

# NOTICES

## DEPARTMENT OF AGRICULTURE

### Fertilizer Nutrient Values

The Secretary of Agriculture, under 3 Pa.C.S. §§ 6701—6725 (relating to Fertilizer Act), establishes the commercial values per pound of nitrogen, available phosphate and soluble potash.

The values are established as follows:

Nitrogen	40¢ per pound
Available phosphate	32¢ per pound
Soluble potash	23¢ per pound

#### Further Information

Further information is available by contacting John W. Breitsman, Chief, Division of Agronomic and Regional Services, Bureau of Plant Industry, Department of Agriculture, 2301 N. Cameron Street, Harrisburg, PA 17110-9408, (717) 787-4843.

#### Effective Date

These commercial values are effective commencing July 1, 2006, and shall remain effective until further notice.

DENNIS C WOLFF,  
*Secretary*

[Pa.B. Doc. No. 06-933. Filed for public inspection May 26, 2006, 9:00 a.m.]

### Referendum on Continuation of the Pennsylvania Potato Research Program

Under the applicable provisions of 3 Pa.C.S. §§ 4501—4513 (relating to Agricultural Commodities Marketing Act), a review referendum was held from March 17 to March 31, 2006, to determine if the producers affected by the Pennsylvania Potato Research Program (program) wished to continue the program for an additional 5 years. To pass, a majority of eligible producers voting had to vote in favor of the program's continuation. An impartial Teller Committee met on April 12, 2006, to count the ballots. The following results were submitted by the Teller Committee: a total of 41 eligible votes were cast with 35 producers voting in favor of and six voting against the continuation of the program. An additional six ballots were invalid, because they were either incomplete or ineligible due to the acreage requirement. Votes favoring continuation of the program by number of producers represented 85.4% of eligible votes and votes against continuation of the program represented 14.6% of eligible votes. Because a majority of the votes were cast in favor of the program, the program shall continue for 5 years, effective immediately.

DENNIS C WOLFF,  
*Secretary*

[Pa.B. Doc. No. 06-934. Filed for public inspection May 26, 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 May 16, 2006.

#### BANKING INSTITUTIONS

##### Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
5-15-06	Juniata Valley Financial Corp., Mifflintown, to acquire up to 39.2% of the common stock of the First National Bank of Liverpool, Liverpool, under section 112 of the Banking Code of 1965.	Mifflintown	Filed

##### Section 112 Applications

<i>Date</i>	<i>Name of Individual</i>	<i>Action</i>
5-16-06	Paul C. Woelkers to acquire up to 12% of the outstanding shares of common stock of Landmark Community Bank, Pittston	Filed

**New Charter Applications**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
5-10-06	Colonial American Bank West Conshohocken Montgomery  <i>Correspondent:</i> David R. Payne Stevens & Lee 620 Freedom Business Center King of Prussia, PA 19406	West Conshohocken	Revised Filing

**Branch Applications**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
5-2-06	North Penn Bank Scranton Lackawanna County	Arlington Martin Subdivision Route 115 Effort Chestnuthill Township Monroe County	Opened
5-16-06	Abington Savings Bank Jenkintown Montgomery County	Maris Grove Retirement Community 100 Maris Grove Way Glen Mills Delaware County (Limited Service Facility)	Approved
5-16-06	PeoplesBank, a Codorus Valley Company York York County	Shrewsbury Lutheran Retirement Village 800 Bollinger Drive Shrewsbury Shrewsbury Township York County (Limited Service Facility)	Approved
5-16-06	Beneficial Mutual Savings Bank Philadelphia Philadelphia County	515 Berlin Cross Keys Road Sicklerville Camden County, NJ	Approved
5-16-06	CommunityBanks Millersburg Dauphin County	Route 39 Hershey Road Hummelstown South Hanover Township Dauphin County	Approved
5-16-06	First Commonwealth Bank Indiana Indiana County	2501 East Carson Street Pittsburgh Allegheny County	Approved

**Branch Relocations**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
5-12-06	ESB Bank Ellwood City Lawrence County	<i>To:</i> State Route 65 (Ellwood Road) New Castle Shenango Township Lawrence County  <i>From:</i> The Lawrence Village Plaza New Castle Shenango Township Lawrence County	Filed
5-16-06	Parkvale Savings Bank Monroeville Allegheny County	<i>To:</i> 401 Ninth Street New Kensington Westmoreland County  <i>From:</i> 931 Fifth Avenue New Kensington Westmoreland County	Approved

**SAVINGS INSTITUTIONS**

No activity.

**CREDIT UNIONS**

No activity.

The Department's website at [www.banking.state.pa.us](http://www.banking.state.pa.us) includes public notices for more recently filed applications.

A. WILLIAM SCHENCK, III,  
*Secretary*

[Pa.B. Doc. No. 06-935. Filed for public inspection May 26, 2006, 9:00 a.m.]

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## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

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#### 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**

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N ?</i>
PA0055671	Worcester Township 1721 Valley Forge Road P. O. Box 767 Worcester, PA 19490-0767	Montgomery County Worcester Township	Tributary to Skippack Creek	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N ?</i>
PA0082490 (Sew)	Pike Restaurant and Lounge 985 Baltimore Pike Gettysburg, PA 17325	Adams County Cumberland Township	UNT to Rock Creek 13-D	Y
PA0088951 (IW)	Speedway Oil Company P. O. Box 67 392 Ben Franklin Highway East Douglasville, PA 19518	Berks County Amith Township	Schuylkill River 3-D	Y
PA0082759 (Sew)	Hopewell Township R. D. 1, Box 95 James Creek, PA 16657	Huntingdon County Hopewell Township	UNT to Shy Beaver Creek 11-D	Y
PA0084565 (Sew)	East Prospect Borough Authority P. O. Box 334 East Prospect, PA 17317	York County Lower Windsor Township	UNT to Cabin Creek 7-I	Y
PA0038288 (IW)	RecOil, Inc. 280 East Street York, PA 17403	York County York City	UNT Mill Creek 7-H	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N ?</i>
PA0114472	Cherry Township Board of Supervisors R. R. 4, Box 4245 Dushore, PA 18614-9804	Sullivan County Cherry Township	Birch Creek (10B)	Y
PA0114995 IW	Farm and Home Oil Company P. O. Box 389 Telford, PA 18969	Lycoming County Armstrong Township	Storm Drain To West Branch Susquehanna River (10C)	Y
PA0228371 IW	SemMaterials, LP 4th and Duke Street P. O. Box 191 Northumberland, PA 17857	Northumberland County Point Township	UNT to West Branch Susquehanna River (10D)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0102288	Rustick, LLC McKean County Landfill 19 Ness Lane Kane, PA 16735	Sergeant Township McKean County	Sevenmile Run 17-A	Y

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

*Southeast Region: Water Management Program Manager, 2 East Main Street, Norristown, PA 1940.*

**PA0035769**, Industrial Waste, SIC 2011, 2048, 2077 and 2875. **Moyer Packing Company**, P. O. Box 395, Souderton, PA 18964-0395.

Description of Proposed Activity: Discharge of treated process wastewater from an industrial wastewater treatment plant serving beef and rendering facility and discharge of stormwater associated with industrial activities in Franconia Township, **Montgomery County**.

The receiving stream Skippack Creek is in the State Water Plan watershed 3E, and is classified for TSF.

The proposed effluent limits for Outfall 001, based on an average flow of 0.75 mgd, are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>			
(5-1 to 10-31)	10	20	25
(11-1 to 4-10)	20	40	50
Total Suspended Solids	30	60	75
Oil and Grease	15	25	30
Fecal Coliform	200 colonies/100 ml as a geometric mean		
pH	within limits of 6.0 to 9.0 Standard Units at all times		
Phosphorus as P			
(4-1 to 10-31)			
1st and 2nd years	0.80	1.60	2.00
(11-1 to 3-31)			
1st and 2nd years	1.60	3.2	4.00
(4-1 to 10-31)			
3rd to 5th years	0.29	0.58	0.72
(11-1 to 3-31)			
3rd to 5th years	0.58	1.16	1.45
Ammonia as N			
(5-1 to 10-31)	1.2	2.4	3.0
(11-1 to 4-30)	3.6	7.2	9.0
Dissolved Oxygen	minimum of 5.0 mg/l at all times		
Total Residual Chlorine	0.024		0.094
Osmotic Pressure	95 milliosmoles/Kg as maximum daily		
Total Dissolved Solids	1,000	2,000	2,500
Total Nitrogen	Monitor		Monitor

The proposed effluent limits for stormwater Outfalls MP 101 and 002—004 are as follows:

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

The EPA waiver is not in effect.

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

1. Remedial Measures.
2. BAT/ELG Reopener.
3. TMDL/WLA Analysis.
4. Requirements for Stormwater Outfalls.
5. Laboratory Certification.

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*Southwest Region: Oil and Gas Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4000.*

**PA 0253049**, Industrial Waste, SIC 4925, **CNX Gas Company, LLC**, 1800 Washington Road, Pittsburgh, PA 15241. This proposed facility is located in Huntingdon Township, **Westmoreland County**.

Description of Proposed Activity: Discharge of treated groundwater produced by the dewatering of coal seams during methane gas extraction.

The receiving stream, Youghiogheny River, in watershed 19D, is a WWF classified for aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS and chloride, the point of analysis considered during the evaluation is located on the Youghiogheny River, approximately 7.9 miles downstream of the discharge point.

The proposed effluent limits for Outfall 001 are:

<i>Parameter</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow		0.08mgd	
Iron (total)	3.5 mg/l		7 mg/l
Oil and Grease	15 mg/l		30 mg/l
TSS	30 mg/l		60 mg/l
Acidity	Monitor Only	Monitor Only	Monitor Only
Alkalinity	Greater than Acidity	Greater than Acidity	Greater than Acidity
pH	6 to 9 Standard Units	6 to 9 Standard Units	6 to 9 Standard Units
Chloride	Monitor Only	Monitor Only	Monitor Only
TDS	Monitor Only	Monitor Only	Monitor Only
Osmotic Pressure	Monitor Only	Monitor Only	Monitor Only
Cadmium	Monitor Only	Monitor Only	Monitor Only
Copper	Monitor Only	Monitor Only	Monitor Only
Lead	Monitor Only	Monitor Only	Monitor Only

The EPA waiver is in effect.

**PA 0252867**, Industrial Waste, SIC 4925, **CNX Gas Company, LLC**, 1800 Washington Road, Pittsburgh, PA 15241. This proposed facility is located in Sewickley Township, **Westmoreland County**.

Description of Proposed Activity: Discharge of treated groundwater produced by the dewatering of coal seams during methane gas extraction.

The receiving stream, Youghiogheny River, in watershed 19D, is a WWF classified for aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS and chloride, the point of analysis considered during the evaluation is located on the Youghiogheny River, approximately 12.2 miles downstream of the discharge point.

The proposed effluent limits for Outfall 001 are:

<i>Parameter</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow		0.08mgd	
Iron (total)	3.5 mg/l		7 mg/l
Oil and Grease	15 mg/l		30 mg/l
TSS	30 mg/l		60 mg/l
Acidity	Monitor Only	Monitor Only	Monitor Only
Alkalinity	Greater than Acidity	Greater than Acidity	Greater than Acidity
pH	6 to 9 Stanard Units	6 to 9 Standard Units	6 to 9 Standard Units
Chloride	Monitor Only	Monitor Only	Monitor Only
TDS	Monitor Only	Monitor Only	Monitor Only
Osmotic Pressure	Monitor Only	Monitor Only	Monitor Only
Cadmium	Monitor Only	Monitor Only	Monitor Only
Copper	Monitor Only	Monitor Only	Monitor Only
Lead	Monitor Only	Monitor Only	Monitor Only

The EPA waiver is in effect.

**PA0205672**, Industrial Waste, SIC, 3743, **Johnstown America Corporation**, 17 Johns Street, Johnstown, PA 15901. This application is for renewal of an NPDES permit to discharge untreated cooling water and stormwater from its facility in the City of Johnstown, **Cambria County**.

The following effluent limitations are proposed for discharge to the receiving waters, of Little Conemaugh River and Laurel Run, classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is the Saltsburg Municipal W.W., located at 308 Point Street, Saltsburg, PA, 49 miles below the discharge point.

*Outfall 107*: existing discharge, design flow of 0.09 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	Monitor and Report				
Temperature (°F)			110		
Total Residual Chlorine			0.5	1.25	
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is in effect.

*Outfall 702: existing discharge, design flow of 0.09 mgd*

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	Monitor and Report				
Temperature (°F)				110	
Total Residual Chlorine				0.5	1.25
pH	not less than 6.0 nor greater than 9.0				

*Outfall 114: existing discharge, design flow of 0.29 mgd*

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

*Outfalls 103—113 and 115—117: existing discharges to Little Conemaugh River, design flow of ariable mgd.*

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
The discharge from these outfalls shall consist of uncontaminated stormwater and groundwater.					

**PA0253243**, Sewage, **Richard Chatak**, 943 Peninsula Drive, Central City, PA 15926. This application is for issuance of an NPDES permit to discharge treated sewage from Chatak SR STP in Indian Lake Borough, **Somerset County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Indian Lake, which are classified as a CWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Hooversville Municipal Authority.

*Outfall 001: new discharge, design flow of 0.0004 mgd.*

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	10			20
Suspended Solids	20			40
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

**NPDES Permit No. PA0239852**, Sewage, **Andrew P. Terwilliger**, 99 Little Gilbert Lane, Bradford, PA 16701. This proposed facility is located in Bradford Township, **McKean County**.

Description of Proposed Action/Activity: This is a single residence sewage treatment plant discharging to a UNT to Willow Creek.

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

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

**WQM Permit No. WQG01360601**, Sewerage, **John M. and Alta Z. Sensenig**, 987 Valley Road, New Holland, PA 17540. This proposed facility is located in East Earl Township, **Lancaster County**.

Description of Proposed Action/Activity: Seeking approval for construction/operation of a small flow sewage treatment system to serve two single family residences and one family run business.

**WQM Permit No. WQG02360604**, Sewerage, **Lancaster Area Sewer Authority**, 130 Centerville Road, Lancaster, PA 17603. This proposed facility is located in East Hempfield Township, **Lancaster County**.

Description of Proposed Action/Activity: Seeking approval for the construction/operation for the upgrade of the Arbors at Spring Valley Collection System Connection, existing LASA Millers Run Conveyance (8" sanitary sewer line to be upgraded to 12").

**WQM Permit No. 3606404**, Sewerage, **David Fite Realty**, 103 Fite Way, Suite D, Quarryville, PA 17566. This proposed facility is located in East Drumore Township, **Lancaster County**.

Description of Proposed Action/Activity: Seeking approval of the construction/operation of wastewater treatment facility with stream discharge to serve existing and proposed portions of the Commerce Commons development.

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

**WQM Permit No. WQG01080601**, Sewerage, **Ronald and Linda Smith**, R. R.1 Box 573, Union Valley Road, Ulster, PA 18850. This proposed facility is located in Rome Township, **Bradford County**.

Description of Proposed Action/Activity: The proposed system consists of a 1,000 gallon septic tank, an effluent filter, two free access sand filters, an erosion chlorinator and a chlorine contact tank.

**WQM Permit No. WQG01590605**, Sewerage, **Rodney J. Cowburn**, 340 Church Street, Westfield, PA 16950. This proposed facility is located in Westfield Township, **Tioga County**.

Description of Proposed Action/Activity: The proposed system consists of a 1,000-gallon septic tank, an effluent filter, two free access sand filters, an erosion chlorinator and a chlorine contact tank.

**WQM Permit No. 1706401**, Sewerage, **City of DuBois**, 16 West Scribner Avenue, P. O. Box 408, DuBois, PA 15801. This proposed facility is located in City of DuBois, **Clearfield County**.

Description of Proposed Action/Activity: Addition of a centrifuge for solids processing and sludge storage building.

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

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI011506035	Margaret Hart Williamson Margaret Hart Williamson Subdivision 322 Little Elk Creek Lincoln University, PA 19352	Chester	East Nottingham Township	East Branch Big Elk Creek (HQ-TSF-MF)

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024806015	Department of Veteran and Military Affairs Attn: Donald Munford Bureau of Facilities and Engineering Room 0-47 Fort Indiantown Gap, PA 17003-5002	Northampton	Forks Township	Tributary to Bushkill Creek HQ-CWF

*Lackawanna County Conservation District: 1300 Old Plank Rd., Mayfield, PA 18433, (570) 281-9495.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023506001	Lowe's Home Centers, Inc. P. O. Box 1111 North Wilksboro, NC 28656	Lackawanna	Covington Township	Roaring Brook HQ-CWF Meadow Brook HQ-CWF



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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023906009	Mark Evans Nestle Waters North America 777 West Putnam Ave. Greenwich, CT 06830	Lehigh	Upper Macungie Township	Iron Creek HQ-CWF
PAS10Q237-2	Christopher Williams Liberty Property Trust 1510 Valley Ctr. Pkwy. Suite 240 Bethlehem, PA 18017	Lehigh	Upper Macungie Township	Iron Run HQ-CWF
PAI023906008	Michael Sibalic Sorensen Construction 4542 Senny Court New Tripoli, PA 18066	Lehigh	Lower Milford Township	Perkiomen Creek HQ-CWF

*Wayne County Conservation District: 648 Park Street, Honesdale, PA 18431, (570) 253-0930.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI026405005-1	CBR Enterprises 139-23 Queens Blvd. Jamaica, NY 11435	Wayne	Lehigh Township	Tributary to Lehigh River HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI036706004	York County Solid Waste and Refuse Authority 2700 Blackbridge Road York, PA 17402-7901	York	Hopewell Township	Rambo Run EV Ebaugh Creek CWF
PAI032106002	William Kollas and William Costopolous 1104 Fernwood Avenue Camp Hill, PA 17011	Cumberland	South Middleton Township Mount Holly Springs Borough	Yellow Breeches Creek HQ-CWF
PAI032106004	Department of Veteran and Military Affairs Bureau of Facilities and Engineering Building 0-47 Fort Indiantown Gap Annville, PA 17003-5002	Cumberland	North Middletown	Susquehanna River HQ-CWF
PAI0328-06-004	Benderson Development Company, LLC 570 Delaware Avenue Buffalo, NY 14202	Franklin	Guilford Township	Falling Spring Creek HQ-CWF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041406009	PSU West Campus Office of Physical Plant 101P Physical Plant University Park PA 16802	Centre County	Ferguson Township and State College Borough	Big Hollow Run CWF Thompson Run HQ-CWF

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

*Allegheny County Conservation District, Lexington Technology Park, Building 1, Suite 102, 400 North Lexington Avenue, Pittsburgh, PA 15208, (412) 241-7645.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10A090	Caste Real Estate Company P. O. Box 10369 Pittsburgh, PA 15234	Allegheny	South Park Township	UNT to Saw Mill Run (WWF)

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


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

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### **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**

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#### **Applications Received Under the Pennsylvania Safe Drinking Water Act**

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

<b>Permit No.4606504</b> , Public Water Supply	
Applicant	<b>Horsham Water and Sewer Authority</b>
Township	Horsham
County	<b>Montgomery</b>
Responsible Official	Tina M. Merl
Type of Facility	PWS
Consulting Engineer	Carroll Engineering Corporation
Application Received Date	May 10, 2006

Description of Action	Installation of sequestering agent equipment for treatment of elevated iron and manganese in Well No. 40.
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<b>Permit No.0906505</b> , Public Water Supply	
Applicant	<b>Buckingham Township Bucks County</b>
Township	Buckingham
County	<b>Bucks</b>
Responsible Official	Raymond Stepnoski
Type of Facility	PWS
Consulting Engineer	Gilmore and Associates, Inc.
Application Received Date	May 11, 2006

Description of Action	Construction of a new public water supply system to serve the proposed Estates of Forest Grove residential development. The system will consist of two wells, a storage tank, booster pumps, disinfection equipment and a distribution system.
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<b>Permit No.0906506</b> , Public Water Supply	
Applicant	<b>Bucks County Water and Sewer Authority</b>
Township	Solebury
County	<b>Bucks</b>
Responsible Official	John Butler
Type of Facility	PWS
Consulting Engineer	Carroll Engineering Corporation
Application Received Date	May 15, 2006

Description of Action	Installation of an arsenic removal system at Well S-1 and S-2.
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*Central Office: Bureau Director, Water Standards and Facility Regulation, P. O. Box 8467, Harrisburg, PA 17105-8467.*

<b>Permit No. 9996228</b> , Public Water Supply	
Applicant	<b>Tyler Mountain Water Co., Inc.</b>
Township or Borough	Poca, WV
Responsible Official	Jeffrey S. Jackson General Manager
Type of Facility	Out-of-State Bottled Water System
Application Received Date	May 15, 2006

Description of Action Applicant requesting Department approval to sell bottled water in this Commonwealth under the brand name Tyler Mountain Drinking Water.

#### MINOR AMENDMENT

#### Applications Received Under the Pennsylvania Safe Drinking Water Act

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

#### Application No. 0206503MA, Minor Amendment.

Applicant **Fox Chapel Authority**  
255 Alpha Drive  
Pittsburgh, PA 15238

Township or Borough Fox Chapel Borough

Responsible Official Mark E. Nicely, Manager  
Fox Chapel Authority  
255 Alpha Drive  
Pittsburgh, PA 15238

Type of Facility Water storage tank

Consulting Engineer Bankson Engineers, Inc.  
267 Blue Run Road  
P. O. Box 200  
Indianola, P A 15051

Application Received Date May 9, 2006

Description of Action Replacement of an existing welded steel water storage tank with a bolted, glass-fused-to-steel water storage tank known as the South Tank.

### LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

#### UNDER ACT 2, 1995

#### PREAMBLE 1

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

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use the Background Standard, Statewide Health Standard, the Site-Specific Standard or who intend to remediate a site as a special industrial area must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one, a combination of the cleanup standards or who receives approval of a special industrial

area remediation identified under the act will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

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

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

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

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

**F. L. Smidth Property**, Catasauqua Borough, **Lehigh County**. Mark Fortna, DelVall Soil and Environmental Consultants, Inc., Sky Run II, Suite A1, 4050 Skyron Drive, Doylestown, PA 18901 has submitted a Notice of Intent to Remediate (on behalf of his client, David Kane, Kane Core, Inc., 4365 Skippack Pike, P. O. Box 1301, Skippack, PA 19474) concerning the remediation of soil found or suspected to be contaminated by lead, arsenic and benzo(a)pyrene as the result of historic industrial operations. Future use of the property will be nonresidential. 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 applicant proposes to remediate the site to meet the Site-Specific Standard.

**Vullo Inc. Property**, Pittston Township, **Luzerne County**. Mark Orzechowski, P. G., Civil & Environmental Consultants, Inc., 333 Baldwin Road, Pittsburgh, PA 15205 has submitted a Notice of Intent to Remediate (on behalf of his client, Keith Vasas, Pittston Associates, LP, 300 Market Street, Johnstown, PA 15901) concerning a release of gasoline to soils and groundwater from former leaking underground storage tanks. The applicant proposes to remediate the site to meet the Site-Specific Soil and Groundwater Standard. Future use of the property will be nonresidential. A summary of the Notice of Intent to Remediate is expected to be published in *The Times Leader* sometime in the near future.

