

NOTICES

DEPARTMENT OF BANKING

Action on Applications

The Department of Banking (Department), 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 March 7, 2006.

BANKING INSTITUTIONS

New Charter Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
3-1-06	MoreBank Philadelphia Philadelphia County	470 West Cheltenham Avenue Philadelphia Philadelphia County	Commenced Operations

Conversions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
3-1-06	Community First Bank, National Association Reynoldsville Jefferson County <i>To:</i> Community First Bank Reynoldsville Jefferson County	444 Main Street Reynoldsville Jefferson County	Filed

Application represents request for conversion from a National association to a State-chartered banking institution.

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
2-28-06	Keystone Nazareth Bank & Trust Company, Bethlehem, and The Trust Company of Lehigh Valley, Allentown Surviving Institution— Keystone Nazareth Bank & Trust Company, Bethlehem	Bethlehem	Effective

Subsequent to the merger of The Trust Company with and into the bank, Paragon Group, Inc., the parent holding company of The Trust Company merged with and into Keystone Nazareth Bank & Trust Company and its corporate existence ceased. Also, the former main office of The Trust Company became a branch office of Keystone Nazareth Bank & Trust Company: 1620 Pond Road, Allentown, Lehigh County.

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
2-21-06	United-American Savings Bank Pittsburgh Allegheny County	3515 Washington Road McMurray Washington County	Filed
3-2-06	East Penn Bank Emmaus Lehigh County	2985 MacArthur Road Whitehall Township Lehigh County	Filed
3-7-06	Graystone Bank Lancaster Lancaster County	3599 Gettysburg Road Camp Hill Cumberland County	Approved
3-7-06	Integrity Bank Camp Hill Cumberland County	301 Colonial Road Harrisburg Lower Paxton Township Dauphin County	Approved
3-7-06	Integrity Bank Camp Hill Cumberland County	6085 Allentown Boulevard Harrisburg Lower Paxton Township Dauphin County	Approved

Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
3-6-06	Mid Penn Bank Millersburg Dauphin County	<i>To:</i> 4642 State Route 209 Elizabethville Dauphin County <i>From:</i> 2 East Main Street and 11-13 East Main Street (Drive-Up) Elizabethville Dauphin County	Filed

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS**Consolidations, Mergers and Absorptions**

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
3-1-06	Butler Armco Employees Credit Union, Butler, and West Penn Northern Division Employees Federal Credit Union, Arnold Surviving Institution— Butler Armco Employees Credit Union, Butler	Butler	Effective

The Department's website at www.banking.state.pa.us includes public notices for more recently filed applications.

A. WILLIAM SCHENCK, III,
Secretary

[Pa.B. Doc. No. 06-489. Filed for public inspection March 24, 2006, 9:00 a.m.]

Action on Applications

The Department of Banking (Department), 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 March 14, 2006.

BANKING INSTITUTIONS**Charters**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
3-8-06	Northwest Merger Subsidiary II, Inc. Warren Warren County	Warren	Approved

Northwest Merger Subsidiary II, Inc. (Subsidiary II) is being formed solely to facilitate the merger of Maryland Permanent Bank & Trust Company (Maryland) with and into Northwest Savings Bank. Subsidiary II will merge with and into Maryland and its corporate existence will cease to exist.

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
3-8-06	Northwest Savings Bank, Warren, PA, and Maryland Permanent Bank & Trust Company, Owings Mills, MD Surviving Institution— Northwest Savings Bank	Warren	Approved

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
3-1-06	Citizens & Northern Bank Wellsboro Tioga County	1510 Dewey Avenue Williamsport Lycoming County	Opened
3-2-06	Pocono Community Bank Stroudsburg Monroe County	Route 209 Brodheads ville Monroe County	Opened
3-9-06	York Traditions Bank York York County	2305 Susquehanna Trail North York Manchester Township York County	Approved
3-9-06	Allegiance Bank of North America Bala Cynwyd Montgomery County	2960 Skippack Pike Lansdale Montgomery County	Approved
3-9-06	Embassy Bank for the Lehigh Valley Bethlehem Northampton County	Trexlertown Marketplace Intersection of Hamilton Boulevard and Mill Creek Road Allentown Lower Macungie Township Lehigh County	Approved
3-9-06	Allegheny Valley Bank of Pittsburgh Pittsburgh Allegheny County	333 Allegheny Avenue Oakmont Allegheny County	Approved
3-9-06	Fulton Bank Lancaster Lancaster County	116-118 West Market Street West Chester Chester County	Approved

Branch Relocations/Consolidations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
3-9-06	Northwest Savings Bank Warren Warren County	<i>To:</i> 100 Market Place Drive Edinboro Washington Township Erie County <i>From:</i> 108 Washington Towne Boulevard Edinboro Washington Township Erie County	Approved
3-9-06	Fidelity Savings Bank Pittsburgh Allegheny County	<i>To:</i> 100 Broadway Street Carnegie Allegheny County <i>From:</i> 17 West Main Street Carnegie Allegheny County	Approved
3-10-06	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	<i>Into:</i> 3835 Peach Street Erie Erie County <i>From:</i> 1520 West 26th Street Erie Erie County	Filed
3-10-06	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	<i>Into:</i> 815 East 38th Street Erie Erie County <i>From:</i> 1702 East 38th Street Erie Erie County	Filed

Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
3-3-06	CSB Bank Curwensville Clearfield County	BILO Supermarket Route 255 (Million Dollar Highway) St. Marys Elk County	Effective

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS**Charter Conversions**

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
3-13-06	K of C Federal Credit Union Philadelphia Philadelphia County	Philadelphia	Approved

To:

K of C Credit Union
Philadelphia
Philadelphia County

Application represents conversion from a Federally-chartered associational-based credit union to a State-chartered community-based credit union; said conversion will be accomplished by filing Articles of Conversion with the Department of State which will include but not be limited to: the proposed name of the converted credit union and its new field of membership which will include persons who live, work, worship, perform volunteer service, attend school, and businesses and other legal entities located in the Counties of Philadelphia, Bucks, Delaware and Montgomery in this Commonwealth.

3-14-06	Diamond Credit Union Pottstown Montgomery County	Pottstown	Approved
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Application represents conversion from an occupational-based credit union to a community-based charter; said conversion will be accomplished by filing Articles of Amendment with the Department of State which will reflect an amendment to Article IV, section 7 of the credit union's Articles of Conversion to extend the field of membership of the credit union to include ". . . persons who live, work, worship, regularly conduct business, or attend school in Berks County, Collegeville Borough, Douglass Township, East Coventry Township, East Greenville Borough, East Nantmeal Township, East Vincent Township, Green Lane Borough, Limerick Township, Lower Frederick Township, Lower Pottsgrove Township, Marlborough Township, New Hanover Township, North Coventry Township, Pennsburg Borough, Perkiomen Township, Pottstown Borough, Red Hill Borough, Royersford Borough, Schwenksville Borough, Skippack Township, South Coventry Township, Spring City Borough, Trappe Borough, Upper Frederick Township, Upper Hanover Township, Upper Pottsgrove Township, Upper Providence Township, Warwick Township, West Pottsgrove Township, and West Vincent Township, Pennsylvania."

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
3-8-06	Greater Greensburg Industrial Credit Union, Greensburg, and Westmoreland Community Federal Credit Union, Greensburg Surviving Institution— Westmoreland Community Federal Credit Union, Greensburg	Greensburg	Approved
3-14-06	Freedom Credit Union, Philadelphia, and The Church of the Redeemer Federal Credit Union, Philadelphia Surviving Institution— Freedom Credit Union, Philadelphia	Philadelphia	Approved

The Department's website at www.banking.state.pa.us includes public notices for more recently filed applications.

A. WILLIAM SCHENCK, III,
Secretary

Maximum Lawful Rate of Interest for Residential Mortgages for the Month of April 2006

The Department of Banking (Department), under the authority contained in section 301 of the Act of January 30, 1974 (P. L. 13, No. 6) (41 P. S. § 301), hereby determines that the maximum lawful rate of interest for residential mortgages for the month of April 2006 is 7 1/4%.

The interest rate limitations under the State's usury statute were preempted to a great extent by Federal law, the Depository Institutions Deregulation and Monetary Control Act of 1980 (Pub. L. No. 96-221). Further preemption was instituted with the signing of Pub. L. No. 96-399, which overrode State interest rate limitations on any individual who finances the sale or exchange of residential real property which the individual owns and which the individual occupies or has occupied as his principal residence.

Each month the Department is required by State law to compute and announce the ceiling rate on residential mortgages in this Commonwealth. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board and/or the United States Treasury. The latest yield rate on long-term government securities is 4.65 to which was added 2.50 percentage points for a total of 7.15 that by law is rounded off to the nearest quarter at 7 1/4%.

A. WILLIAM SCHENCK, III,
Secretary

[Pa.B. Doc. No. 06-491. Filed for public inspection March 24, 2006, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

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

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

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

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

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

Persons wishing to comment on an NPDES application are invited to submit a statement to the regional office noted before an application within 30 days from the date of this public notice. Persons wishing to comment on a WQM permit application are invited to submit a statement to the regional office noted before the application within 15 days from the

date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the applications. Comments should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

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

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

I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N ?</i>
PA0080284 (Sew)	New Oxford Manor Mobile Home Village 510 Dauberton Drive New Oxford, PA 17350	Adams County Mount Pleasant Township	UNT to South Branch Conewago Creek 7-F	Y
PA0084603 (Sew)	Fairmount Homes 333 Wheat Ridge Drive Ephrata, PA 17522-8558	Lancaster County West Earl Township	Conestoga River 7-J	Y
PA0082601 (Sew)	James Decker, Jr. Hartslog Courts R. R. 7, Box 919 Altoona, PA 16601	Huntingdon County Porter Township	UNT to Crooked Creek 11-B	Y
PA0081183 (Sew)	Margaret Carbaugh Happy Hollow Restaurant 10910 Raystown Road Saxton, PA 16678	Bedford County Liberty Township	UNT to Sugar Camp Run 11-D	Y
PA0081302 (Sew)	South Londonderry Township Municipal Authority P. O. Box 3 Campbelltown, PA 17010-0003	Lebanon County South Londonderry Township	Spring Creek 7-D	Y
PA0083887 (Sew)	Brad Shover Brush Creek Country Estates 225 Pine Hill Road Landisburg, PA 17040	Bedford County East Providence Township	Brush Creek 11-C	Y
PA0081396 (Sew)	Laurelwood Mobile Home Park P. O. Box 506 Elizabethtown PA 17022	York County Newberry Township	UNT to Bennett Run 7-F	Y
PA0029572 (Sew)	Village of Laurel Run Health Care Facility 6375 Chambersburg Road Fayetteville, PA 17222-8303	Adams County Franklin Township	Clear Run 13-C	Y
PA0086088 (Sew)	Wooded Acres Homeowners Association 316 Schubert Road Bethel, PA 19507-0024	Berks County Bethel Township	Little Swatara Creek 7-D	Y
PA0081949 (Sew)	West Earl Sewer Authority 157 West Metzler Road P. O. Box 725 Brownstown, PA 17508-0725	Lancaster County West Earl Township	Conestoga Creek 7-J	Y

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

PA0253286, Industrial Waste, **CNX Gas Company, LLC**, 4000 Brownsville Rd., South Park, PA 15129. This proposed facility is located in Center Township, **Greene County**.

Description of Proposed Activity: Treatment Facility for Coal Bed Methane Fluids.

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0209902	Ina B. and Michael J. Mailliard SFTF 694 Sunol Road Cochranton, PA 16314	Greenwood Township Crawford County	UNT to Sandy Creek 16-G	Y
PA0020044	Fredonia Municipal Authority Hadley Road Fredonia, PA 16124	Fredonia Borough Mercer County	Mill Run 20-A	Y

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

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

PA0026859A2, Sewage, **Pennsylvania American Water**, 4 Wellington Boulevard, Wyomissing, PA 19610. This existing facility is located in South Coatesville Borough, **Chester County**.

Description of Proposed Activity: This application is for amendment of an NPDES permit to increase the existing discharge of treated sewage from the Coatesville Sewage Treatment Plant from 3.85 mgd to 7.0 mgd.

The receiving stream, West Branch Brandywine Creek, is in the State Water Plan watershed 3H and is classified for WWF, MF, aquatic life, water supply, recreation and fishing. West Branch Brandywine Creek is a tributary to Brandywine Creek. There are no public water supply intakes identified downstream in this Commonwealth. The confluence with Brandywine Creek is approximately 15 river miles downstream from the discharge point. The State Line is approximately 9.5 river miles downstream from the confluence. A Wilmington, Delaware, water supply intake is located on Brandywine Creek approximately 7.5 river miles downstream from the State Line.

The proposed sewage effluent limits for Outfall 001 based on an existing design flow of 3.85 mgd are as follows:

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		<i>Instantaneous Maximum (mg/l)</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Average Monthly</i>	<i>Average Weekly</i>	
CBOD ₅					
(5-1 to 10-31)	355	533	11.07	16.61	22.14
(11-1 to 4-30)	711	1,066	22.14	33.21	44.28
Total Suspended Solids			30	45	60
Ammonia (as N)					
(5-1 to 10-31)	64		2.0		4.0
(11-1 to 4-30)	193		6.0		12.0
Phosphorus (as P)	48		1.48		2.96
Fecal Coliform			200/100 ml		1,000/100 ml
Total Residual Chlorine			0.2		0.7
Total Nitrogen	M/R		M/R		
Copper, Total	0.48		0.015		0.030
Dissolved Oxygen			minimum of 5.0 mg/l at all times		
pH (Standard Units)			within limits of 6.0 to 9.0 Standard Units at all times		
M/R = Monitor/Report					

The proposed sewage effluent limits for Outfall 001 based on a proposed design flow of 4.6 mgd are as follows:

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		<i>Instantaneous Maximum (mg/l)</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Average Monthly</i>	<i>Average Weekly</i>	
CBOD ₅					
(5-1 to 10-31)	355	533	9.3	13.9	18.6
(11-1 to 4-30)	711	1,066	18.5	27.8	37.0
Total Suspended Solids			30	45	60
Ammonia (as N)					
(5-1 to 10-31)	64		1.7		3.4
(11-1 to 4-30)	193		5.0		10.0
Phosphorus (as P)	48		1.3		2.6
Fecal Coliform			200/100 ml		1,000/100 ml
Total Residual Chlorine			0.17		0.54
Total Nitrogen	M/R		M/R		
Copper, Total	0.45		0.014		0.028

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Instantaneous Maximum (mg/l)</i>
Dissolved Oxygen			minimum of 5.0 mg/l at all times		
pH (Standard Units)			within limits of 6.0 to 9.0 Standard Units at all times		
M/R = Monitor/Report					

The proposed sewage effluent limits for Outfall 001 based on a proposed design flow of 7.0 mgd are as follows:

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅ (5-1 to 10-31)	355	533	6.1	9.2	12.2
(11-1 to 4-30)	711	1,066	12.2	18.3	24.4
Total Suspended Solids			30	45	60
Ammonia (as N) (5-1 to 10-31)	64		1.1		2.2
(11-1 to 4-30)	193		3.3		6.6
Phosphorus (as P)	48		0.82		1.64
Fecal Coliform			200/100 ml		1,000/100 ml
Total Residual Chlorine			0.11		0.36
Total Nitrogen	M/R		M/R		
Copper, Total	0.42		0.013		0.026
Dissolved Oxygen			minimum of 5.0 mg/l at all times		
pH (Standard Units)			within limits of 6.0 to 9.0 Standard Units at all times		
M/R = Monitor/Report					

The proposed monitoring requirements for stormwater Outfalls 002 and 003 are as follows:

<i>Parameters</i>	<i>Average Annual (mg/l)</i>	<i>Average Semi-Annual (mg/l)</i>	<i>Maximum Daily (mg/l)</i>
CBOD ₅	Monitor and Report		Monitor and Report
COD	Monitor and Report		Monitor and Report
Oil and Grease	Monitor and Report		Monitor and Report
pH (STD Units)	Monitor and Report		Monitor and Report
Total Suspended Solids	Monitor and Report		Monitor and Report
Total Kjeldahl Nitrogen	Monitor and Report		Monitor and Report
Phosphorus (as P)	Monitor and Report		Monitor and Report
Iron (Dissolved)	Monitor and Report		Monitor and Report

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

1. Notification of Designation of Operator.
2. Average Weekly Reporting.
3. Remedial Measures if Unsatisfactory Effluent.
4. No Stormwater.
5. Acquire Necessary Property Rights
6. Change of Ownership.
7. Total Residual Chlorine Requirement.
8. Sludge Disposal Requirement.
9. WET Testing.
10. Imax Requirements.
11. Requirements Applicable to Stormwater Outfalls.
12. Watershed Reopener.
13. Training Plan for Treatment System Operators.
14. Prior Approval Needed for Increased Discharge Rates.

PA0012416, Industrial Waste, **PA American Water Rock Run Water Treatment Plant**. Mailing address is 4 Wellington Boulevard, Reading, PA 19610. This facility is located at Waterworks and Red Mill Roads, Coatesville, PA 19320, West Caln Township, **Chester County**.

Description of Activity: This application is for renewal of an NPDES permit to discharge filter backwash water and settled sludge supernatant to Rock Run Reservoir which discharges to Rock Run.

The receiving reservoir and stream, Rock Run, is in the State Water Plan Watershed 3H-Brandywine and is classified for TSF, aquatic life, water supply and recreation. The nearest downstream public water supply intake for PA American Water Company is located on Rock Run Reservoir and is near the discharge point.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.14 mgd.

<i>Parameters</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 (mg/l)</i>
CBOD ₅			10	Monitor and Report	
Total Suspended Solids	23.4		20	40	
Total Nitrogen				Monitor and Report	
Ammonia-Nitrogen				Monitor and Report	
Phosphorus as P	0.12		0.10	0.20	0.25
Iron, Total	2.3		2.0	4.0	5.0
Maganese, Total	1.2		1.0	2.0	2.5
Aluminum, Total	0.93		0.8	1.6	2.1
Chloroform				Monitor and Report	Monitor and Report
Dichlorobromomethane				Monitor and Report	Monitor and Report
Chlorodibromomethane				Monitor and Report	Monitor and Report
pH (Standard Unit)			6.0 (min)		9.0 (max)
Dissolved Oxygen			5.0 (min)		

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

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

PA0053635, Industrial Waste, **Buckeye Terminals, LLC**, SIC 486, **Petroleum Bulk Station and Terminal**, 5002 Buckeye Road, P. O. Box 368, Emmaus, PA 18049. This facility is located at 8 South Malin Road, Frazer, PA 19355.

Description of Activity: This application is for renewal of an NPDES permit to discharge stormwater from an oil/water separator.

The receiving stream, Little Valley Creek, is in the State Water Plan watershed 3F-Wissahickon and is classified for Exception Value, aquatic life, water supply and recreation. The nearest downstream public surface water supply intake for PA American Water Company is located on Schuylkill River and is approximately 8 miles below the point of discharge.

The proposed effluent limits for Outfall 001 in Table 1 will be in effect from permit issuance through end of year 1.

Table 1

<i>Parameters</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 (mg/l)</i>
Benzene				Monitor and Report	Monitor and Report
Total BTEX				Monitor and Report	Monitor and Report
Toluene				Monitor and Report	Monitor and Report
Ethylbenzene				Monitor and Report	Monitor and Report
Xylenes, Total				Monitor and Report	Monitor and Report
Oil and Grease				Monitor and Report	Monitor and Report

The proposed effluent limits in Table 2 will take effect from beginning of permit term year 2 through expiration.

Table 2

<i>Parameters</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 (mg/l)</i>
Benzene			0.001		0.0025
Total BTEX			0.1		0.25
Toluene				Monitor and Report	Monitor and Report
Ethylbenzene				Monitor and Report	Monitor and Report
Xylenes, Total				Monitor and Report	Monitor and Report
Oil and Grease			15		30

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

1. Discharge must not cause nuisance or health hazard.
2. Monitoring of parameters on quarterly basis.

PA0012424, Industrial Waste, SIC 2816, **Quaker Color Division McAdoo & Allen**, 201 South Hellertown Avenue, Quakertown, PA 18951. This proposed facility is located in Quakertown Borough, **Bucks County**.

Description of Proposed Activity: renewal of an NPDES permit to discharge noncontact cooling water and stormwater from the facility.

The receiving stream, Beaver Run, is in the State Water Plan watershed 2D Three Mile Run and is classified for WWF. The nearest downstream public water supply intake for New Hope Borough is located on Delaware River and is 31 miles below the point of discharge.

The proposed effluent limits for Outfalls 001—004.

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

The proposed limits for Monitoring Points MP 105, MP 106 and MP 109 are:

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

The proposed limits for Stormwater Discharge from Outfalls 005—014 are:

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

PA0244074, Sewage, **Little Washington Wastewater Company**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010-3489. This proposed facility is located in Worcester Township, **Montgomery County**.

Description of Proposed Activity: The applicant proposes to discharge treated sewage from a facility known as Stony Creek Farms WWTF. The facility is located near Township Line Road and North Wales Road. This is a revised notice.

The receiving stream, Stony Creek, is in the State Water Plan watershed 3F and is classified for TSF, MF. The nearest downstream public water supply intake for City of Norristown is located on Schuylkill River at Norristown, PA.

The proposed effluent limits for Outfall 001 are based on a design flow of 42,863 gpd.

<i>Parameters</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	10			20
Total Suspended Solids	10			20
Ammonia Nitrogen (5-1 to 10-31)	1.5			3.0
(11-1 to 4-30)	3.0			6.0
Nitrite + Nitrate as N	Monitor and Report			Monitor and Report
Phosphorus, Total	0.5			1.0
Fecal Coliform		50/100 ml as a geometric mean		
pH		between 6.0 and 9.0 standard units at all times		
Dissolved Oxygen		Minimum of 6 mg/l at all times		
Temperature (°F)				Monitor and Report

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

1. Notification of Responsible Operator.
2. Average Weekly Definition.
3. Remedial Measures.
4. No Stormwater.
5. Necessary Property Rights.
6. Small Stream Discharge.
7. Sewage Sludge Disposal.
8. Submit Data for TMDL/WLA Analysis.
9. I-Max Limits.
10. No Discharge Report.
11. 2/Month Monitoring.
12. UV Disinfection.
13. Laboratory Certification.

NPDES Permit No. PA0055875, Amendment No. 2, Sewage, SIC 4952, The **Upper Hanover Authority Macoby Creek Sewage Treatment Plant**, 1704 Pillsbury Road, East Greenville, PA 18041. This facility is located on Frye Road, Pennsburg, PA 18073, **Montgomery County**.

Description of Proposed Activity: Expansion of Macoby Sewage Treatment Plant and increased discharge flow to Macoby Creek.

The receiving stream, Macoby Creek, is in the State Water Plan Watershed 3E-Perkiomen and is classified for TSF, aquatic life, water supply and recreation. The nearest downstream public water supply intake for Aqua PA is located on Perkiomen Creek and is approximately 15 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.40 mgd, and will take effect upon completion of plant expansion.

<i>Parameters</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	10	15		20
Total Suspended Solids	10	15		20
Ammonia as N	1.5			3
Phosphorus as P	0.3			
Total Nitrogen	Monitor and Report			
Fecal Coliform	200#/100 ml			Monitor and Report
Dissolved Oxygen	6.0 (Minimum)			
pH (Standard Units)	within limits of 6.0 to 9.0 at all times			

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

1. Macoby Creek is part of Effluent Dominated Stream Program.
2. Discharge is to dry swale/intermittent creek and then to small stream.

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

PA-0060348, Sewage, **Department of Transportation, Bureau of Design**, P.O. Box 3060, Harrisburg, PA 17105-3060, Safety Rest Area No. 62. This proposed facility is located in Palmyra Township, **Pike County**.

Description of Proposed Activity: Renewal of NPDES Permit to discharge treated sewage.

The receiving stream, UNT to Kleinhans Creek, is in the State Water Plan watershed 1C and is classified for HQ-CWF. The nearest downstream public water supply intake for East Stroudsburg is located on Delaware River.

The proposed effluent limits for Outfall 001 based on a design flow of 0.015 mgd.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25.0		50.0
Total Suspended Solids	30.0		60.0
NH ₃ -N (5-1 to 10-31)	9.0		18.0
Phosphorus as "P" (issuance through year 3) (begin year 4 through expiration)	Monitor and Report		Monitor and Report
	0.5		1.0
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)	200/100 ml as a geometric mean		
	2,000/100 ml as a geometric mean		
pH	6.0 to 9.0 standard units at all times.		
Total Residual Chlorine	1.2		2.8

PAS802223, Industrial Stormwater, **Rolling Frito Lay Sales, LP**, 5 Danforth Drive, Easton, PA 18045. This proposed facility is located in Palmer Township, **Northampton County**.

Description of Proposed Activity: Issuance of a new Industrial Stormwater Permit.

The receiving stream, Bushkill Creek, is in the State Water Plan watershed 1F and is classified for HQ-CWF. The nearest downstream public water supply intake for Easton is located on the Delaware River.

The proposed effluent limits for Outfall 001 are as follows:

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

Parameter	Mass (lb/day)		Concentration (mg/l)	
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily
Total Phosphorus				Report
Iron (dissolved)				Report

In addition to the effluent limits, the permit contains the following major special conditions: requirements applicable to stormwater outfalls along with identified best management practices.

PA0060089, Sewage, **Middle Smithfield Township Municipal Authority**, 25 Municipal Drive, East Stroudsburg, PA 18301. This proposed facility is located in Middle Smithfield Township, **Monroe County**.

Description of Proposed Activity: Renewal of NPDES permit.

The receiving stream, Bushkill Creek, is in the State Water Plan watershed 1D and is classified for HQ water and TS. The nearest downstream public water supply intake for East Stroudsburg/Stroudsburg Intake is located on the Delaware River.

The proposed effluent limits for Outfall 001 based on a design flow of 1.00 mgd.

Parameter	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
CBOD ₅	25.0	40.0	50.0
Total Suspended Solids	30.0	40.0	60.0
NH ₃ -N			
(5-1 to 10-31)	3.0		6.0
(11-1 to 4-30)	9.0		18.0
Dissolved Oxygen	a minimum of 6.0 mg/l at all times.		
Fecal Coliform			
(5-1 to 9-30)	200/100 ml as a geometric mean		
(10-1 to 4-30)	2,000/100 ml as a geometric mean		
pH	6.0 to 9.0 standard units at all times.		

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

Application No. PA 0087700, Sewage, **South Londonderry Township Municipal Authority**, P. O. Box 3, Campbelltown, PA 17010-0003. This facility is located in South Londonderry Township, **Lebanon County**.

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

The receiving stream, Killinger Creek, is in Watershed 7-D and classified for TS, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Pennsylvania American Water Company is located on the Swatara Creek, approximately 20 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.315 mgd are:

Parameter	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N			
(5-1 to 10-31)	3.0		6.0
(11-1 to 4-30)			18.0
Total Residual Chlorine	0.12		0.40
Dissolved Oxygen	minimum of 5.0 at all times		
pH	from 6.0 to 9.0 inclusive		
Fecal Coliform			
(5-1 to 9-30)	200/100 ml as a geometric average		
(10-1 to 4-30)	2,500/100 ml as a geometric average		
Total Copper	Monitor and Report		
Total Phosphorus	Monitor and Report		
Total Kjeldahl Nitrogen	Monitor and Report		
Total Nitrogen	Monitor and Report		

Persons may make an appointment to review the Department of Environment Protection 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.

PA0098612, Industrial Waste, SIC, 4911, **Ebensburg Power Company**, 2840 New Germany Road, Ebensburg, PA 15931-0845. This application is for renewal of an NPDES permit to discharge treated process water, cooling water and stormwater from Ebensburg Cogeneration Plant in Cambria Township, **Cambria County**.

The following effluent limitations are proposed for discharge to the receiving waters, South Branch Blacklick Creek and UNT to Howells Run, classified as CWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is Buffalo Township, Municipal Authority, 707 South Pike Road, Sarver, PA 16055, 108 miles below the discharge point.

Outfall 101: existing discharge, design flow of 0.072 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	Monitor and Report				
Suspended Solids			30	60	
Oil and Grease			15	20	
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is in effect.

Outfall 001: existing discharge, design flow of 0.193 mgd, interim effluent limits.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	Monitor and Report				
Suspended Solids			30	100	
Oil and Grease			15	30	
Free Available Chlorine			0.2	0.5	
Total Residual Chlorine			0.5	1.0	
Temperature (°F)				110.0	
The 126 priority pollutants (40 CFR 423, Appendix A) contained in chemicals added for cooling tower maintenance with the exception of chromium and zinc.			Nondetect—See Condition No. 6 in Part C		
Chromium			0.2	0.2	
Zinc			1.0	1.0	
pH	not less than 6.0 nor greater than 9.0				

Outfall 001: existing discharge, design flow of 0.193 mgd, final effluent limits.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	Monitor and Report				
Suspended Solids			30	100	
Oil and Grease			15	30	
Free Available Chlorine			0.2	0.5	
Total Residual Chlorine			0.5		1.0
Temperature (°F)					
December 1 to April 30				110.0	
May 1 to May 15				101.6	
May 16 to May 31				105.6	
June 1 to June 15				90.8	
June 16 to June 30				94.8	
July 1 to July 31				87.2	
August 1 to August 31				83.5	
September 1 to September 15				76.8	
September 16 to September 30				70.8	
October 1 to October 15				66.7	
October 16 to October 31				62.7	

<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>
November 1 to November 15				61.3	
November 16 to November 30				70.6	
The 126 priority pollutants (40 CFR 423, Appendix A) contained in chemicals added for cooling tower maintenance with the exception of chromium and zinc.			Nondetect—See Condition No. 6 Part C		
Chromium			0.2	0.2	
Zinc			1.0	1.0	
pH	not less than 6.0 nor greater than 9.0				

Outfall 002: existing stormwater discharge

<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>
	The permittee is authorized to discharge uncontaminated stormwater runoff from areas in and around the facility. There are, at this time, no specific effluent limitations on this outfall.				

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

PA0223034, Industrial Waste. **Duferco Farrell Corp.**, 15 Roemer Blvd., Farrell, PA 16121-2299. This proposed facility is located in City of Farrell, **Mercer County**.

Description of Proposed Activity: an existing discharge of treated industrial waste, noncontact cooling water and stormwater.

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply (stream and Public Water Supplier) considered during the evaluation is the Shenango River and PA American Water Company intake located at New Castle, approximately 16 miles below point of discharge.

The receiving stream, Shenango River, is in watershed 20-A and classified for WWF, aquatic life, water supply and recreation.

The proposed effluent limits for Suboutfall 104 based on a design flow of 0.0547 mgd.

