalf of Wawa, Inc., 260 West Baltimore Pike, Wawa, PA 19063, submitted a combined remedial investigation and final report concerning remediation of site soils and groundwater contaminated with leaded gas. The report is intended to document remediation of the site to a combination of the Statewide Health and Site-Specific Standards.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

### PREAMBLE 3

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

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

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

The Department has received the following plans and reports:

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

**Franklin Center (Former American Insulator)**, New Freedom Borough, **York County**. Alternative Environmental Solutions, Inc., 930 Pointview Avenue, Suite B, Ephrata, PA 17522, on behalf of Cornerstone Development Group, One Market Way East, York, PA 17401, submitted a Final Report concerning remediation of groundwater and soil contaminated with hydraulic oil. The final report demonstrated attainment of a residential Statewide Health Standard, and was approved by the Department on December 15, 2005.

**Veeder-Root Company**, Allegheny Township, **Blair County**. Axiom Environmental Services, LLC, P. O. Box 20522, Lehigh Valley, PA 18002, on behalf of Veeder-Root Company, P. O. Box 1673, Altoona, PA 16604 submitted a combined Remedial Investigation and Final Report concerning remediation of groundwater and site soils contaminated with gasoline, PCBs and chlorinated hydrocarbons. The combined report demonstrated attainment of a combination of the nonresidential Statewide Health and Site-Specific Standards, and was approved by the Department on December 15, 2005.

## AIR QUALITY

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

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

**35-320-007GP7: Panel Prints, Inc.** (1001 Moosic Road, Old Forge, PA 18518) on December 13, 2005, to construct and operate two lithographic sheetfed presses at their facility in Old Forge Borough, **Lackawanna County**.

**48-310-057GP3: Northledge LLC** (930 East Market Street, Bethlehem, PA 18017) on December 13, 2005, to construct and operate a portable stone crushing plant at 1600 Freemansburg Avenue, Freemansburg Borough, **Northampton County**.

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

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

**39-309-063: Lafarge North America, Inc.** (5160 Main Street, Whitehall, PA 18052) on December 9, 2005, to modify an existing Cement Kiln No. 2 to utilize plastic derived fuel at their facility in Whitehall Township, **Lehigh County**.

**45-310-037: Haines and Kibblehouse, Inc.** (P. O. Box 196, 2052 Lucon Road, Skippack, PA 19474) on December 12, 2005, to modify a stone crushing plant (making a portable plant permanent) at the Locust Ridge Quarry, in Tobyhanna Township, **Monroe County**.

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

**28-05038A: Blue Ridge Renewable Energy, LLC** (1660 Orchard Road, Scotland, PA 17254-0399) on December 19, 2005, to install five Engine/Generators firing treated landfill gas in Greene Township, **Franklin County**.

**36-05009A: J. L. Clark, Inc.** (303 North Plum Street, Lancaster, PA 17602-2401) on December 15, 2005, to install a Regenerative Thermal Oxidizer in the City of Lancaster, **Lancaster County**.

**36-05017C: Conestoga Wood Specialties Corp.** (245 Reading Road, East Earl, PA 17519-0158) on December 16, 2005, to construct a new coating booth and to enlarge an existing booth, in East Earl Township, **Lancaster County**.

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

**30-00099E: Allegheny Energy Supply Co.** (800 Cabin Hill Drive, Greensburg, PA 15601) on December 14, 2005, to cofire with Powder River Basin coal at the Hatfield's Ferry Station in Monongahela Township, **Greene County**. This is a Title V facility.

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

**43-341A: Sample-O'Donnell Funeral Home, Inc.** (555 East State Street, Sharon, PA 16146) on November 30, 2005, for installation of a human remains crematory at their Sharon facility in the City of Sharon, **Mercer County**.

**24-136A: National Fuel Gas Supply Corp.** (Owls Nest Road, Kane, PA 16735) on November 30, 2005, to install a nonselective catalytic reduction system on two 200 hp natural gas fired compressor engines and increase the hours of operation of both compressor engines in Highland Township, **Elk County**.

**61-185C: Heath Oil Co.** (State Route 8, Barkeyville, PA 16038) on December 16, 2005, for the postconstruction approval of the bulk storage terminal, tank wagon loading rack, and vapor balancing and burnoff system in Barkeyville Borough, **Venango County**. This is a State-only facility.

**24-123E: Onyx Greentree Landfill, LLC** (635 Toby Road, Kersey, PA 15846) on December 19, 2005, to install an additional enclosed ground flare (6,000 cfm) similar in design to the existing flares in Fox Township, **Elk County**. This is a Title V facility.

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**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.**

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

**09-0124B: Fairless Energy, LLC** (5000 Dominion Boulevard, Glen Allen, VA 23060) on December 21, 2005, to operate a combined cycle combustion turbines in Falls Township, **Bucks County**.

**15-0054A: Highway Materials, Inc.** (1750 Walton Road, Blue Bell, PA 19422) on December 20, 2005, to operate a dryer burner in East Whiteland Township, **Chester County**.

**23-0014D: Kimberly-Clark Corp.** (Front Street and Avenue of the States, Chester, PA 19103) on December 20, 2005, to operate a wet scrubber dust control system in City Of Chester, **Delaware County**.

**23-0056: Honeywell International Inc.** (6100 Philadelphia Pike, Claymont, PA 19703) on December 23, 2005, to operate a fluosulfonic acid manufacturing in Marcus Hook Borough, **Delaware County**.

**23-0066A: PyroPure, Inc. t/a Pyromet** (5 Commerce Drive, Aston, PA 19014) on December 20, 2005, to operate three crucible and three rotary furnaces in Chester Township, **Delaware County**.

**46-322-007: Waste Management Disposal Services of PA, Inc.** (1425 Sell Road, Pottstown, PA 19464) on December 22, 2005, to operate a municipal solid waste landfill in West Pottsgrove Township, **Montgomery County**.

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

**31-05011C: U.S. Silica Co.** (P. O. Box 187, Berkeley Springs, WV 25411) on December 15, 2005, to modify an existing fluid bed dryer to use additional fuels of Nos. 4 and 6 oil and recycled oil at their Mapleton Depot Plant in Brady Township, **Huntingdon County**. This plan approval was extended.

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

**17-305-020A: Junior Coal Contracting, Inc.** (2330 Six Mile Road, Philipsburg, PA 16833) on December 13, 2005, to operate a coal processing plant on a temporary basis until April 12, 2006, at the Leslie Tipple in Decatur Township, **Clearfield County**. This plan approval has been extended.

**14-00014B: Glenn O. Hawbaker, Inc.** (711 East College Avenue, Bellefonte, PA 16823) on December 13, 2005, to operate a recycled asphalt pavement crusher, two belt conveyors and a double deck screen in an asphalt plant, a crusher and two belt conveyors in a stone crushing plant, and various pieces of stone crushing, screening, conveying, and the like, equipment, the air contaminant emissions from which are controlled by a new fabric collector, on a temporary basis until April 12, 2006, in Spring Township, **Centre County**. The plan approval has been extended.

**18-315-001: First Quality Tissue, LLC** (904 Woods Avenue, Lock Haven, PA 17815) on December 14, 2005, to

perform stack testing on a paper machine (Paper Machine No. 1) and associated equipment until April 13, 2006, to operate Paper Machine No. 1 and associated equipment on a temporary basis until April 13, 2006, and to construct another paper machine (Paper Machine No. 2) and associated equipment until April 13, 2006 in Castanea Township, **Clinton County**. The plan approval has been extended.

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

**30-00099D Allegheny Energy Supply Co.—Hatfield's Ferry Power Station** (800 Cabin Hill Drive, Greensburg, PA 15601) on December 14, 2005, to install an SO<sub>3</sub> injection system for additional particulate emission reduction at the Hatfield's Ferry Power Station (Hatfield), in Monongahela Township, **Greene County**. As a result of comments from EPA, and to eliminate the potential for any possible significant emission increase of H<sub>2</sub>SO<sub>4</sub>, the following modifications to Plan Approval PA-30-00099D have been made. Since these changes are minor and do not trigger PSD or NSR, they will be placed into effect by means of Minor Plan Approval Modification.

1. The word "no" in Special Condition No. 5 has been replaced with "less than 10%." Special Condition No. 5 now reads, "During those periods when less than 10% PRB (or other low sulfur) coal is burned, the maximum molten sulfur usage rate shall be limited to 474,902 lbs/yr, based on a rolling 365-day period. Only days when no PRB (or other low sulfur) coal is burned shall be accumulated in sulfur usage totals for each 365-day rolling period. Compliance with this limit shall be established by maintaining records of daily sulfur usage and PRB coal usage and daily calculation of rolling 365-day sulfur usage, for days when PRB (or low sulfur) coal is not used.

2. The following condition (previously No. 6) has been deleted. "The sulfur injection limits and recordkeeping requirements established in condition No. 5 shall be removed/terminated in the event that Flue Gas Desulfurization equipment is permanently installed."

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

**24-083F: Carbone of America Ind. Corp.** (215 Stackpole Street, St. Marys, PA 15857) on December 31, 2005, to construct Carbon Baking Kiln No. 34 with a thermal oxidizer and connecting to an existing scrubber in St. Marys City, **Elk County**. This is a Title V facility.

*Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104; Edward Braun, Chief, (215) 685-9476.*

**AMS 04264: University of Pennsylvania** (3451 Walnut Street, Philadelphia, PA 19104) on December 14, 2005, to modify Plan Approval 04264 for installation of 29 emergency generators.

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

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

**TV-32-00200: Indiana University of Pennsylvania—SW Jack Cogeneration Plant** (425 Pratt Drive, Indiana, PA 15705) on December 14, 2005, to renew a

Title V Operating Permit for their SW Jack Cogeneration Plant in Indiana Borough, Indiana County. The facility's major sources of emissions include four internal combustion reciprocating engines (8,386 bhp per engine), three 30.1 mmBtu/hr gas fired boilers. This facility has the potential of emitting more than 50 tons of VOCs, 100 tons of NOx and 100 tons of CO.

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

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

**15-00094: Metallurgical Products Co.** (P. O. Box 598, West Chester, PA 19380) on December 21, 2005, to operate a secondary copper smelting and alloying facility of a Natural Minor Operating Permit in West Goshen Township, **Chester County**.

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

**06-03072: Animal Rescue League of Berks County, Inc.** (P. O. Box 69, Mohnton, PA 19540) on December 15, 2005, to operate an animal crematory in Cumru Township, **Berks County**.

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

**37-00287: Ed & Don DeCarbo Funeral Home and Crematory, Inc.** (3000 Wilmington Road, New Castle, PA 16105) on December 14, 2005, to operate a crematorium in Neshannock Township, **Lawrence County**.

**24-00126: US Resistor, Inc.** (1016 Delaun Road, St. Marys, PA 15857) on December 15, 2005, for a Natural Minor Operating Permit for a batch cold cleaning machine at their noninductive resistor manufacturing plant in the City of St. Marys, **Elk County**.

**10-00237: Fox Funeral Home, Inc.** (410 West Main Street, Saxonburg, PA 16056) on December 14, 2005, for a Natural Minor Permit to operate a crematorium in Saxonburg Borough, **Butler County**.

*Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104; Edward Braun, Chief, (215) 685-9476.*

**AMS 01164: Academy Recycling** (8901 Torresdale Avenue, Philadelphia, PA 19136) on December 20, 2005, to install a tub grinder, powers screen, concrete crusher, double screen and robotrac screen. Each unit has an IC engine between 97 hp and 750 hp in the City of Philadelphia, **Philadelphia County**.

**V05-001: Exelon Generation Co.—Southwark Generating Station** (2501 South Delaware Avenue, Philadelphia, PA 19148) on December 16, 2005, to operate an electric utility on the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include four combustion turbines rated at 233 mmBtu/hr each.

**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.**

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

**67-05052: New York Wire Company** (P. O. Box 1749, York, PA 17405-1749) on December 20, 2005, to operate their Weaving Facility in City of York, **York County**. This Operating Permit was administratively amended to incorporate the annual compliance certification reporting period be based on the calendar year (Jan. 1—Dec. 31). This is revision No. 1.

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

**37-00059: Praxis Companies, LLC—Praxis Northeast** (372 Rundle Road, New Castle, PA 16102) on December 15, 2005, to issue an administrative amendment to a Title V Permit V Operating Permit to incorporate a change of ownership from URC Enterprises, LLC to Praxis Companies, LLC in Taylor Township, **Lawrence County**.

**37-00243: INMETCO** (245 Portersville, Ellwood City, PA 16117) on December 19, 2005, to amend a Title V Operating Permit to operate a secondary nonferrous metals recovery facility, in Ellwood City Borough, **Lawrence County**. This Title V Permit was administratively amended to correct typographical errors.

**ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS**

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

*Coal Permits Actions*

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

**32991301 and NPDES Permit No. PA0215228, AMFIRE Mining Company, LLC** (One Energy Place, Latrobe, PA 15650), to renew the permit and Related NPDES Permit and revise the permit for the Nolo Mine in Buffington, Pine, Cherryhill, and Brush Valley Townships, **Indiana County** to add underground permit and subsidence control plan area acres. Underground Acres Proposed 1587.0, SCP Acres Proposed 1405.0. Permit issued December 20, 2005.

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

**63050101 and NPDES Permit No. PA0250694. Muligan Mining, Inc.** (5945 Pudding Stone Lane, Bethel Park, PA 15102). Permit issued for commencement, opera-

tion, and reclamation of a bituminous surface mining site located in Smith Township, **Washington County**, affecting 46.7 acres. Receiving streams: UNT to Little Raccoon Run to Raccoon Creek to Ohio River. Application received: March 24, 2005. Permit issued: December 16, 2005.

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

**10820139 and NPDES Permit No. PA0605646. Quality Aggregates, Inc.** (200 Neville Road, Neville Island, PA 15225). Renewal of an existing bituminous surface strip, coal ash placement and beneficial use of fly ash in Venango Township, **Butler County** affecting 102.8 acres. This renewal is for reclamation only. Receiving streams: three UNTs of Seaton Creek. Application received: October 27, 2005. Permit Issued: December 16, 2005.

**43020103 and NPDES Permit No. PA0242136. Ben Hal Mining Company** (389 Irishtown Road, Grove City, PA 16127). Revision to an existing bituminous surface strip and coal ash placement operation to change the post mining land use from forestland to unmanaged natural habitat on the Leslie P. and Wendy L. Schumann property in Sandy Lake Township, **Mercer County**. Receiving streams: UNT B to Sandy Creek. Application received: October 18, 2005. Permit Issued: December 20, 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.**

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

**47054101. DC Guelich Explosives, Inc.** (R. R. 3, Box 125A, Clearfield, PA 16830), construction blasting for Woods of Welsh in Mahoning and Valley Townships, **Montour County** with an expiration date of March 31, 2006. Permit issued December 15, 2005.

**48054122. DC Guelich Explosives, Inc.** (R. R. 3, Box 125A, Clearfield, PA 16830), construction blasting for the Bethlehem Landfill in Lower Saucon Township, **Northampton County** with an expiration date of September 30, 2006. Permit issued December 15, 2005.

**15054132. Rock Work, Inc.** (1257 DeKalb Pike, Blue Bell, PA 19422), construction blasting for Niven View in London Britain Township, **Chester County** with an expiration date of December 19, 2006. Permit issued December 16, 2005.

**35054122. Hayduk Enterprises** (P. O. Box 554, Dalton, PA 18414), construction blasting for Circle Green Development South Abington Township, **Lackawanna County** with an expiration date of January 31, 2007. Permit issued December 16, 2005.

**45054156. Hayduk Enterprises** (P. O. Box 554, Dalton, PA 18414), construction blasting for Harvest Acres in Tobyhanna Township, **Monroe County** with an expiration date of January 31, 2007. Permit issued December 16, 2005.

**45054157. Hayduk Enterprises** (P. O. Box 554, Dalton, PA 18414), construction blasting for Pocono Highland Community in Pocono Township, **Monroe County** with an expiration date of January 31, 2007. Permit issued December 16, 2005.

**64054113. Hayduk Enterprises** (P. O. Box 554, Dalton, PA 18414), construction blasting for Hideout Development in Lake Township, **Wayne County** with an expiration date of January 31, 2007. Permit issued December 16, 2005.

**36054179 and 36054180. Brubacher Excavating, Inc.** (P. O. Box 528, Bowmansville, PA 17507), construction blasting for Penn Manor in Manor Township, **Lancaster County** with an expiration date of December 31, 2006. Permit issued December 19, 2005.

**36054181. Warren's Excavating & Drilling, Inc.** (P. O. Box 189, Bowmansville, PA 17507), construction blasting for a single dwelling in Lancaster Township, **Lancaster County** with an expiration date of June 1, 2006. Permit issued December 19, 2005.

**38054131. Brubacher Excavating, Inc.** (P. O. Box 528, Bowmansville, PA 17507), construction blasting for Lebanon Valley Catholic Homes in North Cornwall Township, **Lebanon County** with an expiration date of December 31, 2006. Permit December 19, 2005.

**46054140. American Rock Mechanics, Inc.** (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Wawa Gas Station in Hatfield Township, **Montgomery County** with an expiration date of March 30, 2006. Permit issued December 19, 2005.

**15054013. Explo-Craft, Inc.** (P. O. Box 1332, West Chester, PA 19380), construction blasting for a foundation at 1607 Tyler Drive in Tredyffrin Township, **Chester County** with an expiration date of December 20, 2006. Permit issued December 19, 2005.

**67054054. Springfield Contractors, Inc.** (290 Seaks Run Road, Glen Rock, PA 17327), construction blasting at Roth's Farm Village Subdivision in Jackson Township, **York County** with an expiration date of December 31, 2006. Permit issued December 20, 2005.

**06054117. Schlouch, Inc.** (P. O. Box 69, Blandon, PA 19510), construction blasting for Hill Top Subdivision in Maxatawny Township, **Berks County** with an expiration date of January 1, 2007. Permit issued December 20, 2005.

**40054129. Hayduk Enterprises** (P. O. Box 554, Dalton, PA 18414), construction blasting for Eagle Rock Resort in Black Creek, Hazle and North Union Townships, **Luzerne and Schuylkill Counties** with an expiration date of January 31, 2007. Permit issued December 20, 2005.