**Tamaqua Area School District Middle School Campus**, Borough of Tamaqua, **Schuylkill County**.

Kenneth Yoder, BL Companies, 213 Market Street, 6th Floor, Harrisburg, PA 17101 has submitted a Notice of Intent to Remediate (on behalf of his client, Tamaqua Area School District, c/o Frederick Bausch, 138 West Broad Street, Tamaqua, PA 18252) concerning the remediation of No. 2 heating oil constituents found or suspected to be present in site soils and groundwater as the result of an accidental release from a malfunctioning transfer pump. The applicant proposes to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate is expected to be published in a local newspaper serving the general area in the near future. The intended future use for the site will be continuation as a public school facility.

**Cranberry Creek Gateway Park Project—Southern Parcel**, Hazle Township, Luzerne County. Lori Girvan, Senior Environmental Scientist, Barry Isett & Associates, Inc. (100 West Broad Street, Suite 200, Hazleton, PA 18201-2562) has submitted a Notice of Intent to Remediate (on behalf of her client, CAN DO Inc., 1 South Church Street, Hazleton, PA 18201) concerning the remediation of soils found to have been impacted by lead as the result of historic transformer releases at the former railroad substation. The applicant proposes to remediate the site to meet the residential Statewide Health Standard. A summary of the Notice of Intent to Remediate was published in the *Hazleton Standard-Speaker* on March 22, 2006. The future use of the site was not specified. A Final Report was simultaneously submitted.

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

**Kelly Residence Linden Street**, Reading City, Berks County. Patriot Environmental Management LLC, P. O. Box 629, Douglassville, PA 19518, on behalf of Joseph Kelly, 1520 Linden Street, Reading, 19601 and Tropical Oil Company, 418-436 Moss Street, Reading, PA 19604, submitted a Notice of Intent to Remediate site soils contaminated with No. 2 heating oil. The applicant intends to remediate the site to the Statewide Health Standard.

**Hyndman Elementary School**, Hyndman Borough, Bedford County. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of Bedford Area School District, 330 East John Street, Bedford, PA 15522, submitted a Notice of Intent to Remediate groundwater contaminated with No. 2 heating oil. The property is nonresidential and will continue to be nonresidential in the future. The applicant seeks to remediate to the Statewide Health Standard

#### DETERMINATION FOR APPLICABILITY FOR MUNICIPAL WASTE GENERAL PERMITS

**Application for Determination of Applicability Received Under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and residual waste regulations for a general permit to operate residual waste processing facilities and/or the beneficial use of residual waste other than coal ash.**

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

**General Permit Application No. WMGM019D005. Main Line Paving Company, Inc.**, 70 Old Lancaster Road, Devon, PA 19333-1397.

General Permit No. WMGM019D005 is for the processing of concrete and asphalt waste, leaf and yard waste, wood waste and soil for beneficial use as: (1) construction material; and (2) topsoil and mulch for commercial purposes generated at Pottstown Recycling Material Co., facility, located in **Montgomery County**. The Department of Environmental Protection (Department) determined the DOA application to be administratively complete on May 16, 2006.

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

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

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

*Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4000.*

**Permit ID No. 300491. EME Homer City Generation LP**, 1750 Power Plant Road, Homer City, PA, 15748. Application for a closure plan for coal desilting and coal ash impoundments in Center Township, **Indiana County** was received in the Regional Office on May 12, 2006.

#### 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.*

**40-305-027: Mountaintop Anthracite, Inc.** (1550 Crestwood Drive, Mountaintop, PA 18707) for construction of an anthracite coal processing operation and associated air cleaning devices in Wright Township, **Luzerne County**.

**40-320-026: Quebecor World Hazleton, Inc.** (Route 924 Humboldt Industrial Park, Hazleton, PA 18201) for the cold set web printing press in Hazle Township, **Luzerne County**.

**48-313-099: Praxair Distribution, Inc.** (145 Shimersville Road, Bethlehem, PA 18015) for reactivation of a base gas scrubbing system and associated air cleaning device in Bethlehem, **Northampton County**.

**39-309-065: Lafarge North America, Inc.** (5160 Main Street, Whitehall, PA 18052) for modification Kiln No. 3 to utilize a plastic derived fuel in Whitehall Township, **Lehigh County**.

**40-399-058: The Ohio Mattress Co.—Licensing and Components Group** (MAGIC Industrial Park, Delano, PA 18220) for construction of three latex foam production lines and associated air cleaning devices in Wright Township, **Luzerne County**.

**40-302-155: Wilkes-Barre General Hospital** (575 North River Street, Wilkes-Barre, PA 18701) for construction of three natural gas No. 4 fuel oil boilers in Wilkes-Barre, **Luzerne County**.

**48-309-126: ESSROC Cement Corp.** (3251 Bath Pike, Nazareth, PA 18064) for modification of the cement kilns and associated air cleaning devices in Lower Nazareth Township, **Northampton County**.

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

**41-00005E: Lycoming Engines** (652 Oliver Street, Williamsport PA 17701) for construction and operation of a new perchloroethylene degreaser at their facility in the City of Williamsport, **Lycoming County**.

**47-00003A: Department of Public Welfare** (1401 North 7th Street, Harrisburg, PA 17105) for construction and operation of two anthracite coal fired boilers, each controlled by an independent flue gas recirculation system at their Danville State Hospital facility in Mahoning Township, **Montour 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.**

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

**05-05022A: Bedford Reinforced Plastics, Inc.** (264 Reynoldsdale Road, Bedford, PA 15522-7401) to install a new fiberglass reinforced plastic pultrusion production line in East Saint Clair Township, **Bedford County**. Operation of this pultrusion line will increase potential HAPs by 2.71 tons per year. The plan approval and subsequent Title V operating permit amendment will include emission restrictions, work practice standards, monitoring, recordkeeping and reporting requirements to ensure facility complies with the applicable air quality regulations. This project is subject to 40 CFR Part 63, Subpart WWWW, National Emission Standards for Hazardous Air Pollutants: Reinforced Plastic Composites Production.

**06-05085C: New Morgan Landfill Company, Inc.** (P. O. Box 128, Morgantown, PA 19543) for installation of an enclosed ground flare to control emissions of VOC and nonmethane organic compounds from a municipal solid waste landfill in the Borough of New Morgan, **Berks County**. The installation will provide the landfill with addition capacity to control the waste gases generated by the landfill. The landfill is subject to 40 CFR Part 60, Subpart WWWW, Standards of Performance for New Stationary Sources and 40 CFR Part 63, National Emission Standards for Hazardous Air Pollutants from Municipal Solid Waste Landfills. The plan approval will include monitoring, testing, work practices, recordkeeping, reporting and other requirements designed to keep the source and control device operating within all applicable air quality requirements. The facility is presently covered by the Title V Operating Permit No. 06-05085. The plan approval will be incorporated into this permit in accordance with 25 Pa. Code § 127.450 (Administrative Amendment).

**36-03163A: Superior Finishing, LLC** (78 West Main Street, Reinholds, PA 17569) for operation of two wood furniture surface coating booths at the facility in West Cocalico Township, **Lancaster County**. Dry panel filters will control the coating booths. The plan approval will include monitoring, work practice standards, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

**36-05062B: Manheim Auto Auction** (1190 Lancaster Road, Manheim, PA 17545) for installation of a new mobile equipment repair and refinishing operation in place of the existing operations at their automobile reconditioning facility in Penn Township, **Lancaster**

**County.** More specifically, the permittee plans on constructing four new commercial spray booths and associated ancillary equipment. The process of refinishing vehicles will consist of five steps: body repairs, paint mixing, paint preparation, painting and final detail. Facility emissions of VOCs are limited by the mobile equipment repair and refinishing regulations found in 25 Pa. Code § 129.75. The facility will continue to cap their VOC emissions to less than 50 tons per year. Facility emissions of HAPs are limited to less than 10 tons per year for each HAP and less than 25 tons per year for cumulative HAPs during any consecutive 12-month period. The plan approval and subsequent State-only operating permit will include emission limitations, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**38-05003D: Carmeuse Lime, Inc.** (3 Clear Spring Road, Annville, PA 17003) for use of a petroleum coke coal fuel blend in the plant's five lime kilns in North Londonderry Township, **Lebanon County.** The fuel blend will not significantly impact emissions from the facility which will be limited to 685 tons of SO<sub>x</sub> per consecutive 12-month period. The plan approval will include emission limits and work practice standards along with stack testing, monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

**38-05004A: Kountry Kraft, Inc.** (P. O. Box 570, Newmanstown, PA 17073) for the installation of a new spray booth to apply stains at the existing custom cabinet manufacturing facility in Millcreek Township, **Lebanon County.** This source will be controlled by the use of panel filters. This will result in an increase in actual emissions of about 1.7 tpy of VOC and 0.60 tpy of HAPs. This plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the sources operating within all applicable air quality requirements.

**67-05024G: Lehigh Cement Co.** (200 Hokes Mill Road, York, PA 17404) for limited use of tire fluff as fuel in the rotary kiln at the cement plant in West Manchester Township, **York County.** The tire fluff fuel will not significantly impact emissions from the facility. Emissions of NO<sub>x</sub>, SO<sub>x</sub> and CO will be verified by continuous emissions monitoring systems. The plant is subject to 40 CFR Part 63, Subpart LLL of the National Emission Standards for Hazardous Air Pollutants From the Portland Cement Manufacturing Industry. The plan approval will include emission limits and work practice standards along with stack testing, monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

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

**14-303-008: EBY Paving and Construction, Inc.** (1001 East College Avenue, Bellefonte, PA 16823) for a plan approval for operation of a replacement oil-fired rotary stone dryer burner in a batch asphalt concrete plant (Source ID P101) in Spring Township, **Centre County.**

The Department of Environmental Protection's (Department) review of the information submitted by EBY Paving and Construction, Inc. indicates that the replacement oil-fired rotary stone dryer burner of Source ID P101 will meet all applicable air quality requirements

pertaining to air contamination sources and the emission of air contaminants, including the Best Available Technology requirements of 25 Pa. Code §§ 127.1 and 127.12. The proposed burner will also meet all applicable requirements of Subpart I of the New Source Performance Standards, 40 CFR 60.90—60.93. Based on these findings, the Department intends to issue plan approval for the operation of the replacement oil-fired rotary stone dryer burner of Source ID P101. Additionally, if the Department determines that the oil-fired rotary stone dryer burner is operating in compliance with all plan approval conditions, the conditions established in the plan approval will be incorporated into a State-only operating permit via an administrative amendment under 25 Pa. Code § 127.450.

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

1. Under the requirements of 25 Pa. Code § 127.12b, the permittee shall not use more than 275,000 gallons of virgin No. 2 fuel oil in the rotary stone dryer burner of Source ID P101 in any 12-consecutive month period.

2. Under the requirements of 25 Pa. Code § 127.12b, the permittee shall only use virgin No. 2 fuel oil, to which no reclaimed/reprocessed oil, waste-oil or other waste materials have been added, as fuel for the rotary stone dryer burner of Source ID P101. Additionally, the sulfur content of the virgin No. 2 fuel oil shall not exceed 0.4%, by weight.

3. The permittee shall comply with all applicable requirements of 25 Pa. Code §§ 123.1 and 123.41.

4. Under the requirements of 40 CFR Part 60, Subpart I, the permittee shall not emit into the outdoor atmosphere of visible air contaminants in a manner that the opacity of the emission from ID C101B associated with Source ID P101 is greater than 20% at any time.

5. The permittee shall keep records of the following information for Source ID P101:

a. The amount of virgin No. 2 fuel oil fired in the rotary stone dryer burner of Source ID P101 on a monthly basis and supporting calculations used to verify compliance with the throughput limitation of Source ID P101 in any 12-consecutive month period.

b. The permittee shall test or keep records of sulfur content of each shipment of virgin No. 2 fuel oil delivered to the facility.

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

6. Source ID P101 is subject to Subpart I of the Federal Standards of Performance for New Stationary Sources, 40 CFR 60.90—60.93. The permittee shall comply with all applicable requirements of this subpart, including any recordkeeping and reporting requirements.

7. Under the requirements of 25 Pa. Code § 123.13, the permittee shall not emit into the outdoor atmosphere of PM, from the exhaust of ID C101B associated with Source ID P101, in a manner that the concentration of particulate matter in the effluent gas exceeds 0.04 grain per dry standard cubic foot.

8. Under the requirements of 25 Pa. Code § 123.21, No person may permit the emission into the outdoor atmosphere of SO<sub>x</sub>, expressed as SO<sub>2</sub>, from the exhaust of ID C101B associated with Source ID P101 in a manner that

the concentration of the SOx in the effluent gas exceeds 500 parts per million, by volume, dry basis.

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

### OPERATING PERMITS

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

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

**03-00125: Dominion Transmission, Inc.** (625 Liberty Avenue, Pittsburgh, PA 15222-3199) for renewal of their Title V Operating Permit. The Department of Environmental Protection (Department) intends to issue a Title V Operating Permit to Dominion Transmission Incorporated (Dominion) for its Valley Compressor Station in Cowanshannock Township, **Armstrong County**. The facility's representative for the Title V application and proposed permit is Sam Mathew, Environmental Manager, Dominion Transmission Inc., 625 Liberty Ave., Pittsburgh, PA 15222-3199, (216) 736-5743. The Valley Compressor Station is a major facility subject to the operating permit requirements of Title V of the Federal Clean Air Act and 25 Pa. Code Chapter 127, Subchapters F and G (relating to operating permit requirements; and Title V Operating Permit requirements). Dominion operates numerous compressor stations within the State for the purposes of storage, production and transmission of natural gas. Emission sources at this facility include internal combustion engines, miscellaneous combustion equipment, a dehydration unit, miscellaneous process equipment, a gasoline storage tank and a methanol storage tank. Copies of the Title V application, proposed operating permit and other relevant information are available for public inspection at the Department's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. For additional information concerning the proposed Title V Operating Permit, contact Barbara Hatch, Facilities Permitting Chief, Air Quality Program at the same address or at (412) 442-5226. Interested persons may submit written comments, suggestions or objections concerning the proposed Title V permit to Mark A. Wayner, Regional Manager, at the same address, within 30 days of publication of this notice. Written comments submitted to the Department during the 30-day comment period shall include name, address and telephone number of the person submitting the comments, along with the reference number of the proposed permit (specifically Title V Permit No. 03-00125). Commentors should also include concise statements regarding the relevancy of the information to the proposed permit or objections to the issuance of the permit. The Department reserves the right to hold a public hearing on the proposed action based on information received during the public comment period and will provide notice of any scheduled public hearing at least 30 days in advance of the hearing. The

hearing notice will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation where the facility is located.

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

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

**48-00041: PPL Interstate Energy Co.** (214 Shoemaker Road, Pottstown, PA 194646) for an oil terminal facility in Lower Mount Bethel Township, **Northampton County**. The facility's main sources include two mainline heaters, two maintenance heaters, one fire water tank heater and two residual heaters. The facility is taking limitations on type of fuel and fuel usage to maintain Synthetic Minor Status. Compliance shall be verified through emission calculations and recordkeeping. The proposed operating permit contains all applicable Federal and State regulations including emissions, monitoring, recordkeeping, reporting and work practice requirements.

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

**01-03013: Zeigler Brothers, Inc.** (P. O. Box 95, Gardners, PA 17324) for operation of an animal feed manufacturing facility in Tyrone Township, **Adams County**. This is a non-Title V (State-only) facility. The State-only operating permit shall contain testing, monitoring, recordkeeping and reporting requirements, emission restrictions and work practice standards designed to keep the facility operating within all applicable air quality requirements. This is a renewal of the State-only operating permit.

**67-05082: David Edward, Ltd.** (252 North Franklin Street, Red Lion, PA 17356) for operation of their wood furniture manufacturing facility in Red Lion Borough, **York County**. The facility has the potential to emit 25 tons VOC per year. The State-only operating permit will include emission restrictions, work practice standards, and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements. This is a renewal of the State-only operating permit.

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

**17-00026: Curwensville Area School District** (650 Beech Street, Curwensville, PA 16833) for operation of their Curwensville Area Jr./Sr. High School facility in Curwensville, **Clearfield County** and the Penn-Grampian Elementary School in Grampian, Clearfield County. The Department of Environmental Protection intends to issue one State-only (Synthetic Minor) Operating Permit for these facilities. The Jr./Sr. High School's main sources include two bituminous coal/No. 2 fuel oil/natural gas fired boilers and one natural gas fired boiler. The Penn-Grampian Elementary School's main sources include one bituminous coal/No. 2 fuel oil fired boiler and one propane fired emergency generator. Both facilities combined have the potential to emit SOx, CO, NOx, VOCs, HAPs and PM10 below the major emission thresholds. The proposed (Synthetic Minor) operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions

**17-00053: Prism Enterprises, LLC d/b/a Perma-grain** (1191 Venture Drive, Forest, VA 24551) for operation of a specialty wood flooring products manufacturing facility in Karthus Township, **Clearfield County**.

The facility incorporates woodworking equipment, a UV finishing line, an oil finish line, a veneer staining line, a veneer gluing operation and two small No. 2 fuel oil-fired boilers. The PM emissions including PM10 from the woodworking equipment are controlled by a fabric collector. The air contaminant emissions from the facility are not expected to exceed 15.19 tons of SO<sub>x</sub>, 4.22 tons of NO<sub>x</sub>, 5.97 tons of VOCs, .95 ton of PM/PM10, 1.06 tons of CO and .18 ton of volatile HAPs per year.

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

The Department of Environmental Protection (Department) proposes to incorporate into the operating permit to be issued conditions requiring compliance with all applicable regulatory requirements pertaining to air contamination sources and the emission of air contaminants as well as conditions previously established in Plan Approval 17-399-023, issued on December 14, 2004, and requirements established as conditions of plan approval exemptions previously granted by the Department for a number of air contamination sources at the facility.

These previously-established conditions/requirements include:

1. A condition limiting the amount of VOC-containing solvent which may be used for cleanup activities associated with the oil finish line to 55 gallons in any 12-consecutive month period.

2. A condition prohibiting the use of volatile HAP containing solvent for cleanup activities associated with the oil finish line.

3. A condition limiting the number of square feet of surface area to which UV coatings can be applied to 3 million square feet in any 12-consecutive month period.

4. A condition prohibiting the use of any coatings other than UV coatings in the UV finish line.

5. A condition limiting the amount of VOC containing solvent which may be used for cleanup activities associated with the UV finish line to 165 gallons in any 12-consecutive month period.

6. A condition limiting the volatile HAP content of the solvents used for cleanup activities associated with the UV finish line to 5%, by weight.

7. A condition prohibiting the use of glue in the veneer gluing operation which contains more than 4 grams of VOCs per liter of glue.

8. A condition prohibiting the use of volatile HAP-containing glues in the veneer gluing operation.

9. A condition limiting the solvent which may be used on the veneer staining line to ethanol.

10. A condition limiting the amount of surface area to which stain may be applied on the veneer staining line to 500,000 square feet in any 12-consecutive month period.

11. A condition limiting the VOC and volatile HAP emissions from the veneer staining line to 2.5 and .15 tons, respectively, in any 12-consecutive month period.

12. A condition limiting the concentration of PM in the exhaust of the fabric collector controlling the woodworking equipment to .003 grain per dry standard cubic foot of effluent gas volume.

13. A condition requiring the woodworking equipment fabric collector to be equipped with instrumentation to monitor the pressure differential across the collector on a continuous basis.

14. A condition requiring spare fabric collector bags to be kept on hand.

15. A condition prohibiting the removal of dust from the woodworking equipment fabric collector's dust hopper other than by means of an enclosed screw conveyor system which empties into an enclosed tote box.

16. Conditions requiring the maintenance of records of the identity and amount of each coating, glue, solvent, and the like, used in each air contamination source each month and the amount of surface area in each air contamination source to which coating, glue, and the like, has been applied each month.

The Department additionally proposes to incorporate into the operating permit to be issued several previously-established conditions/requirements which are being modified:

1. A condition which limited the amount of surface area to which oil finish could be applied to 1.664 million square feet in any 12-consecutive month period is being modified to allow oil finish to be applied to up to 2 million square feet in any 12-consecutive month period.

2. A condition which limited the amount of surface area to which glue could be applied in the veneer gluing operation to 2 million square feet in any 12-consecutive month period is being modified to allow glue to be applied to up to 2.5 million square feet in any 12-consecutive month period.

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

1. A condition requiring the semiannual submission of the records being maintained under operating permit conditions.

2. A condition limiting the No. 2 fuel oil used in the No. 2 fuel oil-fired boilers to virgin No. 2 fuel oil to which no reprocessed or waste oil or other waste materials have been added.

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

**43-00316: Ennstone, Inc. d/b/a Three Rivers Aggregate—Mercer Plant** (840 Perry Highway, Mercer, PA 16137-0269) for a Natural Minor Permit to operate a sand and gravel plant in East Lackawannock Township, **Mercer County**. The sources include sand and aggregate processing equipment and a diesel generator.

**37-00319: Ennstone, Inc. d/b/a Three Rivers Aggregate—Wampum Plant** (3118 Wampum Road, Wampum, PA 16157) for a Natural Minor Permit to operate a sand and gravel plant in North Beaver Township, **Lawrence County**. The sources include sand and aggregate processing equipment and a diesel generator.

**25-00456: United Brass Works Inc.—Keystone Foundry Division** (944 W. 12th Street, Erie, PA 16501-1515) for issuance of a Natural Minor Operating Permit to operate a nonferrous foundry operation, in the City of Erie, **Erie County**. The facility's primary emission sources include three electric induction furnaces, molding operations and grinding operations. The emissions of criteria pollutants from this facility are below major source levels.



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

**S05-012: Temple University Hospital Episcopal Campus** (100 East Lehigh Avenue, Philadelphia, PA 19125) for operation of a hospital facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission source includes a two 475 HP boilers, two 450 kW emergency generator, one 175 kW emergency generator, and one 15 kW emergency generator.

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

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

**03871303 and NPDES Permit No. PA0213667, TJS Mining, Inc.** (2340 Smith Road, Shelocta, PA 15774), to revise the permit for the Darmac No. 2 Deep Mine in Armstrong Township, **Indiana County** and Washington Township, **Armstrong County** to add underground and subsidence control plan permit acres for room and pillar mining. Underground acres proposed 69.2, SCP acres proposed 69.2. No additional discharges. Application received April 6, 2006.

**32961302 and NPDES Permit No. PA0214949, AMFIRE Mining Company** (One Energy Place, Latrobe, PA 15650), to revise the permit for the Ondo Mine in Brush Valley and Center Townships, **Indiana County** to install two treatment ponds and equipment storage area. No additional discharges. Application received March 23, 2006.

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

**56060107. Greathouse & Greathouse Enterprises**, 2966 Whistler Road, Stoystown, PA 15563, commencement, operation and restoration of a bituminous surface mine in Quemahoning Township, **Somerset County**, affecting 29.6 acres. Receiving streams: Higgins Run, a tributary to Quemahoning Creek classified for the following use: HQ-CWF. The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority and Johnstown Water Authority. Application received May 5, 2006.