<i>Parameters</i>	<i>Loadings</i>		<i>Concentrations</i>		
	<i>Average Monthly (lb/day)</i>	<i>Maximum Daily (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (mgd)	XX	XX			
Total Suspended Solids	250	480		XX	1,052
Oil and Grease			15		30
Lead	1.0	3.1	XX	XX	6.8
Zinc	1.4	4.1	XX	XX	9.0
Total Iron			1.5	3.0	3.75
pH	6.0 to 9.0 standard units at all times				

The proposed effluent limits for Suboutfall 504 based on a design flow of 0.648 mgd.

<i>Parameters</i>	<i>Loadings</i>		<i>Concentrations</i>		
	<i>Average Monthly (lb/day)</i>	<i>Maximum Daily (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (mgd)	XX	XX			
Total Suspended Solids	1,427	3,808	XX	XX	704
Oil and Grease		954	XX	XX	177
Total Iron			XX		
pH	6.0 to 9.0 standard units at all times				

The proposed effluent limits for Outfall 004 based on a design flow of 16.06 mgd.

Parameters	Loadings		Concentrations		
	Average Monthly (lb/day)	Maximum Daily (lb/day)	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
Flow (mgd)	XX				
Oil and Grease			15		30
Total Iron	435			4.0	
Temperature (°F)				XX*	
pH			6.0 to 9.0 standard units at all times		
*—Daily Average					
XX—Monitor and report on monthly DMRs.					

The EPA waiver is not in effect.

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

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

WQM Permit No. 4506403, Sewerage, **Middle Smithfield Township Municipal Authority**, 25 Municipal Drive, East Stroudsburg, PA 18301. This proposed facility is located in Middle Smithfield Township, **Monroe County**.

Description of Proposed Action/Activity: This project involves the expansion of the existing treatment facility serving Winona Lake from 22,000 gpd to 50,000 gpd.

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

WQM Permit No. 3106401, Sewerage, **Gary and Susan Aungst**, 45 Evergreen Road, McVeytown, PA 17051. This proposed facility is located in Juniata Township, **Huntingdon County**.

Description of Proposed Action/Activity: Construction of a small flow sewage treatment system to serve their single family residence at the intersection of Ripplin Lane and River Road.

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

WQM Permit No. WQG0119061, Sewerage, SIC 4952, **Candlelight Inn, Inc.**, 132 Welliver Road, Bloomsburg, PA 17815. This proposed facility will be located in Montour Township, **Columbia County**.

Description of Proposed Action/Activity: The applicant is seeking a permit to authorize the construction and operation of a small flow treatment facility to serve Buster's Bar & Restaurant.

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

WQM Permit No. 0288436-A3, Sewerage, **Municipality of Penn Hills**. This proposed facility is located in Penn Hills Township, **Allegheny County**.

Description of Proposed Action/Activity: Application for replacement project for the Plum Creek Sewage Treatment Plant.

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

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

WQM Permit No. 1006401, Sewerage, **Cooper Lake Farms, Inc.**, 205 Currie Road, Slippery Rock, PA 16057. This proposed facility is located in Worth Township, **Butler County**.

Description of Proposed Action/Activity: This project is for the construction and operation of a sewage treatment facility to service the Cooper Lake Campground.

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

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

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

NOTICES

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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 & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10G370R	East Vincent Development Co., LP 654 Enterprise Drive Limerick, PA	Chester	East Vincent Township	Stony Run (HQ-TSF) Schuylkill River (HQ-TSF)
PAI011506017	The Fox Company 955 Chesterbrook Boulevard Suite 125 Chesterbrook, PA 19087	Chester	Tredyffrin Township	Valley Creek (EV)
PAI011506018	Turnpike Commission P. O. Box 67676 Harrisburg, PA	Chester	East Whiteland, Charlestown and Tredyffrin Townships	Cedar Hollow Run Valley Creek (EV)

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024506004	Pocono Mtn. School District P. O. Box 200 Pocono Mtn. School Rd. Swiftwater, PA 18370-0200	Monroe	Paradise Township	Tributary to Forest Hills Run HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI021306001	John Herman Carbon Development, LLC 3701 Perkiomen Ave. Reading, PA 19606	Carbon	Kidder Township	Black Creek HQ-CWF and Lehigh River HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024806007	LAM Contractors, Inc. Attn: Dino Montes 125 Boro Vu Drive Northampton, PA 18067	Northampton	Plainfield Township	Bushkill Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI030506001	Keith Evans Shobers Run Golf Company, LLC 5950 Berkshire Lane Suite 990 Dallas, TX 75225	Bedford	Bedford Township	Shobers Run and three UNTs to Shobers Run HQ-CWF
PAI030506002	Department of Transportation Engineering District 9-0 1620 North Juniata Street Hollidaysburg, PA 16648-1080	Bedford	Bedford Township	Shobers Run HQ-CWF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041406006	Alan Lichtenwalner Poe Valley State Park 1405 New Lancaster Valley Milroy, PA 17063	Centre County	Penn Township	Poe Creek HQ-CWF

Clinton County Conservation District: 45 Cooperation Lane, Mill Hall, PA 17751, (570) 726-3978.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041806001	LMR Tire Service Center P. O. Box 171 Lamar, PA 16848	Clinton County	Porter Township	Fishing Creek HQ
PAI041806002	Penn Duch Farms, LP P. O. Box 759 Ephrata, PA 17522	Clinton County	Beech Creek Township	Twin Run CWF Monument Run HQ

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

Cambria County Conservation District: 401 Candlelight Drive, Suite 221, Ebensburg, PA 15931, (814) 472-2120.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI051106001	Raeger Mountain, LP 912 Greengate North Plaza Greensburg, PA 15601	Cambria	Jackson and West Taylor Townships	Laurel Run (HQ-CWF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI056306002	Tri County Joint Municipal Auth. P. O. Box 758 Fredericktown, PA 15333	Washington	Amwell, North Bethlehem and South Strabane Townships	UNT to Little Chartiers Creek and Daniels Run (WWF)

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

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

PUBLIC WATER SUPPLY (PWS) PERMIT

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

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

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

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

Persons with a disability who require an auxiliary aid, service or other accommodations to participate during the

30-day public comment period should contact the office listed before the application. TDD users should contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

SAFE DRINKING WATER

Applications Received under the Pennsylvania Safe Drinking Water Act

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

Application No. 6206501 , Public Water Supply Applicant	Miracle Mountain Ranch Mission Inc
Township or Borough	Spring Township Warren County
Responsible Official	Mark Carpenter, Director
Consulting Engineer	Harvey H. Stone, P. E. Stone Consulting & Design, Inc. 324 PA Avenue West P. O. Box 306 Warren PA 16365
Application Received Date	03/13/2006
Description of Action	Convert existing system from Transient to Public Water Supply. System will supply population at ranch; components being well, chlorine contact tank, storage tanks and distribution system.

MINOR AMENDMENT

Applications Received Under the Pennsylvania Safe Drinking Water Act

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

Application No. 0206502MA, Minor Amendment.

Applicant	Fawn-Frazer Joint Water Authority 326 Donnellville Road Natrona Heights, PA 15065
Township or Borough	Springdale Township
Responsible Official	James Norris, Chairperson Fawn-Frazer Joint Water Authority 326 Donnellville Road Natrona Heights, PA 15065
Type of Facility	Interconnection
Consulting Engineer	Bankson Engineers, Inc. 267 Blue Run Road P. O. Box 200 Indianola, PA 15051
Application Received Date	March 9, 2006
Description of Action	Addition of submersible pump within the pitless booster station at the existing Springdale Borough Interconnection.

WATER ALLOCATIONS

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

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

WA 06-1011A, Water Allocations. **Pennsylvania-American Water, Berks County**. Service area expansion to include Douglassville system Douglassville and Glen Alsace districts are becoming one system. Consulting Engineer: Steven E. Riley, Entech Engineering, Inc. Date application received: 2/2/2006.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 1

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

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use the Background Standard, Statewide Health Stan-

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

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

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

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

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

Rosenblum/Hecht Property, Lower Merion Township, **Montgomery County**. Michael Cromer, Walter B. Satterthwaite Associates, Inc., 720 Old Fern Hill Rd., West Chester, PA 19380 on behalf of Mandy Rosenblum, 210 Ladbrooke Rd., Bryn Mawr, PA 19010 and Elizabeth Hecht has submitted a Notice of Intent to Remediate. Soil at the site was impacted with No. 2 fuel oil. The future use of the property will remain residential.

Nicolet Industries Site, Ambler Borough, **Montgomery County**. Darryl Borrell, Manko, Gold, Katcher & Fox, LLP, 401 City Line Ave., Suite 500, Bala Cynwyd, PA 19004 on behalf of Arnold Frumin, AMA/American Marketing Assoc., Inc., 57 Old Post No. 2 Road, Greenwich, CT 06830 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site was impacted with PAH. The proposed future use of the property will be residential for low-rise condominiums. A summary of the Notice of Intent to Remediate was reported to have been published in the *Intelligencer* on February 13, 2006.

436 Bridge Street Property, Phoenixville Borough Township, **Chester County**. Bruce Speidel, EBI Consulting, 6876 Susquehanna Trail South, York, PA 17403 on behalf of Charles Morelli, 451 Swedesford Road, Fraizier, PA 19355 has submitted a Notice of Intent to Remediate. Soil at this site was impacted with leaded gasoline. The subject property will continue to remain an auto repair facility. A summary of the Notice of Intent to Remediate was reported to have been published in the *Phoenixville Newspaper* on January 19, 2006.

Sunoco Elverson Valve Station #9000-0020, Elverson Borough, **Chester County**. Lisa Holderbach, Aquaterra Tech., Inc., P. O. Box 744, West Chester, PA 19381 on behalf of Mr. and Mrs. Rod McCarthy, 18 Parkside Dr., Elverson, PA 19520, Mr. and Mrs. David Eldon, 13 Parkside Dr., Elverson PA 19520, Janet Stockett, 19 Parkside Dr., Elverson PA 19520 and Merle Stolfus, Stolfus Enterprises, Ltd., 26 East Main Street, Elverson, PA 19520 has submitted a Notice of Intent to Remediate. Groundwater at this site was impacted with unleaded gasoline. The intended future use of the property is to remain as a pipeline valve station and surrounding properties will remain residential. A summary of the Notice of Intent to Remediate was reported to have been published in the *Daily Local New* on January 19, 2006.

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

Suburban Heating Oil Partners—New Milford Facility, New Milford Borough, **Susquehanna County**. J. Neil Ketchum, P. G., Groundwater Sciences Corporation, 2601 Market Place Street, Suite 310, Harrisburg, PA 17110 has submitted a Notice of Intent to Remediate (on behalf of his client, Suburban Heating Oil Partners, c/o Richard D. Williams, P. O. Box 4833, Syracuse, NY 13221) concerning the remediation of site soils and groundwater found or suspected to have been impacted by petroleum products due to historic site use as a petroleum distribution facility. The applicant proposes to meet the Site-Specific Standard. A summary of the Notice of Intent to Remediate is expected to be published in a local newspaper serving the general area sometime in the near future. The future use of the site is expected to be for continuous non-residential use as a petroleum distribution facility.

Proposed Dickson City CVS Property (80-86 Main Street), Dickson City Borough, **Lackawanna County**. Paul Ladd, Consultant, Ransom Environmental Consultants, Inc., Browns Wharf, Newburyport, MA 01950 has submitted a Notice of Intent to Remediate (on behalf of his client, Carrier Coal Enterprises, 103 E. Drinker Street, Dunmore, PA 18512) concerning the remediation of site soils and groundwater found or suspected to have been impacted by petroleum products due to historic gasoline station and automotive service center operations at the site. The applicant proposes to meet the Site-Specific Standard. A summary of the Notice of Intent to Remediate is expected to be published in a local newspaper serving the general area sometime in the near future. The future use of the site is expected to be for development of a CVS pharmacy.

Former Sciolaro Property (Brushy Mountain Road), Stroud Township, **Monroe County**, Rebecca Gross, MEA, Inc., 1365 Ackermanville Road, Bangor, PA 18013 has submitted a Notice of Intent to Remediate (on behalf of her client, Charleen Sciolaro, 16085 Waterford Creek Circle, Hamilton, VA 20158) concerning the remediation of soils found to have been impacted by fuel

oil No. 2. The applicant proposes to remediate the site to meet the residential Statewide Health Soil Standard, and the proposed future use of the property will remain as a residential one. A summary of the Notice of Intent to Remediate was published in *Pocono Record* on December 14, 2005. A Final Report was simultaneously submitted.

Former Cross Country Clothes (West and Station Alleys), Borough of Northampton, **Northampton County**. Dawn Healy, Project Scientist, HRP Associates, Inc., 4811 Jonestown Road, Suite 235, Harrisburg, PA 17109 has submitted a Notice of Intent to Remediate (on behalf of her client, Posh Properties, Inc. 2216 Willow Park Road, Bethlehem, PA 18017) concerning the remediation of site soils suspected to have been impacted by chlorinated solvents due to historic operations at the site. The applicant proposes to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate is expected to be published in a local newspaper serving the general area sometime in the near future. The future use of the site is expected to be for nonresidential purposes.

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

Arthur J. Keister Property, Kelly Township, **Union County**. Chambers Environmental Group, Inc., 629 East Rolling Ridge Drive, Bellefonte, PA 16823 on behalf of Arthur J. Keister, Jr., c/o Attorney Lonnie C. Hill, 47 North Hill St., Lewisburg, PA 17837-1501 has submitted a Notice of Intent to Remediate groundwater contaminated with chlorinated solvents and dissolved metals. The applicant proposes to remediate the site to meet the Statewide Health and Background Standards. The current and future use of the property will be for nonresidential purposes.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

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

Central Office: Division of Municipal and Residual Waste, Rachel Carson State Office Building, 14th Floor, 400 Market Street, Harrisburg, PA 17101-2301.

General Permit Application No. WMGR002D011. Appleton Papers Inc., 100 Paper Mill Rd., Roaring Spring, PA 16673-1488. The beneficial use of wastewater treatment sludge generated at paper and pulp mills for use as a soil additive to: establish or reestablish agricultural productivity on disturbed land; establish herbaceous wildlife habitat; facilitate revegetation on disturbed land at permitted and abandoned mine sites. The application for determination of applicability was accepted as complete by on March 1, 2006.

Persons interested in obtaining more information about the General Permit application may contact the General Permits/Beneficial Use Section, Division of Municipal and Residual Waste, Rachel Carson State Office Building, P. O. Box 8472, Harrisburg, PA 17101-8472, (717) 787-7381. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Closure plans received under the Solid Waste Management Act (35 P. S. §§ 6018.101–6018.1003) and regulations to close a solid waste processing or disposal area or site.

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

MAX Environmental Technologies, Bulger Facility, Smith Township, Washington County. Reclosure of residual waste Impoundments 1 and 1A. MAX submitted a plan on November 15, 2005, to consolidate Impoundment 1A into Impoundment 1, reclose Impoundment 1 by rebuilding its intermediate cover with offsite generated residual waste, install a cap and replace the final cover. The Department of Environmental Protection has scheduled a public meeting to discuss this proposal for March 29, 2006, at the VRW facility in Slovan, PA. Comments on this proposal will be accepted within 45 days from the publication of this notice.

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 to 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.

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

67-05109A: Metropolitan Edison Co. (P. O. Box 16001, Reading, PA 19612) for construction of four portable 1,500 KW diesel-fired peak electrical generating units at their existing Queen Street Substation in York Township, **York County**.

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

33-132A: Matson Lumber Co. (132 Main Street, Brookville, PA 15825) for construction of a wood-fired boiler rated at 18.9 mmBtu/hr in Union Township, **Jefferson County**. This is a State-only facility.

33-174A: Brownlee Lumber Co., Inc. (Hazen Richardsville Road, Brookville, PA 15825) for construction of a wood fired boiler rated at 6 mmBtu/hr and multiclone in Warsaw Township, **Jefferson County**. The facility is a minor facility.

43-343A: Woodcraft Industries, Inc. (62 Grant Road, Pymatuning, PA 16148) for installation of a 14.33 mmBtu wood-fired boiler at Pymatuning Lumber Yard, Pymatuning Township, **Mercer County**.

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

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

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

PA No. 01032: TDPS Materials (2nd Street and Erie Avenue, Philadelphia, PA 19120) for removal of the requirement to test for benzene and dioxins/furans from Plan Approval No. 01032 for their hot mix asphalt drum plant, to increase the allowable sulfur content of fuel oil burned in the hot mix asphalt drum plant on the condition that equivalent sulfur dioxide emission rate limits are met, and to allow the burning of nonhazardous

waste derived fuels in the hot mix asphalt drum plant in the City of Philadelphia, **Philadelphia County**. Facility-wide emission limits for criteria pollutants will remain the same. The plan approval will contain operating and recordkeeping requirements to ensure operation within all applicable requirements.

OPERATING PERMITS

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

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

23-00030: Swarthmore College, 500 College Avenue, Swarthmore, PA 19081 for renewal of their Title V Operating Permit in Swarthmore Borough, **Delaware County**. The initial permit was issued on 04-30-2001. The facility is a university campus that operates boilers and emergency generators. As a result of potential emissions of NO_x, the facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments, and is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The facility is not subject to Compliance Assurance Monitoring (CAM) under 40 CFR Part 64.

The renewal incorporates the provisions from Plan Approval Nos. 23-0030 and 23-0030A and contains all applicable requirements including monitoring, recordkeeping and reporting. The changes in the renewed Title V Operating Renewal are considered minor and will not result in an increase of emissions.

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

06-05066: Exide Technologies (Box 13995, Reading, PA 19612) for operation of a secondary lead smelter (Reading Smelter) in the Borough of Laureldale/Muhlenberg Township, **Berks County**. The facility is subject to 40 CFR Part 63, Subpart X, National Emission Standards for Hazardous Air Pollutants from Secondary Lead Smelters (MACT). The smelter furnaces are subject to 40 CFR Part 60, Subpart L, Standards of Performance for Secondary Lead Smelters (NSPS) and 40 CFR Part 52, Prevention of Significant Deterioration (PSD). This action is a renewal of the Title V Operating Permit issued in 2000.

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

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

15-00099: Multiserv Plant 64 (South 1st Avenue, Coatesville, PA 19320) for operation of their scrap metal cutting/reprocessing plant in South Coatesville, East Fallowfield Township, **Chester County**. The permit is for a non-Title V (State-only) facility. Multiserv Plant is a scrap metal cutting/reprocessing plant consisting of a scrap cutting machine (torch) and two baghouses. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

06-03075: VF Factory Outlet, Inc. (801 Hill Avenue, Reading, PA 19610) for a boiler house in Wyomissing Borough, **Berks County**. The facility is not subject to Title V (State-only operating permit). The permit will include monitoring, work practices, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

67-05031: Wayneco, Inc. (800 Hanover Road, York, PA 17404) for operation of their wood furniture manufacturing facility in Jackson Township, **York County**. The facility has the potential to emit 25 tons VOC per year. 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. This is a renewal of the State-only operating permit.

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

41-00045: RP's Machinery Sales, Inc. (P. O. Box 507, Jersey Shore, PA 17740) for operation of a steel (bridge parts) fabrication facility in Piatt Township, **Lycoming County**.

The facility incorporates an electric arc welding operation, a portable welder and associated 40 horsepower gasoline-fired engine, two oxygen/propane burning machines, a wheel-blast machine, a surface coating (painting) operation, a 275 horsepower diesel-fired compressor, three small wood-fired furnaces and seven small No. 2 fuel oil-fired furnaces. The PM emissions from the wheel-blast machine are controlled by a cartridge collector. The facility's air contaminant emissions are not expected to exceed 92.68 tons of CO, 39.54 tons of NO_x, 22.94 tons of VOCs, 6.39 tons of SO_x and 15.72 tons of PM including PM₁₀ per year.

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

The Department of Environmental Protection proposes to incorporate into the operating permit to be issued conditions requiring compliance with all applicable regulatory requirements pertaining to air contamination sources and the emission of air contaminants as well as conditions previously established in Operating Permit 41-399-020, issued on December 30, 1993.

The previously-established conditions include a condition requiring the air contaminant emissions from the wheel-blast machine to be controlled by a cartridge collector.

The Department additionally proposes to incorporate into the operating permit to be issued a number of new conditions including:

1. A condition restricting the fuel fired in the No. 2 fuel oil-fired furnaces to virgin No. 2 fuel oil to which no reclaimed or reprocessed oil or other waste materials have been added.
2. A condition restricting the fuel fired in the wood-fired furnaces to wood.
3. A condition restricting the fuel fired in the air compressor to virgin diesel fuel to which no reclaimed or reprocessed oil or other waste materials have been added.

4. Conditions requiring the permittee to provide samples, or analyses, of the fuel used in the No. 2 fuel oil-fired furnaces, the wood-fired furnaces and the air compressor.

5. A condition requiring spare cartridges to be kept on hand for the cartridge collector.

6. A condition restricting the fuel used in the oxygen/propane burning machines to propane.

7. A condition restricting the fuel used in the 40 horsepower engine associated with the portable welder to virgin gasoline to which no waste materials have been added.

8. Conditions restricting the portable welder's operation to no more than 6,000 hours in any 12-consecutive month period and requiring the maintenance of records of the number of hours the welder operates each month.

9. A condition prohibiting the coatings used in the surface coating operation from containing more than 6.68 pounds of VOCs per gallon of coating solids, as applied, unless the quantity of VOCs emitted from the surface coating operation never exceeds 3 pounds per hour, 15 pounds per day and 2.7 tons per year.

10. A condition requiring the maintenance of records of coating usage and composition.

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

43-00337: Bessemer and Lake Erie R. R. (85 Ohl Road, Greenville, PA 16125-2370) for locomotive maintenance and railroad car repair in Greenville, **Mercer County**.

61-00187: Millcraft SMS SVC LLC—Oil City (671 Colbert Ave., Oil City, PA 16301) for operation of their Plating and Polishing Plant in Oil City, **Venango County**.

**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.

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

Permit No. 11900106 and NPDES No. PA 0598909. Cloe Mining, Inc., P. O. Box I, Grampian, PA 16838, permit renewal for reclamation only of a bituminous surface auger mine in Barr and West Carroll Townships, **Cambria County**, affecting 196.5 acres. Receiving streams: Hoppel Run and UNTs to/and West Branch Susquehanna River, classified for the following uses: CWF and WWF. There are no potable water supply intakes within 10 miles downstream. Application received March 3, 2006.

Permit No. 56900105 and NPDES Permit No. 0598852. Cooney Brothers Coal Company, P. O. Box 246, Cresson, PA 16630, permit revision—land use change on Wilmore Coal Company property from forest to wildlife habitat in Paint Township, **Somerset County**, affecting 165 acres. Receiving streams: UNTs to/and Shade Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received on March 6, 2006.

Knox District Mining Office: White Memorial Building, P. O. Box 669m 310, Best Avenue, Knox, PA 16232-0669, (814) 797-1191.

24030101 and NPDES Permit No. PA0242306. Tamburlin Bros. Coal Co., Inc. (P. O. Box 1416,

Clearfield, PA 16830). Commencement, operation and restoration of a bituminous surface strip operation in Horton Township, **Elk County** affecting 53.2 acres. Receiving streams: Little Toby Creek to the Clarion River to the Allegheny River, classified for the following use: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application Received: December 4, 2002. Application Returned: February 2, 2006. Application Reinstated: March 9, 2006.

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

17010104 and NPDES No. PA0243060. Sky Haven Coal, Inc. (5510 State Park Road, Penfield, PA 15849), transfer of an existing bituminous surface mine from Larson Enterprises, Inc. (P. O. Box 96, Kylertown, PA 16847), located in Morris Township, **Clearfield County**, affecting 55.9 acres. Receiving stream: UNT to Moshannon Creek classified for the following use: CWF. Application received: March 6, 2006.

Noncoal Applications Received

Effluent Limits

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

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

¹ The parameter is applicable at all times.

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

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, (814) 342-1900.

4275SM14(T) and NPDES No. PA0124532. New Enterprise Stone & Lime Company, Inc., P. O. Box 77, New Enterprise, PA 16664, revision of an existing noncoal (industrial minerals) operation to deepen the quarry, add additional mining and support area, add an additional sediment pond, add a NPDES discharge point, and change the postmining land use on New Enterprise Stone & Lime Company's property from forest and cropland to unmanaged natural habitat (251.4 acres) and permanent water impoundment (137.4 acres) in Warriors Mark and Snyder Townships, **Huntingdon and Blair Counties**, affecting 415.3 acres. Receiving streams: Logan Spring Run; UNT to Little Juniata River; and to Little Juniata River classified for the following uses: WWF; WWF. There are no potable water supply intakes within 10 miles downstream. Application received March 3, 2006.

Permit No. 05910301 and NPDES Permit No. PA0599085. New Enterprise Stone & Lime Company, Inc., P. O. Box 77, Church Street, New Enterprise, PA 16664-0077, renewal of NPDES Permit, Napier and West St. Clair Townships, **Bedford County**. Receiving streams: UNT to Dunning Creek and to Dunning Creek classified for the following uses: WWF, WWF. There are no potable water supply intakes within 10 miles downstream. Application received March 7, 2006.

Permit No. 05960301 and NPDES Permit No. PA0213373. New Enterprise Stone & Lime Company, Inc., P. O. Box 77, Church Street, New Enterprise, PA 16664, renewal of NPDES Permit, Snake Spring Valley Township, **Bedford County**. Receiving stream: Raystown Branch Juniata River classified for the following use: TSF. There are no potable water supply intakes within 10 miles downstream. NPDES renewal application received March 7, 2006.

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

59060801. John DiMichele (R. R. 1, Box 1364, Rushville, PA 18828). Commencement, operation and restoration of a small noncoal industrial mineral operation for mining blue stone in Delmar Township, **Tioga County**, affecting 5.0 acres. Receiving stream: Johnson Run, tributary to East Branch, Stony Fork. Application received: March 6, 2006.

08010818. Cutrite Stone Management, Inc. (P. O. Box 5850, Miller Place, NY 11764), transfer of an existing small industrial minerals (flagstone) permit from Brian M. Edsall. The site is located in Asylum Township, **Bradford County**, affecting 2.0 acres. Application received March 1, 2006.

4773SM5 and NPDES Permit No. PA0115533. Hanson Aggregates (2200 Springfield Pike, Connessville, PA 15425), renewal of NPDES Permit, Muncy Creek Township, **Lycoming County**. Receiving streams: UNT to Wolfe Run and UNTs to Muncy Creek. NPDES renewal application received March 8, 200

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

52060301 and NPDES Permit No. PA0224511. Springbrook Enterprises, Inc., (HC 8, Box 8210, Hawley, PA 18428), commencement, operation and restoration of a quarry operation and NPDES Permit for discharge of treated mine drainage in Blooming Grove Township, **Pike County** affecting 29.6 acres, receiving stream: Billings Creek, classified for the following use: CWF. Application received February 23, 2006.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E46-990. BT Office Center Drive, LP, 2600 Philmont Avenue, Suite 212, Huntingdon Valley, PA 19006, Upper Dublin Township, **Montgomery County**, ACOE Philadelphia District.

To perform the following activities across Pine Run (TSF associated with a proposed commercial development located along Virginia Drive:

1. To install and maintain approximately 48 linear feet of open bottom concrete arch culvert consisting of a 32-foot span by an approximately 8-foot 0-inch rise and associated wingwalls.

2. To construct and maintain an emergency access drive onto the Turnpike Slip Ramp and associated cross drain pipe impacting 0.07 acre of wetlands (PFO). This work also includes the construction of 0.13 acre of replacement wetlands within the floodplain of Pine Run at the terminus of a proposed subsurface stormwater management facility to compensate for the impacted wetlands.

3. To perform minor grading along the stream banks of the incised channel to improve the transition of flood flows into the floodplain.

4. To install and maintain a temporary access road during construction.

5. To install and maintain five utility line crossings.

6. To install and maintain a high-water alarm structure.

This site is located approximately 700 feet southwest of the intersection of Susquehanna Road and Dreshertown Road, (Ambler, PA USGS Quadrangle N: 2.6 inches; W: 6.7 inches).

E46-989. Department of Transportation, 7000 Geerdes Boulevard, King of Prussia, PA 19406, Montgomery, Lower Gwynedd, Horsham and Upper Dublin Townships, **Montgomery County**, ACOE Philadelphia District.

To rehabilitate, maintain and reconstruct an approximately 10-mile segment of the Fort Washington Expressway (SR 0309). This project has been divided into four design/construction sections (100-103) and the limit for the entire project is between Ogontz Avenue in Cheltenham Township (Germantown, PA Quadrangle N: 14.6 inches; W: 5.0 inches) and approximately 0.5 mile north of Welsh Road (SR 0063) in Montgomery Township (Ambler, PA Quadrangle N: 15.5 inches; W: 13.9 inches) and traverses through Springfield, Whitemarsh, Upper Dublin, Lower Gwynedd and Horsham Townships in Montgomery County. The total permanent and temporary wetland impact for the entire project covers 5.37 acres. The project includes provisions for the construction of replacement wetlands and rehabilitation of stream reaches at various locations along Sandy Run in Springfield and Whitemarsh Townships with the construction of the first segment, Section 100, Permit No. E46-921.

This permit is for Section 101 and is the fourth submission for the SR 309 Expressway Improvement Project located in Montgomery, Horsham, Lower Gwynedd and Upper Dublin Townships. The limit of work extends between Highland Avenue in Upper Dublin Township (Ambler, PA Quadrangle N: 4.2 inches; W: 11.1 inches) to approximately 0.5 mile north of Welsh Road (SR 0063) in Montgomery Township (Ambler, PA Quadrangle N: 15.5 inches; W: 13.9 inches).

The reconstruction/rehabilitation work in Section 101 includes the following activities:

1. To extend and maintain an existing 6-foot high by 6-foot wide concrete arch culvert that carries Watercourse W20, a UNT to Wissahickon Creek (TSF) under SR 0309 at Station 10+807. The enclosure will be extended 26.6 feet downstream and 72.8 feet upstream with cast-in-place reinforced concrete box culvert extensions to accommodate the proposed embankment.

2. To extend and maintain an existing 6-foot high by 8-foot wide concrete box culvert that carries Watercourse W18, a UNT to Honey Run (TSF) under SR 0309 at Station 11+870. The enclosure will be extended 32.5 feet downstream and 26.5 feet upstream with cast-in-place reinforced concrete box culvert extensions to accommodate the proposed embankment.

3. To extend and maintain an existing 7.5-foot high by 8-foot wide concrete arch culvert that carries Watercourse W11, a UNT to Tannery Creek (TSF) under SR 0309 at Station 12+360. The enclosure will be extended 24.8 feet downstream with a cast-in-place reinforced concrete box culvert extension to accommodate the proposed embankment.