**40054130. Hayduk Enterprises** (P. O. Box 554, Dalton, PA 18414), construction blasting for Laurel Brook Estates in Bear Creek Township, **Luzerne County** with an expiration date of January 31, 2007. Permit issued December 20, 2005.

**66054102. Hayduk Enterprises** (P. O. Box 554, Dalton, PA 18414), construction blasting for Hayduk Enterprises in Lemon Township, **Wyoming County** with an expiration date of January 31, 2007. Permit issued December 20, 2005.

**36054182. Warren's Excavating & Drilling, Inc.** (P. O. Box 189, Bowmansville, PA 17507), construction blasting for Florin Hill in Mt. Joy Borough, **Lancaster County** with an expiration date of December 31, 2006. Permit issued December 21, 2005.

**36054183. Keystone Blasting Service** (381 Reifsnyder Road, Lititz, PA 17543), construction blasting for Lampeter Sewer Project in West Lampeter Township,



**Lancaster County** with an expiration date of March 30, 2006. Permit issued December 21, 2005.

**36054184. Keystone Blasting Service** (381 Reifsnyder Road, Lititz, PA 17543), construction blasting for Weaverland Mennonite Church in East Earl Township, **Lancaster County** with an expiration date of March 30, 2006. Permit issued December 21, 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.*

**E46-972. Turnpike Commission**, P. O. Box 67676, Harrisburg, PA 17106-7676, Upper Merion Township, **Montgomery County**, ACOE Philadelphia district.

To widen the turnpike starting approximately 1,300 feet from the center of the Valley Forge interchange and ending at Flint Hill Road and the turnpike intersection. The water obstruction and encroachment impacts associated with this project involve five stream crossings, two wetland fills and floodway filling of the Trout Creek (WWF), UNT to Trout Creek (WWF), UNT to Abrams Run (WWF), and the Frog Run (WWF), all associated with the crossings. Specific encroachment activities involved with this project are:

1. To extend a 42-inch diameter RCP enclosure at station 140+00 by approximately 56 cumulative feet, measured from both upstream and downstream of the structure, carrying a UNT to Trout Creek under the turnpike. Approximately 50 cubic yards of fill will be placed within the floodway to facilitate this extension. Approximately 15 cubic yards of R-5 riprap will be placed in the stream to stabilize the opening.

2. To repair a 10-foot by 6-foot concrete box culvert enclosure at station 171+00 by a total of 43 cumulative feet, measured from both upstream and downstream of the structure, carrying a UNT to Trout Creek under the turnpike. Approximately 10 cubic yards of fill will be placed within the floodway to facilitate this extension. Approximately 204 cubic yards of R-8 riprap will be placed in the stream to stabilize the opening.

3. To extend and maintain a twin cell 16-foot by 8-foot (each cell) concrete box culvert enclosure at station 203+00 by approximately 131 cumulative feet, measured from both upstream and downstream of the structure, carrying Crow Creek under the turnpike. Approximately 330 cubic yards of fill will be placed within the floodway to facilitate this extension. Approximately 333 cubic yards of R-7 riprap will be placed in the stream to stabilize the opening.

4. To extend and maintain a 5-foot by 3-foot concrete box culvert enclosure at station 221+00 by approximately 56.2 cumulative feet, measured from both upstream and downstream of the structure, carrying a UNT to Abrams Run under the turnpike. Approximately 50 cubic yards of fill will be placed within the floodway to facilitate this extension. Approximately 5 cubic yards of R-6 riprap will be placed in the stream to stabilize the opening.

5. To extend and maintain a 16-foot by 7-foot concrete box culvert enclosure at station 328+00 by approximately 69 cumulative feet, measured from both upstream and downstream of the structure, carrying Frog Run under the turnpike. Approximately 400 cubic yards of fill will be placed within the floodway to facilitate this extension. Approximately 20 cubic yards of R-6 riprap will be placed in the stream to stabilize the opening.

6. To replace and maintain a five-span bridge, measuring 279-foot long with a 37.5-foot underclearance, with a two-span bridge, measuring 250-foot long with 34.71-foot underclearance, taking the turnpike over Frog Run at station 283+00. The total impact will be 140 linear feet of watercourse, measured from both upstream and downstream of the structure.

7. To place fill within 0.005 acre of wetland at station 171+00 and 0.022 acre of wetland between Stations 202 and 203. Wetland compensation will occur at another site location under Permit E46-952.

8. The construction of an outfall structure to accommodate the discharge from Stormwater Management Basin No. 4 into Frog Run in the vicinity of station 321+50 by means of a 6-foot bottom R-4 rock-lined ditch.

The project will permanently impact approximately 495 linear feet of watercourse and 0.027 acre of wetland. The project impact locations run along with the turnpike with impact areas located at six specific stations, starting from Valley Forge interchange going eastward and ending at Flint Hill Road and the Turnpike intersection in Lower Merion Township, Montgomery County (beginning point: Valley Forge, PA, Quadrangle N: 16.76 inches; W: 4.49 inches, End point, Norristown, PA, Quadrangle N: 17.66 inches; W: 12.78 inches).

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

**E15-744. County Of Chester**, 14 East Biddle Street, 1st Floor, P. O. Box 2748, West Chester, PA 19380, West Caln and West Brandywine Townships, **Chester County**, ACOE Philadelphia District.

To remove the existing Chester County Bridge No. 283 and to construct and maintain a new bridge consisting of a 60-foot wide by 8.33-foot high waterways opening at the same location, across the West Branch of the Brandywine Creek (TSF-MF), and impacting 0.04 acre of wetland. The bridge carries Reid Road (T-445) over the creek and is located approximately one half mile west of the intersection of Hibernia and Reid Roads (Wagontown, PA, USGS Quadrangle N: 0.3 inch; W: 10.75 inches).

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

**E46-974. Glen Farms L.P.**, 1030 West Germantown Pike, P. O. Box 287, Fairview Village, PA 19409, East Norriton Township, **Montgomery County**, ACOE Philadelphia District.

For the following water obstruction and encroachment activities associated with the proposed Pimlico Farms Residential Subdivision:

1. To place fill within 0.01 acre of wetland (PEM) to accommodate access road "A" from Potshop Road.
2. To construct and maintain a 36-inch RCP stormwater conduit utility line crossing of a wetland.
3. To provide 0.33 acre of replacement wetlands which will compensate for impacts from this Permit and associated Permits E46-975 and E46-976. The mitigation area is located offsite at the Bell Kumpf Tract located in Worcester Township, Montgomery County.

The site is located at the northeast intersection of Germantown Pike and Potshop Road (Lansdale, PA, USGS Quadrangle N: 5.8 inches, W: 16.0 inches) in New East Norriton Township, Montgomery County.

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

**E46-975. East Norriton Township**, 2501 Stanbridge Street, East Norriton, PA 19401, East Norriton Township, **Montgomery County**, ACOE Philadelphia District.

To grade and fill 0.19 acre of wetland (PEM) associated with the widening of Potshop Road and with the proposed Pimlico Farms Residential Subdivision. The site is located northeast of the intersection of Germantown Pike and Potshop Road (Lansdale, PA, USGS Quadrangle N: 5.8 inches; W: 16.0 inches).

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

**E46-976. Montgomery County Commissioners**, Montgomery County Courthouse, One Montgomery Plaza, Norristown, PA 19406.

For the following water obstruction and encroachment activities associated with the widening of Germantown Pike and with the proposed Pimlico Farms Residential Subdivision:

(1) To remove, replace and maintain the existing culvert that conveys a tributary under the intersection at Potshop Road and Germantown Pike and to modify the stream channel immediately downstream of the culverts that convey flows along the northern side of Germantown Pike.

(2) To place fill within 0.10 acre of wetland associated with the widening of Germantown Pike to accommodate the entrance to the Pimlico Farms Residential Subdivision.

The site is located northeast of the intersection of Germantown Pike and Potshop Road (Lansdale, PA, USGS Quadrangle N: 5.8 inches; W: 16.0 inches).

The issuance of this permit also constitutes approval of a Water Quality Certification under section 401(a) 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.*

**E40-653. William D. Haas**, P. O. Box 125, Bear Creek, PA 18602, Bear Creek Township and Bear Creek Village Borough, **Luzerne County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain a private 2-span bridge across Bear Creek (HQ-CWF) and an associated gravel access road across the floodway of Bear Creek and PFO wetlands, impacting a de minimis area of wetlands less than or equal to 0.05 acre. The bridge will have an overall span of approximately 108 feet and an underclearance of approximately 7.5 feet. The project is located on the west side of SR 2041 (White Haven Road), approximately 0.6 mile southeast of the intersection of SR 0115 and SR 2041 (Pleasant View Summit, PA Quadrangle N: 8.5 inches; W: 17.2 inches). (Subbasin: 2A)

**E52-199. Nemanie Village, Inc.**, P. O. Box 77, Hawley, PA 18428, Palmyra Township, **Pike County**, United States Army Corps of Engineers Philadelphia District.