**56060106 and NPDES No. PA0249980. PBS Coals, Inc.**, P. O. Box 260, Friedens, PA 15541, commencement, operation and restoration of a bituminous surface-auger mine in Stonycreek Township, **Somerset County**, affecting 501.2 acres. Receiving streams: Schrock Run, UNT to Glades Creek, UNT to Buck Run, UNT No. 1 to Schrock Run (all tributaries of Stonycreek River) classified for the following uses: CWF; WWF; CWF; CWF. There are no potable water supply intakes within 10 miles downstream. Application received April 27, 2006.

**05753004 and NPDES No. PA0124869. Forcey Coal, Inc.**, P. O. Box 225, Madera, PA 16661, transfer of an existing bituminous surface mine from Dash Coal Company, Inc., P. O. Box 517, Stoystown, PA 15563 located in Broadtop and Carbon Townships, **Bedford and Huntingdon Counties**, affecting 222.1 acres. Receiving streams: UNTs to Coal Bank Run and to Coal Bank Run classified for the following uses: WWF; WWF. There are no potable water supply intakes within 10 miles downstream. Application received May 8, 2006.

**05753004 and NPDES No. PA0124869. Forcey Coal, Inc.**, P. O. Box 225, Madera, PA 16661, permit renewal for the continued operation and restoration of a bituminous surface mine in Broadtop and Carbon Townships,

**Bedford and Huntingdon Counties**, affecting 222.1 acres. Receiving streams: UNTs to Coal Bank Run and to Coal Bank Run classified for the following uses: WWF; WWF. There are no potable water supply intakes within 10 miles downstream. Application received May 8, 2006.

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

**26910107 and NPDES Permit No. PA0592170. Theodore R. Genovese II Coal Co.** (Box 360 Chalk Hill, PA 15421). Renewal application for reclamation only of an existing bituminous surface mine, located in German Township, **Fayette County**, affecting 89.3 acres. Receiving stream: UNT to Dunlap Creek, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: May 12, 2006.

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

**17030112 and NPDES Permit No. PA0243566. U. S. Operating Service Company** (2151 Lisbon Road, Kennerdell, PA 16374), revision of an existing bituminous surface mine to add an additional 71.3 acres to include all the coal refuse and additional area for placement of beneficial use alkaline ash on the CIP, Inc. property in Chest Township, **Clearfield County**, affecting 65.0 acres. Receiving stream: UNTs to North camp Run to Chest Creek to West Branch Susquehanna River, classified for the following use: CWF. Application received: May 1, 2005.

**12060101 and NPDES Permit No. PA0256366. Allegheny Enterprises, Inc.** (3563 Roller Coaster Road, Corsica, PA 15829), commencement, operation and restoration of a bituminous surface mine in Lumber and Shippen Townships, **Cameron County**, affecting 305.5 acres. Receiving streams: Finley Run, Reed Hollow, Portable Run, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received: February 1, 2006.

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

**35910101R3 and NPDES Permit No. PA0595187. Pioneer Aggregates, Inc.** (202 Main Street, Laflin, PA 18702), renewal of an existing anthracite surface mine operation in Fell Township, **Lackawanna County** affecting 425.0 acres, receiving stream: Wilson Creek. Application received May 9, 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 <sup>1</sup> pH <sup>1</sup>		greater than 6.0; less than 9.0	

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

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

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

**4875SM2A2C5 and NPDES Permit No. PA0119563. Glen-Gery Corporation** (P. O. Box 7001, Wyomissing, PA 19610), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation Dover Township, **York County**. Receiving stream: Fox Run, classified for the following use: TSF. Application received May 8, 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

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

**E12-161. Delvin Carfley**, 28653 Frenchville, Karthus Highway, Frenchville, PA 16836, Floodway Encroachment, in Lumber Township, **Cameron County**, ACOE Baltimore District (Cameron, PA Quadrangle N: 9.58 inches; W: 8.12 inches).

To construct and maintain: 1) a wooden or aluminum pavilion approximately 600 square feet in area; 2) a 12-foot by 12-foot prebuilt shed; and 3) fill a depression about 30 feet by 20 feet with topsoil in the floodway of the Driftwood Branch of Sinnemahoning Creek off the west side of SR 120 (Cameron, PA Quadrangle N: 9.58 inches; W: 8.12 inches) in Lumber Township, Cameron County.

The project will not impact wetlands or waterways while causing about 0.02 acre of earth disturbance. Driftwood Branch to Sinnemahoning Creek is a TSF Stream.

**E17-417. Osceola Mills, Rush and Decatur (ORD) Sewer Authority**, P. O. Box 215, Osceola Mills, PA 16666-0215. ORD Sewer Authority Wastewater Treatment Facility and Collection System, Osceola Mills Borough and Decatur Township, **Clearfield County**, ACOE Baltimore District (Houtzdale, PA Quadrangle N: 19.0 inches; W: 2.7 inches).

To construct, operate and maintain a wastewater treatment facility, a treated wastewater effluent outfall and 160,000 linear feet of wastewater collection and conveyance lines within a 30-foot right-of-way for the treatment of municipal wastewater. Construction of the new treatment facility, outfall, and wastewater collection/conveyance system will result in 12 and 5 wetland crossings that are as follows:

<i>Stream/Wetland</i>	<i>Stream Classification</i>	<i>Latitude</i>	<i>Longitude</i>
Moshannon Creek	STF	40° 51' 17.80"	78° 15' 35.6"
Moshannon Creek	CWF	40° 51' 19.39"	78° 15' 30.50"
UNT—Moshannon	CWF	40° 01' 32.32"	78° 15' 39.71"
UNT—Moshannon	CWF	40° 01' 43.97"	78° 15' 44.79"
UNT—Moshannon	CWF	40° 01' 45.67"	78° 15' 43.29"
UNT—Moshannon	CWF	40° 01' 30.32"	78° 15' 35.25"
UNT—Moshannon	CWF	40° 01' 46.33"	78° 15' 29.01"
UNT—Moshannon	CWF	40° 01' 48.91"	78° 15' 26.08"
UNT—Moshannon	CWF	40° 01' 45.67"	78° 15' 43.29"
Big Run	CWF	40° 01' 10.36"	78° 15' 43.29"

<i>Stream/Wetland</i>	<i>Stream Classification</i>	<i>Latitude</i>	<i>Longitude</i>
UNT—Moshannon	CWF	40° 01' 07.91"	78° 15' 47.70"
Wetland A	CWF	40° 01' 17.43"	78° 15' 15.50"
Wetland B	CWF	40° 01' 19.93"	78° 15' 16.50"
Wetland C	CWF	40° 01' 19.50"	78° 15' 16.00"
Wetland D	CWF	40° 01' 19.36"	78° 15' 09.94"
Wetland F	CWF	40° 01' 17.36"	78° 24' 16.32"

Wastewater collection and conveyance lines shall be installed beneath streambeds so there will be a minimum of 3 feet of cover between the top of the pipe and the lowest point in the streambed or concrete encased. Trench plugs or clay dikes shall be used at every waterway and wetland crossing to ensure the existing hydrology is not altered. As proposed, the project will permanently impact 0.04 acre of wetland and 171 feet of waterway that is located along the eastern and western right-of-way of SR 0053 upstream and downstream of SR 0970 and SR 0053 intersection in Osceola Mills Borough.

**E41-565. Ronald E. Tenerovich, 812 Bush Hill Road, Williamsport, PA 17701.** Water Obstruction and Encroachment Joint Permit Application, in Plunketts Creek Township, **Lycoming County**, ACOE Susquehanna River Basin District (Barbours, PA Quadrangle N: 9.90 inches; W: 5.15 inches).

To construct and maintain a 36-foot long by 12-foot wide steel I-beam bridge on a skew of 90° over Plunketts Creek, 1.1 mile north of the intersection of SR 1006 and SR 1005 along SR 1005. This project proposes to permanently impact 20 linear feet of Plunketts Creek, which is designated a HQ-CWF stream and does not propose to impact any jurisdictional wetlands.

**E57-109. Schrader Creek Watershed Association, c/o Hugh McMahon, R. R. 2, Box 292, Towanda, PA 18848.** Passive Treatment System, in Fox Township, **Sullivan County**, ACOE Baltimore District (Grover, PA Quadrangle N: 15.6 inches; W: 7.3 inches).

To construct and maintain: 1) an aerobic limestone basin, an aerobic vertical flow wetland combination passive treatment system for the abatement of suppressed water chemistry in the Schrader Creek Upper Watershed; and 2) 24-inch diameter site access road crossing of Schrader Creek. The treatment impoundment will disturb between 6,000 square feet to 10,000 square feet for a total project earth disturbance of about 0.5 acre. The treatment system will be fed from a low head pump bypass on stream dam system.

The project is located about 2,500 feet west of SR 154 and 6,000 feet northwest of Wheelerville adjacent to and in Schrader Creek.

The project will not impact wetlands while impacting about 65 feet of waterway. Schrader Creek is an exceptional value fisheries stream.

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

**E02-1533. South Shore Marina, 23rd and Railroad Street, Pittsburgh, PA 15222.** To relocate an existing marina in the City of Pittsburgh, **Allegheny County**, Pittsburgh ACOE District. (Pittsburgh East, PA Quadrangle N: 16.4 inches; W: 13.6 inches and Latitude: 40° 27' 55"—Longitude: 79° 58' 22"). The applicant proposes to relocate and maintain the existing South Shore Marina from 23rd Street to 33rd Street for the purpose of renovating the Armstrong Cork Building. The project will be located approximately 1,500.0 feet upstream from the 31st Street Bridge, along the left bank of the Allegheny River (WWF).

**E30-216. Fish and Boat Commission, Bureau of Engineering and Development, 450 Robinson Lane, Bellefonte, PA 16823-9616.** To construct a boat dock launch in Monongahela Township, **Greene County**, Pittsburgh ACOE District. (Masontown, PA Quadrangle N: 8.8 inches; W: 5.1 inches and Latitude: 39° 47' 56"—Longitude: 79° 48' 17"). The applicant proposes to operate and maintain a stormwater outfall, a 20-foot by 104-foot precast concrete boat launching ramp, a 30-foot by 15-foot concrete fishing pier, a 40-foot by 6-foot boarding dock attached to a 15-foot bulkhead and bank stabilization using R-6 rip rap. The facility will be located on the west bank of the Monongahela River (WWF), near River Mile 84.

#### ENVIRONMENTAL ASSESSMENTS

*Northwest Region: Watershed Management Program Manager, 230 Chestnut Street, Meadville, PA 6335-3481.*

**EA27-06-001, USDA Forest Service National Forest, 222 Liberty Street, Warren, PA 16365.** Hill Run Crossing Restoration, in Jenks Township, **Forest County**, ACOE Pittsburgh District (Halton, PA Quadrangle N: 15.4 inches; W: 12.9 inches).

Restoration plan provided under § 105.12(a)(16) for the remediation of a road crossing of Hill Run in State Game Lands 28 approximately 0.4 mile southeast of the intersection of FR130 and FR130B. Restoration of the crossing includes: 1) removal of two 4-foot diameter CMPs and a 2-foot diameter CMP having a length of approximately 25 feet; and 2) the sloping and vegetating of streambanks in the location of the crossing after CMP removal.

## ACTIONS

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

The Department of Environmental Protection (Department) has taken the following actions on previously received applications for new, amended and renewed NPDES and WQM permits, applications for permit waivers and Notices of

Intent (NOI) for coverage under general permits. This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92 and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and the Federal Clean Water Act.

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

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

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

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

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

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

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0088722 (Sew)	John F. Martin and Sons, Inc. 55 Lower Hillside Road Stevens, PA 17578	Lancaster County West Cocalico Township	Indian Run 7-J	Y
PA0029866 (Sew)	Cumberland Valley School District Greenridge Elementary School 6746 Carlisle Pike Mechanicsburg, PA 17050	Cumberland County UNT Conodoguinet Creek	UNT Conodoguinet Creek 7-B	Y
PA0010375 (IW)	Lehigh Cement Company 200 Hokes Mill Road York, PA 17404	York County West Manchester Township	UNT 7-H	Y
PAR10M235R	Ursula Riseborough 501 St. Thomas/Edenville Road St. Thomas, PA 17252	Franklin County St Thomas Township	Campbell Run CWF	Y
PAR10M237R	Excavating, Inc. 4961 Cumberland Highway Chambersburg, PA 17201	Franklin County Green Township	UNT Philemon Run CWF	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0032611 Sewage	Portage Area Sewer Authority 606 Cambria Street Portage, PA 15946	Cambria County Portage Township	Little Conemaugh River	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0103411	Ellwood Quality Steels Co. 700 Moravia Street New Castle, PA 16101-2220	City of New Castle Lawrence County	Shenango River (001) Neshannock Creek (002) 20-A	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. PA0012416**, Sewage, **PA American Water Rock Run Water Treatment Plant**, 4 Wellington Boulevard, Reading, PA 19610. This proposed facility is located in West Caln Township, **Chester County**.

Description of Proposed Action/Activity: Approval for the renewal discharge industrial wastewater into the Rock Run Reservoir in Watershed 3H-Brandywine.

**NPDES Permit No. PA0057991**, Sewage, **Rothstein Tract Homeowners Association**, 19 South Pine Street, P. O. Box 950, Doylestown, PA 18901. This proposed facility is located in Doylestown Township, **Bucks County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge treated sewage from a five lot subdivision into Neshaminy Creek in Watershed 2F.

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

**NPDES Permit No. PA-0044423**, Industrial Waste, **Lehigh University**, 461 Webster Street, Bethlehem, PA. 18015-1755. This proposed facility is located in City of Bethlehem, **Northampton County**.

Description of Proposed Action/Activity: Renewal of NPDES Permit.

**NPDES Permit No. PAS802223**, Industrial Stormwater, **Rolling Frito Lay Sales, LP**, 5 Danforth Drive, Easton, PA 18045. This proposed facility is located in Palmer Township, **Northampton County**.

Description of Proposed Action: Issuance of NPDES Industrial Stormwater Permit.

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

**NPDES Permit No. PA0087181**, Sewage, **Ephrata Borough Authority (WTP No. 2)**, 124 South State Street, Ephrata, PA 17522. This proposed facility is located in Ephrata Township, **Lancaster County**.

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

**NPDES Permit No. PA0086533**, Industrial Waste, **General Cable Industries, Inc.**, 3101 Pleasant Valley Blvd., Altoona, PA 16602. This proposed facility is located in Altoona City, **Blair County**.

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

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

**PA 0252867**, Industrial Waste, SIC 4925, **CNX Gas Company, LLC**, 1800 Washington Road, Pittsburgh, PA 15241. This proposed facility is located in Sewickley Township, **Westmoreland County**.

Description of Proposed Activity: Discharge of treated groundwater produced by the dewatering of coal seams during methane gas extraction.

The receiving stream, Youghiogheny River, in watershed 19D, is a WWF classified for aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS and chloride, the point of analysis considered during the evaluation is located on the Youghiogheny River, approximately 12.2 miles downstream of the discharge point.

The proposed effluent limits for Outfall 001 are:

<i>Parameter</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow		0.08 mgd	
Iron (total)	3.5 mg/l		7 mg/l
Oil and Grease	15 mg/l		30 mg/l
TSS	30 mg/l		60 mg/l
Acidity	Monitor Only	Monitor Only	Monitor Only
Alkalinity	Greater than Acidity	Greater than Acidity	Greater than Acidity
pH	6 to 9 s.u.	6 to 9 s.u.	6 to 9 s.u.
Chloride	Monitor Only	Monitor Only	Monitor Only

<i>Parameter</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
TDS	Monitor Only	Monitor Only	Monitor Only
Osmotic Pressure	Monitor Only	Monitor Only	Monitor Only
Cadmium	Monitor Only	Monitor Only	Monitor Only
Copper	Monitor Only	Monitor Only	Monitor Only
Lead	Monitor Only	Monitor Only	Monitor Only

The EPA waiver is in effect.

**PA 0253049**, Industrial Waste, **SIC 4925, CNX Gas Company, LLC**, 1800 Washington Road, Pittsburgh, PA 15241. This proposed facility is located in Huntingdon Township, **Westmoreland County**.

Description of Proposed Activity: Discharge of treated groundwater produced by the dewatering of coal seams during methane gas extraction.

The receiving stream, Youghiogheny River, in watershed 19D, is a WWF classified for: aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS and chloride, the point of analysis considered during the evaluation is located on the Youghiogheny River, approximately 7.9 miles downstream of the discharge point.

The proposed effluent limits for Outfall 001 are:

<i>Parameter</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow		0.08 mgd	
Iron (total)	3.5 mg/l		7 mg/l
Oil and Grease	15 mg/l		30 mg/l
TSS	30 mg/l		60 mg/l
Acidity	Monitor Only	Monitor Only	Monitor Only
Alkalinity	Greater than Acidity	Greater than Acidity	Greater than Acidity
pH	6 to 9 s.u.	6 to 9 s.u.	6 to 9 s.u.
Chloride	Monitor Only	Monitor Only	Monitor Only
TDS	Monitor Only	Monitor Only	Monitor Only
Osmotic Pressure	Monitor Only	Monitor Only	Monitor Only
Cadmium	Monitor Only	Monitor Only	Monitor Only
Copper	Monitor Only	Monitor Only	Monitor Only
Lead	Monitor Only	Monitor Only	Monitor Only

The EPA waiver is in effect.

**PA0253103**, Industrial Waste, **Great Lakes Energy Partners, LLC**, P. O. Box 235, Route 85 and Northern Avenue, Yatesboro, PA 16263. This proposed facility is located in Allegheny Township, **Cambria County**.

Description of Proposed Action/Activity: Permit issuance for authorization to discharge from Ashville Treatment Facility.

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

**NPDES Permit No. PA0023124**, Sewage, **Albion Borough**, 15 Smock Avenue, Albion, PA 16401. This proposed facility is located in Conneaut Township, **Erie County**.

Description of Proposed Action/Activity: This facility is authorized to Conneaut Creek in watershed 15-CC.

### **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. 0904201**, Sewerage, **United States Steel Corporation**, Fairless Works, Fairless Hills, PA 19030. This proposed facility is located in Falls Township, **Bucks County**.

Description of Action/Activity: Construction and operation of a wastewater treatment plant.

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

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

**WQM Permit No. 1500414**, Sewerage, **Little Washington Wastewater Company**, 762 West Lancaster Avenue, Bryn Mawr, PA 190010-3489. This proposed facility is located in East Bradford Township, **Chester County**.

Description of Action/Activity: A two cell aerated treatment/storage lagoon system, a chlorine contact tank, a basket strainer/ meter vault, two operating spray zones and one spray zone not installed.

**WQM Permit No. 1505427**, Sewerage, **Hopewell Ridge Homeowners Association**, 481 Limestone Road, Oxford, PA 19363. This proposed facility is located in East Nottingham Township, **Chester County**.

Description of Action/Activity: Construction and operation of a single family residential wastewater treatment facility for 20 lots.

**WQM Permit No. 1506403**, Sewerage, **Pennsylvania-American Water Company**, 4 Wellington Boulevard, Wyomissing, PA 19610. This proposed facility is located in Coatesville City, **Chester County**.

Description of Action/Activity: Construction and operation of a 12-inch PVC pipe and two new manholes.

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

**WQM Permit No. 1306402**, Sewerage, **Big Boulder Corporation**, Route 940 and Moseywood Road, Blakeslee, PA 18610-0707. This proposed facility is located in Kidder Township, **Carbon County**.

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

**WQM Permit No. 4006403**, Sewerage, **Mountaintop Area Joint Sanitary Authority**, 290 Morio Drive, Mountaintop, PA 18707. This proposed facility is located in Dorrance Township, **Luzerne County**.

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

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

**WQM Permit No. 6706404**, Sewerage, **Newberry Township Municipal Authority**, 1915 Old Trail Road, Etters, PA 17319. This proposed facility is located in Newberry Township, **York County**.

Description of Proposed Action/Activity: Permit approval of the construction/operation of sewerage facilities consisting of 10-inch diameter interceptor from Reeser Estates to the Authority treatment plant.

**WQM Permit No. WQG02340601**, Sewerage, **Milford Township**, R. R. 3, Box 675, Mifflintown, PA 17059. This proposed facility is located in Milford Township, **Juniata County**.

Description of Proposed Action/Activity: Permit approval for the construction/operation of a new pump station, force main, and gravity sewer to serve the Stump Development and the Dolin Heights/Rockville Area of Milford Township, Juniata County. Wastewater will be treated at the Twin Boroughs Sewage Treatment Plant.

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

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

Description of Proposed Action/Activity: Permit issued authorizing the construction and operation of a small flow treatment facility, which will serve Buster's Bar & Restaurant.

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

**WQM Permit No. 0405405**, Sewerage, **Borough of Eastvale**, 510 Second Avenue, Beaver Falls, PA 15010. This proposed facility is located in Eastvale Borough, **Beaver County**.

Description of Proposed Action/Activity: Permit issuance for the construction and operation of a pump station and force main.

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

**WQM Permit No. 2599409**, Sewerage, **Amendment No. 1, McKean Township Sewer Authority**, 9231 Edinboro Road, P. O. Box 88, McKean, PA 16426. This proposed facility is located in McKean Township, **Erie County**.

Description of Proposed Action/Activity: This project involves modifications to the Colonial Village sewer treatment plant.

**WQM Permit No. WQG018456**, Sewerage, **James Britton**, 4108 Winchester Road, Erie, PA 16506. This proposed facility is located in Franklin Township, **Erie County**.

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

**WQM Permit No. WQG018459**, Sewerage, **Ken Lyons**, P. O. Box 472, 31 Hemlock Avenue, Kane, PA 16735. This proposed facility is located in Bloomfield Township, **Crawford County**.

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

**WQM Permit No. WQG018451**, Sewerage, **Ellen Engel**, 6011 Bridlewood Drive, Fairview, PA 16415. This proposed facility is located in Fairview Township, **Erie County**.

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

**WQM Permit No. WQG018457**, Sewerage, **PPL Gas Utilities SFTF**, 24547 Route 6, Port Allegany, PA 16743. This proposed facility is located in Liberty Township, **McKean County**.

Description of Proposed Action/Activity: This project is for a small flow treatment facility to serve an office.

