

NOTICES

DEPARTMENT OF AGRICULTURE

Interstate/International Quarantine Order; Vesicular Stomatitis

Recitals

A. Vesicular stomatitis is an infectious viral disease that primarily affects horses, cattle and swine.

B. Vesicular stomatitis is designated a "dangerous transmissible disease" of animals under 3 Pa.C.S. § 2321(a)(40) (relating to dangerous transmissible diseases).

C. The Department of Agriculture (Department) has broad authority under 3 Pa.C.S. §§ 2301—2389 (relating to the Domestic Animal Law) to regulate the keeping and handling of domestic animals to exclude, contain or eliminate dangerous transmissible diseases. This includes the authority in 3 Pa.C.S. § 2329 (relating to quarantine) to issue the interstate/international quarantine order as follows.

D. Vesicular stomatitis exists in other states and nations, and the transporting of infected animals from these states or nations could spread that disease among susceptible domestic animals in this Commonwealth.

E. There are reasonable and relatively unintrusive quarantine restrictions the Department can impose in order to prevent vesicular stomatitis from entering this Commonwealth.

Order

The Department enters an interstate/international quarantine order with respect to vesicular stomatitis, incorporating the foregoing recitals into this order. This order is entered under authority of 3 Pa.C.S. § 2329 and establishes the following restrictions and conditions:

1. No hooved animals may enter this Commonwealth if vesicular stomatitis has been diagnosed within 10 miles of the premises of origin within the past 90 days.

2. All hooved animals entering this Commonwealth from a state in which vesicular stomatitis has been diagnosed within the past 12 months shall be examined by an accredited veterinarian to determine whether they are free from vesicular stomatitis, and shall be accompanied by a Certificate of Veterinary Inspection with the following written statement signed by that accredited veterinarian:

All animals identified on this Certificate of Veterinary Inspection have been examined and found to be free from vesicular stomatitis. During the past 90 days, these animals have neither been exposed to vesicular stomatitis nor located within 10 miles of a site where vesicular stomatitis has been diagnosed.

3. This order will be automatically rescinded on December 31, 2006, unless extended under the previous authority.

4. This order is effective as of April 10, 2006.

DENNIS C WOLFF,
Secretary

[Pa.B. Doc. No. 06-659. Filed for public inspection April 21, 2006, 9:00 a.m.]

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 April 11, 2006.

BANKING INSTITUTIONS

Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
4-5-06	Orrstown Financial Services, Inc., Shippensburg, to acquire 100% of the voting shares of The First National Bank of Newport, Newport	Shippensburg	Approved
4-6-06	Franklin Financial Services Corporation, Chambersburg, to acquire 100% of voting shares of Fulton Bancshares Corporation, McConnellsburg	Chambersburg	Filed

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
4-6-06	Farmers and Merchants Trust Company of Chambersburg and Fulton County National Bank and Trust Company, McConnellsburg Surviving Institution— Farmers and Merchants Trust Company of Chambersburg	Chambersburg	Filed

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
3-22-06	Orrstown Bank Shippensburg Cumberland County	201 South Cleveland Avenue Hagerstown Washington County, MD	Opened
4-3-06	Abington Savings Bank Jenkintown Montgomery County	1111 East Road Warrington Bucks County	Opened
4-11-06	Abington Savings Bank Jenkintown Montgomery County	Maris Grove Retirement Community 100 Maris Grove Way Glen Mills Delaware County (Limited Service Facility)	Filed

Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
3-25-06	Beneficial Mutual Savings Bank Philadelphia Philadelphia County	<i>To:</i> 1200 West Township Line Road Havertown Delaware County <i>From:</i> 1230 Township Line Road Drexel Hill Delaware County	Effective

Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
3-30-06	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	3890 Bigelow Boulevard Pittsburgh Allegheny County (Limited Service Facility)	Effective
3-31-06	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	392 Franklin Avenue Aliquippa Beaver County	Effective
3-31-06	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	1122 Seventh Avenue Beaver Falls Beaver County	Effective
3-31-06	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	419 N. 7th Street Altoona Blair County	Effective

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

No activity.

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. 06-660. Filed for public inspection April 21, 2006, 9:00 a.m.]

Maximum Lawful Rate of Interest for Residential Mortgages for the Month of May 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 May 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 the 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 4.81 to which was added 2.50 percentage points for a total of 7.31 that by law is rounded off to the nearest quarter at 7 1/4%.

A. WILLIAM SCHENCK, III,
Secretary

[Pa.B. Doc. No. 06-661. Filed for public inspection April 21, 2006, 9:00 a.m.]

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

Weatherization Assistance Program State Plan Public Hearing

The Department of Community and Economic Development (Department) will hold a public hearing at 10 a.m. on Wednesday, May 10, 2006, in Conference Room 4 East, 4th Floor, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA. The purpose of this hearing is to receive comments on the Weatherization Assistance Program's proposed State Plan to be submitted to the United States Department of Energy for the program year 2006-2007.

A copy of this plan may be obtained by contacting the Department of Community and Economic Development, Center for Community Services, 4th Floor, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120, (717) 787-1984.

Written comments may be submitted to Jamesetta Reed, Director, Center for Community Services, 4th Floor, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120 until 5 p.m. on May 10, 2006.

Persons with a disability who wish to attend this hearing and require auxiliary aid, services or other accommodations to participate in the proceedings should contact Susan Butler at (717) 787-1984 to discuss how the Department may accommodate their needs.

DENNIS YABLONSKY,
Secretary

[Pa.B. Doc. No. 06-662. Filed for public inspection April 21, 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

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0063860	Lehighon Water Authority Box 29 Municipal Building Lehighon, PA 18235	Carbon Franklin Township	Long Run	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>
PA0047201	Tionesta Borough Municipal Authority STP P. O. Box 408 Tionesta, PA 16353-0408	Tionesta Borough Forest County	Allegheny River 16-F	Y
PA0309783	Jerry Novosel SFTF 41 Gearhart Road Pulaski, PA 16143	Shenango Township Mercer County	UNT to Buchanan Run 20-A	Y
PA0046337	McKean Township Colonial Village Subdivision STP 9231 Edinboro Road McKean, PA 16426-0062	McKean Township Erie County	Thomas Run 15-WC	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.

PA029912, Sewage, **Department of Public Welfare**, 1822 West Strasburg Road, Coatesville, PA 19320. This existing facility is located in Newlin Township, **Chester County**.

Description of Activity: This application is for a renewal NPDES permit for a discharge of treated sewage from the Embreeville Complex sewage treatment plant.

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 6.0 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 effluent limits for Outfall 001 are based on a design flow of 0.1 mgd.

Parameters	Mass (lb/day)		Concentration (mg/l)		
	Monthly Average	Weekly Average	Monthly Average	Weekly Average	Instantaneous Maximum (mg/l)
CBOD ₅	21	33	25	40	50
Total Suspended Solids	25	37	30	45	60
Ammonia as N	17		20		40
Phosphorus as P	1.7		2.0		4.0
Total Residual Chlorine			0.5		1.2
Fecal Coliform			200/100 ml		1,000/100 ml
Total Nitrogen	Monitor and Report		Monitor and Report		
Dissolved Oxygen			minimum of 3.0 mg/l at all times		
pH			within limits of 6.0 to 9.0 Standard Units at all times		

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

1. Notification of Designation of Operator.
2. Abandon STP When Municipal Sewers Available.
3. Remedial Measures if Unsatisfactory Effluent.
4. No Stormwater.
5. Acquire Necessary Property Rights.
6. Change of Ownership.
7. Total Residual Chlorine Requirement.
8. Sludge Disposal Requirements.
9. Imax Requirements.
10. Average Weekly Reporting.
11. 2/Month Monitoring Requirements.

PA0012424, Industrial Waste, SIC 5171, **121 Point Breeze Terminal, LLC**, 4350 Haddonfield Road, Suite 200, Pennsauken, NJ 08109. This proposed facility is located in the City of Philadelphia, **Philadelphia County**.

Description of Proposed Activity: Renewal of an NPDES permit to discharge treated stormwater from petroleum marketing terminal.

The receiving stream, Schuylkill River is in the State Water Plan Watershed 3F and is classified for WWF.

The proposed effluent limits for Outfall MP 101 are:

Parameters	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
Oil and Grease	15		30
pH	within limits of 6.0 to 9.0 standard units at all times		
Gas Range Organics	Monitor and Report		Monitor and Report
Diesel Range Organics	Monitor and Report		Monitor and Report

The proposed limits for Stormwater Discharge from Outfall 001 are:

Parameters	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
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	

<i>Parameters</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Phosphorus		Monitor and Report	
Iron (Dissolved)		Monitor and Report	

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

PA0029980, Sewage, SIC 4952, **Sleighton School**, 485 Valley Road, Glen Mills, PA 19342. This proposed discharge is located in Middletown Township, **Delaware County**.

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

The receiving stream, Rocky Run is in the State Water Plan watershed 3G and is classified for HQ-CWF, aquatic life, water supply and recreation. The nearest downstream public water supply intake for Aqua PA main system is located on Chester Creek and is 5.2 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.045 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>Instantaneous Maximum (mg/l)</i>
CBOD ₅	9.4		25	50
TSS	11.3		30	60
NH ₃ as N	1.3		3.5	7.0
NH ₃ as N	3.9		10.5	21.0
Fecal Coliform			#200/100 ml	#1,000/100 ml
TRC			0.35	0.83
Phosphorus, Total			Monitor and Report	Monitor and Report
Dissolved Oxygen				5.0 (Inst. Min.)
pH			6.0 to 9.0 standard units at all times	

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

1. Operator Notification.
2. Abandon STP When Municipal Sewers Available.
3. Remedial Measures if Unsatisfactory Effluent.
4. No Stormwater.
5. Acquire Necessary Property Rights.
6. Change in Ownership.
7. Chlorine Minimization.
8. Proper Sludge Disposal.
9. I-max Limits.
10. 2/Month Sampling.
11. Laboratory Certification.
12. Plant Upgrade.

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

PAS222202-A1, Industrial Stormwater, **Bestway Enterprises, Inc.**, 3870 SR 191/390, Cresco, PA 18326. This proposed facility is located in Barrett Township, **Monroe County**.

Description of Proposed Activity: The receiving stream, Cranberry Creek, is in the State Water Plan watershed 1E and is classified for HQ-CWF. The nearest downstream public water supply intake for City of Easton is located on the Delaware River, over 50 miles below the point of discharge.

The proposed effluent limits for Outfalls 501—503 are for stormwater flows.

<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
Nitrate Plus Nitrite Nitrogen				Report
Total Suspended Solids				Report
Iron (Total)				Report
Pentachlorophenol				Report
Arsenic (Total)				Report
Chromium (Total)				Report
Copper (Total)				Report

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

PA0218707, Sewage, **Kathryn A. Neumont**, 3882 Anderson Road, Gibsonia, PA 15044. This application is for renewal of an NPDES permit to discharge treated sewage from Neumont Single Residence STP in Richland Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as UNT to Willow Run, which are classified as a TSF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the West View Borough Municipal Authority.

Outfall 001: existing discharge, design flow of 0.0004 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	10			20
Suspended Solids	10			20
Ammonia Nitrogen				
(5-1 to 10-31)	3.0			6.0
(11-1 to 4-30)	9.0			18.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	Monitor and Report			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0253260, Sewage, **Henry Berdine**, 559 Zediker Station Road, Washington, PA 15301. This application is for issuance of an NPDES permit to discharge treated sewage from Berdine Property Small Flow Sewage Treatment Facility in South Strabane Township, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as UNT of Little Chartiers Creek, which are classified as a HQ-WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Westview Municipal Authority located on the Ohio River.

Outfall 001: New discharge, design flow of 0.0008 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅				
(5-1 to 10-31)	10			20
(11-1 to 4-30)	20			40
Suspended Solids	20			40
Ammonia Nitrogen				
(5-1 to 10-31)	5.0			10.0
(11-1 to 4-30)	15.0			30.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	Monitor and Report			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is 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. 4006404, Sewerage, **Foster Township**, 1000 Wyoming Avenue, P. O. Box 465, Freeland, PA 18224. This proposed facility is located in Foster Township, **Luzerne County**, PA.

Description of Proposed Action/Activity: This project involves the construction of a new gravity wastewater collection system, pump stations and force mains to serve 442 EDUs located in Woodside, Youngstown, Highland and Upper Lehigh areas of Foster Township, Luzerne County, PA.

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

WQM Permit No. 2685202-A2, Industrial Waste, **Allegheny Power**, 800 Cabin Hill Drive, Greensburg, PA 15601. This proposed facility is located in the City of Connellsville, **Fayette County**.

Description of Proposed Action/Activity: Application for the modification to the wastewater treatment system.

WQM Permit No. 6506201, Industrial Waste, **Allegheny Ludlum Corporation**, 100 River Road, Brackenridge, PA 15014-1597. This proposed facility is located in Allegheny Township, **Westmoreland County**.

Description of Proposed Action/Activity: Application for the construction and operation of a wastewater treatment system.

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

WQM Permit No. 2506405, Sewerage, **Rory Hamilton**, 2147 Hare Road, Waterford PA 16441. This proposed facility is located in Waterford Township, **Erie County**.

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

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

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI010906010	Turnpike Commission Quakertown Maintenance Facility P. O. Box 67676 Harrisburg, PA 17106-7676	Bucks	Milford Township	Unami Creek (HQ-TSF)
PAS10G259-R	Tattersall Development Company 1522 Tattersall Way West Chester, PA 19380	Chester	West Bradford Township	Broad Run (EV)
PAI011506027	Bentley By Design, LP The Chance Property 1595 Paoli Pike, Suite 202 West Chester, PA 19380	Chester	Willistown Township	UNT West Branch Crum Creek (EV)

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023906006	Judy Rau Iron Run Beverage 7525 Tilghman St. Allentown, PA 18106	Lehigh	Lower Macungie Township	Little Lehigh Creek HQ-CWF
PAI023903021(1)	Christopher Williams Liberty Property Trust 1510 Valley Center Pkwy. Suite 240 Bethlehem, PA 18017	Lehigh	Upper Macungie Township	Iron Run Creek HQ-CWF
PAS10Q237-1	Christopher Williams Liberty Property Trust 1510 Valley Center Pkwy. Suite 240 Bethlehem, PA 18017	Lehigh	Upper Macungie Township	Iron Run Creek HQ-CWF

Carbon County Conservation District: 5664 Interchange Road, 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>
PAI021306002	Alfred Natale 19 Whispering Hills Ct. Effort, PA 18330	Carbon	Penn Forest Township	Mud Run and Lehigh River HQ-CWF

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS101302R-1	Jack Kalins 1 Lake Drive Lake Harmony, PA 18624	Carbon	Kidder Township	Tobyhanna Creek 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>
PAI024806008	Charles Chrin 400 South Greenwood Ave. Easton, PA 18045	Northampton	Bethlehem 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>
PAI203506002	Ralph Lesh, III 15 Creekview Drive Newport, PA 17074	Perry	Oliver Township	Buffalo Creek HQ-CWF
PAI032806002	Loretta Deshong P. O. Box 343 South Mountain, PA 17261	Franklin	Quincy Township	UNT Rocky Mountain Creek, tributary to Conococheague Creek, and UNT to Racoon Creek HQ-CWF
PAI030605007	Stephen Cushman Robert Sharp 503 West Lincoln Highway Exton, PA 19341	Berks	Ruscombmanor Township	Furnace Creek, Willow Creek HQ-CWF, CWF
PAI030605006	Estes Express Lines 12 Halls Road Kutztown, PA 19530	Berks	Richmond Township	Moselem Creek HQ-CWF

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

Armstrong County Conservation District: Armsdale Administration Building, Suite B-2, 124 Armsdale Road, Kittanning, PA 16201, (724) 548-3425.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI050306001	Department of Transportation 2550 Oakland Avenue P. O. Box 429 Indiana, PA 15701-0429	Armstrong	Hovey Township Armstrong County Foxburg Borough Clarion County	Allegheny River (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)

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>
PAS10F088-R	S & A Custom Built Homes Keith Sunderman 2121 Old Gatesburg Road Suite 200 State College, PA 16803 Trotter Farm Subdivision	Centre	Halfmoon Township	Halfmoon Creek HQ-CWF Secondary Spruce Creek
PAI041405001	Daniel and Linda Shreckengast 110 Windy Hill Lane Spring Mills, PA 16875 Shreckengast Subdivision	Centre	Penn Township	UNT of Elk Creek EV

Northumberland County Conservation District: R. R. 3, Box 238C, Sunbury, PA 17801 (570) 271-1140.

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI044906001	Family Care for Children and Youth Lot No. 6 Belford Blvd. and Housels Run Road Milton, PA 17847	Northumberland	Milton Borough	UNT West Branch Susquehanna WWF Montandon Marsh EV Wetland

**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

MINOR AMENDMENT

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

Application, Minor Amendment.

Applicant **Lehigh County Authority
(Central Lehigh Division)**
Upper Macungie Township
Lehigh County

Responsible Official Steve Repasch
Lehigh County Authority
P. O. Box 3348
1053 Spruce Street
Allentown, PA 18106-0348
(610) 398-2503

Type of Facility Community Water System

Consulting Engineer Kirt Ervin, P. E.
US Engineering, LLC
75 Jardin Circle
Highland, IL 62249
(314) 614-9120

Application Received Date March 14, 2006

Description of Action PWS application for repainting and repair of the Breinigsville Reservoir No. 2 finished water storage tank.

Application, Minor Amendment.

Applicant **Lehigh County Authority
(Central Lehigh Division)**
Upper Macungie Township
Lehigh County

Responsible Official Steve Repasch
Lehigh County Authority
P. O. Box 3348
1053 Spruce Street
Allentown, PA 18106-0348
(610) 398-2503

Type of Facility Community Water System

Consulting Engineer Kirt Ervin, P. E.
US Engineering, LLC
75 Jardin Circle
Highland, IL 62249
(314) 614-9120

Application Received Date March 14, 2006

Description of Action PWS application for repainting and repair of the Breinigsville Reservoir No. 3 finished water storage tank.

Application, Minor Amendment.

Applicant **Lehigh County Authority
(Central Lehigh Division)**
Upper Macungie Township
Lehigh County

Responsible Official Steve Repasch
Lehigh County Authority
P. O. Box 3348
1053 Spruce Street
Allentown, PA 18106-0348
(610) 398-2503

Type of Facility Community Water System

Consulting Engineer Kirt Ervin, P. E.
US Engineering, LLC
75 Jardin Circle
Highland, IL 62249
(314) 614-9120

Application Received Date March 14, 2006

Description of Action PWS application for repainting and repair of the Fogelsville Reservoir No. 1 finished water storage tank.

Application, Minor Amendment.

Applicant **Lehigh County Authority**
North Whitehall Township
Lehigh County

Responsible Official Steve Repasch
Lehigh County Authority
P. O. Box 3348
1053 Spruce Street
Allentown, PA 18106-0348
(610) 398-2503

Type of Facility Community Water System

Consulting Engineer Kirt Ervin, P. E.
US Engineering, LLC
75 Jardin Circle
Highland, IL 62249
(314) 614-9120

Application Received Date March 14, 2006

Description of Action PWS application for repainting and repair of the Schnecksville North Reservoir finished water storage tank.

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

Application No. 1106501MA, Minor Amendment.

Applicant **Carrolltown Borough Municipal Authority**
140 East Carroll Street
Carrolltown, PA 15722

Township or Borough East Carroll Township

Responsible Official Anne Farabaugh, President
Carrolltown Borough Municipal Authority
140 East Carroll Street
Carrolltown, PA 15722

Type of Facility Water treatment plant

Consulting Engineer Keller Engineers, Inc.
P. O. Box 61
Hollidaysburg, PA 16648

Application Received Date April 3, 2006

Description of Action Addition of a chemical feed pump at the water treatment plant for the injection of AquaMag.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 1

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

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

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

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

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

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

Belmont Cleaners, Lower Merion Township, **Montgomery County**. Donald A. Coleman, P. G., Penn E & R, Inc., 2755 Bergery Road, Hatfield, PA 19440 on behalf of Michael Kirschner, Kirschner Brothers Co., 518 W. Lancaster Avenue, P. O. Box 525, Haverford, PA 19041 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site were impacted with VOCs, chlorinated solvents and MTBE. It is anticipated that use of the property will remain as a dry cleaning drop-off facility.

Chichester School Dist. Site, Upper Chichester Township, **Delaware County**. Douglass Newton, MACTEC Env. & Consulting, Inc., 5205 Militia Hill Road, Plymouth Meeting, PA 19462 on behalf of Michael Golde, Chichester School District, P. O. Box 2100, Boothwyn, PA 19061 has submitted a Notice of Intent to Remediate. The site has been found to be contaminated with organochlorine pesticides, which have contaminated soil, groundwater, surface water and sediment on the site. The property will be the future site of an elementary school and associated playgrounds, parking areas and access roads. A summary of the Notice of Intent to remediate was reported to have been published in the *Delaware County Daily Times* on March 1, 2006.

Imperial Specialty, Pottstown Borough, **Montgomery County**. David Farrington, Walter B. Satterthwaite Assoc., Inc., 720 Old Fern Hill Road, West Chester, PA 19380 on behalf of Nellie Savage, Imperial Specialty, 1153 Sembling Ave., Pottstown, PA 19464 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site were impacted with of PAH and chlorinated solvents. The intended future use of the property is industrial.

Keystone Discount Tire, Rockledge Borough, **Montgomery County**. Joanne Van Rensselaer, 2951 Advance Lane, Colmar, PA 18915 on behalf of Lee Gottsman, Lee Rob, LLC, 120 Pocasset Road, Philadelphia, PA 19115 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with No. 2 fuel oil and chlorinated solvents. The site is a commercial property that will be redeveloped for commercial purposes.

Five Points Shopping Center, West Goshen Township, **Chester County**. Phil Gray, Phoenix GeoEnvironmental, LLC, 73 Whethersfield Circle, Telford, PA 18969 on behalf of Gloria Terranova, 7 Summit Drive, Glen Mills, PA 19342 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site were impacted with chlorinated solvents. Site will remain a Five Point Shopping Center.

Furniture and Bedding Fac. Outlet, City of Philadelphia, **Philadelphia County**. David Farrington, Walter B. Satterthwaite Assoc., Inc., 720 Old Fern Hill Road, West Chester, PA 19380 on behalf of Avi Nechemiah, Golden Gate Electronics, 1417 Callowhill St., Philadelphia, PA 19123 has submitted a Notice of Intent to Remediate. Groundwater at the site has been impacted with leaded gasoline, MTBE and lead. The intended future use of the site is nonresidential/commercial.

Buxmont Acad., Ridley Township, **Delaware County**. Grover H. Emrich, Ph.D., P. G. on behalf of Judy B. Happ, Buxmont Acad., P. O. Box 283, Pipersville, PA 18947 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site were impacted with unleaded

gasoline. The future use of the site is an educational institution. A summary of the Notice of Intent to remediate was reported to have been published in the *Delaware County The News* on March 27, 2006.

Wm. H. Ziegler School, City of Philadelphia, **Philadelphia County**. Gloria Hunsberger, Powell-Harpstead, Inc., 800 E. Washington St., West Chester, PA 19380 on behalf of Francine Locke, School Dist. of Philadelphia, 440 N. Broad St., 3rd Floor, Room 3052, Philadelphia, PA 19103 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with arsenic, lead and inorganics. The future use of the site is to be a 25,000 sq. ft. building addition and construct a new courtyard. A summary of the Notice of Intent to remediate was reported to have been published in the *Philadelphia Weekly* on January 18, 2006.

Cognis Corp. Ambler Ballfield Area, Lower Gwynedd Township, **Montgomery County**. Jay Ash, AMO Env. Decisions, 4327 Point Pleasant Pike, P. O. Box 410, Danboro, PA 18916 has submitted a Notice of Intent to Remediate. Soil at the site was impacted with pesticides, PCBs, herbicides and dioxin. The intended future use of the property is residential. A summary of the Notice of Intent to Remediate was reported to have been published in the *Ambler Gazette* on March 29, 2006.

Marcus Hook Refinery/No. 3 Tank Farm No. 220 Area, Bethel Township, **Delaware County**. Heidi Gahnz, Resource Control Corp., 1274 N. Church St., Moorestown, NJ 08057 on behalf of Brad Fish, Sunoco Project Manager, Sunoco, Inc. (R & M), Blueball and Post Roads, Marcus Hook, PA 19061 has submitted a Notice of Intent to Remediate. Groundwater at the site has been impacted with unleaded gasoline and BTEX. The current and proposed future use of the property is residential. A summary of the Notice of Intent to Remediate was reported to have been published in the *Delaware County Times Newspaper* on March 21, 2006.

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

Murray Motors West, Upper Macungie Township, **Lehigh County**. Jody Schmill, Project Manager, Axiom Environmental Services, LLC, P. O. Box 20522, Lehigh Valley, PA 18002, has submitted a Notice of Intent to Remediate (on behalf of John Noble, Murray Motors West, 1118 Route 100 South, Trexlertown, PA 18087) concerning the remediation of leaded gasoline constituents found or suspected to be present in site soils as the result of historic operations. The report was submitted to demonstrate attainment of the Statewide Health Standard. A Final Report was simultaneously submitted. A summary of the Notice of Intent to Remediate is expected to be published in a local newspaper serving the general area in the near future. The intended future use for the site will be continuation as a commercial facility.

Former Ashley Rail Yards—Borough of Ashley, **Luzerne County**. H. Allen Bellas, Executive Director, Redevelopment Authority of Luzerne County, Suite 210, 16 Luzerne Avenue, West Pittston, PA 18643 has submitted a revised Notice of Intent to Remediate concerning the characterization of soils and groundwater found or suspected to have been impacted by contamination associated with the historic rail yard operations and maintenance facilities. Potential contaminants may include petroleum constituents, volatile and semivolatile compounds, metals and PCBs. The proposed future use of the property will remain as light industrial. A summary

of the Notice of Intent to Remediate (NIR) is expected to be published in a local newspaper serving the general area in the near future. The property has been identified as a Keystone Opportunity Zone, and the applicant proposes to remediate the site to meet the Special Industrial Area standard. The revised NIR increases the acreage from the originally proposed 14 acres to the full 80 acres of property.

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

Carlton Snack Foods, Heidelberg Township, **York County**. GemChem, Inc. 53 North Cedar Street, P. O. Box 383, Lititz, 17543 on behalf of Jeffrey Carl, 725 Oakwood Drive, Red Lion, PA 17356, submitted a Notice of Intent to Remediate gasoline contaminated groundwater. The property is currently used for a commercial warehouse and a residential unit and will continue to be used as such in the future. The applicant intends to document remediation to the Site-Specific Standard.

Sheetz 38, City of Altoona, **Blair County**. Groundwater & Environmental Services, Inc. 6 Sheraton Drive, Suite 2, Altoona PA 16601, on behalf of Sheetz, Inc., 5700 6th Avenue, Altoona, PA, 36334, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with compounds associated with unleaded gasoline. The applicant intends to document remediation to the residential Statewide Health Standard.

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

Technical Coatings Company—Block 362-G, Lot 364, Borough of Oakmont, **Allegheny County**. Andrew Bonas, ENVIORN International Corporation, 214 Carnegie Center, Princeton, NJ 08540 on behalf of Rayna Laiosa, Benjamin Moore & Co., 51 Chestnut Ridge Road, Montvale, NJ 07645 has submitted a Notice of Intent to Remediate soil contaminated with lead above the residential direct contact MSCs along with the residential and nonresidential soil to groundwater Statewide Health Standards. Remnant 55-gallon drums and paint cans were found discarded within the site. Soil and debris removal in concert with follow up sampling will show that the site will meet nonresidential Statewide Health Standards. Subsurface groundwater sampling events showed one exceedance of the Department of Environmental Protection used aquifer groundwater residential and non-residential Statewide Health Standards. Groundwater is not used for any purpose. The sites intended purpose is to remain nonresidential.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

NEW SOURCES AND MODIFICATIONS

The Department of Environmental Protection (Department) has developed an "integrated" plan approval, State operating permit and Title V operating permit program. This integrated approach is designed to make the permitting process more efficient for the Department, the regulated community and the public. This approach allows the owner or operator of a facility to complete and submit all the permitting documents relevant to its application one time, affords an opportunity for public input and provides for sequential issuance of the necessary permits.