To remove the existing structures and to: (1) construct and maintain a floating community dock in Lake Wallenpaupack (HQ-CWF), extending approximately 220 feet from the shoreline and occupying a width of 27 feet (including a 5-foot walkway with fingers extending from the walkway); (2) construct and maintain three road crossings of a tributary to Lake Wallenpaupack (HQ-CWF), utilizing a 72-inch by 44-inch CMP arch culvert for "Crossings A and B" and a 58-inch by 36-inch CMP arch culvert for "Crossing C"; and (3) construct and maintain multiple utility line crossings to be located under the proposed road crossings for the purpose of constructing the Nemanie Village subdivision. The project is located on the west side of SR 0507, approximately 0.5 mile west of the intersection of SR 0507 and T-413 (Hawley, PA Quadrangle N: 6.8 inches; W: 14.8 inches). (Subbasin: 1B)

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

**E34-116: Delaware Township**, R. R. 1, Box 410, Thompsettown, PA 17094 in Delaware Township, **Juniata County**, ACOE Baltimore District.

To construct and maintain a wastewater treatment facility, 6,200 linear feet of 8-inch PVC conventional sewer, 340 linear feet of 4-inch DIP force main sewer, and a remote pumping station involving: 1) four open trench utility line crossings of Delaware Creek (TSF) with associated 20-foot wide, temporary road crossings: a) 20-foot by 6-inch with erosion control blanket (Latitude: 40° 36' 30"; Longitude: 77° 14' 22"); b) 36-foot by 8-inch with R-6 bank stabilization (Latitude: 40° 36' 30"; Longitude: 77° 14' 15"); c) 30-foot by 8-inch and 4-inch with R-6 bank stabilization on the left bank and erosion control blanket on the right bank (Latitude: 40° 36' 30"; Longitude: 77° 14' 10"); and d) 60-foot by 8-inch with erosion control blanket (Latitude: 40° 36' 27"; Longitude: 77° 14' 12"); 2) one 3-foot by 8-inch open trench utility line crossing of a UNT to Delaware Creek (TSF) and a 20-foot wide, temporary road crossing (Latitude: 40° 36' 25"; Longitude: 77° 14' 13"); 3) one 23-foot by 8-inch utility line crossing under an existing culvert carrying a UNT to Delaware Creek (Latitude: 40° 36' 32"; Longitude: 77° 14' 07"); 4) one 6-inch PVC with a 2-foot by 5-foot PennDOT Type D endwall outfall along Delaware Creek (Latitude: 40° 36' 28"; 77° 14' 13"); and 5) to place 267 cy of fill material in the 100-year floodplain of a UNT to Delaware Creek in Delaware Township, Juniata County.

**E67-785: Maryland and Pennsylvania Railroad Preservation**, 225 West Lancale St., Baltimore, MD 21217 in Chanceford and Lower Chanceford Townships, **York County**, ACOE Baltimore District.

To construct and maintain 3.37 miles of the Maryland and Pennsylvania Railroad including bridge repair of the superstructure and substructure (Latitude: 39° 48' 26"; Longitude: 76° 28' 22") over a UNT to Muddy Creek (TSF), replacement of an existing 10' 6" span 6" underclearance bridge with a 10' 6" span 1' 4" underclearance of a non-composite rolled steel beam bridge (Latitude: 39° 48' 56"; Longitude: 76° 28' 47"), maintenance of existing beams and abutments of a non-composite rolled steel beam bridge (Latitude: 39° 49' 08"; Longitude: 76° 29' 17"), repair undermined and scoured wing/abutment and scour holes in the stream (Latitude: 39° 49' 33"; Longitude: 76° 29' 57") in UNTs to the North Branch of Muddy Creek (CWF), construct a 6-foot high, 175-foot long gabion wall with sawtooth deflector at the toe of streambank and replace a 12-inch outfall pipe (Latitude:

39° 49' 11"; Longitude: 76° 29' 01"), construct a 6-foot high, 200-foot long gabion wall with sawtooth deflector at toe of streambank and replace a 12-inch outfall pipe (Latitude: 39° 49' 33"; Longitude: 76° 29' 57"), and construct a 6-foot high, 110-foot long gabion wall with a sawtooth deflector at toe of streambank and construct an outfall swale along the North Branch Muddy Creek (CWF), Chanceford and Lower Chanceford Township, York County.

**E05-331: Broad Top Township**, 187 Municipal Road, P. O. Box 57, Defiance, PA 16633 in Broad Top Township, **Bedford County**, ACOE Baltimore District.

To remove the existing structure and then to construct and maintain a single span bridge of 42 feet on a 70° skew with a minimum underclearance of 5.46 feet over Sixmile Run (WWF) and associated improvements on SR 7203, Section 551 in order to improve the safety condition of the road located in the Village of Defiance (Saxton, PA Quadrangle N: 6.65 inches; W: 14.0 inches) in Broad Top Township, Bedford County.

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

**E18-399. Joseph J. Zebrowski**, 2200 Sulphur Run Rd. Jersey Shore, PA 17740. Pine Creek Floodway Landing, Pine Creek Township, **Clinton County**, ACOE Baltimore District (Jersey Shore, PA Quadrangle N: 14.33 inches; W: 7.24 inches).

To maintain a hand placed rock landing measuring 20 feet long and 23 feet wide at its widest point. The landing is level with the existing ground on the landside and extends above the ground a maximum of 12 inches on the riverside. This structure is located in the floodway of Pine Creek (HQ-TSF). This permit was issued under Section 105.13(e) "Small Projects."

**E49-289. Herndon Borough Jackson Township Joint Municipal Authority**, P. O. Box 381, Herndon, PA 17830. Sanitary Collection System, in Herndon Borough and Jackson Township, **Northumberland County**, ACOE Baltimore District (Pillow, PA Quadrangle N: 15.42 inches; W: 12.84 inches).

To construct, operate and maintain 21,000 LF of 8-10 inch PVC gravity sewer main, 2,400 LF of 1.25-4 forcemain. The project proposes to cross Sucker Creek (WWF) and three UNTs to the Susquehanna River (all WWF), contain two floodway fills to the Susquehanna River (WWF), one wetland crossing and one new outfall into the Susquehanna River (WWF), all of which are detailed in the following table:

<i>Impact Type</i>	<i>Stream Name</i>	<i>Area of Impact</i>	<i>Latitude</i>	<i>Longitude</i>	<i>Length (feet)</i>	<i>Width (feet)</i>	<i>Area (ft<sup>2</sup>)</i>	<i>Classification</i>	<i>Type of Wetland</i>
Stream Crossing #1	Sucker Creek	100' northwest of the centerline of the box culvert carrying Sucker Creek beneath SR 147	40° 41' 58.05" N	76° 51' 3.79" W	29	5	145	WWF	NA

<i>Impact Type</i>	<i>Stream Name</i>	<i>Area of Impact</i>	<i>Latitude</i>	<i>Longitude</i>	<i>Length (feet)</i>	<i>Width (feet)</i>	<i>Area (ft')</i>	<i>Classification</i>	<i>Type of Wetland</i>
Place fill in 100-Year Floodway	Susquehanna River	Approximately 140' west of the intersection of the private boat launch road with the Norfolk Southern Railroad tracks	40° 41' 59.60" N	76° 51' 5.25" W	256	170	1 acre	WWF	NA
New Outfall Location	Susquehanna River	Approximately 360' west of the intersection of the private boat launch road with the Norfolk Southern Railroad tracks	0° 41' 58.980" N	76° 51' 7.12" W	10	5	50	WWF	NA
Pump Station #3 100-Year Floodway Infringement	Susquehanna River	Approximately 120' west of the northwest corner of house #293	40° 42' 56.13" N	76° 50' 33.49" W	10	10	100	WWF	NA
Stream Crossing #2	UNT to the Susquehanna River	Approximately 760' southeast of the proposed Pump Station #2 location	40° 42' 27.48" N	76° 50' 42.44" W	29	5	145	WWF	NA
Stream Crossing #3	UNT to the Susquehanna River	Approximately 40' south of the southwest corner of house #11	40° 43' 9.60" N	76° 50' 18.93" W	29	5	145	WWF	NA
Stream Crossing #4	UNT to the Susquehanna River	Approximately 1,350 south of the proposed Pump Station #4 location	40° 43' 12.15" N	76° 50' 18.36" W	29	5	145	WWF	NA
Wetland Crossing	Wetland B	Approximately 130' south of the southwest corner of house #11	40° 43' 9.11" N	76° 50' 19.46" W			735	WWF	Isolated emergent

The project is located along the SR 405 corridor surrounding Herndon (Pillow, PA Quadrangle, N: 15.42 inches, W: 12.84 inches) Herndon Borough and Jackson Township, Northumberland County.

**E60-177. John D. Griffith, Griffith Developments,** 2065 Green Ridge Road, Mifflinburg, PA 17844. Temporary wetland impacts in West Buffalo Township, **Union County**, ACOE Baltimore District (Mifflinburg, PA Quadrangle N: 9.9 inches; W: 4.2 inches).

Temporarily impact 0.07 acre of palustrine emergent/forested wetlands to construct and maintain a gravity flow stormwater conveyance across a farmed wetland belonging to Spangler Trust. Purpose of the project is to alleviate a point stormwater discharge. The site is located on the north side of Meadow Green Drive in West Buffalo Township, Union County.