#### **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 &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI010906004	Suzi Baskin Baskin Subdivision 307 Tower Road Sellersville, PA 18960	Bucks	West Rockhill Township	Tributary Unami Creek (HQ-TSF)
PAI011506003	Britton and Janice Murcoch Kirkwood Farm 1349 Wooded Way Bryn Mawr, PA 19010	Chester	Willistown Township	Crum Creek (HQ-TSF)
PAI011506011	Telesis Homes, Inc. 415 Dutton Mill Road Development 1030 Continental Drive King of Prussia, PA 19406	Chester	Willistown Township	Ridley Creek (HQ-TSF)
PAI011506025	Wesley Hamilton Downing Property 5 Hillside Avenue Landenberg, PA 19350	Chester	New London Township	Hodgson Run (HQ-TSF-MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI033605006	Richard H. Albright 151 Eshelman Road Lancaster, PA 17601	Lancaster	Eden Township	Bowery Run HQ-CWF, MF
PAI032806003	Aldine Martin 15799 Young Road Greencastle, PA 17225	Franklin	Greencastle Borough	Muddy Run HQ-CWF
PAI033604010	Fairfield Municipal Authority P. O. Box 705 Fairfield, PA 17320	Lancaster	Little Britain Township	Little Conewago Creek HQ-CWF
PAI033605001	Harvey Zimmerman 211 East Black Creek Road East Earl, PA 17519	Lancaster	Brecknock Township	Black Creek HQ-WWF
PAI035005008	Linda and Lawrence Hardy 24 South Front Street Newport, PA 17074	Perry	Juniata Township	Little Buffalo Creek HQ-CWF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI0414030172	PSU Central Campus HUB Lawn Improvement Office of Physical Plant 101P Physical Plant University Park, PA 16802	Centre	Ferguson Township and State College Borough	Thompson Run HQ-CWF

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

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

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

PAG-1	General Permit for Discharges from Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated with Construction Activities (PAR)
PAG-3	General Permit for Discharges of Stormwater from Industrial Activities
PAG-4	General Permit for Discharges from Single Residence Sewage Treatment Plants
PAG-5	General Permit for Discharges from Gasoline Contaminated Ground Water Remediation Systems

PAG-6	General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Nonexceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
PAG-12	CAFOs
PAG-13	Stormwater Discharges from MS4

*General Permit Type—PAG-2*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Penn Township Chester County	PAG2001506005	Chester County School Authority CCIU, 455 Boot Road Downingtown, PA 19335	West Branch White Clay Creek (TSF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Concord Township Delaware County	PAR10J1601	Brinton Land Development 23 Rockhill Road Suite 200 Bala Cynwyd, PA 19004	West Branch Chester Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Springfield Township Delaware County	PAG2002306011	DB Enterprises, Inc. P. O. Box 81 Prospect Park, PA 19076	Muckinipates Creek (WWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG2015106007	Korman Commercial Properties Proposed Wawa Food Market 2 Neshaminy Interplex Suite 305 Trevose, PA 19053	Poquessing Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG2015106001	Max Levy Autograph, Inc. Byberry East Industrial Park Parcel 6 220 Robert Avenue Philadelphia, PA 19144	Municipal Separate Storm Sewer	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Saucon Township Lehigh County	PAG2003906002	David Newman Newman Development Group, LLC 1000 Germantown Pike Plymouth Meeting, PA 19462	Saucon Creek CWF	Lehigh Co. Cons. Dist. (610) 391-9583
Hazle Township Luzerne County	PAR10R214R	CAN DO, Inc. 1 South Church St. Hazleton, PA 18201	Stony Creek CWF and Cranberry Creek CWF	Luzerne Co. Cons. Dist. (570) 674-7991
North Manheim Township Schuylkill County	PAG2005406005	Sheetz, Inc. Attn: Brian Soyka 5700 Sixth Ave. Altoona, PA 16602	Tributary to Schuylkill River CWF	Schuylkill Co. Cons. Dist. (570) 622-3742

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Roaring Brook Township Lackawanna County	PAG2003506013	James Comes Landview Properties, LLC 205 Windsor Way Moscow, PA 18444	Roaring Brook CWF	Lackawanna Co. Cons. Dist. (570) 281-9495
Duryea Borough Luzerne County	PAR10R250(1)	Blueberry Hill, LLC 645 Laurel Run Rd. Wilkes-Barre, PA 18702	Lackawanna River CWF	Luzerne Co. Cons. Dist. (570) 674-7991
Montgomery Township Franklin County	PAG2002805066	Mildred Yonker Subdivision Eugene Albert Creative Investments, Inc. 10715 Downsville Pike Suite 102 Hagerstown, MD 21740	Conococheague CWF	Franklin County Conservation District 100 Sunset Boulevard West Chambersburg, PA 17201 (717) 264-8074, Ext. 5
Lower Paxton Township Dauphin County	PAG2002206006	Robert Mumma Dauphin Development Co. 840 Market St. Lemoyne, PA 17043	Paxton Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Rd. Dauphin, PA 17018 (717) 921-8100
Conewago Township Dauphin County	PAG2002205071	Jaques Lussier 73 Industrial Rd. Elizabethtown, PA 17022	Brill Creek TSF Conewago Creek TSF	Dauphin County Conservation District 1451 Peters Mountain Rd. Dauphin, PA 17018 (717) 921-8100
Lower Paxton Township Dauphin County	PAG2002206010	Central Dauphin East School District 600 Rutherford Rd. Harrisburg, PA 17109-5227	Beaver Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Rd. Dauphin, PA 17018 (717) 921-8100
Oley Township Berks County	PAG2000606029	Robert Heckman Oley Valley School District 17 Jefferson Street Oley, PA 19547	Furnace Creek CWF	Berks County Conservation District 1238 County Welfare Road P. O. Box 520 Leesport, PA 19533-0520 (610) 372-4657, Ext. 201
Perry Township Berks County	PAG2000606005	Brian Kobularcik Perry Partners, LLC 1030 Reed Ave. Suite 100 Wyomissing, PA 19610	UNT to Schuylkill River WWF/MF	Berks County Conservation District 1238 County Welfare Road P. O. Box 520 Leesport, PA 19533-0520 (610) 372-4657, Ext. 201
Windsor Township Berks County	PAG2000606039	William Grabill Balfour Beatty Construction 601 Monument Road Hamburg, PA 19526	UNT to Schuylkill River WWF	Berks County Conservation District 1238 County Welfare Road P. O. Box 520 Leesport, PA 19533-0520 (610) 372-4657, Ext. 201
City of Reading Berks County	PAG2000606038	Charles Jones City of Reading 815 Washington Street Reading, PA 19601	Angelica Creek Schuylkill River CWF	Berks County Conservation District 1238 County Welfare Road P. O. Box 520 Leesport, PA 19533-0520 (610) 372-4657, Ext. 201

## NOTICES

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<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Bloomsburg Borough Columbia County	PAG2001906007	Bloomsburg University Eric C. Milner Buckingham Maintenance Center 400 East 2nd Street Bloomsburg, PA 17815	Fishing Creek WWF	Columbia County Conservation Dist. 702 Sawmill Road Suite 204 Bloomsburg, PA 17815 (570) 784-1310
Williamsport Lycoming County	PAG2004106001	Robert Yoder 5960 Susquehanna Trail Turbotville, PA 17772	Daughety Run CWF	Lycoming County Conservation District 542 County Farm Road Suite 202 Montoursville, PA 17754 (570) 433-3003
Covington Township Tioga County	PAG2005906004	Josh Lisowski 4010 Cherry Flats Road Covington, PA 16917	Marvin Creek CWF	Tioga County Conservation District 50 Plaza Lane Wellsboro, PA 16901 (570) 724-1801, Ext. 101
Allegheny County West Deer Township	PAG2000204125	Keith Janssen 4358 Gibsonia Road Suite D Gibsonia, PA 15044	Deer Creek (WWF)	Allegheny County CD (412) 241-7645
Allegheny County City of Pittsburgh	PAG2000205077	Department of Transportation 45 Thoms Run Road Bridgeville, PA 15017	Allegheny River (WWF)	Allegheny County CD (412) 241-7645
Allegheny County Franklin Park Borough	PAG2000205099	Tom Barr Development, LLC 1005 Milton Street Pittsburgh, PA 15218	Fish Run, Pine Creek (WWF)	Allegheny County CD (412) 241-7645
Allegheny County Franklin Park Glenfield Sewickley Hills Borough Aleppo and Ohio Townships	PAG2000205121-1	Department of Transportation 45 Thoms Run Road Bridgeville, PA 15017	Ohio River (CWF) (WWF)	Allegheny County CD (412) 241-7645
Allegheny County Upper St. Clair Township	PAG2000206012	William McClosky, Inc. 571 West McMurray Road McMurray, PA 1317	Brush Run (WWF)	Allegheny County CD (412) 241-7645
Allegheny County Indiana Township	PAG2000206025	Palm Properties 3390 Saxonburg Boulevard Glenshaw, PA 15116	Little Pine Creek (TSF)	Allegheny County CD (412) 241-7645
Allegheny County Bethel Park	PAG2000206029	Robert Smoker & Associates 5074 Sherwood Road Bethel Park, PA 15102	Peters Creek (TSF)	Allegheny County CD (412) 241-7645
Cambria County Cresson Township	PAG2001106006	Sister Virginia Pertschi Mt. Aloysius College 7373 Admiral Peary Highway Cresson, PA 16630	Little Conemaugh River (CWF)	Cambria County CD (814) 472-2120
Somerset County Somerset Township	PAG2005606002	Stoy Excavating, Inc. Jim Stoy 166 Stoney Hollow Road Somerset, PA 15501	UNT to East Branch of Coxes Creek (WWF)	Somerset County CD (814) 445-4652
Butler County Jefferson Township	PAG2001005034	James Miller Lezzer Miller, LP 778 North Pike Road Cabot, PA 16023	Thorn Creek CWF	Butler Conservation District (724) 284-5270

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Butler County Adams Township	PAG2001006002	Indian Meadow Jeff Meyerl Myoma Develop Group, LP 100 Heaven Lane Mars, PA 16046	UNT Breakneck Creek WWF	Butler Conservation District (724) 284-5270
Crawford County Vernon Township	PAG2002005006	Dads Products Company, Inc. 18746 Mill Street Meadville, PA 16335	French Creek WWF	Crawford Conservation District (814) 763-5269
Elk County Ridgway Borough	PAG2002406001	Theodore Marconi St. Leo's Catholic Church 111 Depot Street Ridgway, PA 15853	Clarion River CWF	Elk Conservation District (814) 776-5373
Erie County Summit Township	PAG2002506013	Scott Saliterman 4301 Highway Seven Diamond Hill Center Left Louis Park, NM 55416	UNT Mill Creek WWF, MF	Erie Conservation District (814) 825-6403
Erie County Millcreek Township	PAG2002506007	Karen Burton-Horstman and Mark Horstman 602 West 10th Street Erie, PA 16502	UNT Lake Erie CWF; MF	Erie Conservation District (814) 825-6403
Erie County Millcreek Township	PAG2002506014	David Zimmer County National Bank 915 State Street Erie, PA 16501	UNT Lake Erie CWF; MF	Erie Conservation District (814) 825-6403
Jefferson County Big Run Borough	PAR103341R	Big Run Municipal Authority R. R. 2, Box 126A Punxsutawney, PA 15767	Mahoning Creek WWF Big Run CWF	Jefferson Conservation District (814) 849-7463
Mercer County West Middlesex Borough	PAG2004306006	West Middlesex Area School District 3591 Sharon Road West Middlesex, PA 16159	UNT Shenango River WWF	Mercer Conservation District (724) 662-2242
Venango County Cranberry Township	PAG2006106003	Spiro L. Pappan Byzantine Inc. 1198 Mulberry Street Bridgewater, PA 15009	Lower Two Mile Run CWF East Sandy Creek CWF	Venango Conservation District (814) 676-2832

*General Permit Type—PAG-3*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Upper Macungie Township Lehigh County	PAR122212	Coca-Cola Company 7551 Schantz Road Allentown, PA 18106	Iron Run	DEP—NERO Water Mgmt. Program 2 Public Square Wilkes-Barre, PA 18711-2511 (570) 826-2511
Lancaster County Upper Leacock Township	PAR233547	Dart Container Corp. of Pennsylvania 60 East Main Street Leola, PA 17540	UNT to Mill Creek WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Franklin County Guilford Township	PAR703518	Allegheny Energy Supply Company, LLC 800 Cabin Hill Drive Greensburg, PA 15601-1689	Conococheague Creek WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

NOTICES

2579

*Facility Location:  
Municipality &  
County*

*Permit No.*

*Applicant Name &  
Address*

*Receiving  
Water/Use*

*Contact Office &  
Phone No.*

Loyalsock Township  
Lycoming County

PAR2148229  
(Stormwater)

Wolyniec Construction,  
Inc.  
294 Freedom Road  
P. O. Box 666  
Williamsport, PA  
17701-8803

Grafius Run  
WWF

Northcentral Regional  
Office  
Water Management  
Program  
208 West Third Street  
Suite 101  
Williamsport, PA 17701  
(570) 327-3664

Williamsport  
Lycoming County

PAR234808

West Pharmaceutical  
Services  
P. O. Box C-7777  
Williamsport, PA 17701

UNT West Branch  
Susquehanna River  
WWF

Northcentral Regional  
Office  
Water Management  
Program  
208 West Third Street  
Suite 101  
Williamsport, PA 17701  
(570) 327-3664

Quemahoning  
Township  
Somerset County

PAR606167

Ray's Auto Sales &  
Collision Center, Inc.  
3179 Lincoln Highway  
Stoystown, PA 15563

Two Mile Run Basin to  
Stoneycreek River

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

Donegal Township  
Washington County

PAR606164

Cossell's U-Pull-It  
620 Old Brick Road  
West Alexander, PA  
15376

Unnamed Feeder to the  
Middle Wheeling Creek

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

West Deer  
Township  
Allegheny County

PAR206152

Melampy Manufacturing  
22 Frontier Drive  
Gibsonia, PA 15044

Deer Creek

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

Fox Township  
Elk County

PAR608334

Rick's Used Auto &  
Truck Parts  
Richard Krishart  
724 Brandy Camp Road  
Kersey, PA 15846

UNT to Benninger Creek

DEP—NWRO  
Water Management  
230 Chestnut Street  
Meadville, PA 16335-3481  
(814) 332-6942

*General Permit Type—PAG-4*

*Facility Location:  
Municipality &  
County*

*Permit No.*

*Applicant Name &  
Address*

*Receiving  
Water/Use*

*Contact Office &  
Phone No.*

Lower Merion  
Township  
Montgomery County

PAG040045

Mosen Alavi  
531 Conshohocken State  
Road  
Gladwyn, PA 19035

UNT to Schuylkill River

Southeast Regional Office  
2 East Main Street  
Norristown, PA 19401

Montour Township  
Columbia County

PAG045210

Ronald L. Whispell  
132 Welliver Road  
Bloomsburg, PA 17815

Montour Run  
(CWF)

Northcentral Regional  
Office  
Water Management  
Program  
208 West Third Street  
Suite 101  
Williamsport, PA 17701  
(570) 327-3664

*Facility Location:  
Municipality &  
County*Perry Township  
Lawrence CountyPermit No.  
PAG049250*Applicant Name &  
Address*  
Bruce W. Baker  
141 Shingle Hollow Road  
Harmony, PA 16037*Receiving  
Water/Use*  
UNT to Camp Run  
20-C*Contact Office &  
Phone No.*  
DEP—NWRO  
Water Management  
230 Chestnut Street  
Meadville, PA 16335-3481  
(814) 332-6942Liberty Township  
McKean CountyPermit No.  
PAG049247*Applicant Name &  
Address*  
PPL Gas Utilities  
24547 Route 6  
Port Allegany, PA 16743*Receiving  
Water/Use*  
UNT to Allegheny River  
16-E*Contact Office &  
Phone No.*  
DEP—NWRO  
Water Management  
230 Chestnut Street  
Meadville, PA 16335-3481  
(814) 332-6942Franklin Township  
Erie CountyPermit No.  
PAG049245*Applicant Name &  
Address*  
James Britton  
4108 Winchester Road  
Erie, PA 16506*Receiving  
Water/Use*  
UNT to Little Elk Creek  
15-EC*Contact Office &  
Phone No.*  
DEP—NWRO  
Water Management  
230 Chestnut Street  
Meadville, PA 16335-3481  
(814) 332-6942Bloomfield  
Township  
Crawford CountyPermit No.  
PAG049249*Applicant Name &  
Address*  
Ken Lyons  
P. O. Box 472  
31 Hemlock Avenue  
Kane, PA 16735*Receiving  
Water/Use*  
UNT to Mosey Run  
16E*Contact Office &  
Phone No.*  
DEP—NWRO  
Water Management  
230 Chestnut Street  
Meadville, PA 16335-3481  
(814) 332-6942Fairview Township  
Erie CountyPermit No.  
PAG049240*Applicant Name &  
Address*  
Ellen Engel  
6011 Bridlewood Drive  
Fairview, PA 16415*Receiving  
Water/Use*  
UNT to Bear Creek  
15-BE*Contact Office &  
Phone No.*  
DEP—NWRO  
Water Management  
230 Chestnut Street  
Meadville, PA 16335-3481  
(814) 332-6942*General Permit Type—PAG-5**Facility Location &  
Municipality*Cumberland County  
Mechanicsburg  
BoroughPermit No.  
PAG053588*Applicant Name &  
Address*  
Warex Terminals  
Corporation  
1 South Water Street  
P. O. Box 488  
Newburgh, NY 12550*Receiving  
Water/Use*  
Cedar Run  
CWF*Contact Office &  
Phone No.*  
DEP—SCRO  
909 Elmerton Avenue  
Harrisburg, PA 17110  
(717) 705-4707Richland Township  
Allegheny CountyPermit No.  
PAG056213*Applicant Name &  
Address*  
Handee Marts, Inc.  
518 Myoma Road  
Mars, PA 16046*Receiving  
Water/Use*  
West Branch of Deer  
Creek*Contact Office &  
Phone No.*  
Southwest Regional Office  
Water Management  
Program Manager  
400 Waterfront Drive  
Pittsburgh PA 15222-4745  
(412) 442-4000*General Permit Type—PAG-8 (SSN)**Facility Location:  
Municipality &  
County*Cumberland County  
South Middleton  
TownshipPermit No.  
PAG083592*Applicant Name &  
Address*  
Upper Allen Township  
100 Gettysburg Pike  
Mechanicsburg, PA 17055*Site Name &  
Location*  
Golen Byers Farm*Contact Office &  
Phone No.*  
DEP—SCRO  
909 Elmerton Avenue  
Harrisburg, PA  
17110-8200  
(717) 705-4707*General Permit Type—PAG-9**Facility Location:  
Municipality &  
County*City of St. Marys  
Elk CountyPermit No.  
PAG098309*Applicant Name &  
Address*  
Buerk's Septic Service  
1039 Bruxelles Street  
St. Marys, PA 15857*Site Name &  
Location*  
Buerk's Septic Service  
1039 Bruxelles Street  
St. Marys, PA 15857*Contact Office &  
Phone No.*  
DEP—NWRO  
Water Management  
230 Chestnut Street  
Meadville, PA 16335-3481  
(814) 332-6942

**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. 0906503**, Public Water Supply.  
 Applicant **Warrington Township Water and Sewer Authority**  
 1585 Turk Road  
 Warrington, PA 18976  
 Township Warrington  
 County **Bucks**  
 Type of Facility PWS  
 Consulting Engineer CKS Engineers, Inc.  
 88 South Main Street  
 Doylestown, PA 18901  
 Permit to Construct Issued May 12, 2006

**Operations Permit** issued to **Telford Borough Authority**, 122 Penn Avenue, Telford, PA 18969, (PWS ID 1460050) West Rockhill Township, **Montgomery County** on May 12, 2006, for the operation of facilities approved under Construction Permit No. 4604503 for construction of a public water supply system.

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

**Permit No. 0605519**, Public Water Supply.  
 Applicant **Reading Area Water Authority**  
 Municipality Ontelaunee Township  
 County **Berks**  
 Type of Facility Phase II of Ontelaunee Transmission Main project.  
 Consulting Engineer Thomas L Weld, Jr., P. E.  
 BCM Engineers  
 920 Germantown Pike  
 Reading City Hall  
 Plymouth, PA 19462  
 Permit to Construct Issued: 5/10/2006

**Permit No. 0106507 MA, Minor Amendment**, Public Water Supply.  
 Applicant **Greater Gettysburg Land Development Co.**  
 Municipality Straban Township  
 County **Adams**  
 Type of Facility Gettysburg Commons—Increasing the size of the underground storage tank from 20,000 gallons to 60,000 gallons.  
 Consulting Engineer George W Akens, P. E.  
 Akens Engineering Associates Inc  
 219 E. Main Street  
 Shiremanstown, PA 17011  
 Permit to Construct Issued: 5/3/2006

**Permit No. 2206502**, Public Water Supply.  
 Applicant **United Water Pennsylvania**  
 Municipality Hummelstown Borough  
 County **Dauphin**  
 Type of Facility Modifications to the existing Hummelstown raw water intake pump station on the Swatara Creek.  
 Consulting Engineer Christopher A Evans, P. E.  
 Black & Veatch Corp.  
 601 Walnut St.  
 Philadelphia, PA 19106  
 Permit to Construct Issued: 5/10/2006

**Operations Permit** issued to **Western Berks Water Authority**, 3060066, Lower Heidelberg Township, **Berks County** on 5/10/2006 for the operation of facilities approved under Construction Permit No. 0604510 MA.

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

**Permit No. 1701503—Operation** Public Water Supply.  
 Applicant **Sandy Township Water and Sewer Authority**  
 Township or Borough Sandy Township



County	<b>Clearfield</b>
Responsible Official	Dick Castonguay, Manager Sandy Township Water and Sewer Authority 1094 Chestnut Avenue P. O. Box 267 Dubois, PA 15801
Type of Facility	Public Water Supply—Operation
Consulting Engineer	N/A
Permit Issued Date	5/11/06
Description of Action	Operation of Sandy Township's water system.
<b>Permit No. 5505501—Construction</b> Public Water Supply.	
Applicant	<b>Aqua Pennsylvania, Inc.</b>
Township or Borough	Penn Township
County	<b>Snyder</b>
Responsible Official	Thomas J. Roberts Aqua Pennsylvania, Inc. 700 West Sproul Road Springfield, PA 19064
Type of Facility	Public Water Supply—Construction
Consulting Engineer	William LaDieu, P. E. CET Engineering Services 1240 North Mountain Road Harrisburg, PA 17112
Permit Issued Date	5/15/06
Description of Action	Development of Well No. 3, construction of a new treatment building, including sodium hypochlorite and AquaMag facilities and repainting of the existing 74,000 gallon finished water storage tank.
<b>Permit No. 1406501—Construction</b> Public Water Supply.	
Applicant	<b>Port Matilda Waterworks</b>
Township or Borough	Port Matilda Borough
County	<b>Centre</b>
Responsible Official	Richard Turner, President Borough of Port Matilda 400 South High Street Port Matilda, PA 16870
Type of Facility	Public Water Supply—Construction
Consulting Engineer	Brian Book, P. E. Herbert, Rowland & Grubic, Inc. 474 Windmere Drive, Suite 100 State College, PA 16801
Permit Issued Date	5/15/06
Description of Action	Redevelopment of Well No. 3, existing sodium hypochlorite facilities, regarding upslope of the wellheads and installation of a check valve to prevent backflow between Well Nos. 2, 3 and 5.

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

**Operations Permit** issued to **Municipal Authority  
of the Borough of Oakmont**, P. O. Box 73, 721 Alle-  
gheny Avenue, Oakmont, PA 15139, (PWS ID 5020036)  
Penn Hills, **Allegheny County** on May 8, 2006, for the  
operation of facilities approved under Construction Per-  
mit No. 0205501.

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

**Permit No. 2505504**, Public Water Supply  
Applicant **Georgetown Heights  
Subdivision**  
Borough or Township McKean Township  
County **Erie**  
Type of Facility Public Water Supply  
Permit to Construct 05/15/2006  
Issued

**Operations Permit** issued to: **Zelienople Borough**,  
111 West New Castle Street, Zelienople, PA 16063, PWS  
ID 5100093, Jackson Township, **Butler County**, on May  
16, 2006, for the operation of the diffused aeration  
systems in the existing raw water reservoirs (Nos. 1—3)  
to eliminate the need of copper sulfate for algae control.  
This approval is issued simultaneously with construction  
Permit No. 3007226-MA7, issued May 16, 2006.