The Department has received applications for plan approvals and/or operating permits from the following facilities.

Copies of the applications, subsequently prepared draft permits, review summaries and other support materials are available for review in the regional office identified in this notice. Persons interested in reviewing the application files should contact the appropriate regional office to schedule an appointment.

Persons wishing to receive a copy of a proposed plan approval or operating permit must indicate their interest to the Department regional office within 30 days of the date of this notice and must file protests or comments on a proposed plan approval or operating permit within 30 days of the Department providing a copy of the proposed document to that person or within 30 days of its publication in the *Pennsylvania Bulletin*, whichever comes first. Interested persons may also request that a hearing be held concerning the proposed plan approval and operating permit. Comments or protests filed with the Department regional offices must include a concise statement of the objections to the issuance of the Plan approval or operating permit and relevant facts which serve as the basis for the objections. If the Department schedules a hearing, a notice will be published in the *Pennsylvania Bulletin* at least 30 days prior the date of the hearing.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodation to participate should contact the regional office identified before the application. TDD users should contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

Final plan approvals and operating permits will contain terms and conditions to ensure that the source is constructed and operating in compliance with applicable requirements in 25 Pa. Code Chapters 121—143, the Federal Clean Air Act (act) and regulations adopted under the act.

PLAN APPROVALS

Plan Approval Applications Received under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B that may have special public interest. These applications are in review and no decision on disposition has been reached.

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

48-313-098: Elementis Pigments, Inc. (1525 Wood Avenue, Easton, PA 18042) for construction of an iron oxide repackaging process and associated air cleaning device in Easton, **Northampton County**.

45-302-076: Sanofi Pasteur, Inc. (Discovery Drive, Swiftwater, PA 18370) for construction of two natural gas/No. 2 oil fired boilers at the facility at the intersection of Routes 314 and 611, Pocono Township, **Monroe County**.

45-329-001: Sanofi Pasteur, Inc. (Discovery Drive, Swiftwater, PA 18370) for construction of three emergency generators at the facility at the intersection of Routes 314 and 611, Pocono Township, **Monroe County**.

45-399-016: Sanofi Pasteur, Inc. (Discovery Drive, Swiftwater, PA 18370) for construction of a vaccine manufacturing process at the facility at the intersection of Routes 314 and 611, Pocono Township, **Monroe County**.

54-322-006: Pine Grove Landfill, Inc. (193 Schultz Road, Pine Grove, PA 17963) for construction of Pad 12 at their facility in Pine Grove Township, **Schuylkill County**.

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

36-05026C: R. R. Donnelley & Sons Co. (1375 Harrisburg Pike, Lancaster, PA 17601) to install a new heatset web to be controlled by the existing regenerative thermal oxidizers at the Lancaster West facility in City of Lancaster, **Lancaster County**.

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

59-304-008G: ACP Manufacturing Co., LLC (P. O. Box 68, Blossburg, PA 16912) for modification of a coating dip tank to increase the allowable VOC emissions from .9 ton in any 12-consecutive month period to 3.7 tons in any 12-consecutive month period in Lawrence Township, **Tioga County**.

19-00023A: Impress USA, Inc. (6670 Low Street, Bloomsburg, PA 17815) for modification of a can side stripe coating operation (Fael Line No. 1) by removing the catalytic fume incinerator required under the best available technology requirement of 25 Pa. Code §§ 127.1 and 127.12 and consequently increasing the amount of VOCs and volatile HAPs being emitted from the operation, to modify a second can side stripe coating operation (Soudronic Line No. 2) by increasing the amount of VOCs it is allowed to emit from 2.5 tons in any 12-consecutive month period to 7.57 tons in any 12-consecutive month period as well as increasing the amount of volatile HAPs being emitted from the operation and to construct 10 videojet ink marking systems in South Centre Township, **Columbia County**.

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

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

46-0222A: Bostik, Inc. (1740 County Line Road, Huntingdon Valley, PA 19006) for an additional mixer, to be exhausted to an existing dust collector, for the replacement of two mixers, and for an increase in VOCs and HAPs, due to solvent usage for cleaning operations. The facility is in Upper Moreland Township, **Montgomery County**. This facility is a non-Title V facility. The pollutants of concern from the adhesive and sealant manufacturing process are VOCs, PM and HAPs. There are no controls for VOCs and HAPs. However, a dust collector will control emissions of PM from the seven mixers.

The seven mixers will have a potential-to-emit (PTE) of 5.23 tons of VOCs per 12-month rolling sum and a PTE of 3.38 tons of HAPs per 12-month rolling sum. Emissions of PM will be less than 1 ton per 12-month rolling sum.

Cleaning Operations will have a PTE of 19.6 tons of VOCs per 12-month rolling sum and a PTE of 2.75 tons of HAPs per 12-month rolling sum.

The proposed Plan Approval will contain recordkeeping and operating restrictions designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

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

39-399-056: Service Tire Truck Center, Inc. (2255 Avenue A, Bethlehem, PA 18017) for construction and operation of a truck tire retreading process and associated air cleaning device (fabric collector) in the City of Bethlehem, **Lehigh County**. The facility is a non-Title V facility. The operation of the tire retreading process will result in 6.6 tons per year of particulate emissions based on the best available technology standard of 0.02 grain/dscf and 22.7 tons per year of VOCs. The plan approval will include emission restrictions, monitoring, reporting and work practice requirements designed to keep the sources 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.

05-05005A: Bedford Materials Co., Inc. (7676 Allegheny Road, Manns Choice, PA 15550) for replacement of the thermal incinerator with a regenerative thermal oxidizer in Napier Township, **Bedford County**. Emissions from the coating operation will remain essentially the same. The plan approval and subsequent Title V operating permit amendment will include emission restrictions, work practice standards, and testing, monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. This project is subject to 40 CFR Part 63, Subpart JJJJ—National Emission Standards for Hazardous Air Pollutants: Paper and Other Web Coating.

22-05044A: Pennsy Supply, Inc. (P. O. Box 3331, Harrisburg, PA 17104-3331) for addition of one crusher, conveyor belt and fabric collector to the circuit at the Hummelstown crushing operation, South Hanover Township, **Dauphin County**. Estimated atmospheric emissions for PM10 associated with this project are projected to be approximately 0.205 ton per year. The facility is a non-Title V (State-only) facility. The facility is subject to 40 CFR Part 60, Standards of Performance for New Stationary Sources. The plan approval will include conditions designed to keep the project in compliance with all applicable air quality requirements. The plan approval will be incorporated into the State-only operating permit in accordance with 25 Pa. Code § 127.450 (Administrative Amendment).

38-05027A: Reading Materials Inc., Lebanon Materials Asphalt Plant (P. O. Box 1467, Skippack, PA 19474-1467) for conversion of the existing rotary dryer burner to be capable of burning No. 2 fuel oil, E4 fuel oil and On-Specification Waste Derived Liquid Fuel in addition to natural gas. The facility will also be authorized to use Recycled Asphalt Pavement at the facility. The plant will continue to be controlled by a cyclone and a fabric filter baghouse in North Annville Township, **Lebanon County**. The actual emissions from this facility will be about 80.0 tpy of CO, 24.0 tpy of NO_x, 17.6 tpy of SO_x, 8.4 tpy of PM and 1.6 tpy of VOC. This plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the sources operating within all applicable air quality requirements.

67-05030C: C-P Converters, Inc. (15 Grumbacher Road, York, PA 17402) for installation of Flexographic Press controlled by permanent total enclosure and catalytic oxidizer at Manchester Township, **York County**. The primary emissions from this source are VOC. This press will replace an existing press with no change to the facility VOC emissions limit. This Plan Approval will be incorporated into the facility's Title V operating permit number 67-05030 in accordance with 25 Pa. Code § 127.450 (Administrative Amendment). The Title V operating permit number 67-05030 will contain the emissions, monitoring, recordkeeping, reporting and work practice standards designed to keep the facility operating within the applicable air quality requirements.

67-05049A: Trenwyth Industries (One Connelly Road, Emigsville, PA 17318) for installation of a concrete block coating system and to vent several existing fabric filters to atmosphere in Manchester Township, **York County**. Plant emissions will not increase significantly from these installations. The plan approval and subsequent State-only operating permit will include emission restrictions, work practice standards, and testing, monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

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

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

06-03024: Wolfe Dye & Bleach Works (3600 Parkview Road, Reading, PA 19606) for operation of their St. Lawrence fabric drying facility in the St. Lawrence Borough, **Berks County**. The State-only operating permit will include monitoring, recordkeeping, reporting requirements, emission restrictions and work practice standards designed to keep the facility operating within all applicable air quality requirements.

22-05045: The Harrisburg Authority (One Keystone Plaza, Suite 104, Harrisburg, PA 17101) for operation of their wastewater treatment facility in Swatara Township, **Dauphin County**. The facility has the following potential annual emissions: 98 tons NO_x; 51 tons CO; 21 tons SO_x; 7 tons VOC and 2 tons PM₁₀. 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.

28-03029: Cumberland Valley Animal Shelter (2325 Country Road, Chambersburg, PA 17201) for operation of their animal crematory in Guilford Township, **Franklin County**. The facility has the following annual potential air emissions: 2 tons NO_x and 1 ton PM₁₀. 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.

28-05013: Cinetic Landis Grinding Corp. (20 East Sixth Street, Waynesboro, PA 17268) for operation of their machine tool manufacturing facility in Waynesboro Borough, **Franklin County**. The facility has the following potential annual emissions: 18 tons NO_x; 15 tons CO; 13

tons VOC; and 3 tons toluene. 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.

36-03066: Perdue Farms, Inc. (1609 River Road, Marietta, PA 17547) for operation of a grain handling and storage facility in East Donegal Township, **Lancaster County**. The facility has the potential to emit less than 100 tons of PM₁₀ per year. Actual emissions of PM₁₀ are less than 10 tons per year. The facility wide operating permit shall include emission restrictions, monitoring, recordkeeping requirements designed to ensure the facility complies with applicable air quality regulations.

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

N05-011: The Curtis Center (Independence Square West, Suite L90, Philadelphia, PA 19106) for operation of a commercial office in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include two boilers less than 15.0 mmBtu/hr each, a 600 kW emergency generator and a 245 BHP emergency fire pump.

The operating permit will be issued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426.

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

S06-002: Federal Reserve Bank of Philadelphia. (100 North 6th Street, Philadelphia, PA 19106) for operation of a banking facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission source includes five 6.0 mmBtu/hr boilers and nine emergency generators.

The operating permit will be issued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426.

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

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

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

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

Coal Applications Received

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

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

* The parameter is applicable at all times.

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

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

56900701 and NPDES Permit No. PA021078, PBS Coals, Inc. (P. O. Box 260, Friedens, PA 15541), to renew the permit and related NPDES permit and to revise the permit for the Job 12 Expansion in Shade Township, **Somerset County** to add acreage and NPDES discharge point to expand and maintain existing site utilizing fly ash. Surface acres proposed 111.7. Receiving stream: UNT

to Coal Run, classified for the following use: CWF. Application received February 3, 2006.

63851702. NPDES Permit No. PA0215431, Consolidation Coal Company (1800 Washington Road, Pittsburgh, PA 15241), to renew the permit for the Westland Mine in Chartiers Township, **Washington County** for postmining activity industrial waste treatment only. No additional discharges. Application received April 5, 2006.

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

32000104 and NPDES No. PA0235318. Alverda Enterprises, Inc., P. O. Box 87, Alverda, PA 15710, permit renewal for the continued operation and restoration of a bituminous surface mine in Pine Township, **Indiana County**, affecting 57.3 acres. Receiving streams: UNT to Yellow Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received March 30, 2006.

56060103 and NPDES No. PA0249947. Amerikohl Mining, Inc., 1384 SR 711, Stahlstown, PA 15687, commencement, operation and restoration of a bituminous surface mine in Milford Township, Somerset County, affecting 71.0 acres. Receiving streams: UNTs to South Glade Creek and South Glade Creek classified for the following use: WWF. There are no potable water supply intakes within 10 miles downstream. The application includes a stream encroachment to allow coal extraction, haul road construction and erosion and sedimentation controls up to 50 foot stream barrier on both sides of the stream within the barrier area of UNT "A" to South Glade Creek. The application includes a stream encroachment to allow coal extraction and erosion and sedimentation controls up to 50 foot and passive treatment facilities up to 10 foot stream barrier north side of stream within the barrier area of UNT "B" to South Glade Creek. Application received March 17, 2006.

11960104 and NPDES No. PA0213365. L & J Energy Company, Inc., P. O. Box J, Grampian, PA 16838, permit renewal for reclamation only of a bituminous surface auger mine in Susquehanna Township, **Cambria County**, affecting 108.2 acres. Receiving streams: West Branch Susquehanna River; UNTs to West Branch Susquehanna River classified for the following uses: WWF; CWF. There are no potable water supply intakes within 10 miles downstream. Application received April 4, 2006.

56060104 and NPDES No. PA0249963. Fieg Brothers, 3070 Stoystown Road, Stoystown, PA 15563-8184, commencement, operation and restoration of a bituminous surface mine in Shade Township, **Somerset County**, affecting 107.2 acres. Receiving streams: Hinson Run; UNTs to Hinson Run classified for the following use: CWF. The first downstream potable water supply intake from the point of discharge is Cambria-Somerset Authority, Border Dam Intake on Stonycreek River. The application includes a stream encroachment to construct a haul road within the barrier area of and across Hinson Run, approximately 1,500 feet upstream of its junction with Doe Valley Drive. The purpose of the haul road is to provide access to the proposed mine site. Application received March 29, 2006.

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

02-05-03 and NPDES Permit No. PA0250899. Kerry Coal Company (Road 2, Box 2139, Wampum, PA 16157). Application for a government financial construction contract, located in the City of Pittsburgh, **Allegheny County**, affecting 10.1 acres. Receiving streams: UNT to Streets Run, classified for the following use: WWF. The potable water supply intakes within 10 miles downstream from the point of discharge: PA American Water Co., Hays Mine Plant and West View Municipal Authority, Westview Water Filtration Plant. Application received: March 23, 2006.

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

54830702R4 and NPDES Permit No. PA0613576. Swatara Coal Company (345 Freemans Road, Schuylkill Haven, PA 17972), renewal of an existing anthracite coal refuse disposal and breaker operation in Reilly Township, **Schuylkill County** affecting 180.4 acres, receiving stream: Swatara Creek. Application received April 3, 2006.

19860101R4. Jac-Mar Coal Co. t/a L & E Coal (Box 353, Cresco, PA 18326), renewal of an existing anthracite surface mine operation in Conyngham Township, **Columbia County** affecting 190.0 acres, receiving stream: none. Application received April 3, 2006.

Noncoal Applications Returned

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

08980809. Peck Hill Farm (R. R. 3, Box 3188, Rome, PA 18837). Transfer of an existing small noncoal (Industrial Minerals—Bluestone) surface mining permit from Jesse Finch, Sr. (P. O. Box 91, Rome, PA 18837). The site is located in Windham Township, **Bradford County**, affecting 3 acres. Receiving streams: UNT to Wysox Creek. Application received: April 4, 2005. Application returned: March 22, 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.

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

58910802. Timothy Mark Smith (R. R. 3 Box 329E, Montrose, PA 18801), Stages I and II bond release for a

quarry operation in New Milford Township, **Susquehanna County** affecting 4.0 acres on property owned by David Grizzati. Application received April 4, 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.

E23-459. Gray Creighton, 475 Highland Avenue, Media, PA 19063, Upper Providence Township, **Delaware County**, ACOE Philadelphia District.

To perform the following water obstruction and encroachment activities associated with the proposed Creighton Tract Subdivision:

1. To excavate soils within the assumed floodway of a UNT to Ridley Creek (HQ-TSF) associated with the construction of a proposed stormwater management facility.
2. To install and maintain two stormwater outfalls (Endwall No. 59 and Basin 3A) to a UNT to Ridley Creek (HQ, TSF) for associated stormwater drainage.
3. To obtain an Environmental Assessment approval for the construction of a nonjurisdictional dam within the headwaters of a UNT to Ridley Creek (HQ, TSF) associated with the construction of a proposed stormwater management facility.

The proposed project is located adjacent to the intersection of Kirk Lane and Highland Avenue, PA (Media, PA Quadrangle N: 8.5 inches, W: 3.7 inches).

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

E05-338: Department of Environmental Protection, Engineering District 9-0, 1620 North Juniata Street, Hollidaysburg, PA 16648-1080, Bedford Township, **Bedford County**, ACOE Baltimore District.

To relocate 0.7 mile of SR 4009 (Business Route 220) located adjacent to the historic Bedford Springs Hotel for the purpose of improving roadway safety. The project will include the construction and maintenance of approximately 1,025 feet of retaining wall along the left bank of Shobers Run (HQ-CWF) (Rainsburg, PA Quadrangle, N: 22.3 inches; W: 0.6 inch; Latitude: 39° 59' 51"; Longitude: 78° 30' 16"), and the placement and maintenance of fill in 0.05 acre of PEM wetlands, and 0.01 acre of PSS wetlands in Bedford Township, Bedford County.

The project proposes to directly affect a total of 0.06 acre of wetland. Wetland replacement will be satisfied by using the Huntingdon County Advance Wetland Compensation Site.

E67-798: Department of Transportation, Engineering District 8-0, 2140 Herr Street, Harrisburg, PA 17103-1699 in Fairview Township, **York County**, ACOE Baltimore District.

To extend and maintain the upstream side of a 7.0-foot wide by 5.5-foot high box culvert 33.0 feet to have a total length of 72.0 feet in a UNT to Fishing Creek (TSF) located along SR 0262 (Fishing Creek Road) on the west side of the intersection of SR 0262 (Fishing Creek Road) and SR 1003 (Old York Road) (Steelton, PA Quadrangle N: 9.5 inches; W: 11.6 inches, Latitude: 40° 10' 39" Longitude: 76° 49' 59") in Fairview Township, York County. The culvert extension will require the relocation of 95 linear feet of stream channel and will impact 0.026 acre of PEM wetlands in Fairview Township, York County.

The project proposes to directly affect a total of 0.02 acre of palustrine emergent wetland habitat and temporarily impact 0.006 acre of palustrine emergent wetland. Wetland impacts are considered de minimis and replacement is not required.

E05-336, Shober's Run Golf Company, LLC, 5950 Berkshire Lane, Suite 990, Dallas, TX 75225, in Bedford Township, **Bedford County**, ACOE Baltimore District.

To restore Shober's Run (HQ-CWF) and UNTs to Shober's Run (HQ-CWF) and conduct other various activities at the Bedford Springs Golf Course including:

1. The construction and maintenance of a stream restoration project in and along Shober's Run beginning at the T-408 bridge (Rainsburg, PA Quadrangle N: 21.75 inches, W: 1.25 inches; Latitude: 39° 59' 39", Longitude: 78° 30' 33") and ending 7,787 feet upstream (Rainsburg, PA Quadrangle N: 19.65 inches, W: 3.42 inches; Latitude: 39° 58' 59", Longitude: 78° 31' 27") involving approximately 5,079 feet of channel relocation, floodway excavation and grading, 0.06 acre of permanent PFO wetland impacts and 0.01 acre of permanent PEM wetland impacts, 0.37 acre of temporary PFO wetland impacts and 0.02 acre of temporary PEM wetland impacts, and the placement of 16 rock cross vanes and 14 root wads.

2. The construction and maintenance of a stream restoration project in and along a UNT to Shober's Run (HQ-CWF) beginning at its mouth at Shober's Run (Rainsburg, PA Quadrangle N: 19.65 inches, W: 3.42 inches; Latitude: 39° 58' 59", Longitude: 78° 31' 27") and ending 211 feet upstream (Rainsburg, PA Quadrangle

N: 19.70 inches, W: 3.45 inches; Latitude: 39° 59' 01", Longitude: 78° 31' 28") involving the complete relocation of the channel including the relocation of its confluence with Shober's Run 850 feet downstream (Rainsburg, PA Quadrangle N: 19.9 inches, W: 3.1 inches; Latitude: 39° 59' 04", Longitude: 78° 31' 19"), the creation of an additional 879 feet of stream channel, floodway excavation and grading, 0.04 acre of permanent PFO wetland impacts, and 0.88 acre of temporary PFO wetland impacts and the placement of six rock cross vanes and ten root wads.

3. The construction and maintenance of a stream restoration project in and along a UNT to Shober's Run beginning at its confluence with Shober's Run (Rainsburg, PA Quadrangle N: 20.30 inches, W: 2.75 inches; Latitude: 39° 59' 11", Longitude: 78° 31' 10") and ending 717 feet upstream (Rainsburg, PA Quadrangle N: 20.05 inches, W: 2.60 inches; Latitude: 39° 59' 06", Longitude: 78° 31' 06") involving approximately 245 feet of channel relocation, floodway excavation and grading and the placement of five rock cross vanes.

4. The construction and maintenance of a stream restoration project in and along a UNT to Shober's Run beginning at its confluence with Shober's Run (Rainsburg, PA Quadrangle N: 20.70 inches, W: 2.55 inches; Latitude: 39° 59' 19", Longitude: 78° 31' 04") and ending 450 feet upstream (Rainsburg, PA Quadrangle N: 20.70 inches, W: 2.30 inches; Latitude: 39° 59' 19", Longitude: 78° 30' 58") involving approximately 300 feet of channel relocation, the creation of an additional 72 feet of stream channel, floodway excavation and grading, and the placement of 11 rock cross vanes.

5. The construction and maintenance of a channel extension on a UNT to Shober's Run beginning at its current confluence with Shober's Run (Rainsburg, PA Quadrangle N: 20.40 inches, W: 2.80 inches; Latitude: 39° 59' 14", Longitude: 78° 31' 12") and ending 95 feet east at a relocated reach of Shober's Run (Rainsburg, PA Quadrangle N: 20.35 inches, W: 2.30 inches; Latitude: 39° 59' 15", Longitude: 78° 31' 28").

6. To remove 12 existing golf cart bridges and to construct and maintain the following:

a. Six single-span golf cart bridges each having a width of 10 feet, a normal span of 80 feet, and an average underclearance of 4.5 feet across Shober's Run (Rainsburg, PA Quadrangle N: 21.72 inches, W: 1.32 inches, N: 21.42 inches, W: 1.75 inches, N: 21.25 inches, W: 2.07 inches, N: 20.75 inches, W: 2.55 inches, N: 20.00 inches, W: 2.92 inches, N: 19.72 inches, W: 3.40 inches; Latitude: 39° 59' 00", Longitude: 78° 31' 25", Latitude: 39° 59' 07", Longitude: 78° 31' 13", Latitude: 39° 59' 21", Longitude: 78° 31' 05", Latitude: 39° 59' 31", Longitude: 78° 30' 52", Latitude: 39° 59' 35", Longitude: 78° 30' 44", Latitude: 39° 59' 40", Longitude: 78° 30' 33");

b. One single-span golf cart bridge having a width of 10 feet, a normal span of 120 feet, and an underclearance of 4.5 feet across Shober's Run (Rainsburg, PA Quadrangle N: 20.35 inches, W: 2.8 inches; Latitude: 39° 59' 13", Longitude: 78° 31' 10"); and

c. One single-span golf cart bridge having a width of 10 feet, a normal span of 40 feet, and an underclearance of 3.5 feet across an off-stream pond (Rainsburg, PA Quadrangle N: 21.42 inches, W: 1.75 inches; Latitude: 39° 59' 35", Longitude: 78° 30' 44").

7. To remove eight existing golf cart bridges or culverts and to construct and maintain the following:

a. Five 20-foot long, 6-inch depressed, 36-inch CMP culverts in three UNTs to Shober's Run (Rainsburg, PA Quadrangle N: 20.70 inches, W: 2.30 inches, N: 20.15 inches, W: 2.70 inches, N: 20.10 inches, W: 2.65 inches, N: 20.10 inches, W: 2.65 inches, N: 20.05 inches, W: 2.60 inches; Latitude: 39° 59' 20", Longitude: 78° 30' 58", Latitude: 39° 59' 09", Longitude: 78° 31' 09", Latitude: 39° 59' 09", Longitude: 78° 31' 08", Latitude: 39° 59' 08", Longitude: 78° 31' 07", Latitude: 39° 59' 06", Longitude: 78° 31' 07");

b. One 20-foot long, 6-inch depressed, 57-inch by 38-inch arch culvert in a UNT to Shober's Run (Rainsburg, PA Quadrangle N: 19.75 inches, W: 3.35 inches; Latitude: 39° 59' 02", Longitude: 78° 31' 26"); and

c. One 20-foot long, 6-inch depressed, 36-inch CMP culvert in an off-stream pond (Rainsburg, PA Quadrangle N: 21.45 inches, W: 1.95 inches; Latitude: 39° 59' 35", Longitude: 78° 30' 49").

8. To construct and maintain seven temporary road crossings having a length of 30 feet and consisting of three 36-inch CMP culverts and clean rock fill in Shober's Run (Rainsburg, PA Quadrangle N: 21.65 inches, W: 1.55 inches, N: 21.40 inches, W: 1.95 inches, N: 21.20 inches, W: 2.20 inches, N: 20.80 inches, W: 2.55 inches, N: 20.50 inches, W: 2.65 inches, N: 20.15 inches, W: 2.80 inches, N: 20.00 inches, W: 3.05 inches; Latitude: 39° 59' 39", Longitude: 78° 30' 39", Latitude: 39° 59' 34", Longitude: 78° 30' 49", Latitude: 39° 59' 30", Longitude: 78° 30' 55", Latitude: 39° 59' 22", Longitude: 78° 31' 04", Latitude: 39° 59' 17", Longitude: 78° 31' 08", Latitude: 39° 59' 09", Longitude: 78° 31' 11", Latitude: 39° 59' 05", Longitude: 78° 31' 18").

9. To replace in-kind and maintain an existing 384-foot long, 12-inch diameter stream enclosure on a UNT to Shober's Run (Rainsburg, PA Quadrangle N: 20.95 inches, W: 2.10 inches; Latitude: 39° 59' 25", Longitude: 78° 30' 53").

10. To construct and maintain a 10-foot long, 8-inch diameter PVC intake structure along the left bank of Shober's Run (Rainsburg, PA Quadrangle N: 21.40 inches, W: 1.95 inches; Latitude: 39° 59' 34", Longitude: 78° 30' 49") to provide water to an offstream pond.

11. To construct and maintain an 18-inch diameter PVC intake structure with 0.5-inch protective screening located approximately 30 feet from the shoreline in Red Oaks Lake (Rainsburg, PA Quadrangle N: 19.85 inches, W: 2.40 inches; Latitude: 39° 59' 00", Longitude: 78° 30' 58").

12. To maintain 14 existing outfall structures ranging in diameter between 4 and 18 inches at various locations along the left and right floodways of Shober's Run and three UNTs to Shober's Run beginning at the T-408 (Rainsburg, PA Quadrangle N: 21.75 inches, W: 1.25 inches; Latitude: 39° 59' 39", Longitude: 78° 30' 33") and ending at a point 7,787 feet upstream as along Shober's Run (Rainsburg, PA Quadrangle N: 19.65 inches, W: 3.42 inches; Latitude: 39° 58' 59", Longitude: 78° 31' 27").

13. To construct and maintain 29 outfall structures ranging in diameter between 4 and 6 inches at various locations along the left and right floodways and channels of Shober's Run and three UNTs to Shober's Run beginning at the T-408 bridge (Rainsburg, PA Quadrangle N: 21.75 inches, W: 1.25 inches; Latitude: 39° 59' 39", Longitude: 78° 30' 33") and ending at a point 7,787 feet upstream along Shober's Run (Rainsburg, PA Quadrangle N: 19.65 inches, W: 3.42 inches; Latitude: 39° 58' 59", Longitude: 78° 31' 27").

14. To construct and maintain one 30-inch CMP outfall in a PEM wetland (Rainsburg, PA Quadrangle N: 21.80 inches, W: 1.65 inches; Latitude: 39° 59' 41", Longitude: 78° 30' 45").