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

**E10-409, Center Township Supervisors,** 419 Sunset Drive, T-831 Glenwood Way Bridge, Across Connoquenessing Creek, in Center Township, **Butler County**, ACOE

Pittsburgh District (Mount Chestnut, PA Quadrangle N: 5.5 inches; W: 1.6 inches).

To remove the existing structure and to construct and maintain a Composite Prestressed Concrete Spread Box Beam bridge having a clear span of 74.0 feet and an underclearance of 9.6 feet on a 75° skew across Connoquenessing Creek on T-831, approximately 2.25 miles North of Butler.

This project includes placement of fill in 0.009 acre of palustrine/scrub/shrub wetland habitat. Connoquenessing Creek is classified as a WWF.

#### ENVIRONMENTAL ASSESSMENTS

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

**EA1009-003. Department of Environmental Protection, Bureau of Abandoned Mine Reclamation,** Cambria Office, 286 Industrial Park Rd., Ebensburg, PA 15931. Abandoned Mine Land Reclamation Project, in Cherry Township, **Butler County**, Pittsburgh ACOE District.

The applicant proposes to backfill an abandoned surface mine, which includes two dangerous highwalls totaling

3,300 linear feet. The project will include the backfilling of (1) a 0.14 acre open water body, which is AMD-impacted; and (2) a 0.08 acre open water body. The project will directly impact 0.22 acre of open water. (West Sunbury Quadrangle N: 6.5 inches, W: 7.75 inches).

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

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

Project proposes to construct, operate, and maintain a fish passage facility at the Norristown Dam for the purpose of facilitating passage and restoration of anadromous fish species within the Schuylkill River (WWF, MF) watershed. The fish passage facility will consist of a 140-foot long Denil fishway located along and adjacent to the south bank of the river (right abutment of dam) and an excavated channel located immediately downstream of the fishway to facilitate fish movement to

the fishway entrance. The project will temporarily impact approximately 0.47 acre and permanently impact approximately 0.04 acre of riverine and open water habitat (Norristown, PA Quadrangle, N: 19.8", W: 13.6").

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

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

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## SPECIAL NOTICES

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### Availability of Final Total Maximum Daily Loads (TMDLs)

The Department of Environmental Protection (Department) has developed Total Maximum Daily Loads (TMDLs) for the watersheds listed below. The TMDL sets the pollutant loading amounts for impaired waters that are allocated among the sources in the watershed. These TMDLs have been approved by the Environmental Protection Agency and satisfy the Department's obligations under section 303(d) of the Federal Clean Water Act.

<i>Stream Name</i>	<i>County</i>	<i>Pollutants</i>
Montour Run	Allegheny	metals and pH
Raccoon Creek	Allegheny/Beaver/Washington	metals, pH and suspended solids
Burgetts Creek	Allegheny/Beaver/Washington	metals, pH and suspended solids
Big Run	Clearfield	pH
Long Valley Run	Bradford	metals and pH
Bens Creek	Cambria	metals and pH
Elk Creek	Cambria	metals, pH and other inorganics
S Br Blacklick Creek	Cambria/Indiana	metals and pH
Logway Run	Centre	metals and pH
North Fork Beech Creek	Centre	metals, pH and other inorganics
Curleys Run	Clearfield	metals and pH
Deer Creek	Clearfield	metals and pH
Woods Run (Moose Run)	Clearfield	metals and pH
Grimes Run	Clearfield	metals and pH
Hartshorn Run	Clearfield	metals, pH and other inorganics
Lick Run	Clearfield	metals and pH
Fork Creek	Clearfield	metals and pH
North Branch Upper Morgan Run	Clearfield	metals and pH
North Camp Run	Clearfield	metals, pH and other inorganics
Brubaker Run WS	Cambria	metals, pH and other inorganics
Cucumber Run WS	Somerset	metals and pH
Amos Branch	Clinton	metals and pH
Birch Island Run	Clinton	metals and pH
Little Birch Island Run	Clinton	metals and pH
Middle Branch Big Run	Clinton	metals and pH
Daguschahonda Run	Elk	metals and pH

<i>Stream Name</i>	<i>County</i>	<i>Pollutants</i>
Iron Run	Elk	metals and pH
Dents Run	Elk/Cameron	pH
Aylesworth Creek	Lackawanna	metals and pH
Powderly Creek	Lackawanna	metals and pH
Lackawanna River	Lackawanna/Luzerne/Susquehanna/Wayne	metals and pH
Otter Run	Lycoming	metals and pH
Mill Creek	Schuylkill	metals and pH
Muddy Branch Creek	Schuylkill	metals and pH
Loyalsock Creek	Sullivan/Lycoming	metals and pH
Brush Creek	Westmoreland	metals and pH
McCune Run	Westmoreland	metals and pH
Getty Run	Westmoreland	metals and pH
Monestary Run	Westmoreland	metals and pH
Fourmile Run	Westmoreland	metals, pH and other inorganics
Moon Run	Allegheny	metals and pH
Sanbourn Run	Clearfield	metals, pH and other inorganics
Saxman Run	Westmoreland	metals and pH
Spring Run	Cambria	metals and pH
Sterling Run	Centre	metals and pH
Surveyor Run WS	Clearfield	metals and pH
Little Surveyor Run	Clearfield	metals and pH
Union Run	Westmoreland	metals and pH
UNT Trout Run	Elk	metals and pH
W Branch Schuylkill River	Schuylkill	metals and pH
Wilson Creek	Lackawanna	metals and pH
Tioga River	Tioga	metals and pH
Anderson Creek	Clearfield	metals and pH
Little Anderson Creek	Clearfield	metals and pH
Kratzer Run	Clearfield	metals and pH
Seaton Creek	Butler	metals, pH and other inorganics
Blacks Creek	Butler	metals and pH
Newmyer Run	Fayette	metals and pH
Oven Run	Somerset	metals and pH
McGourvey Run	Clarion	metals, pH and other inorganics
Huskins Run	Armstrong	other inorganics
Limestone Run	Armstrong	other inorganics

To request a copy of a TMDL, contact the Division of Watershed Protection, P. O. Box 8555, Harrisburg, PA 17105-8555, (717) 772-5807, Dorothy Harris, [doharris@state.pa.us](mailto:doharris@state.pa.us) or access the TMDL through the Department's website: [www.dep.state.pa.us/watermanagement\\_apps/tmdl/](http://www.dep.state.pa.us/watermanagement_apps/tmdl/) (choose stream under "Select By TMDL Name:").

[Pa.B. Doc. No. 06-22. Filed for public inspection January 6, 2006, 9:00 a.m.]

### Availability of Technical Guidance

Technical guidance documents are on the Department of Environmental Protection's (Department) website: [www.depweb.state.pa.us](http://www.depweb.state.pa.us) (DEP Keyword: Technical Guidance). The "Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final technical guidance documents are posted. The "Draft Technical Guidance" heading is the link to the Department's draft technical guidance documents.

The Department will continue to revise its nonregulatory documents, as necessary, throughout 2006.

### Ordering Paper Copies of Department Technical Guidance

The Department encourages the use of the Internet to view and download technical guidance documents. When this option is not available, persons can order a paper copy of any of the Department's draft or final technical guidance documents by contacting the Department at (717) 783-8727.

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

#### *Changes to Technical Guidance Documents*

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

#### *Comment Period Extension:*

##### *Draft Technical Guidance*

DEP ID: 362-0300-009. Title: Reuse of Treated Wastewater Guidance Manual. The comment period for draft technical guidance document #362-0300-009, originally advertised at 35 Pa.B. 6835 (December 17, 2005), is extended from January 17, 2006, to March 17, 2006. Description: This manual provides guidance to domestic sewage treatment plant operators and other parties who are interested in implementing a beneficial wastewater reuse project. It contains information on the design, operation and maintenance requirements for wastewater systems discharging treated water for beneficial reuse. The manual is intended to ensure that wastewater is managed in an environmentally sound manner in accordance with Department regulations and that wastewater discharges are free from substances that pose a serious threat to the public health, safety and welfare. The manual is issued under the authority of Act 537 of 1966, the Pennsylvania Sewage Facilities Act (35 P.S. §§ 750.1—750.20a), The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and 25 Pa. Code Chapter 91 (relating to general provisions). Written Comments: The Department is seeking comments on draft technical guidance #362-0300-009. Interested persons may submit written comments on this draft technical guidance document by March 17, 2006. Comments submitted by facsimile will not be accepted. The Department will accept comments submitted by e-mail. A return name and address must be included in each e-mail transmission. Written comments should be submitted to Tom Franklin, Department of Environmental Protection, Bureau of Water Standards and Facility Regulation, Rachel Carson State Office Building, 11th Floor, Harrisburg, PA 17105-8774, thfranklin@state.pa.us. Effective Date: Upon publication of notice as final in the *Pennsylvania Bulletin*. Contact: Questions regarding the draft technical guidance document should be directed to Tom Franklin, (717) 783-1820, thfranklin@state.pa.us.