#### **SEWAGE FACILITIES ACT PLAN APPROVAL**

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

##### *Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Jefferson Township	487 Cortez Road Lake Ariel, PA 18436	Lackawanna

*Plan Description:* The approved plan provides for exten-  
sion of the existing sanitary sewer lines (new gravity and  
low-pressure sewers, pump stations) to serve 196 existing  
EDUs in two areas of the Township. Area 1 includes SR  
348 (Hitchcock Road East to the Township border), Old  
Mill Rd., Pump House Rd., Log Cabin Rd. and Evergreen  
Mobile Home Park. Area 2 includes SR 2003—Cortez Rd.  
(from existing sewer system approximately 8,500 LF to  
the North), Harkin's Lane, Hitchcock Rd., Keating Rd.  
and Harmony Drive. The Department's review of the  
sewage facilities update revision has not identified any  
significant environmental impacts resulting from this  
proposal. Any required NPDES Permits or WQM Permits  
must be obtained in the name of the municipality or  
authority as appropriate.

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

##### *Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Washington Township	13013 Welty Rd. Waynesboro, PA 17268	Franklin

*Plan Description:* The approved plan provides for a  
sewer extension, pump station and force main to serve  
491 residential EDUs on Old Forge Road. Flows will be

113,126 gallons per day. Washington Township Municipal Authority will provide collection, conveyance and treatment at the WTMA Wastewater Treatment Plant. The Department's Environmental Cleanup Program is monitoring a voluntary remediation of Arsenic and Lead in the soil at the site.

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
West St. Clair Township	P. O. Box 92 Alum Bank, PA 15521	Bedford

*Plan Description:* The approved plan provides for a revision to the official 537 plan for West Saint Clair Township, Bedford County. The revision consists of the subdivision of one single family residential lot from the lands of Daniel MacIntyre. This lot proposes the use of a small flow sewage treatment facility with discharge to Fleegles Run. The development is located on SR 96 approximately one mile south of Pleasantville. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Jackson Township	60 North Ramona Road Myerstown, PA 17067	Lebanon

*Plan Description:* The approved plan provides for the construction of an interceptor and sewage treatment plant facilities with a discharge of 1.0 mgd to a UNT of Tulpehocken Creek. Additionally, Jackson Township will implement an onlot disposal system (OLDS) management ordinance to address all OLDS in the municipality. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Southampton Township	200 Airport Rd. Shippensburg, PA 17257	Cumberland
Shippensburg Township	P. O. Box 219 Shippensburg, PA 17257	

*Plan Description:* Approval of a revision to the Official Sewage Plan of Southampton and Shippensburg Townships, Cumberland County. The proposed Meadowsgreen subdivision consists of a 334 residential townhome subdivision, with a projected sewage flow of 75,150 gpd to be served by the Cumberland Franklin Joint Municipal Authority collection and conveyance system, with treatment at the Shippensburg Wastewater Treatment Plant. The Department's review of the sewage facilities update revision has not identified any significant impacts resulting from this proposal.

**SEWAGE FACILITIES ACT PLAN DISAPPROVAL**

**Plan Disapprovals Granted Under the Pennsylvania Sewage Facilities Act**

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Southampton Township	200 Airport Rd. Shippensburg, PA 17257	Cumberland

*Plan Description:* Disapproval of a revision to the Official Sewage Plan of Southampton Township, Cumberland County. The proposed Clarence Toigo subdivision consists of a two lot residential subdivision to be served by individual onlot sewage disposal systems. The plan was disapproved because general site suitability for onlot sewage disposal has not been established for Lots 6 and 7. The testing that was conducted encroaches on the 100-foot isolation distance to possible sinkholes/closed depressions. The applicant did not provide a definitive determination of these features.

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Warrington Township	3345 Rosstown Road Wellsville, PA 17365	York

*Plan Description:* Mark and Pamela Mummert, A3-67960-287-2. The proposed plan revision consists of a five lot single-family residential subdivision on 86.95 acres with total estimated sewage flows of 1,600 gpd to be treated by individual onlot disposal systems. The plan was disapproved because the hydrogeologic study included in the planning module submission that was received by the Department and required by § 71.62(c) contained information indicating the groundwater is presently polluted on the property and that the onsite sewage systems for the subdivision will further pollute the waters of this Commonwealth in violation of The Clean Streams Law. This condition is considered a nuisance and is prohibited. In addition, well water samples used for the hydro-study are greater than 1 year old.

**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 re-

ports, 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.*

**Nicolet Industries, Inc.**, Ambler Borough, **Montgomery County**. Darryl Borrelli, Manko, Gold, Katcher & Fox, LLP, 401 City Line Ave., Suite 500, Bala Cynwyd, PA 19004 on behalf of Arnold Frumin, AMA/American Marketing Assoc., Inc., 57 Old Post No. 2 Road, Greenwich, CT 06830 has submitted a Remedial Investigation Report concerning remediation of site soil and groundwater contaminated with PAH. The report is intended to document remediation of the site to meet the Site-Specific Standard.

**Five Points Shopping Center**, West Goshen Township, **Chester County**. Philip Gray, Phoenix Geo Environmental, LLC, 73 Whethersfield Circle, Telford, PA 18969 on behalf of Gloria Terranov, 7 Summit Drive, Glen Mills, PA 19342 has submitted a Remedial Investigation Report and Final Report concerning remediation of site soil and groundwater contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the Site-Specific Standard.

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

**Cranberry Creek Gateway Park Project—Southern Parcel**, Hazle Township, **Luzerne County**. Lori Girvan, Senior Environmental Scientist, Barry Isett & Associates, Inc. (100 West Broad Street, Suite 200, Hazleton, PA 18201-2562) has submitted a Final Report (on behalf of her client, CAN DO Inc., 1 South Church Street, Hazleton, PA 18201) concerning the remediation of soils found to have been impacted by lead as the result of historic transformer releases at the former railroad substation. The report was submitted in order to document attainment of the Residential Statewide Health Soil Standard. A Notice of Intent to Remediate was simultaneously submitted.

**Proposed Dickson City CVS Property (80-86 Main Street)**, Dickson City Borough, **Lackawanna County**. Ransom Environmental Consultants, Inc., Browns Wharf, Newburyport, MA 01950 has submitted a combined Remedial Investigation Report and Final Report (on behalf of their client, Carrier Coal Enterprises, 103 E. Drinker

Street, Dunmore, PA 18512) concerning the remediation of site soils and groundwater found or suspected to have been impacted by petroleum products due to historic gasoline station and automotive service center operations at the site. The reports were submitted in support of the Site-Specific Standard.

**Sunoco Service Station 0003-2672 (2028 Center Street)**, Tamaqua Borough, **Schuylkill County**. Marco Droese, Mulry and Cresswell Environmental, Inc., 1691 Horseshoe Pike, Manor Professional Building, Suite 3, Glenmoore, PA 19343 has submitted a Final Report (on behalf of Sunoco, Inc., 1109 Milton Avenue, Syracuse, NY 13204 and Jack Sakusky, J & J Sunoco, 2028 Center Street, Tamaqua, PA 18252) concerning the remediation of soils and groundwater found or suspected to be contaminated with MTBE and unleaded gasoline petroleum products associated with the property's historical use as an auto service station facility. The report was submitted in order to demonstrate attainment of the nonuse aquifer, Nonresidential Statewide Health Standard.

**Former Penn Fuel Gas Manufactured Gas Plant—Lehighon Site**, Borough of Lehighon, **Carbon County**. Jennifer Sedora, Environmental Professional, Environmental Management Department, PPL Services Corp, Two North Ninth Street, Allentown, PA 18101 has submitted a Remedial Investigation Report concerning the characterization and remediation of soils and groundwater found or suspected to have been contaminated with inorganics, polycyclic aromatic hydrocarbons and other organic compounds related to historic manufactured gas plant operations. The report was submitted in partial fulfillment of the Site-Specific Standard or a combination of standards.

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

**Kelly Residence Linden Street**, Reading City, **Berks County**. Patriot Environmental Management, P. O. Box 629, Douglassville, PA 19518, on behalf of Joseph Kelly, 1520 Linden Street, Reading, PA 19601 and Tropical Oil Company, 418-436 Moss Street, Reading, PA 19604, submitted a Final Report concerning remediation of site soils contaminated with No. 2 heating oil. The report is intended to document remediation of the site to the Statewide Health Standard. The report was submitted within 90 days of the release.

**Kerr Group, Inc.**, City of Lancaster, **Lancaster County**. Gannett Fleming Inc., 805 Estelle Drive, Suite 102, Lancaster, 17603, on behalf of Kerr Group, Inc., 101 Oakley Street, Evansville, IN 47710, submitted a Final Report concerning remediation of site soils and groundwater contaminated with gasoline, paint thinner and waste/oil solvents. The report is intended to document remediation of the site to the Site-Specific Standard.

**Pennsylvania Lines LLC (PRR)—Dillerville Rail Yard**, City of Lancaster, **Lancaster County**. Marshall Miller & Associates, Inc, 3013 Hartzdale Drive, Suite 1306, Camp Hill, PA 17011, on behalf of Norfolk Southern Railway Company, 110 Franklin Street SE, Box 13, Roanoke, VA 14041-0013, submitted a Remedial Investigation Report and a Cleanup Plan concerning remediation of site soils contaminated with diesel fuel. The applicant seeks to remediate to a Site-Specific Standard.

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

**Bellefonte Armory Storage Building**, Bellefonte Borough, **Centre County**. Converse Consultants, 2738 West College Avenue, State College, PA 16801 on behalf of

the Department of Military and Veterans Affairs, Environmental Section, Building 0-11, Fort Indiantown Gap, Annville, PA 17003 has submitted a Final Report concerning remediation of site soil contaminated with heating oil and kerosene. The report is intended to document remediation of the site to meet the Statewide Health Standard.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

### PREAMBLE 3

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

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

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

The Department has received the following plans and reports:

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

**Brettell Res.**, Bristol Township, **Bucks County**. Richard Trimpi, Trimpi Associates, Inc., 1635 Old Plains Rd., Pennsburg, PA 18073 on behalf of Darren Brettell, 112 Junewood Dr., Levittown, PA 19055 has submitted a Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on May 9, 2006.

**Bradshaw Res.**, Bristol Township, **Bucks County**. Richard Trimpi, Trimpi Associates, Inc., 1635 Old Plains Rd., Pennsburg, PA 18073 on behalf of Bill Bradshaw, 116 Junewood Dr., Levittown, PA 19055 has submitted a Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Statewide Health Standard and was approved or by the Department on May 9, 2006.

**Warminster General Hospital**, Warminster Township, **Bucks County**. Kim Walters, Environmental Solutions Group, Inc., 1200 First State Rd., Suite 1220, Newport, DE 19804 on behalf of Chuck McClinton, Warminster General Hospital, 255 Newtown Rd., Warminster, PA 18974 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with PAH and No. 4 fuel oil. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on May 8, 2006.

**Shelly Plaza Shopping Center**, City of Philadelphia, **Philadelphia County**. Samuel Kucia, Env. Consulting, Inc., 500 E. Washington St., Norristown, PA 19401 on behalf of Michael Willner, Willner Realty & Dev., Co., 140 S. 69th St., Upper Darby, PA 19082 has submitted a Final Report concerning the remediation of site groundwater contaminated with organics. The Final Report did not demonstrate attainment of the Statewide Health Standard and was disapproved by the Department on May 3, 2006.

**Essington Sunoco Pipeline**, Tinicum Township, **Delaware County**. Lisa Holderbach, Aquaterra Tech, 122 S. West Chester, Philadelphia, PA 19381 on behalf of Robert Rizzo, Tinicum Developers, 76 Industrial Highway, Essington, PA 19029 has submitted a Remedial Investigation Report, Risk Assessment Report and Cleanup Plan concerning the remediation of site soil contaminated with unleaded gasoline and MTBE. The Remedial Investigation Report, Risk Assessment Report and Cleanup Plan was approved by the Department on May 6, 2006.

**WAWA Food Market 118**, Caln Township, **Chester County**. Tiffani Doerr, GES, Inc., 410 Eagleview Blvd., Suite 110, Exton, PA 19341 on behalf of Mayra Flores, Realty Income Corp., 220 W. Crest St., Escondido, CA 92025 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with unleaded gasoline, MTBE and VOC. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on May 4, 2006.

**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 the remediation of site soil contaminated with No. 2 fuel oil. The Final Report demonstrated

attainment Statewide Health Standard and was approved by the Department on April 28, 2006.

**Valley View Danboro Mobil Home Park**, Plumstead Township, **Bucks County**. Trimpi Richard, Trimpi Associates, Inc., 1635 Old Plains Rd., Pennsburg, PA 18703 on behalf of Kimberly Charlton, Valley View Danboro Mobil Home Park, 1081 N. Easton Rd., P. O. Box 336, Danboro, PA 18916 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with petroleum. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on May 9, 2006.

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

**Former Tamaqua MGP Plant**, Borough of Tamaqua, **Schuylkill County**. John J. Mahfood, Principal, Corporate Environmental Solutions LLC, 260 Millers Run Road, Bridgeville, PA 15017 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 demonstrated attainment of the Site-Specific Standard and was approved on May 10, 2006.

**2067 8th Street (former Jose Torres Residence)**, Bethlehem Township, **Northampton County**. Thomas Martinelli, Environmental Scientist, JMT Environmental Technologies, Inc., 3353-C Gun Club Road, Bethlehem, PA 18020 submitted a Final Report (on behalf of his client, Jose Torres, Columbia, MD) concerning the remediation of soil found or suspected to have been impacted by the release of No. 2 fuel oil constituents from a former underground storage tank on the property. The report demonstrated attainment of the residential, used-aquifer Statewide Health Standard and was approved on May 9, 2006.

**1235 Blue Barn Road**, Upper Macungie Township, **Lehigh County**. Jeremy Bolyn, Patriot Environmental Management, LLC, P. O. Box 629, Douglassville, PA 19518 submitted a Final Report (on behalf of his client, Janet Medence, Blue Barn Road, Allentown, PA) concerning the remediation of soils contaminated by the release of diesel fuel following a vehicular accident on the affected property. The report demonstrated attainment of the residential Statewide Health Soil Standard and was approved on April 11, 2006. The property will continue to be used for residential purposes. The report was submitted within 90 days of the January 18, 2006, release.

**Weisenberg Lutheran Church**, Weisenberg Township, **Lehigh County**. Storb Environmental, Inc., 410 North Easton Road, Willow Grove, PA 19090 has a Final Report (on behalf of the Weisenberg Lutheran Church Council, 7645 Weisenberg Road, New Tripoli, PA 18066 and Pipeline Petroleum, P. O. Box 159, Shippers Road, Macungie, PA 18062) concerning the remediation of soil found or suspected to have been contaminated by No. 2 fuel oil as the result of an accidental release during delivery. The report documented attainment of the residential Statewide Health Soil Standard and was approved on April 12, 2006.

**Sunoco Service Station 0003-2672 (2028 Center Street)**, Tamaqua Borough, **Schuylkill County**. Marco Droese, Mulry and Cresswell Environmental, Inc., 1691 Horseshoe Pike, Manor Professional Building, Suite 3, Glenmoore, PA 19343 submitted a Final Report (on behalf of Sunoco, Inc., 1109 Milton Avenue, Syracuse, NY

13204 and Jack Sakusky, J & J Sunoco, 2028 Center Street, Tamaqua, PA 18252) concerning the remediation of soils and groundwater found or suspected to be contaminated with MTBE and unleaded gasoline petroleum products associated with the property's historical use as an auto service station facility. The report demonstrated attainment of the nonuse aquifer, nonresidential Statewide Health Standard and was approved on April 18, 2006.

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

**The Willows Development Site**, City of Lebanon, **Lebanon County**. MACTEC Engineering & Consulting Inc, 242 Princeton Avenue, Suite 113, Hamilton, NJ, 08619, on behalf of RLI Beneficial Willows LLC, 3131 Clark Road, Suite 203, Sarasota, FL 34231, submitted a Final Report concerning the remediation of site soils contaminated with arsenic. The Final Report demonstrated attainment of the Site-Specific Standard, and was approved by the Department on May 11, 2006.

**Clearview Shopping Center**, Hanover Borough, **York County**. BL Company, 830 Sir Thomas Court, Harrisburg, PA 17109, on behalf of Clearview Associates, c/o Springwood Real Estate Services, 146 Pine Grove Circle, Suite 200, York, 17403, submitted a Final Report concerning the remediation of site soils and groundwater contaminated with Benzene, Toluene, Ethylbenzene, Naphthalene, Flourene Phenanthrene, Cumene, Xylenes, Methyl Tert Butyl Ether, Dibromomethane and Lead. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on May 11, 2006.

**FCI USA, Inc.**, Manchester Township, **York County**. HRP Associates, Inc., 4811 Jonestown Road, Suite 235, Harrisburg, PA 17109, on behalf of FCI USA, Inc., 825 Old Trail Road, Etters, PA 17319-9392 submitted a Remedial Investigation Report concerning remediation of site soils and groundwater contaminated with VOCs and nickel. The applicant intends to remediate the site to a combination of the Site-Specific, Statewide Health and Background Standards. The Remedial Investigation Report was approved by the Department on May 12, 2006.

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

**Nextel Partners, Inc., Patton Forest Facility**, Patton Township, **Centre County**. Blazosky Associates, Inc., 2525 Green Tech Drive, Suite D, State College, PA 16803 on behalf of Nextel Partners, Inc., 2603 East College Ave., State College, PA 16801 has submitted a Final Report concerning the remediation of site soil contaminated with diesel fuel. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on May 4, 2006.

**Sunbury Textile Mills Sites 4 and 5**, City of Sunbury, **Northumberland County**. GeoSyntech Consultants, 130 Research Lane, Suite 2, Guelph, Ontario N1G5G3 on behalf of Sunbury Textile Mills, 1200 Miller St., Sunbury, PA 17801 has submitted a Final Report concerning the remediation of site soil contaminated with chlorinated solvents and PHCs. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on May 12, 2006.

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

**Stackpole Center—South West Area**, City of St. Marys, **Elk County**. On May 8, 2006, the Department

received a Remedial Investigation Report, submitted by Hydrosystems Management, Inc. on behalf of Emsource, 111 Commercial Street, Suite 400, Portland, ME 04112. The report characterizes soil, groundwater and surface waters that are potentially impacted with heavy metals, BTEX, PAHs, PHCs and organic solvents.

### RESIDUAL WASTE GENERAL PERMITS

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

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

**General Permit No. WMGR031. Kalumetals Inc.,** P. O. Box 455, Latrobe, PA 15650-0455. General Permit No. WMGR031 authorizes processing and beneficial use of metallic grinding swarfs, spent catalysts, metallic filter cakes, metallic turnings, metal grindings, metal cuttings, metal stampings, metal plate, metal wire, metal powders, metal sludges, metal carbide, Raney Nickel catalysts and precious metal catalysts. The processing is limited to retorting, static bed open drying, magnetic separation, washing, centrifugation, passive oil/water separation, belt furnace thermal processing, rotary furnace oxidation, filtering, mechanical separation, CO<sub>2</sub> separation and blending. The permit was renewed by Central Office on May 12, 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.

### 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.*

**09-310-068GP: Haines & Kibblehouse, Inc.** (2052 Lucon Road, Skippack, PA 19474) on May 15, 2006, to operate a nonmetallic mineral processor in Plumstead Township, **Bucks County**.

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

**GP3-22-03066: Pennsy Supply, Inc.** (1 Clear Spring Road, Annville, PA 17003) on May 9, 2006, for Portable Nonmetallic Mineral Processing Plant under GP3 in Lower Swatara Township, **Dauphin County**.

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

**GP5-30-00163: CNX Gas Co., LLC** (4000 Brownsville Road, South Park, PA 15129) on May 8, 2006, to install and operate two Caterpillar G-3508TALF 633-bhp Compressors, one Caterpillar G-3408CLE 425-bhp Compressor and two Dehydrators at Green Hill Processing Plant at Center Township, **Greene County**.

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

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

**09-0001A: Avery Dennison Corporation—Fasson Roll Division** (35 Penn-Am Drive, Quakertown, PA 18951) on May 10, 2006, to operate two coating lines in Richland Township, **Bucks County**.

**46-0041D: Smurfit-Stone Container Enterprises Inc.** (1035 Longford Road, Phoenixville, PA 19460) on May 15, 2006, to operate lithographic printing press No. 4 in Upper Providence Township, **Montgomery County**.

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

**39-303-016: Reading Materials, Inc.** (P. O. Box 1947, 2052 Lucon Road, Skippack, PA 19474) on May 8, 2006, to construct a batch asphalt plant and associated air cleaning device at the Lehigh Materials facility in Hanover Township, **Northampton County**.

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

**04-00034B: Engineered Polymer Solutions d/b/a Valspar Coatings** (372 Cleveland Avenue, Rochester, PA 15074) on February 12, 2006, to manufacture 11 categories of epoxy and acrylic based coating for cans at the Rochester Plant in Rochester Township in **Beaver County**.

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

**25-053C: Urick Foundry Co.** (1501 Cherry Street, Erie, PA 16502) on May 5, 2006, to construct a new core making system in the City of Erie, **Erie County**. This is a State-only facility.

**24-083I: Carbone of America Ind. Corp.** (215 Stackpole Street, St. Marys, PA 15857) on May 6, 2006, to modify emission limits (SOx) from plan approval 24-083E in St. Marys City, **Elk County**. This is a Title V facility.

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

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

**09-0105B: Naceville Materials** (P. O. Box 196, 2052 Lucon Road, Skippack, PA 19474) on May 12, 2006, to operate a 20,000-gallon storage tank in Springfiled Township, **Bucks County**.

**46-0161B: Reading Materials, Inc.** (2052 Lucon Road/P. O. Box 1467, Skippack, PA 19474) on May 12, 2006, to operate a hot asphalt plant in Lower Pottsgrove Township, **Montgomery County**.

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

**18-00009C: Clinton County Solid Waste Authority** (P. O. Box 209, McElhattan, PA 17748) on May 12, 2006, to install a new landfill gas flare at a municipal waste landfill, and to operate the respective municipal waste landfill, which has been modified, on a temporary basis, until September 9, 2006, in Wayne Township, **Clinton County**. The plan approval has been extended.

**41-00005C: Lycoming Engines** (652 Oliver Street, Williamsport PA 17701), located in the city of Williamsport, **Lycoming County**, on May 3, 2006, to authorize the operation of a perchloroethylene degreaser to September 2, 2006. The plan approval has been extended.

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

**32-00040B: Reliant Energy** (121 Champion Way, Suite 200, Canonsburg, PA 15317) on May 9, 2006, to allow additional time for shakedown and to conduct further evaluations of fuel sizing options (phase IV) at the Seward Station in East Wheatfield Township, **Indiana County**. This plan approval was extended.

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

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

**01-03026: Growmark FS, LLC** (3150 Stoney Point Road, East Berlin, PA 17316-9654) on May 11, 2006, to operate their fertilizer plant in Latimore Township, **Adams County**. This is a renewal of the State-only operating permit.