15. To construct and maintain two 4-inch outfalls in an off-stream pond (Rainsburg, PA Quadrangle N: 21.42 inches, W: 1.75 inches; Latitude: 39° 59' 36", Longitude: 78° 30' 43").

16. To construct and maintain one 6-inch PVC outfall and a 5-foot wide riprap apron in Red Oaks Lake (Rainsburg, PA Quadrangle N: 19.85 inches, W: 2.4 inches; Latitude: 39° 59' 00", Longitude: 78° 30' 58").

17. To construct and maintain a 20-foot long, 4-inch diameter irrigation line crossing (Rainsburg, PA Quadrangle N: 20.00 inches, W: 2.90 inches; Latitude: 39° 59' 00", Longitude: 78° 31' 13"), a 16-foot long, 4-inch diameter irrigation line crossing (Rainsburg, PA Quadrangle N: 20.65 inches, W: 2.55 inches; Latitude: 39° 59' 16", Longitude: 78° 31' 00"), a 22-foot long, 6-inch diameter irrigation line crossing (Rainsburg, PA Quadrangle N: 21.00 inches, W: 2.40 inches; Latitude: 39° 59' 22", Longitude: 78° 30' 56"), and an 18-foot long, 4-inch diameter irrigation line crossing (Rainsburg, PA Quadrangle N: 21.75 inches, W: 1.30 inches; Latitude: 39° 59' 35", Longitude: 78° 30' 30") in Shober's Run.

18. To construct and maintain two 80-foot long, 4-inch diameter (Rainsburg, PA Quadrangle N: 19.72 inches, W: 3.40 inches, N: 21.25 inches, W: 2.07 inches; Latitude: 39° 58' 48", Longitude: 78° 31' 30", Latitude: 39° 59' 28", Longitude: 78° 30' 46") irrigation line crossings of Shober's Run attached to bridges.

19. To construct and maintain four 3-foot long, 4-inch diameter irrigation line crossings (Rainsburg, PA Quadrangle N: 19.75 inches, W: 3.35 inches, N: 20.05 inches, W: 2.60 inches, N: 20.10 inches, W: 2.65 inches, N: 20.70 inches, W: 2.45 inches; Latitude: 39° 58' 50", Longitude: 78° 31' 32", Latitude: 39° 59' 02", Longitude: 78° 31' 02", Latitude: 39° 59' 04", Longitude: 78° 31' 02", Latitude: 39° 59' 16", Longitude: 78° 30' 58") and one 3-foot long, 6-inch diameter irrigation line crossing (Rainsburg, PA Quadrangle N: 20.70 inches, W: 2.30 inches; Latitude: 39° 59' 18", Longitude: 78° 30' 52") in three UNTs to Shober's Run.

20. To construct and maintain one 30-foot long, 3-inch diameter irrigation line crossing of an off-stream pond (Rainsburg, PA Quadrangle N: 21.45 inches, W: 1.95 inches; Latitude: 39° 59' 30", Longitude: 78° 30' 46").

21. To construct and maintain a 190-foot long, 2-inch diameter irrigation line crossing of PFO wetlands resulting in 0.01 acre of temporary impacts (Rainsburg, PA Quadrangle N: 21.35 inches, W: 2.05 inches; Latitude: 39° 59' 30", Longitude: 78° 30' 49") and a 180-foot long, 2-inch diameter irrigation line crossing of PEM wetlands resulting in 0.01 acre of temporary impacts (Rainsburg, PA Quadrangle N: 21.80 inches, W: 1.65 inches; Latitude: 39° 59' 35", Longitude: 78° 30' 40").

22. To construct and maintain one 16-foot long, 15-inch diameter PVC sanitary sewer crossing in Shober's Run (Rainsburg, PA Quadrangle N: 20.70 inches, W: 2.55 inches; Latitude: 39° 59' 21", Longitude: 78° 31' 07") and one 3-foot long, 15-inch diameter PVC sanitary sewer crossing in a UNT to Shober's Run (Rainsburg, PA Quadrangle N: 20.70 inches, W: 2.50 inches; Latitude: 39° 59' 21", Longitude: 78° 31' 06").

23. To remove accumulated sediments from a 0.25-acre off-stream pond, to remove the existing outlet structure and fill 256 feet of the existing outlet channel, and to construct and maintain an 8-inch Agri-Drain water level control structure (Rainsburg, PA Quadrangle N: 21.42 inches, W: 1.75 inches; Latitude: 39° 59' 36", Longitude: 78° 30' 43").

24. To remove an existing golf cart path resulting in temporary impacts to 0.01 acre of PFO wetlands (Rainsburg, PA Quadrangle N: 20.35 inches, W: 2.85 inches; Latitude: 39° 59' 14", Longitude: 78° 31' 12").

25. To fill a total of 0.34 acre of four PEM wetlands at five separate locations (Rainsburg, PA Quadrangle N: 20.55 inches, W: 2.50 inches, N: 20.00 inches, W: 2.30 inches, N: 21.35 inches, W: 2.05 inches, N: 21.45 inches, W: 2.00 inches, N: 21.80 inches, W: 1.60 inches; Latitude: 39° 59' 17", Longitude: 78° 31' 03", Latitude: 39° 59' 27", Longitude: 78° 30' 57", Latitude: 39° 59' 32", Longitude: 78° 30' 53", Latitude: 39° 59' 36", Longitude: 78° 30' 51", Latitude: 39° 59' 42", Longitude: 78° 30' 44") and 0.08 acre of PSS wetlands (Rainsburg, PA Quadrangle N: inches, W: inches; Latitude: 39° 59' 42", Longitude: 78° 30' 44") for the construction of golf cart paths.

26. To temporarily impact 0.31 acre of PEM wetlands through tilling and application of a granular herbicide to convert the existing vegetative community (Rainsburg, PA Quadrangle N: 21.75 inches, W: 1.70 inches; Latitude: 39° 59' 41", Longitude: 78° 30' 44").

The project is located along Sweet Root Road (T-408) approximately 800 feet southeast of the Bedford Springs Hotel in Bedford Township, Bedford County and will result in a total of 9,900 linear feet of impacts to watercourses, approximately 0.25 acre of impacts to bodies of water, 0.49 acre of permanent impacts to wetlands, and 1.59 acres of temporary impacts wetlands. The applicant is required to create a total of 0.61 acre of wetlands at various locations along the left and right floodplains of Shober's Run beginning at the T-408 bridge (Rainsburg, PA Quadrangle N: 21.75 inches, W: 1.25 inches; Latitude: 39° 59' 39", Longitude: 78° 30' 33") and ending 7,787 feet upstream (Rainsburg, PA Quadrangle N: 19.65 inches, W: 3.42 inches; Latitude: 39° 58' 59", Longitude: 78° 31' 27").

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

E63-582. Claysville Borough, 154 Main Street, P. O. Box 423, Claysville, PA 15323. To construct a pedestrian walking bridge in Claysville Borough, **Washington County**, Pittsburgh ACOE District. (Claysville, PA Quadrangle N: 20.0 inches; W: 6.5 inches and Latitude: 40° 06' 36"—Longitude: 80° 25' 17"). The applicant proposes to construct and maintain a pedestrian walking bridge having a span of 4.5 feet with an underclearance of 6.3 feet across the channel of Dutch Fork (HQ-WWF) for the purpose of providing pedestrian access to Claysville Borough Park. The project is located on the west side of LR 62118 approximately 2,300.0 feet southwest from the intersection of LR 62118 and SR 231 and will impact 40.2 feet of stream channel.

E63-583. Center-West Joint Sewer Authority, P. O. Box 542, Brownsville, PA 15417. To construct an aerial pipeline across the channel of a UNT to the Monongahela River in Centerville Borough, **Washington County**, Pittsburgh ACOE District. (California, PA Quadrangle N: 4.25 inches; W: 5.0 inches and Latitude: 40° 01'

24"—Longitude: 79° 54' 39"). The applicant proposes to construct and maintain an aerial pipeline crossing across the channel of a UNT to the Monongahela River (WWF) for the purpose of constructing a sewage collection system and treatment facilities. The project is located on the south side of SR 88, approximately 800 feet east from the intersection of SR 88 and Brownsville Road.

E65-445 A1. Toro Development Company, 100 Sandune Drive, Pittsburgh, PA 15239. To extend an existing stream enclosure in the Municipality of Murrysville, **Westmoreland County**, Pittsburgh ACOE District. (Murrysville, PA Quadrangle N: 20.1 inches; W: 10.0 inches and Latitude: 40° 29' 08"—Longitude: 79° 41' 49"). The applicant proposes to amend Permit No. E63-445, by constructing and maintaining an approximately 761 ft. extension, of an existing 340 ft. stream enclosure. Both the existing and proposed pipe are 60 inches in diameter. The total length of the proposed structure will be approximately 1,101 ft., and will affect a UNT to Humms Run (TSF), to place and maintain 30 ft. of rock energy dissipator, in the aforementioned watercourse, at the outlet of the extended stream enclosure, and to place and maintain fill in a de minimis amount of wetland (less than 0.01 acre) for the purpose of expanding the existing Murry Ridge Corporate Center. The project is located on the south side of Golden Mile Highway (SR 286), just south from the intersection of Golden Mile Highway (SR 286) and Logan Ferry Road.

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

E16-131. Farmington Township, P. O. Box 148, 32691 Route 66, Leeper, PA 16233. Public Water and

Sewer Extension Project, in Farmington Township, **Clarion County**, ACOE Pittsburgh District (Between Lucinda, PA Quadrangle N: 41°, 20', 22.4"; W: 79°, 21', 5" and Tylersburg, PA Quadrangle N: 41°, 23', 23"; W: 79°, 15', 47").

To construct and maintain a total of approximately 33,000 linear feet of extensions to existing sanitary sewer and potable water lines in the area along SR 66 between the Villages of Snydersburg and Crown. Included are seven stream crossings and three wetland crossings by sewer and water lines. Impacted streams are Toby Creek, Foy Run, a tributary to Toby Creek and a tributary to Grolemund Run and are all listed as CWF in Chapter 93.

E42-321. Department of Transportation, Engineering District 2-0, 1924-30 Daisy Street, P. O. Box 342 Clearfield, PA. 16830. SR 0006, Section A02 across Allegheny River and Section A03 across Norfolk Southern Railroad, in Liberty Township, **McKean County**, ACOE Pittsburgh District (Port Allegheny, PA Quadrangle N: 13.56 inches; W: 6.75 inches).

To remove the existing structures and to construct and maintain a three span continuous pre-stressed I-Beam bridge having clear spans of 120, 125 and 120 feet and a minimum underclearance of 13.5 feet on a 75° skew across the Allegheny River (CWF) on SR 0006, and a single span prestressed concrete adjacent box beam bridge having a clear span of 100 feet across the Norfolk Southern Railroad on SR 0006, Section A03 approximately 0.4 mile east of Port Allegheny.

This project includes placement of fill in 0.033 acre of Palustrine Emergent Wetland and impacts to approximately 45 linear feet of Allegheny River.

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>
PA0040312 Industrial Waste	Molycorp, Inc.	Washington County Canton Township	Chartiers Creek	Y
PA0026328 Sewage	Township of Hopewell 1700 Clark Boulevard Aliquippa, PA 15001	Beaver County Hopewell Township	Raccoon Creek	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>
PA0024953	Keystone Shortway 76, Inc. 21251 Route 322 Strattanville, PA 16258	Clarion Township Clarion County	UNT to Douglas Run 17-B	Y
PA0221767	Keystone Shortway 76, Inc. 21251 Route 322 Strattanville, PA 16258	Clarion Township Clarion County	UNT to Douglas Run 17-B	Y
PA0093360	Lake Arthur Estates Mobile Home Park 2925 New Castle Road Portersville, PA 16051	Muddy Creek Township Butler County	UNT to Muddy Creek 20-C	Y
PA0000345	PA American Water Company—Clarion P. O. Box 888 Hershey, PA 17003	Clarion Township Clarion County	Clarion River 17-B	Y
PA0210668	Perseus House, Inc.—Andromeda House 1511 Peach Street Erie, PA 16501	Bloomfield Township Crawford County	UNT to Bloomfield Run	Y

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

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

NPDES Permit No. PA0036978, Sewage, **Telford Borough Authority**, 122 Penn Avenue, Telford, PA 18969. This proposed facility is located in Franconia Township, **Montgomery County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge treated sewage from the wastewater treatment plant into Indian Creek in Watershed 3E.

NPDES Permit No. PA0244066, Sewage, **Bedminster Municipal Authority**, P. O. Box 92, Bedminster PA 18910-0092. This proposed facility is located in Bedminster Township, **Bucks County**.

Description of Proposed Action/Activity: Approval for the issuance of a NPDES Permit to discharge treated sewage from the plant serving Pennland Farms development into a UNT to Deep Run Creek.

NPDES Permit No. PA0013463, Industrial Waste, **U. S. Steel Corporation**, U. S. Real Estate, One Ben Fairless Drive, Fairless Hills, PA 19030. This proposed facility is located in Falls Township, **Montgomery County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge process wastewater, noncontact cooling water and stormwater into the Delaware River Estuary Zone 2 in Watershed 2E.

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

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

WQM Permit No. 1504412, Sewerage, **Oxford Area Sewer Authority**, 401 East Market Street, P. O. Box 380, Oxford, PA 19363. This proposed facility is located in East Nottingham Township, **Chester County**.

Description of Action/Activity: Approval to construct a new storage lagoon to provide an additional storage capacity to the existing STP.

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

WQM Permit No. WQG012217, Sewerage, **Richard Bogert**, 418 Male Road, Wind Gap, PA. This proposed facility is located in Bushkill Township, **Northampton County**.

Description of Proposed Action/Activity: This project is for a single residence sewage treatment facility to replace the existing malfunctioning onlot sewage disposal system.

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

WQM Permit No. 2092404, Sewerage, **Amendment No. 1, Perseus House, Inc.**, Andromeda House, 1511 Peach Street, Erie, PA 16501. This proposed facility is located in Bloomfield Township, **Crawford County**.

Description of Proposed Action/Activity: This project is to install an extended aeration package plant to the existing sewage treatment facility.

WQM Permit No. 1006401, Sewerage, **Cooper Lake Farms, Inc., Cooper Lake Campground STP**, 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 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>
PAI010906002	Palisades School District Palisades HS Athletic Fields 39 Thomas Free Drive Kintnersville, PA 18930	Bucks	Nockamixon Township	Rapp Creek (HQ-CWF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024805023	Nazareth Development, LLC 25 South Main St. Nazareth, PA 18064	Northampton	Bushkill Township	Bushkill Creek HQ-CWF
PAI024805020	Ashley Development Corp. 559 Main St., Suite 300 Bethlehem, PA 18018	Northampton	Lower Nazareth Township	East Branch Monocacy Creek HQ-CWF
PAI023905034	Khan Partnership 4825 Tilghman St. Allentown, PA	Lehigh	South Whitehall Township	Cedar Creek HQ-CWF
PAI023905014	Bethany United Methodist Church 1208 North Brookside Rd. Allentown, PA 18062	Lehigh	Lower Macungie Township	Little Lehigh Creek HQ-CWF

NOTICES

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<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI025204010	Richard Scholl P. O. Box 306 Paupack, PA 18451	Pike	Palmyra Township	Blooming Grove Creek HQ-CWF
PAI020004001(1)	Columbia Gas Transmission Corp. 1700 MacCorkle Ave., S. E. Charleston, WV 25314-1518	Northampton, Monroe and Pike	Forks, Lower Mt. Bethel, Washington, Upper Mt. Bethel, Smithfield, Middle Smithfield, Lehman, Delaware and Dingman Townships	Mud Run CWF Martins Creek TSF, MF Little Martins Creek CWF Oughoughton Creek CWF East Fork Martins Creek CWF Jacoby Creek CWF Slateford Creek EV Cherry Creek HQ-CWF, MF Brodhead Creek TSF, MF Marshalls Creek HQ-CWF Pond Creek HQ-CWF Bush Kill HQ-CWF Little Bush Kill EV Tributaries to Delaware River HQ-CWF Toms Creek EV Hornbecks Creek HQ-CWF Dingmans Creek HQ-CWF Adams Creek EV Long Meadow Brook EV Conashaugh Creek HQ-CWF and/or their tributaries

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
Sinking Spring Borough Berks County	PAR10C4551	Carl Wright Wright-Elliot Land Development 532 Bryn Mawr Ave. Swarthmore, PA 19081	Cacoosing Creek WWF	Berks County Conservation District 1238 County Welfare Road P. O. Box 520 Leesport, PA 19533-0520 (610) 372-4657, Ext. 201
Womelsdorf Borough Berks County	PAG2000606017	Harold Wiker Longleaf Development Company P. O. Box 5362 Lancaster, PA 17606	UNT to Tulpehocken Creek TSF	Berks County Conservation District 1238 County Welfare Road P. O. Box 520 Leesport, PA 19533-0520 (610) 372-4657, Ext. 201

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
Robesonia Borough Heidelberg Township Berks County	PAG2000605096	Jack Keener P. O. Box 309 Newmanstown, PA 17073	Furnace Creek CWF	Berks County Conservation District 1238 County Welfare Road P. O. Box 520 Leesport, PA 19533-0520 (610) 372-4657, Ext. 201
Spring Township Berks County	PAG2000606025	Peter Carlino Carlino Development Group 875 Berkshire Blvd. Suite 102 Wyomissing, PA 19610	Cacoosing Creek/ TSF	Berks County Conservation District 1238 County Welfare Road P. O. Box 520 Leesport, PA 19533-0520 (610) 372-4657, Ext. 201
Colebrookdale Township Berks County	PAG2000606018	David Szablowski Boyertown Area School District 911 Montgomery Ave. Boyertown, PA 19512	Swamp Creek TSF	Berks County Conservation District 1238 County Welfare Road P. O. Box 520 Leesport, PA 19533-0520 (610) 372-4657, Ext. 201
Hampden Township Cumberland County	PAG2002106009	Hampden Township Good Hope Road Improvements 230 South Sporting Hill Road Mechanicsburg, PA 17050	UNT Sears Run WWF	Cumberland County Conservation District 43 Brookwood Ave. Carlisle, PA 17013 (717) 240-7812
Monroe Township Cumberland County	PAG2002105052	RLP Properties, LLC Eagle's Crest Subdivision 3 Truffle Glen Road Mechanicsburg, PA 17050	Yellow Breeches Creek CWF	Cumberland County Conservation District 43 Brookwood Ave. Carlisle, PA 17013 (717) 240-7812
Lower Allen Township Cumberland County	PAG2002106004	BHH Partners Heights of Beacon Hill, Phase 3 15 Central Boulevard Camp Hill, PA 17011	Yellow Breeches Creek CWF	Cumberland County Conservation District 43 Brookwood Ave. Carlisle, PA 17013 (717) 240-7812

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>
Bedminster Township Bucks County	PAG2000905160	Jaster Associates, LLC 437 King Road Doylestown, PA 18901	Cabin Run (CWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Plumstead Township Bucks County	PAG2000905158	Lou Cicalese P. O. Box 1040 Plumsteadville, PA 18949	Tohickon Creek (CWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Buckingham Township Bucks County	PAR10D5701	Georgianna Coles P. O. Box 245 Holicong, PA 18928	Watson's Creek (CWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Springfield Township Bucks County	PAG2000905116	Blue Church Development, LLC 325 Godshall Drive Harleysville, PA 19438	Tohickon Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Hilltown Township Bucks County	PAG2000905174	Haines & Kibblehouse, Inc. P. O. Box 196 Skippack, PA 19474-01968	North Neshaminy Creek (TSF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Richland Township Bucks County	PAG2000905054	Jay Saddington 1164 Log College Drive Warminster, PA 18974	Tohickon Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Bridgeton Township Bucks County	PAG2000905142	Narrows Hill Assoc., LP 1630 Crescent Boulevard Yardley, PA 19067	Falls Creek (WWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Penn Township Chester County	PAG2001505067	Jennersville Self Storage Lot No. 3 Roselane Industrial Pk. West Grove, PA 19390	East Branch White Clay Creek (TSF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Caln Township Chester County	PAG2001505067	Handicrafters, Inc. 215 Barley Sheaf Road Thorndale, PA 19372	UNT Valley Creek (CWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Providence Township Montgomery County	PAG2002305072	Blundin Builders, Inc. P. O. Box 152 Morton, PA 19070	Ridley Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Hazleton City Luzerne County	PAG2004006004	Robert Conahan Central Air Freight Services, Inc. 23rd and Peace Street Hazleton, PA 18201	Cranberry Creek CWF	Luzerne County Conservation District (570) 674-7991
Lathrop Township Springville Township Lenox Township Susquehanna County	PAG2005806002	Tennessee Gas Pipeline Co. 1001 Louisiana St. Room 1156A Houston, TX 77002	Horton Creek, Hop Bottom Creek, Upper Susquehanna Tunkhannock Watershed CWF	Susquehanna County Conservation District (570) 278-4600
North Whitehall Township Lehigh County	PAG2003906009	Ken Synder SK Development Co., Inc. 3312 Seventh St. Whitehall, PA 18052	Fells Creek CWF	Lehigh County Conservation District (610) 391-9583

<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>
Heidelberg Township Lehigh County	PAG2003906013	David Jandl Jandl Land Co. 3150 Coffeetown Rd. Orefield, PA 18069	Mill Creek CWF, MF	Lehigh County Conservation District (610) 391-9583
Hanover Township Lehigh County	PAG2003906012	Robert Kiel Liberty Property Trust 1510 Valley Ctr. Pkwy. Bethlehem, PA 18017	Lehigh River CWF	Lehigh County Conservation District (610) 391-9583
Pittston Township Jenkins Township Luzerne County	PAG2004005049	Mericle Armstrong Road, LLC East Mtn. Corp. Center 100 Baltimore Drive Wilkes-Barre, PA 18702-7939	Tributary to Susquehanna River CWF	Luzerne County Conservation District (570) 674-7991
Lower Saucon Township Northampton County	PAG2004806008	Ashley Development Corp. 559 Main St., Suite 300 Bethlehem, PA 18018	Tributary to Lehigh River CWF	Northampton County Conservation District (610) 746-1971
Great Bend Township Susquehanna County	PAG2005806001	Jason Auckland 102 Centennial Drive Richlandtown, PA 18955-1031	Susquehanna River WWF	Susquehanna County Conservation District (570) 278-4600
Williams Township Northampton County	PAG2004806010	Sky King Fireworks of Easton, Inc. Attn: Joseph VanOndenhove, III 7350 South US 1 Port St. Lucie, FL 34952	Lehigh River CWF	Northampton County Conservation District (610) 746-1971
Elkland Borough Osceola Township Tioga County	PAG2005906006	Department of Environmental Protection P. O. Box 218 715 Jordan Ave. Montoursville, PA 17754	Cowanesque River CWF	Tioga County Conservation District 50 Plaza Lane Wellsboro, PA 16901 (570) 724-1801
Tioga Township Tioga County	PAG2005905002	Department of Environmental Protection P. O. Box 218 715 Jordan Ave. Montoursville, PA 17754	Tioga River Bentley Creek WWF	Tioga County Conservation District 50 Plaza Lane Wellsboro, PA 16901 (570) 724-1801
Lawrence County Wilmington Township	PAG2003706002	Rob Hodge, Hodgeco, Inc. 215 Gilmore Road New Castle, PA 16102	UNT Little Neshannock Creek TSF	Lawrence Conservation District (724) 652-4512
Mercer County Springfield Township	PAG2004305018	Terence W. Farren 123 West Main Street Grove City, PA 16127	UNT to Black Run CWF	Mercer Conservation District (724) 662-2242
Slippery Rock Borough and Slippery Rock Township Butler County	PAG2101006001	BAMR P. O. Box 8476 Harrisburg, PA 17105-8476	UNT to Slippery Rock Creek (CWF)	BAMR P. O. Box 8476 Harrisburg, PA 17105-8476 (717) 783-1311

General Permit Type—PAG-3

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
City of Philadelphia Philadelphia County	PAR800138	DHL Express USA Inc. 7600 Holstein Ave. Philadelphia, PA 19153	Schuylkill River 3F Watershed	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5970

Facility Location:

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
City of Philadelphia Philadelphia County	PAR600082	Sammy's Auto Parts 3405 S. 61st St. Philadelphia, PA 19153	Schuylkill River 3F Watershed	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5970

General Permit Type—PAG-4

Facility Location:

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Haycock Township Bucks County	PAG040037	Lon Moyer 1071 Old Bethlehem Pike Quakertown, PA 18951	UNT to Dimple Creek Watershed 2D Three Mile Run	Southeast Regional Office 2 East Main Street Norristown, PA 19401
Haycock Township Bucks County	PAG040044	David and Kathleen Keough 65 Wrenwood Way Wrightstown PA 18940	UNT to Dimple Creek Watershed 2D Three Mile Run	Southeast Regional Office 2 East Main Street Norristown, PA 19401

General Permit Type—PAG-5

Facility Location:

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Doylestown Borough Bucks County	PAG050014	Getty Petroleum Marketing, Inc. 1500 Hempstead Turnpike East Meadow, NY 11554	Pine Run 2F	Southeast Regional Office 2 East Main Street Norristown, PA 19401
Springfield Township Delaware County	PAG050049A2	Motiva Enterprises, LLC P. O. Box 1243 Waynesboro, VA 22980-1243	UNT to Stony Creek	Southeast Regional Office 2 East Main Street Norristown, PA 19401

General Permit Type—PAG-8

<i>Facility Name</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Facility Municipality and County</i>	<i>Contact Office & Phone No.</i>
Johnstown Regional Wastewater Treatment Plant	PAG086106	Redevelopment Authority of the City of Johnstown Public Safety Building 4th Floor 401 Washington Street Johnstown, PA 15901	West Taylor Township Cambria County	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000

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>
Plum Creek Township Armstrong County	PAG096110	Robert J. Craig P. O. Box 28 Elderton, PA 15736	J and D Septic Service, Inc.	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000

PUBLIC WATER SUPPLY (PWS) PERMITS

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

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

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

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

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

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

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act

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

Permit No. 0906502, Public Water Supply.

Applicant **Bucks County Water and Sewer Authority**
1275 Almshouse Road
Warrington, PA 18976

Township Solebury

County **Bucks**

Type of Facility PWS

Consulting Engineer Carroll Engineering Corporation
949 Easton Road, Suite 100
Warrington, PA 18976

Permit to Construct Issued March 28, 2006

Permit No. 0904509, Public Water Supply.

Applicant **Pennland Bedminster, LP**
2424 Bristol Road
Warrington, PA 18976

Township Bedminster

County **Bucks**

Type of Facility PWS

Consulting Engineer Carroll Engineering Corporation
949 Easton Road, Suite 100
Warrington, PA 18976

Permit to Construct Issued April 3, 2006

Permit No. 1506503, Minor Amendment. Public Water Supply.

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

Township Valley

County **Chester**

Type of Facility PWS

Consulting Engineer Scott M. Thomas
Pennsylvania-American Water Company
852 Wesley Drive
Mechanicsburg, PA 17055

Permit to Construct Issued March 31, 2006

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

Permit No. 0606503 MA, Minor Amendment, Public Water Supply.

Applicant **Western Berks Water Authority**

Municipality Lower Heidelberg Township

County **Berks**

Type of Facility Installation of SolarBee Solar Powered Reservoir Circulator in the existing Sugarloaf Tank No. 1.

Consulting Engineer James C Elliot, P. E.
Gannett Fleming, Inc.
P. O. Box 67100
Harrisburg, PA 17106-7100

Permit to Construct Issued 4/10/2006

Wellhead Protection Program Approval issued to **Section A Water Corporation**, P. O. Box 31, Fairfield, PA 17320, PWSID 7010033, Carroll Valley Borough, **Adams County** on April 6, 2006.

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

Operations Permit issued to **Pennsylvania-American Water Company**, 800 Hersheypark Drive, Hershey, PA 17033, (PWS ID 5020039) Union Township, **Washington County** on March 31, 2006 for the operation of facilities approved under Construction Permit No. 6399502.