KATHLEEN A. MCGINTY  
*Secretary*

[Pa.B. Doc. No. 06-23. Filed for public inspection January 6, 2006, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Application of Liberty Eye Surgical Center, LLC for Exception

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

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone numbers or for speech and/or hearing impaired persons, V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

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

[Pa.B. Doc. No. 06-24. Filed for public inspection January 6, 2006, 9:00 a.m.]

### Chronic Renal Disease Advisory Committee Meeting

The Chronic Renal Disease Advisory Committee, established by section 4 of the act of June 23, 1970 (P. L. 419, No. 140) (35 P. S. § 6204), will hold a public meeting on Friday, January 13, 2006, from 10 a.m. to 3 p.m. in Room 327, Health and Welfare Building, Commonwealth Avenue and Forster Street, Harrisburg, PA.

For additional information, contact Marijane Salem-Noll, Program Manager, Chronic Renal Disease Program, Division of Child and Adult Health Services, (717) 783-5436. Persons who wish to attend this meeting or persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should contact Marijane Salem-Noll at the previously listed number or for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

This meeting is subject to cancellation without notice.

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

[Pa.B. Doc. No. 06-25. Filed for public inspection January 6, 2006, 9:00 a.m.]

### Health Policy Board Meetings

The Health Policy Board has set its calendar for the year 2006. The meeting dates are scheduled as follows:

March 15, 2006  
June 14, 2006  
September 13, 2006  
December 13, 2006

Meetings will begin at 10 a.m. in Room 812, Health and Welfare Building, 7th and Forster Streets, Harrisburg, PA.

These meetings are subject to cancellation without notice.

For additional information or for persons with a disability who wish to attend the meeting and require an

auxiliary aid, service or other accommodation to do so should contact Joseph May at (717) 772-5298, V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Services at (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 06-26. Filed for public inspection January 6, 2006, 9:00 a.m.]

### Human Immunodeficiency Virus (HIV) Community Prevention Planning Committee Public Meetings

The Statewide HIV Community Prevention Planning Committee, established by the Department of Health (Department) under sections 301(a) and 317(b) of the Public Health Service Act (42 U.S.C.A. §§ 241(a) and 247(b)), will hold public meetings on Wednesday, January 18, 2006, from 9 a.m. to 4 p.m. and on Thursday, January 19, 2006, from 9:00 a.m. to 2:30 p.m. at the Harrisburg Holiday Inn West, 5401 Carlisle Pike, Mechanicsburg, PA 17050.

The Department reserves the right to cancel these meetings without prior notice.

For additional information, contact Kenneth McGarvey, Department of Health, Bureau of Communicable Diseases, Room 1010, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-0572.

Persons with a disability who wish to attend the meetings and require an auxiliary aid, service or other accommodation to do so should contact Kenneth McGarvey at (717) 783-0572, V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Services at (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 06-27. Filed for public inspection January 6, 2006, 9:00 a.m.]

### Requests for Exception; Long-Term Care Nursing Facilities

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.6(a) (relating to function of building):

Buffalo Valley Lutheran Village  
889 Fairground Road  
Lewisburg, PA 17837-1299

The following long-term care nursing facility is seeking an exception to 28 Pa. Code §§ 205.24 and 205.27 (relating to dining room; and lounge and recreation rooms):

Presbyterian Home of Greater Johnstown  
787 Goucher Street  
Johnstown, PA 15905  
FAC ID 680102

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 211.12(f)(1) (relating to nursing services):

Healthsouth Transitional Rehabilitation Unit  
1850 Normandie Drive  
York, PA 17404  
FAC ID 250702

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, paexcept@health.state.pa.us.

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

Comments received by the Department within 15 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who require an alternative format of this document or who wish to comment in an alternative format (for example, large print, audiotape, Braille) should contact the Division of Nursing Care Facilities at the address or phone numbers listed previously or for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 06-28. Filed for public inspection January 6, 2006, 9:00 a.m.]

### Traumatic Brain Injury Advisory Board Meeting

The Traumatic Brain Injury Advisory Board, established under the Federal Traumatic Brain Injury Act of 1996 (42 U.S.C.A. § 300d-52), will hold a public meeting on Thursday, January 19, 2006, from 10 a.m. to 3 p.m. in the Richards Recital Hall, Dixon University Center, 2986 North Second Street, Harrisburg, PA.

For additional information or persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so, contact Carolyn S. Cass, Director, Division of Child and Adult Health Services, (717) 772-2762 or for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

This meeting is subject to cancellation without notice.

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

[Pa.B. Doc. No. 06-29. Filed for public inspection January 6, 2006, 9:00 a.m.]



## DEPARTMENT OF LABOR AND INDUSTRY

### Current Prevailing Wage Act Debarments

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

<i>Contractor</i>	<i>Address</i>	<i>Date of Debarment</i>
John R. Kurtiak, individually, and doing business as Kurtiak Enterprises	17599 Route 322 Strattanville, PA 16258	12/15/2005

STEPHEN M. SCHMERIN,  
*Secretary*

[Pa.B. Doc. No. 06-30. Filed for public inspection January 6, 2006, 9:00 a.m.]

### Current Prevailing Wage Act Debarments

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

<i>Contractor</i>	<i>Address</i>	<i>Date of Debarment</i>
Lawrence Roofing Company, Inc. and Lawrence August, individually	P. O. Box 123 19212 Route 119 Punxsutawney, PA 15767-0123	12/21/05

STEPHEN M. SCHMERIN,  
*Secretary*

[Pa.B. Doc. No. 06-31. Filed for public inspection January 6, 2006, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Agreement to Enforce the Provisions of Act 50 of 2005

The Department of Transportation (Department), under the authority contained in section 12 of the act of July 14, 2005 (P. L. 285, No. 50) (Act 50), gives notice that the

agreement between the Department and the Philadelphia Parking Authority to enforce the provisions of 75 Pa.C.S. § 1379 (relating to suspension of registration upon sixth unpaid parking violation in cities of the first class), required by section 11 of Act 50, has been executed.

ALLEN D. BIEHLER, P. E.,  
*Secretary*

[Pa.B. Doc. No. 06-32. Filed for public inspection January 6, 2006, 9:00 a.m.]

## ENVIRONMENTAL QUALITY BOARD

### Environmental Quality Board Meeting Cancellation

The January 17, 2006, meeting of the Environmental Quality Board (Board) is cancelled. The next meeting of the Board is scheduled for Tuesday, February 21, 2006, at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. An agenda and meeting materials for the meeting will be available on the Department of Environmental Protection's website at [www.depweb.state.pa.us](http://www.depweb.state.pa.us) (DEP Keyword: EQB).

Questions concerning the Board's next scheduled meeting should be directed to Natalie Shepherd at (717) 783-8727, [nshepherd@state.pa.us](mailto:nshepherd@state.pa.us).

KATHLEEN A. MCGINTY,  
*Chairperson*

[Pa.B. Doc. No. 06-33. Filed for public inspection January 6, 2006, 9:00 a.m.]

## HEALTH CARE COST CONTAINMENT COUNCIL

### Meetings Scheduled

The Health Care Cost Containment Council (Council) has scheduled the following meetings: Tuesday, January 10, 2006, Education Committee meeting—10 a.m., Mandated Benefits Committee meeting—1 p.m.; Wednesday, January 11, 2006, Council meeting—10 a.m. The meetings will be held in the Conference Room, Council Office, 225 Market Street, Suite 400, Harrisburg, PA 17101. The public is invited to attend. Persons who need accommodation due to a disability and wish to attend the meetings should contact Cherie Elias, Health Care Cost Containment Council, 225 Market Street, Harrisburg, PA 17101, (717) 232-6787 at least 24 hours in advance so that arrangements can be made.

MARC P. VOLAVKA,  
*Executive Director*

[Pa.B. Doc. No. 06-34. Filed for public inspection January 6, 2006, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Allegheny Health, Education and Research Foundation; Prehearing

**Appeal of Allegheny Health, Education and Research Foundation under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM05-11-045**

On or before January 18, 2006, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's October 7, 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 February 8, 2006. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before February 2, 2006. 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 January 25, 2006, 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 February 1, 2006.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 06-35. Filed for public inspection January 6, 2006, 9:00 a.m.]

### Edward and Anna Ciotti; Hearing

**Appeal of Edward and Anna Ciotti under 40 P. S. §§ 991.2101—991.2193; HealthAssurance; Doc. No. HC05-12-004**

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 shall be conducted on February 1, 2006. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before January 26, 2006. The hearing shall occur on February 15, 2006, at 1 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 January 18, 2006, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Sev-

enth Street, Harrisburg, PA 17102. Answer to petitions to intervene shall be filed on or before January 25, 2006.

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 at (717) 705-4194.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 06-36. Filed for public inspection January 6, 2006, 9:00 a.m.]

### Hanover Healthcare Plus, Inc.; Prehearing

**Appeal of Hanover Healthcare Plus, Inc. under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM05-11-028**

On or before January 10, 2006, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's October 6, 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 January 31, 2006. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before January 25, 2006. 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 January 17, 2006, 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 January 24, 2006.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 06-37. Filed for public inspection January 6, 2006, 9:00 a.m.]