4. To extend and maintain an existing 11-foot high by 16-foot wide concrete arch culvert that carries Watercourse W13, a UNT to Valley Brook Creek (TSF) under SR 0309 at Station 12+800. The enclosure will be extended 20.1 feet downstream with a cast-in-place reinforced concrete box culvert extension to accommodate the proposed embankment.

5. To extend and maintain an existing 9-foot high by 12-foot wide concrete arch culvert that carries Watercourse W14, a UNT to Park Creek (WWF) under SR 0309 at Station 13+240. The enclosure will be extended 22.0 feet downstream and 23.6 feet upstream with cast-in-place reinforced concrete box culvert extensions to accommodate the proposed embankment.

6. To place fill and impact 0.62 acre of wetland (PFO, PSS, PEM and PAB) for a retaining wall, roadway and embankment fill at numerous locations along SR 0309. The work includes 0.45 acre of temporary wetland impacts.

7. Additionally, 683 linear feet of Intermittent Streams will be impacted at numerous locations along SR 0309 associated with the construction of this section.

8. Work also includes 1.28 acres of wetland creation for 0.63 acre of additional wetland impacts in Sections 101—103 and for 0.63 acre of temporary wetland impacts (as requested by the United States Army Corps of Engineers) at two locations in Springfield and Whitmarsh Townships.

E23-458. Wawa, Inc., 260 Baltimore Pike, Wawa, PA 19063, Aston Township, **Delaware County**, ACOE Philadelphia District.

To place fill in 0.07 acre of wetlands (PEM) associated with the construction of a Wawa Retail Store on a 2.14-acre lot at 5008 Pennell Road. The project is situated at the intersection of Pennell Road, SR 452, and Marianville Road in Aston Township, Delaware County (Marcus Hook PA, Quadrangle N: 20.86 inches; W: 7.29 inches). The applicant has proposed 0.08 acre of off-site wetland replacement in Concord Township, Delaware County.

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

E54-325. Schuylkill County, 401 North Second Street, Pottsville, PA 17901 in South Manheim Township, **Schuylkill County**, United States Army Corps of Engineers, Philadelphia District.

To remove the existing structure and to construct and maintain a concrete adjacent box beam bridge having a single span of 50 feet and a minimum underclearance of approximately 5.28 feet across Bear Creek. The project also includes a de minimis area of wetland impact equal to 0.01 acre and a 150-foot long channel change in a tributary to Bear Creek to accommodate improvements to the vertical roadway geometry. The bridge is known as County Bridge No. 112 and is located along Township Road T676 (Woodland Drive), just south of SR 0895 (Auburn, PA Quadrangle N: 21.4 inches; W: 16.1 inches)

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

E21-377: Skipjack Pennsylvania LLC, 7061 Columbia Gateway Drive, Columbia, MD 21046 in Silver Spring Township, **Cumberland County**, ACOE Baltimore District.

To construct and maintain a 70-foot wide conspan arch modular bridge with a single span of 32 feet with an effective height of 6 feet across Trindle Spring Run (CWF) in order to construct Warm Sunday Way roadway of the proposed development called Rivendell Subdivision located about 900 feet downstream of Wood Drive (Mechanicsburg, PA Quadrangle N: 20.5 inches; W: 1.4 inches, Latitude: 40° 06' 46"; Longitude: 77° 0' 36") in Silver Spring Township, Cumberland County.

E28-329: Tex R. Myers, 13204 Worlytown Road, Greencastle, PA 17225 in Antrim Township, **Franklin County**, ACOE Baltimore District.

To construct and maintain: 1) a 60-foot long, 6-inch uniform depression, 8-foot by 4-foot box culvert; 2) a 40-foot long, 12-inch uniform depression, 22-foot by 5-foot box culvert; 3) two 8-inch sanitary sewer line crossings; and 4) fill and grading within the floodway to facilitate the development of Stone Mill Estates. All activities are associated with two UNTs to Conococheague Creek (CWF). The project is located off of SR 11 onto Williamsport Pike approximately 1.7 miles on right side (Williamson, PA Quadrangle N: 2.0 inches; W: 0.8 inch Latitude: 39° 45' 37"; Longitude: 77° 45' 28") in Antrim Township, Franklin County.

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

E53-411. Department of Transportation, Engineering District 2-0, 1924-30 Daisy Street, Clearfield, PA 16830. SR 0244 Bridge Replacement and SR 4025 Wetland Crossing in Oswayo Township, **Potter County**, ACOE Pittsburgh District (Oswayo, PA Quadrangle N: 9.0 inches; W: 0.9 inches).

To remove existing structures and construct, operate and maintain a single span prestressed spread box beam bridge to carry SR 0244 over Brizzee Hollow Run (HQ-CWF); and to construct, operate and maintain SR 4025 crossing a wetland (Exceptional Value Wetlands) associated to Brizzee Hollow Run. The single span bridge shall be constructed with a minimum clear span of 32 feet, underclearance of 6 feet, and roadway width of 28 feet. The road crossing the wetland shall be constructed with corrugated plastic culvert pipe that shall have a minimum diameter of 3 feet and a length of 80 feet. Since Brizzee Hollow Run is a wild trout stream, no construction or future repair work shall be done in or along the stream channel between October 1 and December 31 without the prior written approval of the Fish and Boat Commission. Construction in-stream of bridge and wetland crossing appurtenances shall be conducted during stream low flow and dry work conditions by dams and pumping or diverting stream flow around work areas. The bridge replacement and wetland crossing project will impact 0.03 acre of permanent wetland impact, 0.04 acre of temporary wetland impact and 120 feet of permanent impact to Brizzee Hollow Run that is located along the north and south right-of-way of SR 0244 at the intersection of SR 4025 and SR 0244. This permit also authorizes construction, operation, maintenance and removal of temporary cofferdams, stream diversions roadway crossings. Temporary structures shall be constructed of clean rock, which is free of fines. Upon project completion, all temporary structures shall be removed with the disturbed areas restored to original contours and elevations.

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

E10-410, Richard Dororthy, Bayberry North Association, 3468 Broadhead Road, Monaca, PA 15061. Donovan Property Subdivision, in Adams Township, **Butler County**, ACOE Pittsburgh District (Mars, PA Quadrangle Latitude: 40° 40' 26.6"; Longitude: 80° 3' 0").

To construct and maintain a 138-foot plate arch stream enclosure having a clear span of 20 feet and a maximum height of 6 feet 4 inches in Kaufman Run (WWF) and to

place and maintain fill in 0.88 acre of Forested and Emergent Wetlands also tributary to Kaufman Run for the purpose of constructing a residential subdivision approximately 1 mile south of SR 0228 along the eastern side of Adams Ridge Road.

E25-706, Edinboro Family Homes, LP, 502 East 12th Street, Erie, PA 16503. Edinboro Family Homes in the Borough of Edinboro, **Erie County**, ACOE Pittsburgh District (Cambridge Springs NE, PA Quadrangle N: 2.5 inches; W: 16.6 inches).

The applicant proposes to fill 0.306 acre of PEM wetland and 0.167 acre of PSS wetland and to construct and maintain 0.478 acre of PSS wetlands as mitigation associated with the construction of a 29 single family home residential housing subdivision (general occupancy development with comprehensive supportive services to assist low-income residents) located adjacent to and directly south of the intersection of Scots Glen Drive and Dunbarton Road. The project includes the installation and maintenance of a pedestrian bridge over a PSS wetland to access a community area. The project proposes to directly impact 0.306 acre of PEM wetland and 0.167 acre of PSS wetland.

E25-707, Erie Waterworks, 340 West Bayfront Parkway, Erie, PA 16507-0729. Myrtle Street Storm Sewer Extension, in the City of Erie, **Erie County**, ACOE Pittsburgh District (Erie North, PA Quadrangle N: 1.53 inches; W: 12.97 inches).

The applicant proposes extending the existing Myrtle Street storm sewer outlet north of the Bayfront Highway near the foot of Myrtle Street to develop a storage site involving: 1) to construct and maintain a 6-foot wide by 4-foot high box culvert storm sewer extension stream enclosure having a length of 238 feet in a UNT Presque Isle Bay and connected to the existing culvert with an 8-foot high by 8-foot wide transition box with manhole; and 2) to construct and maintain an 18-inch HDPE plastic stormwater outfall to a UNT to Presque Isle Bay. The project proposes to impact 238 feet of watercourse. The UNT to Presque Isle Bay is classified as a WWF.

ACTIONS

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

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

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

Sections I—VI contain actions related to industrial, animal or sewage wastes discharges, discharges to groundwater and discharges associated with municipal separate storm sewer systems (MS4), stormwater associated with construction activities and concentrated animal feeding operations (CAFOs). Section VII contains notices for parties who have submitted NOIs for coverage under general NPDES permits. The approval for coverage under general NPDES permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions set forth in each

general permit. The approval of coverage for land application of sewage sludge or residential septage under applicable general permit is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions set forth in the respective permit. Permits and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted before the action.

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

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

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

I. NPDES Renewal Permit Actions

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0096571 Sewage	Bethlehem Center School District 194 Crawford Avenue Fredericktown, PA 15333	Washington County Deemston Borough	Black Dog Hollow	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0031640	General McLane High School 11771 Edinboro Road Edinboro, PA 16412	Washington Township Erie County	UNT to Conneauttee Creek 16-A	Y

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

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

NPDES Permit No. PA0081281, Sewage, **Cavalry Heights, Inc.**, Cavalry Heights MHP, 2160 Hanover Road, Gettysburg, PA 17325. This proposed facility is located in Mount Pleasant Township, **Adams County**.

Description of Proposed Action/Activity: Authorization to discharge to a dry swale to a UNT of White Run in Watershed 13-D.

NPDES Permit No. PA0084182, Sewage, **Peters Township Municipal Authority**, Fort Loudon STP, 5000 Steele Avenue, P. O. Box 19, Lemasters, PA 17231. This proposed facility is located in Peters Township, **Franklin County**.

Description of Proposed Action/Activity: Authorization to discharge to the West Branch Conococheague Creek in Watershed 13-C.

NPDES Permit No. PA0084191, Sewage, **Peters Township Municipal Authority**, Mercersburg Junction STP, 5000 Steele Avenue, P. O. Box 19, Lemasters, PA 17231. This proposed facility is located in Peters Township, **Franklin County**.

Description of Proposed Action/Activity: Authorization to discharge to the West Branch Conococheague Creek in Watershed 13-C.

NPDES Permit No. PA0081370, Sewage, **Timeless Towns of America, Inc.**, 2636 Emmitsburg Road, Gettysburg, PA 17325. This proposed facility is located in Cumberland Township, **Adams County**.

Description of Proposed Action/Activity: Authorization to discharge to a UNT of Marsh Creek in Watershed 13-D.

NPDES Permit No. PA0247715, Sewage, **Richard Klein, Greater Gettysburg Development Company, LLC**, 601 Mason Dixon Road, Gettysburg, PA 17325. This proposed facility is located in Straban Township, **Adams County**.

Description of Proposed Action/Activity: Authorization to discharge to UNT Rock Creek in Watershed 13-D.

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

PA0009270, Industrial Waste SIC, 2047, **Del Monte Corporation**, One Market Street, San Francisco, CA 94119-3575. This existing facility is located in South Centre Township, **Columbia County**.

Description of Proposed Activity: This proposed action is for renewal of an NPDES permit for an existing discharge of treated industrial wastewater.

The receiving stream, Susquehanna River, is in the State Water Plan watershed 5D and classified for: WWF. The nearest downstream public water supply intake for Danville Water Authority is located on Susquehanna River is 17 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.671 mgd.

Parameter	Mass Units (lbs/day)			Concentration (mg/l)		
	Average Monthly	Maximum Daily	Minimum	Average Monthly	Maximum Daily	Instantaneous Maximum
pH			6.0			9.0
BOD ₅	810	1,620				289
TSS	985	1,970				352
Oil and Grease				15	30	30
Ammonia-N				7.8	13.3	
Total Chlorine 5/1-9/30				0.5		1.6
Fecal Coliforms 5/1-9/30					200 geometric mean	

Parameter	Mass Load Pounds			Concentration (mg/l)		
	Monthly	Annual	Minimum	Average Monthly	Maximum Daily	Instantaneous Maximum
Ammonia-N	Report			Report		
Kjeldahl-N	Report			Report		
Nitrite/Nitrate-N	Report			Report		
Total Nitrogen-N	Report	Report		Report		
Total Phosphorus	Report	Report		Report		

PAS804806, Industrial Waste, SIC 7542, **Davidson Brothers, Inc.**, 450 Runville Road, Bellefonte, PA 16823. This existing facility is located in Boggs Township, **Centre County**.

Description of Proposed Activity: Truck washing facility is seeking a stormwater discharge permit.

The receiving stream, Wallace Run, is in the State Water Plan watershed 9C and is classified for: HQ-CWF. The nearest downstream public water supply intake for the Pennsylvania-American Water Company at Milton, PA is located on the West Branch Susquehanna River, 83 miles below the discharge.

The Permittee must comply with one of the two following options: (1) the permittee must perform annual inspections of the facility in lieu of monitoring and submit annual inspection reports in accordance with the stormwater special condition; or (2) the permittee must monitor and report monitoring results for the water quality parameters in the following list in accordance with the permit's stormwater special condition.

Discharge Parameter	Units	Sample Type	Measurement Frequency
C-Biochemical Oxygen Demand (5-day)	mg/l	1 Grab	1/year
Chemical Oxygen Demand	mg/l	1 Grab	1/year
Oil and Grease	mg/l	1 Grab	1/year
pH	s.u.	1 Grab	1/year
Total Suspended Solids	mg/l	1 Grab	1/year
Total Kjeldahl Nitrogen	mg/l	1 Grab	1/year
Total Phosphorous	mg/l	1 Grab	1/year
Iron (Total)	mg/l	1 Grab	1/year

In addition to the effluent limits, the permit contains the following major special condition: Requirements Applicable to Stormwater Outfalls.

The EPA waiver is in effect.

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

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

WQM Permit No. 1306401, Sewerage, **Weatherly Borough**, 10 Wilber Street, Weatherly, PA 18255. This proposed facility is located in Weatherly Borough, **Carbon County**.

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

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

WQM Permit No. 3606401, Sewerage, **East Cocalico Township**, 102 Hill Road, Denver, PA 17517. This proposed facility is located in East Cocalico Township, **Lancaster County**.

Description of Proposed Action/Activity: Approval for the construction/operation of sewerage facilities consisting of a sewer diversion chamber and 12-inch sewer to divert excess East Cocalico Township wasteflow from the Adamstown treatment facility to the Ephrata treatment facility.

WQM Permit No. 0105407, Sewerage, **Richard Klein, Greater Gettysburg Development Company, LLC**, 601 Mason Dixon Road, Gettysburg, PA 17325. This proposed facility is located in Straban Township, **Adams County**.

Description of Proposed Action/Activity: Approval for the construction/operation of sewerage facilities consisting of a collection system, three pump stations and an extended aeration treatment facility with denitrification to serve the Gettysburg Commons Community.

WQM Permit No. 4473401, Amendment 05-1, Sewerage, **Brown Township Municipal Authority**, 7748 State Route 655, Reedsville, PA 17084. This proposed facility is located in Brown Township, **Mifflin County**.

Description of Proposed Action/Activity: Amendment approves the construction/modification of sewage facilities consisting of addition of new biosolids digestion, thickening and holding tanks; replacement of comminuter with mechanical screen; organic rerating of the aeration tanks.

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

WQM Permit No. 0205410, Sewerage, **Pittsburgh Water and Sewer Authority**, 441 Smithfield Street, Pittsburgh, PA 15222. This proposed facility is located in the City of Pittsburgh, **Allegheny County**.

Description of Proposed Action/Activity: Permit issuance for the Banksville Road Combined Sewer Rehabilitation and Reconstruction.

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

WQM Permit No. WQG018442, Sewerage, **Gwendolyn J. and Jeffrey A. Dolby**, 1660 Rehobeth Church Road, Clarion, PA 16214. This proposed facility is located in Clarion Township, **Clarion County**.

Description of Proposed Action/Activity: This project is for a single residence sewage treatment facility.

WQM Permit No. WQG018445 Sewerage, **Melissa A. Hockenberry**, 390 Chestnut Street, Apt. 10, Meadville, PA 16335. This proposed facility is located in Hayfield Township, **Crawford County**.

Description of Proposed Action/Activity: This project is for a single residence sewage treatment facility.

IV. NPDES Stormwater Discharges from MS4 Permit Actions

V. NPDES Waiver Stormwater Discharges from MS4 Actions

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI012306001	Gannon Companies, LLC Gannon Companies Development 10 Davis Avenue, 2nd Floor Frazer, PA 19355	Delaware	Edgmont Township	Ridley Creek (HQ-TSF)
PAS105312R	Philadelphia Authority for Industrial Development Philadelphia Naval Business Center Development 1413 Langley Avenue Quarters A Philadelphia, PA 19112	Philadelphia	City of Philadelphia	Delaware River (MF)

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

PAS10F076-2R, Construction Stormwater Discharge, **Department of Transportation**, P. O. Box 342, Clearfield, PA 16830. The facilities are located in Huston and Patton Townships, **Centre County**.

Description of Proposed Activity: Proposed amendment of existing permit for discharges of stormwater detention basins, associated with the I-99 construction project, used for treatment of water affected by contact with pyritic materials. The amendment is to add effluent limits for hexavalent chromium at outfalls 002 (west and east) and outfall 007.

Be advised that this notice was incorrectly published as a final action on December 3, 2005. It is republished here as an application notice.

The receiving streams are as follows:

<i>Stream Name</i>	<i>State Water Plan Watershed</i>	<i>Classification</i>
Bald Eagle Creek	9C	TSF
Buffalo Run	9C	HQ-CWF
Waddle Creek	9C	HQ-CWF

The nearest existing downstream public water supply intake for Pennsylvania-American Water Company, located on West Branch Susquehanna River at Milton, is 132 river miles below the points of discharge.

On 3/17/05, the Department approved a Social or Economic Justification (SEJ), under 25 Pa. Code § 93.4c(b)(1)(iii) for interim discharges, at technology based treatment levels, from Outfalls 003 through 008 to Buffalo Run and Outfall 009 to Waddle Creek. The SEJ approval is valid only for an interim period ending 12/31/07, at which time the discharge of pollutants from these Outfalls must either meet nondegrading effluent quality or be abated by the removal of polluting pyritic materials from the discharge source areas.

The proposed interim effluent limits, effective until December 31, 2007, for all Outfalls 001—009, which will discharge to Bald Eagle Creek, Buffalo Run and Waddle Creek are as follows:

<i>Parameter</i>	<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
arsenic		monitor and report	
copper		monitor and report	
lead		monitor and report	
aluminum			
dissolved		monitor and report	
total	1.0	1.5	2.0
iron			
dissolved		monitor and report	
total	3.0	6.0	7.0
manganese			
dissolved		monitor and report	
total	2.0	4.0	5.0
nickel		monitor and report	
zinc			
dissolved		monitor and report	
total	0.5	0.75	1.0
cadmium		monitor and report	
chromium		monitor and report	
chromium hexavalent			
(002 West and 002 East only)	0.180	0.270	0.360
(007 only)	0.038	0.057	0.076
alkalinity		greater than acidity	
sulfates		monitor and report	
total suspended solids	35	70	90
pH		6.0 to 9.0 (standard units)	

The proposed effluent limits, effective from January 1, 2008, for Outfalls 001 and 002, which will discharge to Bald Eagle Creek, are as follows:

<i>Parameter</i>	<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
arsenic		monitor and report	
copper		monitor and report	
lead		monitor and report	
aluminum			
dissolved		monitor and report	
total	1.0	1.5	2.0
iron			
dissolved		monitor and report	
total	3.0	6.0	7.0
manganese			
dissolved		monitor and report	
total	2.0	4.0	5.0
nickel		monitor and report	
zinc			
dissolved		monitor and report	
total	0.5	0.75	1.0
cadmium		monitor and report	
chromium		monitor and report	
alkalinity		greater than acidity	
sulfates		monitor and report	
total suspended solids	35	70	90
pH		6.0 to 9.0 (standard units)	

The proposed effluent limits, effective from January 1, 2008, for Outfalls 003 through 008, which will discharge to Buffalo Run, are as follows:

<i>Parameter</i>	<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
arsenic		nondetect	
copper		nondetect	
lead		nondetect	
aluminum			
dissolved	0.032	0.048	0.064
total	0.061	0.092	0.122
iron			
dissolved	0.024	0.036	0.048
total	0.078	0.117	0.156
manganese			
dissolved	0.002	0.003	0.004
total	0.006	0.009	0.012
nickel		nondetect	
zinc			
dissolved	0.006	0.009	0.012
total	0.006	0.009	0.012
cadmium		nondetect	
chromium		nondetect	
alkalinity		greater than acidity	
sulfates	14	21	28
total suspended solids	8	12	16
pH		6.5 to 9.0 (standard units)	

The proposed effluent limits, effective from January 1, 2008, for Outfall 009, which will discharge to Waddle Creek, are as follows:

<i>Parameter</i>	<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
arsenic		nondetect	
copper		nondetect	
lead		nondetect	
aluminum			
dissolved	0.032	0.048	0.064
total	0.061	0.092	0.122
iron			
dissolved	0.024	0.036	0.048
total	0.078	0.117	0.156
manganese			
dissolved	0.002	0.003	0.004
total	0.006	0.009	0.012
nickel		nondetect	
zinc			
dissolved	0.006	0.009	0.012
total	0.006	0.009	0.012
cadmium		nondetect	
chromium		nondetect	
alkalinity		greater than acidity	
sulfates	21	31.5	42
total suspended solids	28	42	56
pH		6.5 to 9.0 (standard units)	

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

1. Sampling requirements.
2. Requirements for retention of records.
3. Recording requirements.
4. Testing requirements.
5. Quality assurance/quality control requirements.
6. Submission of Discharge Monitoring Reports.
7. Requirements for management of precipitated solids.

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

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

List of NPDES and/or Other General Permit Types

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

General Permit Type—PAG-2

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Buckingham Township Bucks County	PAG2000905112	Allen and Diane Menard Menard Tract 3234 Ash Mill Road Doylestown, PA 18901	Tributary Mill Creek (CWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Hilltown Township Bucks County	PAG2000905134	Daniel Traynor Traynor Minor Subdivision 413 Fairhill Road Hatfield, PA 19440	UNT West Branch Neshaminy Creek (WWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Buckingham Township Bucks County	PAS10D538R	Toll Brothers, Inc. Villages at Buckingham 250 Gibraltar Road Horsham, PA 19044	Neshaminy Creek (MF, TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Middletown Township Bucks County	PAG2000904157	Middletown Township Community Park 3 Municipal Way Langhorne, PA 19047	Core Creek (CWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Doylestown Township Bucks County	PAG2000906013	John Gribb Gribb Tract 30 South Main Street Doylestown, PA 18901	UNT Cooks Run Creek (WWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Makefield Township Bucks County	PAG2000904177	Mack and Roedel Custom Builders, LLC The Preserve at Thompson Mill 5910 Stover Mill Road Doylestown, PA 18901	Jericho Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Makefield Township Bucks County	PAG2000905107	Worthington Custom Builders, Inc. McMullen Property P. O. Box 653 New Hope, PA 18938-0653	Houghs Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Warwick and Buckingham Townships Bucks County	PAG2000904109	Department of Transportation Rt. 2095, Section 10S Site 7000 Geerdes Boulevard King of Prussia, PA 19406	UNT Neshaminy Creek (WWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Morrisville Borough Bucks County	PAG2000905109	Delaware River Joint Toll Bridge Comm. Trenton-Morrisville Bridge Rehab 110 Wood Street Morrisville, PA 19067	Delaware River (WWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Makefield Township Bucks County	PAR10D541-R2	NJ Transit NJ Transit Morrisville Train Station Yard One Penn Plaza East Newark, NJ 01105-2246	Pennsylvania Canal/Delaware River (WWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Northampton Township Bucks County	PAG2000905021	Mnop, Inc. Makefield Executive Quarters Oxford Valley Road Yardley, PA 19067	Iron Work Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Penn Township Chester County	PAG2001505102	Kane Core, Inc. P. O. Box 1301 Skippack, PA 19474-1301	Mid Branch White Clay Creek (TSF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Archbald Borough Lackawanna County	PAG2003505024 Phase II Grading	Austin J. Burke SLIB Co. 222 Mulberry Street Scranton, PA 18503	Wildcat Creek CWF	Lackawanna Co. Cons. District (570) 281-9495
Cass Township Schuylkill County	PAG2005405033	Schuylkill Headwaters Association P. O. Box 1385 Pottsville, PA 17901	West Branch of Schuylkill River CWF	Schuylkill Co. Cons. District (570) 622-3742
Hellertown Borough Northampton County	PAG2004805035	Ashley Development Corp. 559 Main St. Bethlehem, PA 18018	Saucon Creek-East Branch CWF	Northampton Co. Cons. District (610) 746-1971
Warriors Mark Township Huntingdon County	PAG203104005	Terry and Jane Branstetter 3008 Pennington Road Tyrone, PA 16886	Logan Spring Run WWF	Huntingdon County Conservation District R. D. 1, Box 7C, Rt. 26 South Huntingdon, PA 16652
Windsor Township Berks County	PAG20006050411	William Graybill Balfour Beatty Construction 125 Technology Drive Suite 003 Canonsburg, PA 15317	UNT to Schuylkill River WWF	Berks County Conservation District 1238 County Welfare Road P. O. Box 520 Leesport, PA 19533-0520 (610) 372-4657, Ext. 201
Muhlenberg Township Berks County	PAG2000606003	Barry Newman Newman Development Group, LLC 1000 Germantown Pike, Suite E-2 Plymouth Meeting, PA 19462	Laurel Run WWF, MF	Berks County Conservation District 1238 County Welfare Road P. O. Box 520 Leesport, PA 19533-0520 (610) 372-4657, Ext. 201

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<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Ontelaunee Township Berks County	PAG2000604113	Nina Seidel Heritage Building Group, Inc. 2500 York Road Jamison, PA 18929	Willow Creek CWF	Berks County Conservation District 1238 County Welfare Road P. O. Box 520 Leesport, PA 19533-0520 (610) 372-4657, Ext. 201
Southampton Township Cumberland County	PAG2002106005	JLG Industries, Inc. Parking Lot Expansion 1 JLG Drive McConnellsburg, PA 17233	UNT Bulls Head Branch CWF	Cumberland County Conservation District 43 Brookwood Ave. Carlisle PA 17013 (717) 240-7812
North Newton Township Cumberland County	PAG2002106006	Randy Shuman Re's Run P. O. Box 177 Newville, PA 17241	Green Spring Creek CWF	Cumberland County Conservation District 43 Brookwood Ave. Carlisle PA 17013 (717) 240-7812
Leymone and Wormleysburg Boroughs Cumberland County	PAG2002105061	Norfolk Southern Railway Company Norfolk Southern Lemoyne Connector Engineering Department Box 7-142 1200 Peachtree, NE Atlanta GA 30309-3579	Susquehanna River WWF	Cumberland County Conservation District 43 Brookwood Ave. Carlisle PA 17013 (717) 240-7812
Lower Allen Township Cumberland County	PAG2002105063	Lauth Construction, Inc. Progressive Insurance Claim Center— Hartzdale Drive 410 Pennsylvania Ave. Indianapolis, IN 46280	Cedar Run CWF	Cumberland County Conservation District 43 Brookwood Ave. Carlisle PA 17013 (717) 240-7812
Town of Bloomsburg Columbia County	PAG2001906003	Bloomsburg University Eric Milner Buckingham Maintenance Center 400 E. 2nd St. Bloomsburg, PA 17815	Fishing Creek WWF	Columbia County Conservation District 702 Sawmill Road, Suite 204 Bloomsburg, PA 17815 (570) 784-1310
Bald Eagle Township Clinton County	PAG2001806001	Clinton County Solid Waste Authority P. O. Box 209 McElhattan, PA 17748	Bald Eagle Creek WWF	Clinton County Conservation District 45 Cooperation Lane Mill Hall, PA 17751 (570) 726-3978
Cambria County Richland Township	PAG2001105023	Andrew Garbarino KIDCO, LLP 110 Main Street Johnstown, PA 15907	UNT to Stonycreek River (CWF)	Cambria County Conservation District (814) 472-2120
Butler County Adams Township	PAG2001005016	Kingsridge Subdivision S & A Custom Built Homes, Inc. 501 Rollingridge Drive Suite 200 State College PA 16801	UNT Breakneck Creek WWF	Butler Conservation District (724) 284-5270
Butler County Connoquenessing Borough and Forward Township	PAG2001005037	Leslie Farm Subdivision Manor Development Group II 109 Gateway Avenue Suite 202 Wexford, PA 15090	UNT Connoquenessing Creek WWF	Butler Conservation District (724) 284-5270

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Mercer County Hempfield Township	PAG2004304001(1)	Department of Transportation P. O. Box 398 255 Elm Street Oil City, PA 16301	Little Shenango River TSF	Mercer Conservation District (724) 662-2242
Mercer County Sandy Lake Township	PAG2004305014	Oakview Elementary School Lakeview School District 2482 Mercer Street Stoneboro, PA 16153	UNT Sandy Creek WWF	Mercer Conservation District (724) 662-2242
Warren County Conewango Township	PAG2006205003	Farm Colony 4 Terrance Palmer Ashford Partners, LLC 103 Gamma Drive Suite 130 Pittsburgh, PA 15238	Conewango Creek WWF	Warren Conservation District (814) 563-3117
<i>General Permit Type—PAG-3</i>				
<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Adams County Gettysburg City	PAR603592	Consolidated Scrap Resources, Inc. P. O. Box 389 York, PA 17405	UNT to Rock Creek WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
York County West Manchester Township	PAR603519	Consolidated Scrap Resources, Inc. P. O. Box 389 York, PA 17405	UNT to Codorus Creek WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
York County York City	PAR603580	Consolidated Scrap Resources, Inc. P. O. Box 389 York, PA 17405	Codorus Creek WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Blair County Blair Township	PAR603583	Charles L. Walter Walter's Auto Wrecking R. R. 1, Box 518-A Hollidaysburg, PA 16648	Halter Creek WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Muncy Township Lycoming County	PAR234815	Charlotte Pipe and Foundry Company 4210 Old Charlotte Highway P. O. Box 1339 Monroe, NC 28111	Wolf Run Creek (CWF)	Northcentral Regional Office Water Management Program 208 West Third Street, Suite 101 Williamsport, PA 17701 (570) 327-3664
Town of Bloomsburg Columbia County	PAR604831	Kassab Brothers 449 West Ninth Street P. O. 251 Bloomsburg, PA 17815	Storm Drain to Susquehanna CWF	Northcentral Regional Office Water Management Program 208 West Third Street, Suite 101 Williamsport, PA 17701 (570) 327-3664
East Huntingdon Township Westmoreland County	PAR216153	Carry All Products P. O. Box 201 Connellsville, PA 15425	Jacob's Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
City of Pittsburgh Allegheny County	PAR206149	Gottlieb, Inc. 5603 Grand Avenue Pittsburgh, PA 15225	Ohio River	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

General Permit Type—PAG-4

<i>Facility Location County & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Cambria County Munster Township	PAG046321	Sister Servants of the Most Sacred Heart of Jesus 1872 Munster Road Portage, PA 15946	UNT of North Branch Little Conemaugh River	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Westmoreland County Mount Pleasant Township	PAG046106	Robert Merz R. D. 1, Box 56A Acme, PA 15610	Jacobs Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Hayfield Township Crawford County	PAG049234	Melissa A. Hockenberry SFTF 390 Chestnut Street Apt. 10 Meadville, PA 16335	UNT to Cussewago Creek 16-D	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Clarion Township	PAG049231	Gwendolyn J. and Jeffrey A. Dolby 1660 Rehobeth Church Road Clarion, PA 16214	UNT to Brush Run 17-B	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

General Permit Type—PAG-7

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
Weirton West Virginia	PAG079908	Valero Terrestrial Corporation R. D. 2, Box 410 Colliers, WV 26035	Brooke County Compost Facility R. D. 2, Box 410 Colliers, WV 26035	BWSFR (717) 787-8184

General Permit Type—PAG-9

<i>Facility Location & County/Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
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

General Permit Type—PAG-10

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Lower Saucon Township Northampton County	PAG102209	Columbia Gas Transmission Corporation	East Branch Saucon Creek CWF	DEP—NERO Water Management 2 Public Square Wilkes-Barre, PA 18711 (570) 826-2511)

PUBLIC WATER SUPPLY (PWS) PERMITS

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

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

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

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

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act

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

Permit No. 2803506, Public Water Supply.
Applicant **Mont Alto Municipal Authority**
Municipality Quincy Township
County **Franklin**
Type of Facility Project is for the addition of new Well No. 3 to augment the existing sources of supply.
Consulting Engineer William T. Hemsley, P. E.
Nasaux-Hemsley, Inc.
56 N. 2nd St.
Chambersburg, PA 17201
Permit to Construct Issued: 12/21/2005

Permit No. 3604511, Public Water Supply.
Applicant **Hempfield Hill Estates**
Municipality West Hempfield Township
County **Lancaster**

Type of Facility Installation of an anion exchange system to remove nitrates from the drinking water.
Consulting Engineer James R Fisher, P. E.
Fisher Engineering, Inc.
1522 W. Main Street
Ephrata, PA 17522
Permit to Construct Issued: 2/14/2006
Permit No. 0505501, Public Water Supply.
Applicant **Snake Spring Township Municipal Authority**
Municipality Snake Spring Township
County **Bedford**
Type of Facility Application for a new system to serve residence on Snake Spring Township. System will consists of 2 wells and related treatment.
Consulting Engineer Timothy A. Cooper, P. E.
Stiffler McGraw & Associates, Inc.
19 N. Juniata Street
Hollidaysburg, PA 16648
Permit to Construct Issued: 12/15/2005
Permit No. 2805504, Public Water Supply.
Applicant **Heritage Hills Retirement Home**
Municipality Antrim Township
County **Franklin**
Type of Facility Application for a well and treatment to serve the existing retirement home.
Consulting Engineer Robert Schemmerling
Civil Design & Management, Inc.
41 S. Antrim Way
Greencastle, PA 17225
Permit to Construct Issued: 12/15/2005
Permit No. 3605508, Public Water Supply.
Applicant **Ephrata Area Joint Authority**
Municipality Ephrata Borough
County **Lancaster**
Type of Facility Installation of a nano-membrane (RO) system to treat existing Well No. 4.
Consulting Engineer James C. Elliot, P. E.
Gannett Fleming, Inc.
P. O. Box 67100
Harrisburg, PA 17106-7100
Permit to Construct Issued: 1/10/2006
Permit No. 2805509 MA, Minor Amendment, Public Water Supply.
Applicant **Washington Township Municipal Authority**
Municipality Washington Township
County **Franklin**

Type of Facility Improvements to the Well Nos. 5 and 6 facility and the addition of 2 concrete detention tanks.