Operations Permit issued to **Consol Energy, Inc.**, 1027 Little Indian Creek Road, Morgantown, WV 26505, (PWS ID 5300832) Wayne Township, **Greene County** on April 11, 2006 for the operation of facilities approved under Construction Permit No. 3096502.

Permit No. 1103503MA, Minor Amendment. Public Water Supply.

Applicant **Northern Cambria Municipal Authority**
1202 Philadelphia Avenue
Northern Cambria, PA 15714

Borough or Township Susquehanna Township and Northern Cambria Borough

County **Cambria**

Type of Facility Replacement roof for the existing 500,000 gallon reservoir

Consulting Engineer Stiffler, McGraw & Associates, Inc.
19 N. Juniata Street
P. O. Box 462,
Holidaysburg, PA 16648

Permit to Operate Issued April 6, 2006

Permit No. 6595501T1, Minor Amendment. Public Water Supply.

Applicant **Waterford Water Works**
1 Municipal Park Drive
Ligonier, PA 15658

Borough or Township Ligonier Township

County	Westmoreland
Type of Facility	Waterford well, tank, control structure and interconnection.
Permit to Operate Issued	April 11, 2006

HAZARDOUS SITES CLEANUP UNDER THE ACT OF OCTOBER 18, 1988

Prompt Interim Response

Berkley Products Company Plant Site, West Earl Township and Akron Borough, Lancaster County, PA.

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (HSCA) (35 P. S. §§ 6020.101—6020.1305) has initiated a prompt interim response at the Berkley Products Company Plant Site (Berkley), 405 South 7th Street, Akron, PA 17501. This response has been initiated under sections 501(a) and 505(b) of the HSCA (35 P. S. §§ 6020.501(a) and 6020-505(b)).

Berkley is located at 405 South 7th Street in West Earl Township and is bordered by the Borough of Akron, Lancaster County. The approximately 2.5-acre facility is located on a hillside sloping from South 7th Street at the front to South 9th Street at the rear. Residential properties surround most of the site, but a few commercial properties are also present. The site can be found on the United States Geological Survey Ephrata, PA, quadrangle map at north 40° 14' 01" latitude and west 76° 12' 33" longitude.

Berkley is an operating facility producing customized coatings and has manufactured coatings at the facility since 1955. During most of their operation, solvents were used as drying agents in the coatings and for cleaning the manufacturing equipment. At some point, Berkley began reprocessing their solvent waste for reuse in the manufacturing process. Beginning in 1974, Berkley began accepting solvent waste for reprocessing and reuse. In 1980, Berkley submitted a Part A Application for Resource Conservation and Recovery Act (RCRA) Interim Status as a treatment and storage facility. By then Berkley was blending waste for cement kiln fuel and consolidating waste for shipment to various disposal facilities. The waste streams included toluene, trichloroethene (TCE), other individual solvents and chemicals and solvent and chemical mixtures. The facility is in the RCRA Corrective Action Program but is financially unable to address environmental problems. Soil, groundwater and surface water contamination have been identified. Although the area is served by a public water supply, the groundwater contamination plume extends beneath neighboring residences presenting a VOC groundwater-to-indoor-air (vapor intrusion) threat.

The Department considered three alternatives:

1) Institutional controls, no action for the indoor air Medium Specific Concentration (MSC) VOC exceedances in residential homes affected by vapor intrusion emanating from the Berkley Plant.

2) Install air mitigation systems in the residential homes affected by vapor intrusion emanating from the Berkley Company Plant Site. The basement walls and floors of the homes would also be sealed to prevent vapor intrusion. Postinstallation indoor air sampling would be

conducted to verify the effectiveness of the systems and sealing work. The Department will cover all the costs associated with the installation and testing of the systems. However, thereafter each homeowner will be responsible for the electric costs to operate the system.

3) Treat the contaminated groundwater plume to mitigate the levels of VOC contaminants emanating from the Berkley Plant. This would entail a long-term remedial action as in-situ chemical treatment or construction of an onsite pump and treatment system. This option would be time and cost intensive. Residential exposure threats would continue during the period of time that in-situ treatment or operation of the pump and treatment system removes the VOCs from the groundwater to the degree needed to mitigate vapor intrusion threats.

The Department has determined that prompt action is required to protect the public health and safety and the environment and has consequently chosen Alternative 2. This prompt interim action is not intended to be the final remedy for the Berkley site.

The Department is providing this notice under sections 505(b) and 506(b) of HSCA (35 P. S. §§ 6020.505(b) and 6020.506(b)), and the publication of this notice starts the administrative record period under HSCA. The Administrative Record which contains information about this site and which supports the Department's decision to perform this action at the site is available for public review and comment. The Administrative Record can be examined from 8 a.m. to 3:30 p.m. at the Department's Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110 by contacting David Hrobuchak at (717) 705-4843. The Administrative Record may also be reviewed at the Akron Borough Municipal Office, 117 South Seventh Street, Akron, PA 17501 by calling (717) 859-1600.

The Administrative Record will be open for comment beginning April 22, 2006, and will remain open for 90 days. Persons may submit written comments regarding this action to the Department before July 24, 2006, by mailing them to David Hrobuchak at the Department's Southcentral Regional Office address.

The public will have an opportunity to present oral comments regarding the proposed action at a public hearing. The hearing has been scheduled for June 7, 2006, at 7 p.m. at the Mennonite Central Committee Welcoming Place, 21 South 12th Street, Akron, PA. Persons wishing to present formal oral comments at the hearing should register before 4 p.m., June 2, 2006, by calling Sandra Roderick at (717) 705-4931.

If no person registers to present oral comments by June 2, 2006, the hearing will not be held but will be replaced with an informational meeting. Persons interested in finding out if anyone has registered, and if the hearing will be held, should also contact Sandra Roderick at (717) 705-4931. An informational meeting will be held following the hearing.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should call Sandra Roderick at (717) 705-4931 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 2

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

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

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

The Department has received the following plans and reports:

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

Wm. H. Ziegler School, City of Philadelphia, **Philadelphia County**. Gloria Hunsberger, Powell-Harpstead, Inc., 800 E. Washington St., West Chester, PA 19380 on behalf of Francine Locke, School Dist. of Philadelphia, 440 N. Broad St., 3rd Floor, Room 3052, Philadelphia, PA 19103 has submitted a Remedial Investigation Report and Cleanup Plan concerning remediation of site soil contaminated with arsenic, lead and inorganics. The report is intended to document remediation of the site to meet the Statewide Health Standard and Site-Specific Standard.

7401 State Rd. Site, City of Philadelphia, **Philadelphia County**. Michael Christie, Penn E & R, Inc., 2755 Bergey Rd., Hatfield, PA 19440 on behalf of Daniel, Franklin and Bernard Featherman, 9605 San Vittore St.,

Lake Woth, FL 33467 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with chlorinated solvents, PAH, PCBs and inorganics. The report is intended to document remediation of the site to meet the Statewide Health Standard and Site-Specific Standard.

Slutzsky Prop., Northampton Township, **Bucks County**. Edward E. Prout, Jr., ARC, Inc., 1000 W. Broad St., Quakertown, PA 18951 on behalf of Harvey Slutzsky, 40 Tulip Rd., Holland, PA 18966 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.

Cognis Corp. Ambler Ballfield Area, Lower Gwynedd Township, **Montgomery County**. Jay Ash, AMO Env. Decisions, 4327 Point Pleasant Pike, P. O. Box 410, Danboro, PA 18916 has submitted a Final Report concerning remediation of site soil contaminated with pesticides, PCBs, herbicides and dioxin. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Shelly Plaza Shopping Ctr., City of Philadelphia, **Philadelphia County**. Samuel Kucia, Env. Consulting, Inc., 500 E. Washington St., Norristown, PA 1940 on behalf of Michael Willner, Willner Realty & Dev., Co., 140 S. 69th St., Upper Darby, PA 19082 has submitted a Final Report concerning remediation of site groundwater contaminated with other organics. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Sunoco 0004-8413, Uwchlan Township, **Chester County**. Susan E. Cameron, GES, Inc., 410 Eagleview Blvd., Suite 110, Exton, PA 19341 on behalf of North Point Prop. Owners Assoc., 15 E. Uwchlan Ave., Exton, PA 19341 has submitted a Remedial Investigation Report, Risk Assessment Report and Cleanup Report concerning remediation of site soil and groundwater contaminated with lead and BTEX. The report is intended to document remediation of the site to meet the Statewide Health Standard and Site-Specific Standard.

Marcus Hook Refinery/No. 3 Tank Farm #220 Area, Bethel Township, **Delaware County**. Heidi Gahnz, Resource Control Corp., 1274 N. Church St., Moorestown, NJ 08057 on behalf of Brad Fish, Sunoco Proj. Mgr., Sunoco, Inc. (R & M), Blueball and Post Rd., Marcus Hook, PA 19061 has submitted a Final Report concerning remediation of site groundwater contaminated with unleaded gasoline and BTEX. The report is intended to document remediation of the site to meet the Site-Specific Standard.

CVS Store Doylestown, Doylestown Borough, **Bucks County**. Justin Lauterbach, RT Env. Svc., Inc., 510 Heron Dr., Bridgeport, NJ 08014 has submitted a Final Report concerning remediation of site soil contaminated with lead, arsenic and benzo(a)pyrene. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Dodge Steel Casting, City of Philadelphia, **Philadelphia County**. Robert Quick, P. G., Quick Tech Env., Inc., 205 Tuckerton Rd., Suite 207, Medford, NJ 08055 on behalf of George Diemer, First Philadelphia Holdings, LLC, 3000 Atrium Way, Suite 219, Mt. Laurel, NJ 08054 has submitted a Remedial Investigation Report and Cleanup Plan concerning remediation of site soil and groundwater contaminated with lead, arsenic and inorganics. The report is intended to document remediation of the site to meet the Site-Specific Standard.

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

Murray Motors West, Upper Macungie Township, **Lehigh County**. Jody Schmell, Project Manager, Axiom Environmental Services, LLC, P. O. Box 20522, Lehigh Valley, PA 18002, has submitted a Final Report (on behalf of John Noble, Murray Motors West, 1118 Route 100 South, Trexlertown, PA 18087) concerning the remediation of leaded gasoline constituents found or suspected to be present in site soils as the result of historic operations. The report was submitted in order to demonstrate attainment of the Statewide Health Standard. A Notice of Intent to Remediate was simultaneously submitted.

Former Tamaqua MGP Plant, Borough of Tamaqua, **Schuylkill County**. John J. Mahfood, Principal, Corporate Environmental Solutions LLC, 260 Millers Run Road, Bridgeville, PA 15017 has submitted a Final Report (on behalf of PPL Electric Utilities, Two North Ninth Street, Allentown, PA 18101) concerning the remediation of petroleum hydrocarbons and polycyclic aromatic hydrocarbons in site soils and groundwater. The report was submitted in order to demonstrate attainment of the Site-Specific Standard.

338 Porter Street Residence, City of Easton, **Northampton County**. Natalie Hsueh, React Environmental Professional Services Group, 6901 Kingsessing Avenue, 2nd Floor, Philadelphia, PA 19142, has submitted a Final Report (on behalf of Adam Cohen and Tara McKiniry, property owners; Philip Mitman and Linda Walden, former property owners; and Allstate Insurance, 1200 Atwater Drive, Suite 110, Malvern, PA 19355) concerning the remediation of soil found or suspected to have been impacted by the accidental release of No. 2 home heating oil from an underground storage tank on the property. The report was submitted in order to demonstrate attainment of the residential Statewide Health Standard.

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

Albright College (Former Reading Armory and Rudolf Scrapyard Parcels), City of Reading, **Berks County**. Synergy Environmental, Inc., 607 Washington Street, Reading, PA 19604, on behalf of Albright College, P. O. Box 15234, Reading, PA 19612-5234, submitted a Baseline Environmental Report concerning remediation of site soils and groundwater contaminated with PCBs, inorganics and organics. The site is being remediated as a Special Industrial Area.

Sunoco—Shippensburg, Shippensburg Borough, **Cumberland County**. Aquaterra Technologies, Inc., P. O. Box 744, West Chester, 19381, on behalf of Sunoco, Inc. (R & M), 5733 Butler Street, Pittsburgh, 15201, submitted a Remedial Investigation Report and Cleanup Plan concerning remediation of site soils and groundwater contaminated with unleaded gasoline. The report is intended to document remediation of the site to the Site-Specific Standard.

DDSP SWMU 17, Fairview Township, **York County**. Weston Solutions, Inc., 1400 Weston Way, West Chester, 19380, on behalf of Defense Distribution Depot Susquehanna PA, 2001 Mission Drive, New Cumberland, 17070, submitted a Final Report concerning remediation of site soils and groundwater contaminated with solvents. The report is intended to document remediation of the site to the Site-Specific standard.

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

Johnstown Festival Park (Former Central Oil House), City of Johnstown, **Cambria County**. Von Eric Fisher, KU Resources, Inc., 22 South Linden Street, Duquesne, PA 15110 (on behalf of Richard Burkert, Johnstown Area Heritage Association, 201 Sixth Avenue, Johnstown, PA 15906 and Deborah Walter, Johnstown Redevelopment Authority, 401 Washington Street, Johnstown, PA 15901) has submitted a Final Report concerning remediation of site soil and groundwater contaminated with VOCs. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Costco Wholesale Store, West Homestead Borough, **Allegheny County**. Christopher Carlson, P. G., ATC Associates Inc., 2200 Garden Drive, Suite 200, Seven Fields, PA 16046 (on behalf of Heidi Macomber, Costco Wholesale Corp., 45940 Horseshoe Drive, Suite 150, Sterling VA 20166) has submitted a Remedial Investigation Report concerning remediation of site soils contaminated with concentrations of thallium above Statewide Health Standard. Pathway elimination proposed by capping with a building footprint and parking lot. The report is intended to document remediation of the site to meet the Site-Specific Standard.

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

Carbone of Amer Ind Graphite Materials Div., City of St. Marys, **Elk County**. Cleason S. Smith, Hydro-systems Management, Inc., Glass Works Center, Suite 109, 332 S. Main St., Washington PA 15301, on behalf of Edward Stumpff, Carbone of America Ind., Corp., 215 Stackpole St., Suite 1, St. Marys, PA 15857, has submitted a Remedial Investigation Report and a Risk Assessment Report concerning remediation of site Soil and Groundwater contaminated with Dichloroethane, 1,2-Dichloroethylene, CIS-1,2-and Trichloroethylene (TCE). The report is intended to document remediation of the site to meet the Site Specific Standards.

Carbone of Amer Ind Graphite Materials Div., City of St. Marys, **Elk County**. Cleason S. Smith, Hydro-systems Management, Inc., Glass Works Center, Suite 109, 332 S. Main St., Washington PA 15301, on behalf of Edward Stumpff, Carbone of America Ind., Corp., 215 Stackpole St., Suite 1, St. Marys, PA 15857, has submitted a Remedial Investigation Report and a Risk Assessment Report concerning remediation of site Soil and Groundwater contaminated with Dichloroethane, 1,2-Dichloroethylene, CIS-1,2-and Trichloroethylene (TCE). The reports are intended to document remediation of the site to meet the Site Specific Standards.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

Provisions of 25 Pa. Code § 250.8, administration of the Land Recycling and Environmental Remediation Standards Act (act), require the Department of Environmental Protection (Department) to publish in the *Pennsylvania*

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

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

The Department has received the following plans and reports:

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

Dodge Steel Casting, City of Philadelphia **Philadelphia County**. Robert Quick, P. G., Quick Tech Env., Inc., 205 Tuckerton Rd., Suite 207, Medford, NJ 08055 on behalf of George Diemer, First Philadelphia Holdings, LLC, 3000 Atrium Wy., Suite 219, Mt. Laurel, NJ 08054 has submitted a Remedial Investigation Report and Cleanup Plan concerning the remediation of site soil and groundwater contaminated with lead, arsenic and inorganics. The Remedial Investigation Report and Cleanup Plan were approved by the Department on April 7, 2006.

Oxford Former MGP Site, Oxford Borough, **Chester County**. John A. Ducar, P. G., RETEC Group, Inc., 3040 William Pitt Wy Pittsburgh, PA 15238 on behalf of Michael J. Hassel, PPL Gas Utilities Corp., Two N. Ninth St., GENTW-17, Allentown, PA 18101-1179 has submitted a Remedial Investigation Report concerning the remediation of site soil and groundwater contaminated with

diesel fuel, inorganics, other organics and PAH. The Remedial Investigation Report was approved by the Department on February 23, 2006.

Venice Island, City of Philadelphia, **Philadelphia County**. Tess Andress, RT Env. Svc., Inc., 510 Herson Dr., P. O. Box 521, Bridgeport, NJ 08014 on behalf of Dan Neducsin, Neducsin Prop. Mgmt., Inc., 161 Leverington Ave., Suite 100, Philadelphia, PA 19127 has submitted a Remedial Investigation Report and Cleanup Plan concerning the remediation of site soil contaminated with inorganics and PAH. The Remedial Investigation Report and Cleanup Plan were approved by the Department on January 24, 2006.

Mr. Lee Cleaners, Upper Moreland Township **Montgomery County**. Rickard Sacks, Sigma Env., Svc., Inc., 1514 Harmon Rd., Harleysville, PA 19438 on behalf of Chris Anderson, Goodman Prop. 636 Old York Rd., Jenkintown, PA 19046 has submitted a Final Report concerning the remediation of site soil contaminated with PCE. The Final report demonstrated attainment of the Site-Specific Standard and was approved by the Department on March 27, 2006.

Selas Corp. of Amer, Upper Dublin Township **Montgomery County**. Wm. Schmidt, P. E., Pennoni Assoc., Inc., 3001 Market St., Philadelphia, PA 19104 on behalf of Peter Clelland, BT Limekline, P. G., 2600 Philmont Ave., Suite 212, Huntingdon Valley, PA 19006 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with PCBs and organics. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on April 6, 2006.

436 Bridge Street Prop., Phoenixville Borough **Chester County**. Bruce Speidel, P. E., EBI Consulting, 6876 Susquehanna, Trail S., York, PA 17403 on behalf of Charles Morelli, 451 Swedesford Rd., Frazier, PA 19355 has submitted a Final Report concerning the remediation of site soil contaminated with leaded gasoline. The Final report demonstrated attainment of the Statewide Health Standard Report and was approved by the Department on March 31, 2006.

Lansdale Holding Group Associates, LP, Lansdale Borough or Township, **Montgomery County**. Donald L. Coleman, P. G., Penn E & R, 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 the remediation of site soil and groundwater contaminated with organics and chlorinated solvents. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on March 22, 2006.

David Prop., City of Philadelphia, **Philadelphia County**. Jeffrey K. Walsh, P. G., Penn E & R, Inc., 2755 Bergey Rd., Hatfield, PA 19440 on behalf of Robert Rosenthal, Westrum Park Place, LP, 370 Commerce Dr., Ft. Washington, PA 19304 has submitted a Remedial Investigation Report, Risk Assessment Report and Cleanup Plan concerning the remediation of site soil and groundwater contaminated with petroleum compounds, metals, polynuclear aromatic hydrocarbons and other organic compounds. The Remedial Investigation Report, Risk Assessment Report and Cleanup Plan were approved by the Department on April 4, 2006.

Capozzi Prop., City of Philadelphia, **Philadelphia County**. Jeffrey K. Walsh, Penn E & R, Inc., 2755 Bergey Road, Hatfield, PA 19440 on behalf of Robert Rosenthal,

Westrum Park Place, LP, 370 Commerce Dr., Ft. Washington, PA has submitted a Remedial Investigation Report, Risk Assessment Report and Cleanup Plan concerning the remediation of site soil and groundwater contaminated with unleaded gasoline. The Remedial Investigation Report, Risk Assessment Report and Cleanup Plan were approved by the Department on April 4, 2006.

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

Former Olin Microelectronics Materials, Inc., Plainfield Township, **Northampton County**. Michael J. Bellotti, Principal Remediation Specialist, Olin Corporation, P. O. Box 248, 1186 Lower River Road, NW, Charleston, TN 37310-0248 submitted both a Cleanup Plan and a Final Report concerning the remediation of soils and/or groundwater found or suspected to have been contaminated with inorganics as the result of historic site operations. The reports demonstrated attainment of a combination of the non-residential Statewide Health and Site-Specific Standards and were approved on March 30, 2006.

Former Stauffer Chevrolet, North Union Township, **Schuylkill County**. Bob Helkowski, Engineer, Malcolm Pirnie, Inc., 1700 Market Street, Suite 2740, Philadelphia, PA 19103 submitted a Final Report (on behalf of FNBM Trust and Financial Services, c/o James T. O'Brien, 260 Sunbury Street, Minersville, PA 17954) concerning the remediation of soils found or suspected to be contaminated with petroleum products, lead and other compounds associated with the property's historical use as an auto dealership and auto repair facility. The report demonstrated attainment of the residential Statewide Health Standard and was approved on March 28, 2006.

Bandy Property, Hamilton Township, **Monroe County**. Quad Three Group Inc., 72 Glenmaura National Boulevard, Moosic, PA 18507 submitted a Final Report (on behalf of their client, Danielle Bandy, P. O. Box 701, Sciota, PA 18354) concerning the remediation of soils found or suspected to have been contaminated with No. 2 fuel oil constituents as the result of an accidental overflow. The report demonstrated attainment of the residential Statewide Health Standard and was approved on March 13, 2006.

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 submitted a Final Report (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 demonstrate attainment of the Statewide Health Standard and was approved on March 20, 2006.

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

Olswfski Property/McDannell Oil, Freedom Township, **Adams County**. Alternative Environmental Solutions, 930 Pointview Avenue, Suite B, Ephrata, PA 17522 on behalf of Michael A. Olswfski, 620 McGlaughlin Road, Fairfield, PA 17320 and McDannell Oil, 322 Oak Drive, Orrtanna, PA 17353, submitted a Final Report concerning remediation of site soils contaminated with kerosene. The Final Report demonstrated attainment of the residential Statewide Health Standard, and was approved by the Department on April 4, 2006.

Anna E. Kirchoff Property, Manheim Township, **Lancaster County**. Hafer Environmental Services, Inc., P. O. Box 4418, Reading, PA 19606, on behalf of Anna E. Kirchoff, c/o Judith Hoar, Esq., Trout, Ebersole & Groff, LLP, 1705 Oregon Pike, Lancaster, PA 19601-4200, submitted a Final Report concerning remediation of site soils contaminated with leaded and unleaded gasoline from a nonregulated underground storage tank. The Final Report demonstrated attainment of the residential Statewide Health Standard, and was approved by the Department on April 10, 2006.

Susquehanna Township School District-Middle School, Susquehanna Township, **Dauphin County**. Alliance Environmental Services, Inc., 1820 Linglestown Road, Harrisburg, PA 17110, on behalf of Susquehanna Township School District, 3550 Elmerton Avenue, Harrisburg, PA 17109, submitted a Final Report concerning remediation of site soils and groundwater contaminated with heating fuel oil. The Final Report did not demonstrate attainment of the Statewide Health Standard, and was disapproved by the Department on April 10, 2006.

HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

Permits issued, suspended, expired, denied, revoked, reinstated or returned under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations to operate a hazardous waste treatment, storage or disposal facility.

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

Permit No. PAD010154045. Envirite of Pennsylvania, Inc. 730 Vogelsong Road, York, PA 17404, City of York, **York County**. This permit has been issued on February 17, 2006.

REGISTRATION FOR GENERAL PERMIT—RESIDUAL WASTE

Registration issued 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 Registration No. WMGR097R004. Blair County, 215 Old Route 220 South, Duncansville PA 16635. Registration to operate under General Permit No. WMGR097R004 authorizes operation of a composting demonstration facility. The registration was issued by Central Office on April 5, 2006.

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

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

Northeast Region: Regional Solid Waste Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.

Permit Application No. 100932. Environmental & Recycling Services, Inc., 1100 Union Street, Taylor, PA 18517. A permit modification, which modifies the existing expiration date (March 31, 2006) of the permit renewal for this construction and demolition waste landfill located in Taylor Borough, **Lackawanna County**. The permit was issued in the Regional Office on March 31, 2006, providing a new expiration date of March 31, 2007.

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

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

Permit ID No. 300558. Little Blue Run Disposal Impoundment, FirstEnergy Generation Corp., Bruce Mansfield Plant, Shippingport, PA. Operation of a captive residual waste disposal impoundment in Greene Township, **Beaver County and Hancock County, WV**. Permit modification for changes in the operations plan and a demonstration project issued in the Regional Office on April 5, 2006.

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.

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

AQ-SE-0014: Haines and Kibblehouse, Inc. (P. O. Box 196, 2052 Lucon Road, Skippack, PA 19474) on April 4, 2006, to operate a portable crushing plant in Lower Pottsgrove Township, **Montgomery County**.

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

GP7-67-03135: Beard Printing and Publishing (3627 Sandhurst Drive, York, PA 17402) on April 4, 2006, for Sheetfed Offset Lithographic Printing Press under GP7 in Manchester Township, **York County**.

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

GP2-04-00034U: Engineered Polymer Solutions d/b/a Valspar Coatings (372 Cleveland Avenue Rochester, PA 15074) on March 30, 2006, to operate approxi-

mately 65 volatile organic liquid storage tanks in Rochester Township, **Beaver 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.

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

22-05012B: ISG Steelton, LLC (215 South Front Street, Steelton, PA 17113-2538) on April 10, 2006, to construct a natural gas fired boiler, capacity 27.7 mmBtu/hr in the Steelton Borough, **Dauphin County**.

22-05035A: Eastern Industries, Inc. (P. O. Box 177, Winfield, PA 17889-0177) on April 4, 2006, to replace the existing primary jaw crusher, the existing grizzly and blacktop screens and to refurbish the dust collector that controls the blacktop plant at their Elizabethtown quarry in Washington Township, **Dauphin County**.

36-05001D: Armstrong World Industries, Inc. (1507 River Road, Marietta, PA 17547) on April 6, 2006, to modify perlite expanders in East Donegal Township, **Lancaster County**.

36-05136A: Granger Energy of Honey Brook, LLC (481 South Churchtown Road, Narvon, PA 17555) on April 10, 2006, to construct a landfill gas-fired engine. The landfill gas-fired engine will be at the Granger landfill gas treatment plant at the Lancheater Landfill in Caernarvon Township, **Lancaster County**.

67-05005D: PPL Brunner Island, LLC (2 North 9th Street, Allentown, PA 18101-1139) on April 5, 2006, to install two flue gas desulfurization systems for the three bituminous coal-fired electric utility boilers (Units 1-3) and to construct of two 500 horsepower diesel-fired engines at the Brunner Island Steam Electric Station in East Manchester Township, **York 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.

15-0114: Action Manufacturing Co. (500 Bailey Crossroads Road, Atglen, PA 19310) on April 4, 2006, to operate a thermal treatment unit in West Fallowfield Township, **Chester County**.

23-0012: Epsilon Product Co., LLC (Post Road and Blueball Avenue, P. O. Box 432, Marcus Hook, PA 19061) on April 4, 2006, to operate plant 2 and thermal oxidizer in Marcus Hook Borough, **Delaware County**.

46-0242: BAE Systems Information and Electronics Systems Integration, Inc. (305 Richardson Road, Lansdale, PA 19446) on April 7, 2006, to operate two natural gas-fired generators in Montgomery Township, **Montgomery County**.

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

67-03122: Key Plastics, Inc. (3350-3390 Farmtrail Road, York, PA 17402) on March 16, 2006, to install three automated paint lines controlled by dry filters and a regenerative thermal oxidizer in Manchester Township, **York County**. This plan approval was extended.

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

56-00210A: PBS Coals, Inc. (1576 Stoystown Road, Friedens, PA 15541) on April 7, 2006, to complete construction of their Cambria Preparation Plant at Stonycreek Township, **Somerset County**. This plan approval was extended.