### Patricia J. Kauffman, M. D.; Prehearing

**Appeal of Patricia J. Kauffman, M. D. under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM05-11-047**

On or before January 18, 2006, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's October 7, 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 February 8, 2006. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before February 2, 2006. 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 January 25, 2006, 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 February 1, 2006.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 06-38. Filed for public inspection January 6, 2006, 9:00 a.m.]

### **Pennsylvania Property & Casualty Insurance Guaranty Association; Prehearing**

#### **Appeal of Pennsylvania Property & Casualty Insurance Guaranty Association under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM05-11-046**

On or before January 18, 2006, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's October 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 February 8, 2006. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before February 2, 2006. 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 January 25, 2006, 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 February 1, 2006.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 06-39. Filed for public inspection January 6, 2006, 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, Philadelphia and Pittsburgh. 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 Amy Ricedorf; file no. 05-119-08917; Liberty Mutual Insurance Company; doc. no. P05-11-040; January 26, 2006, 10 a.m.

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

Appeal of Kearston McConnell; file no. 05-215-03396; Bristol West Insurance Company; doc. no. PH05-11-042; January 20, 2006, 10 a.m.

Appeal of Ernest W. Lee; file no. 05-266-03701; American Independent Insurance Company; doc. no. PH05-12-020; March 23, 2006, 9 a.m.

Appeal of Jennifer J. McMaster; file no. 05-267-03564; Liberty Mutual Insurance Company; doc. no. PH05-12-021; March 24, 2006, 9 a.m.

The following hearing will be held in the Pittsburgh Regional Office, Room 304, State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222.

Appeal of Michele Berwick; file no. 05-193-07318; Progressive Casualty Insurance; doc. no. P05-11-041; April 11, 2006, 9 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, (717) 705-4194.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 06-40. Filed for public inspection January 6, 2006, 9:00 a.m.]

### Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insurers 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, PA. 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 Geico Insurance; file no. 05-130-08460; Luann Black; doc. no. P05-12-003; February 1, 2006, 10 a.m.

Appeal of Erie Insurance Exchange; file no. 05-119-09347; Roger L. Burrige; doc. no. P05-12-022; February 9, 2006, 2 p.m.

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

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

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

Persons with a disability who wish to attend an administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Kathryn Culbertson, Agency Coordinator, (717) 705-4194.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 06-41. Filed for public inspection January 6, 2006, 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 offices in Harrisburg, Philadelphia 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 Gayle and Leland Christensen; file no. 05-119-09103; Lebanon Mutual Insurance Company; doc. no. P05-11-029; January 17, 2006, 2 p.m.

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

Appeal of Ethel M. Robinson; file no. 05-215-03439; Harleysville Insurance Company; doc. no. PH05-11-043; January 19, 2006, 10 a.m.

Appeal of Martin A. and Grazyna Malz; file no. 05-265-10667; Chubb Indemnity Insurance Company; doc. no. PH05-12-023; March 24, 2006, 10 a.m.

The following hearing will be held in the Pittsburgh Regional Office, Room 304, State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222.

Appeal of Sheila J. Small; file no. 05-303-71463; Mutual Benefit Insurance Company; doc. no. PI05-11-014; April 11, 2006, 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 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 at (717) 705-4194.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 06-42. Filed for public inspection January 6, 2006, 9:00 a.m.]

# LIQUOR CONTROL BOARD

## Expiration of Leases

The Liquor Control Board seeks the following new site:

Berks County, Wine & Spirits Shoppe #0610, Kenhorst, PA.

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 5,500 to 6,000 net useable square feet of new or existing retail commercial space located within 1/2 mile of the intersection of SR 625 and SR 724, Kenhorst.

*Proposals due:* January 27, 2006, at 12 p.m.

**Department:** Liquor Control Board  
**Location:** Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661  
**Contact:** Charles D. Mooney, (717) 657-4228

The following Liquor Control Board leases will expire:

Carbon County, Wine & Spirits Shoppe #1302, 1215 North Street, Jim Thorpe, PA 18229.

*Lease Expiration Date:* December 31, 2006

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 2,000 net useable square feet of new or existing retail commercial space located along North Street, Jim Thorpe.

*Proposals due:* January 27, 2006, at 12 p.m.

**Department:** Liquor Control Board  
**Location:** Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661  
**Contact:** Joseph P. Hannon, (717) 657-4228

Cumberland County, Wine & Spirits Shoppe #2107, 3760 Market Street Camp Hill, PA 17011.

*Lease Expiration Date:* January 31, 2007

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 3,000 to 6,000 net useable square feet of new or existing retail commercial space located along Market Street bordered by US 11 and US 15 to the east and St. John's Church Road to the west.

*Proposals due:* January 27, 2006, at 12 p.m.

**Department:** Liquor Control Board  
**Location:** Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661  
**Contact:** Charles D. Mooney, (717) 657-4228

Dauphin County, Wine & Spirits Shoppe #2214, Village of Oakhurst Shopping Ctr., 4404 Oakhurst Boulevard, Harrisburg, PA 17110-3452.

*Lease Expiration Date:* December 31, 2007

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 4,000 to 8,000 net useable square feet of new or existing retail commercial space located along SR 39 (Linglestown Road) bordered by North Progress Avenue to the east and Colonial Road to the west.

*Proposals due:* January 27, 2006, at 12 p.m.

**Department:** Liquor Control Board  
**Location:** Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661  
**Contact:** Charles D. Mooney, (717) 657-4228

Dauphin County, Wine & Spirits Shoppe #2215, The Point Shopping Center, 4227 Union Deposit Road, Harrisburg, PA 17111-1001.

*Lease Expiration Date:* January 31, 2007

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 8,000 net useable square feet of new or existing retail commercial space located within 1/2 mile of the intersection of Union Deposit Road and East Park Drive, Lower Paxton Township.

*Proposals due:* January 27, 2006, at 12 p.m.

**Department:** Liquor Control Board  
**Location:** Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661  
**Contact:** Matthew Sweeney, (717) 657-4228

Lehigh County, Wine & Spirits Shoppe #3907, The Shops at Cedar Point, 333 South Cedar Crest Boulevard, Allentown, PA 18103.

*Lease Expiration Date:* December 31, 2006

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 3,000 net useable square feet of new or existing retail commercial space located within 1/4 mile of the intersection of SR 222 and Cedar Crest Boulevard, City of Allentown.

*Proposals due:* January 27, 2006, at 12 p.m.

**Department:** Liquor Control Board  
**Location:** Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661  
**Contact:** Matthew Sweeney, (717) 657-4228

Lehigh County, Wine & Spirits Shoppe #3919, K-Mart Plaza, 4777 Tilghman Street, Allentown, PA 18104.

*Lease Expiration Date:* January 31, 2007

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 located within 1 mile of the intersection of Tilghman Street and Hausman Road, South Whitehall Township.

*Proposals due:* January 27, 2006, at 12 p.m.

**Department:** Liquor Control Board  
**Location:** Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661  
**Contact:** Charles D. Mooney, (717) 657-4228

Northumberland County, Wine & Spirits Shoppe #4902, 53 East Independence Street, Shamokin, PA 17872.

*Lease Expiration Date:* August 31, 2008

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 4,000 net useable square feet of new or existing retail commercial space located on SR 61 within 1 mile of its intersection with SR 901, Coal Township.

*Proposals due:* January 27, 2006, at 12 p.m.

**Department:** Liquor Control Board  
**Location:** Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661  
**Contact:** Charles D. Mooney, (717) 657-4228

York County, Wine & Spirits Shoppe #6703, South Hanover Shopping Center, 787 Baltimore Street, Hanover, PA 17331.

*Lease Expiration Date:* 90-day since November 30, 2005

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 4,000 to 6,000 net useable square feet of new or existing retail commercial space located within approximately 1 mile of the intersection of SR 94 and SR 194 in Hanover.

*Proposals due:* January 27, 2006, at 12 p.m.

**Department:** Liquor Control Board  
**Location:** Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661  
**Contact:** Charles D. Mooney, (717) 657-4228

York County, Wine & Spirits Shoppe #6709, Manchester Crossroads, 351 Loucks Road, York, PA 17404.

*Lease Expiration Date:* January 31, 2007

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 6,000 to 8,000 net useable square feet of new or existing retail commercial space located within 1 mile of the intersection of US 30 and Susquehanna Trail, Manchester Township.

*Proposals due:* January 27, 2006 at 12 p.m.

**Department:** Liquor Control Board  
**Location:** Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661  
**Contact:** Charles D. Mooney, (717) 657-4228  
 JONATHAN H. NEWMAN,  
*Chairperson*

[Pa.B. Doc. No. 06-43. Filed for public inspection January 6, 2006, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Change of Control

**A-310325F0006 and A-312050F0006. Alltel Pennsylvania, Inc. and Alltel Communications, Inc.** Joint application of Alltel Pennsylvania, Inc. and Alltel Communications, Inc. for approval of the change of control of Alltel Pennsylvania, Inc. and Alltel Communications, Inc.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before January 23, 2006. 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:* Alltel Pennsylvania, Inc. and Alltel Communications, Inc.

*Through and By Counsel:* D. Mark Thomas, Esquire, Patricia Armstrong, Esquire, Thomas, Thomas, Armstrong & Niesen, 212 Locust Street, P. O. Box 9500, Harrisburg, PA 17108-9500

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-44. Filed for public inspection January 6, 2006, 9:00 a.m.]