Consulting Engineer Harry E Bingaman, P. E.
Glance Assoc., Inc.
3705 Trindle Rd.
Camp Hill, PA 17011

Permit to Construct Issued: 1/10/2006

Permit No. 3805509, Public Water Supply.

Applicant **Mount Gretna Authority**

Municipality West Cornwall Township

County **Lebanon**

Type of Facility Installation of an interconnection with the Mt. Gretna Camp Meeting Association.

Consulting Engineer David J Gettle
Kohl Bros., Inc.
P. O. Box 350
Myerstown, PA 17067

Permit to Construct Issued: 2/28/2006

Permit No. 2106501 MA, Minor Amendment, Public Water Supply.

Applicant **North Middleton Authority**

Municipality North Middleton Township

County **Cumberland**

Type of Facility Repair and repainting of the existing elevated finished water storage tank.

Consulting Engineer Peter Lusardi, P. E.
CET Engineering Services
1240 N. Mountain Rd.
Harrisburg, PA 17112

Permit to Construct Issued: 3/6/2006

Operations Permit issued to **Dallastown YOE Municipal Authority**, 7670085, Dallastown, **York County** on 3/9/2006 for the operation of facilities approved under Construction Permit No. 6704509 MA.

Operations Permit issued to **Dallastown YOE Municipal Authority**, 7670085, Dallastown, **York County** on 3/9/2006 for the operation of facilities approved under Construction Permit No. 6704510 MA.

Operations Permit issued to **Saxton Borough Municipal Authority**, 4050021, Saxton Borough, **Bedford County** on 1/6/2006 for the operation of facilities approved under Construction Permit No. 0504501.

Operations Permit issued to **Marietta Gravity Water Company**, West Hempfield Township, **Lancaster County** on 2/10/2006 for the operation of facilities approved under Construction Permit No. 3604513 MA.

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

Permit No. M.A.—Construction Public Water Supply.

Applicant **United Water Pennsylvania**

Township or Borough Bloomsburg

County

Responsible Official

Columbia

Thomas Schink
United Water Pennsylvania
4211 East Park Circle
Harrisburg, PA 17111

Type of Facility

Public Water
Supply—Construction

Consulting Engineer

N/A

Permit Issued Date

3/8/2006

Description of Action

Maintenance to the 800,000 gallon Bloomsburg University storage tank.

Permit No. M.A.—Construction Public Water Supply.

Applicant

Penn Township Supervisors

Township or Borough

Penn Township

County

Centre

Responsible Official

Warren Sasseraman
Penn Township Supervisors
P. O. Box 125
Coburn, PA 16832-0125

Type of Facility

Public Water
Supply—Construction

Consulting Engineer

Eric S. Lundy, P. E.
Nittany Engineering &
Associates, LLC
P. O. Box 700
136 West Main Street
Millheim, PA 16854-0700

Permit Issued Date

3/10/2006

Description of Action

Addition of corrosion control to comply with the lead and copper rule.

Permit No. 1405502—Construction Public Water Supply.

Applicant

Penn Township Supervisors

Township or Borough

Penn Township

County

Centre

Responsible Official

Warren Sasseraman
Penn Township Supervisors
P. O. Box 125
Coburn, PA 16832-0125

Type of Facility

Public Water
Supply—Construction

Consulting Engineer

Eric S. Lundy, P. E.
Nittany Engineering &
Associates, LLC
P. O. Box 700
136 West Main Street
Millheim, PA 16854-0700

Permit Issued Date

3/10/2006

Description of Action

Construction of Well No. 2.

Permit No. M.A.—Construction Public Water Supply.

Applicant

Municipal Authority of the Borough of Mansfield

Township or Borough

Mansfield Borough

County

Tioga

Responsible Official Ronald Weed
 Municipal Authority of the
 Borough of Mansfield
 19 East Wellsboro Street
 Mansfield, PA 16933

Type of Facility Public Water
 Supply—Construction

Consulting Engineer Kirt L. Ervin, P. E.
 US Engineering, LLC
 75 Jardin Circle
 Highland, IL 62249

Permit Issued Date 3/10/2006

Description of Action Renovations and repairs to the
 500,000 gallon Fourth Street
 tank.

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

Operations Permit issued to **Seven Springs Municipal Authority**, 290 Lagoon Lane, Champion, PA 15622, (PWS ID 4560024) Saltlick Township, **Fayette County** on March 9, 2006, for the operation of facilities approved under Construction Permit No. 2603502.

Operations Permit issued to **Green Township Municipal Authority**, Commodore System, P. O. Box 129, 77 Musser Street, Commodore, PA 15729, (PWS ID 5320011) Green Township, **Indiana County** on March 7, 2006, for the operation of facilities approved under Construction Permit No. 3288506A1.

Permit No. 6305502MA, Minor Amendment. Public Water Supply.

Applicant **Pennsylvania-American
 Water Company**
 800 Hersheypark Drive
 Hershey, PA 17033

Borough or Township Chartiers Township

County **Washington**

Type of Facility Kish Avenue water storage tank

Permit to Construct
 Issued March 7, 2006

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

Operations Permit issued to **Hickory Hill Country Village, a Division of Thomas Mobile Home Park**, 1962 US 19, Waterford, PA 16441, PWS ID 6250067, Waterford Township, **Erie County**, on March 10, 2006, for the operation of a second well, new pump house, finished water storage and new distribution piping to support expansion project. This action is approved under construction Permit No. 2503502, issued May 11, 2004.

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, (717) 705-4707.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Williamstown Borough	200 South West Street Williamstown, PA 17098	Dauphin

Plan Description: The approved plan provides for the expansion of the Williamstown Borough Sewer Authority wastewater treatment facility to a capacity of 0.45 mgd. The plan also provides for extensions of the public sewer system to areas of Williams Township as indicated in the plan and a sewer line replacement project for portions of the existing collection system. The Department of Environmental Protection's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required 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>
Duncansville Borough	1145 Third Avenue Duncansville, PA 16635	Blair

Plan Description: The approved plan provides for an upgrade and expansion of the Duncansville Municipal Authority's wastewater treatment facility to 1.75 mgd. The wastewater treatment facility upgrades include modifications under future compliance with the requirements established in the Commonwealth's Chesapeake Bay Point Source Nutrient Reduction Strategy. The plan also provides for the upgrade of two existing sewer lines—one line in Allegheny Township, the other in Duncansville Borough. The Department of Environmental Protection's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Harrisburg City	10 North Market Street Harrisburg, PA 17101	Dauphin

Plan Description: The approved plan provides for modifications to the existing CSO chambers in accordance with the LTCP, studies the effects of added stormwater on future BNR modifications to the Authority's AWTF under the Chesapeake Bay Point Source Nutrient reduction Strategy and also studies construction of a Paxton Creek Relief Interceptor/CSO treatment project. Future plan revisions are anticipated for any proposed AWTF-BNR modification and interceptor relief projects. The Department of Environmental Protection's (Department) 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>
Taylor Township	P. O. Box 627 Hustontown, PA 17229	Fulton

Plan Description: The approved plan provides for the construction of a new Hustontown Joint Sewer Authority

sewage treatment facility with stream discharge to replace an existing community onlot sewage disposal system. The Department of Environmental Protection's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required 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>
Conewago Township	3279 Old Hershey Road Elizabethtown, PA 17022	Dauphin

Plan Description: The approved plan provides additional sanitary needs survey information under implementation of your 1998 Official Plan (DEP Code No. A1-22910-ACT) that identified the Route 743/Old Hershey Road service area. The Department of Environmental Protection's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 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 con-

cerning plans or reports is required in an alternative form, contact the Community Relations Coordinator at the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

Sunoco Elverson Valve Station #9000-0020, Elverson Borough, **Chester County**. Lisa Holderbach, Aquaterra Tech., Inc., P. O. Box 744, West Chester, PA 19381 on behalf of Mr. and Mrs. Rod McCarthy, 18 Parkside Dr., Elverson, PA 19520, Mr. and Mrs. David Eldon, 13 Parkside Dr., Elverson PA 19520, Janet Stockett, 19 Parkside Dr., Elverson PA 19520 and Merle Stoltzfus, Stoltzfus Enterprises, Ltd., 26 East Main Street, Elverson, PA 19520 has submitted a Remedial Investigation Report, Risk Assessment Report and Cleanup Plan concerning remediation of groundwater contaminated with unleaded gasoline. The report is intended to document remediation of the site to meet the Site-Specific Standard.

436 Bridge Street Property, Phoenixville Borough, **Chester County**. Bruce Speidel, EBI Consulting, 6876 Susquehanna, Trail South, York, PA 17403 on behalf of Charles Morelli, 451 Swedesfrod Rd., Frazier, PA 19355 has submitted a Final Report concerning remediation of site soil contaminated with leaded gasoline. The report is intended to document remediation of the site to meet the Statewide Health Standard Report.

Daniel Moss Residence, Limerick Township, **Montgomery County**. Kenneth Gollon, Lewis Env. Group, 455 Railroad Plaza, Royersford, PA 19468 on behalf of Daniel Moss Residence, 136 Souder Rd., Royersford, PA 19468 has submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard Report.

Park West Town Center, City of Philadelphia, **Philadelphia County**. Jamey A. Stynchula, P. G., Pennoni Assoc., Inc., 3001 Market St., Philadelphia, PA 19104 on behalf of Colin Jones, The Goldenberg Group, Inc. and WPFSl, 650 Pkwy., Suite 300, Blue Bell, PA 19422 has submitted a Baseline Env. Report concerning remediation of site soil contaminated and groundwater contaminated with organics and PCB. The report is intended to document remediation of the site to meet the Specific Industrial Area Standard.

Georgia-Pacific/Connelly Containers Facility, Lower Merion Township, **Montgomery County**. Jeffrey Goudsward, Penn Env. & Remediation, Inc., on behalf of Richard Heany, Righter's Ferry Assoc., LP, 700 South Henderson Rd, Suite 225, King of Prussia, PA 19406 has submitted a Remedial Investigation Report, Risk Assessment Report and Cleanup Plan concerning remediation of site soil and groundwater contaminated with petroleum hydrocarbon compounds, VOCs. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Essington Sunoco Pipeline, Tinicum Township, **Delaware County**. Lisa Holderbach, Aquaterra Tech, 122 S. West Chester, Philadelphia, PA 19381 on behalf of Robert Rizzo, Tinicum Developers, 76 Industrial Highway, Essington, PA 19029 has submitted a Remedial Investigation Report, Risk Assessment Report and Cleanup Plan concerning remediation of site soil contaminated with

unleaded gasoline and MTBE. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Lansdale Holding Group Assoc., LP, Lansdale Borough **Montgomery County**. Donald A Coleman, P. G., Penn Env & Remediation, Inc., 2755 Bergey Rd., Hatfield, PA 19440 on behalf of Peter Economou, Lansdale Holding Group Assoc., LP, 230 Windsor Ave., 1st Floor, Narberth, PA 19072 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with other organics and chlorinated solvents. The report is intended to document remediation of the site to meet the Statewide Health Standard Final Report.

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

Former Cross Country Clothes (West and Station Alleys), Borough of Northampton, **Northampton County**. Brendan O'Donnell, P. G., HRP Associates, Inc., 4811 Jonestown Road, Suite 235, Harrisburg, PA 17109 has submitted a Notice of Intent to Remediate (on behalf of his client, Posh Properties, Inc. 2216 Willow Park Road, Bethlehem, PA 18017) concerning the remediation of site soils suspected to have been impacted by chlorinated solvents due to historic operations at the site. The report was submitted in order to demonstrate attainment of the Statewide Health Standard.

ITT/GOULDS PUMPS—Ashland Foundry, Ashland Borough, **Schuylkill County**. Sonya Y. Ward, P. G., Senior Project Manager, ENSR, 2005 Cabot Boulevard West, Suite 100, Langhorne, PA 19047 has submitted a combined Remedial Investigation Report and Risk Assessment Report (on behalf of her client, ITT Industries, c/o Anne Wilmot, 10 Mountainview Road, Upper Saddle River, NJ 07458) concerning the remediation of soils and groundwater found or suspected to have been contaminated with inorganics (metals), petroleum products and PCE as the result of historic site operations. The reports were submitted in partial fulfillment of the Site-Specific Standard.

Former Sciolaro Property (Brushy Mountain Road), Stroud Township, **Monroe County**. Ms. Rebecca Gross, MEA, Inc., 1365 Ackermanville Road, Bangor, PA 18013 has submitted a Final Report (on behalf of her client, Charleen Sciolaro, 16085 Waterford Creek Circle, Hamilton, VA 20158) concerning the remediation of soils found to have been impacted by fuel oil No. 2. The report was submitted to document attainment of the residential Statewide Health Soil Standard. A Notice of Intent to Remediate was simultaneously submitted.

Elementis Pigments, Inc., City of Easton, **Northampton County**. Michael Gonshor, Principal Hydrogeologist, Roux Associates, Inc. 1222 Forest Parkway, Suite 190, West Deptford, NJ 08066, has submitted a Final Report (on behalf of his client Elementis America, Inc., Wyckoffs Mill Road, P. O. Box 700, Highstown, NJ 08520) concerning the remediation of groundwater found or suspected to have been impacted with lead, VOCs and semi-VOCs as the result of historic petroleum UST releases. The report was submitted to document attainment of the nonresidential Statewide Health Standard.

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

Reading Buttonwood, LLP, City of Reading, **Berks County**. HDR/LMS, 609 Hamilton Street, Allentown, PA 18108, on behalf of reading Buttonwood, LLP, c/o Markward Group, 5925 Tilghman Street, Suite 600,

Allentown, PA 18104, submitted a combined remedial investigation and Final Report concerning remediation of site soils and groundwater contaminated with petroleum products from unregulated underground storage tanks. The report is intended to document remediation of the site to the Site-Specific Standard.

The Willows Development, City of Lebanon, **Lebanon County**. MACTEC Engineering and Consulting, Inc., 242 Princeton Avenue, Suite 113, Hamilton, NJ 08619, on behalf of RLI Beneficial Willows, LLC, 3131 Clark Road, Suite 203, Sarasota, FL 34231 and George, Christianson, Aspens, Inc., 411 Chestnut Street, Lebanon, PA 17042, submitted a Final Report concerning remediation of site soils contaminated with inorganics. The report is intended to document remediation of the site to the Site-Specific Standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

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

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

The Department has received the following plans and reports:

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

Park West Town Ctr., City of Philadelphia, **Philadelphia County**. Jamey A. Stynchula, P. G., Pennoni Assoc., Inc., 3001 Market St., Philadelphia, PA 19104 on behalf of Colin Jones, The Goldenberg Group, Inc. and WPFSI, 650 Pkwy., Suite 300, Blue Bell, PA 19422 has submitted a Baseline Environmental Report concerning the remediation of site soil and groundwater contaminated with organics and PCB. The Baseline Environmental Report was approved by the Department on March 10, 2006.

Daniel Moss Residence, Limerick Township, **Montgomery County**. Kenneth Gollon, Lewis Env. Group, 455 Railroad Plaza, Royersford, PA 19468 on behalf of Daniel Moss Residence, 136 Souder Rd., Royersford, PA 19468 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with No. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard Report and was approved by the Department on March 9, 2006.

CVS Pharmacy No. 7073, Pennsburg Borough, **Montgomery County**. Justin Lauterbach, RT Env. Svc., Inc, Pureland Complex, 510 Heron Dr., Suite 306, Bridgeport, NJ 08014 on behalf of Brenna Jordan, Pennsburg, CVS, Inc., 1 CVS Dr., Woonsocket, RI 02895 has submitted a Final Report concerning the remediation of site soil contaminated with arsenic and lead. The Final report demonstrated attainment of the Site-Specific Standard and was approved by the Department on March 9, 2006.

Hi-Line Storage System, East Rockhill Township, **Bucks County**. David Farrington, Walter B. Satterthwaite Assoc., Inc., 720 Old Fern Hill Rd., West Chester, PA 19380 on behalf of Frederick Seiz, Seiz Corp./Hi-Line Storage Systems, Hi-Line Drive and N. Ridge Rd., Perkasio PA 19844 has submitted a supplemental Remedial Investigation Report concerning the remediation of site soil and groundwater contaminated with chlorinated solvents and lead. The Remedial Investigation Report was approved by the Department on December 22, 2005.

Former Tacony Warehouse, City of Philadelphia, **Philadelphia County**. William Schmidt, Pennoni Assoc., Inc., One Drexel Plaza, 3001 Market St., Philadelphia, PA 19104 on behalf of Scott Blow, Kaplan @ Tacony, LP, 701 Margaret Ct., South Plainfield, NJ 07080 has submitted a Remedial Investigation Report, Risk Assessment Report and Cleanup Plan concerning the remediation of site soil and groundwater contaminated with chlorinated solvents, PCB, No. 2 fuel oil, pesticides and inorganics. The Remedial Investigation Report, Risk Assessment Report and Cleanup Plan was approved by the Department on February 13, 2006.

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

Buckeye Pipeline Macungie Station—12" Line Release, Lower Macungie Township, **Lehigh County**. Groundwater & Environmental Services, Inc., 410 Eagleview Boulevard, Suite 110, Exton, PA 19341 submitted a Final Report (on behalf of their client, Buckeye Pipeline Company, 5002 Buckeye Road, Emmaus, PA 18049 concerning the remediation of soils contaminated with unleaded gasoline as the result of an accidental release. The report demonstrated attainment of the Statewide Health Standard and was approved on November 2, 2005. The report was submitted within 90 days of the July 13, 2005 release.

William Kendall Property, Barrett Township, **Monroe County**. Philip Cicoello, Principal, PVI Services, Inc., 16 South Avenue West, No. 138, Cranford, NJ 07016 submitted a Final Report (on behalf of his client, William Kendall, 401 Summit Drive, Buck Hill Falls, PA 18323 concerning the remediation of groundwater found or suspected to have been contaminated with No. 2 fuel oil. The report demonstrated attainment of the residential Statewide Health Standard and was approved on February 8, 2006.

Former Sciolaro Property (Brushy Mountain Road), Stroud Township, **Monroe County**. Rebecca Gross, MEA, Inc., 1365 Ackermanville Road, Bangor, PA 18013 submitted a Final Report (on behalf of her client, Charleen Sciolaro, 16085 Waterford Creek Circle, Hamilton, VA 20158) concerning the remediation of soils found to have been impacted by fuel oil No. 2. The report demonstrated attainment of the residential Statewide Health Soil Standard and was approved on February 22, 2006.

Scottsville Site, Meshoppen Township and Windham Township, **Wyoming County**. Teresa Blauch, RETTEW Associates, 3020 Columbia Avenue, Lancaster, PA 17603 submitted a Final Report (on behalf of the property owner, Ken Skuba, Wyoming Land Conservancy, Inc., 66 Allen Lane, Drums, PA 18222) concerning the remediation of soils found or suspected to have been impacted by inorganics and PAHs. The report demonstrated attainment of the residential Statewide Health Soil Standard and was approved on February 1, 2006.

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

Sunshine Textile Services, Inc. Borough of Bloomsburg, **Columbia County**. Austin James Assoc., Inc. P. O. Box U, Pocono Pines, PA 18350 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with chlorinated solvents. The Final Report demonstrated attainment of the Site-Specific Standard and was approved by the Department on March 8, 2006.

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

Former Paul's Chrome Plating, Adams Township, **Butler County**. Joseph Scalamogna, Core Compliance Group, Inc., 131 Glenbrook Drive, Cranberry Township, PA 16066, on behalf of Fred Hesperheide, Paul's Chrome, 90 Pattison Street, Evans City, PA 16033, has submitted a Final Report concerning the remediation of site Soil and Groundwater contaminated with Chrome Plating Liquids. The Final Report demonstrated attainment of the Statewide Health Standards and was approved by the Department on March 8, 2006.

International Paper, South Yard, City of Erie, **Erie County**. Pat Pontoriero, MACTEC, 700 N. Bell Avenue, Pittsburg, PA 15106 on behalf of Monica Brower,

GEIDC, 5240 Knowledge Parkway, Erie, PA 16510 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with Arsenic. The report is intended to document remediation of the site to meet the Statewide Health Standards.

International Paper, South Yard, City of Erie, Erie County. Pat Pontoriero, MACTEC, 700 N. Bell Avenue, Pittsburgh, PA 15106 on behalf of Monica Brower, GEIDC, 5240 Knowledge Parkway, Erie, PA 16510 has submitted a Remedial Investigation Report concerning remediation of site soil and groundwater contaminated with Arsenic. The report is intended to document remediation of the site to meet the Site Specific Standards.

International Paper South Yard, City of Erie, Erie County. Pat Pontoriero, MACTEC, 700 N. Bell Avenue, Pittsburgh, PA 15106 on behalf of Monica Brower, GEIDC, 5240 Knowledge Parkway, Erie, PA 16510 has submitted a Remedial Investigation Report and a Final Report concerning the remediation of site Soil and Groundwater contaminated with Arsenic. The Remedial Investigation Report demonstrated attainment of the Site Specific Standards and the Final Report demonstrated attainment of the Statewide Health Standards and was approved by the Department on March 13, 2006.

REGISTRATION FOR GENERAL PERMIT—RESIDUAL WASTE

Permit Reissued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Residual Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and residual waste regulations for a general permit to operate residual waste processing facilities and/or the beneficial use of residual waste other than coal ash.

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

General Permit No. WMGR090R040. ICM of Pennsylvania, Inc., 638 Lancaster Avenue, Malvern, PA 19355.

General Permit No. WMGR090R040 was originally issued to D. M. Stoltzfus & Son, Inc., 330 Quarry and Snake Hill Roads, Talmage, PA 17580-0084 for the processing and beneficial use of reclaimed asphalt pavement (RAP) materials generated at the Talmage Quarry site located in **Lancaster County**, as a roadway construction material.

Based on a notification of a change of ownership and the information provided, the processing and beneficial use of RAP materials generated at the Talmage Quarry site is now under the ownership and management of ICM of Pennsylvania, Inc. Notice is hereby given of the reissuance of General Permit No. WMGR090R040 granting ICM of Pennsylvania, Inc. the processing and beneficial use of RAP materials generated at this site as specified in the General Permit. Central Office approved the reissuance of this General Permit on March 9, 2006.

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

DETERMINATION FOR APPLICABILITY FOR MUNICIPAL WASTE GENERAL PERMITS

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

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

General Permit Application No. WMGM017D004. Longwood Gardens, P. O. Box 501, Kennett Square, PA 19348.

General Permit No. WMGM017004 is for the beneficial use of processed manure, yard waste and food waste for use as a soil amendment processed at its facility located in East Marlboro Township, Chester County. The General Permit was issued by Central Office on January 9, 2006.

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

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.

40-310-062GP3: Mericle Construction, Inc. (100 Baltimore Drive, Wilkes-Barre, PA 18702) on March 8, 2006, to construct and operate a portable stone crushing plant and associated air cleaning device at their facility at Armstrong Road, Jenkins Township, **Luzerne County**.

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

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

09-0175: Hanson Aggregates BMC, Inc. (852 Swamp Rd., Penns Park, PA 18943) on March 14, 2006, to operate a new pit conveyor in Wrightstown Township, **Bucks County**.

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

48-304-032A: Victaulic Co. of America (4901 Kesslersville Road, Easton, PA 18040) on March 6, 2006, to construct a cold box core machine in Forks Township, **Northampton County**.

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

06-03054A: Martin Stone Quarries, Inc. (P. O. Box 297, Old Route 100, Bechtelsville, PA 19505) on March 8, 2006, to construct a cone crusher, two screens and various conveyors at their Bechtelsville Quarry in Colebrookdale Township, **Berks County**.

06-05065B: Glen Gery Corp. (423 South Pottsville Pike, 423 S. Pottsville Pike, Shoemakersville, PA 19555-9742) on March 9, 2006, to install two dry limestone adsorptions units in Perry Township, **Berks County**.

36-03160A: G/S/M Industries, Inc. (3249 Hempland Road, Lancaster, PA 17601-6913) on March 7, 2006, to construct a new coating booth in East Hempfield Township, **Lancaster County**.

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

18-315-001C: First Quality Tissue, LLC (904 Woods Avenue, Lock Haven, PA 17745) for construction of two 68-million Btu per hour natural gas and propane-fired boilers in Castanea Township, **Clinton County**.

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

PA-63-00649F: Spartech Polycom (55 South Washington Street, Donora, PA 15033) on March 8, 2006, to install four extrusion lines at their existing Donora Plant 1, a thermoplastic compounder at Donora Bureau, **Washington County**.

PA-04-00699F: NGC Industries, Inc. d/b/a/ National Gypsum Company (2001 Rexford Road, Charlotte, NC 28211) on March 13, 2006, to authorize installation of a 120 ton per hour Cage Mill and associated equipment at their Shippingport Plant in Shippingport Borough, **Beaver County**.

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

10-333A: Penn United Technology, Inc. (799 North Pike Road, Cabot, PA 16023) on March 1, 2006, to install batch vapor solvent degreasing equipment in Jefferson Township, **Butler County**.

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

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

15-0115C: QVC, Inc. (1200 Wilson Drive, West Chester, PA 19380) on March 7, 2006, to operate an emergency generator (2,000) kW in West Goshen Township, **Chester County**.

15-0004E: Alcoa Flexible Packaging, LLC (520 Lincoln Avenue, Downingtown, PA 19335) on March 7, 2006, to operate a rotogravure press No. 9 in Downingtown Borough, **Chester County**.

23-0003E: ConocoPhillips Co. (4101 Post Road, Trainer, PA 19061-3812) on March 7, 2006, to operate a gasoline and diesel desulfurization in Trainer Borough, **Delaware County**.

46-0091: Sunoco Partners Marketing and Terminal, LP (1801 Market Street-19/10 PC, Philadelphia, PA 19103) on March 10, 2006, to operate a vapor combustion unit in Upper Moreland Township, **Montgomery County**.

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

41-00018: Springs Window Fashions, LLC (8601 State Route 405, Montgomery, PA 17752) on March 9, 2006, by means of the administrative amendment requirements of 25 Pa. Code § 127.450, to incorporate conditions established in Plan Approval 41-00018A, issued on July 27, 2005, for the modification of two coil coating lines (Nos. 7 and 8) in Clinton Township, **Lycoming County**.

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

04-00013B: Jewel Acquisition, LLC (1200 Midland Avenue, Midland, PA 15059) on March 8, 2006, to modify the Direct Roll Anneal and Pickle Line at the Midland Facility in Midland Borough, **Beaver County**. This is a Plan Approval Extension.

04-00013A: Jewel Acquisition, LLC (100 River Road, Brackenridge, PA 15014) on March 13, 2006, to upgrade the meltshop and install a new Steckel Mill at Midland Facility in Midland Borough, **Beaver County**. This is a Plan Approval Extension.