56-00011B: New Enterprise Stone and Lime Co., Inc. (P. O. Box 77, New Enterprise, PA 16664) on April 10, 2006, to increase throughput limitations and decrease hours of operation previously established under PA-56-00011B, as well as, include a requirement for water sprays at appropriate locations for a Nonmetallic Mineral Processing Plant known as the Central City Sand Plant in Shade Township, Somerset County at their facility in Luzerne Township, **Fayette County**. This is a Plan Approval modification.

Plan Approvals Denied, Terminated, Modified, Suspended or Revoked under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and the provisions of 25 Pa. Code §§ 127.13b and 127.13c.

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

17-399-020: Eagle Environmental II, LP (11 New Street, Englewood Cliffs, NJ 07632) on March 31, 2006, a request for an extension of a plan approval to construct a residual waste landfill in Chest Township, **Clearfield County**, was returned because the plan approval has expired.

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

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

09-00019: Miller and Son Paving, Inc. (1371 West Street Road, Warminster, PA 18974) on April 7, 2006, to operate the quarry, crush stone and produce hot asphalt to the facility Synthetic Minor Operating Permit in Wrightstown Township, **Bucks County**.

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

36-03161: Compass Quarries, Inc. d/b/a Independent Construction Materials (P. O. Box 130, 47 McIlvaine Road, Paradise, PA 17562) on April 3, 2006, to operate their stone crushing and limestone pulverizing plants in Paradise Township, **Lancaster County**.

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

03-00062: Freeport Terminals, Inc. (P. O. Box 29, Butler, PA 16003) on April 3, 2006, to operate an

intermodal terminal at Freeport Terminals in Freeport Borough in **Armstrong County**. This is a State-only Operating Permit.

03-00104: M and M Lime Co., Inc. (R. R. 1, Box 257-M, Worthington, PA 16262-9753) on March 29, 2006, to operate a limestone crushing/screening plant with associated dust control equipment and four diesel generator engines at their AG Lime Plant in West Franklin Township, **Armstrong County**. This is a State-only Operating Permit.

63-00414: Avella Area School District (1000 Avella Road, Avella, PA 15312) on March 31, 2006, to operate two CNB Tri-Fuel boilers model No. 75L, both rated at 2.6 mmBtu/hr at their Elementary and High Schools in Avella Township in **Washington County**. This is a State-only Operating Permit.

04-00181: Interstate Chemical Company Inc. (2797 Freedland Road, Hermitage, PA 16148-9027) on April 10, 2006, for their Vanport Terminal and Storage facility in Vanport Township, **Beaver County**.

65-00595: Westmoreland Regional Hospital (532 West Pittsburgh Street, Greensburg, PA 15601) on April 10, 2006, to operate one Cleaver Brooks 4 pass-fire tube boiler and one Union Iron Works water tube boiler, both rated at 20.9 mmBtu/hr at the Westmoreland Regional Hospital in Greensburg, PA, **Westmoreland County**.

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

N04-013: The Bellevue (200 South Broad Street, Philadelphia, PA 19102) on April 6, 2006, to operate a hotel and shops in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include two 12.5 mmBtu/hr boilers.

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

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

22-03055: Kimmel's Coal and Packaging, Inc. (Machamer Avenue, P. O. Box 1, Wiconisco, PA 17097) on March 31, 2006, to operate their coal preparation facility in Wiconisco Township, **Dauphin County**. This operating permit was administratively amended to incorporate Plan Approval 22-03055A. This is revision No. 1.

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

41-00002: Koppers, Inc. (P. O. Box 189, Montgomery, PA 17752) on April 7, 2006, under the minor modification requirements of 25 Pa. Code § 127.462, to allow the use of waste creosote-treated flooring blocks as fuel in a cogeneration boiler previously allowed to use waste creosote-treated railroad crossties and utility poles as fuel in Clinton Township, **Lycoming County**.

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

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

56-00287: Friends to End, Inc. (5491 Somerset Pike, Hollsopple, PA 15935) on April 5, 2006, for a State-only operating permit for a crematory in Jenner Township, **Somerset County**. These de minimis increases result from the installation of a small crematory (less than 75 lb/hr) operating 6,000 hours per year. De minimis increases of 0.6+ tpy PM, 0.1 tpy CO, 0.4 tpy NO_x, 0.3 tpy SO_x and 0.4 tpy VOCs are approved.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

Coal Permits Actions

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

26970702 and NPDES Permit No. PA0215112, Matt Canestrale Contracting, Inc. (P. O. Box 234, Belle Vernon, PA 15012-0234), to renew the permit for the LaBelle Site in Luzerne Township, **Greene County** and related NPDES Permit. No additional discharges. Permit issued April 4, 2006.

32011302 and GP12-32011302-R3, AMFIRE Mining Company, LLC (One Energy Place, Latrobe, PA 15650), to revise the permit for the Gillhouser Run Deep Mine in Buffington Township, **Greene County** to allow particulate matter emissions for construction of coal screen and truck loading from stockpile over unpaved haul road. Permit issued April 6, 2006.

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

11850111 and NPDES No. PA0597490, E. P. Bender Coal Company, South Main Street, P. O. Box 565-566, Carrolltown, PA 15722-0565, permit renewal for reclamation only of a bituminous surface-auger mine in Dean Township, **Cambria County**, affecting 170.3 acres. Receiving streams: UNT to Brubaker Run and Brubaker Run classified for the following uses: CWF; CWF. There are no potable water supply intakes within 10 miles downstream. Application received February 10, 2006. Permit issued: April 3, 2006.

11910101 and NPDES No. PA0599093, E. P. Bender Coal Company, Inc., P. O. Box 594, Carrolltown, PA 15722-0594, permit renewal for the continued operation and restoration of a bituminous surface-auger mine in Reade Township, **Cambria County**, affecting 88.0 acres. Receiving streams: UNT to and Powell Run classified for the following use: CWF. There are no potable water

supply intakes within 10 miles downstream. Application received February 10, 2006. Permit issued April 3, 2006.

56900112 and NPDES No. PA058976, Future Industries, Inc., P. O. Box 157, Meyersdale, PA 15552, permit renewal for the continued operation and restoration of a bituminous surface mine in Summit Township, **Somerset County**, affecting 650.0 acres. Receiving streams: Stony Batter Run; Shaffer Run classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received December 27, 2005. Permit issued April 4, 2006.

56030107 and NPDES No. PA0249521, Future Industries, Inc., P. O. Box 157, Meyersdale, PA 15552, revision of an existing bituminous surface mine to add a stream variance including a stream crossing and a SMP boundary revision of 2.8 acres in Brothersvalley Township, **Somerset County**, affecting 182.1 acres. Receiving streams: UNTs to Buffalo Creek and Buffalo Creek; UNTs to Millers Run and Millers Run classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received January 4, 2006. Permit issued April 6, 2006.

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

17030117 and NPDES Permit No. PA0243639, Forcey Coal, Inc. (P. O. Box 225, Madera, PA 16661). Auger mining safety permit application to an existing bituminous surface mine of the Brookville coal seam. The permit is located in Bigler Township, **Clearfield County**. Receiving streams: UNTs to Clearfield Creek and Banian Run to Clearfield Creek to West Branch Susquehanna River. Application received: January 18, 2006. Permit issued: March 30, 2006.

17940107 and NPDES Permit No. PA 0219801, River Hill Coal Company, Inc. (P. O. Box 141, Kylertown, PA 16847). Permit renewal for the continued operation and restoration of a bituminous surface mine in Karthaus Township, **Clearfield County**, affecting 440.0 acres. Receiving streams: tributaries to Saltlick Run and tributaries to Upper Three Runs to the West Branch of the Susquehanna River; and tributaries directly to the West Branch Susquehanna River. Application received: April 7, 2005. Permit issued: March 27, 2006.

17010102 and NPDES Permit No. PA0219967, Compass Coal Company (P. O. Box 169, Punxsutawney, PA 15767). Permit renewal for the continued operation and restoration of a bituminous surface mine in Chest Township, **Clearfield County**, affecting 117.0 acres. Receiving streams: North Camp Run to Chest Creek to West Branch of the Susquehanna River. Application received: February 9, 2006. Permit issued: March 22, 2006.

17990101 and NPDES Permit No. PA0238228, Sky Haven Coal, Inc. (5510 State Park Road, Penfield, PA 15849). Auger Safety Permit for an existing bituminous surface mine permit of Middle Kittanning coal seam. The permit is located in Girard Township, **Clearfield County**. Receiving streams: UNTs to Surveyor Run, to Surveyor Run, to the West Branch of the Susquehanna River. Application received March 22, 2006. Permit issued: April 4, 2006.

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

54663021R4 and C6, Reading Anthracite Company (P. O. Box 1200, Pottsville, PA 17901), renewal and correction of an existing anthracite surface mine to include biosolids and coal ash disposal for reclamation in New

Castle Township, **Schuylkill County** affecting 693.0 acres. Receiving stream: none. Applications received October 11, 2005, and December 20, 2005. Renewal and Correction issued April 3, 2006.

54803204R4. Gilberton Coal Company (10 Gilberton Road, Gilberton, PA 17934), renewal of an existing anthracite coal refuse reprocessing operation in **Butler and Conyngham Townships and Ashland Borough, Schuylkill and Columbia Counties** affecting 24.6 acres. Receiving stream: none. Application received June 29, 2005. Renewal issued April 4, 2006.

Noncoal Permits Actions

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

17010301 and NPDES No. PA0243124. Onyx Greentree Landfill, LLC (635 Toby Road, Kersey, PA 15846), revision of an existing noncoal surface mine for change in land use in **Huston Township, Clearfield County**, affecting 26 acres. Receiving streams: UNTs. Application received: February 3, 2006. Permit issued March 30, 2006.

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

7874SM1T2. Total Recycling Corp. d/b/a Total Recycling Resources (3715 Remaly Street, Bethlehem, PA 18018), transfer of an existing slag operation in **Hanover Township, Lehigh County** affecting 22.7 acres. Receiving stream: none. Application received August 11, 2005. Transfer issued April 3, 2006.

21050301 and NPDES Permit No. PA0224456. JR Zimmerman Enterprises, LLC (35 Ridge Road, Newville, PA 17241), commencement, operation and restoration of a quarry operation in **North Newton Township, Cumberland County** affecting 33.31 acres. Receiving stream: UNT of Green Spring Creek. Application received February 17, 2005. Permit issued April 4, 2006.

6276SM4C4 and NPDES Permit No. PA0613143. Martin Limestone, Inc. (P. O. Box 550, Blue Ball, PA 17506), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in **Honey Brook and Caernarvon Townships, Chester and Lackawanna Counties**. Receiving stream: West Branch Brandywine Creek. Application received February 17, 2006. Renewal issued April 7, 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.

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

02064004. Chambers Development (600 Thomas St., Monroeville, PA 15146). Blasting activity permit at the Monroeville Landfill cells, located in Monroeville Township, **Allegheny County**, with an expected duration of one year. Permit issued: April 3, 2006.

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

06064105. Keystone Blasting Service (381 Reifsnyder Road, Lititz, PA 17543), construction blasting for Stonecroft Village in **Marion Township, Berks County** with an expiration date of December 30, 2007. Permit issued April 3, 2006.

06064106. Austin Powder Company (25800 Science Park Drive, Cleveland, OH 44122), construction blasting for The Reserves at Springtown in **Spring Township, Berks County** with an expiration date of March 25, 2007. Permit issued April 3, 2006.

36064133. Keystone Blasting Service (381 Reifsnyder Road, Lititz, PA 17543), construction blasting for Lansdale Development in **Manheim Township, Lancaster County** with an expiration date of December 31, 2007. Permit issued April 3, 2006.

45064126. Silver Valley Drilling & Blasting, Inc. (R. R. 4, Box 4196, Saylorsburg, PA 18353), construction blasting for a home in **Pocono Township, Monroe County** with an expiration date of April 1, 2007. Permit issued April 4, 2006.

46064111. Eastern Blasting Co., Inc. (1292 Street Road, New Hope, PA 18938), construction blasting for Souderton Area High School in **Franconia Township, Montgomery County** with an expiration date of April 30, 2007. Permit issued April 4, 2006.

45064127. Holbert Explosives, Inc. (237 Mast Hope Plank Road, Lackawaxen, PA 18435), construction blasting for Timber Hill in **Price Township, Monroe County** with an expiration date of April 6, 2007. Permit issued April 5, 2006.

48064109. American Rock Mechanics, Inc. (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Modern Concrete Precast Plant in **Forks Township, Northampton County** with an expiration date of December 31, 2006. Permit issued April 5, 2006.

01064106. Warren's Excavating & Drilling, Inc. (P. O. Box 189, Bowmansville, PA 17507), construction blasting for Cedar Ridge in **Hamilton Township, Adams County** with an expiration date of March 23, 2007. Permit issued April 6, 2006.

15064108. Warren's Excavating & Drilling, Inc. (P. O. Box 189, Bowmansville, PA 17507), construction blasting for Willistown Township Sewer System in **Willistown Township, Chester County** with an expiration date of March 31, 2007. Permit issued April 6, 2006.

36064132. Hall Explosives, Inc. (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting for Hampden Development in **Elizabethtown Township, Lancaster County** with an expiration date of March 31, 2007. Permit issued April 6, 2006.

36064134. Keystone Blasting Service (381 Reifsnyder Road, Lititz, PA 17543), construction blasting for Southern Village Phase 1 in **Lancaster Township, Lancaster County** with an expiration date of December 30, 2007. Permit issued April 6, 2006.

36064135. Gerlach's Drilling & Blasting (172 Bender Mill Road, Lancaster, PA 17603), construction blasting for Fawn Hill Estates in **Manor Township, Lancaster County** with an expiration date of December 31, 2006. Permit issued April 6, 2006.

36014136. Hall Explosives, Inc. (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting for Lakeview County Estates in **Mt. Joy Township, Lancaster County** with an expiration date of April 30, 2007. Permit issued April 6, 2006.

67064113. Warren's Excavating & Drilling, Inc. (P. O. Box 189, Bowmansville, PA 17507), construction blasting for Friendship Estates in Warrington Township, **York County** with an expiration date of March 23, 2007. Permit issued April 6, 2006.

22064002. J. Roy's, Inc. (Box 125, Bowmansville, PA 17507), construction blasting for Victoria Abby Subdivision in Lower Paxton Township, **Dauphin County** with an expiration date of March 31, 2007. Permit issued April 7, 2006.

48064003. J. Roy's, Inc. (Box 125, Bowmansville, PA 17507), construction blasting at Bangor Landfill (new liner) in Bangor Borough, **Northampton County** with an expiration date of April 15, 2007. Permit issued April 7, 2006.

21064123. Newville Construction Services, Inc. (408 Mohawk Road, Newville, PA 17241), construction blasting for Turkey Hill in Shippensburg Borough, **Cumberland County** with an expiration date of April 1, 2007. Permit issued April 7, 2006.

21064124. Newville Construction Services, Inc. (408 Mohawk Road, Newville, PA 17241), construction blasting for a single dwelling in Penn Township, **Cumberland County** with an expiration date of April 1, 2007. Permit issued April 7, 2006.

21064125. Hall Explosives, Inc. (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting for Walnut Point in Silver Spring Township, **Cumberland County** with an expiration date of April 30, 2007. Permit issued April 7, 2006.

21064126. R & M Excavating (403 Hilltop Road, Newburg, PA 17240), construction blasting for JLG Industries parking lot in Southampton Township, **Cumberland County** with an expiration date of August 5, 2006. Permit issued April 7, 2006.

67064115. John W. Gleim, Jr., Inc. (625 Hamilton Street, Carlisle, PA 17013), construction blasting for Windy Heights in Carroll Township, **York County** with an expiration date of December 15, 2006. Permit issued April 7, 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.

E46-980. Department of Transportation, District 6-0, 7000 Geerdes Boulevard, King of Prussia, PA 19406, Upper Providence Township, **Montgomery County**, ACOE Philadelphia District.

To widen SR 29 (SR 0029) and perform improvements along the route commencing at the eastbound SR 422 (SR 0422) interchange running north on SR 29 and terminating near the intersection of SR 29 and Mennonite Road. Proposed water obstruction and encroachment activities are as follows:

1. To extend and maintain a 30-inch diameter RCP enclosure which carries a UNT to Doe Run (TSF) under SR 29. Length of extension is approximately 44 feet making the total length of the culvert 164 feet. Minor fill will be placed within the floodway to facilitate this extension.

2. To place and maintain fill within approximately 0.061 acre of wetland for roadway widening and for wetland mitigation on the western side of SR 29 to facilitate this extension.

The project will permanently impact approximately 45 linear feet of stream and 0.061 acre of wetland. The applicant proposes 0.158 acre of replacement wetlands. The project impact locations are situated near the SR 422 interchange with Colledgeville Road/SR 29 in Upper Providence Township, Montgomery County (Colledgeville, PA, Quadrangle N: 9.96 inches; W: 14.78 inches).

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

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

E35-393. Burton L. Mott, 405 Cortez Road, Lake Ariel, PA 18436. Jefferson Township, **Lackawanna County**, Army Corps of Engineers Philadelphia District.

To construct and maintain an excavated 0.3-acre pond having a depth of approximately 10-feet in the floodway of a tributary to the West Branch Wallenpaupack Creek (HQ-CWF). The project is located on the east side of Cortez Road approximately 0.4 mile north of its intersection with SR 0348 (Lake Ariel, PA Quadrangle N: 7.8 inches; W: 15.6 inches) (Subbasin: 01C).

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

E41-556. Loyalsock Township, 2501 East Third Street, Williamsport, PA 17701. Small Projects Water Obstruction and Encroachment Joint Permit, in Loyalsock Township, **Lycoming County**, ACOE Susquehanna River Basin District (Montoursville South, PA Quadrangle N: 22.23 inches; W: 7.95 inches).

To construct and maintain 750 linear feet of an 8-foot wide asphalt bikeway in the floodway of Miller's Run, all of which is located between the SR 2029 and SR 2014 bridge in Loyalsock Township, Lycoming County. This project does not propose to impact any wetlands. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E41-557. Department of Transportation, Engineering District 3-0, P. O. Box 218 Montoursville, PA 17754-0218. Joint Water Obstruction and Encroachment Permit Issuance for SR 0442 Segment 0030 Little Muncy Creek bridge replacement, in Muncy Creek Township, **Lycoming County**, ACOE Susquehanna River Basin District (Hughesville, PA Quadrangle N: 14.00 inches; W: 16.00 inches).

To remove an existing steel half-thru truss bridge and construct and maintain a single span steel girder, concrete deck bridge having a span of 125.7 feet, with a minimum underclearance of 9 feet on a skew of 70° over Little Muncy Creek located along SR 0442 Segment 0030 Offset 0000, Muncy Creek Township, Lycoming County. This project proposes to have a minimal impact on Little Muncy Creek, which is, designated a CWF and TSF. This project does propose to impact jurisdictional wetlands. This permit also includes 401 Water Quality Certification.

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

E65-886. Department of Transportation, P. O. Box 459, Uniontown, PA 15401. To construct a culvert and fill wetlands in Unity Township, **Westmoreland County**, Pittsburgh ACOE District. (Latrobe, PA Quadrangle N: 6.4 inches; W: 1.6 inches and Latitude: 40° 16' 53"—Longitude: 79° 23' 25"). To maintain an existing 152 LF, 14.0 ft. span, 8.96 ft. vertical clearance concrete arch culvert in Monastery Run (WWF); to construct and maintain a 25 LF, 14.0 ft. span, 8.0 ft. vertical clearance concrete extension and 10 LF apron to the downstream end of the existing culvert; to fill and maintain a total of 0.44 acre of PEM, PSS and PFO wetlands; and to construct a temporary road crossing. Within drainage areas of less than 100 acres the applicant also proposes: to fill and maintain 49 LF of stream to be relocated by a 49 LF, 8 inch culvert; to construct and maintain a 48 LF

downstream extension to a 146 LF, 24-inch diameter culvert; and to fill and maintain 323 LF of stream channel to be relocated by the construction and maintenance of 510 LF of stream channel. This project is associated with the widening and improvements to a section of SR 30 located north and adjacent of the Latrobe Airport and extending from approximately 0.25 mile east of the intersection with Route 981 to approximately 0.75 mile west of the intersection with Route 981 (N: 6.0 inches; W: 4.2 inches and Latitude: 40° 17' 00"—Longitude: 79° 24' 15"). Total proposed impacts are approximately 452 ft. of stream channel and 0.44 acre of wetland. A total of 0.6 acre of PEM and PFO replacement wetlands will be part of the mitigation to be included in the permit associated with the adjoining SR 1045 (St. Vincent Drive) relocation project.

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

E25-697, International Paper, Uniflow Center Room D, 1525 East Lake Road, Erie, PA 16511. Lowville Three Landfill Stream Cleaning, in Venango Township, **Erie County**, ACOE Pittsburgh District (Wattsburg, PA Quadrangle N: 6.3 inches; W: 12.9 inches).

The applicant proposes to remove sediment, vegetation and gravel deposits from a UNT to West Branch French Creek to original stream contours for a length of 985 feet adjacent to the return track of a drag strip to prevent flooding of the return track approximately 2,000 feet NW of the intersection of SR 8 and Jones Road involving: 1) to impact 0.19 acre of PEM/PSS wetland by removing sediment, vegetation and gravel deposits to original stream contours; and 2) to restore 0.19 acre of PEM/PSS wetlands on the International Paper Lowville Landfill Three property. A portion of this project was completed under Emergency Permit EP2505603 issued by the Department on May 19, 2005. The project proposes to impact 0.19 acre of PEM/PSS wetlands and to restore 0.19 acre of PEM/PSS wetlands. The UNT to French Creek is a perennial stream classified as a WWF.

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

To remove the existing structure and to construct and maintain a steel multigirder bridge having a clear span of 135 feet and an underclearance of 23.8 feet on a 90° skew across Slippery Rock Creek on SR 1012, Section L02, Segment 0140, Offset 1810 approximately 2.5 miles south of Harlansburg. The project also includes the placement of riprap in the remnants of an adjacent millrace associated with the Kennedy Mill Dam (D37-020) just upstream of the bridge. Slippery Rock Creek is a perennial stream classified as a CWF-TSF.

SPECIAL NOTICES

Environmental Assessment

Northwest Regional Office, Water Supply Management, 230 Chestnut Street, Meadville, PA 16335.

Location: Ridgeway Township Municipal Authority, 164 Ridgeway Drive, Ridgeway, PA 15853.

Description: The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding

source for this project. Ridgeway Township proposes water system improvements including an extension of the distribution system south along US 219 to Elk Drive and water line replacement in the Montmorenci, Fairview and "lower" Boot Jack areas as well as pumping station, storage and distribution system upgrades. The project includes approximately 43,000 LF of 12-inch and 8-inch diameter water main; 256,000-gallon, 278,000-gallon and 329,000-gallon water storage tanks; two water pumping stations; and appurtenances. The project will add approximately 60 new customers. Total project cost is estimated at \$3.889 million. The Department of Environmental Protection's (Department) review of the project and the information received in the Environmental Report for the project has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby approves the Environmental Assessment.

[Pa.B. Doc. No. 06-663. Filed for public inspection April 21, 2006, 9:00 a.m.]

Air Quality Technical Advisory Committee Ad-Hoc Subcommittee on Monitoring Technical Workgroup Meeting

The Air Quality Technical Advisory Committee Ad-Hoc Subcommittee on Monitoring Technical Workgroup will hold a meeting from 9:30 a.m. to 2 p.m. on April 26, 2006, in the 14th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

The new CEM Data Processing System will be discussed along with the implementation plan for Revision 8 of the Continuous Source Monitoring Manual (manual). A vote on the acceptance of the draft version of the manual (with the exception of Attachment 3) and corresponding applicability determination is scheduled.

Questions concerning this meeting should be directed to Charles J. Zadakis, (717) 772-3944, czadakis@state.pa.us. The agenda and meeting materials will be available through the Public Participation Center on the Department of Environmental Protection's (Department) website at www.depweb.state.pa.us (DEP Keywords: Public Participation, Participate).

Persons with a disability who require accommodations to attend this meeting should contact the Department at (717) 783-7816 or through the Pennsylvania AT&T Relay Services at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 06-664. Filed for public inspection April 21, 2006, 9:00 a.m.]

DEPARTMENT OF HEALTH

Application of About Feet Podiatry for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that About Feet Podiatry has requested an exception to the requirements of 28 Pa. Code § 551.3 (relating to definitions).

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

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

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

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

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

[Pa.B. Doc. No. 06-665. Filed for public inspection April 21, 2006, 9:00 a.m.]

Application of About Feet Podiatry for Exception

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

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

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

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

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

[Pa.B. Doc. No. 06-666. Filed for public inspection April 21, 2006, 9:00 a.m.]

Application of Ambulatory Surgery Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Ambulatory Surgery Center has requested an exception to the requirements of 28 Pa. Code §§ 553.1, 553.3, 553.4, 553.31(b), 555.3, 555.4, 557, 563 and 559.2.

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

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

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

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

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

[Pa.B. Doc. No. 06-667. Filed for public inspection April 21, 2006, 9:00 a.m.]

Application of Brandywine Valley Endoscopy Center for Exception

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

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

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

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

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

[Pa.B. Doc. No. 06-668. Filed for public inspection April 21, 2006, 9:00 a.m.]

Application of The Endoscopy Center of Delaware County for Exception

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

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

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

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

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

[Pa.B. Doc. No. 06-669. Filed for public inspection April 21, 2006, 9:00 a.m.]

Application of Gastrointestinal Specialist, Inc. for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Gastrointestinal Specialist, Inc. has requested an exception to the requirements of 28 Pa. Code § 551.3 (relating to definitions).

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

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

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

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

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

[Pa.B. Doc. No. 06-670. Filed for public inspection April 21, 2006, 9:00 a.m.]

Application of Gastrointestinal Specialist, Inc. for Exception

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

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

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

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

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

[Pa.B. Doc. No. 06-671. Filed for public inspection April 21, 2006, 9:00 a.m.]

Application of Lebanon Outpatient Surgical Center, LP for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Lebanon Outpatient Surgical Center, LP has requested an exception to the requirements of 28 Pa. Code § 551.21(d)(2) (relating to criteria for ambulatory surgery).

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

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

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

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

[Pa.B. Doc. No. 06-672. Filed for public inspection April 21, 2006, 9:00 a.m.]

Application of Manoa Diagnostic Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Manoa Diagnostic Center has requested an exception to the requirements of 28 Pa. Code § 553.31 (relating to administrative responsibilities).

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

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

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

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

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

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

[Pa.B. Doc. No. 06-673. Filed for public inspection April 21, 2006, 9:00 a.m.]

Application of SCCI Hospital—Easton for Exception

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

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

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 or for speech and/or hearing impaired persons, V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 06-674. Filed for public inspection April 21, 2006, 9:00 a.m.]

Application of Valley Ambulatory Surgical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Valley Ambulatory Surgical Center has requested an exception to the requirements of 28 Pa. Code § 571.1 (relating to minimum standards), which requires compliance with minimum standards contained in *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exemption from the following standard contained in this publication: 9.5.Fd (relating to Class C operating room).

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

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

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

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

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

[Pa.B. Doc. No. 06-675. Filed for public inspection April 21, 2006, 9:00 a.m.]

Integrated Human Immunodeficiency Virus (HIV) Planning Council; Public Meeting

The Statewide Integrated HIV Planning Council, established by the Department of Health (Department) under sections 301(a) and 317(b) of the Public Health Service Act (42 U.S.C.A. §§ 241(a) and 247(b)), will hold a public meeting on Tuesday, May 9, 2006, from 10:30 a.m. to 3 p.m. at the Harrisburg Holiday Inn West, 5401 Carlisle Pike, Mechanicsburg, PA 17050.

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

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

The Department reserves the right to cancel this meeting without prior notice.

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

[Pa.B. Doc. No. 06-676. Filed for public inspection April 21, 2006, 9:00 a.m.]

Update of the List of Citations to ACIP Recommendations Prescribing Child Immunization Practices and Immunizing Agents and Doses

In accordance with 31 Pa. Code §§ 89.806(a) and 89.807(b) (relating to coverage of child immunizations; and immunizing agents, doses and AWP's), the Department of Health, Bureau of Communicable Diseases, Division of Immunization (Department) is updating 31 Pa. Code Chapter 89, Appendices G and H (relating to ACIP recommendations prescribing child immunization practices; and immunizing agents and doses). The Department has primary responsibility for the interpretation and the implementation of 31 Pa. Code §§ 89.806 and 89.807. See 31 Pa. Code § 89.801(b) (relating to authority and purpose; implementation).