**06-03075: VF Factory Outlet, Inc.** (801 Hill Avenue, Wyomissing, PA 19612) on May 8, 2006, for a boiler house in Wyomissing Borough, **Berks County**.

**22-03018: Millersburg Area School District** (799 Center Street, Millersburg, PA 17061-1411) on May 11, 2006, to operate an anthracite coal-fired boiler at the Lenkerville Elementary School in Upper Paxton Township, **Dauphin County**. This is a renewal of the State-only operating permit.

**22-05036: Millersburg Area School District** (799 Center Street, Millersburg, PA 17061-1411) on May 11, 2006, to operate two anthracite coal-fired boilers at the High School and Middle School in Millersburg Borough, **Dauphin County**. This is a renewal of the State-only operating permit.

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

**04-00864: Beaver Valley Slag, Inc.** (6010 Woodlawn Road, Aliquippa, PA 15001) on May 5, 2006, for their Black's Run/Crow's Island facility in Hopewell and Center Townships, **Beaver County**. This is Synthetic Minor.

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

**10-00330: Butler Veterinary Associates, Inc.** (1761 North Main Street, Butler, PA 16001) on May 8, 2006, to re-issue a Natural Minor Permit for operation of an animal crematory in Center Township, **Butler County**.

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

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

**46-00033: Waste Management Disposal Services of Pennsylvania—Pottstown Landfill** without Eastern Expansion (1425 Sell Road, Stowe, PA 19464) on May 9, 2006, for an administrative amendment to Title V Operating Permit 46-00033 partly in West Pottsgrove Township, **Montgomery County** and the remainder in Douglass Township, **Berks County**. The permit is being amended to incorporate Plan Approvals 46-322-007 (Eastern Expansion) and 46-0033E (Pipeline Connection) and to address the concerns expressed in the appeal submitted to the Department on February 27, 2004. The amended Title V operating permit will contain monitoring, recordkeeping, reporting and work practice standards to keep the facility operating within all applicable air quality requirements.

**15-00035: General Electric Co.** (251 South Bailey Road, Downingtown, PA 19335-2003) on May 9, 2006, to operate a manufacturing plant in Caln Township, **Chester County**. The permit is for a Title V facility. The facility manufactures specialty plastic pellets as raw material for the injection molding plastics industry. The facility's emission points include thermo-compounding manufacturing lines, parts cleaning ovens, space heaters, degreasing operations, and assorted laboratory and quality control equipment. The facility has the potential to emit major levels of VOCs. Administrative Amendment of Title V Operating Permit issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code § 127.450. The amendment corrects the applicable PM emission limit of 25 Pa. Code § 123.12 for Incinerators. The emission restriction is found in Section D—Source Level Requirements—for Source IDs 121 (Pyrolysis Cleaning Furnace SCRT-16XL) and 123 (Pyrolysis Cleaning Furnace IGG 52), Condition No. 001 for each source. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the plant operating within all applicable air quality requirements.

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

**17-00007: Sensus Metering Systems—NA, Inc.** (805 Liberty Boulevard, Dubois, PA 15801) on May 12, 2006, to re-insert an air contamination source (a burnoff oven) into the respective operating permit which had been addressed in the permit at the time of original issuance but which had been inadvertently deleted by the Department during a prior administrative amendment of the permit in the City of Dubois, **Clearfield County**. This was a Department-initiated operating permit modification.

**49-00019: Sunoco Partners Marketing and Terminals, LP** (515 Fritztown Road, Sinking Springs, PA

19608) on May 5, 2006, to issue a revised operating permit for their Northumberland Terminal in Point Township, **Northumberland County**. This revision includes the three new gasoline-loading arms at loading rack position No. 2 under the gasoline and distillate loading operation, designated as Source ID P101. This State-only (Synthetic Minor) operating permit contains all applicable regulatory requirements including monitoring, record-keeping and reporting conditions.

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

**56-00095: Thiele Manufacturing, LLC** (309 Spruce Street Winber, PA 15963) on May 12, 2006, for their truck and bus body fabrication and painting facility in Paint Township, **Somerset County**. The Department has changed the ownership from Thiele Industries Inc. to Thiele Manufacturing LLC.

## 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.*

**320021301 and NPDES Permit No. PA0235458, TJS Mining, Inc.** (2340 Smith Road, Shelocta, PA 15774), to revise the permit for the Rossmoyne No. 1 Deep Mine in South Mahoning Township, **Indiana County** to expand the underground mining permit and subsidence control plan area acreage. Underground acres proposed 1,143.6, SCP acres proposed 1,143.6. No additional discharges. Application received July 5, 2005. Permit issued May 10, 2006.

**56743704 and NPDES Permit No. PA0214931, Robindale Energy Services, Inc.** (224 Grange Hill road, P. O. Box 228, Armagh, PA 15920), to renew the permit the Penn Pocahontas Coal Refuse Site in Brothersvalley Township, **Somerset County** and related NPDES permit. No additional discharges. Application received January 1, 2006. Permit issued May 10, 2006.

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

**56050108 and NPDES No. PA0249874, Hoffman Mining, Inc.,** P. O. Box 130, 118 Runway Road, Friedens, PA 15541, commencement, operation and restoration of a bituminous surface and auger mine in Paint Township,

**Somerset County**, affecting 239.9 acres. Receiving streams: UNT to Spruce Run, Spruce Run and Shade Creek classified for the following use: CWF. The first downstream potable water supply intake from the point of discharge is Border Dam of Cambria/Somerset Authority. Application received September 27, 2005. Permit issued May 11, 2006.

**Permit No. 56960104 and NPDES No. PA0234150, Shade Mining Company,** 118 Runway Road, P. O. Box 130, Friedens, PA 15541, permit renewal for reclamation only of a bituminous surface mine in Shade Township, **Somerset County**, affecting 34.4 acres. Receiving streams: UNTs to Oven Run, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received February 21, 2006. Permit issued May 5, 2006.

**32040106 and NPDES Permit No. PA0249653, KMP Associates, Inc.,** 1094 Lantz Road, Avonmore, PA 15618, commencement, operation and restoration of a bituminous surface, auger and limestone removal mine in Young Township, **Indiana County**, affecting 351.4 acres. Receiving streams: UNTs to Whiskey Run and Whiskey Run to Blacklegs Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received October 14, 2004. Permit issued May 5, 2006.

**32040103 and NPDES No. PA0249572, Amerikohl Mining, Inc.,** 202 Sunset Drive, Butler, PA 16001, revision of an existing bituminous surface mine to add 13.5 acres to the permit area, 5.0 acres of coal removal and 3.2 acres of refuse removal in Young Township, **Indiana County**, affecting 158.5 acres. Receiving streams: UNTs to Neal Run classified for the following use: TSF. There are no potable water supply intakes within 10 miles downstream. The application includes a stream encroachment to conduct mining activities within the barrier area of UNT No. 3 to Neal Run. Application received February 7, 2006. Permit issued: May 5, 2006.

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

**33990109 and NPDES Permit No. PA 0241539, Strishock Coal Company** (220 Hillcrest Drive, DuBois, PA 15801). Renewal of an existing bituminous strip and auger operation in Perry Township, **Jefferson County** affecting 66.0 acres. Receiving streams: two UNTs to Perryville Run and Perryville Run. Application received: March 17, 2006. Permit Issued: May 9, 2006.

### Noncoal Permits Actions

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

**Permit No. 14000301 and NPDES Permit No. PA0242681, Glenn O. Hawbaker, Inc.** (1952 Waddle Road, State College, PA 16804), renewal of NPDES Permit in Worth and Halfmoon Townships, **Centre County**. Receiving streams: Bald Eagle Creek to the West Branch of the Susquehanna River. There are no potable water supply intakes within 10 miles downstream. NPDES renewal application received May 4, 2006.

**Permit No. 14900301 and NPDES Permit No. PA0206229, Glenn O. Hawbaker, Inc.** (1952 Waddle Road, State College, PA 16804), renewal of NPDES Permit in Spring Township, **Centre County**. Receiving streams: Gap Run Sink Hole to Logan Branch; Logan Branch to Spring Creek; Spring Creek to Bald Eagle Creek; Bald Eagle Creek to West Branch Susquehanna



River. There are no potable water supply intakes within 10 miles downstream. NPDES renewal application received May 4, 2006.

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

**66060802. Norm Clark** (R. R. 1, Box 250, Springville, PA 18844), commencement, operation and restoration of a quarry operation in Lemon Township, **Wyoming County** affecting 5 acres. Receiving stream: none. Application received December 22, 2005. Permit issued May 10, 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.**

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

**16064001. Glen Gery Corporation** (P. O. Box 68, Summerville, PA 15864). Blasting activity permit to determine the quality of clay for commercial use in Monroe Township, **Clarion County**. This blasting activity permit will expire on June 8, 2006. Application received: May 8, 2006. Application Issued: May 8, 2006.

**43064002. John Koehler** (5400 Crestwood Drive, Knoxville, TN 37914). Blasting activity permit to demolish three smoke stacks at the Farrell Steel Works in the City of Farrell, **County of Mercer**. This blasting activity permit will expire on July 25, 2006. Application received: May 11, 2006. Application issued: May 12, 2006.

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

**14064011. Glenn O. Hawbaker, Inc.** (P. O. Box 135, State College, PA 16804), construction blasting for Fieldstone sub-division—for sewer, utility lines and detention pond located in College Township, **Centre County**. Permit issued: May 9, 2006. Permit expires on May 5, 2007.

**14064012. Glenn O. Hawbaker, Inc.** (P. O. Box 135, State College, PA 16804), construction blasting for KOHL'S at the Penn Eagle Industrial Park located in Spring Township, **Centre County**. Permit issued May 9, 2006. Permit expires on May 5, 2007.

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

**36064143. Gerlach's Drilling & Blasting** (172 Bender Mill Road, Lancaster, PA 17603), construction blasting for Sheetz in East Hempfield and Manor Townships, **Lancaster County** with an expiration date of December 31, 2006. Permit issued May 8, 2006.

**36064144. Hall Explosives, Inc.** (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting for Warwick Township Park in Warwick Township, **Lancaster County** with an expiration date of December 30, 2006. Permit issued May 8, 2006.

**46064119. American Rock Mechanics, Inc.** (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Macoby Run Development in Upper Hanover Township, **Montgomery County** with an expiration date of March 17, 2007. Permit issued May 8, 2006.

**46064120. Douglas Explosives, Inc.** (P. O. Box 77, Philipsburg, PA 16866), construction blasting for Clemens

Business Center in Hatfield Borough, **Montgomery County** with an expiration date of May 3, 2007. Permit issued May 8, 2006.

**67064117. J. Roy's, Inc.** (Box 125, Bowmansville, PA 17507), construction blasting for C & S Wholesalers in Conewago Township, **York County** with an expiration date of May 15, 2007. Permit issued May 9, 2006.

**67064118. J. Roy's, Inc.** (Box 125, Bowmansville, PA 17507), construction blasting for utilities on North Sherman Street Exit in Springettsbury Township, **York County** with an expiration date of May 15, 2007. Permit issued May 9, 2006.

**01064108. Newville Construction Services, Inc.** (408 Mohawk Road, Newville, PA 17241), construction blasting for Gettysburg County Club in Cumberland Township, **Adams County** with an expiration date of April 30, 2007. Permit issued May 10, 2006.

**40064113. Austin Powder Company** (25800 Science Park Drive, Cleveland, OH 44122), construction blasting for Centerpoint in Jenkins Township, **Luzerne County** with an expiration date of May 2, 2006. Permit issued May 10, 2006.

**15064114. Brubacher Excavating, Inc.** (P. O. Box 528, Bowmansville, PA 17507), construction blasting for Tall Trees Development in East Caln Township, **Chester County** with an expiration date of December 31, 2007. Permit issued May 11, 2006.

**22064122. Hall Explosives, Inc.** (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting for Winslett Development in West Hanover Township, **Dauphin County** with an expiration date of May 30, 2007. Permit issued May 11, 2006.

**22064123. Hall Explosives, Inc.** (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting for The Preserves at Bow Creek with an expiration date of May 30, 2007. Permit issued May 11, 2006.

**46414121. American Rock Mechanics, Inc.** (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Hanover Green in New Hanover Township, **Montgomery County** with an expiration date of May 30, 2007. Permit issued May 11, 2006.

**35064106. Hayduk Enterprises** (P. O. Box 554, Dalton, PA 18414), construction blasting for a backyard area in South Abington Township, **Lackawanna County** with an expiration date of June 30, 2007. Permit issued May 12, 2006.

**36064147. Warren's Excavating & Drilling, Inc.** (P. O. Box 189, Bowmansville, PA 17507), construction blasting for Butterfield Development in Manheim Township, **Lancaster County** with an expiration date of May 9, 2007. Permit issued May 12, 2006.

**36064148. Warren's Excavating & Drilling, Inc.** (P. O. Box 189, Bowmansville, PA 17507), construction blasting for a home on Woodfield Crossing in West Lampeter Township, **Lancaster County** with an expiration date of May 10, 2007. Permit issued May 12, 2006.

**45064136. Hayduk Enterprises** (P. O. Box 554, Dalton, PA 18414), construction blasting for a cell tower foundation in Tunkhannock Township, **Monroe County** with an expiration date of September 30, 2006. Permit issued May 12, 2006.

**45064137. Hayduk Enterprises** (P. O. Box 554, Dalton, PA 18414), construction blasting for Great Bear

Estates in Middle Smithfield Township, **Monroe County** with an expiration date of June 30, 2007. Permit issued May 12, 2006.

**45064138. Hayduk Enterprises** (P. O. Box 554, Dalton, PA 18414), construction blasting for The Country Club of the Poconos in Middle Smithfield Township, **Monroe County** with an expiration date of June 30, 2007. Permit issued May 12, 2006.

**52064118. Hayduk Enterprises** (P. O. Box 554, Dalton, PA 18414), construction blasting for Falling Creek Estates in Lehman and Middle Smithfield Townships, **Pike and Monroe Counties** with an expiration date of June 30, 2007. Permit issued May 12, 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.*

**E46-983. Jeffrey M. Gray**, 5518 McLeon Station Road, Green Lane, PA 18054, Marlborough Township, **Chester County**, ACOE Philadelphia District.

To construct and maintain a 12-foot wide, 24-foot span by 3.5 feet high open Bottom Box Bridge and appurtenances, as a driveway access from McLean Station Road across a UNT of Macoby Run (TSF) to and existing single family dwelling.

The project includes temporary cofferdams and conduits to facilitate bridge construction, will impact approximately 50 linear feet of stream and is located approximately 345 feet southwest of the intersections of McLean Station Road and Geryville Pike in Marlborough Township, Montgomery County (Perkiomenville, PA, Quadrangle N: 20.98 inches; W: 11.72 inches).

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

**E46-987. Lower Salford Township**, 379 Main Street, Harleysville, PA 19438, Lower Salford Township, **Montgomery County**, ACOE Philadelphia District.

To construct and maintain an 80-foot long by 8-foot wide by 4.31-foot high pedestrian bridge across the bank of the West Branch of Skippack Creek (TSF) as a part of a community bike and walking trail. The bridge is located on the Seneko/Marczuk property near the intersection of Upper Mainland and Quarry Roads (Collegetown, PA, USGS Quadrangle, N: 20.5 inches; W: 1.0 inches).

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

**E09-892. Department of Transportation, District 6-0**, 7000 Geerdes Boulevard, King of Prussia, PA 19406, Durham Township, **Bucks County**, ACOE Philadelphia District.

To remove two bridges along Lehnenberg Road (SR 406 Section 01B) situated in close proximity to each other at Station 18+05 and 19+67, respectively. Each existing bridge measures 21 feet long and 16 feet wide and each will be replaced with 75-foot long and 24-foot wide structures with similar vertical and horizontal alignment across Rodges Run (TSF). The bridges are located in the vicinity of the intersection of Lehnenberg Road and Mine Hill Road (Reiglesville, PA-NJ USGS Quadrangle N: 13.0 inches; W: 9.80 inches).

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

**E67-791. Department of Transportation Engineering District 8-0**, 2140 Herr Street, Harrisburg, PA 17103 in Washington Township, **York County**, ACOE Baltimore District.

To: 1) remove an existing, single span steel truss bridge having a total span of 153 feet, a width of 14 feet and minimum underclearance of 17 feet; and 2) construct and maintain a two-span prestressed concrete I-beam bridge having a total clear span of 164.5 feet, a width of 31.38 feet and a minimum underclearance of 14.3 feet carrying SR 4017, Section 001, Segment 0030 over Bermudian Creek (WWF) at a point approximately 1.3 miles south-east of Kralltown Village (Wellsville, PA Quadrangle

N: 1.6 inches; W: 12.3 inches, Latitude 40° 00' 31"; Longitude: 76° 57' 47") in Washington Township, York County.

**E22-502: Colonial Country Club**, 4901 Linglestown Road, Harrisburg, PA 17112-0098 in Lower Paxton Township, **Dauphin County**, ACOE Baltimore District.

To construct and maintain a 40-inch wide, 30-foot long wooden arch bridge with an underclearance of 3 feet and a normal clear span of 30 feet over a UNT to Paxton Creek (WWF) at a site (Harrisburg East, PA Quadrangle, N: 15.5 inches; W: 7.7 inches; Latitude 40° 20' 05.5"; Longitude: 76° 48' 1.9") on the Colonial Country Club Golf Course to access number 5 green in Lower Paxton Township, Dauphin County.

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

**E08-441. Department of Transportation, Engineering District 3-0**, P. O. Box 218 Montoursville, PA 17754-0218. Application for SR 1022 Segment 0200 Bullard Creek bridge replacement, in Rome Township, **Bradford County**, ACOE Susquehanna River Basin District (Rome, PA Quadrangle N: 5.82 inches; W: 16.44 inches).

To remove an existing two-span steel I-beam bridge and construct and maintain a two span spread box beam with a span of 130.0 feet, with a minimum underclearance of 8.00 feet on a skew of 45° over Bullard Creek located along SR 1022 Segment 0200 Offset 0223, Rome Township, Bradford County. This project proposes to have a minimal impact on Bullard Creek, which is, designated a CWF. This project does propose to impact jurisdictional wetlands.

**E12-159. Mid-Cameron Authority**, 421 Broad Street, Emporium, PA 15834. Emporium Borough-Shippen Township Wastewater Treatment Plant Upgrade, in Shippen Township, **Cameron County**, ACOE Baltimore District (Emporium, PA Quadrangle N: 1.1 inches; W: 14 inches).

To modify, operate and maintain a municipal wastewater treatment facility and its appurtenances in the 100-year floodplain of Driftwood Branch-Sinnemahoning Creek; construct, operate and maintain a sanitary sewer line crossing Driftwood Branch; and to construct, operate and maintain treated effluent outfall structures along Driftwood Branch for the collection and treatment of municipal wastewater. The sanitary sewer line crossing shall be constructed with an 18-inch diameter ductile iron pipe encased in concrete. Construction of the sanitary sewer line shall be installed beneath the stream channel in dry work conditions by dams and pumping or fuming stream flow around the work area. Since Driftwood Branch is a TSF, no construction or future repair work shall be done in or along the stream channel between March 1 and June 15 without the prior written approval of the Fish and Boat Commission. The project is located along the southern right-of-way SR 0120 approximately 0.70-mile south of Broad Street and SR 0120 intersection. This permit also authorizes construction, operation, maintenance and removal of temporary stream diversions, cofferdams and construction road crossings. Temporary structures shall be constructed of blocky, angular rock that is clean, free of fines.

**E57-109. Schrader Creek Watershed Association, c/o Hugh McMahon**, R. R. 2, Box 292, Towanda, PA 18848. Water Obstruction and Encroachment Joint Permit for a passive Treatment System, in Fox Township, **Sullivan County**, ACOE Baltimore District (Grover, PA Quadrangle N: 15.6 inches; W: 7.3 inches).

To construct, operate and maintain one 3-foot high low head dam (containing two weir structures), 35 linear feet

of 24-inch diameter HDPE pipe and associated rip-rap protection, a 5,000 square foot ALB treatment facility, a 3,500 square foot AVFW treatment facility for the abatement of suppressed water chemistry in the Upper Schrader Creek Watershed. The project is located 0.5 mile west of SR 154 northwest of Wheelerville adjacent to and in a UNT to Schrader Creek. The UNT to Schrader Creek is an Exceptional Value Fishery. This permit also authorizes the construction, operation, maintenance and removal of temporary access roads, channel diversions, cofferdams and stockpiles in and along the UNT to Schrader Creek. Temporary facilities used for project construction shall be removed from floodplain areas; upon project completion, all areas of disturbance shall be restored and stabilized within 20 days.

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

**E32-474. Dannic Energy Corporation**, 164 Millrun Drive, Indiana, PA 15701. To maintain a rock lined ford crossing in Canoe Township, **Indiana County**, Pittsburgh ACOE District. (Punxsutawney, PA Quadrangle N: 1.4 inches; W: 13.5 inches and Latitude: 40° 52' 58"—Longitude: 78° 58' 21"). To operate and maintain a rock lined ford crossing in a UNT to Canoe Creek (CWF) located approximately 550 feet southeast of T-800.

**E65-888. Derry Township**, 650 Derry Road, Derry, PA 15627. To construct a bridge in Derry Township, **Westmoreland County**, Pittsburgh ACOE District. (Blairsville, PA Quadrangle N: 4.6 inches; W: 5.8 inches and Latitude: 40° 24' 02.08" and Longitude: 79° 17' 30.76"). To remove the existing structure, construct and maintain a concrete spread box beam bridge having a span of approximately 46 feet wide and underclearance of approximately 8 feet carrying TR-937 (Willow Run Road) over Stony Run. New bridge will be two lanes with improved sight distance and will improve the intersection with Coal Hill Road. The bridge is located on Willow Run Road near its intersection with Stony Run. Total temporary impact to Stony Run (CWF) will be approximately 100 feet.

**E65-889. Derry Township**, 650 Derry Road, Derry, PA 15627. To construct a bridge in Derry Township, **Westmoreland County**, Pittsburgh ACOE District. (Blairsville, PA Quadrangle N: 7.1 inches; W: 5.3 inches and Latitude: 40° 24' 49.81" and Longitude: 79° 17' 13.96"). To remove the existing structure, construct and maintain a concrete spread box beam bridge having a span of approximately 54 feet and underclearance of approximately 7 feet carrying TR-941 (Pipers Road) over Stony Run. New bridge will be two lanes with improved sight distance and will allow emergency vehicles to use this road. The bridge is located on Pipers Road near its intersection with Stony Run. Total temporary impact to Stony Run (CWF) will be approximately 100 feet.

**E65-890. Norwin School District**, Administration Building, 281 McMahon Drive, North Huntingdon, PA 15642-2403. To construct a stream enclosure in North Huntingdon Township, **Westmoreland County**, Pittsburgh ACOE District. (Irwin, PA Quadrangle N: 13.0 inches; W: 13.3 inches; Latitude: 40° 19' 19.4" and Longitude: 79° 43' 17.3"). To construct and maintain approximately 541 linear feet of 48-inch diameter stream enclosure in a UNT to Tinkers Run (TSF) for the purpose of construction of the Hahntown Elementary School for the Norwin School District.