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

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

67-05008: York International Corp. (P. O. Box 1592-361Q, York, PA 17405-1592) on March 3, 2006, for refrigeration and heating equipment in Spring Garden Township, **York County**. This Title V Operating Permit was administratively amended to make changes in Site Level Condition Nos. 10 and 13. This is Revision No. 1.

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.

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

36-03020: The Bachman Co. (150 Industrial Drive, Ephrata, PA 17522-9252) on March 6, 2006, to operate their pretzel manufacturing plant in Ephrata Borough, **Lancaster County**.

67-05068: Highway Materials, Inc. (1750 Walton Road, P. O. Box 1667, Blue Bell, PA 19422-0465) on March 8, 2006, to operate their Wrightsville Plant in Wrightsville Borough, **York County**. This is a renewal of the State-only operating permit.

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

17-00057: Petroleum Development Corp. (103 East Main Street, Bridgeport, WV 26330) on February 23, 2006, issued a State-only operating permit for their Tate

compressor station in Greenwood Township, **Clearfield County**. The facility's main sources include a 115 hp natural gas fired reciprocating internal combustion compressor engine and a glycol dehydration system. The State-only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

17-00058: Petroleum Development Corp. (103 East Main Street, Bridgeport, WV 26330) on February 28, 2006, issued a State-only operating permit, for their Passmore compressor in Bell Township, **Clearfield County**. The facility's main sources include a 180 hp natural gas fired reciprocating internal combustion compressor engine and a glycol dehydration system. The Stateonly operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

49-00035: Warrior Run School District (4800 Susquehanna Trail, Turbotville, PA 17772) on February 22, 2006, issued a State-only (Synthetic Minor) operating permit for their Middle/High School building in Lewis Township, Elementary School building in Watsonstown Borough and Elementary School Building in Turbotville Borough, **Northumberland County**. The facility's main sources include three coal-fired boilers, two No. 2 oil-fired boilers, two natural gas-fired boilers, four emergency generators, two cold cleaning parts washers and one woodworking shop. The facility has taken restrictions to limit potential SOx emissions below Title V thresholds. The State-only (Synthetic Minor) operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

65-00877: Allegheny Ludlum Corp (100 River Road, Brackenridge, PA 15014-1597) on February 28, 2006, to operate a landfill with the main source of emissions being fugitive dust from plant roads at their Route 356 Landfill in Allegheny Township, **Westmoreland County**.

04-00446: AES Beaver Valley LLC (394 Frankfort Road, Monaca, PA 15061-2254) on March 8, 2006, for their co-generation facility that sells electricity and steam to neighboring companies in Monaca, **Beaver County**. As a result of the potential levels of NOx emitted from this facility, it is a major stationary source as defined in Title I, Part D of the Clean Air Amendments. The facility is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code Chapter 127, Subchapter G.

OP-32-00085: PolyVision Corp. (2170 Barr Slope Road, Dixonville, PA 15734) on March 9, 2006, to operate specialty display products manufacturing at the Dixonville Plant in Dixonville, **Indiana County**.

26-00057: Matt Canestrone Construction, Inc. (P. O. Box 234 Belle Vernon, PA 15012) on March 10, 2006, to

operate a barge/rail/truck transshipping terminal at the LaBelle site in Luzerne Township, **Fayette County**. This is a State-only Operating Permit.

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

37-051F: Remacor, Inc. (Route 168, West Pittsburgh, PA 16160) on February 27, 2006, to restart an existing Magnesium grinding line at their West Pittsburgh Plant in Taylor, **Lawrence County**.

37-00300: North American Forgemasters Co. (710 Moravia Street, New Castle PA 16101-3948) on February 22, 2006, to manufacture hot-formed forged products in New Castle, **Lawrence County**.

43-00335: J. Bradley McGonigle Funeral Home and Crematory, Inc. (1090 East State Street, Sharon, PA 16146) on March 6, 2006, to operate a crematorium in Sharon, **Mercer County**.

43-00336: PA Rail Car Co. (33 Carbaugh Street, West Middlesex, PA 16159) on March 6, 2006, to refurbish damaged railcar doors in West Middlesex, **Mercer County**.

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

V04-002: Newman and Co., Inc. (6101 Tacony Street, Philadelphia, PA 19135) on March 10, 2006, to operate a paperboard manufacturing facility in the City of Philadelphia, **Philadelphia County**. The facility's air emissions' sources include a 118 mmBtu/hr boiler, twenty nine space heaters, and two power washers. The facility also has a stage II vapor recovery system for a 3,000-gallon gasoline tank, a 973,000 Btu/hr fire pump and a trim waste blower system.

De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.

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

10-00001: AK Steel Corp. (Route 8 South, P. O. Box 832, Butler, PA 16003) for their Butler facility located in Butler Township, **Butler County**. The de minimis increase is the result of modification to the Box Annealing Operations at the Hilltop Facility. The only increases in air emissions from the modified Box Annealing Operations will be in the form of NOx, which will increase by no more than 0.110 ton per year. The Department has started a list of de minimis increases as prescribed in 25 Pa. Code § 127.449(i).

Since the March 11, 2005, Title V Permit re-issuance date, AK Steel Corporation has notified the Department of the following de minimis emission increase at the Butler Works facility:

Date	Source	PM10 (tons)	NOx (tons)	CO (tons)	SOx (tons)	VOC (tons)
3/2/2006	Box Annealing	None	0.110	None	None	None
Total Reported Increases		None	0.110	None	None	None
Allowable		0.6 ton/source 3 tons/facility	1 ton/source 5 tons/facility	4 tons/source 20 tons/facility	1.6 tons/source 8 tons/facility	1 ton/source 5 tons/facility

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

Coal Permits Actions

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

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 stream: 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. Permit issued: March 2, 2006.

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

26000104. Patterson Coal Company (20 Elizabeth Drive, Smithfield, PA 15478). Permit revised to add 8.4 acres to the permit and include an occupied dwelling waiver to the barrier for one additional house at a surface mining site located in German, Georges and South Union Townships, **Fayette County**, now affecting 183.7 acres. Receiving streams: UNTs to North Branch Browns Run, to North Branch Browns Run, to the Monongahela River; and UNTs to Jennings Run, to Jennings Run, to the Monongahela River. Application received: December 8, 2005. Revised permit issued: March 9, 2006.

26000103. J Construction Company (R. R. 2, Box 626, Farmington, PA 15437). Permit renewal issued for continued reclamation only of a bituminous surface mining site located in Fairchance Borough and Georges Township, **Fayette County**, affecting 7.0 acres. Receiving stream: Muddy Run. Application received: December 7, 2005. Renewal issued: March 9, 2006.

Knox District Mining Office: White Memorial Building, P. O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, (814) 797-1191.

33050103 and NPDES Permit No. PA0257991. Cookport Coal Co., Inc. (425 Market Street, Kittanning, PA 16201) Commencement, operation and restoration of a bituminous strip and auger operation in Perry Township, **Jefferson County** affecting 63.5 acres. Receiving stream: Nicely Run. Application received: August 23, 2005. Permit Issued: March 9, 2006.

1380-33050103-E-1. Cookport Coal Co., Inc. (425 Market Street, Kittanning, PA 16201) Application for a stream encroachment to conduct mining activities within 100 feet of Nicely Run in Perry Township, **Jefferson County**. Receiving stream: Nicely Run. Application received: August 23, 2005. Permit Issued: March 9, 2006.

16050110 and NPDES Permit No. 0257982. (77 Truitt Lane, Fairmount City, PA 16224) Commencement, operation and restoration of a bituminous strip and auger operation in Redbank Township, **Clarion County** affecting 65.0 acres. Receiving streams: UNTs to Pine Creek. Application received: August 23, 2005. Permit Issued: March 9, 2005.

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

54950202R2. Gilberton Coal Company (10 Gilberton Road, Gilberton, PA 17934), renewal of an existing anthracite coal refuse reprocessing operation in Mahanoy Township, **Schuylkill County** affecting 148.0 acres. Receiving stream: none. Application received June 29, 2005. Renewal issued March 9, 2006.

54851319R4. K & C Coal Company (540 Center Street, Ashland, PA 17921), renewal of an existing anthracite underground mine operation in Porter Township, **Schuylkill County** affecting 7.94 acres. Receiving stream: East Branch Rausch Creek. Application received November 14, 2005. Renewal issued March 9, 2006.

Noncoal Permits Actions

Knox District Mining Office: P. O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, (814) 797-1191.

10960301. Quality Aggregates, Inc. (200 Neville Road, Neville Island, PA 15225) Renewal of NPDES Permit No. PA0227196 in Marion Township, **Butler County** affecting 116.7 acres. Receiving streams: UNTs to Blacks Creek and UNT to Slippery Rock Creek. Application received: January 18, 2006. Permit Issued: March 6, 2006.

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

7774SM3A1C3 and NPDES Permit No. PA0224499. Eastern Industries, Inc. (4401 Camp Meeting Road, Suite 200, Center Valley, PA 18034), correction to an existing quarry operation to include NPDES Permit for discharge of treated mine drainage in Maxatawny Township, **Berks County** affecting 205.0 acres. Receiving stream: Sacony Creek. Application received November 10, 2005. Correction issued March 7, 2006.

64052805. Kevin Schrader (P. O. Box 262, Lake Como, PA 18437), commencement, operation and restoration of a quarry operation in Buckingham Township, **Wayne County** affecting 5.0 acres. Receiving stream: none. Application received July 8, 2005. Permit issued March 7, 2006.

58050846. Jack McKeeby (P. O. Box 571, New Milford, PA 18834-0571), commencement, operation and restoration of a quarry operation in Dimock Township, **Susquehanna County** affecting 5.0 acres. Receiving stream: none. Application received September 16, 2005. Permit issued March 7, 2006.

34052801. Spring Hollow Building & Landscape Stone, Inc. (1166 Rapps Dam Road, Phoenixville, PA 19460), commencement, operation and restoration of a quarry operation in Turbett and Spruce Hill Townships,

Juniata County affecting 5.0 acres. Receiving stream: none. Application received September 22, 2005. Permit issued March 7, 2006

47050801. Roger W. Wintersteen (177 Kitchen Road, Danville, PA 17821-9330), commencement, operation and restoration of a quarry operation in West Hemlock Township, **Montour County** affecting 5.0 acres. Receiving stream: none. Application received on September 29, 2005. Permit issued March 7, 2006.

15052801. Limestone Properties, LLC (1020 Broad Run Road, Landenberg, PA 19350), commencement, operation and restoration of a quarry operation in Avondale Borough, **Chester County** affecting 5.0 acres. Receiving stream: none. Application received October 26, 2005. Permit issued March 7, 2006.

40052803. Dotzel Trucking (1898 Slocum Road, Mountaintop, PA 18707), commencement, operation and restoration of a quarry operation in Salem Township, **Luzerne County** affecting 5.0 acres. Receiving stream: none. Application received October 27, 2005. Permit issued March 7, 2006.

58060801. Clyde Very (R. R. 3, Box 3574, Nicholson, PA 18446), commencement, operation and restoration of a quarry operation in Lathrop Township, **Susquehanna County** affecting 2.0 acres. Receiving stream: none. Application received December 15, 2005. Permit issued March 8, 2006.

15052802. Limestone Properties, LLC (1020 Broad Run Road, Landenberg, PA 19350), commencement, operation and restoration of a quarry operation in Avondale Borough, **Chester County** affecting 5.0 acres. Receiving stream: none. Application received October 31, 2005. Permit issued March 8, 2006.

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.

Cambria District Mining Office: 186 Industrial Park Road, Ebensburg, PA 15931, (814) 472-1900.

32064001. Great Lakes Geophysical, Inc., P. O. Box 127, Williamsburg, MI 49690. Oil and gas seismic exploration blasting project in Conemaugh Township, **Indiana County**. Duration of project 6 months. Permit issued March 9, 2006.

07064001. Grannas Brothers Stone & Asphalt, P. O. Box 488, Hollidaysburg, PA 16648. Construction blasting for Logan Town Mall Project in Logan Township, **Blair County**. Duration of blasting 375 days. Permit issued March 9, 2006.

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

14064003. Douglas Explosives, Inc. (P. O. Box 77, Philipsburg, PA 16866), construction blasting for Chemcut Gravity Sewer Project located in Ferguson Township, **Centre County** with an expiration date of June 1, 2006. Permit issued March 10, 2006.

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

21064113. Hayduk Enterprises (P. O. Box 554, Dalton, PA 18414), construction blasting for Silver Spring Square in Hampden and Silver Spring Townships, **Cumberland County** with an expiration date of January 31, 2007. Permit issued March 7, 2006.

28064123. David H. Martin Excavating, Inc. (4961 Cumberland Highway, Chambersburg, PA 17201), construction blasting for Chambersburg Crossings in Green Township, **Franklin County** with an expiration date of March 3, 2007. Permit issued March 7, 2006.

01064103. Newville Construction Services, Inc. (408 Mohawk Road, Newville, PA 17241), construction blasting for Gettysburg Commons in Straban Township, **Adams County** with an expiration date of February 28, 2007. Permit issued March 8, 2006.

21064112. Douglas Explosives, Inc. (P. O. Box 77, Philipsburg, PA 16866), construction blasting for Foxwood Subdivision in Silver Spring Township, **Cumberland County** with an expiration date of December 30, 2006. Permit issued March 8, 2006.

22064109. Douglas Explosives, Inc. (P. O. Box 77, Philipsburg, PA 16866), construction blasting for Mayberry in West Hanover Township, **Dauphin County** with an expiration date of December 30, 2006. Permit issued March 7, 2006.

28064122. Douglas Explosives, Inc. (P. O. Box 77, Philipsburg, PA 16866), construction blasting for Antietam Commons in Washington Township, **Franklin County** with an expiration date of December 30, 2006. Permit issued March 8, 2006.

28064124. David H. Martin Excavating, Inc. (4961 Cumberland Highway, Chambersburg, PA 17201), construction blasting for Quality Inn Suites in Chambersburg Borough, **Franklin County** with an expiration date of March 3, 2007. Permit issued March 8, 2006.

67064104. Keystone Blasting Service (381 Reifsnnyder Road, Lititz, PA 17543), construction blasting for Ashley Farms in Dover Township, **York County** with an expiration date of February 28, 2007. Permit issued February 28, 2007. Permit issued March 8, 2006.

67064105. M & J Explosives, Inc. (P. O. Box 608, Carlisle, PA 17013), construction blasting for Spring Valley Manor in Dover Borough, **York County** with an expiration date of March 31, 2007. Permit issued March 8, 2006.

67064106. Geological Technologies, Inc. (P. O. Box 70, Falling Waters, WV 25419), construction blasting for Farm Lane Estates, Jackson Township, **York County** with an expiration date of December 30, 2006. Permit issued March 8, 2006.

48064002. Controlled Demolition, Inc. (2737 Meryman's Mill Road, Phoenix, MD 21131), demolition blasting for felling of 4 reinforced concrete silos in Nazareth Borough, **Northampton County** with an expiration date of March 31, 2006. Permit issued March 8, 2006.

23064001. Explo-Craft, Inc. (P. O. Box 1332, West Chester, PA 19380), construction blasting at Traditions at Ridley Creek in Brookhaven Borough, **Delaware County** with an expiration date of December 31, 2006. Permit issued March 8, 2006.

21064004. Kesco, Inc. (P. O. Box 95, Adrian, PA 16210-0095), construction blasting at The Lodges at Green Ridge Village in West Pennsboro Township, **Cumberland County** with an expiration date of March 31, 2006. Permit issued March 8, 2006.

09064001. Eastern Blasting Co., Inc. (1292 Street Road, New Hope, PA 18938), construction blasting for the Perkasio Sewer Extension Project in Perkasio Borough, **Bucks County** with an expiration date of October 30, 2006. Permit issued March 8, 2006.

06064101. Warren's Excavating & Drilling, Inc. (P. O. Box 189, Bowmansville, PA 17507), construction blasting for Clematis and Keller Streets storm sewer project in Sinking Spring Borough, **Berks County** with an expiration date of March 6, 2007. Permit issued March 9, 2006.

09064106. Douglas Explosives, Inc. (P. O. Box 77, Philipsburg, PA 16866), construction blasting for Grandview Outpatient Center in West Rockhill Township, **Bucks County** with an expiration date of November 1, 2006. Permit issued March 9, 2006.

09064107. Eastern Blasting Co., Inc. (1292 Street Road, New Hope, PA 18938), construction blasting for the Villas at Lamplighter in Warrington Township, **Bucks County** with an expiration date of March 1, 2007. Permit issued March 9, 2006.

36064118. Brubacher Excavating, Inc. (P. O. Box 528, Bowmansville, PA 17507), construction blasting for Home Depot in West Earl Township, **Lancaster County** with an expiration date of December 31, 2007. Permit issued March 9, 2006.

36064120. Brubacher Excavating, Inc. (P. O. Box 528, Bowmansville, PA 17507), construction blasting for Penn Cinema in Lititz Borough and Manheim Township, **Lancaster County** with an expiration date of December 31, 2007. Permit issued March 9, 2006.

39064104. Austin Powder Co. (25800 Science Park Drive, Cleveland, OH 44122), construction blasting for The Estates at Brookside in Macungie Borough, **Lehigh County** with an expiration date of March 7, 2007. Permit issued March 9, 2006.

40064105. Austin Powder Co. (25800 Science Park Drive, Cleveland, OH 44122), construction blasting for E & B Giftware in the Humboldt Industrial Park in Hazleton City, **Luzerne County** with an expiration date of March 6, 2007. Permit issued March 9, 2006.

40064106. Austin Powder Co. (25800 Science Park Drive, Cleveland, OH 44122), construction blasting for Simmons Warehouse in the Humboldt Industrial Park in Hazleton City, **Luzerne County** with an expiration date of March 6, 2007. Permit issued March 9, 2006.

36064122. Keystone Blasting Service (381 Reifsnnyder Road, Lititz, PA 17543), construction blasting for a single dwelling in East Earl Township, **Lancaster County** with an expiration date of August 30, 2006. Permit issued March 10, 2006.

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.

E23-457. Chadds Ford Township, P. O. Box 181, Chadds Ford, PA 19317-0181, Chadds Ford Township, **Delaware County**, 19317-0181.

To perform the following water obstruction and encroachment activities associated with the proposed Turner's Mill Wastewater Treatment Plant, within the 100-year floodplain of Harvey's Run, a tributary to the Brandywine Creek:

1. To construct and maintain a 0.15 mgd wastewater treatment plant. Work will include associated fill to raise the first floor elevation of the building 1 1/2 feet above the base flood elevation and for the construction of an adjacent parking lot.

2. To construct and maintain one 24-inch RCP stormwater outfall and an associated level spreader device.

3. To construct and maintain an access road to Ring Road (SR 3027). Work will include the placement of fill, a 24-inch RCP stormwater basin outfall and an associated level spreader device.

The site is located on the southwest corner of Baltimore Pike (SR 0001) and Ring Road (SR 3027) (Wilmington North USGS Quadrangle Latitude: 39° 52' 22.5" Longitude: 75° 34' 48.1").

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)).

E23-454. Ridley Township Municipal Marina Authority, 100 E. MacDade Boulevard, Folsom, PA 19033, Ridley Township, Delaware County, ACOE Philadelphia District.

To maintain an existing marina situated in and along the 100-year floodway of the Darby Creek, (WWF-MF). Work will include:

1. Install and maintain a sewage pump station.
2. To rehabilitate and maintain an existing boat launching ramp with new piers and floating docks.

The site is located approximately 0.5 mile south of the intersection of Chester Pike and Swarthmore Avenue (Bridgeport; NJ-PA Quadrangle; N: 22.00 inches, W: 8.9 inches).

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

E44-126. Brown Township Municipal Authority, 7748 State Road 655, Reedsville, PA 17084-9148 in Brown Township, **Mifflin County**, ACOE Baltimore District.

To place and maintain approximately 1,607 cubic yards of fill volume represented by the new structures within the floodplain of Kishacoquillas Creek (TSF) and Honey Creek (HQ-CWF) for the purpose of constructing additions to an existing wastewater treatment plant located in Reedsville (Burnham, PA Quadrangle N: 6.66; W: 13.48; Latitude: 40° 39' 42"; Longitude: 77° 35' 50") in Brown Township, Huntingdon County.

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

E19-250. Arthur Hess, 155 Taylor Drive, Berwick, PA 18603. Perimeter Blocks, in North Centre Township, **Columbia County**, ACOE Baltimore District (Mifflinville, PA Quadrangle N: 11.0 inches; W: 11.0 inches).

To construct a landscaping wall having three sides in a private yard. The walls will measure approximately 20-30 yards on each side. The elevation of the top of wall shall not exceed the existing berm height for the North Branch of Briar Creek. The project is located at the intersection of SR 93 and Taylor Drive in North Centre Township, Columbia County. The project will not impact wetlands or streams while causing about 0.005 acre of earth disturbance. The UNT to North Branch of Briar Creek is a CWF stream. This permit was issued under Section 105.13(e) "Small Projects."

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

E63-443 A1. Dredge Docks, Inc., 1290 Maple Street, Crescent, PA 15046. Denbo Landing culvert in Centerville Borough, **Washington County**, Pittsburgh ACOE District (Carmichaels, PA Quadrangle N: 22.3 inches; W: 9.2 inches and Latitude: 39° 59' 50"—Longitude: 79° 56' 26"). To amend permit E63-443 which authorized the construction and maintenance of a 525-foot long barge dock along the left bank of the Monongahela River (WWF) near river mile 59.8 to include the reissuance and time extension on the original permit and authorize the excavation and the expansion of an existing pond, the construction and maintenance of a 12-inch diameter discharge culvert for a distance of approximately 805 feet and the discharge culvert outfall to the Monongahela River and the construction and maintenance of another stormwater outfall to the Monongahela River. The total stream impact is approximately 805 feet of a tributary to the Monongahela River.

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

E25-705. Robert Minich, 140 Sunset Beach Road, North East, PA 16428. Retaining Wall Modification and Home Construction, in North East, **Erie County**, ACOE Pittsburgh District (North East, PA-NY Quadrangle N: 21.1 inches; W: 11.2 inches).

The applicant proposes to conduct the following activities within the floodway of Sixteen Mile Creek at the property located at 140 Sunset Beach Road: 1) to reconstruct and maintain a damaged 36-foot long by 8-foot high retaining wall with new dimensions of 36 feet long by 10 feet high and consisting of 2-foot by 2-foot by 6-foot concrete blocks; and 2) to remove the existing house and to construct and maintain house and deck having dimensions of approximately 90 feet by 22 feet within the approximate footprint and same hydraulic shadow location of the existing structure. This permit application is the result of an enforcement action, and the structures have already been constructed. The retaining wall was damaged during the hurricane related floods of 2004. Sixteenmile Creek is a perennial stream classified as a WWF and MF. The project proposes to directly impact approximately 50 feet of stream and approximately 2,000 square feet of floodway.

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

E10-09-001. Mountain Watershed Association, P. O. Box 408, Melcroft, PA 15642. Acid Mine Drainage Treatment Project, in Saltlick Township, **Fayette County**, Pittsburgh ACOE District.

The applicant proposes to construct an acid mine drainage (AMD) treatment system that will treat 63% of the total iron load and 31% of the aluminum load entering the Indian Creek Watershed from abandoned mines. The project will impact 1.86 acres of AMD-impacted scrub/shrub wetland and 3.83 acres of emergent wetland (of which 0.62 acre is AMD-impacted), for a total of 5.69 acres of wetland impacts (of which 3.21 acres is non-AMD impacted). Compensatory replacement of aquatic resources will be provided by the construction of 3.3 acres of PEM replacement wetland and water quality improvements to 66.0 acres (10.9 miles) of riverine habitat. (Donegal Quadrangle N: 8.55 inches, W: 3.4 inches).

SPECIAL NOTICES

Request for Comment and Notice of Public Meeting for the Proposed Total Maximum Daily Load (TMDL) for the Ferrier Run Watershed in Indiana County

Ebensburg District Mining Office: 437 South Center Street, Ebensburg, PA 15931, (814) 472-1898.

The Department of Environmental Protection (Department) will hold a public meeting to discuss and accept comments on a proposed TMDL for the Ferrier Run Watershed in Indiana County. The meeting will be held on March 16, 2006, at 7 p.m. at the Robert Shaw Building Conference Room, Indiana University, Indiana, PA. Individuals who plan to make a presentation at the public meeting should contact Tim Kania, Cambria District Mining Office at (814) 472-1900 no later than 4 p.m. on Friday, March 9, 2006. The Department will consider all comments in developing the final TMDL for the Ferrier Run Watershed which will be submitted to the Environmental Protection Agency for approval.

The proposed TMDL for the Ferrier Run Watershed was established in accordance with the requirements of section 303(d) of the Clean Water Act. One stream segment in the Ferrier Run Watershed has been identified as impaired on the 1998 Pennsylvania Section 303(d) list due to depressed pH and/or high concentrations of metals. The listed segment and miles degraded are shown in the following table:

<i>Stream Code (Segment ID)</i>	<i>Stream Name</i>	<i>Miles Degraded</i>
44125 (NA)	Ferrier Run	1.4

The proposed plan provides calculations of the stream's total capacity to accept metals (aluminum, iron, manganese and acidity), pH and maintain levels below water quality criteria. The applicable water quality criteria are as follows:

<i>Parameter</i>	<i>Criterion value (mg/l)</i>	<i>Total Recoverable/ Dissolved</i>
Aluminum	0.75	Total Recoverable
Iron	1.5	Total Recoverable
Manganese	1.00	Total Recoverable
pH	6.0—9.0	NA

The primary pollutant source for the watershed is abandoned mine workings. This watershed was mined for coal in the 1900s. The effects of this are still present.

The proposed TMDL was developed using Monte Carlo Simulation to determine long-term average concentrations that each stream segment could accept and still meet water quality criteria 99% of the time. Monte Carlo Simulation allows for the expansion of a data set based on its statistical makeup. Since there was no critical flow condition where criteria were exceeded, the Department used the average flow to express the loading values in the proposed TMDL. The proposed TMDL for the Ferrier Run Watershed sets allowable loading rates for metals and acidity at specified points in the watershed. Field data collected over the past 2 years was used to establish the proposed TMDL for the Ferrier Run Watershed. The data and all supporting information used to develop the proposed TMDL are available from the Department.

The Department will accept written comments on the proposed TMDL for the Ferrier Run Watershed. Written comments must be postmarked by May 15, 2006, and sent to Tim Kania, Department of Environmental Protection,

Cambria District Mining Office, 286 Industrial Park Road, Ebensburg, PA 15931, (814) 472-1898, tkania@state.pa.us.

To request a copy of the proposed TMDL and associated information sheet or to obtain directions to the Robert Shaw Building Conference Room, contact Tim Kania, (814) 472-1900, tkania@state.pa.us.

The proposed TMDL for the Ferrier Run Watershed can be accessed through the Department's website at www.dep.state.pa.us (DEP Keyword: TMDL). Persons with a disability who require accommodations to attend this meeting should contact the Department at (814) 472-1900 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

Request for Comment and Notice of Public Meeting for the Proposed Total Maximum Daily Load (TMDL) for the Penn Run Watershed in Indiana County

Ebensburg District Mining Office: 437 South Center Street, Ebensburg, PA 15931, (814) 472-1898.

The Department of Environmental Protection (Department) will hold a public meeting to discuss and accept comments on a proposed TMDL for the Penn Run Watershed in Indiana County. The meeting will be held on March 16, 2006, at 7 p.m. at the Robert Shaw Building Conference Room, Indiana University, Indiana, PA. Individuals who plan to make a presentation at the public meeting should contact Tim Kania, Cambria District Mining Office at (814) 472-1900 no later than 4 p.m. on Friday, March 9, 2006. The Department will consider all comments in developing the final TMDL for the Penn Run Watershed which will be submitted to the Environmental Protection Agency for approval.

The proposed TMDL for the Penn Run Watershed was established in accordance with the requirements of section 303(d) of the Clean Water Act. One stream segment in the Penn Run Watershed has been identified as impaired on the 1998 Pennsylvania Section 303(d) list due to depressed pH and/or high concentrations of metals. The listed segment and miles degraded are shown in the following table:

<i>Stream Code (Segment ID)</i>	<i>Stream Name</i>	<i>Miles Degraded</i>
44276 (5077)	Penn Run	2.4 and 1.4

The proposed plan provides calculations of the stream's total capacity to accept metals (aluminum, iron, manganese and acidity), pH and maintain levels below water quality criteria. The applicable water quality criteria are as follows:

<i>Parameter</i>	<i>Criterion value (mg/l)</i>	<i>Total Recoverable/ Dissolved</i>
Aluminum	0.75	Total Recoverable
Iron	1.5	Total Recoverable
Manganese	1.00	Total Recoverable
pH	6.0—9.0	NA

The primary pollutant source for the watershed is abandoned mine workings. This watershed was mined for coal in the 1900s. The effects of this are still present.

The proposed TMDL was developed using Monte Carlo Simulation to determine long-term average concentrations that each stream segment could accept and still meet water quality criteria 99% of the time. Monte Carlo

Simulation allows for the expansion of a data set based on its statistical makeup. Since there was no critical flow condition where criteria were exceeded, the Department used the average flow to express the loading values in the proposed TMDL. The proposed TMDL for the Penn Run Watershed sets allowable loading rates for metals and acidity at specified points in the watershed. Field data collected over the past 2 years was used to establish the proposed TMDL for the Penn Run Watershed. The data and all supporting information used to develop the proposed TMDL are available from the Department.

The Department will accept written comments on the proposed TMDL for the Penn Run Watershed. Written comments must be postmarked by May 15, 2006, and sent to Tim Kania, Department of Environmental Protection, Cambria District Mining Office, 286 Industrial Park Road, Ebensburg, PA 15931, (814) 472-1898, tkania@state.pa.us.

To request a copy of the proposed TMDL and associated information sheet or to obtain directions to the Robert Shaw Building Conference Room, contact Tim Kania, (814) 472-1900, tkania@state.pa.us.

The proposed TMDL for the Penn Run Watershed can be accessed through the Department's website at www.dep.state.pa.us (DEP Keyword: TMDL). Persons with a disability who require accommodations to attend this meeting should contact the Department at (814) 472-1900 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

**Request for Comment and Notice of Public Meeting
for the Proposed Total Maximum Daily Load
(TMDL) for the Tearing Run Watershed in
Indiana County**

Ebensburg District Mining Office: 437 South Center Street, Ebensburg, PA 15931, (814) 472-1898.