Health insurance policies are required by the Childhood Immunization Insurance Act (act) (40 P.S. §§ 3501—3508) and regulations promulgated thereunder, 31 Pa. Code Chapter 809, Subchapter L (relating to childhood immunization insurance), to include coverage for certain childhood immunizations, unless the policies are exempted by the act and 31 Pa. Code § 89.809 (relating to exempt policies). The childhood immunizations covered are those that meet Advisory Committee on Immunization Practices (ACIP) standards in effect on May 21, 1992 (see 31 Pa. Code § 89.806(a)). A list of the Morbidity and Mortality Weekly Report (MMWR) publications containing ACIP recommendations issued under the ACIP standards in effect on May 21, 1992 appears in 31 Pa. Code Chapter 89, Appendix G.

The Department is required to update the list of these MMWR publications in 31 Pa. Code Chapter 89, Appendix G. See 31 Pa. Code § 89.806(a). The additions to the list are as follows. The remainder of the list in 31 Pa. Code Chapter 89, Appendix G remains in full force and effect:

The Department is required to update the list of these MMWR publications in 31 Pa. Code Chapter 89, Appendix G. See 31 Pa. Code § 89.806(a). The additions to the list are as follows. The remainder of the list in 31 Pa. Code Chapter 89, Appendix G remains in full force and effect:

September 2, 2005/Vol. 54/No. 34

- Update: Influenza Vaccine Supply and Recommendations for Prioritization During the 2005-06 Influenza Season

September 16, 2005/Vol. 54/No. 36

- Direct and Indirect Effects of Routine Vaccination of Children with 7-Valent Pneumococcal Conjugate Vaccine on Incidence of Invasive Pneumococcal Disease—United States, 1998-2003

- Update: Influenza Activity—United States and Worldwide, May 22—September 3, 2005, and 2005-06 Season Vaccination Recommendations

October 14, 2005/Vol. 54/No. 40

- Guillain-Barré Syndrome Among Recipients of Menactra® Meningococcal Conjugate Vaccine—United States, June—July 2005

- Notice To Readers: FDA Approval of VAQTA® (Hepatitis A Vaccine, Inactivated) for Children Aged > 1 Year

- QuickStats: Rate of Hospitalizations for Pertussis Among Infants Aged < 6 Months—United States, 1994-1998 and 1999-2003

December 2, 2005/Vol. 54/No. 47

- Notice to Readers: Licensure of a Combined Live Attenuated Measles, Mumps, Rubella, and Varicella Vaccine

February 3, 2006/Vol. 55/No. 4

- Childhood Influenza Vaccination Coverage—United States, 2003-04 Influenza Season

January 6, 2006/Vol. 54/Nos. 51 and 52

- MMWR QuickGuide Recommended Childhood and Adolescent Immunization Schedule—United States, 2006

The Department is also required to update information relating to immunizing agents and doses that the Department has extracted from ACIP recommendations issued under the standards in 31 Pa. Code § 89.806(a). See 31 Pa. Code § 89.807(b). The Department is also to periodically list the average wholesale price (AWP) for immunizing agents. Id. This information currently appears in 31 Pa. Code Chapter 89, Appendix H. The updated information is as follows:

2006 List of Immunizing Agents and Average Wholesale Prices

Product Name, Company	Brand/Product Name	NDC Number	Unit	Dose	AWP/ Dose*
<i>Diphtheria Tetanus acellular Pertussis Vaccine (DTaP):</i>					
sanofi pasteur	Tripedia	49281-0298-10	10 × 1	0.5 ml	\$26.18
sanofi pasteur	Daptacel	49281-0286-10	10 × 1	0.5 ml	\$26.00
GlaxoSmithKline	Infanrix	58160-0840-11	10 × 1	0.5 ml	\$24.70
GlaxoSmithKline	Infanrix	58160-0840-46	5 × 0.5	0.5 ml	\$25.28
<i>Tetanus Diphtheria acellular Pertussis Vaccine (Tdap):</i>					
sanofi pasteur	Adacel	49261-0400-10	10 × 1	0.5 ml	\$42.45
GlaxoSmithKline	Boosterix	58160-0842-11	10 × 1	0.5 ml	\$41.85
GlaxoSmithKline	Boosterix	58160-0842-46	5 × 1	0.5 ml	\$41.85
<i>Diphtheria Tetanus pediatric Vaccine (DT pediatric):</i>					
sanofi pasteur	DT Pediatric	49281-0275-10	5.0 ml	0.5 ml	\$21.96
<i>Diphtheria Tetanus acellular Pertussis/Haemophilus Influenzae B (DTaP-HIB)</i>					
sanofi pasteur	TriHIBit	49281-0597-05	5 × 1	0.5 ml	\$51.40
<i>Tetanus Diphtheria adult Vaccine (Td adult):</i>					
sanofi pasteur	(1) Td Adult	49281-0271-83	5.0 ml	0.5 ml	\$22.70
sanofi pasteur	(2) Decavac	49281-0291-10	10 × 1	0.5 ml	\$21.66
<i>Diphtheria, Tetanus, acellular Pertussis, Hepatitis B, Polio (DTaP, Hep B, OPV)</i>					
GlaxoSmithKline	Pediarix	58160-0841-11	10 × 1	0.5 ml	\$84.11
GlaxoSmithKline	Pediarix	58160-0841-46	5 × 1	0.5 ml	\$84.12
<i>Tetanus Toxoid</i>					
sanofi pasteur	Tetanus toxoid	49281-0820-10	10 × 5	0.5 ml	\$22.17
<i>Haemophilus Influenzae B Vaccine (HIB):</i>					
Wyeth Pharmaceuticals	HibTITER	0005-0104-32	5 × 0.5	0.5 ml	\$25.54
Wyeth Pharmaceuticals	HibTITER	0005-0104-10	10 × 1	100 mcg	\$25.68
sanofi pasteur	ActHIB	49281-0545-05	5 × 1	0.5 ml	\$27.04
Merck & Co.	Pedvax HIB	0006-4897-00	10 × 0.5	0.5 ml	\$27.17
<i>Injectable Polio Vaccine Inactivated (Salk Enhanced IPV):</i>					
sanofi pasteur	IPOL	49281-0860-10	10 × 5	0.5 ml	\$27.35
sanofi pasteur	IPOL	49281-0860-55	10 × 5	0.5 ml	\$31.45
<i>Measles Mumps Rubella Vaccine (MMR):</i>					
Merck & Co.	MMR II	0006-4749-00	0.5 ml	0.5 ml	\$44.72
Merck & Co.	MMR II	0006-4681-00	10 × 0.5	0.5 ml	\$48.00
<i>Measles Vaccine (Rubeola):</i>					
Merck & Co.	Atenuvax	0006-4709-00	0.5 ml	0.5 ml	\$17.73
Merck & Co.	Atenuvax	0006-4589-00	10 × 0.5	0.5 ml	\$17.73

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<i>Product Name, Company</i>	<i>Brand/Product Name</i>	<i>NDC Number</i>	<i>Unit</i>	<i>Dose</i>	<i>AWP/ Dose*</i>
<i>Meningococcal Vaccine (MCV4):</i>					
sanofi pasteur	Menactra	49281-0589-01	0.5 ml	0.5 ml	\$98.40
sanofi pasteur	Menactra	49281-0589-05	5 × 1	0.5 ml	\$98.40
<i>Mumps Vaccine (Mumps):</i>					
Merck & Co.	Mumpsvax	0006-4753-00	0.5 ml	0.5 ml	\$20.45
Merck & Co.	Mumpsvax	0006-4584-00	10 × 0.5	0.5 ml	\$22.95
<i>Rubella (German Measles):</i>					
Merck & Co.	Meruvax II	0006-4747-00	0.5 ml	0.5 ml	\$18.57
Merck & Co.	Meruvax II	0006-4673-00	10 × 0.5	0.5 ml	\$19.76
<i>Hepatitis A Vaccine Pediatric (HEP-A):</i>					
Merck & Co.	VAQTA	0006-4831-00	0.5 ml	0.5 ml	\$34.56
Merck & Co.	VAQTA	0006-4831-41	10 × 0.5	0.5 ml	\$32.66
Merck & Co.	VAQTA syringe	0006-4845-00	0.5 ml	0.5 ml	\$35.30
Merck & Co.	VAQTA syringe	0006-4845-38	5 × 0.5	0.5 ml	\$33.31
GlaxoSmithKline	Havrix	58160-0837-01	0.5 ml	0.5 ml	\$30.11
GlaxoSmithKline	Havrix	58160-0837-11	10 × 0.5	0.5 ml	\$28.79
GlaxoSmithKline	Havrix syringe	58160-0837-50	25 × 0.5	0.5 ml	\$28.79
GlaxoSmithKline	Havrix syringe	58160-0837-46	5 × 0.5	0.5 ml	\$28.79
<i>Hepatitis A Vaccine Adult (HEP-A):</i>					
Merck & Co.	VAQTA	0006-4841-00	1.0 ml	1.0 ml	\$76.06
Merck & Co.	VAQTA	0006-4841-38	5 × 1.0	1.0 ml	\$66.64
Merck & Co.	VAQTA	0006-4841-41	10 × 1.0	1.0 ml	\$71.93
Merck & Co.	VAQTA syringe	0006-4844-00	1.0 ml	1.0 ml	\$70.60
Merck & Co.	VAQTA syringe	0006-4844-38	5 × 1.0	1.0 ml	\$66.64
Merck & Co.	VAQTA pediatric	0006-4831-00	1 × 5	0.5 ml	\$38.41
Merck & Co.	VAQTA pediatric	0006-4831-41	10 × 5	0.5 ml	\$36.29
GlaxoSmithKline	Havrix	58160-0835-01	1.0 ml	1.0 ml	\$66.50
GlaxoSmithKline	Havrix	58160-0835-41	1.0 ml	1.0 ml	\$65.08
GlaxoSmithKline	Havrix syringe	58160-0835-46	5 × 1	1.0 ml	\$65.08
<i>Hepatitis B Vaccine (HEP-B):</i>					
Merck & Co.	(1) Recombivax HB	00006-4980-00	0.5 ml	0.5 ml	\$27.26
Merck & Co.	(1) Recombivax HB	00006-4981-00	10 × 0.5 ml	0.5 ml	\$25.93
Merck & Co.	(3a,b) Recombivax HB	00006-4995-00	1.0 ml	1.0 ml	\$33.49
Merck & Co.	(3a,b) Recombivax HB	00006-4995-41	10 × 1.0	1.0 ml	\$33.15
Merck & Co.	(3c) Recombivax HB	00006-4992-00	1.0 ml	1.0 ml	\$93.31
GlaxoSmithKline	(4) Engerix-B pediatric	58160-0856-01	0.5 ml	0.5 ml	\$25.64
GlaxoSmithKline	(4) Engerix-B	58160-0856-11	10 × 0.5	0.5 ml	\$25.64
GlaxoSmithKline	(4) Engerix-B syringe	58160-0856-46	5 × 0.5	0.5 ml	\$25.64
GlaxoSmithKline	(4) Engerix-B syringe	58160-0856-35	5 × 0.5	0.5 ml	\$25.64
GlaxoSmithKline	(4) Engerix-B syringe	58160-0856-50	25 × 0.5	0.5 ml	\$23.07
GlaxoSmithKline	(4) Engerix-B syringe	58160-0856-57	25 × 0.5	0.5 ml	\$23.07
GlaxoSmithKline	(5) Engerix-B	58160-0857-01	1.0 ml	1.0 ml	\$61.51
GlaxoSmithKline	(5) Engerix-B syringe	58160-0857-46	5 × 1.0	1.0 ml	\$60.27
GlaxoSmithKline	Engerix-B syringe	58160-0857-16	25 × 1	1.0 ml	\$99.92
GlaxoSmithKline	(5) Engerix-B syringe	58160-0857-50	25 × 1.0	1.0 ml	\$54.24
(1) Pediatric/Adolescent formulation (preservative-free) 5mcg/.5ml					
(3a) Adult formulation (preservative free) 10 mcg/1 ml					
(3b) Two dose regimen for 11 through 15 years of age (preservative free)					
(3c) Dialysis formulation (preservative free) 40mcg/1ml					
<i>Hepatitis B / HIB</i>					
Merck & Co.	COMVAX	0006-4898-00	10 × 0.5	0.5 ml	\$54.07
<i>Hepatitis A & Hepatitis B Vaccine:</i>					
GlaxoSmithKline	Twinrix	58160-0850-01	1.0 ml	1.0 ml	\$84.96
GlaxoSmithKline	Twinrix	58160-0850-11	10 × 1.0	1.0 ml	\$92.89
GlaxoSmithKline	Twinrix syringe	58160-0850-46	5 × 1.0	1.0 ml	\$93.20

<i>Product Name, Company</i>	<i>Brand/Product Name</i>	<i>NDC Number</i>	<i>Unit</i>	<i>Dose</i>	<i>AWP/ Dose*</i>
<i>Influenza Vaccine:</i>					
sanofi pasteur	Fluzone PF	49281-0373-25	10 × 0.5	0.25 ml	\$25.92
sanofi pasteur	Fluzone	49281-0374-11	10 × 1	0.5 ml	\$12.27
sanofi pasteur	Fluzone	49281-0374-15	10 × 1	0.5 ml	\$9.18
MedImmune	Flumist	66019-0101-01	10 × 1	0.5 ml	\$16.20
sanofi pasteur	Fluzone	49281-0005-10	10 × 0.5	0.5 ml	\$16.50
sanofi pasteur	Fluzone	49281-0005-50	10 × 0.5	0.5 ml	\$16.50
sanofi pasteur	Fluzone	49281-0376-15	10 × 0.5	0.5 ml	\$16.50
<i>Pneumococcal Vaccine:</i>					
Wyeth Pharmaceuticals	Prenvar	0005-1970-67	5 × 0.5	0.5 ml	\$82.95
Wyeth Pharmaceuticals	Prenvar	0005-1970-00	10 × 1	0.5 ml	\$170.00
Merck & Co.	Pneumovax 23	0006-4739-00	2.5 ml	0.5 ml	\$142.25
Merck & Co.	Pneumovax 23	0006-4739-50	10 × 2.5 ml	0.5 ml	\$159.65
Merck & Co.	Pneumovax 23	0006-4943-00	10 × 0.5	0.5 ml	\$31.93
Merck & Co.	Pneumovax 23 syringe	0006-4894-00	5 × 0.5	0.5 ml	\$19.30
<i>Varicella Virus Vaccine Live (Chickenpox):</i>					
Merck & Co.	Varivax**	00006-4827-00	10 × 0.5	0.5 ml	\$80.02
Merck & Co.	Varivax**	00006-4826-00	0.5 ml	0.5 ml	\$83.93
**Comes with a box of 10 vials of diluent (package B: 00006-4309-00)					
<i>Measles, Mumps Rubella and Varicella Vaccine</i>					
Merck & Co.	ProQuad***	00006-4999-00	10 × 0.5	0.5 ml	\$140.52
Merck & Co.	ProQuad***	00006-4984-00	0.5 ml	0.5 ml	\$147.30
***Comes with a box of 10 vials of diluent (package B: 00006-4309-00)					

* Indicates the Estimated Acquisition Cost (EAC) as stated in the Department of Public Welfare, Office of Medical Assistance Programs, Medical Assistance Regulations at 55 Pa. Code § 1121.55 (relating to method of payment).

Persons with disability who require an alternative format of this notice (for example, large print, audiotape, Braille), should contact Alice Gray, Director, Department of Health, Division of Immunizations, Room 1026, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-5681 or for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 06-677. Filed for public inspection April 21, 2006, 9:00 a.m.]

DEPARTMENT OF LABOR AND INDUSTRY

Current Prevailing Wage Act Debarments

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

<i>Contractor</i>	<i>Address</i>	<i>Date of Debarment</i>
Donovan Phillips. Ltd. and Christian Donovan, individually	3160 Bedminster Road Bedminster, PA 18910	3/9/2006
STEPHEN M. SCHMERIN, Secretary		

[Pa.B. Doc. No. 06-678. Filed for public inspection April 21, 2006, 9:00 a.m.]

DEPARTMENT OF PUBLIC WELFARE

Availability of the Low-Income Home Energy Assistance Program; Proposed State Plan and Public Hearing Schedule

The Department of Public Welfare (Department) is making available for public review and comment the Fiscal Year (FY) 2006-07 Low-Income Home Energy Assistance Program (LIHEAP) proposed State Plan. Comments on this notice and testimony received at public hearings will be used to formulate the Department's final State Plan for using Federal funds in the FY 2006-07 LIHEAP.

The Department has sent advance copies of the proposed State Plan to the LIHEAP Advisory Committee. In addition, copies have been sent to fuel associations, legal service agencies and area agencies on aging for distribution to their members or constituents. Other persons who want copies can obtain them after June 15, 2006, by contacting their local county assistance office or by calling Tammy Heckard at (717) 772-7906.

The Department will hold three public hearings throughout this Commonwealth to allow testimony on the

proposed State Plan and fulfill the Federal mandate for public input into the planning process. This mandate appears in Title XXVI (The Low-Income Home Energy Assistance Act of 1981) of the Omnibus Budget Reconciliation Act of 1981 (Pub. L. No. 97-35, 42 U.S.C.A. §§ 8621—8629) as amended by the Human Services Reauthorization Act of 1984 (Pub. L. No. 98-558), the Human Services Reauthorization Act of 1986 (Pub. L. No. 99-425), the Augustus F. Hawkins Human Services Reauthorization Act of 1990 (Pub. L. No. 101-501), the National Institutes of Health Revitalization Act of 1993 (Pub. L. No. 103-43), the Low-Income Home Energy Assistance Amendments of 1994 (Pub. L. No. 103-252), the Coats Human Services Reauthorization Act of 1998 (Pub. L. No. 105-285) and the Energy Policy Act of 2005 (Pub. L. No. 109-58).

Public Hearing Schedule:

July 6, 2006

10 a.m.—12 p.m.
Allegheny County Courthouse
Gold Room, 4th Floor
436 Grant Street
Pittsburgh, PA

July 13, 2006

10 a.m.—1 p.m.
Philadelphia State Office Building
Rooms 602 and 604, 6th Floor
1400 Spring Garden Street
Philadelphia, PA

July 14, 2006

10 a.m.—12 p.m.
Health and Welfare Building
Room 812, 8th Floor
Commonwealth and Forster Streets
Harrisburg, PA

This notice shall take effect upon publication in the *Pennsylvania Bulletin*.

Persons who wish to testify on the proposed State Plan at a public hearing should arrange a time by telephoning (717) 772-7906 no later than July 3, 2006. Persons from outside the Harrisburg area should call (800) 692-7462 or send a written request, including telephone number, to Tammy Heckard, Federal Programs and Program Management, Room 224, Willow Oak Building No. 42, DPW Complex 2, P. O. Box 2675, Harrisburg, PA 17105.

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

ESTELLE B. RICHMAN,
Secretary

[Pa.B. Doc. No. 06-679. Filed for public inspection April 21, 2006, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Emerald Green 7's Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of

instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Emerald Green 7's.

2. *Price:* The price of a Pennsylvania Emerald Green 7's instant lottery game ticket is \$5.

3. *Play Symbols:* Each Pennsylvania Emerald Green 7's instant lottery game ticket will contain one play area. The play symbols and their captions, printed in black ink, located in the play area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (BKSEV), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR) and 24 (TWYFOR). The play symbols and their captions, printed in green ink, located in the play area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (GSEV), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR) and 24 (TWYFOR).

4. *Prize Symbols:* The prize symbols and their captions, located in the 12 "prize" areas are: \$1⁰⁰ (ONE DOL), \$5⁰⁰ (FIV DOL), \$7⁰⁰ (SVN DOL), \$10⁰⁰ (TEN DOL), \$14\$ (FORTN), \$15\$ (FIFTN), \$20\$ (TWENTY), \$35\$ (TRY FIV), \$70\$ (SEVENTY), \$100 (ONE HUN), \$700 (SVN HUN), \$7,000 (SVN THO) and \$70,000 (SVT THO).

5. *Prizes:* The prizes that can be won in this game are: \$1, \$5, \$7, \$10, \$14, \$15, \$20, \$35, \$70, \$100, \$700, \$7,000 and \$70,000. The player can win up to 10 times on the ticket.

6. *Approximate Number of Tickets Printed for the Game:* Approximately 6,000,000 tickets will be printed for the Pennsylvania Emerald Green 7's instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets with a play symbol of 7 (BKSEV), with the symbol and caption printed in black ink, and a prize symbol of \$70,000 (SVT THO) appearing in the "prize" area to the right of that black 7 (BKSEV) play symbol, on a single ticket, shall be entitled to a prize of \$70,000.

(b) Holders of tickets with a play symbol of 7 (BKSEV), with the symbol and caption printed in black ink, and a prize symbol of \$7,000 (SVN THO) appearing in the "prize" area to the right of that 7 (BKSEV) play symbol, on a single ticket, shall be entitled to a prize of \$7,000.

(c) Holders of tickets with a play symbol of 7 (BKSEV), with the symbol and caption printed in black ink, and a prize symbol of \$700 (SVN HUN) appearing in the "prize" area to the right of that 7 (BKSEV) play symbol, on a single ticket, shall be entitled to a prize of \$700.

(d) Holders of tickets with a play symbol of 7 (GSEV), with the symbol and caption printed in green ink, and a prize symbol of \$100 (ONE HUN) appearing in the "prize" area to the right of that 7 (GSEV) play symbol, on a single ticket, shall be entitled to a prize of \$700.

(e) Holders of tickets with a play symbol of 7 (BKSEV), with the symbol and caption printed in black ink, and a prize symbol of \$100 (ONE HUN) appearing in the "prize" area to the right of that 7 (BKSEV) play symbol, on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets with a play symbol of 7 (GSEV), with the symbol and caption printed in green ink, and a prize symbol of \$10.⁰⁰ (TEN DOL) appearing in the "prize" area to the right of that 7 (GSEV) play symbol, on a single ticket, shall be entitled to a prize of \$70.

(g) Holders of tickets with a play symbol of 7 (BKSEV), with the symbol and caption printed in black ink, and a prize symbol of \$70\$ (SEVENTY) appearing in the "prize" area to the right of that 7 (BKSEV) play symbol, on a single ticket, shall be entitled to a prize of \$70.

(h) Holders of tickets with a play symbol of 7 (BKSEV), with the symbol and caption printed in black ink, and a prize symbol of \$35\$ (TRY FIV) appearing in the "prize" area to the right of that 7 (BKSEV) play symbol, on a single ticket, shall be entitled to a prize of \$35.

(i) Holders of tickets with a play symbol of 7 (GSEV), with the symbol and caption printed in green ink, and a prize symbol of \$5.⁰⁰ (FIV DOL) appearing in the "prize" area to the right of that 7 (GSEV) play symbol, on a single ticket, shall be entitled to a prize of \$35.

(j) Holders of tickets with a play symbol of 7 (BKSEV), with the symbol and caption printed in black ink, and a prize symbol of \$20\$ (TWENTY) appearing in the "prize" area to the right of that 7 (BKSEV) play symbol, on a single ticket, shall be entitled to a prize of \$20.

(k) Holders of tickets with a play symbol of 7 (BKSEV), with the symbol and caption printed in black ink, and a prize symbol of \$15\$ (FIFTN) appearing in the "prize" area to the right of that 7 (BKSEV) play symbol, on a single ticket, shall be entitled to a prize of \$15.

(l) Holders of tickets with a play symbol of 7 (BKSEV), with the symbol and caption printed in black ink, and a prize symbol of \$14\$ (FORTN) appearing in the "prize" area to the right of that 7 (BKSEV) play symbol, on a single ticket, shall be entitled to a prize of \$14.

(m) Holders of tickets with a play symbol of 7 (BKSEV), with the symbol and caption printed in black ink, and a prize symbol of \$10.⁰⁰ (TEN DOL) appearing in the "prize" area to the right of that 7 (BKSEV) play symbol, on a single ticket, shall be entitled to a prize of \$10.

(n) Holders of tickets with a play symbol of 7 (GSEV), with the symbol and caption printed in green ink, and a prize symbol of \$1.⁰⁰ (ONE DOL) appearing in the "prize" area to the right of that 7 (GSEV) play symbol, on a single ticket, shall be entitled to a prize of \$7.

(o) Holders of tickets with a play symbol of 7 (BKSEV), with the symbol and caption printed in black ink, and a prize symbol of \$7.⁰⁰ (SVN DOL) appearing in the "prize" area to the right of that 7 (BKSEV) play symbol, on a single ticket, shall be entitled to a prize of \$7.

(p) Holders of tickets with a play symbol of 7 (BKSEV), with the symbol and caption printed in black ink, and a prize symbol of \$5.⁰⁰ (FIV DOL) appearing in the "prize" area to the right of that 7 (BKSEV) play symbol, on a single ticket, shall be entitled to a prize of \$5.

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

<i>Find A Black "7" Win With Prize(s) of:</i>	<i>Win:</i>	<i>Approximate Odds of 1 In:</i>	<i>Approximate No. of Winners Per 6,000,000 Tickets</i>
\$5	\$5	10.17	590,000
\$7	\$7	40	150,000
\$1 w/GREEN 7	\$7	40	150,000
\$5 × 2	\$10	60	100,000
\$10	\$10	60	100,000
\$14	\$14	600	10,000
\$7 × 2	\$14	600	10,000
\$1 w/GREEN 7 + \$7	\$14	200	30,000
\$5 × 3	\$15	600	10,000
\$10 + \$5	\$15	600	10,000
\$15	\$15	200	30,000
\$20	\$20	150	40,000
\$5 × 4	\$20	200	30,000
\$10 × 2	\$20	200	30,000
\$35	\$35	600	10,000
\$5 × 7	\$35	600	10,000
\$7 × 5	\$35	600	10,000
\$5 w/GREEN 7	\$35	300	20,000
\$70	\$70	300	20,000
\$7 × 10	\$70	300	20,000
\$10 × 7	\$70	300	20,000
\$35 × 2	\$70	300	20,000
\$10 w/GREEN 7	\$70	300	20,000
\$100	\$100	6,000	1,000
\$10 × 10	\$100	6,000	1,000
\$20 × 5	\$100	6,000	1,000
\$10 w/GREEN 7 + \$10 × 3	\$100	6,000	1,000
\$10 w/GREEN 7 + \$15 × 2	\$100	6,000	1,000
\$700	\$700	24,000	250

<i>Find A Black "7" Win With Prize(s) of:</i>	<i>Win:</i>	<i>Approximate Odds of 1 In:</i>	<i>Approximate No. of Winners Per 6,000,000 Tickets</i>
\$100 w/GREEN 7	\$700	24,000	250
\$7,000	\$7,000	240,000	25
\$70,000	\$70,000	600,000	10

GREEN 7 (GSEV) = Win 7 times the prize shown.

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

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Emerald Green 7's instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Emerald Green 7's, prize money from winning Pennsylvania Emerald Green 7's instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Emerald Green 7's instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

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

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Emerald Green 7's or through normal communications methods.

GREGORY C. FAJT,
Secretary

[Pa.B. Doc. No. 06-680. Filed for public inspection April 21, 2006, 9:00 a.m.]

Pennsylvania Millionaire Raffle II Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 874.4 (relating to notice of raffle lottery game rules), the Secretary of Revenue hereby provides public notice of the rules for the following raffle lottery game:

1. *Name:* The name of the raffle game is Pennsylvania Millionaire Raffle II.

2. *Price:* The price of a Pennsylvania Millionaire Raffle II lottery game ticket is \$20.

3. *Ticket Sales and Drawing Date:* Pennsylvania Millionaire Raffle II lottery game tickets sales will commence on or after May 23, 2006, and will continue until all six-hundred-twenty-five-thousand tickets have been sold, or 5:00 p.m. on July 4, 2006, whichever occurs earlier.