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

**E25-698, Summit Township Water Authority**, 8290 Old French Road, Erie, PA 16509. Mitchell Well Field & Bridge over LeBoeuf Creek, in Waterford Township, **Erie County**, ACOE Pittsburgh District (Waterford, PA Quadrangle N: 21.0 inches; W: 15.8 inches).

The applicant proposes to install a well field consisting of 3,300 linear feet of 12-inch diameter ductile iron waterline, two municipal drinking water supply wells and a chlorine/meter building (Waterford, PA Quadrangle N: 21.0 inches; W: 15.8 inches) in Waterford Township, Erie County approximately 1.2 mile N of the intersection SR 97 and Himrod Road involving: 1) to remove the existing bridge and to construct and maintain a prefabricated steel bridge having a clear span of 53 feet and an underclearance of approximately 9.0 feet; 2) to construct and maintain two municipal drinking water supply wells within PEM wetlands; 3) to temporarily impact approximately 0.17 acre of wetlands for installation of two wells within the wetland and the wetland crossing of the associated waterline; 4) to install and maintain a ductile iron 12-inch diameter waterline across LeBoeuf Creek; 5) to construct and maintain an access road to the wells impacting 0.076 acre of PEM wetlands; and 6) to construct 0.076 acre of PEM wetlands onsite.

LeBoeuf Creek is a perennial stream classified as a TSF. The project proposes to impact approximately 30 linear feet of stream and to temporarily impact approximately 0.17 acre of PEM wetlands and to permanently impact 0.076 acre of PEM wetlands

**E25-702, Iroquois School District**, 4231 Morse Street, Erie, PA 16511. Iroquois Elementary School, in Lawrence Park Township, **Erie County**, ACOE Pittsburgh District (Erie North, PA Quadrangle N: 5.3 inches; W: 1.6 inches).

The applicant proposes to fill the existing UNT Lake Erie (with a drainage area of 59 acres) (Erie North, PA Quadrangle N: 5.3 inches; W: 1.6 inches) adjacent to the southwest corner of the intersection of Tyndall Street and Morse Street in Lawrence Park Township, Erie County for a length of approximately 382 feet and to reroute the UNT Lake Erie through a HDPE plastic stream enclosure having 3-foot diameter for a length of approximately 373 feet and having 3.5-foot diameter for a length of approximately 518 feet. Project includes associated stormwater outfalls and two waterline crossings under the stream enclosure. The UNT Lake Erie is stream classified as a MF and a CWF.

**SPECIAL NOTICES**

**Planning Grant Awards under Section 901 of the Municipal Waste Planning Recycling and Waste Reduction Act of 1988, Act 101**

The Department of Environmental Protection (Department) announces the following grants to counties under the Pennsylvania Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, Act 101, P. L. 556, section 901 and section 208 of the Waste Tire Recycling Act/Small Business and Household Pollution Prevention Act (Act 190 of 1996).

Planning grants are awarded to counties for 80% of approved costs for preparing municipal waste management plans as required by Act 101, for carrying out related studies, surveys, investigations, inquiries, research and analysis, including those related to siting, environmental mediation, education programs on pollution prevention and household hazardous waste and providing technical assistance to small businesses for pollution prevention. Grants may be awarded for feasibility studies and project development for municipal waste processing or disposal facilities, except for facilities for the combustion of municipal waste that are not proposed to be operated for the recovery of energy. Grant awards are predicated on the receipt of recycling fees required by sections 701 and 702 of Act 101 and the availability of moneys in the Recycling Fund.

Inquiries regarding the grant offerings should be directed to Sally Lohman, Chief, Waste Planning Section, Department of Environmental Protection, Bureau of Waste Management, Division of Waste Minimization and Planning, P. O. Box 8472, Harrisburg, PA 17105-8472.

**Act 101, Section 901 Planning Grant**

<i>Region</i>	<i>County</i>	<i>Applicant</i>	<i>Project Description</i>	<i>Grant Award</i>
Southeast	Montgomery	Montgomery County	Plan Revision	\$200,000

**Categorical Exclusion**

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

*Project Information:*

<i>Project Applicant</i>	<i>Project Applicant's Address</i>	<i>Project Location (Municipality)</i>	<i>Project Location (County)</i>
Lower Lackawanna Valley Sanitary Authority	P. O. Box 2067 Duryea, PA 18642-2067	Duryea Borough	Luzerne

*Description:* The Pennsylvania Infrastructure Investment Authority (Authority), which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. The Lower Lackawanna Valley Sanitary Authority proposes to upgrade its 6.0 mgd WWTF to comply with the biological nutrient reduction requirements imposed on the Authority as a result of the implementation of the Chesapeake Bay Tributary Strategy. The facility's existing treatment process will be converted to a tertiary treatment process to meet the more stringent total nitrogen and total phosphorus effluent discharge limits. The Department of Environmental Protection's (Department) review of the project and the information received has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby categorically excludes this project from the State Environmental Review Process.

[Pa.B. Doc. No. 06-936. Filed for public inspection May 26, 2006, 9:00 a.m.]

### Submission Date for Recycling Program Development and Implementation Grants under the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988

The Department of Environmental Protection (Department) announces the availability of applications to municipalities for recycling program grant assistance under section 902 of the Municipal Waste Planning, Recycling and Waste Reduction Act (act) (53 P.S. § 4000.902). Municipalities eligible for recycling grants include counties, cities, boroughs, incorporated towns, townships, home rule municipalities, councils of governments, consortiums or similar entities established by two or more municipalities under 53 Pa.C.S. Chapter 23, Subchapter A (relating to intergovernmental cooperation).

Since the program's inception, over \$345 million has been issued by the Department to establish, support and expand municipal recycling programs. In just the past 5 years, \$98 million has been provided to municipal programs resulting in an increase of 1.7 million tons of recovered materials from municipal solid waste. These additional materials have helped to grow this Commonwealth's \$20 billion annual recycling economy.

Applicants must be in compliance with the act and the implementing regulations, the Department's Guidelines for Proper Management of Recyclable Materials and any previous grant contract provisions to be eligible to receive grant funding. County applicants should be in compliance with planning and other county-related provisions of the act. Applicants who are not in compliance with the act's annual reporting requirements will not be considered in this grant application round. Programs operating in municipalities covered by land use plans and ordinances (as outlined under Acts 67 and 68 of 2000) or projects that are in compliance with their municipality's land use plan will receive priority over similar programs and projects absent such conditions.

Municipalities are eligible for 90% funding of approved recycling program costs. Municipalities considered financially distressed by the Department of Community and Economic Development under the Municipalities Financial Recovery Act (53 P.S. §§ 11071.101—11701.501) are eligible for 100% of approved costs. An application requesting more than \$500,000 in grant funding will not be accepted. Because funding for educational efforts will be limited, applicants should, when practicable, allocate these costs toward their required match.

Applicants must submit a plan along with their funding request that includes definitive actions and strategies for optimizing program self-sufficiency. The plan shall include, at a minimum, strategies for reducing costs and generating revenues, provisions for establishing incentives associated with waste reduction and recycling, mechanisms for public outreach and stakeholder input and tracking mechanisms to document progress toward sustainability milestones until optimum sustainability is realized. The Department's technical report on *Building Financially Sustainable Recycling Programs* can provide assistance in developing such methods and strategies. The technical report can be found on the Department's website at [www.depweb.state.pa.us/dep/deputate/airwaste/wm/recycle/document/fin\\_sust\\_rec.pdf](http://www.depweb.state.pa.us/dep/deputate/airwaste/wm/recycle/document/fin_sust_rec.pdf).

In this grant round, the Department is designating up to one half of the funding available to support the establishment of programs that provide residents with an incentive to recycle more or dispose of less waste, such as "Pay-As-You-Throw" and other new and innovative recycling programs designed to increase household and busi-

ness participation and/or increase the amount of recyclables collected. Communities applying for funds to support such programs will be asked to demonstrate increased revenues from the marketing of recyclable materials as well as an overall increase in materials collected and residential participation once the program has been implemented. Eligible costs under this grant include: reusable containers for recyclable materials; vehicles to collect recyclable materials, including those equipped for automated collection; agreements for collection and/or marketing of recyclables; educational materials specific to the incentive program; and development of the program leading to implementation. Costs for containers, education and development of the program attributable to the waste collection portion of the program may be claimed as the applicant's 10% matching funds.

Other applicants requesting support for the following will receive priority for the remainder of the funding:

1. Economic evaluation of the municipality's recycling collection, education and marketing efforts resulting in recommendations leading towards enhanced sustainability. Funding for this task will be limited to \$10,000 per municipal applicant or \$25,000 per multi-municipal program.

2. Multi-municipal collection, processing and materials marketing programs where costs are reduced and/or recycling marketability is enhanced due to intergovernmental cooperation.

3. Equipment and education necessary to collect and/or process an Act 101 material not currently included in the applicant's recycling program.

Projects eligible for grant funding are those which divert the following recyclable materials from municipal solid waste: clear glass, colored glass, aluminum, steel and bimetallic cans, high-grade office paper, newsprint, corrugated paper, other marketable grades of paper, plastics, source separated food scraps, and leaf and yard wastes.

Eligible recycling program development costs include: recycling program design costs, recycling market investigations, development of recycling market commitments, development of recycling program ordinances, development of recycling public education programs and development of contracts for procuring equipment or services necessary for the operation of the recycling program.

Eligible recycling program implementation costs include: purchase or lease of vehicles used to collect recyclables (including automated and single-stream collection vehicles), transport of recyclables to processing facilities or markets, including vehicles used in the operation of a materials recovery facility; purchase of reusable containers for the collection or storage of recyclable materials; acquisition or renovation, or both, of buildings for the processing or storage of recovered materials; equipment used to process or manufacture recyclable materials into usable products; improvements to land needed to operate a recycling facility or yard waste composting facility authorized under 25 Pa. Code § 271.103(h) (relating to permit-by-rule for municipal waste processing facilities other than for infectious or chemotherapeutic waste; qualifying facilities; general requirements); and the costs associated with educating the public on recycling program requirements. Under this grant solicitation, promotional items, glass crushing equipment (unless specific marketing arrangements have been identified) and vehicles equipped with compaction units (except for the sole collection of yard waste, paper fiber and/or single-stream collection where a facility equipped to process such material has been identified)

will not be considered eligible for funding. Other eligible and noneligible costs are listed in the grant application packet. Composting projects and programs will be considered to be recycling projects or programs accordingly.

A municipality must retain sole ownership of equipment or facilities funded by the grant. Funding for equipment or facilities purchased for the recycling program that is used for recycling and other purposes will be prorated according to its recycling use. Funding for certain leaf and yard waste collection equipment may be limited according to its seasonal use. Funding for wood chipping equipment will be approved only when the equipment is part of an approved yard waste composting facility operating under the Department's guidelines and where the material is collected curbside from residents. Funding of street sweepers for the purpose of leaf collection will not be considered.

Funding may be restricted in situations where equipment or services requested through a grant application may be available from the public or private sector within the county of the applicant. Public notices may be required before the grant application may be submitted depending upon the nature of the funding request. When the municipality submits the recycling grant application to the Department, it must include proof of compliance with the notification requirements, a description of any responses received to the notice and an explanation of why the municipality has concluded the mechanical processing equipment is not available to the program from the private sector.

Potential applicants must contact the appropriate Department regional planning and recycling coordinator to schedule a preapplication conference to discuss application requirements and program particulars. Applications will be returned to municipalities that fail to schedule a preapplication conference. Grant application forms are available from the Department's regional offices and the Department's website, [www.depweb.state.pa.us](http://www.depweb.state.pa.us) (DEP Keyword: Recycling Grants).

Grant applications must be received or postmarked by October 20, 2006. Applications received by the Department after that date will not be considered during the current round of solicitation. Applications must be on forms provided by the Department, with two copies submitted to the Department's Central Office (Rachel Carson State Office Building, Harrisburg) and one copy submitted to the appropriate county recycling coordinator. Grant awards will be predicated on the receipt of recycling fees required by sections 701 and 702 of the act (53 P. S. §§ 4000.701 and 4000.702) and the availability of moneys in the Recycling Fund.

Inquiries concerning this notice should be directed to Todd Pejack, Recycling Grants Coordinator, Department of Environmental Protection, Rachel Carson State Office Building, Bureau of Waste Management, Division of Waste Minimization and Planning, P. O. Box 8472, Harrisburg, PA 17105-8472, [tpejack@state.pa.us](mailto:tpejack@state.pa.us).

KATHLEEN A. MCGINTY,  
*Secretary*

#### **Regional Planning and Recycling Coordinators**

##### **Southeast Region**

Bucks, Chester, Delaware, Montgomery and Philadelphia Counties

(Waste Management Program)  
2 East Main Street

Norristown, PA 19401  
(484) 250-5900  
(610) 832-6143 fax  
Calvin Ligons, [cligons@state.pa.us](mailto:cligons@state.pa.us)  
Ann Ryan, [aryan@state.pa.us](mailto:aryan@state.pa.us)  
MaryAlice Reisse, [mreisse@state.pa.us](mailto:mreisse@state.pa.us)

##### **Northeast Region**

Carbon, Lackawanna, Lehigh, Luzerne, Monroe, Northampton, Pike, Schuylkill, Susquehanna, Wayne and Wyoming Counties

(Waste Management Program)  
2 Public Square  
Wilkes-Barre, PA 18711-0790  
(570) 826-2516  
(570) 826-5448 fax  
Chris Fritz, [cfritz@state.pa.us](mailto:cfritz@state.pa.us)

##### **Southcentral Region**

Adams, Bedford, Berks, Blair, Cumberland, Dauphin, Franklin, Fulton, Huntingdon, Juniata, Lancaster, Lebanon, Mifflin, Perry and York Counties

(Waste Management Program)  
909 Elmerton Avenue  
Harrisburg, PA 17110-8200  
(717) 705-4706  
(717) 705-4930 fax  
Mark Vottero, [mvottero@state.pa.us](mailto:mvottero@state.pa.us)  
Mike Union, [munion@state.pa.us](mailto:munion@state.pa.us)

##### **Northcentral Region**

Bradford, Cameron, Centre, Clearfield, Clinton, Columbia, Lycoming, Montour, Northumberland, Potter, Snyder, Sullivan, Tioga and Union Counties

(Waste Management Program)  
208 W. 3rd Street, Suite 101  
Williamsport, PA 17701  
(570) 321-6533  
(570) 327-3420 fax  
Michelle Ferguson, [miferguson@state.pa.us](mailto:miferguson@state.pa.us)

##### **Southwest Region**

Allegheny, Armstrong, Beaver, Cambria, Fayette, Greene, Indiana, Somerset, Washington and Westmoreland Counties

(Waste Management Program)  
400 Waterfront Drive  
Pittsburgh, PA 15222-4745  
(412) 442-4000  
(412) 442-4194 fax  
Sharon Svitek, [ssvitek@state.pa.us](mailto:ssvitek@state.pa.us)  
Stephen Sales, [ssales@state.pa.us](mailto:ssales@state.pa.us)  
Bradley Cunningham, [bcunningham@state.pa.us](mailto:bcunningham@state.pa.us)

##### **Northwest Region**

Butler, Clarion, Crawford, Elk, Erie, Forest, Jefferson, Lawrence, McKean, Mercer, Venango and Warren Counties

Pollution Prevention and Compliance Assistance  
230 Chestnut Street  
Meadville, PA 16335-3481  
(814) 332-6848  
(814) 332-6117 fax  
Guy McUmber, [gmcumber@state.pa.us](mailto:gmcumber@state.pa.us)

[Pa.B. Doc. No. 06-937. Filed for public inspection May 26, 2006, 9:00 a.m.]

## DEPARTMENT OF HEALTH

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

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.3 (relating to definitions):

Garden Spot Village  
433 S. Kinzer Avenue  
New Holland, PA 17557-9360  
Facility ID #14350200

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

Lock Haven Extended Care Unit  
24 Cree Drive  
Lock Haven, PA 17745  
Facility ID 122202

Manor Care Jersey Shore  
1008 Thompson Street  
Jersey Shore, PA 17740

The following long-term care nursing facilities are seeking an exception to 28 Pa. Code § 205.67(k) (relating to electric requirements for existing and new construction):

Moravian Village  
526 Wood Street  
Bethlehem, PA 18018  
FAC ID 1597

Grandview Health Homes, Inc.  
49 Woodbine Lane  
Danville, PA 17821

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, 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 15 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

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

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

[Pa.B. Doc. No. 06-938. Filed for public inspection May 26, 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>
Allied Mechanical and Electrical, Inc. —and— State College Electrical and Mechanicals, Inc.	2141 Sandy Drive State College, PA 16803	1/20/2006

STEPHEN M. SCHMERIN,  
*Secretary*

[Pa.B. Doc. No. 06-939. Filed for public inspection May 26, 2006, 9:00 a.m.]

## ENVIRONMENTAL QUALITY BOARD

### Acceptance of Rulemaking Petition for Study

On May 17, 2006, the Environmental Quality Board (Board) accepted a rulemaking petition for study under 25 Pa. Code Chapter 23 (relating to Environmental Quality Board policy for processing petitions—statement of policy). The petition, submitted by the Gallows Run Watershed Association, requests the Board redesignate Gallows Run (Nockamixon, Springfield and Durham Townships in northern Bucks County) from Cold Water Fishes (CWF) to High Quality (HQ).

Under 25 Pa. Code § 93.4d(a) (relating to processing of petitions, evaluations and assessments to change a designated use), the Department of Environmental Protection (Department) is required to publish a notice of intent to assess candidate waters before performing survey work. The Department's assessment notice for Gallows Run will appear in a future issue of the *Pennsylvania Bulletin*.

The referenced petition is available to the public by contacting the Environmental Quality Board, P. O. Box 8477, Harrisburg, PA 17105-8477, (717) 787-4526 and is also accessible on the Department's website at [www.depweb.state.pa.us/pubpartcenter/cwp/view.asp?a=3&q=504724](http://www.depweb.state.pa.us/pubpartcenter/cwp/view.asp?a=3&q=504724) (May 17, 2006, meeting).

KATHLEEN A. MCGINTY,  
*Chairperson*

[Pa.B. Doc. No. 06-940. Filed for public inspection May 26, 2006, 9:00 a.m.]

### Environmental Quality Board Meeting Cancellation

The June 20, 2006, Environmental Quality Board (Board) meeting has been cancelled. The next meeting of the Board is scheduled for Tuesday, July 18, 2006, at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. An agenda and meeting materials for the meeting will be available on the Department of Environmental Protection's website at [www.depweb.state.pa.us](http://www.depweb.state.pa.us) (DEP Keyword: EQB).

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

KATHLEEN A. MCGINTY,  
Chairperson

[Pa.B. Doc. No. 06-941. Filed for public inspection May 26, 2006, 9:00 a.m.]

## FISH AND BOAT COMMISSION

### Closure; Quaker Lake Access Area, Susquehanna County

The Executive Director of the Fish and Boat Commission (Commission), acting under the authority of 58 Pa. Code § 53.4(a) (relating to limiting access to Commission property and other restrictions), has closed the Commission's access area at Quaker Lake, Susquehanna County, to all public use. This restriction is effective when posted at the site and will remain in effect until further notice. It is unlawful for any person to enter or remain upon Commission property during the times it is closed to public use, without the express written consent of the Executive Director or his designee.

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

[Pa.B. Doc. No. 06-942. Filed for public inspection May 26, 2006, 9:00 a.m.]

## HUMAN RELATIONS COMMISSION

### Public Hearing Opinions

The Human Relations Commission (Commission), under section 7(o) of the Pennsylvania Human Relations Act (act) (43 P. S. § 957(o)), announces the publication of the Findings of Fact, Conclusions of Law, Opinion and Final Order made after a public hearing under section 9(e)—(g) of the act (43 P. S. § 959(e)—(g)) in the following cases:

*Elvis Rojas v. Scotland Yard Security*, PHRC Case No. 200403930 (Pennsylvania Human Relations Commission, March 28, 2006)

Respondent failed to respond to the complaint; \$11,572.88 in back pay and \$36.40 as certifiable travel expenses were awarded as appropriate damages to the complainant.

Ruling for complainant, 10-0 decision  
17 pages

*Wilmer J. Baker v. The Frog Switch & Manufacturing Co.*, PHRC Case No. 199800386, Doc. No. E-88319DAH (Pennsylvania Human Relations Commission, April 25, 2006)

Complaint of retaliation, suspension and discharge. Recommendation that the order of December 4, 2005, be reversed in favor of the respondent.

Ruling for respondent, 9-0 decision  
36 pages

*Brenda M. Burney v. Department of Revenue*, PHRC Case No. 199902863 (Pennsylvania Human Relations Commission, April 25, 2006)

Complaint of an alleged race-based discharge. A public hearing had been held and the complainant failed to prove discrimination. Recommendation that the case be closed in favor of the respondent.

Ruling for respondent, 9-0 decision  
32 pages

The final orders in the previously listed cases are subject to appeal to Commonwealth Court and if appealed are subject to being affirmed, reversed or modified, in whole or part.

Copies of the opinions listed in this notice may be obtained by mailing a request indicating the opinion desired, accompanied by a check or money order in the amount of 15¢ per page (the number of pages in the opinion is set forth at the end of the case listing), to Laura J. Treaster, Communications Director, Human Relations Commission, 301 Chestnut Street, Suite 300, Pennsylvania Place, Harrisburg, PA 17101.

The check or money order should be made payable to the "Commonwealth of Pennsylvania." Copies are also available under the Legal section of the Commission's website at [www.phrc.state.pa.us](http://www.phrc.state.pa.us).

HOMER C. FLOYD,  
Executive Director

[Pa.B. Doc. No. 06-943. Filed for public inspection May 26, 2006, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P. S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b).

The Commission has issued comments on the following proposed regulations. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.



<i>Reg No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
7-398	Environmental Quality Board Pennsylvania Clean Vehicles Program 36 Pa.B. 715 (February 11, 2006)	4/12/06	5/12/06
16A-4915	State Board of Medicine and State Board of Osteopathic Medicine Athletic Trainers 36 Pa.B. 1233 (March 18, 2006)	4/17/06	5/17/06
16A-4511	State Board of Cosmetology Accreditation of Licensed Schools 36 Pa.B. 1229 (March 18, 2006)	4/17/06	5/17/06
16A-5716	State Board of Veterinary Medicine Certified Veterinary Technician Specialist 36 Pa.B. 1240 (March 18, 2006)	4/17/06	5/17/06

**Environmental Quality Board Regulation #7-398  
(IRRC #2523)**

**Pennsylvania Clean Vehicles Program**

**May 12, 2006**

We submit for your consideration the following comments on the proposed rulemaking published in the February 11, 2006 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the Environmental Quality Board (EQB) to respond to all comments received from us or any other source.

**1. National v. California Emissions Standards—  
Economic impact; Protection of public health and  
effect on this Commonwealth's natural resources;  
Legislative review of a policy decision.**

Senators Roger A. Madigan and Mary Jo White submitted a letter on March 27, 2006, expressing several concerns with the proposed regulation. Their letter expressed support for the national vehicle emissions control program known as Tier 2 (*Federal Register*, February 10, 2000 (65 FR 6698)), as an alternative to the California Air Resources Board (CARB) regulations referenced by the existing and proposed regulations. In addition, the Senate passed Senate Bill 1025, by a vote of 27 to 20 on February 15, 2006. This bill would revive the regulatory framework initiated in 1998 and give the automobile industry the option of complying with either the CARB regulations or Tier 2.