The Department of Environmental Protection (Department) will hold a public meeting to discuss and accept comments on a proposed TMDL for the Tearing Run Watershed in Indiana County. The meeting will be held on March 16, 2006, at 7 p.m. at the Robert Shaw Building Conference Room, Indiana University, Indiana, PA. Individuals who plan to make a presentation at the public meeting should contact Tim Kania, Cambria District Mining Office at (814) 472-1900 no later than 4 p.m. on Friday, March 9, 2006. The Department will consider all comments in developing the final TMDL for the Tearing Run Watershed which will be submitted to the Environmental Protection Agency for approval.

The proposed TMDL for the Tearing Run Watershed was established in accordance with the requirements of section 303(d) of the Clean Water Act. One stream segment in the Tearing Run Watershed has been identified as impaired on the 1998 Pennsylvania Section 303(d) list due to depressed pH and/or high concentrations of metals. The listed segment and miles degraded are shown in the following table:

<i>Stream Code (Segment ID)</i>	<i>Stream Name</i>	<i>Miles Degraded</i>
44112 (5067)	Tearing Run	2.0

The proposed plan provides calculations of the stream's total capacity to accept metals (aluminum, iron, manganese and acidity), pH and maintain levels below water quality criteria. The applicable water quality criteria are as follows:

<i>Parameter</i>	<i>Criterion value (mg/l)</i>	<i>Total Recoverable/ Dissolved</i>
Aluminum	0.75	Total Recoverable
Iron	1.5	Total Recoverable
Manganese	1.00	Total Recoverable
pH	6.0—9.0	NA

The primary pollutant source for the watershed is abandoned mine workings. This watershed was mined for coal in the 1900s. The effects of this are still present.

The proposed TMDL was developed using Monte Carlo Simulation to determine long-term average concentrations that each stream segment could accept and still meet water quality criteria 99% of the time. Monte Carlo Simulation allows for the expansion of a data set based on its statistical makeup. Since there was no critical flow condition where criteria were exceeded, the Department used the average flow to express the loading values in the proposed TMDL. The proposed TMDL for the Tearing Run Watershed sets allowable loading rates for metals and acidity at specified points in the watershed. Field data collected over the past 2 years was used to establish the proposed TMDL for the Tearing Run Watershed. The data and all supporting information used to develop the proposed TMDL are available from the Department.

The Department will accept written comments on the proposed TMDL for the Tearing Run Watershed. Written comments must be postmarked by May 15, 2006, and sent to Tim Kania, Department of Environmental Protection, Cambria District Mining Office, 286 Industrial Park Road, Ebensburg, PA 15931, (814) 472-1898, tkania@state.pa.us.

To request a copy of the proposed TMDL and associated information sheet or to obtain directions to the Robert Shaw Building Conference Room, contact Tim Kania, (814) 472-1900, tkania@state.pa.us.

The proposed TMDL for the Tearing Run Watershed can be accessed through the Department's website at www.dep.state.pa.us (DEP Keyword: TMDL). Persons with a disability who require accommodations to attend this meeting should contact the Department at (814) 472-1900 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

[Pa.B. Doc. No. 06-492. Filed for public inspection March 24, 2006, 9:00 a.m.]

Air Quality Technical Advisory Committee; Special Meeting

The Air Quality Technical Advisory Committee will meet at 9 a.m. on March 30, 2006, in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting will be held to discuss the Department of Environmental Protection's (Department) draft regulation for the control of mercury emissions from electric generating units.

Questions concerning the meeting should be directed to Terry L. Black, (717) 787-2030, tblack@state.pa.us. The agenda and meeting materials for the March 30, 2006, meeting will be available through the Public Participation Center on the Department's website at www.depweb.state.pa.us (DEP Keywords: Public Participation, Participate).

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Susan Ferree at (717) 787-9495 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 06-493. Filed for public inspection March 24, 2006, 9:00 a.m.]

Availability of Technical Guidance

Technical guidance documents are available on the Department of Environmental Protection's (Department) website at 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.

Draft Technical Guidance—Substantive Revision

DEP ID: 383-3301-107. Title: Laboratory Reporting Instructions for Lead and Copper under the Lead and Copper Rule. Description: This guidance, issued on February 1, 1999, provides instructions to community and nontransient, noncommunity water systems and certified laboratories for the reporting of drinking water lead and copper tap monitoring results as required by the Federal Lead and Copper Rule, published on June 7, 1991, and as implemented in 25 Pa. Code Chapter 109, Subchapter K (relating to lead and copper). Minor revisions to this rule became effective on August 10, 2002 (32 Pa.B. 3894). This guidance was revised to incorporate changes to reporting requirements under the revised regulations and to incorporate additional changes that were necessary for the

Commonwealth to obtain primacy for the Lead and Copper Rule. Written Comments: The Department is seeking comments on the substantive revisions to draft technical guidance #383-3301-107. Interested persons may submit written comments on this draft technical guidance document by April 24, 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 Dawn Hissner, Department of Environmental Protection, Bureau of Water Standards and Facility Regulation, Operations, Monitoring and Training Division, Rachel Carson State Office Building, 11th Floor, 400 Market Street, Harrisburg, PA 17105-8467, dhissner@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 Dawn Hissner, (717) 787-0130, dhissner@state.pa.us.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 06-494. Filed for public inspection March 24, 2006, 9:00 a.m.]

DEPARTMENT OF LABOR AND INDUSTRY

[Correction]

Public Comment on Federal Fiscal Year 2007 Combined Agency State Plan Attachments

The Department of Labor and Industry's Office of Vocational Rehabilitation has submitted a correction to the document which appeared at 36 Pa.B. 1190 (March 11, 2006). The contact persons for the following two offices have been changed. Also, the time for the meeting of the Erie BBVS District Office has been changed to 1 p.m. to 3 p.m.

Erie BBVS District Office
(Cameron, Clarion, Clearfield, Crawford, Elk, Erie, Forest, Jefferson, Lawrence, McKean, Mercer, Potter, Venango and Warren Counties)
Perkins Family Restaurant
280 Conneaut Lake Road, Meadville, PA 16335
(814) 336-6000 (Restaurant)
Erie BBVS D. O.: (866) 521-5073 (Voice)
(888) 884-5513 (TTY)
Date: April 3, 2006 Time: 10 a.m.—2 p.m.
Contact Person: Christine Palotas

Erie BVRS District Office
(Clarion, Crawford, Erie, Forest, Mercer, Venango and Warren Counties)
Conference Room
3200 Lovell Place, Erie, PA 16503
(800) 541-0721 (Voice) (888) 217-1710 (TTY)
Date: April 12, 2006 Time: 1 p.m.—3 p.m.
Contact Person: Bruce Best

[Pa.B. Doc. No. 06-403. Filed for public inspection March 10, 2006, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Filing of Final Rulemaking

The Independent Regulatory Review Commission (Commission) received the following regulations. They are scheduled to be considered on the date noted. The Commission's public meetings are held at 333 Market St., 14th Floor, Harrisburg at 10:30 a.m. Note that the time and date of the meeting are tentative and interested parties are encouraged to contact the Commission at (717) 783-5417 or visit its website at www.irrc.state.pa.us to confirm that information. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy.

Final-Form

Reg. No.	Agency/Title	Received	Public Meeting
31-3	State Employees' Retirement Board Preliminary Provisions	3/9/06	4/20/06
31-4	State Employees' Retirement Board Membership, Credited Service and Eligibility for Benefits	3/9/06	4/20/06
15-426	Department of Revenue Sales and Use Tax; Prebuilt Housing	3/10/06	4/20/06
31-5	State Employees' Retirement Board Administrative Duties of the Board	3/14/06	4/20/06

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 06-495. Filed for public inspection March 24, 2006, 9:00 a.m.]

INSURANCE DEPARTMENT

Farouk M. Georgy, M. D.; Prehearing

Appeal of Farouk M. Georgy, M. D. under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM06-02-012

On or before March 14, 2006, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's January 25, 2006, 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 April 5, 2006. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before March 30, 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 March 21, 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 March 28, 2006.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 06-496. Filed for public inspection March 24, 2006, 9:00 a.m.]

Germantown Hospital and Medical Center; Hearing

Appeal of Germantown Hospital and Medical Center under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM06-02-036

On or before March 16, 2006, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's January 20, 2006, 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 April 6, 2006. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before April 3, 2006. A hearing shall occur on April 25, 2006, in Room 200, Administrative Hearings Office, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA.

On or before April 17, 2006, each party shall file with the Administrative Hearings Office a prehearing statement which shall contain: (1) a comprehensive statement of undisputed facts to be stipulated between the parties; (2) a statement of additional contended facts; (3) names and address of witnesses along with the specialties of experts to be called; (4) a list of documents to be used at the hearing; (5) special evidentiary or other legal issues; and (6) the estimated time for that party's case. Contemporaneously with service of the prehearing statement on the opposing party, each party shall supply the other with a copy of any report generated by an expert witness designated on the prehearing statement. Any report subsequently received from a party's expert witness prior to hearing shall be supplied to the other party within 2 business days. Copies of expert reports need not be filed with the Administrative Hearings Office.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before March 23, 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 March 30, 2006.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 06-497. Filed for public inspection March 24, 2006, 9:00 a.m.]

Hospital of the University of Pennsylvania and Sara Marder, M. D.; Prehearing

Appeal of Hospital of the University of Pennsylvania and Sara Marder, M. D. under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM06-02-032

On or before March 23, 2006, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's January 31, 2006, 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 April 13, 2006. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before April 7, 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 March 30, 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 April 6, 2006.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 06-498. Filed for public inspection March 24, 2006, 9:00 a.m.]

Sarwat Jahan, M. D.; Prehearing

Appeal of Sarwat Jahan, M. D. under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM06-02-031

On or before March 22, 2006, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's January 20, 2006, 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 April 12, 2006. Each party shall provide a telephone number to be used for the telephone conference to the Hearings

Administrator on or before April 6, 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 March 29, 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 April 5, 2006.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 06-499. Filed for public inspection March 24, 2006, 9:00 a.m.]

David Martin, C.R.N.A.; Prehearing

Appeal of David Martin, C.R.N.A. under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM06-02-013

On or before March 14, 2006, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's January 25, 2006, 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 April 4, 2006. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before March 30, 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 March 21, 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 March 28, 2006.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 06-500. Filed for public inspection March 24, 2006, 9:00 a.m.]

QCC Insurance Co. (a subsidiary of Independence Blue Cross); QCC-1-06 Individually Underwritten Nongroup Personal Choice Product; Rate Filing

On March 1, 2006, the Insurance Department (Department) received from QCC Insurance Co. (a subsidiary of Independence Blue Cross) a filing for a new nongroup personal choice product to be issued on June 1, 2006.

The plan is a high-deductible plan designed to be used in conjunction with a health savings account. Two options will be offered: one with a deductible of \$2,500 and the other \$5,100. Rates for the new plan will be determined based on the age of the oldest spouse and the underwriting classification of all insureds covered.

Unless formal administrative action is taken prior to April 15, 2006, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Department's website at www.ins.state.pa.us. Under the Quick Links section, click on the link "Rate Filings Published in the PA Bulletin."

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to James Sabater, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, jsabater@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 06-501. Filed for public inspection March 24, 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 hearings will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 N. Seventh Street, Harrisburg, PA 17102.

Appeal of Joy Robinson; file no. 05-119-11357; State Farm Mutual Insurance; doc. no. P06-02-010; March 30, 2006, 10 a.m.

Appeal of Joseph and Heidi Kovacs; file no. 05-119-11385; Nationwide Insurance Company; doc. no. P06-02-011; April 5, 2006, 10 a.m.

Appeal of Ben and Patricia Lambiotte; file no. 06-193-14203; PA National Mutual Casualty Insurance Company; doc. no. P06-02-039; April 26, 2006, 10 a.m.

Appeal of Melissa L. Stouffer; file no. 05-188-11963; Leader Preferred Insurance Company; doc. no. P06-02-037; April 27, 2006, 10 a.m.

Appeal of Douglas Brotzman and Holly Boatwright; file no. 05-193-12472; Leader Insurance Co.; doc. no. P06-02-038; May 4, 2006, 10 a.m.

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

Appeal of Franz and Bettina Liebler; file no. 05-265-11954; Liberty Mutual Fire Insurance Company; doc. no. PH06-02-003; March 24, 2006, 4 p.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 Denise A. Angell; file no. 05-303-11408; Insurance Company of State of Pennsylvania; doc. no. PI06-02-018; April 12, 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. 06-502. Filed for public inspection March 24, 2006, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

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

Appeal of Erie Insurance Company; file no. 06-193-13983; Diane and Jon Kulick; doc. no. P06-02-019; April 6, 2006, 10 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. 06-503. Filed for public inspection March 24, 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, 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 Philadelphia Regional Office, Room 1701, State Office Building, 1400 Spring Garden Street, Philadelphia, PA 19130.

Appeal of Thomas J. Long; file no. 05-266-12537; Erie Insurance Exchange; doc. no. PH06-02-004; March 23, 2006, 3 p.m.

Appeal of Richard R. Stott; file no. 06-266-13485; Nationwide Insurance Company; doc. no. PH06-02-040; May 30, 2006, 11 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, (717) 705-4194.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 06-504. Filed for public inspection March 24, 2006, 9:00 a.m.]

Transportation Services Inc.; Hearing

Appeal of Transportation Services Inc. under the Storage Tank and Spill Prevention Act; Underground Storage Tank Indemnification Fund; USTIF File No. 02-0275(M); Doc. No. UT06-02-022

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 shall be held on April 6, 2006. A hearing shall occur on April 19, 2006, at 1 p.m. in the Administrative Hearings Office, Room 200, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA 17102. Motions preliminary to those at hearing, protests, petitions to intervene, notices of appearance or notices of intervention, if any, must be filed with the Hearings Administrator at the previously listed address on or before March 23, 2006. Answers to petitions to intervene, if any, shall be filed on or before March 30, 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. 06-505. Filed for public inspection March 24, 2006, 9:00 a.m.]

Diane Zarconi, M. D.; Prehearing**Appeal of Diane Zarconi, M. D. under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM06-02-007**

On or before March 7, 2006, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's December 29, 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 March 28, 2006. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before March 23, 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 March 14, 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 March 21, 2006.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 06-506. Filed for public inspection March 24, 2006, 9:00 a.m.]

LIQUOR CONTROL BOARD**Expiration of Leases**

The following Liquor Control Board lease will expire:
Philadelphia County, Wine & Spirits Shoppe #5135, 5101 Lancaster Avenue, Philadelphia, PA 19131.

Lease Expiration Date: May 31, 2006

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 6,500 net useable square feet of new or existing retail commercial space within a 1/2 mile radius of Jefferson and 52nd Streets, Philadelphia.

Proposals due: April 14, 2006, at 12 p.m.

Department: Liquor Control Board
Location: Real Estate Division, 8305 Ridge Avenue, Philadelphia, PA 19128-2113
Contact: Henry Blocker, (215) 482-9671

JONATHAN H. NEWMAN,
Chairperson

[Pa.B. Doc. No. 06-507. Filed for public inspection March 24, 2006, 9:00 a.m.]

OFFICE OF THE BUDGET**Commonwealth Financing Authority Certification**

I, Michael M. Masch, Secretary of the Budget, hereby certify in accordance with and as required by section 1543(e) of the act of April 1, 2004 (P. L. 163, No. 22), 64 Pa.C.S. § 1543(e), that:

(1) sufficient surplus revenue will exist in the General Fund for Commonwealth fiscal years 2006-2007 and 2007-2008 to pay any liabilities which will be incurred by the Commonwealth during those fiscal years if the Commonwealth Financing Authority incurs an additional \$250,000,000 of indebtedness; and,

(2) the aggregate amount of liabilities which will be incurred by the Commonwealth for its fiscal years 2006-2007 and 2007-2008 as a result of the activities of the Commonwealth Financing Authority are \$36,939,000 and \$85,165,000 respectively.

MICHAEL J. MASCH,
Secretary

[Pa.B. Doc. No. 06-508. Filed for public inspection March 24, 2006, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION**Investigation Into Pennsylvania American Water Company's High Fluoride Concentration Incident and of Existing Notification and Reporting Requirements; Doc. No. I-00050109**

Public Meeting held
March 2, 2006

Commissioners Present: Wendell F. Holland, Chairperson, statement follows; James H. Cawley, Vice Chairperson, recusing; Bill Shane; Kim Pizzingrilli; Terrance J. Fitzpatrick

Final Investigation Order and Release of Staff Report

By the Commission:

At our December 15, 2005 Public Meeting, the Commission adopted the Joint Motion of Chairman Wendell F. Holland and Commissioner Kim Pizzingrilli that directed the Law Bureau and the Bureau of Fixed Utility Services (FUS) to investigate an incident that occurred at the Pennsylvania American Water Company's (PAWC) Yellow Breeches Water Treatment Plant (YB Plant) in Fairview Township, Cumberland County, that resulted in excessive levels of fluoride in its drinking water.¹ This incident affected approximately 34,000 customers of PAWC located in eastern Cumberland County and northern York County. Specifically, the elevated level of fluoride concentration was the result of a chemical spill of approximately 372 gallons of hydrofluorosilic acid in the fluoridation process at the plant. The Commission also directed Law Bureau and FUS to review and to evaluate the Commission's existing regulations and to submit a report to the Commission within 60 days of the entry date of the order incorporating the motion.² That order was entered on December 23, 2005.

The order concluded that it was critically important that the Commission determine: (1) whether all operational aspects of the utility were fully functioning to adequately respond to the situation in a timely manner;

¹ Pursuant to 66 Pa.C.S. § 331(a), the Commission may, on its own motion and whenever it may be necessary in the performance of its duties, investigate and examine the condition and management of a public utility.

² In addition to the investigation by the Commission, the Pennsylvania Department of Environmental Protection (DEP), and the Office of Consumer Advocate (OCA) also are conducting their own independent investigations of this incident.

(2) whether the public received information in a timely manner; (3) whether adequate supplies of drinking water were provided and/or available in convenient locations; (4) whether the information provided to the public was sufficient to inform consumers of the effects of excessive fluoride; (5) whether the reporting requirements in the Commission's regulations at 52 Pa. Code § 67.1 were properly followed; (6) whether enhancements need to be made to the Commission's reporting requirements; and (7) whether additional steps can be taken by the Commission to assist utilities in responding to future emergency situations, particularly in keeping the public informed and assisting consumers as needed.

The Commission also noted in its order that it was equally important to evaluate not only this incident but to ensure that the regulated utilities are prepared to respond to future incidents. In addition, the Commission noted that as part of the self-certification process in its regulations at 52 Pa. Code §§ 101.1–101.7, utilities are to develop and maintain several types of emergency and security-related plans. Furthermore, the order directed that utilities should also assess whether technological enhancements in communications can be made to keep the public better informed as they respond to the operational issues involved in resolving emergency situations.

Staff Investigation and Findings

Pursuant to the December 23, 2005 order, Commission staff conducted an investigation into the cause of the high fluoride incident, the level of compliance by PAWC with the Public Utility Code and our regulations with regard to safe and reliable water service, and the applicable notification procedures. The investigation also addressed whether these procedures were complied with and whether any improvements in the notification procedures are warranted. As part of its inquiry, Commission staff met with representatives from DEP, the Cumberland County Emergency Management Services, PAWC, and the OCA. Commission staff prepared an investigative report based upon the site visit, meetings with PAWC, and the representatives of the agencies listed above. The Commission wishes to acknowledge that PAWC cooperated fully with its investigation, including making its employees and facilities available and responding fully to all data requests.

A. Operational Response of PAWC

This order will address the seven areas of concern noted in the Commission's December 23, 2005 order. The first area of concern is the operational response of PAWC. In the report, Commission staff noted that PAWC admitted that the fluoride spill was the result of operator error when the Plant Operator No. 1 on duty chose to bypass the manually-operated, spring loaded switch that controls the pumping of fluoride from the storage tank to the two day tanks by inserting a plastic circular union between a pipe and the switch which kept the switch depressed so as to keep the pump continuously pumping fluoride in to the two day tanks. Plant Operator No. 1 used the bypass mechanism at approximately 7:30 A.M. and then left the area with the bypass in place to perform other duties in the plant. Plant Operator No. 1 never disengaged the bypass he created before ending his shift at 8:30 A.M. Plant Operator No. 2, who started his shift at 8:00 A.M., was alerted that the SCADA system was malfunctioning. Strong hydrofluorosilic acid fumes kept him from entering the building to turn off the switch. As a result, the pump kept pumping fluoride until approximately 1:30 P.M., when it was deactivated by the Hazardous Material Response team.

At 2:30 P.M., after several water samples had been taken, DEP and PAWC decided to issue a "DO NOT CONSUME" advisory to the public. The "DO NOT CONSUME" advisory was actually released to the public at approximately 4:20 P.M. after PAWC and DEP officials agreed on the final version of the advisory. Water samples continued to be taken through the evening and into the night for analysis. It was not until between midnight and 8 A.M. the next day that the samples indicated that the fluoride levels had dropped to an acceptable level. At approximately noon on Sunday, December 11th, PAWC lifted the "DO NOT CONSUME" advisory.

PAWC notified the Commission of the spill on Sunday, December 11, 2005, at approximately 1:30 P.M. (after the advisory had been lifted) by voice mail to a member of the FUS Water Division and a member of the Bureau of Consumer Services' Hotline. PAWC did not speak with the Commission's designated emergency contact person until Monday, December 12, 2005.

PAWC's own internal investigation found that bypassing this switch was a common occurrence among its operators with some even using a block of wood to create the bypass. PAWC, however, stated that it did not have any prior knowledge that the operators were using any sort of bypass, which it also asserted was against company policy.

PAWC agreed to review the layout of all of its other plants in Pennsylvania to determine if any of them had similar safety issues. After review, PAWC verified to Commission staff that none of its other seven water treatment plants that use bulk storage tanks to store liquid fluoride are similar to the YB Plant in terms of plant layout, containment methods, or in their set up of SCADA monitoring that could lead to a similar fluoride incident such as occurred at the YB Plant.

Additionally, PAWC has taken several steps to ensure that this type of incident is not repeated. PAWC has replaced the switch at the YB Plant with one that is not as susceptible to tampering. PAWC has also installed a probe in the spill containment unit that will set off an alarm when any liquid leaks into the containment unit. Moreover, PAWC has committed to providing operator education and training relating to how to avoid and respond to situations involving chemicals. We recommend that such training emphasize the importance of not bypassing switches or other safety devices controlling chemicals under any circumstances and that such conduct is against company policy. Such improper actions warrant strong disciplinary action, including possible termination of employment.

Lastly, PAWC states that its new water plant, which will replace the YB Plant, will begin operation in the spring of 2006. This plant will be technologically advanced in terms of spill containment and automatic controls. According to PAWC, the new plant's modernized features will further minimize the likelihood of this type of spill occurring in the future.

In the Commission's judgment, PAWC's admission that the operator's action to override the switch causing the spill was a common practice among its operators and that the company only learned of during its own internal investigation raises serious public safety concerns. PAWC and all utilities are reminded that this type of conduct can never be tolerated, and that utilities must take all necessary steps to ensure that a similar lapse in safety procedures does not occur in the future.

On the other hand, we support the remedial steps taken by PAWC in the wake of this incident to minimize the risk of similar operator errors and misconduct from occurring in the future. We believe that what occurred here can happen in other water plants as well, especially older, less technologically advanced plants. We, therefore, direct all water utilities to perform regular self-inspections of their plants to ensure they comply with all state and federal safety regulations. We especially encourage water utilities to review their existing operations and safety features to ensure they have adequate safeguards in place to avoid any chemical spills that can disrupt their operations. In this latter regard, the water utilities should particularly examine whether their plants are susceptible to similar bypass devices being used to pump chemicals into their tanks. If they are, preventive measure such as replacing switches or incorporating alarm systems should be performed immediately.

We agree with the OCA's input that treatment plant operators must have sufficient training and retraining as part of their business practices to avoid the type of situation that occurred at the YB Plant. With this order, all water utilities are hereby put on notice that the failure to identify and correct the types of safety deficiencies identified in this investigation may result in prosecution and the imposition of appropriate sanctions.

B. Timeliness and Adequacy of Public Notice

The second, fourth and sixth area of concern is the timeliness and adequacy of public notice and possible enhancements to the Commission's reporting requirements. A significant aspect of the investigation focused on both the level of sufficiency and timeliness of the "DO NOT CONSUME" advisory notice provided by PAWC to the public following the fluoride spill and on whether enhancements are needed to the Commission's reporting/notice requirements. The OCA provided valuable input on each of these reporting/notice issues.

In its comments, the OCA was critical of both the timeliness and adequacy of PAWC's public notice efforts. The OCA states that while PAWC may have met the minimum requirements in its tariff, Rule 14.1,³ and applicable DEP regulations at 25 Pa. Code § 109.408, regarding notice to the public, PAWC did not "provide actual, timely notice to many of the affected customers." *OCA Comments* at 6. Similarly, on the issue of adequacy of the public notice, the OCA correctly points out that the press release used by PAWC failed: (1) to identify when the fluoride spill entered the drinking water distribution system, 25 Pa. Code § 109.411(a)(2); (2) to include any of the required adverse health effects language, 25 Pa. Code § 109.411(a)(3) & (d)(1) or (d)(2); and (3) to identify the population at risk, including any subpopulations of customers that are particularly vulnerable to the contaminant in their drinking water, 25 Pa. Code § 109.411(a)(4). *OCA Comments* at 4.

In addition to the notice-deficiency issues identified by the OCA, PAWC also acknowledged, in response to our inquiry, that it did not use its website to notify the public about the incident and its water advisory. In fact, it was not until Monday morning, December 12, 2005, a full two days after the incident, that PAWC first used its website when it announced that the "DO NOT CONSUME" advisory had been lifted.

³ Rule 14.1 of the PAWC Tariff Water Pa PUC No., at 35, states, in relevant part, that "the company will, so far as circumstances permit, notify Customers to be affected by any interruption in the water service."

While both DEP and PAWC agree that PAWC complied with the existing notification procedures established in DEP's regulations, we find that the utilized notification procedures adopted by PAWC failed to notify adequately large numbers of consumers in a timely and reasonable manner about the hydrofluorosilic acid spill and the "DO NOT CONSUME" advisory. For its part, the OCA believes that the public notice issue for service interruptions needs to be addressed in a specific Commission regulation or other directive such as a policy statement.

In evaluating this recommendation, the Commission is cognizant of the detailed public notice requirements already contained in DEP's regulations and further understand that DEP is currently reviewing those regulations for possible amendment. We do not agree that it is necessary to impose an additional layer of public notice regulations on water utilities. At the same time, however, we agree with the OCA's objective that it would be beneficial for the Commission to provide guidance to the industry on the types of notice necessary to meet the reasonable standard imposed on utilities under 66 Pa.C.S. § 1501.

We, therefore, direct the Law Bureau and the Bureau of Fixed Utility Services to prepare a proposed Policy Statement on Public Notice Standards Relating to Unscheduled Water Service Interruptions to be considered at a future public meeting. The objective of this new policy statement will be to provide guidance to the industry regarding the types of public notice that will be deemed acceptable and appropriate in meeting the reasonable standard in section 1501 when there are unscheduled water service interruptions.

The policy statement should suggest actual and timely notice whenever a situation arises where the water is unsafe to drink, taking full advantage of existing technology such as the Reverse 911, e-mail and text message notifications to customers who have elected to receive such notice, and fax/e-mail notification to local radio and television stations, cable systems, newspapers, and other media. *OCA Comments* at 6-7. Other types of direct/personal notification, such as doorknob flyers, where feasible, should be considered. The use of the affected utility's and the Commission's website should also be considered. This policy statement should also include language that makes it clear that all water utilities must conform to the public notice requirements established by DEP which concern unscheduled service interruptions. After tentative approval at a future public meeting, the policy statement will then be subject to a 30-day public comment period by interested parties before final action is taken to adopt, modify, or reject the final proposal.

C. Adequacy of Alternative Drinking Water Supplies

The third area of concern is the adequateness of alternative drinking water supplies. PAWC provided water buffaloes with potable water at two locations in its service territory after issuing the "DO NOT CONSUME" advisory. The OCA's only comment on this issue was that the Commission should encourage water utilities to provide safe drinking water supplies to as many locations as reasonably possible within the affected area whenever the drinking water is unsafe to drink. PAWC reported no problems or complaints about the number of water buffaloes it used in this particular instance. PAWC also stated that it did not experience an unusual demand for drinking water that could not be met by the alternative supplies it offered to the public at no charge. Similarly,

DEP did not indicate that more water buffaloes were needed to meet the demand for drinking water in this case.

From the information gathered in this investigation, the adequateness of alternative drinking water supplies was not a serious issue in relation to this particular incident. Perhaps that was due in part to the fact that the advisory lasted less than a day and that the contaminant was fluoride and not a more serious or dangerous chemical. We do agree with the OCA that water utilities must take this responsibility seriously whenever their water supplies become unsafe to drink, and they must take every necessary step to ensure sufficient alternative drinking water supplies are available to their customers whenever there is a "DO NOT CONSUME" advisory in place.

D. Compliance with 52 Pa. Code § 67.1 (Notice to Commission)

The fifth issue is PAWC's compliance with 52 Pa. Code § 67.1. PAWC asserted to staff that its failure to notify Commission officials until the day after the spill did not violate 52 Pa. Code § 67.1 because this provision was not applicable as there was no "service interruption" as defined by that section. Specifically, subsection 67.1(c) provides that a utility "shall notify the Commission by telephone within one hour after preliminary assessment of conditions reasonably indicates" that there is under subsection (b) "an unscheduled service interruption" affecting "2,500 or 5.0%, whichever is less, of their total customers . . . in a single incident for six or more projected consecutive hours."

PAWC's position is that the term "service interruption" is not defined in the regulation but asserts that the common understanding of this term requires an outage, supply cut-off, or cessation of service. PAWC contends that since this fluoride incident did not result in a loss of water service, i.e., customers did have water that could be used for all purposes other than consumption, there was no service interruption. The OCA disagrees with PAWC's interpretation of section 67.1, and encourages the Commission to clarify, by regulation or order, that the phrase "service interruption" in section 67.1 refers not only to water outages but also to situations where the water is available but unsafe to drink.

The Commission disagrees with PAWC's interpretation that the requirement in 52 Pa. Code § 67.1 to notify the Commission of an incident by telephone is only triggered when there is a total outage of service. Without a doubt, water for consumption is the most vital and important aspect of service provided by a water utility, and if consumers cannot drink it, then from their perspective, and ours, service has been interrupted.

By this order, the Commission puts the water industry on notice that "service interruption" covers any interruption of service that affects the quantity or quality of water delivered to the customer. In arriving at this conclusion, we take administrative notice that a similar regulation of DEP defines a "service interruption" as "affecting quantity or quality of the water delivered to the customer." 25 Pa. Code § 109.708 (emphasis added).