4. *Ticket Characteristics:* Each Pennsylvania Millionaire Raffle II lottery game ticket will contain one unique eight-digit number between 00000001 and 00625000, for a total of six-hundred-twenty-five-thousand tickets.

5. *Prizes:* The prizes that can be won in this game are \$1,000, \$100,000 and \$1,000,000. A player may only win one time on each ticket or chance.

6. *Maximum Number of Tickets Printed and Sold for the Game:* There will be no more than six-hundred-twenty-five-thousand tickets printed and sold for the Pennsylvania Millionaire Raffle II lottery game. The chances will be sequentially issued on a statewide basis from the range of individual unique numbers representing the chances available for the game.

7. *Conduct of Drawing:* The results of the Pennsylvania Millionaire Raffle II will be televised on July 4, 2006, at or about 7:00 p.m. The drawing will be conducted with the aid of an electronic device. Seven-hundred sixty (760) unique eight-digit numbers will be drawn, between 00000001 and 00625000. The first five unique eight-digit numbers drawn will be the first-prize-tier winning numbers. The sixth through tenth unique eight-digit numbers drawn will be the second-prize-tier winning numbers. The eleventh through 760th unique eight-digit numbers drawn will be the third-prize-tier winning numbers.

8. *Determination of Prize Winners:*

(a) Holders of tickets upon which the unique eight-digit number matches exactly one of the first-prize-tier numbers selected by the Lottery shall be entitled to a prize of \$1,000,000.

(b) Holders of tickets upon which the unique eight-digit number matches exactly one of the second-prize-tier numbers selected by the Lottery shall be entitled to a prize of \$100,000.

(c) Holders of tickets upon which the unique eight-digit number matches exactly one of the third-prize-tier numbers selected by the Lottery shall be entitled to a prize of \$1,000.

9. *Number and Description of Prizes and Approximate Odds:* The Pennsylvania Millionaire Raffle II prizes and determination winners are as follows:

Ticket Matching Exactly the Unique Eight-digit Number Drawn in:

	<i>Win Prize of:</i>	<i>Maximum Odds of Winning 1 in</i>	<i>Number of Winners</i>
First-Prize-Tier	\$1,000,000	125,000	5
Second-Prize-Tier	\$100,000	125,000	5
Third-Prize-Tier	\$1,000	833	750

All Pennsylvania Millionaire Raffle II lottery game prize payments, including first-prize-tier prizes, will be made as one-time lump-sum cash payments.

10. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Millionaire Raffle II lottery game tickets. The conduct of the Program will be governed by 61 Pa. Code § 811.41 (relating to promotional prizes).

11. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Millionaire Raffle II, prize money from winning Pennsylvania Millionaire Raffle II lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the anniversary date of the raffle drawing in which the ticket or chance was entered, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

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

GREGORY C. FAJT,
Secretary

[Pa.B. Doc. No. 06-681. Filed for public inspection April 21, 2006, 9:00 a.m.]

Pennsylvania Pharaoh's Gold '06 Instant Lottery Game

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

1. *Name:* The name of the game is Pennsylvania Pharaoh's Gold '06.

2. *Price:* The price of a Pennsylvania Pharaoh's Gold '06 instant lottery game ticket is \$1.

3. *Play Symbols:* Each Pennsylvania Pharaoh's Gold '06 instant lottery game ticket will contain one play area featuring a "PYRAMID NUMBER" area and a "YOUR NUMBERS" area. The play symbols and their captions located in the "PYRAMID NUMBER" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE) and 10 (TEN). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN) and a Gold Bar symbol (GOLDBAR).

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: FREE Ticket (TICKET), \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20\$

(TWENTY), \$50\$ (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN) and \$5,000 (FIV THO).

5. *Prizes:* The prizes that can be won in this game are: Free Ticket, \$1, \$2, \$4, \$5, \$10, \$20, \$50, \$100, \$500 and \$5,000. The player can win up to five times on a ticket.

6. *Approximate Number of Tickets Printed for the Game:* Approximately 14,400,000 tickets will be printed for the Pennsylvania Pharaoh's Gold '06 instant lottery game.

7. *Determination of Prize Winners:*

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

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

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gold Bar symbol (GOLDBAR), and a prize symbol of \$100 (ONE HUN) appears in each of the five "prize" areas on a single ticket, shall be entitled to a prize of \$500.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "PYRAMID NUMBER" play symbol and a prize symbol of \$100 (ONE HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gold Bar symbol (GOLDBAR), and a prize symbol of \$20\$ (TWENTY) appears in each of the five "prize" areas on a single ticket, shall be entitled to a prize of \$100.

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

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gold Bar symbol (GOLDBAR), and a prize symbol of \$10⁰⁰ (TEN DOL) appears in each of the five "prize" areas on a single ticket, shall be entitled to a prize of \$50.

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

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gold Bar symbol (GOLDBAR), and a prize symbol of \$4.⁰⁰ (FOR DOL) appears in each of the five "prize" areas on a single ticket, shall be entitled to a prize of \$20.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "PYRAMID NUMBER" play symbol and a prize symbol of \$10.⁰⁰ (TEN DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gold Bar symbol (GOLDBAR), and a prize symbol of \$2.⁰⁰ (TWO DOL) appears in each of the five "prize" areas on a single ticket, shall be entitled to a prize of \$10.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "PYRAMID NUMBER" play symbol and a prize symbol of \$5.⁰⁰ (FIV DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gold Bar symbol (GOLDBAR), and a prize symbol of \$1.⁰⁰ (ONE DOL) appears in each of the five "prize" areas on a single ticket, shall be entitled to a prize of \$5.

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

MID NUMBER" play symbol and a prize symbol of \$4.⁰⁰ (FOR DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$4.

(o) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "PYRAMID NUMBER" play symbol and a prize symbol of \$2.⁰⁰ (TWO DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$2.

(p) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "PYRAMID NUMBER" play symbol and a prize symbol of \$1.⁰⁰ (ONE DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1.

(q) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "PYRAMID NUMBER" play symbol and a prize symbol of FREE Ticket (TICKET) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of one Pennsylvania Pharaoh's Gold '06 instant game ticket or one Pennsylvania Lottery instant game ticket of equivalent sale price which is currently on sale.

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

When Any of Your Numbers Match The Pyramid Number; Win with Prize(s) of:

<i>Win:</i>	<i>Approximate Odds of 1 In:</i>	<i>Approximate No. of Winners Per 14,400,000 Tickets</i>
FREE	TICKET	480,000
\$1	\$1	960,000
\$1 × 2	\$2	576,000
\$2	\$2	288,000
\$1 × 4	\$4	96,000
\$2 × 2	\$4	48,000
\$4	\$4	96,000
\$1 × 5 w/GOLD BAR	\$5	96,000
\$1 × 5	\$5	48,000
\$5	\$5	48,000
\$2 × 5 w/GOLD BAR	\$10	96,000
\$2 × 5	\$10	24,000
\$5 × 2	\$10	24,000
\$10	\$10	48,000
\$4 × 5 w/GOLD BAR	\$20	14,400
\$5 × 4	\$20	9,600
\$10 × 2	\$20	9,600
\$20	\$20	14,400
\$10 × 5 w/GOLD BAR	\$50	2,400
\$10 × 5	\$50	2,400
\$20 × 2 + \$10	\$50	2,400
\$50	\$50	2,400
\$20 × 5 w/GOLD BAR	\$100	120
\$20 × 5	\$100	120
\$50 × 2	\$100	120
\$100	\$100	120
\$100 × 5 w/GOLD BAR	\$500	5
\$100 × 5	\$500	5
\$500	\$500	5
\$5,000	\$5,000	10

GOLD BAR = Win all 5 prizes shown.
Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Pharaoh's Gold '06 instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Pharaoh's Gold '06, prize money from winning Pennsylvania Pharaoh's Gold '06 instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Pharaoh's Gold '06 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

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

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Pharaoh's Gold '06 or through normal communications methods.

GREGORY C. FAJT,
Secretary

[Pa.B. Doc. No. 06-682. Filed for public inspection April 21, 2006, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

**Borough of Etna v. DEP; EHB Doc. No. 2006-102-R;
3/01/06 Approval of NPDES Permit No.
PAG066119**

Borough of Etna has appealed the issuance by the Department of Environmental Protection of an NPDES permit to same for a facility in Etna Borough, Allegheny County.

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

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

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's

rules of practice and procedure are available upon request from the Board.

MICHAEL L. KRANCER,
Chairperson

[Pa.B. Doc. No. 06-683. Filed for public inspection April 21, 2006, 9:00 a.m.]

**Bucks County Water and Sewer Authority v. DEP;
EHB Doc. No. 2006-089-K**

Bucks County Water and Sewer Authority has appealed the issuance by the Department of Environmental Protection (Department) of an NPDES permit to same for a facility in Upper Dublin Township, Montgomery County.

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

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

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

MICHAEL L. KRANCER,
Chairperson

[Pa.B. Doc. No. 06-684. Filed for public inspection April 21, 2006, 9:00 a.m.]

FISH AND BOAT COMMISSION

**Permits for the Use of Cast Nets or Throw Nets;
Blue Marsh Reservoir, Berks County; Nockamixon Lake, Bucks County; Beltzville Lake, Carbon County; Lake Wallenpaupack, Pike County**

Under 58 Pa. Code § 63.48 (relating to permit for the use of cast nets or throw nets), the Executive Director of the Fish and Boat Commission (Commission) or his designee may issue permits for the use of cast nets or throw nets for the taking of gizzard shad 8 inches or less in length and alewife only in waters to be determined by the Executive Director. Notice is hereby given that the Executive Director has determined that the Commission will issue permits under § 63.48 for the following waters: Blue Marsh Reservoir, Berks County; Nockamixon Lake, Bucks County; Beltzville Lake, Carbon County; and Lake Wallenpaupack, Pike County. A separate permit will be required for each body of water.

In addition to other permit conditions that the Executive Director may require, the cast nets or throw nets shall be no greater than 10 feet in radius (20 feet in

diameter) with a mesh size of at least 3/8 inch. Furthermore, notwithstanding the provisions of § 61.1 (relating to Commonwealth inland waters), holders of permits for the use of cast nets or throw nets may take, catch, kill or possess a daily creel limit of 100 gizzard shad and alewife (combined species). A person may apply for a permit for the use of cast nets or throw nets by completing the form prescribed by the Commission. The applicant shall submit the completed form to the Commission along with the fee specified in section 2902 of the Fish and Boat Code (code) (relating to net permits).

It is unlawful to use cast nets or throw nets for the taking of gizzard shad and alewife or to take, catch, kill

or possess more than the daily creel limit of gizzard shad and alewife as set forth in § 61.1 without the required permit. A permit for the use of cast nets or throw nets shall be carried so that it can be presented to an officer authorized to enforce the code. It also is unlawful to use gizzard shad or alewife taken under a permit for the use of cast nets or throw nets as live bait in any water other than the water from which it was taken.

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

[Pa.B. Doc. No. 06-685. Filed for public inspection April 21, 2006, 9:00 a.m.]

HEALTH CARE COST CONTAINMENT COUNCIL

Special Reports and Requests for Data

The Health Care Cost Containment Council (Council), according to Act 89 as amended by Act 14, is required to publish a list of all special reports and data that have been prepared during the previous calendar year. The following represents a summary of the reports and requests for data generated by the Council in calendar year 2005. Questions about procedures for obtaining access to Council data should be addressed to JoAnne Z. Nelson, Supervisor, Special Requests Unit, Health Care Cost Containment Council, 225 Market Street, Suite 400, Harrisburg, PA 17101, (717) 232-6787, jnelson@phc4.org.

MARC P. VOLAVKA,
Executive Director

Agency for Healthcare Research & Quality	A custom 2000 through 2003 administrative inpatient discharge data set to be used to determine if there is a value to adding select clinical data elements to the administrative billing format.
Allied Rehabilitation Hospital	A custom second quarter 2004 through first quarter 2005 administrative inpatient discharge data set to be used to assist the organization in its strategic planning process.
Ashland Regional Medical Center	A standard region seven 2004 administrative inpatient discharge and 2003 through 2004 outpatient data set to be used to create utilization rates and market share information in strategic planning.
Bloomsburg Hospital	A custom 2003 administrative inpatient discharge and outpatient data set to be used to determine accurate potential case volume and area surgeon demand for the Bloomsburg Hospital.
Blue Mountain Health System	A custom 2003 through 2004 administrative inpatient discharge and 2003 through first quarter 2004 outpatient data set to be used for market share analysis.
Butler Health System	A custom 2001 through 2003 administrative outpatient data report to be used for market assessment for cardiovascular services.
Carlisle Area Health & Wellness Foundation	A custom second quarter 2004 through first quarter 2005 administrative inpatient discharge data set to be used in guiding the Foundation with two projects, setting up a fund for patients in critical need of services on the adult basic waiting list and create OB/GYN services within the local clinic and Carlisle Regional Medical Center.
Carlisle Area School District	A custom 2000 and 2003 through 2004 administrative inpatient discharge data report to be used for an analysis of the Carlisle Regional Medical Center addition and to compare to the surrounding hospitals.
CBIZ KA Consulting Services, LLC	A standard facility 2004 administrative inpatient discharge data set to be used to compare New Jersey inpatient discharge data with a large Eastern Pennsylvania hospital.
Charles Cole Memorial Hospital	A custom third quarter 2001 through second quarter 2004 administrative inpatient discharge and outpatient data set to be used to update a market share analysis previously prepared and used by management and the board of directors for strategic planning purposes.
Children's Home of Pittsburgh	A custom 1999 through 2003 administrative inpatient discharge data set to be used for market share analysis.
Children's Hospital of Philadelphia	A custom 2000 through 2003 administrative inpatient discharge data set to be used to investigate how external economic factors impact the regionalization of neonatal care and the outcomes of premature infants.

Children's Hospital of Philadelphia	A custom 1999 through third quarter 2004 administrative inpatient discharge data set to be used to develop a method to aggregate across complications to produce a risk-adjusted aggregated complications measure that can be used to evaluate hospitals of this Commonwealth. <i>For the Council.</i>
Community Health Systems	A standard Statewide 2004 administrative inpatient discharge and outpatient data set to be used to create utilization rates and market share information in strategic facilities planning.
Community Medical Center	A standard region six second quarter 2003 through first quarter 2004 administrative inpatient discharge data set to be used to assess their clinical and operational capabilities within the healthcare system and prepare marketing analysis.
Cooper Hospital/UMC	A standard region eight and nine 2004 administrative inpatient discharge data set to be used for market share research and strategic planning.
Crozer Keystone Health System	A custom third quarter 2003 through second quarter 2004 administrative inpatient discharge data report to be used inhouse for the purpose of creating a quality process for IBC patients.
DataBay Resources	A standard Statewide second quarter 2004 through first quarter 2005 administrative inpatient discharge and outpatient data set to be used in a commercial software product.
Duquesne University/Health Management Systems	A standard region one 2004 administrative inpatient discharge data set to be used to teach students in the Department of Health Management Systems how to use SQL to query a large healthcare database.
Fulton County Medical Center	A custom 2002 through 2003 administrative inpatient discharge and outpatient data report to be used by completing a feasibility study and determination of need for the HUD Section 242 program for the construction of a new facility in McConnellsburg, PA.
Fulton County Medical Center	A standard region five 2004 through first quarter of 2005 administrative inpatient discharge data set to be used to aid in the strategic planning process.
Good Shepard Rehabilitation Hospital	A standard region five, six, seven, eight, and nine 2004 administrative inpatient discharge data set to be used for market analysis.
Governor's Advisory Council for Hunting, Fishing and Conservation	A custom 1996 through 2003 administrative inpatient discharge data set to be used to research the use of firearms in the Commonwealth, and the results will be utilized in advising the Governor.
Harvard School of Public Health	A standard Statewide 2000 through 2001 administrative inpatient discharge data set to be used for a research project on nurse staffing as it relates to quality care.
Harvard University	A custom 1994 through 2002 administrative inpatient discharge data set and a standard 2000, 2002 and 2003 Coronary Artery Bypass Graft (CABG) surgery data sets to be used for a research agenda that will be to evaluate the manner in which new CABG surgery providers entered the market after 1996 and the subsequent effect on market outcomes.
Harvard University	A custom 1993 through 2003 administrative inpatient discharge data set to be used to augment the previous data for the same study purpose; to determine the affect of eliminating Certificate of Need legislation on hospital behavior.
HCR ManorCare	A standard region eight and nine third quarter 2003 through second quarter 2004 administrative inpatient discharge data set to be used to summarize and provide overall market opportunity findings for HCR Manor Care.
Health Research & Educational Trust	A standard region one, eight and nine 2003 administrative outpatient data set to be used to evaluate the diagnostic and payer mix for ambulatory care centers versus comparable outpatient departments.
HealthAmerica	A standard Statewide 2003 through first quarter 2005 administrative inpatient discharge and outpatient data set to use to determine facility specific profiling and performance metrics including DRG's, readmission rates, severity adjustments and support internal data analytic initiatives within HealthAmerica.
Healthshare Technology, Inc.	A standard Statewide 2004 inpatient discharge and revenue code detail data set to be used in a commercial software product.
Hillmont G. I. P. C.	A custom 2002 and 2003 outpatient data report to be used for evaluating gaps in service areas, analysis of improvements in service to their patients and expansion considerations.
Hospital & Healthsystem Association of PA	A standard 2004 fiscal year financial data and 2003 fiscal year restated financial data to be used to supplement financial and utilization data that they currently collect on a voluntary basis from member hospitals.

Innovative Health Solutions, LLC	A custom 2004 administrative inpatient discharge data set to be used to research out migration of New Jersey residents to hospitals in this Commonwealth.
Johns Hopkins University	A custom 2003 through second quarter 2004 inpatient discharge and outpatient data set to be used for analyzing trends in hospital utilization in Indiana county.
Lehigh Valley Business Conference on Healthcare	A custom 2004 administrative inpatient discharge data report to be used to study misadventures in hospitals and how misadventures affect the total cost, utilization and outcomes in a hospital stay. This data will be used to demonstrate cost differences between typical hospital stays and those involving misadventures. This information will then be presented to the area business leaders as a way to pursue quality commitments from the providers.
Lehigh Valley Hospital	A standard Statewide 2004 inpatient discharge and outpatient data set and a standard 2004 fiscal year financial data to be used for market share research and planning activities.
Lehigh Valley Physicians Group	A custom 1995 through 2004 administrative inpatient discharge data set to be used to conduct an evaluation of any changes in demographics of patients with burn diagnosis over the last 10 years in this Commonwealth.
Maryland Department of Health and Mental Hygiene	A custom 2001 through 2003 administrative inpatient discharge data set to be used for the annual Maryland asthma epidemiology report.
MediQual Systems, Inc.	A standard Statewide 2004 administrative inpatient discharge data set to be used to provide its Atlas Pennsylvania Market View product.
Memorial Hospital of York	A standard region five 2004 through first quarter 2005 administrative inpatient discharge data set to be used for comparative data analysis.
Merck & Co, Inc.	A custom 1998 through 2002 administrative inpatient discharge data set to be used to calculate population-based rates of hospitalizations for herpes zoster.
Mercy Health System	A custom 2001 through 2003 administrative inpatient discharge data report to be used to compare their readmission and mortality rates by DRG with other hospitals in Southeast PA, to determine opportunities for performance improvement.
Milliman USA	A standard Statewide 2004 administrative inpatient discharge data set to be used to analyze hospital inpatient utilization and costs in support of our consulting services in the healthcare field.
National Minority Health Month Foundation	A standard Statewide 2002 administrative inpatient discharge data set to be used to undertake a 3-year, retrospective, small area analysis of hospitalizations drawn from 50 states and the District of Columbia to determine if there are any geographical variations in the incidence of admissions for these chronic diseases.
New Solutions, Inc.	A custom 2004 administrative inpatient discharge data set to be used for research purposes and to provide market share analysis to their customers.
Parente Randolph	A custom 2004 administrative inpatient discharge data set to be used to evaluate home health discharge volumes of select hospitals.
Penn State College of Medicine	A custom 1995 through second quarter 2004 administrative inpatient discharge data set to be used in a research project to study the potential impact of Center for Excellence designation of bariatric surgery.
Penn State College of Medicine	A custom 2003 administrative inpatient discharge and outpatient data set to be used to map the incidence of colon cancer to conduct geographic and epidemiological research.
Penn State Hershey Medical Center	A custom 1998 through 2002 inpatient discharge data set merged with Department of Health birth registry data to be used to determine risk factors for newborn readmissions across this Commonwealth to prospectively target a population most likely to benefit from a home health visit.
Pennsylvania Bar Association	A custom 2003 through 2004 administrative inpatient discharge data report to be used to identify indicators of potential problems that patients may experience as a result of exposure to the healthcare system and to demonstrate how these potentially preventable adverse events in hospitals can affect the cost of care.
Pennsylvania Commission on Crime and Delinquency	A custom 2003 through 2004 administrative inpatient discharge and outpatient data set to be used in analysis looking at gun violence.
Department of Health	A custom 2000 through third quarter 2003 administrative inpatient discharge and outpatient data report to be used as part of the Act 62 Reflex Sympathetic Disorder.
Department of Health	A custom second quarter 2004 through fourth quarter 2004 administrative inpatient discharge and outpatient data set to be used as part of a database that will contain the results of the review of matching hospitals medical records pulled during hospital audits conducted by the Department of Health Licensing and Quality Assurance surveyors.

Department of Health	A custom 2000 through 2003 administrative inpatient discharge and outpatient data report to be used for program planning purposes, to more accurately gauge epilepsy prevalence and to allow for more thorough and effective service planning and resource allocation.
Department of Health	A custom 2004 through first quarter 2005 administrative inpatient discharge and outpatient data set to be used to assist in a pilot project to assess the feasibility of creating a birth defects registry for the Commonwealth.
Department of Health	A custom 1996 through 2003 administrative inpatient discharge and outpatient data set to be used as part of the Centers for Disease Control and Prevention grant requirement to assess the burden of asthma in this Commonwealth.
Department of Health	A custom fourth quarter 2002 through first quarter 2004 administrative inpatient discharge and outpatient data set to be used to assess the burden of osteoporosis in this Commonwealth as related to previous and current trends.
Department of Health	A custom 1998 through 2003 administrative inpatient discharge data set to be used to support a comprehensive Statewide needs assessment of the maternal and child health population in this Commonwealth.
Department of Health	A custom 2003 administrative inpatient discharge data report to be used as part of a series of Department of Health web pages that correspond to the Healthy People 2010 objectives.
Department of Health	A standard Statewide first quarter 2005 administrative inpatient discharge and outpatient data set to be used to profile discharge patterns to develop and evaluate algorithms for sampling discharges, which will be used by the Division of Acute and Ambulatory Care to carry out its quality assurance and licensing functions.
Department of Health	A custom first quarter 2005 administrative inpatient discharge and outpatient data set to be used to support the Department of Health's licensing and quality assurance process.
Department of Public Welfare	A custom 2003 administrative inpatient discharge data report to be used in its efforts to establish a hospital quality outcomes program for the Medical Assistance Fee-for-Service program.
Department of Public Welfare	A custom 2003 fiscal year financial data to be used to compute payments to hospitals for the Hospital Uncompensated Care and Extraordinary Expense programs established with the Tobacco Settlement Act of 2001.
Office of the Attorney General	A standard Statewide 2004 administrative inpatient discharge data, market share report and 1996 through 2004 inpatient revenue code detail data set to be used in analyzing hospital mergers under their authority to enforce the antitrust laws on behalf of the Commonwealth and its citizens.
Office of the Auditor General	A custom 2003 fiscal year administrative inpatient discharge data set and financial data to be used in auditing the hospitals that received June 2005 Tobacco Settlement moneys.
Pennsylvania State Data Center	A custom 2003 fiscal year financial data report to be used in the 2005 <i>Pennsylvania Abstract</i> published annually by the Pennsylvania State Data Center.
Philadelphia Department of Public Health	A custom 1993 through 2001 administrative inpatient discharge data set to be used in the Urban Diabetics: Primary Care and Hospitalizations research project, which will examine the incidence of and risk factors for multiple health outcomes of patients with diabetes.
<i>Philadelphia Inquirer</i>	A standard region eight and nine 2003 through first quarter 2004 administrative inpatient discharge data set to be used for news stories.
Pittsburgh Business Group on Health	A custom 2002 and 2003 administrative inpatient discharge data report to be used to study misadventures in hospitals and how misadventures affect the total cost, utilization and outcomes in a hospital stay compared to a typical stay without the occurrence of misadventures.
RAND of Pitt Health Institute	A custom 1999 through 2003 administrative inpatient discharge data set to be used to develop a quality improvement intervention for reducing rehospitalizations for depression in Allegheny County, without increasing length or inpatient hospital stay.
Rutgers University	A custom 1994 through 1997 and 2003 administrative inpatient discharge and outpatient data set to be used as part of a project to determine the impact of a recent hospital acquisition in Salem County, New Jersey by analyzing the hospital services that New Jersey residents receive in this Commonwealth and New York.
Solucient	A standard Statewide second quarter 2004 through first quarter 2005 administrative inpatient discharge and outpatient data set to be used in a commercial software product.

Susquehanna Health System	A standard region four, five and six 2001 through second quarter 2004 administrative inpatient discharge and outpatient data set to be used to help plan future facility needs to build a new hospital.
The MEDSTAT Group/Inforum, Inc.	A standard Statewide second quarter 2004 through first quarter 2005 administrative inpatient discharge and outpatient data set to be used in a commercial software product.
The Wharton School	A custom 1990 through 1999 administrative inpatient discharge data set to be used to trend analysis of payer mix across hospital systems in Philadelphia during the late 1990s.
Treo Solutions	A standard region two 2003 administrative inpatient discharge data set to be used to assist a client in a Sole Community Provider application.
Tyler Memorial Hospital	A custom 2004 administrative inpatient discharge and outpatient data set to be used to determine the hospital's market share.
United States Department of Justice, Antitrust Division	A standard Statewide first and second quarter 2004 administrative inpatient discharge data set to be used to generate internal reports of improvement benchmarking and market analysis.
United States Department of Justice, Antitrust Division	A custom 2004 administrative inpatient discharge data set to be used to support documentation for market share analysis in 2006 business plan.
University of Florida, Department of Economics	A custom 1994 through first quarter 2004 administrative inpatient discharge data set to be used to study neonatal health care and hospital competition in this Commonwealth and around the country.
University of Pennsylvania	A custom linkage of Pennsylvania cancer registry data to previously purchased 1998 through 1999 administrative inpatient discharge data set to be used to construct risk-adjusted odds of death and failure to rescue for hospitalized cancer patients in this Commonwealth.
University of Pennsylvania	A standard Statewide 1998 through 2004 administrative inpatient discharge data set to be used to investigate whether the malpractice insurance "crisis" in this Commonwealth has lead to a relative decline in the number of physicians offering obstetric services.
University of Pennsylvania	A standard region nine 2004 inpatient discharge and outpatient data set to be used for a small pilot study relating to urban heat islands.
University of Pennsylvania	A custom 1991, 1993, 1995, 1997, 1999, 2001 and 2003 administrative inpatient discharge data set to be used as part of a University of Pennsylvania funded pilot research project to examine trends in the use of cardiovascular procedures in this Commonwealth.
University of Pennsylvania School of Medicine	A custom second quarter 2004 through first quarter 2004 administrative inpatient discharge data set to be used for continuing research study on reducing medication errors among the elderly.
University of Pennsylvania School of Medicine	A standard region nine 2003 administrative inpatient discharge data set to be used for a surveillance system, funded by the National Institute on Alcohol Abuse and Alcoholism.
University of Pittsburgh	A standard region one 2004 administrative inpatient discharge data set to be used for educational purposes. Specifically, to teach students how to benchmark hospitals based on length of stay for conditions, calculate readmission rates and case-mix adjust in the Managing the Health of Populations course.
University of Pittsburgh Department of Epidemiology	A custom 1994 through third quarter 2004 administrative inpatient discharge and outpatient data set to be used to study the forensic epidemiology of bariatric surgery in this Commonwealth.
University of Pittsburgh Medical Center	A standard Statewide third quarter 1990 through first quarter 2005 inpatient discharge data and third quarter 2000 through first quarter 2005 outpatient data set to be used to produce various research reports including patient origin for UPMC hospitals, UPMC market share analysis, utilization trends and physician and hospital volumes at UPMC and other hospitals.
University of Pittsburgh School of Medicine	A custom 2004 administrative inpatient discharge data set to be used to validate a decision rule to identify heart failure patients.
University of Pittsburgh School of Medicine	A custom 1997 through 2002 administrative inpatient discharge data set to be used to further study thrombosis in hospitalized patients in this Commonwealth.
University of Pittsburgh School of Medicine	A custom 1999 through 2004 administrative inpatient discharge data set to be used to conduct a research project to model the relationship retrospectively cardiopulmonary health outcomes and air pollutants in Allegheny County.