Commentators for the automobile industry also recommended that the EQB adopt the Tier 2 program. They claim that it is a comparable, or an even better, program for reducing air pollution. Additionally, the economic impacts on the automobile industry and consumers will not be as great as those imposed by CARB regulations.

In its response to these concerns, the EQB needs to explain why and how the CARB regulations address the issues of environmental protection and cost-effectiveness. It should demonstrate how its regulation will generate greater benefits for public health and the Commonwealth's natural resources at a cost that is affordable, reasonable and competitive with alternative regulatory approaches.

**2. Section 126.412. Emission requirements.—Clarity.**

The EQB indicates that Subsection (d) is intended to allow manufacturers to carry forward nonmethane organic gases (NMOG) credits fully for a three-year period without any loss of those credits each year. However, this is not clearly stated in this section. This provision should be amended to clarify the EQB's intentions.

**3. Requests for information.—Reasonableness; Clarity.**

Subsection (b) in Sections 126.421—126.425 requires a manufacturer to provide certain types of information to the Department of Environmental Protection (Department) "upon request." Under what circumstances would the Department make the request? The EQB should clearly identify the type of request it will make to the manufacturers and that the request should be in writing.

**4. Rental vehicles.—Implementation procedure;  
Reasonableness; Clarity.**

The Hertz Corporation is concerned about how the CARB standards will affect the rental car industry. Does the EQB intend to require rental car companies to ensure that any car that could possibly be used in Pennsylvania comply with CARB standards or would rental car companies merely be required to have all vehicles registered in the Commonwealth comply with those standards? Department staff indicated that it is investigating potential solutions to this issue and it does not intend to impede business in the Commonwealth for the rental car industry. The EQB should clearly delineate the requirements for rental vehicles in the final-form regulation.

**5. Fuel alternatives.—Fiscal impact; Reasonableness; Clarity.**

Commentators expressed concern with the impact of this proposed regulation on vehicles that operate on different types of fuels. Light-duty vehicles that operate on diesel are very popular. Will consumers still be able to purchase and operate these vehicles in Pennsylvania under CARB regulations? In addition, industry, federal and state leaders have recently expressed support for "flexible fueled vehicles" that operate on fuels with a greater percentage of ethanol which is a renewable fuel. What will be the impact of this proposed regulation on the use of ethanol?

**State Board of Medicine and State Board of  
Osteopathic Medicine**

**Joint Regulation #16A-4915 (IRRC #2527)**

**Athletic Trainers**

**May 17, 2006**

We submit for your consideration the following comments on the proposed rulemaking published in the March 18, 2006 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the State Board of Medicine and the State Board of Osteopathic Medicine (Boards) to respond to all comments received from us or any other source.

**1. Consistency between regulations.—Reasonableness; Clarity.**

The House Professional Licensure Committee (Committee) noted in its comments that there are a number of language inconsistencies between the regulations of the State Board of Medicine and the State Board of Osteopathic Medicine. The Boards should correct these inconsistencies in the final-form regulation.

**2. Section 18.503. Certification requirement.—Reasonableness; Clarity.**

The Committee recommended that the Board rewrite this section to clarify its intentions. We agree.

More specifically, the Board should amend Subsection (b) to state "Subsection (a) does not preclude." The Board should then also insert the word "from" between "student" and "practicing" in Subsection (b)(3). This suggestion also applies to Section 25.703.

**3. Section 18.504. Application for certification.—Reasonableness; Clarity.**

Subsection (b) and Section 25.704(b) state that "To qualify for certification, an applicant . . . may not be addicted to alcohol or hallucinogenic, narcotic or other drugs which tend to impair judgment or coordination." How will the Board determine that an applicant meets this requirement?

**4. Section 18.505. Educational requirements.—Clarity.**

*Subsection (1)*

Subsections 18.505(1) and 25.705(1) contain the phrase "an accredited educational program for athletic trainers" (Emphasis added). Section 25.707 uses the phrase "an accredited education program." The defined term is "Approved athletic training education programs."

We have two concerns.

First, the final-form regulation should use the defined term throughout the regulation.

Second, it is unclear who is responsible for accrediting these programs. Which agencies are approved by the Board to accredit these programs?

*Subsection (2)*

This subsection contains the phrase "Hold or maintain current credentialing . . . from the BOC or another credentialing body approved by the Board." The Board indicates that the only current credentialing body approved by the Board is the Board of Certification (BOC). How will applicants be informed if other credentialing bodies become approved by the Board in the future? A similar question applies to Section 25.705.

**5. Section 18.507. Temporary certification.—Reasonableness; Clarity.**

The Pennsylvania Athletic Trainers Society (PATS) indicated that the reference to CAAHEP is outdated and should be deleted. PATS also indicated that it would be the new accrediting body. The Board should delete the phrase "accredited by the Commission for Accreditation of Allied Health Education Programs (CAAHEP)." The Board should use the defined term "Approved athletic training education programs."

**6. Section 18.508. Renewal of certification.—Reasonableness; Clarity.**

*Subsection (d)*

This subsection establishes a \$5 charge for every month beyond the renewal date to be added to the renewal fee. The Board has indicated that this is a standard fee that is routinely charged under the Fee Act (63 P. S. § 1401-225). A cross-reference to the appropriate section of the Fee Act should be added to the final-form regulation.

We also note that this fee is not included in corresponding Section 25.708 in the State Board of Osteopathic Medicine's regulations. To be consistent, it should be added along with the appropriate cross-reference to the Fee Act.

*Subsection (e)*

This subsection and all of the subparagraphs under it deal with continuing education requirements and not "Renewal of certification." These provisions would be clearer if included in a separate section entitled "Continuing education requirements." The comparable requirements in Section 25.708 (b) should also be included in a separate section.

**7. Section 18.509. Practice standards for athletic trainers.—Reasonableness; Clarity.**

*Subsection (a)(3)*

This subsection requires a review of the medical exam by a licensed physician. The Committee questions whether this provision should also reference dentists and podiatrists since they may also refer patients. We agree, and note that the corresponding section in Chapter 25 incorporates dentists and podiatrists.

*Subsection (c)*

The Pennsylvania Physical Therapists Association recommends that the review of the "written protocol" should occur more frequently than annually. How did the Board determine that an annual review is appropriate? A similar concern applies to Section 25.709(c).

**State Board of Cosmetology Regulation #16A-4511  
(IRRC #2528)**

**Accreditation of Licensed Schools**

**May 17, 2006**

We submit for your consideration the following comments on the proposed rulemaking published in the March 18, 2006 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the State Board of Cosmetology (Board) to respond to all comments received from us or any other source.

**1. Implementation procedures and timetables for compliance.**

In a letter dated May 5, 2006, the House Professional Licensure Committee questions what the Board's policy

will be if a school changed ownership and the prior owner was delinquent in obtaining accreditation. We note that the Board's response to Question 14 in the Regulatory Analysis Form states there are 158 licensed cosmetology schools in Pennsylvania and 139 of those are accredited. This implies that 19 schools are licensed, but are not yet accredited. These unaccredited schools could experience legitimate difficulty meeting the five year deadline as a result of a change of ownership, change of location or even within the accreditation process itself. The regulation should include or cross reference a provision to allow the licensee the opportunity to demonstrate good cause to the Board and request additional time to get initial accreditation.

**2. Clarity.**

The cross reference in Paragraph 7.111(a)(7) to Article XVIII of the Public School Code should be corrected to read 24 P. S. §§ 18-1801—18-1855.

**State Board of Veterinary Medicine Regulation  
#16A-5716 (IRRC #2530)**

**Certified Veterinary Technician Specialist**

**May 17, 2006**

We submit for your consideration the following comments on the proposed rulemaking published in the March 18, 2006 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the State Board of Veterinary Medicine (Board) to respond to all comments received from us or any other source.

**Section 31.38. Code of ethics for certified veterinary technicians.—Consistency with existing regulations; Clarity.**

In Subsection (g), the first sentence states that a certified veterinary technician (CVT) "may not make a false, deceptive or misleading statement or claim." The second sentence provides one example of such a claim or statement involving a representation that a CVT is a specialist unless he or she has the proper certification. In its comments on this proposed regulation, the House Professional Licensure Committee requested specific information on other acts that would qualify as making a "false, deceptive or misleading statement or claim."

In the existing provisions of Section 31.21 relating to rules of professional conduct for veterinarians, there is a list of examples of false, deceptive or misleading statements. These descriptions are found under "Principle 5" which is entitled "Advertising." In the final-form regulation, the Board should clarify what other types of activities by CVTs would be considered as making false, misleading or deceptive statements.

The second sentence of Subsection (g) contains the words: "... a Veterinary Technician Specialist or a VTS . . ." Neither this term nor its abbreviation appears elsewhere in the Board's existing regulations. For this reason, inclusion of the abbreviation is unnecessary and the words "or VTS" should be deleted. If the abbreviation is retained, the term and its abbreviation should be added to the definitions in Section 31.1 in the final-form regulation.

ALVIN C. BUSH,  
*Chairperson*

[Pa.B. Doc. No. 06-944. Filed for public inspection May 26, 2006, 9:00 a.m.]

**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. 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.

This schedule is tentative. Contact the Commission at (717) 783-5417 or check its website at [www.irrc.state.pa.us](http://www.irrc.state.pa.us) for updates.

<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
11-227	Insurance Department Credit Life Insurance and Credit Accident and Health Insurance	5/15/06	6/15/06
11-228	Insurance Department Minimum Reserve Standards for Individual and Group Health and Accident Insurance Contracts	5/15/06	6/15/06
57-233	Pennsylvania Public Utility Commission Passenger Service and Property and Household Goods Carriers	5/17/06	7/06/06

ALVIN C. BUSH,  
*Chairperson*

[Pa.B. Doc. No. 06-945. Filed for public inspection May 26, 2006, 9:00 a.m.]

# INSURANCE DEPARTMENT

Ferdinand Aczon, M. D.; Prehearing

**Appeal of Ferdinand Aczon, M. D. under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910);  
Doc. No. MM06-05-011**

On or before May 31, 2006, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's March 29, 2006, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for June 21, 2006. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before June 16, 2006. A hearing date shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene, or notices of intervention, if any, must be filed on or before June 7, 2006, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any, shall be filed on or before June 14, 2006.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 06-946. Filed for public inspection May 26, 2006, 9:00 a.m.]

Michael J. Larkin, M. D.; Prehearing

**Appeal of Michael J. Larkin, M. D. under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910);  
Doc. No. MM06-05-007**

On or before May 31, 2006, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's April 13, 2006, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for June 22, 2006. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before June 15, 2006. A hearing date shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before June 7, 2006, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any, shall be filed on or before June 14, 2006.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 06-948. Filed for public inspection May 26, 2006, 9:00 a.m.]

Anesthesia Care Consultants, P. C.; Prehearing

**Appeal of Anesthesia Care Consultants, P. C. under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910);  
Doc. No. MM06-05-006**

On or before May 31, 2006, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's April 20, 2006, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for June 21, 2006. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before June 15, 2006. A hearing date shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before June 7, 2006, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any, shall be filed on or before June 14, 2006.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 06-947. Filed for public inspection May 26, 2006, 9:00 a.m.]

David Meir-Levi, D. O.; Prehearing

**Appeal of David Meir-Levi, D. O. under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910);  
Doc. No. MM06-05-010**

On or before May 31, 2006, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's April 10, 2006, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for June 21, 2006. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before June 15, 2006. A hearing date shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before June 7, 2006, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any, shall be filed on or before June 14, 2006.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 06-949. Filed for public inspection May 26, 2006, 9:00 a.m.]

### New Castle Orthopedic Associates; Prehearing

#### Appeal of New Castle Orthopedic Associates under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM06-05-008

On or before May 31, 2006, the appellant shall file a concise statement setting forth the factual and/or legal basis for its disagreement with MCARE's April 13, 2006, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for June 22, 2006. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before June 15, 2006. A hearing date shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before June 7, 2006, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any, shall be filed on or before June 14, 2006.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 06-950. Filed for public inspection May 26, 2006, 9:00 a.m.]

### Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insureds have requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68) (Act 68) in connection with the termination of the insureds' automobile policies. The hearings will be held in accordance with the requirements of Act 68, 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure) and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearings will be held in the Insurance Department's regional offices in Harrisburg and Philadelphia. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

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

Appeal of Jonathan P. Grimes; file no. 06-119-16787; Erie Insurance Exchange; doc. no. P06-05-003; June 14, 2006, 10 a.m.

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

Appeal of Shannon Busby; file no. 06-267-16847; Progressive Speciality Insurance; doc. no. PH06-05-002; August 17, 2006, 10 a.m.

Parties may appear with or without counsel and offer relevant testimony or evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend an administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Kathryn Culbertson, Agency Coordinator, (717) 705-4194.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 06-951. Filed for public inspection May 26, 2006, 9:00 a.m.]

### Review Procedure Hearings under the Unfair Insurance Practices Act

The following insured has requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (40 P. S. § 1171.8) in connection with the company's termination of the insured's policy. The administrative hearing will be held in the Insurance Department's regional office in Philadelphia, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

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

Appeal of Darcelle M. Connor; file no. 06-266-16558; State Farm Insurance Company; doc. no. P06-04-041; May 31, 2006, 10 a.m.

Each party may appear with or without counsel and offer relevant testimony and/or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend an administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Kathryn Culbertson, Agency Coordinator, (717) 705-4194.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 06-952. Filed for public inspection May 26, 2006, 9:00 a.m.]

Chris Vasilakis, M. D.; Prehearing

**Appeal of Chris Vasilakis, M. D. under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM06-05-005**

On or before May 31, 2006, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's April 13, 2006, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for June 22, 2006. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before June 15, 2006. A hearing date shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before June 7, 2006, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any, shall be filed on or before June 14, 2006.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 06-953. Filed for public inspection May 26, 2006, 9:00 a.m.]

Marie Ann Wetzel, M. D.; Prehearing

**Appeal of Marie Ann Wetzel, M. D. under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM06-05-009**

On or before May 31, 2006, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's March 31, 2006, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for June

22, 2006. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before June 15, 2006. A hearing date shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before June 7, 2006, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any, shall be filed on or before June 14, 2006.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 06-954. Filed for public inspection May 26, 2006, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Change in Control

**A-212285F0136. Pennsylvania-American Water Company.** Application of Pennsylvania-American Water Company for approval of a change in control to be effected through a public offering of the common stock of American Water Works Company, Inc.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before June 12, 2006. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

*Applicant:* Pennsylvania-American Water Company

*Through and By Counsel:* Thomas P. Gadsden, Esquire, Anthony C. DeCusatis, Esquire, Morgan, Lewis and Bockius, LLP, 1701 Market Street, Philadelphia, PA 19103-2921

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-955. Filed for public inspection May 26, 2006, 9:00 a.m.]

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by June 19, 2006. Docu-

ments filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

**Application of the following for approval to *begin* operating as *common carriers* for transportation of *persons* as described under the application.**

**A-00122640. Charlie's Yellow Cab, Inc.** (1397 East Evergreen Drive, #3, Palatine, IL 60074)—persons, upon call or demand, in the Counties of Carbon, Schuylkill and Northumberland.

**Application of the following for approval of the *additional right* and *privilege* of operating motor vehicles as *common carriers* for transportation of *persons* as described under the application.**

**A-00118809, F.6. Carol Jeane Ahmed** (2526 Shingletown Road, State College, Centre County, PA 16801)—additional right, persons upon call or demand, in the County of Centre.

**Complaint**

*Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Reach for the Stars Limo Service, 551 Burlington Ave., Delanco, NJ 08075; Doc. No. A-00117258C0601*

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That all authority issued to REACH FOR THE STARTS LIMO SERVICE (respondent) is under suspension, effective 03/27/2006 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at REACH FOR THE STARS LIMO SERVICE, 551 BURLINGTON AVE, DELANCO, NJ 08075.

3. That respondent holds a Certificate of Public Convenience issued by this Commission on 8/03/2001, at Application Docket No. A-00117258.

4. That respondent has failed to maintain evidence of bodily injury and property damage liability insurance on file with this Commission.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission issue a Secretarial Letter which (1) cancels the Certificate of Public Convenience held by respondent at Docket No. A-00117258, for failure to maintain evidence of current insurance on file with the Commission, (2) orders such

other remedy as the Commission may deem to be appropriate, which may include a fine and the suspension of a vehicle registration and (3) imposes an additional fine on the respondent.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement  
Motor Carrier Services & Enforcement Division  
Bureau of Transportation and Safety  
P. O. Box 3265  
Harrisburg, PA 17105-3265

VERIFICATION

I, Wendy J. Keezel, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: \_\_\_\_\_  
Wendy J. Keezel

NOTICE

A. You must file an answer within twenty days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice, 52 Pa. Code § 1.56(a). The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your answer must be verified and the original and three copies sent to:

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty days of the date of service, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty. Pursuant to 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the revocation of your Certificate of Public Convenience, Contract Carrier Permit, or Brokerage license, or any other remedy as may be appropriate. Each day you continue to violate any regulation, direction, requirement, determination or order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations within twenty days of the date of service of this Complaint. The proof of insurance must be filed with the Secretary of the Commission at the address set forth in Paragraph A. Upon receipt of the evidence of insurance from your insurer, the complaint proceeding shall be closed. **ACORD CERTIFICATES OF INSURANCE ARE UNACCEPTABLE AS EVIDENCE OF INSURANCE.**

D. If you file an answer which either admits or fails to deny the allegations of the complaint, the Bureau of Transportation and Safety will request that the Commission enter an order imposing a penalty (see Paragraph B). Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an answer which contests the complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional penalty set forth in Paragraph B.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Insurance/Filing Unit at (717) 783-5933.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-956. Filed for public inspection May 26, 2006, 9:00 a.m.]

### Telecommunications Service

**A-310554F0002AMA. RCN Telecom Services, Inc.** Application of RCN Telecom Services, Inc. for approval of the right to begin to offer, render, furnish or supply competitive local exchange carrier services to the public in the service territory of the Commonwealth Telephone Company.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before June 12, 2006. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

*Applicant:* RCN Telecom Services, Inc.

*Through and By Counsel:* John F. Povilaitis, Esquire, Matthew A. Totino, Esquire, Ryan, Russell, Ogden & Seltzer, LLP, 800 North Third Street, Suite 101, Harrisburg, PA 17102-2025

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-957. Filed for public inspection May 26, 2006, 9:00 a.m.]

### Telecommunications Service

**A-310554F0002AMB. RCN Telecom Services, Inc.** Application of RCN Telecom Services, Inc. for approval of the right to begin to offer, render, furnish or supply competitive local exchange carrier services to the public in the service territory of Palmerton Telephone Company.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before June 12, 2006. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

*Applicant:* RNC Telecom Services, Inc.

*Through and By Counsel:* John F. Povilaitis, Esquire, Matthew A. Totino, Esquire, Ryan, Russell, Ogden & Seltzer, LLP, 800 North Third Street, Suite 101, Harrisburg, PA 17102-2025

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-958. Filed for public inspection May 26, 2006, 9:00 a.m.]

### Telecommunications Service

**A-310554F0002AMC. RCN Telecom Services, Inc.** Application of RCN Telecom Services, Inc. for approval of the right to begin to offer, render, furnish or supply competitive local exchange carrier services to the public in the service territory of Ironton Telephone Company.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before June 12, 2006. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

*Applicant:* RNC Telecom Services, Inc.

*Through and By Counsel:* John F. Povilaitis, Esquire, Matthew A. Totino, Esquire, Ryan, Russell, Ogden & Seltzer, LLP, 800 North Third Street, Suite 101, Harrisburg, PA 17102-2025

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-959. Filed for public inspection May 26, 2006, 9:00 a.m.]

### Transfer of Control

**A-310633F0007, A-310470F0014, A-310378F0007, A-310547F0007, A-311103F0010 and A-310923F0010. Level 3 Communications, Inc. and TelCove, Inc.** Joint application of Level 3 Communications, Inc. and TelCove, Inc. for approval of a transfer of control of TelCove of Pennsylvania, Inc., TelCove of Eastern Pennsylvania, TelCove of York, Telcove Investment, LLC and TelCove Operations, Inc.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before June 12, 2006. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

*Applicant:* Level 3 Communications, Inc., TelCove, Inc.



*Through and By Counsel:* Daniel P. Delaney, Esquire, Kirkpatrick & Lockhart, Nicholson Graham LLP, 17 North Second Street, 18th Floor, Harrisburg, PA 17101-1507

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-960. Filed for public inspection May 26, 2006, 9:00 a.m.]

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### Water and Sewer Service

**A-230037F2000 (sewer) and A-223950F2000 (water). Borough of Williamsburg.** Application of the Borough of Williamsburg for approval of the abandonment or discontinuance of water and sewer service to the public in areas outside the borough limits, located in portions of Woodbury Township and a portion of Catherine Township, Blair County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before June 12, 2006. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

*Applicant:* The Borough of Williamsburg

*Through and By Counsel:* George M. Aman, III, Esquire, Kenneth R. Myers, Esquire, High, Swartz, Roberts and Seidel, LLP, 40 East Airy Street, Norristown, PA 19404

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-961. Filed for public inspection May 26, 2006, 9:00 a.m.]

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### Water Service

**A-212285F0135. Pennsylvania-American Water Company.** Application of Pennsylvania-American Water Company for approval of the right to offer, render, furnish or supply water service to the public in additional portions of Sadsbury Township, Chester County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before June 12, 2006. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

*Applicant:* Pennsylvania-American Water Company

*Through and By Counsel:* Velma A Redmond, Esquire, Susan Simms Marsh, Esquire, Seth A. Mendelsohn, Esquire, 800 West Hersheypark Drive, Hershey, PA 17033

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 06-962. Filed for public inspection May 26, 2006, 9:00 a.m.]

## PHILADELPHIA REGIONAL PORT AUTHORITY

### Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept bids for Project #06-071.P, Purchase of Roofing Materials until 2 p.m. on Thursday, June 8, 2006. The bid documents can be obtained from the Director of Procurement, PRPA, 3460 N. Delaware Ave., 2nd Floor, Philadelphia, PA 19134, (215) 426-2600 and will be available May 30, 2006. PRPA is an equal opportunity employer. Contractors must comply with all applicable equal employment opportunity laws and regulations.

JAMES T. MCDERMOTT, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 06-963. Filed for public inspection May 26, 2006, 9:00 a.m.]

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## STATE EMPLOYEES' RETIREMENT BOARD

### Hearing Scheduled

A hearing has been scheduled, as authorized by 71 Pa.C.S. Part XXV (relating to State Employees' Retirement Code), in connection with the State Employees' Retirement System's denial of Claimant's request concerning the indicated account.

The hearing will be held before a hearing examiner at the State Employees' Retirement System, 30 North Third Street, Fifth Floor, Harrisburg, PA 17101:

June 13, 2006      Thomas V. McLaughlin      1 p.m.  
(Purchase of Service)

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*

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