The Commission believes it is necessary to take the additional step of amending our regulations to ensure that regulated water utilities have a clear understanding of what the Commission deems a "service interruption." It is critically important that utilities affected by 52 Pa. Code § 67.1 understand their obligation to provide the Commission with telephone and written notification

in the event of a service interruption that affects either the quantity or quality of the water delivered to the customer. This will enable the Commission to ensure that utilities are furnishing adequate, efficient, safe and reasonable service consistent with the Public Utility Code. 66 Pa.C.S. § 1501.

Until this regulation is promulgated, however, we fully expect all water utilities in the future to act accordingly in providing us with telephone and written notification as prescribed by this interpretation of section 67.1 as any other interpretation of this phrase would eviscerate the otherwise clear intent of section 67.1's notice provisions.

E. Additional Steps to Inform and Assist Consumers

The seventh issue concerns whether additional steps can be taken by the Commission to assist utilities in responding to future emergency situations, particularly keeping the public informed and assisting consumers as needed. During the course of the investigation, PAWC advised that its failure to contact the designated Commission emergency contact person about the incident was partially attributable to the company's inability to obtain up-to-date emergency contact information on the Commission's home web page after the accident occurred. This attempt to shift responsibility partially to the Commission loses any credibility, however, when we learned from FUS that it had directly provided PAWC with the Commission's emergency contact information after another incident occurred earlier in 2005 affecting the same water treatment plant.

In any event, we note that it is each utility's responsibility to have current Commission emergency contact information readily accessible at their facilities. However, we will consider possible options for making the Commission's emergency contact information more readily available to utilities in the future.⁴

In its comments, the OCA made several helpful suggestions that the Commission may use to assist utilities in responding to future emergency situations. They are: (1) hold a public input meeting to hear from affected consumers on the topic of how they can best be notified of future emergency situations; (2) create an opt-in e-mail and text alert mechanism on its website to complement the use of such mechanisms by individual utilities; (3) during emergencies, the Commission could post updates on its website and provide a toll-free hotline for questions; and (4) direct all regulated utilities to modify their respective tariffs to include specific references to applicable state and federal public notice requirements. *OCA Comments* at 8. In this latter regard, the OCA offered the following suggested tariff language insert:

As soon as preliminary assessment of conditions reasonably indicates that customers will experience service that is unsuitable for household purposes or otherwise inadequate, the Company shall, at a minimum, provide notice to customers in accordance with the regulations of the Commission, 52 Pa. Code § 67.1, et seq., and the Pennsylvania Department of Environmental Protection, [25 Pa. Code § 109.407, et seq.]

Id.

In regard to a possible public input hearing, the Commission believes that this issue can be addressed at

⁴ We note that 52 Pa.C.S. § 67.1(c) and (d) state that the Commission will maintain telephone lines for the purpose of emergency notification from utilities and the Commission will notify each utility of the emergency numbers to be called. The Commission has met its obligations under these provisions. Specifically, FUS maintains a Commission emergency contact list and has provided this information to each utility in the state. It is, in turn, the duty of each utility to maintain current contact information, as certified to the Commission pursuant to 52 Pa.C.S. §§ 101.1–101.7.

the time that the policy statement discussed above is developed, if it is determined that such a hearing will aid the process. On the tariff issue, while the OCA recommends that all regulated water utilities should file a tariff amendment within 90 days of the entry of the order to indicate that they comply with 52 Pa. Code § 67.1 and DEP's regulations at 25 Pa. Code §§ 109.407—109.416, we believe this requirement is onerous and unnecessary to impose on utilities since they are required by law to comply with these stated provisions. Rather than impose the burden of filing amended tariffs, the Commission finds sufficient that all regulated water utilities be served a copy of this order to remind them of their legal obligation to comply with Commission regulations.

Regarding the recommendations made by the OCA that would require changes to our website, we note that the primary responsibility for alerting water customers rests with the utility, and we also note DEP recently announced that it will propose revised notification procedures for the companies to adopt that incorporate the suggestions advocated by the OCA. DEP's proposals will, for example, embrace current technology advances in the communications field that will allow utilities to provide an opt-in system so customers can request to be contacted by e-mail, text message, beeper, cell phone or other personal electronic devices. Accordingly, we decline to adopt the OCA's website and toll-free hotline recommendations at this time since they appear to be duplicative of DEP's current initiatives regarding customer notice.

F. Obligation to Update Emergency Response Plans

In addition to the seven previously identified areas that were to be examined, the Commission's investigation also uncovered that the Emergency Response Plan adopted by PAWC for the YB Plant dated 1993 is clearly outdated. PAWC admitted that its PAWC's Emergency Response Plan for its Central Operations is also outdated, and this plan, in any event, was not at the YB Plant at the time of the incident. While staff did not undertake an exhaustive review of these plans, our summary review revealed that neither plan, for example, has current phone contacts for the Commission even though the Commission has provided to all public utilities emergency contact information and will continue to provide utilities with updated contact information as required. Commission staff found that the phone numbers in these two plans were woefully out-of-date and basically useless. PAWC advised that its new plant scheduled to be operational in March 2006 will have an updated and accurate Emergency Response Plan. This response does not address, however, PAWC's failure to have updated and accurate information in the current plans.

Pursuant to section 67.1 of our regulations, the Commission has a duty to maintain telephone lines for the purpose of emergency notification from utilities. 52 Pa. Code § 67.1. The Commission fulfills this obligation by providing all utilities with current emergency numbers of our emergency personnel. It is incumbent upon the utility to retain updated contact information in their Emergency Response Plan. Indeed, the Commission's *Public Utility Preparedness Through Self-Certification* regulations requires that Emergency Response Plans of jurisdictional utilities include notification of the appropriate emergency services and emergency preparedness support agencies and organizations. 52 Pa. Code § 101.3(a)(4)(iii). In order for a utility to adhere to this requirement, the regulations require that it annually certify to the Commission that its plans have been reviewed and updated. 52 Pa. Code § 101.3(d). As stated

above, PAWC admitted that its relevant Emergency Response Plans did not contain current Commission emergency contact numbers.

The findings of this report should be a reminder to all utilities that it is critically important to update their Emergency Response Plans, at a minimum, on an annual basis so that they are prepared in the event of an emergency. Utilities have an obligation pursuant to 52 Pa. Code §§ 101.1—101.7 to develop and maintain written physical and cyber security, emergency response and business continuity plans, and to review, test and update them annually. In addition, an annual self-certification form is required to be filed with the Commission attesting that the plans have been updated and tested. A copy of this order will be served on all local exchange carriers, electric distribution companies, natural gas distribution companies, and water and wastewater utilities to serve as a reminder of their important obligations under our regulations at 52 Pa. Code §§ 101.1—101.7.

Finally, to address this deficiency in the present case, we hereby direct PAWC to review all its Emergency Response Plans for plants within Pennsylvania and to verify, with FUS, that all its plans are up to date. In addition, we shall direct the Bureau of Audits to initiate a general program to audit, as it deems appropriate, water utility emergency response plans to ensure they comply with all applicable laws and regulations, including the self-certification process as provided in our regulations at 52 Pa. Code §§ 101.1—101.7, and to take whatever further action may be warranted.

Conclusion

Based upon this investigation, we conclude that the spill was a result of operator error, the incident was not reported to appropriate Commission personnel in a timely manner, and the public was not adequately notified that a "DO NOT CONSUME" advisory was in effect. The public was also not notified of the possible dangers of drinking water with an elevated level of fluoride concentration. As a result of this incident and investigation, PAWC has taken swift and positive steps to ensure that this type of chemical spill incident does not occur again. Because the purpose of this investigation was remedial and not punitive, we will not impose any fines against PAWC for failing to comply with applicable public utility laws and regulations.

Moreover, to provide assistance to utilities and consumers, the Staff's investigation report will be made public. In this way, the Commission, in cooperation with utilities and other state agencies, can work together to address the notice and safety issues involved in chemical spills and to improve every water utility's performance in this important area; *Therefore,*

It Is Ordered That:

1. The staff investigation report is released to the public.
2. All jurisdictional water utilities are encouraged to perform regular self-inspections of their plants to ensure safety compliance and to provide operator education and safety training relating to how to avoid and respond to situations involving chemical spills.
3. The Law Bureau and the Bureau of Fixed Utility Services are directed to prepare a proposed Policy Statement on Public Notice Standards Relating to Unscheduled Water Service Interruptions to provide guidance to the industry regarding the types of public notice that will be deemed acceptable and appropriate in meeting the

reasonable standard in section 1501 of the Public Utility Code when there are unscheduled water service interruptions.

4. All jurisdictional water utilities are encouraged to take every necessary step to ensure sufficient alternative drinking water supplies are available to their customers whenever there is a "DO NOT CONSUME" advisory in place.

5. A proposed rulemaking is hereby instituted to amend 52 Pa. Code § 67.1 to address the Commission's interpretation of the phrase "service interruption" to cover any interruption of service that affects either the quantity or quality of the water delivered to the customer.

6. Pennsylvania American Water Company is directed to review all of its Emergency Response Plans for plants within Pennsylvania and to verify with the Bureau of Fixed Utility Services that all of its plans are up to date. This review shall be completed within 90 days of the entry date of this order.

7. The Bureau of Audits is directed to initiate a general program to audit, as it deems appropriate, water utilities' Emergency Response Plans to ensure that they are up to date and comply with all applicable laws and regulations, including the self-certification process as provided in 52 Pa. Code §§ 101.1—101.7, and to take whatever further action may be warranted.

8. Copies of this order be served on the Office of Trial Staff, the Office of Consumer Advocate, the Office of Small Business Advocate, the central and regional offices of the Pennsylvania Department of Environmental Resources, the Pennsylvania Chapter of the National Association of Water Companies, and all jurisdictional local exchange carriers, electric distribution companies, natural gas distribution companies, and water and wastewater utilities.

9. A copy of this order be published in the *Pennsylvania Bulletin*.

10. This docket be marked closed.

JAMES J. MCNULTY,
Secretary

Staff Report on Investigation into Pennsylvania American Water Company's High Fluoride Concentration Incident and of Existing Notification and Reporting Requirements; Doc. No. I-00050109

I. History of the Proceeding

On December 10, 2005, an incident occurred at the Pennsylvania American Water Company's (PAWC) Yellow Breeches Water Treatment Plant (YB Plant) in Fairview Township, Cumberland County, which resulted in excessive levels of fluoride in its drinking water. This incident affected approximately 34,000 customers of PAWC located in eastern Cumberland County and northern York County. Specifically, the elevated level of fluoride concentration was the result of a chemical spill of approximately 372 gallons of hydrofluorosilic acid (fluoride) used in the fluoridation process at the plant.⁵ On Saturday, December 10, 2005, the Pennsylvania Department of Environmental Protection (DEP) authorized a "DO NOT CONSUME" advisory between 2:30 P.M. and 3:00 P.M. for PAWC's entire distribution system for that plant; the restriction was subsequently lifted around noon, 12:00 P.M., on Sunday, December 11, 2005.

⁵ Subsequently, PAWC determined that less than 100 gallons of the 372 gallons spilled actually reached the plant's potable water supply.

At its December 15, 2005 Public Meeting, the Commission adopted the Joint Motion of Chairman Wendell F. Holland and Commissioner Kim Pizzigrilli that directed the Law Bureau and the Bureau of Fixed Utility Services (FUS) to investigate the high fluoride incident as well as to review and to evaluate the Commission's existing regulations and to submit a report to the Commission within 60 days of the entry date of the Order incorporating the motion.⁶ That Order was entered on December 23, 2005.

The Order concluded that it was critically important that the Commission determine: (1) whether all operational aspects of the utility were fully functioning to adequately respond to the situation in a timely manner; (2) whether the public received information in a timely manner; (3) whether adequate supplies of drinking water were provided and/or available in convenient locations; (4) whether the information provided to the public was sufficient to inform consumers of the effects of excessive fluoride; (5) whether the reporting requirements in the Commission's regulations at 52 Pa. Code § 67.1 were properly followed; (6) whether enhancements need to be made to the Commission's reporting requirements; and (7) whether additional steps can be taken by the Commission to assist utilities in responding to future emergency situations, particularly in keeping the public informed and assisting consumers as needed.

The Commission also noted in its Order that it was equally important to evaluate not only this incident but to ensure that the regulated utilities are prepared to respond to future incidents. In addition, the Commission noted that as part of the self-certification process in its regulations at 52 Pa. Code §§ 101.1—101.7, utilities are to develop and maintain several types of emergency and security-related plans. Furthermore, the Order directed that utilities should also assess whether technological enhancements in communications can be made to keep the public better informed as they respond to the operational issues involved in resolving emergency situations.

II. Factual Findings

Pursuant to the December 23, 2005 Order, Commission staff conducted an investigation into the cause of the high fluoride incident, the level of compliance by PAWC with the Public Utility Code and our regulations with regard to safe and reliable water service, and the applicable notification procedures. The investigation also addressed whether these procedures were complied with and whether any improvements in the notification procedures are warranted. As part of its inquiry, Commission staff met with representatives from DEP, the Cumberland County Emergency Management Services, PAWC, and the OCA and made a site visit of the water treatment plant in question and the new plant scheduled to go on line this spring.⁷

PAWC has acknowledged that the December 10, 2005 incident at the YB Plant was the result of human error. The YB Plant consists of two filter plants known as Plant 1 and Plant 2. Plant 1 was built in 1907 and Plant 2, where the spill occurred, was built in the 1950's. The two plants are within 50 yards of each other.

Plant Operator No. 1 started his shift, midnight to 8 A.M., on December 10, 2005. He was the only employee

⁶ In addition to the investigation by the Commission, DEP and the Office of Consumer Advocate (OCA) also are conducting their own independent investigations of this incident.

⁷ Commission staff acknowledges that PAWC cooperated fully with its investigation. PAWC made its employees and facilities available upon request and responded fully to all our data requests.

working in the YB Plant other than a security guard on duty. At approximately 7:30 A.M., while the filter backwash was still in process, Plant Operator No. 1 started to refill the fluoride day tanks that are located on the third floor of Plant 2. The bulk fluoride tank is stored in a 1,950 gallon tank also located on the third floor of Plant 2 near the day tanks. The bulk tank has a maximum allowed volume of 1,500 gallons due to weight load limitations on the floor. A diaphragm pump is used to feed the liquid fluoride from the bulk tank into the two day tanks. At the time of the incident, the switch that controlled the pump was a spring-loaded switch that must be manually pressed by the operator in order for the pump to operate. The switch was constructed to prevent the pump from running unattended and causing an overflow of and spill from the day tank. Utilizing proper procedure, i.e., the operator manually holding the switch down, it takes about 20 minutes to fill the day tanks; a process that has to be repeated daily, 365 days a year.

On this particular morning and against Company policy, Plant Operator No. 1 chose to bypass the switch's shut off mechanism by inserting a plastic circular union between a nearby pipe and the switch which kept the switch depressed and the pump pumping fluoride into the day tanks. Plant Operator No. 1 then left the area with the bypass in place to perform other duties in the plant.

Plant Operator No. 1 never disengaged the bypass he had created before ending his shift at 8:30 A.M. The pump kept pumping fluoride to the day tanks from approximately 7:30 A.M. until the pump was deactivated by the Hazardous Materials Response Team (HAZ MAT) at approximately 1:30 P.M. that day when they were finally able to enter inside the plant in appropriate protective gear and disengage the jammed switch.

When the spill exceeded the spill containment unit capacity, the fluoride spilled onto the floor. The growing spill reached the Supervisory Control and Data Acquisition (SCADA) computer system, located directly beneath the fluoride tanks on the floor below, and caused it to malfunction. When the SCADA reading device located in Plant 2 malfunctioned, Plant Operator No. 2, who had started his shift at 8 A.M. on December 10th and was in Plant 1, went to Plant 2 to determine what caused it to malfunction. When he opened the door to Plant 2, he could not enter the building to turn off the switch or to prevent the treated water containing the high fluoride levels from being pumped into the distribution system because of the strong hydrofluorosilicic acid fumes. He immediately contacted the PAWC supervisory officials on call about the leak. Plant Operator No. 2 also called Plant Operator No. 1 who recalled that he had forgotten to disengage the fluoride switch bypass. The PAWC officials contacted York County Emergency Management Agency (York EMA) to advise it of the chemical spill and recommended that HAZ MAT be dispatched. Sometime shortly thereafter, York EMA notified DEP of the incident. HAZ MAT arrived at the plant at approximately 10:45 A.M.

Sometime thereafter, York EMA notified DEP of the incident. PAWC also considered diluting the concentration by increasing the production of drinking water at its Silver Spring Water Treatment Plant; however, that plant was already operating at near its maximum production capacity.

Throughout the morning and early afternoon, PAWC, in conjunction with the HAZ MAT and DEP, worked on sampling the water and trying to stop the spill. At

approximately 1:30 P.M., HAZ MAT disengaged the bypass and stopped the pumping of fluoride by closing two valves.

At approximately 2:30 P.M., some of the several water samples taken indicated a result of 20 parts per million (ppm) and these results were shared with DEP. At that time, it was still undetermined the levels needed to raise health issues. There was discussion that 50 ppm may cause problems for dialysis patients. At 2:30 P.M., DEP and PAWC decided to issue a "DO NOT CONSUME" advisory to the public. The "DO NOT CONSUME" advisory was released to the public at approximately 4:20 P.M. after several edits by PAWC and DEP officials.

It was decided by PAWC and DEP that due to the uncertainty of the triggering mechanism that they would elevate the situation to a "Tier I" event⁸ per DEP regulations because of the potential short-term health risk exposure effects. Under DEP regulations, a Tier I event requires public notice within 24 hours of its occurrence. While DEP's regulations require notice to the public within 24 hours of a Tier 1 event, the regulations also make clear that notification must be provided "as soon as possible," leaving no doubt that notice should be provided as early as possible.

Water samples continued to be taken through the evening and into the night for analysis. It was not until between midnight and 8 A.M. the next day that the samples indicated that the fluoride levels had dropped to below 2 ppm. At approximately noon on Sunday, December 11th, PAWC lifted the "DO NOT CONSUME" advisory.

PAWC notified the Commission of the spill on Sunday, December 11, 2005, at approximately 1:30 P.M. (after the advisory had been lifted) via a voice mail to a member of the FUS Water Division and a member of the Bureau of Consumer Services' Hotline. PAWC did not speak with the Commission's designed emergency contact person until Monday, December 12, 2005. PAWC advised that following its own internal investigation into the incident, it fired Plant Operator No. 1 on December 16, 2005, for his actions in causing the spill. On January 18, 2006, PAWC sent letters to the 34,000 affected customers to explain what had happened on December 10, 2006.

Cumberland County Emergency Management Services officials' main complaint was the lack of notice of the spill, i.e., not being advised by PAWC or DEP as to what was happening before the public notice finally came out. The Cumberland County Emergency Management Services' officials expressed frustration in not being able to provide more accurate information to their elected officials who were concerned about the public safety within their county.

In staff's meeting with DEP officials, DEP expressed concerns regarding whether PAWC complied with its notice requirements as set forth in its regulations. DEP also noted that PAWC failed to have a company spokesperson on hand to assume responsibility in notifying the public and media as it is required to do, and that there were conflicting public notices as a result of the lack of coordination between DEP and PAWC. DEP also acknowl-

⁸ DEP has a three-tier notice system. A Tier 1 notice is required for situations with significant potential to have serious adverse effects on human health as a result of short-term exposure. These situations have the potential to cause acute health effects within hours or days of the time that the contaminant is consumed. A Tier 2 notice is required for other situations with the potential to have serious, but not immediate, adverse effects on human health. These situations have the potential to cause chronic health effects that may occur after persons consume a contaminant at levels over the health standard for many years. A Tier 3 notice is required for all other situations not included in Tier 1 or 2. *United States Environmental Protection Agency, Publication Notification Regulations for Public Water Systems, May 4, 2000.*

edged that there was a delay in the release of the public notice due to its inability to obtain accurate information from the federal Environmental Protection Agency regarding what level of fluoride concentration would be considered a health risk. Finally, DEP was also reviewing PAWC's Emergency Response Plan and similar documents to ensure they are adequate and up-to-date. DEP's investigation is ongoing and the DEP will provide the Commission with a copy of the report when it is final.⁹

Commission staff also met with the OCA staff and received comments from the OCA that were filed on February 7, 2006. The OCA's comments addressed each of the seven identified areas of concern discussed in the Commission's December 23, 2005 Order. The OCA noted in its comments that the fluoride spill presents an opportunity for the Commission to provide additional guidance to utilities on notice requirements. The OCA stated that utilities must be prepared to give actual, personal, timely notice to customers in any event that endangers public health and safety; it is not enough to rely upon broadcast stations and newspapers to deliver the message.

In addition, the OCA stated that Commission report should be made public and that the Commission should follow the release of the report with a public input hearing. Furthermore, the OCA stated that the water utilities must evaluate their treatment plants and ensure that older plants, as well as new plants, have adequate safeguards. Finally, the OCA stated that the Commission should encourage water utilities to provide safe water supplies at as many locations in or near the affected service areas as possible during all periods when water is unsafe or otherwise unavailable. The OCA's comments will be discussed in greater detail in the next section of this report.

III. Analysis

As discussed above, the December 23, 2005 Order concluded that the instant review focus on the following seven critically important areas: (1) whether all operational aspects of the utility were fully functioning to adequately respond to the situation in a timely manner; (2) whether the public received information in a timely manner; (3) whether adequate supplies of drinking water were provided and/or available in convenient locations; (4) whether the information provided to the public was sufficient to inform consumers of the effects of excessive fluoride; (5) whether the reporting requirements in 52 Pa. Code § 67.1 were properly followed; (6) whether enhancements need to be made to the Commission's reporting requirements; and (7) whether additional steps can be taken by the Commission to assist utilities in responding to future emergency situations, particularly in keeping the public informed and assisting consumers as needed. We will address each of these areas below.

A. Operational Response (Issue 1)

PAWC admitted that the fluoride spill was the result of operator error when the plant operator on duty bypassed the manually-operated, spring-loaded switch that controls the pumping of fluoride from the storage tank to the two day tanks by inserting a plastic circular union between a pipe and the switch. This artificial bypass kept the switch depressed so as to keep the pump pumping fluoride into the two day tanks. PAWC's own internal investigation also found that bypassing this switch was a common

occurrence among its operators with some using, alternatively, a block of wood to create the bypass. PAWC, however, stated that it did not have any prior knowledge that the operators were using any sort of bypass, which it also asserted was against company policy.

In addition, the day tanks into which the fluoride was pumped rests in a spill containment unit that is intended to take in any overflow if the day tanks' capacity is exceeded. However, in this case, when the capacity of the spill containment unit was also exceeded, the fluoride spilled onto the floor, which ultimately shorted the SCADA system when the system's wires and instruments became wet from the fluoride, and into the water tanks.

As part of staff's investigation, PAWC agreed to review the layout of the chemical tanks at all its plants in Pennsylvania to determine if any of them have similar safety issues—no alarm system in containment unit, spring-loaded switch controlling the pump that can be manually bypassed, etc.—that needed to be corrected. PAWC subsequently verified in writing to Commission staff that none of its other seven water treatment plants that use bulk storage tanks to store liquid fluoride are similar to the YB Plant in terms of plant layout, containment methods, or in their set up of SCADA monitoring that could lead to a similar fluoride incident such as occurred at the YB Plant.

Additionally, PAWC has replaced the switch at the YB Plant with one that is not as susceptible to tampering. PAWC also stated that while an alarm in the day tank is not standard practice because the switch controlling the pump at the time was spring-loaded (so that it must be held down in order to pump the fluoride into the day tanks), PAWC has nevertheless installed a probe in the spill containment unit that will set off an alarm when any liquid leaks into the containment unit.

PAWC has also committed to providing operator education and training relating to how to avoid and respond to situations involving chemical spills. Such training should also emphasize the importance of not bypassing switches or other safety devices controlling chemicals under any circumstances and that such conduct is against company policy that warrants strong disciplinary action, including possible termination of employment.

Finally, PAWC states that its new water plant will begin operation in the spring of 2006. This plant will be technologically advanced in terms of spill containment and automatic controls. According to PAWC, the new plant's modernized features will further minimize the likelihood of this type of spill occurring in the future.

From staff's perspective, PAWC's admission that the operator's action to override the switch causing the spill and that this override was a common practice among its operators at that plant is very disturbing. We believe PAWC and all other utilities must be reminded that this type of conduct can never be tolerated, and that utilities must take all necessary steps to ensure that similar occurrences do not occur in the future.

We do support, on the other hand, the steps taken by PAWC to minimize the risk of similar operator errors from occurring again. However, we believe what occurred here can happen in other water plants as well, especially in older, less technologically advanced plants. We, therefore, recommend that the Commission encourage all water utilities to perform regular self-inspections of their plants to ensure they comply with all state and federal safety regulations.

⁹ On February 16, 2006, the Governor's Office issued a press release directing DEP to strengthen the notification procedures that public water utilities must follow to alert residents when there is an imminent threat to drinking water supplies.

We especially encourage water utilities to review their existing operations and safety features to ensure they have adequate safeguards in place to avoid any chemical spills that can disrupt their operations. In this latter regard, the water utilities should particularly examine whether their plants are susceptible to similar attempts to bypass safety features used to control the pumping of chemicals. If they are, then preventive measures such as replacing switches or incorporating alarm systems should be performed immediately. We also agree with the OCA that treatment plant operators must have sufficient training and retraining as part of their business practices to avoid the type of situation that occurred at the YB Plant. The Commission should place all water utilities on notice that the failure to identify and correct the types of safety deficiencies identified in this investigation may result in prosecution and the imposition of appropriate sanctions.

B. Timeliness and Adequacy of Public Notice and Possible Enhancements to the Commission's Reporting Requirements (Issues 2, 4 and 6)

A significant aspect of the investigation focused on both the sufficiency and timeliness of the DO NOT CONSUME advisory notice provided by PAWC to the public following the hydrofluorosilic acid spill and also on whether enhancements are needed to the Commission's reporting/notice requirements. We particularly want to thank the OCA for its valuable input on each of these reporting/notice issues.

As discussed above, the OCA was critical of both the timeliness and adequacy of PAWC's public notice efforts. On the issue of timeliness, while the OCA acknowledged that PAWC may have met the minimum requirements in its tariff, Rule 14.1,¹⁰ and applicable DEP regulations at 25 Pa. Code § 109.408, regarding notice to the public, PAWC did not "provide actual, timely notice to many of the affected customers." *OCA Comments* at 6. Similarly, on the issue of adequacy of the public notice, the OCA correctly points out that the press release used by PAWC failed: (1) to identify when the fluoride spill entered the drinking water distribution system, 25 Pa. Code § 109.411(a)(2); (2) to include any of the required adverse health effects language, 25 Pa. Code § 109.411(a)(3) & (d)(1) or (d)(2); and (3) to identify the population at risk, including any subpopulations of customers that are particularly vulnerable to the contaminant in their drinking water, 25 Pa. Code § 109.411(a)(4). *OCA Comments* at 4.

In addition to the notice-deficiency issues identified by the OCA, PAWC also acknowledged, in response to our inquiry, that it did not use its website to notify the public about the incident and its water advisory. In fact, it was not until Monday morning, December 12, 2005, a full two days after the incident, that PAWC first used its website to announce that the DO NOT CONSUME advisory had been lifted.

While both DEP and PAWC agree that PAWC complied with the existing notification procedures established in DEP's regulations, we find that the utilized notification procedures adopted by PAWC failed to notify adequately large numbers of consumers in a timely and reasonable manner about the hydrofluorosilic acid spill and the DO NOT CONSUME advisory. The OCA believes that the public notice issue for service interruptions needs to be addressed in a specific Commission regulation or other directive such as a policy statement.

¹⁰ Rule 14.1 of PAWC Tariff Water PA PUC No., at 35, states, in relevant part, that "[t]he Company will, so far as circumstances permit, notify Customers to be affected by any interruptions in the water service."

In evaluating this recommendation, Commission staff is cognizant of the detailed public notice requirements already contained in DEP's regulations and further understand that DEP is currently reviewing those regulations for possible amendment. We do not propose, therefore, that it is necessary to impose an additional layer of public notice regulations on water utilities. At the same time, however, we agree with the OCA's objective that it would be beneficial for the Commission to provide guidance to the industry on the types of notice necessary to meet the reasonable service standard imposed on utilities under the Public Utility Code at 66 Pa.C.S. § 1501.

We, therefore, recommend that the Commission direct the Law Bureau and the Bureau of Fixed Utility Services to prepare a proposed Policy Statement on Public Notice Standards Relating to Unscheduled Water Service Interruptions to be considered at a future Public Meeting. The objective of this new policy statement will be to provide guidance to the industry regarding the types of public notice that will be deemed acceptable and appropriate in meeting the reasonable standard in section 1501 when there are unscheduled water service interruptions. The policy statement should suggest actual and timely notice whenever a situation arises where the water is unsafe to drink, taking full advantage of existing technology such as the Reverse 911, e-mail and text message notifications to customers who have elected to receive such notice, and fax/e-mail notification to local radio and television stations, cable systems, newspapers, and other media. *OCA Comments* at 6-7. Other types of direct/personal notification, such as doorknob flyers, where feasible, should be considered. The use of the affected utility's and the Commission's website should also be considered. This Policy Statement should also include language that makes it clear that all water utilities must conform to the public notice requirements established by DEP which concern unscheduled service interruptions. After tentative approval at a future public meeting, the policy statement will then be subject to a 30-day public comment period by interested parties before final action is taken to adopt, modify, or reject the final proposal.

C. Adequateness of Alternative Drinking Water Supplies (Issue 3)

PAWC provided water buffaloes with potable water at two locations in its service territory after issuing the DO NOT CONSUME advisory. The OCA's only comment on this issue was that the Commission should encourage water utilities to provide safe drinking water supplies to as many locations as reasonably possible within the affected area whenever the drinking water is unsafe to drink. PAWC, for its part, reported no problems or complaints about the number of water buffaloes it used in this particular instance. PAWC also stated that it did not experience an unusual demand for drinking water that could not be met by the alternative supplies it offered to the public at no charge. Similarly, DEP did not indicate that the lack of water buffaloes was a problem in this case.

From the information we gathered in our review, the adequateness of alternative drinking water supplies was not a serious issue in relation to this particular incident. Perhaps that was due in part to the fact that the advisory lasted less than a day and that the contaminant was fluoride and not a more serious or dangerous chemical. We do agree with the OCA that water utilities must take

this responsibility seriously whenever their water supplies become unsafe to drink, and that in this regard they must take every necessary step to ensure sufficient alternative drinking water supplies are available to their customers whenever there is a DO NOT CONSUME advisory in place.