- Verispan A standard Statewide 2004 inpatient discharge and outpatient data set to be combined with other state's data and used to estimate diagnoses and procedures at the hospital and National level.
- Wyoming Valley Health Care System A standard Statewide third and fourth quarter 2004 administrative inpatient discharge data and 2004 outpatient data and a standard 2004 inpatient and outpatient revenue code detail data set to be used to generate internal reports for quality improvement benchmarking and market analysis.
- Wyomissing Surgical Services A custom 2003 administrative outpatient data report to be used for internal market share analysis.

[Pa.B. Doc. No. 06-686. Filed for public inspection April 21, 2006, 9:00 a.m.]

HISTORICAL AND MUSEUM COMMISSION

State Surplus Property Program; Deaccession Auction

The Historical and Museum Commission will be auctioning items deaccessioned from its permanent collection. These items are being auctioned because they are duplicates and/or do not pertain to Commonwealth history. The public auction will be held on May 17, 2006, by Ziegler's Auction Company, Inc., located in Hummelstown, PA. The auction will feature a diverse array of items including books, furnishings and equipment from an early 20th century dentist office, woodworking, agricultural and mining tools and equipment, prints, engravings and frames in addition to an assortment of 19th century household and merchandising objects.

BARBARA FRANCO,
Executive Director

[Pa.B. Doc. No. 06-687. Filed for public inspection April 21, 2006, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulations. They are scheduled to be considered on the dates 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 meetings 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 a 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

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>	<i>Resubmitted</i>
15-426	Department of Revenue Sales and Use Tax; Prebuilt Housing		5/4/06	4/7/06
57-238	Pennsylvania Public Utility Commission Gas Service; Safety Code	4/11/06	5/18/06	

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 06-688. Filed for public inspection April 21, 2006, 9:00 a.m.]

INSURANCE DEPARTMENT

Application and Request for Approval to Redomesticate

Commonwealth Land Title Insurance Company, a domestic title insurance company, has filed for approval a Plan of Redomestication whereby its state of domicile would change from this Commonwealth to Nebraska. The filing was made under 15 Pa.C.S. §§ 1101—1110 (relating to the Business Corporation Law of 1988). Persons wish-

ing to comment on the redomestication are invited to submit a written statement to the Insurance Department (Department) within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Written statements must include the name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Stephanie Ohnmacht, Company Licensing Division, Insurance Department, 1345

Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, sohnmacht@state.pa.us.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 06-689. Filed for public inspection April 21, 2006, 9:00 a.m.]

Notice to Workers' Compensation Insurance Carriers

Insurance companies that write Workers' Compensation are required to report workers' compensation premium, loss and claim count information using 2005 Special Schedule "W." Authority for this call is contained in section 655 of the Insurance Company Law of 1921 (40 P. S. § 815).

Information to be reported by May 15, 2006, includes the following:

For calendar year 2005:

- Premiums—Written, Unearned, Earned.
- Losses—Indemnity vs. Medical for Paid, Reserves (Case vs. Bulk & IBNR), Incurred.
- Amounts added to premium to yield Standard Earned Premium at Designated Statistical Reporting Level.
- Deductible adjustments to yield first dollar premiums and losses.

For evaluations as of December 31, 2004, and December 31, 2005, policy year information for large deductible (that is, deductible > \$100,000) policies versus all other policies including small deductible policies on a first dollar basis:

- Premiums—Earned.
- Losses—Indemnity vs. Medical for Paid, Reserves (Case vs. Bulk & IBNR), Incurred.
- Claim counts—Indemnity vs. Medical for Incurred, Closed with and without payments.

Information regarding the submission of 2005 Special Schedule "W" has been sent to carriers and has also been posted at the Insurance Department's website at www.ins.state.pa.us.

Persons who have not received this information or have questions concerning information contained in this notice should contact Bojan Zorkic, Actuarial Associate, 1311 Strawberry Square, Harrisburg, PA 17120, (717) 787-6968, bzorkic@state.pa.us.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 06-690. Filed for public inspection April 21, 2006, 9:00 a.m.]

MILK MARKETING BOARD

Sunshine Meeting Dates for 2006-2007

In accordance with 65 Pa.C.S. §§ 701—716 (relating to Sunshine Act), the Milk Marketing Board has established the following meeting dates for 2006-2007:

<i>Date</i>	<i>Location</i>	<i>Time</i>
July 12, 2006	Room 202, Agriculture Building Harrisburg, PA 17110-9408	8 a.m. to 4 p.m.
August 2, 2006	Room 202, Agriculture Building Harrisburg, PA 17110-9408	8 a.m. to 4 p.m.
September 6, 2006	Room 202, Agriculture Building Harrisburg, PA 17110-9408	8 a.m. to 4 p.m.
October 4, 2006	Room 202, Agriculture Building Harrisburg, PA 17110-9408	8 a.m. to 4 p.m.
November 1, 2006	Room 202, Agriculture Building Harrisburg, PA 17110-9408	8 a.m. to 4 p.m.
December 6, 2006	Room 202, Agriculture Building Harrisburg, PA 17110-9408	8 a.m. to 4 p.m.
January 3, 2007	Room 202, Agriculture Building Harrisburg, PA 17110-9408	8 a.m. to 4 p.m.
February 7, 2007	Room 202, Agriculture Building Harrisburg, PA 17110-9408	8 a.m. to 4 p.m.
March 7, 2007	Room 202, Agriculture Building Harrisburg, PA 17110-9408	8 a.m. to 4 p.m.
April 4, 2007	Room 202, Agriculture Building Harrisburg, PA 17110-9408	8 a.m. to 4 p.m.
May 2, 2007	Room 202, Agriculture Building Harrisburg, PA 17110-9408	8 a.m. to 4 p.m.
June 6, 2007	Room 202, Agriculture Building Harrisburg, PA 17110-9408	8 a.m. to 4 p.m.

KEITH BIERLY,
Secretary

[Pa.B. Doc. No. 06-691. Filed for public inspection April 21, 2006, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

April 2006 Review of Fuel Cost Recovery Surcharge; S. P. 28208

Public Meeting held
April 6, 2006

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

Order

By the Commission:

The Pennsylvania Public Utility Commission (Commission) by its Fuel Cost Recovery Surcharge Order at Special Permission Number 28208, adopted June 10, 2004, authorized call or demand, paratransit and airport transfer carriers under the jurisdiction of this Commission to adjust rates and fares to offset unanticipated fuel expenditures. At its Public Meeting of June 2, 2005 the Commission approved an extension of the temporary fuel

surcharge until June 12, 2006. The Commission also required the Bureau of Transportation and Safety to investigate the merits of the fuel surcharge on a quarterly basis.

As a result of the volatile nature of gasoline prices in the aftermath of Hurricane Katrina, the amounts for the fuel surcharge were adjusted accordingly at Public Meeting on September 9, 2005 and continued to be evaluated on a monthly basis until the Public Meeting of January 12, 2006, at which time the cost of gasoline had stabilized. The last adjustment was made by the Commission at Public Meeting on January 12, 2006 and the evaluation of the fuel surcharge reverted to quarterly status.

The most recent data for the week ending April 3, 2006 indicates that the price of gasoline is \$2.65 per gallon, which is an increase of \$.19 or 8% from the average price of \$2.46 for January 9, 2006. The effect of this increase results in an average cost of fuel per trip of \$1.20 for call or demand operations. The average cost of fuel per trip for paratransit and airport transfer operations is \$2.77. Considering this increase, the surcharge shall be adjusted to \$.60 per trip for each paying passenger for call or demand service and \$1.35 per trip for each paying passenger for airport transfer and paratransit services, effective April 10, 2006.

The changes which have occurred in the Fuel Cost Recovery Surcharge at S. P. 28208 are summarized in the table below.

Historical Charges for Fuel Cost Recovery Surcharge at S. P. 28208

<i>Effective Date</i>	<i>Call or Demand</i>	<i>Airport Transfer/Paratransit</i>
June 14, 2004	\$.30	\$.70
September 2, 2005	\$.70	\$1.55
September 12, 2005	\$.90	\$2.00
October 3, 2005	\$.70	\$1.55
October 31, 2005	\$.55	\$1.25
December 5, 2005	\$.40	\$.95
January 16, 2006	\$.50	\$1.15
April 10, 2006	\$.60	\$1.35

Based upon the evidence available, we are of the opinion that the passenger motor carrier industry continues to have a need for the fuel surcharge. However, due to the increase in prices we believe it is necessary to make adjustments to the fuel cost recovery surcharge; *Therefore,*

It Is Ordered That:

1. The Fuel Cost Recovery Surcharge established at Special Permission No. 28208 be continued until June 12, 2006.
2. Call or demand carriers rendering transportation service under the jurisdiction of the PA Public Utility Commission shall increase the surcharge to \$.60 per trip for each paying passenger.
3. Paratransit carriers and airport transfer carriers rendering transportation service under the jurisdiction of the PA Public Utility Commission shall increase the surcharge to \$1.35 per trip for each paying passenger.
4. The increases be approved to become effective April 10, 2006.
5. Call or demand motor carriers shall notify the public by placing a notice in all vehicles, which shall read: "The

PA Public Utility Commission has authorized a fuel surcharge under Special Permission No. 28208. The surcharge has been increased to \$.60 per trip for each paying passenger and is effective on April 10, 2006. The fuel surcharge shall terminate on June 12, 2006."

6. Paratransit and airport transfer motor carriers shall notify the public by placing a notice in all vehicles, which shall read: "The PA Public Utility Commission has authorized a fuel surcharge under Special Permission No. 28208. The surcharge has been increased to \$1.35 per trip for each paying passenger and is effective on April 10, 2006. The fuel surcharge shall terminate on June 12, 2006."

7. The Secretary of this Commission shall duly certify this order and deposit same with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 06-692. Filed for public inspection April 21, 2006, 9:00 a.m.]

2006 Price Change Opportunity Filing

Public Meeting held
April 6, 2006

Commissioners Present: Wendell F. Holland, Chairperson; James H. Cawley, Vice Chairperson, statement concurring in part and dissenting in part follows; Bill Shane; Kim Pizzigrilli; Terrance J. Fitzpatrick

Verizon North Inc. 2006 Price Change Opportunity Filing;
Doc. Nos. R-00051227 and P-00001854F1000

Office of Small Business Advocate v. Verizon North Inc.;
Doc. No. R-00051227C0001

Office of Consumer Advocate v. Verizon North Inc.;
Doc. No. R-00051227C0002

Order

By the Commission:

I. BACKGROUND

Before us for disposition is the Verizon North Inc. ("Verizon North" or "Company") annual 2006 Price Change Opportunity ("PCO") filing and the associated revenue increases. Verizon North's annual 2006 PCO filing was made under the provisions of the new Chapter 30 law, Act 183 of 2004, P. L. 1398 (66 Pa.C.S. §§ 3011—3019) ("Act 183") and pursuant to the Company's Alternative Regulation and Network Modernization Plan ("Chapter 30 Plan") that this Commission approved at Docket No. P-00001854F1000.¹

As a result of the passage of Act 183, companies with Chapter 30 Plans are entitled to significantly lower inflation offset values within their respective price cap formulas in exchange for a commitment to accelerated broadband deployment. Inflation offsets previously ranging from 2% to 2.93% were reduced to either 0% or 0.5%, depending on each company's Chapter 30 Plan. In Verizon North's case, the inflation offset was reduced from 2.50% to 0.5%. Accordingly, annual PCO filings have the potential for substantial revenue and rate impacts on end-user consumers.

¹ *Petition for Amended Alternative Regulation and Network Modernization Plan of Verizon North Inc.*, Docket No. P-00001854F1000 (Order entered May 20, 2005).

Under the Company's Price Stability Plan ("PSP"), the Price Stability Mechanism ("PSM") calculates the allowable change (increase or decrease) in rates for noncompetitive services based on the annual change in the Gross Domestic Product Price Index ("GDP-PI"). The actual total price changes for noncompetitive services are then tracked using the Service Price Index ("SPI"). The PSP also addresses revenue neutral rate rebalancing/restructuring and the introduction of new services. The PSP set forth in Verizon North's Chapter 30 Plan is a complete substitution of the rate base/rate of return regulation. Noncompetitive services are defined as regulated services or business activities that have not been determined or declared to be competitive.

II. COMPANY FILING

On December 30, 2005, Verizon North filed its annual PCO filing using the change in 2004 and 2005 second quarter GDP-PI (Gross Domestic Product—Price Index) of 2.16% after the inflation offset that produced an annual revenue increase allowable for noncompetitive revenues of \$3,257,000. The proposed price increases equal \$3,188,000. The Company proposes to bank the difference of \$69,000, consistent with the PCO banking methodology and timing that has been approved for Sprint/United.²

Verizon North proposes to implement its PCO by increasing rates for the following services: Residence and Business Dial Tone Line, Return Check Charge and the Operator Surcharges on local Station-to-Station and Person-to-Person calls. The proposed tariff revisions to Tariff Telephone Pa. P.U.C. Nos. 1, 3, 4, 5, 6 and 11 are to become effective April 15, 2006.

On December 30, 2005, the Office of Small Business Advocate ("OSBA") filed a Formal Complaint. The OSBA contends that the Company's proposed rates, rules, and conditions of service may be unjust, unreasonable, unduly discriminatory, and otherwise contrary to law, particularly as they pertain to small business customers.

On January 10, 2006, the Office of Consumer Advocate ("OCA") filed a Formal Complaint. The OCA contends that the Company's proposed rates, rules, and conditions of service may be unjust, unreasonable, unduly discriminatory, and otherwise contrary to law. The OCA also disagrees with the Company's banking of the remaining 2006 PCO increase.

On January 26, 2006, Verizon PA filed Answers to the complaints and Motions to Dismiss the complaints reaffirming its position on the various issues contained in the filing.

On February 6, 2006, the OCA and OSBA filed Answers to Verizon's Motion to Dismiss Complaint.

III. DISCUSSION

1. PCO Calculations and Rate Increases

The annual Verizon North PCO submissions under Chapter 30 laws must conform to its Commission-approved Amended Chapter 30 Plan. Our review of the calculations submitted by Verizon North indicates that they are accurate and consistent with the terms of the Company's Price Stability Mechanism/Price Change Opportunity formula approved in its Chapter 30 Plan at Docket No. P-00001854F1000. In addition, we are of the opinion that the proposed rate increases appear to be reasonable and in conformance with the Company's Chapter 30 Plan. Therefore, we shall approve Verizon North's 2006 PCO calculation and proposed rate increases subject

to findings of the Office of Administrative Law Judge ("ALJ") regarding the complaints filed by OCA and OSBA and subject to refund.

2. Banked Revenues

As noted, the Company proposes to bank the remainder of the 2006 PCO increase consistent with the PCO banking methodology and timing that has been approved for Sprint/United. The approved Chapter 30 Plans for Sprint/United and other ILECs contain certain provisions for banking. We note that the OSBA does not object to the banking, and the OCA did not object to the proposal to bank a portion of the increase. The OCA, however, did suggest that the Commission set restrictions on Verizon North's use of the banked portions similar to restrictions that exist in other ILEC Chapter 30 plans. The OCA did not state whether the Sprint/United banking rules would be acceptable. We further note that in our Order entered October 11, 2005, at Docket Nos. P-00930715 and P-00001854, we directed Verizon PA to bank a portion of its 2003 PCO filing to be used to fund its required contribution to the Pa. USF. Here, we placed a restriction on the use of the funds, similar to that which the OCA requested, without Verizon PA's Chapter 30 Plan containing any banking provisions. Finally, it is noted that if the banking is not permitted, the only alternatives available to Verizon North are to (1) forego that portion of the PCO that they desire to bank or (2) increase rates by the full \$3.3 million instead of the proposed \$3.2 million. In our opinion, we cannot force Verizon North to forego an increase to which it is entitled. As such, the only option available to Verizon North would be to make the increases larger than proposed. However, we do not support giving Verizon North, or any utility, an increase greater than that requested. Therefore, in order to ensure an equitable balance between Verizon North's entitlement while avoiding further rate increases beyond what Verizon North proposed in this filing, we shall approve Verizon North's proposal to bank the \$69,000 remainder of its 2006 PCO increase consistent with the following banking methodology and timing that we previously approved for Sprint/United:³

1. After 2001, annual price decreases calculated under the PSI filed on September 1 of each year may be banked for application in future years, not to exceed four (4) consecutive years.⁴ Such banking of decreases will be with interest at a rate set forth in 66 Pa.C.S. § 1308.

2. The banked price changes must be implemented no more than four (4) years after the annual price change is applied.

3. If a decrease is greater than \$500,000, the Company will implement the decrease immediately.

This adoption of the Sprint/United banking methodology shall constitute an agreement between the Commission and Verizon North pursuant to § 3013(b) of Act 183. We make no determination at this time whether the recoveries of banked amounts are affected by a company's past or future competitive service declarations. However, we are mindful of Sections 3016(b) and (f) and encourage the Company to recover its banked revenue increases from the appropriate group of its non-competitive customers, consistent with applicable provisions of Chapter 30 (66 Pa.C.S. §§ 3001, et al.);

³ The reference to "PSI filed on September 1 of each year" in the Sprint/United banking methodology should be modified to read "PCO filed on November 15 of each year" for Verizon North.

⁴ For annual price increases, the Company may apply them in future years, without limitation as to time.

² *Petition for Amended Alternative Regulation and Network Modernization Plan of United Telephone Co.*, Docket No. P-00981410F1000 (Order entered June 23, 2005).

Therefore,

It Is Ordered That:

1. Verizon North Inc's 2006 PCO filed on December 30, 2005, is in compliance with its Commission-approved Amended Chapter 30 Plan.

2. The tariffed rate increases proposed by Verizon North Inc. be permitted to go into effect as filed subject to findings of the Office of Administrative Law Judge regarding the complaints filed by the Office of Consumer Advocate and the Office of Small Business Advocate and subject to refund investigation and recoupment.

3. Verizon North Inc.'s proposal to bank the remainder of its 2006 PCO increase is approved.

4. The banking methodology and timing approved by the Commission for Sprint/United at Docket No. P-00981410F1000, Order entered June 23, 2005, be adopted by Verizon North Inc.

5. The Commission Order in this matter be published in the *Pennsylvania Bulletin*.

6. A copy of this Order be served on the Office of Consumer Advocate, Office of Small Business Advocate, the Office of Trial Staff and the Office of Administrative Law Judge.

JAMES J. MCNULTY,
Secretary

**Statement of Vice Chairperson James H. Cawley
Concurring in Part and Dissenting in Part**

*Public Meeting: April 4, 2006; MAR-2006-FUS-0435**

*Verizon North Inc. 2006 Price Change Opportunity Filing;
Doc. Nos. R-00051227 and P-00001854F1000*

*Office of Small Business Advocate v. Verizon North Inc.;
Doc. No. R-00051227C0001*

*Office of Consumer Advocate v. Verizon North Inc.; Doc.
No. R-00051227C0002*

Before us for disposition is the Staff recommendation regarding the Verizon North Inc. ("Verizon North" or "Company") 2006 Price Change Opportunity ("PCO") filing that was made on December 30, 2005. This filing was submitted under the provisions of the new Chapter 30 law, Act 183 of 2004, P.L. 1398, 66 Pa.C.S. §§ 3011—3019 ("Act 183" or "new Ch. 30"), and the Company's Amended Alternative Regulation and Network Modernization Plan ("Amended NMP"), that this Commission approved at Docket No. P-00001854F1000.⁵

Consistent with my statement concurring in part and dissenting in part in the corresponding Verizon Pennsylvania Inc. ("Verizon PA") 2006 PCO filing,⁶ I similarly concur in part and dissent in part to the disposition of the Verizon North 2006 PCO adopted by the majority. Although the Company is entitled to a revenue and rate increase under the new Ch. 30 law, there are certain troublesome aspects in these filing that should be explored in depth in the associated adjudication of the formal complaints by the Office of Small Business Advocate ("OSBA") and the Office of Consumer Advocate ("OCA") on a going-forward basis. I also continue to disagree with the position adopted by the majority that amendments of a Ch. 30 incumbent local exchange carrier's ("ILEC's") Amended Network Modernization Plan

("Amended NMP") can be proposed, considered, and adopted through PCO tariff filings.

A. Ch. 30 PCO Revenue Increase

I concur with the proposed increase in Verizon North's annual non-competitive service revenues in the amount of \$3,188,000. I note that the majority of this revenue increase is allocated to the residential and small business end-user customers of basic local exchange telephone service.

B. Potential Rate Discrimination

Although we are permitting the proposed \$3,188,000 non-competitive services revenue increase to go into effect subject to the adjudication of the formal OSBA and OCA complaints, I am concerned that the resulting rates may be discriminatory. Basic local exchange services of residential and small business customers will absorb the bulk of the proposed PCO revenue increase. It appears that the pending complaint proceedings will explore whether the PCO revenue increase could (or must) be lawfully allocated to other non-competitive service categories of the Company in accordance with its Ch. 30 Amended NMP and the statutory mandates of Act 183. The same complaint proceedings will also provide the legal and evidentiary basis for a future decision on whether the provision of rate discounts to certain categories of small business customers that sign-up for the Verizon North 24-month business local exchange term plan, where such customers still subscribe to non-competitive local exchange services of the Company, gives rise to unlawful rate discrimination.⁷

My additional concern involves the relationship of the Company's PCO revenue and rate increase, the concept of "protected services" as these are defined under the new Ch. 30 law, 66 Pa.C.S. § 3012, and Verizon North's flexible provision of "bundled packages of services" "which include nontariffed, competitive, noncompetitive or protected services," and the "services of an affiliate, in combinations and at a single price selected by the company." 66 Pa.C.S. § 3016(e)(2). Verizon North provides such "service bundles" as "competitive service" offerings to both residential and business customers under its informational Tariff No. 11.⁸ It does not appear that Verizon North has included any revenues from the "protected" local exchange service portions of such "service bundles" in its overall non-competitive service category revenues on which the overall PCO revenue and rate increase is calculated. Correspondingly, the Company's PCO filing does not provide sufficient information indicating whether the "protected" local exchange service portion of these "service bundles" is affected in any way by the proposed PCO-related local exchange service dial tone line rate increases.

The complaint proceedings should address the issue of whether there is unlawful rate discrimination if the "non-competitive" basic local exchange service residential and small business customers absorb PCO related revenue and rate increases, but such rate increases are not reflected in the corresponding "protected services" portion of residential and small business customers that subscribe to the Company's "service bundles" offered under its informational Tariff 500. More specifically, are "protected services" offered as parts of a "service bundle" somehow transformed into "competitive" services? If so, is

⁵ *Petition for Amended Alternative Regulation and Network Modernization Plan of Verizon North Inc.*, Docket No. P-00001854F1000, Order entered May 20, 2005.

⁶ *Verizon Pennsylvania Inc. 2006 Price Change Opportunity Filing*, Docket Nos. R-00051228, P-00930715F1000, R-00051228C0001, R-00051228C0002, Order entered March 22, 2006. *Statement of Vice Chairman James H. Cawley*.

⁷ Docket No. R-00051227, Verizon North 2006 PCO filing, December 30, 2005, Executive Summary; OCA Formal Complaint, Docket No. R-00051227C0002, filed January 10, 2006, ¶ 4.C. at 2.

⁸ See generally Verizon North Tariff Telephone-Pa. P.U.C. No. 11, Sec. 24, Orig. Sheets 2-12.

such transformation compatible with the statutory mandate and classification of telecommunications services under Act 183? And should the "protected service" portion of "service bundles" be accounted in the Company's PCO mechanism in some fashion? These issues are important because they relate to basic telephone service consumer protections that are the subject of an ongoing proceeding.⁹

C. Banking of 2006 PCO Revenues

It is my tentative conclusion that a PCO tariff filing is not the proper method to obtain amendments to an ILEC's Ch. 30 Amended NMP. Act 183 provides for the orderly process of filing a petition in order to obtain such amendments to an ILEC's Ch. 30 Amended NMP.¹⁰ Like many other ILECs, Verizon North could have inserted a "banking" provision in its Amended NMP, or it could have petitioned for an appropriate modification to its Amended NMP. The Commission would have evaluated and ruled on such a petition within the statutorily prescribed 100-day time interval. 66 Pa.C.S. § 3014(e). Verizon North did not choose to do either. Instead, it seeks a modification of its Amended NMP through its 2006 PCO tariff filing.

Since Act 183 provides a specific method to modify Amended NMPs, it appears that the Commission may not entertain Verizon North's request for such a modification in this PCO filing.¹¹ I doubt that we may ignore the requirement of Section 3014(e) any more than we may ignore the Legislature's deletion of Section 1308 from Section 3019(h).

It does not necessarily follow that the Company may alternatively collect the full amount of the revenues to which it is entitled in 2006 should the procedure in Section 3014(e) be found mandatory. The Company having voluntarily placed itself in a "use it or lose it" position, it may well be required to "lose" the amount it now wishes to bank.

Although I disagree with the banking amendment to the Verizon North Amended NMP that is being implemented through the Company's 2006 PCO, I agree with the safeguard contained in the adopted Order regarding

⁹ *Petition of Trinsic Communications, Inc. f/k/a Z-tel Communications, Inc. for Waiver of Certain Billing and Collection Rule Requirements Set Forth at 52 Pa. Code Chapter 64 to Permit Provision of Singly-Priced Service Packages to Customers*, Docket No. P-00052169, Order entered February 1, 2006.

¹⁰ See generally *Petition for revision to the Amended Alternative Regulation and Network Modernization Plan of Commonwealth Telephone Company*, Docket No. P-00961024F1000, Order entered February 10, 2006; and 66 Pa.C.S. § 3013(b).

¹¹ Nor should the Commission prejudge the propriety of this attempted shortcut. It is an issue included within OCA's complaint. *Answer of the Office of the Consumer Advocate to the Verizon North Inc. Motion to Dismiss*, Docket No. R-00051227C0002, February 6, 2006, at 6-10, and Appendix A.

the rate recovery of the banked revenues from non-competitive services. Although the banked revenues only amount to \$69,000, they should be recovered from the non-competitive services from which this banked revenue increase arose in the first place. It is rather self-evident that if the Company has any of these services declared "competitive" and substantially deregulated, the banked revenues associated with such services cannot be recovered from the remaining non-competitive services of Verizon North since that would constitute an unlawful subsidization of competitive services by its non-competitive services. 66 Pa.C.S. § 3016(f).

For these reasons, I concur in part and dissent in part.

[Pa.B. Doc. No. 06-693. Filed for public inspection April 21, 2006, 9:00 a.m.]

STATE EMPLOYEES' RETIREMENT BOARD

Hearing Scheduled

The following hearing has been scheduled, as authorized by 71 Pa.C.S. Part XXV (relating to State Employees' Retirement Code), in connection with the State Employees' Retirement System's denial of Claimant's request concerning the indicated account.

The hearing will be held before a hearing examiner at the State Employees' Retirement System, 30 North Third Street, Fifth Floor, Harrisburg, PA 17101:

May 16, 2006 John G. Timulak (D) 1 p.m.
(Death Benefit)

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 4 Pa. Code § 250.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

ERIC HENRY,
Secretary

[Pa.B. Doc. No. 06-694. Filed for public inspection April 21, 2006, 9:00 a.m.]