### Order

Public Meeting held  
December 15, 2005

*Commissioners Present:* Wendell F. Holland, Chairperson; James H. Cawley, Vice Chairperson; Bill Shane; Kim Pizzigrilli; Terrance J. Fitzpatrick

*Law Bureau Prosecutory Staff v. Budget Phone, Inc.*  
(2004.0267); *Doc. No. C-20044068*

*Budget Phone, Inc. Petition for Reinstatement; Doc. No. A-311159*

### Order

*By the Commission:*

On December 14, 2004, Law Bureau Prosecutory Staff filed a Formal Complaint against Budget Phone, Inc. (Budget Phone), a reseller of toll service and a CLEC certificated at A-311159. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to Budget Phone that its 2003 Annual Report was due. The Complaint charged that Budget Phone violated 66 Pa.C.S. § 504 by failing to file its 2003 Annual Report. The Complaint requested that the Commission issue an order canceling Budget Phone's certificate of public convenience for failure to file its 2003 Annual Report.

According to the U. S. Postal Service return receipt, the Complaint was served on December 17, 2004, but Budget Phone failed to file an answer or its 2003 Annual Report. As a result of Budget Phone's failure to respond to the Complaint, the Commission entered a Default Order on July 20, 2005 that sustained the Complaint and cancelled Budget Phone's certificate of public convenience. The notice of the Default Order was published August 6, 2005 at 35 Pa.B. 4512 with a 20-day comment period.

The Commission received Budget Phone's 2003 Annual Report on October 18, 2005, and the \$250 late-filing fee on November 10, 2005. On December 5, Budget Phone filed a letter-petition for reinstatement. In its petition, Budget Phone seeks reconsideration of the Default Order and reinstatement of its certificate. Budget Phone apologized for failing to timely file its 2003 Annual Report and stated that it has taken steps to ensure that it timely complies with future filing deadlines.

It is well-settled that decisions such as whether to grant a petition for reinstatement are left to the Commission's discretion. *Hoskins Taxi Service v. Pa.P.U.C.*, 486 A.2d 1030 (Pa. Comwlth. 1985). In ruling upon a reinstatement petition, it is incumbent upon this Commission

to examine all relevant factors in order to reach an equitable result. *Medical Transportation, Inc.*, 57 Pa.P.U.C. 79 (1983).

The Commission has identified five factors that are particularly relevant to the adjudication of a petition to reinstate: 1) the amount of time that elapsed between the cancellation of the certificate of public convenience and the filing of the petition, 2) whether the petitioner has a record of habitually violating the Public Utility Code, 3) the reasonableness of the excuse given for the violation that caused the certificate to be cancelled, 4) whether the petitioner has implemented procedures to prevent a recurrence of the circumstances giving rise to the cancellation, and 5) whether the petitioner is current in the payment of all Commission fines and assessments. *Re: M. S. Carriers, Inc.*, Docket No. A-00110601 (May 4, 1999).

In considering the first factor, we note that only three months and nine days elapsed between the effective date of the cancellation on August 26, 2005 and Budget Phone's request for reinstatement on December 5, 2005. This short period of time supports reinstatement.

In regard to the second factor, Budget Phone does not have a record of habitually violating the Public Utility Code. Budget Phone was issued its certificate of public convenience in 2002. No other Complaints have been issued against Budget Phone in addition to the instant Complaint. Thus, Budget Phone's record also supports reinstatement.

In considering the third and fourth factors, Budget Phone is appropriately apologetic in its Petition for the delinquency in filing its 2003 Annual Report. Budget Phone further stated that it has taken steps to ensure that its regulatory compliance remains in good standing. The fact that Budget Phone has now complied with our reporting requirements and has taken steps to ensure future compliance militates toward reinstatement. Specifically, Budget Phone has hired an in-house CPA to specifically address financial reporting requirements. Moreover, in an effort to ensure timely compliance with all Commission reporting deadlines, Budget Phone has hired TCS, a regulatory compliance company based in Alpharetta, GA. TCS provides regulatory compliance services for numerous Pennsylvania jurisdictional utilities.

A review of Commission records shows that Budget Phone has not yet filed its 2004 Annual Report, which was due to be filed on or before October 31, 2005. We will therefore condition reinstatement of the certificate on filing the delinquent 2004 Annual Report within 30 days of the entry date of this order.

The fifth factor requires that all outstanding fines and/or assessments be paid prior to reinstatement. A review of Commission records shows that Budget Phone has no unpaid fines or assessments.

Based upon the foregoing, we will grant Budget Phone's petition for reinstatement. However, as stated above, we condition reinstatement on Budget Phone filing its 2004 Annual Report within 30 days of the entry date of this order. If the report is not received within the time given, Budget Phone's certificate will remain cancelled. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under section 66 Pa.C.S. § 3301, if Respondent seeks relief beyond the 30-day time period. *Therefore,*

*It Is Ordered That:*

1. The Petition to Reinstate filed by Budget Phone, Inc. at C-20044068 on December 5, 2005, is hereby granted.

2. The certificate of public convenience held by Budget Phone, Inc. at A-311159 is hereby reinstated.

3. Reinstatement is conditioned upon Budget Phone filing its delinquent 2004 Annual Report within 30 days of the entry date of this order. Failure to adhere to this order may result in further penalties pursuant to 66 Pa.C.S. § 3301.

4. The Secretary cause a copy of this Order to be published in the *Pennsylvania Bulletin*.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-45. Filed for public inspection January 6, 2006, 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 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 17105-326, with a copy served on the applicant by January 30, 2006. 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-00122261. Ramses R. Kaddis** (1402 Falstaff Drive, Tobyhanna, Monroe County, PA 18466)—persons, upon call or demand, in the Townships of Tobyhanna, Pocono and Coolbaugh and the Borough of Mount Pocono, all located in Monroe County.

**A-00121716. F.2. FJG Transportation, Inc.** (1500 Farr Street, Scranton, Lackawanna County, PA 18504), a corporation of the Commonwealth—persons in limousine service, from points in the Counties of Lackawanna, Luzerne, Monroe, Pike and Wayne to points in Pennsylvania and return. *Attorney:* Maria Marsili, Esquire, Suite 800, 142 N. Washington Avenue, Scranton PA 18503.

**A-00122281. Fred Amendola t/a Venus Limousine** (27 W. Crafton Avenue, Pittsburgh, Allegheny County, PA 15205)—persons, in limousine service, from points in the County of Allegheny to points in Pennsylvania and return.

#### **Application of the following for approval of the *additional right and privilege of operating motor vehicles as common carriers for transportation of persons by transfer of rights as described under the application.***

**A-00121963, F.2. Always Transportation, Inc.** (451 Rhawn Street, Philadelphia, Philadelphia County, PA 19111), a corporation of the Commonwealth—persons in limousine service, between points in Pennsylvania, excluding service between points in Allegheny County; which is to be a transfer of all the rights authorized under the certificate issued at A-00109080, F.1, to Barry's Limousine Service, Inc. t/a London Limousine & Town Car, subject to the same limitations and conditions. *Attorney:* David P. Temple, 1760 Market Street, Suite 1100, Philadelphia, PA 19103.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-46. Filed for public inspection January 6, 2006, 9:00 a.m.]

## PHILADELPHIA REGIONAL PORT AUTHORITY

### Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project #05-123.1, Second Floor Access Control Doors at the Port of Philadelphia Administration Building until 2 p.m. on Thursday, February 2, 2006. The bid documents can be obtained from the Director of Procurement, PRPA, 3460 North Delaware Avenue, 2nd Floor, Philadelphia, PA 19134, (215) 426-2600 and will be available January 12, 2006. Additional information and project listings may be found at [www.philaport.com](http://www.philaport.com). The cost of the bid document is \$35 (includes 7% Pennsylvania Sales Tax). The cost is nonrefundable. PRPA is an equal opportunity employer. Contractors must comply with all applicable equal opportunity laws and regulations. Bidders must provide to the Procurement Department, in writing, the names of individuals that will be attending prebid meetings. This information is needed 24 hours prior to the meeting. Fax to (215) 426-6800, Attn: Procurement Department.

A mandatory prebid job site meeting will be held on January 19, 2006, at 10 a.m. at the Port of Philadelphia Administration Building, 3460 North Delaware Avenue, Philadelphia, PA 19134.

JAMES T. MCDERMOTT, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 06-47. Filed for public inspection January 6, 2006, 9:00 a.m.]

## STATE EMPLOYEES' RETIREMENT BOARD

### Hearing Scheduled

A hearing has been scheduled, as authorized by 71 Pa.C.S. Part XXV (relating to State Employees' Retirement Code), in connection with the State Employees' Retirement System's denial of Claimant's request concerning the indicated account.

The hearing will be held before a hearing examiner at the State Employees' Retirement System, 30 North Third Street, Fifth Floor, Harrisburg, PA 17101:

January 20, 2006	Dale W. Shanta	9 a.m.
	(Termination Date)	

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 4 Pa. Code § 250.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

ERIC HENRY,  
*Secretary*

[Pa.B. Doc. No. 06-48. Filed for public inspection January 6, 2006, 9:00 a.m.]