D. Compliance with 52 Pa. Code § 67.1 (Issue 5)

PAWC asserted to staff that its failure to notify Commission officials until the day after the spill did not violate 52 Pa. Code § 67.1 because this provision was not applicable as there was no “service interruption” as defined by that section. Specifically, subsection 67.1(c) provides that a utility “shall notify the Commission by telephone within one hour after preliminary assessment of conditions reasonably indicates” that there is under subsection (b) “an unscheduled service interruption” affecting “2,500 or 5.0%, whichever is less, of their total customers . . . in a single incident for six or more projected consecutive hours.” PAWC’s position is that the term “service interruption” is not defined in the regulation but asserts that the common understanding of this term requires an outage, supply cut-off, or cessation of service. PAWC contends that since this fluoride incident did not result in a loss of water service, i.e., customers did have water that could be used for all purposes other than consumption, there was no service interruption. The OCA, for its part, disagrees with PAWC’s interpretation of section 67.1, and encourages the Commission to clarify, by regulation or order, that the phrase “service interruption” in section 67.1 refers not only to water outages but also to situations where the water is available but unsafe to drink.

Commission staff disagrees with PAWC’s interpretation of 52 Pa. Code § 67.1’s provision for telephonic notification of an incident to the Commission that it is not triggered unless there is total outage of service. Without a doubt, water for consumption is the most vital and important aspect of service provided by a water utility, and if consumers cannot drink it, then from their perspective, and ours, service has been interrupted. In arriving at this conclusion, we also take administrative notice that a similar regulation of DEP defines a “service interruption” as “affecting quantity or quality of the water delivered to the customer.” 25 Pa. Code § 109.708 (emphasis added). We believe it would serve little purpose and, in fact, would be confusing to interpret the phrase “service interruption” in section 67.1 as it relates to water utilities differently than the term is defined in the DEP regulation.

We recommend, therefore, that the Commission should put the water industry on notice that “service interruption” in section 67.1, as the Commission defines it, covers any interruption of service that affects either the quantity or quality of the water delivered to the customer. Any other interpretation of this phrase would eviscerate the otherwise clear intent of its notice provisions. We would fully expect all water utilities in the future to act accordingly in providing us with telephone and written notification as prescribed by this section. Further, we recommend that the Commission should direct in its Order that failure to do so by any water utility in the future may lead to an investigation by the Commission and possible sanctions being imposed on the utility, including, but not limited to, civil penalties under 66 Pa.C.S. § 3301.

E. Additional Steps to Assist Utilities in Future Emergency Situations (Issue 7)

During the course of the investigation, PAWC advised that its failure to contact the designated Commission emergency contact person about the incident was partially attributable to the company’s inability to obtain up-to-date emergency contact information on the Commission’s home web page after the accident occurred. It is each utility’s responsibility to have current Commission emergency contact information readily accessible at their facilities, an issue we will address further in Subsection F, below. In the instant case, PAWC’s attempt to shift responsibility partially to the Commission loses any credibility because FUS had directly provided PAWC with the Commission’s emergency contact information after another incident earlier in 2005 affecting the same water treatment plant. Notwithstanding this finding, the Commission may wish to consider possible options for making its emergency contact information more readily available to utilities in the future.¹¹

The OCA, in its comments, made several recommendations that can be taken by the Commission to assist utilities in responding to future emergency situations. They are: (1) hold a public input meeting to hear from affected consumers on the topic of how they can best be notified of future emergency situations; (2) create an opt-in e-mail and text alert mechanism on its website to complement the use of such mechanisms by individual utilities; (3) during emergencies, the Commission could post updates on its website and provide a toll-free hotline for questions; and (4) direct all regulated utilities to modify their respective tariffs to include specific references to applicable state and federal public notice requirements. *OCA Comments* at 8. In this latter regard, the OCA offered the following suggested tariff language insert:

As soon as preliminary assessment of conditions reasonably indicates that customers will experience service that is unsuitable for household purposes or otherwise inadequate, the Company shall, at a minimum, provide notice to customers in accordance with the regulations of the Commission, 52 Pa. Code § 67.1, et seq., and the Pennsylvania Department of Environmental Protection, [25 Pa. Code § 109.407, et seq.]

Id.

In regard to a possible public input hearing, we believe that issue can be addressed by Commission staff assigned to develop the policy statement discussed in Subsection B above if they determine such a hearing will aid their process. On the tariff issue, we agree with the OCA that notice language for water utilities should be inserted into their tariffs as the utilities are already required to meet these existing legal standards. However, the language the OCA proposes is not technically correct as the Commission’s regulation only provides notice to the Commission and not to customers. We, therefore, recommend that all water utilities should be directed to review their existing tariffs to ensure language identical or comparable to the following modified language is inserted into their existing tariffs filed with the Commission:

¹¹ We note that 52 Pa.C.S. § 67.1(c) and (d) state that the Commission will maintain telephone lines for the purpose of emergency notification from utilities and the Commission will notify each utility of the emergency numbers to be called. The Commission has met its obligations under these provisions. Specifically, FUS maintains a Commission emergency contact list and has provided this information to each utility in the state. It is, in turn, the duty of each utility to maintain current contact information, as certified to the Commission pursuant to 52 Pa.C.S. §§ 101.1–101.7.

As soon as preliminary assessment of conditions reasonably indicates that customers will experience service that is unsuitable for household purposes or otherwise inadequate, the Company shall, at a minimum, provide notice to the Commission in accordance with the regulations of the Commission, 52 Pa. Code § 67.1, et seq., and notice to customers in accordance with regulations of the Pennsylvania Department of Environmental Protection, [25 Pa. Code § 109.407, et seq.]

As to the other two recommendations made by the OCA that would require changes to our website, we note that the primary responsibility for alerting water customers rests with the utility, and we also note DEP recently announced that it will propose revised notification procedures for the companies to adopt that incorporate the suggestions advocated by the OCA. DEP's proposals will, for example, embrace current technology advances in the communications field that will allow utilities to provide an opt-in system so customers can request to be contacted by e-mail, text message, beeper, cell phone or other personal electronic devices. Accordingly, we recommend that the Commission not adopt the OCA's website and toll-free hotline proposals at this time as they appear to be duplicative of DEP's current initiatives regarding customer notice.

F. PAWC's Failure to Properly Update Its Emergency Response Plan

In addition to the seven previously identified areas that were to be examined, the Commission's investigation also uncovered that the Emergency Response Plan adopted by PAWC for the YB Plant dated 1993 is clearly outdated. PAWC similarly admitted that the PAWC's Emergency Response Plan for its Central Operations is also outdated. PAWC officials also acknowledged that the Central Operations Plan was not at the YB Plant at the time of the incident. While staff did not undertake an exhaustive review of these plans, our summary review revealed that neither plan, for example, has current phone contacts for the Commission even though the Commission has provided to all public utilities emergency contact information and will continue to provide utilities with updated contact information as required. Commission staff found that the phone numbers in these two plans were woefully out-of-date and basically useless. PAWC advised that its new plant scheduled to be operational in March 2006 will have an updated and accurate Emergency Response Plan.

This promise does not address, however, PAWC's failure to have updated and accurate information in the current plans. This failure to update the plans is especially troubling because PAWC has an obligation each year to certify to the Commission and DEP that its plans are up-to-date pursuant to 52 Pa. Code §§ 101.1—101.7 and 25 Pa.C.S. § 109.707, respectively. Specifically, the Commission's regulation provides, in pertinent part:

52 Pa. Code § 101.3. Plan requirements.

- (a) A jurisdictional utility shall develop and maintain written physical and cyber security, emergency response and business continuity plans. . . .
- (b) A jurisdictional utility shall review and update these plans annually.
- (c) A jurisdictional utility shall maintain and implement an annual testing schedule of these plans.

(d) A jurisdictional utility shall demonstrate compliance with subsections (a)—(c), through submittal of a Self Certification Form which is available at the Secretary's Bureau and on the Commission's website.

DEP's regulation on the same topic provides as follows:

25 Pa. Code § 109.707. Emergency response plan.

- (a) A community water supplier shall develop a plan for the provision of safe and adequate drinking water under emergency circumstances, and submit the plan to the Department for approval by December 8, 1985. . . .
- (c) The plan shall be reviewed and updated at least annually.

To address this deficiency, we recommend that PAWC should be directed to review all its Emergency Response Plans for plants within Pennsylvania and to verify within the next several months, through a Commission field review, that all its plans are up to date. In addition, we encourage the Bureau of Audits to consider auditing, as it deems appropriate, water utility emergency response plans to ensure they comply with all applicable laws and regulations, including the self-certification process as provided in our regulations at 52 Pa. Code §§ 101.1—101.7, and to take whatever further action may be warranted.

V. Conclusion

Commission staff's investigation found that the fluoride spill at PAWC's YB Water Treatment Plant on December 10, 2005, was the result of operator error. Commission staff is satisfied that PAWC has taken the necessary corrective steps at this plant to ensure that a similar spill will not occur in the future. These corrective steps included replacing the manually-operated, spring loaded switch that controls the pumping of fluoride into the day tanks at the plant, adding an alarm system in the containment unit in which the day tanks sit, and providing additional operator education and training relating to how to avoid and respond to situations involving chemical spills. It is critically important that all water utilities learn from this incident and adopt similar precautionary measures to avoid chemical spills affecting their potable water supplies. The Commission must place the industry on notice that it will not tolerate lax safety standards at water plants located in Pennsylvania, and that water utilities act at their peril if they allow unsafe conditions to persist at their plants.

In regard to our findings on the public notification issue, while PAWC appears to have met the existing DEP notification procedures established in its regulations, more clearly could have been done to ensure actual and timely notification of the affected population in this case. We do not recommend, however, that the Commission, at this time, attempt to impose another layer of public notification regulations, given DEP's already detailed public notification requirements and its current efforts to amend its regulations in response to the same shortfalls identified by our investigation. Instead, we believe a more productive course would be to develop and adopt a Policy Statement on Public Notice Standards Relating to Un-scheduled Water Service Interruptions that would provide guidance to the industry on the types of notice that would comply with the Commission's interpretation of the reasonable service standard contained in the Public Utility Code at 66 Pa.C.S. § 1501.

On the issue of compliance with the Commission's existing regulation at 52 Pa. Code § 67.1, we disagree with PAWC's interpretation that this section was not applicable because there was no "service interruption" because consumers still had water during the disruption. Adoption of such a narrow interpretation of our regulation would exclude an important class of disruptions where the quality of the drinking water has been contaminated as occurred in this case. This interpretation would also create confusion with a similar regulation of DEP addressing service interruptions that expressly includes disruptions that affect the quality, as well as the quantity, of the water delivered to customers. The Commission must make clear that its interpretation of this regulation includes disruptions affecting the quality and quantity of drinking water available to the public.

Finally, another troubling finding was that PAWC's Emergency Response Plans for the affected plant and its operations in the region were both woefully out of date. This failure to have updated and accurate information in the current plans is also disturbing because PAWC has an obligation each year to certify to the Commission and DEP that its plans are up-to-date pursuant to their respective regulations. PAWC should be directed to review all their plans for plants within Pennsylvania to verify that they are current. The Bureau of Audits should also consider examining the need to audit water utility emergency response plans to ensure they comply with all applicable laws and regulations, and to take whatever further action may be warranted.

Statement of Chairman Wendell F. Holland

*Public Meeting March 2, 2006; MAR-2006—L-0022**

Investigation into Pennsylvania-American Water Company's High Fluoride Concentration Incident and of Existing Notification and Reporting Requirements; Doc. No. I-00050109

Before us for consideration is the Investigation into Pennsylvania-American Water Company's (PAWC) High Fluoride Concentration Incident and of Existing Notification and Reporting Requirements. The investigation was initiated as a result of the Commission's December 15, 2005 adoption of the Motion Commissioner Kim Pizzingrilli and I prepared jointly. Staff found, among other things, that PAWC:

- 1) Acknowledged that the incident was a result of human error (a plant operator bypassed a switch and forgot to disengage it when he left; PAWC has since implemented corrective measures);
- 2) Did not report to appropriate Commission personnel in a timely manner;
- 3) Did not properly notify the public of the possible dangers of drinking water with an elevated level of fluoride concentration;
- 4) Did not identify the population at risk, including any subpopulations of customers that are particularly vulnerable to the contaminant in their drinking water;
- 5) Did not use its website to notify the public about the water advisory;
- 6) Admitted that the Emergency Response Plan for the plant where the spill occurred had not been updated since 1993;

7) Admitted that the Emergency Response Plan for its Central Operations is also outdated;

8) Had phone numbers for Commission contacts within these two Emergency Response Plans which Staff deemed to be "woefully out of date and basically useless";¹² and

9) Nonetheless, certified to the Commission that its physical and cyber security, emergency response and business continuity plans were current, pursuant to Commission requirements at 52 Pa. Code §§ 101.1—101.7.

Staff recommendations include, among other things, that the investigatory report be released to the public and that a proposed Policy Statement be prepared on Public Notice Standards Relating to Unscheduled Water Service Interruptions. While I wholeheartedly agree with these recommendations, I would like to offer several comments on the report, along with:

- 1) A differing opinion related to what constitutes the provision of adequate alternative water during an emergency;
- 2) A recommendation that interim customer notification enhancements be implemented prior to the adoption of the proposed policy statement (which could take at least six months to enable time for public comment); and
- 3) A further recommendation that customer notification guidelines be extended to include service issues affecting the character of service, beyond those of contamination, as will be explained.

First, however, I offer my thanks to our Staff for diligently producing this productive and insightful report in such an expeditious manner, particularly considering the very tight timeframe. Next, I must commend the other commenters, most particularly the Office of Consumer Advocate (OCA), whose input was invaluable.

Appropriate Notice—I completely agree with OCA's statement that "utilities must be prepared to file actual, personal, timely notice to customers in any event that endangers public health and safety; it is not enough to rely upon broadcast stations and newspapers to deliver the message."¹³ Innumerable reasons abound as to why this antiquated notification methodology does not come anywhere close to meeting the needs of today's threats from terrorism, meeting, in "real time," the needs and expectations of today's customers, and does not utilize today's technological capabilities. If a contaminant is found in the water, all customers need to know as immediately as possible. Had the fluoride spill involved a lethal contaminant, I shudder to think of what could have happened.

Institute Interim Enhancements—Our directive to initiate a proposed policy statement on customer notification guidelines should help mitigate this situation. But that process will take time, particularly to enable input from all essential parties. In the interim, I recommend and encourage PAWC and all other water utilities to take whatever immediate steps that can be taken now prior to the issuance of guidelines. This can be tested and enhanced over time. The interim steps should be looked upon as a living protocol with enhancements continuously adopted as technology advances and experience of what is effective becomes known.

¹² Staff Report on Investigation into Pennsylvania American Water Company's High Fluoride Concentration Incident and of Existing Notification and Reporting Requirements, Docket No. I-00050109, page 20.

¹³ *Ibid.*, p. 8

These interim or additional forms of notification (depending on the incident) can be as simple and as immediate as:

1) Including a recording on the utility's 24/7 emergency phone line that a particular situation has occurred in a particular location, the potential impact, and a listing of actions customers can take, with updates as often as needed, and

2) The same information should be available on the utility's web site as soon as possible.

Still fairly simple, but requiring additional effort, would be for utilities today to begin review of Reverse 911, instant faxing, text messages, or email blasts to customers on an opt-in basis, to supplant traditional messages to the media. Review of these newer methods should have already begun at all large water companies. Smaller water utilities should be reviewing their customer notification procedures as well to determine if they be enhanced, taking into account their level of resources being less than those of the larger water utilities.

Expand Customer Notification to All Adverse Situations—There is no question that customer notification enhancements should be implemented in all safety related issues such as the fluoride spill. But I believe customer notification enhancements can be taken a step further within our new proposed notification guidelines. Enhanced customer notification should be extremely beneficial in situations that may not appear to have direct or immediate health and safety ramifications (as specified within boil water or do not consume advisories), but customers should be alerted that their water quality or quantity may be affected. These situations can include localized events such as a main break, hydrant repair, flushing or other event that most assuredly can be expected to adversely impact at least a number of customers. With notice, a number of common household activities could be rescheduled if customers knew their water could be either in short supply, discolored, sediment-laden or otherwise unpleasant to use on a short-term basis while the problem was being fixed. Customers could then choose if they wanted to drink this type of water, serve it to their family and friends, make ice cubes, cook with it, wash dishes with it, bathe or shower in it, or do the laundry.

I believe that the notifications procedures used by PAWC are no longer appropriate today, especially in light of today's advances in technology. Just imagine the benefits of sparing customers from the adverse impact of service challenges cited above. Imagine if the customer were a restaurant that unknowingly served food prepared with such water, served drinking water and washed dishes. Similarly, imagine the implications if the customer were a hospital, nursing home or school with or without being given the helpful knowledge to take precautionary steps. Imagine the benefits of an "Adverse Service Possibility Alert."

I use the "just imagine" scenario to make this point about philosophical points of view. When management is considering how to proceed, a review of its actions should always include placing themselves in the shoes of the customers to see if the customers' needs and expectations are being met. Everyone then benefits: the customers, the shareholders, the community.

I recommend incorporating within the new notification guidelines a method of notifying customers (who choose to be notified) so that they can be alerted that an event happened and that:

a) Their water quality or quantity could be affected, and

b) They may choose to double check the appearance and quantity of their water service prior to starting any water using activity.

PAWC's Emergency Response Plan—In this post-September 11, 2001 era, with companies having allocated significant expenditures and resources to assess vulnerability and to implement those recommendations, and with all the innumerable lessons to have been learned from the responses to Hurricanes Katrina and Rita, I am appalled to learn from the Staff report that PAWC's Emergency Response Plan for the Yellow Breeches plant had not been updated since 1993. If ever there were a time that emergency preparedness activities were on the forefront of water utilities' radar screen, that time is indeed now and has been since September 11, 2001 or possibly dating back to the Oklahoma City bombings. If there ever were a time that a plan from 1993 could be more out-of-date, it would be now.

The recent flooding of last fall would have been yet another trigger of emergency plan review (which should be ongoing, not annual). This glaring failure leads me to yet another glaring failure related to PAWC's utility self-certification obligation to the Commission and to the DEP that its plans are current, pursuant to 52 Pa. Code §§ 101.1–101.7 and 25 Pa.C.S. § 109.707. Commission regulations require utilities to review and update their physical and cyber security, emergency response and business continuity plans on an annual basis. I ask myself how could PAWC file with this Commission signed statements certifying compliance when the Emergency Response Plan for its Yellow Breeches plant had not been updated since 1993.

I wholeheartedly agree with Staff's recommendation that PAWC review all of its Emergency Response Plans and verify that they are current. I completely agree that the Audits Bureau should be encouraged to audit all utilities' progress with their emergency response plans to ensure no other utility is deficient in this area.

Availability of Alternative Water—While the Staff investigation did not find sufficient evidence to fault PAWC with regard to its provision of alternative water supplies during the time period when the "Do Not Consume Alert" was in effect, logic dictates another direction. Imagine 30,000 customers without drinking water and with no knowledge of when safe water would be available. Imagine standing in line at night in the cold (and/or in the ice, snow or rain) to obtain water in a "container" you have brought with you (if you knew to do so). Imagine if that "container" is an unsanitary bucket or other non-sanitized vessel. Imagine that bottled water is not available. Imagine if you are a senior citizen or injured or have the flu. Imagine, over time, local food and supply stores are running low or out of their bottled water. I find PAWC's provision of alternative water—water buffaloes at two locations—even if it met current standards—to be unacceptable.

Free bottled water needs to be available at numerous sites conveniently located throughout the service area. If the outage or contamination is potentially of a longer duration, utility coordination must be done with local vendors. In that way, it can be ensured that adequate

quantities of bottled water will be shipped into the area to supplement what the water utility should provide.

Definition of "Service Interruption"—I am perplexed by PAWC's interpretation of "service interruption" as used in the context of Commission outage reporting requirements at 52 Pa. Code § 67.1. The company explained to Staff that its failure to notify the Commission until the day after the spill was because the event did not result in an "outage, supply cut-off, or cessation of service."¹⁴ If customers cannot drink the water, it would seem obvious that, since it is no longer available for drinking or cooking (and possibly bathing or cleaning, depending on the incident or information delivered about the incident), service has been interrupted for these household purposes. I wholeheartedly agree with Staff's statement that: "Without a doubt, water for consumption is the most vital and important aspect of service provided by a water utility, and if consumers cannot drink it, then from their perspective, and ours, service has been interrupted."¹⁵

Future Ramifications—This incident has several ramifications—namely, spills, terrorism, emergency response preparedness for disasters, and notifying customers as soon as possible by utilizing today's technology. I reiterate Staff's conclusion: we will not tolerate lax safety standards at water plants in the Commonwealth. We also will not tolerate avoidance of taking care of customers' needs by providing them with less than timely and useful information.

For utility management to determine the appropriate notification actions, management need only place itself in the shoes of the customer. The ultimate guide is to determine, as if they were the customer, and their family would be affected personally, what information would be essential in order to protect their own health and safety and that of their family.

On the one hand, I view this incident as a wake-up call to the management of PAWC, that the failures admitted to must not be repeated. This incident has provided PAWC with an opportunity to take corrective measures (some of which have already been completed) and, going forward, to participate in the development and implementation of enhanced customer notification procedures that should improve customers' daily lives. Finally, the entire water industry, both in this state, as well as nationwide, should benefit from the lessons learned in this incident. In fact, the energy industry could benefit from lessons learned here as well.

[Pa.B. Doc. No. 06-509. Filed for public inspection March 24, 2006, 9:00 a.m.]

Natural Gas Service

A-123100F0036. UGI Utilities, Inc. Application of UGI Utilities, Inc. for approval to render natural gas distribution services to the public in portions of Honey Brook Township, Chester County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant,

¹⁴ *Ibid.*, p. 17.

¹⁵ *Ibid.*

on or before April 10, 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: UGI Utilities, Inc.

Through and By Counsel: Mark C. Morrow, Esquire, 460 North Gulph Road, King of Prussia, PA 19406

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 06-510. Filed for public inspection March 24, 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 with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by April 17, 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.

Application of the following for approval to *begin operating as common carriers* for transportation of *persons* as described under the application.

A-00122492. Martha Camacho (1131 Hammaker Drive, Harrisburg, Dauphin County, PA 17110)—persons, upon call or demand, in the City of Harrisburg and within an airline distance of 10 statute miles of the limits of said city.

Application of the following for approval of the *beginning of the exercise of the right and privilege of operating motor vehicles as common carriers* for the transportation of *household goods* as described under the application.

A-00122508. Bradley A. Kleffel t/a Brad's Home and Farm Care (5490 Berne Road, Mohrsville, Berks County, PA 19541)—household goods in use, from points in the Counties of Berks, Lehigh and Schuylkill, to points in Pennsylvania, and vice versa.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 06-511. Filed for public inspection March 24, 2006, 9:00 a.m.]

Telecommunications

P-00052178. Budget Phone, Inc. Petition of Budget Phone, Inc. for designation as an Eligible Telecommunications Carrier (ETC) under section 214(e) of the Telecommunications Act of 1996 and 47 CFR 54.101—54.207.

Budget Phone, Inc. petitions for designation as an ETC for applicable State and/or Federal universal service funding. The petition seeks approval for a service area which extends to certain facilities-based residential local exchange service areas of Verizon Pennsylvania, Inc., Verizon North, Inc. and Sprint-United Telephone Company of Pennsylvania, Inc., as set forth in the respective approved tariffs. The Pennsylvania Public Utilities Commission (Commission) invites interested parties to comment on this petition. Interested parties must submit comments on the Budget Phone, Inc. petition within 7 days of publication in the *Pennsylvania Bulletin*. Reply comments must be submitted within 14 days of publication in the *Pennsylvania Bulletin*.

Copies of the petition may be obtained from the Commission, Office of the Secretary, upon request. The contact person at the Commission is Elizabeth A. Lion Januzzi, Assistant Counsel, Law Bureau, (717) 772-0696.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 06-512. Filed for public inspection March 24, 2006, 9:00 a.m.]

Telecommunications

P-00001797. D & E Systems, Inc. Petition of D & E Systems, Inc. for designation as an Eligible Telecommunications Carrier (ETC) under section 214(e) of the Telecommunications Act of 1996 and 47 CFR 54.101, 54.201—54.203 and 54.205—54.207.

D & E Systems, Inc. petitions for designation as an ETC for applicable State and/or Federal universal service funding. The petition seeks approval for a service area which extends to the facilities-based residential local exchange services within the area comprised of the service areas of Verizon Pennsylvania, Inc., Verizon North, Inc. and Sprint-United Telephone Company of Pennsylvania, Inc., as set forth in the respective approved tariffs. The Pennsylvania Public Utilities Commission (Commission) invites interested parties to comment on this petition. Interested parties must submit comments on the D & E Systems, Inc. petition within 7 days of publication in the *Pennsylvania Bulletin*. Reply comments must be submitted within 14 days of publication in the *Pennsylvania Bulletin*.

Copies of the petition may be obtained from the Commission, Office of the Secretary, upon request. The contact person at the Commission is Elizabeth A. Lion Januzzi, Assistant Counsel, Law Bureau, (717) 772-0696.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 06-513. Filed for public inspection March 24, 2006, 9:00 a.m.]

Wastewater Service

A-230061F2000 and A-230106. Deer Haven, LLC. Application of Deer Haven, LLC for approval: 1) for Deer Haven, LLC to acquire all common stock, assets and customers of Edwin, Inc.; 2) for Deer Haven, LLC to begin to supply wastewater collection and treatment service to the public in portions of Palmyra Township, Pike County;

and 3) for Edwin, Inc. to abandon its certificate of public convenience as a wastewater provider to the public in this Commonwealth.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before April 10, 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: Deer Haven, LLC

Through and By Counsel: Janet L. Miller, Esquire, Hawke, McKeon, Sniscak & Kennard, LLC, 100 North Tenth Street, P. O. Box 1778, Harrisburg, PA 17105-1778

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 06-514. Filed for public inspection March 24, 2006, 9:00 a.m.]

Wastewater Service

A-230041F2000. Paul P. Miller t/a Rustic Acres Sewer Treatment Plant. Application of Paul P. Miller t/a Rustic Acres Sewer Treatment Plant for approval, nunc pro tunc, of the abandonment or discontinuance of wastewater service to the public in this Commonwealth.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before April 10, 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: Paul P. Miller t/a Rustic Acres Sewer Treatment Plant

Through and By: Paul P. Miller, Owner, One Miller Lane, Elizabeth, PA 15037

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 06-515. Filed for public inspection March 24, 2006, 9:00 a.m.]

Water Service

A-210104F0069. Aqua Pennsylvania, Inc. Application of Aqua Pennsylvania, Inc. for approval to begin to offer, render, furnish and supply water service to the public in an additional portion of Robeson Township, Berks County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before April 10, 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: Aqua Pennsylvania, Inc.

Through and By Counsel: Thomas T. Niesen, Esquire, Thomas, Thomas, Armstrong and Niesen, 212 Locust Street, Suite 500, P. O. Box 9500, Harrisburg, PA 17108-9500

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 06-516. Filed for public inspection March 24, 2006, 9:00 a.m.]

Water Service

A-210069F2000 and A-210124. Deer Haven, LLC.

Application of Deer Haven, LLC for approval: 1) for Deer Haven, LLC to acquire all common stock, assets and customers of Lakeside Water Systems, Inc.; 2) for Deer Haven, LLC to begin to supply water service to the public in portions of Palmyra Township, Pike County; and 3) for Lakeside Water Systems, Inc. to abandon its certificate of public convenience as a water provider to the public in this Commonwealth.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before April 10, 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: Deer Haven, LLC

Through and By Counsel: Janet L. Miller, Esquire, Hawke, McKeon, Sniscak & Kennard, LLC, 100 North Tenth Street, P. O. Box 1778, Harrisburg, PA 17105-1778

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 06-517. Filed for public inspection March 24, 2006, 9:00 a.m.]

Water Service

A-212285F0132. Pennsylvania-American Water Company and Community Association of Pocono Farms, Inc.

Application of Pennsylvania-American Water Company and Community Association of Pocono Farms, Inc. for approval of: 1) the transfer, by sale, of the water works property and rights of the Community Association of Pocono Farms, Inc. to Pennsylvania-American Water Company; and 2) the commencement by Pennsylvania-American Water Company of water service to the public in additional portions of Coolbaugh Township, Monroe County presently being served by Community Association of Pocono Farms, 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 April 10, 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: Pennsylvania-American Water Company

Through and By Counsel: Velma A. Redmond, Esquire, Susan Simms Marsh, Esquire, Seth A. Mendelsohn, Esquire, 800 West Hersheypark Drive, Hershey, PA 17033

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 06-518. Filed for public inspection March 24, 2006, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept bids for Project #06-007.P, 17 Inch LCD Monitors, until 2 p.m. on Thursday, April 13, 2006. The bid documents can be obtained from the Director of Procurement, PRPA, 3460 N. Delaware Ave., 2nd Floor, Philadelphia, PA 19134, (215) 426-2600 and will be available April 4, 2006. The cost of the bid document is \$10 (includes 7% Pennsylvania Sales Tax). The cost is nonrefundable. PRPA is an equal opportunity employer. Contractors must comply with all applicable equal employment opportunity laws and regulations.

JAMES T. MCDERMOTT, Jr.,
Executive Director

[Pa.B. Doc. No. 06-519. Filed for public inspection March 24, 2006, 9:00 a.m.]

Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept bids for Project #06-028.P, Supply & Install Retractable Awning, until 2 p.m. on Tuesday, April 11, 2006. The bid documents can be obtained from the Director of Procurement, PRPA, 3460 N. Delaware Ave., 2nd Floor, Philadelphia, PA 19134, (215) 426-2600 and will be available March 28, 2006. PRPA is an equal opportunity employer. Contractors must comply with all applicable equal employment opportunity laws and regulations.

JAMES T. MCDERMOTT, Jr.,
Executive Director

[Pa.B. Doc. No. 06-520. Filed for public inspection March 24, 2006, 9:00 a.m.]

STATE BOARD OF EXAMINERS OF NURSING HOME ADMINISTRATORS

**Bureau of Professional and Occupational Affairs v.
Efrat Miodovnik, N.H.A.; Doc. No. 0290-62-06**

Efrat Miodovnik of Boston, MA was suspended by the State Board of Examiners of Nursing Home Administrators (Board), based on respondent's failure to pay the \$1,000 civil penalty levied and complete 48 hours of continuing education for the period of July 1, 2000, through June 30, 2002, in accordance with the Final Adjudication and Order dated April 13, 2005.

Individuals may obtain a copy of the Order of Suspension by writing to Roberta L. Silver, Board Counsel, State Board of Examiners of Nursing Home Administrators, P. O. Box 2649, Harrisburg, PA 17105-2649.

This Final Order of Suspension represents the final Board decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of the petition for review. The Board contact for receiving service of appeals is the previously named Board counsel.

BARRY S. RAMPER, II,
Chairperson

[Pa.B. Doc. No. 06-521. Filed for public inspection March 24, 2006, 9:00 a.m.]